

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

Request from Districts of Innovation to amend their approved plans to waive the list of courses in Section 1 of 704 KAR 3:305

Applicable Statute or Regulation:

KRS 156.160 and 704 KAR 3:305

Action Question:

Should the Kentucky Board of Education (KBE) grant the request from the other six Districts of Innovation for a waiver of the list of courses in 704 KAR 3:305(1)?

History/Background:

Existing Policy. KRS 156.160(2)(a) states: “At the request of a local board of education or a school council, a local school district superintendent shall request that the Kentucky Board of Education waive any administrative regulation promulgated by that board. Beginning in the 1996-97 school year, a request for waiver of any administrative regulation shall be submitted to the Kentucky Board of Education in writing with appropriate justification for the waiver.”

704 KAR 3:305, Minimum Requirements for High School Graduation, is set up to provide for a high school diploma based on the completion of a required number of courses that are obtained through the Carnegie Unit system. The current regulation more specifically sets up a required set of courses that must be completed for a student to be eligible to “graduate”. With the new focus on college and career readiness and the establishment of benchmarks for college readiness, more and more districts are realizing that a meaningful senior year of high school cannot be achieved without the flexibility to allow students to participate in learning opportunities aligned to their career pathway that may be better achieved without meeting the specific course requirements listed in the graduation requirement regulation.

At the October 2013 meeting, the Kentucky Board of Education granted Owsley County a waiver that allowed the district to provide an alternative path to meeting the graduation requirements to certain students who complete a locally-designed course of study, personalized to the individual student’s needs and interests, that incorporates the breadth of the Kentucky Core Academic Standards. Since the approval of this waiver, the Kentucky Board of Education also approved Owsley County as a District of Innovation.

Only students who have met the requirements below would be eligible for this alternative graduation pathway.

- 1) Successful completion (grade of B or higher) of the four courses (Algebra II, Biology, English II and U.S. History) that make up the high school achievement portion of the accountability system per 703 KAR 5:200 or completing the four (4) end-of-course assessments with at least the benchmark score established by the Kentucky Department of Education; and
- 2) The student must meet the ACT benchmarks for college readiness as outlined in 703 KAR 5:200.

The other six Districts of Innovation are requesting the same waiver as the one granted to Owsley County, to be effective in 2015-16.

This waiver request seeks to allow for the changing of the makeup of the courses a student completes to meet graduation requirements, not the number of credits.

This waiver request does not serve as an early graduation opportunity. Students wishing to participate in an early graduation program must follow the requirements found in Senate Bill 61 (Enacted 2013).

The Districts of Innovation applying for this waiver also agree to:

- 1) Provide KDE with the district's policy regarding individual graduation plans;
- 2) Provide KDE with the conditions under which the district may grant a diploma based on an individual graduation plan and that students shall complete a locally-designed course of study, personalized to the individual student's needs and interests, that incorporates the breadth of the Kentucky Core Academic Standards and by which the student provides evidence of successful demonstration of the competencies expected of a Kentucky high school graduate.
- 3) Submit each Individual Graduation Plan to KDE for approval. Each plan will include the learning opportunities the student shall engage in and how those opportunities will address the breadth of the Kentucky Core Academic Standards.
- 4) Keep records showing evidence that these criteria have been met and make available these records as requested by the Kentucky Board of Education. In addition, the district agrees, at the request of the Kentucky Board of Education and after an appropriate length of time, to report to the KBE on the postsecondary success of these students.

Staff Recommendation(s) and Rationale(s):

Staff recommends that the KBE approve the request from the other six Districts of Innovation for a waiver of 704 KAR 3:305(1). This action aligns with the board's previous decision on this matter for Owsley County. Also, the students that would be affected by this waiver have already met college readiness standards. This waiver allows them to personalize their schedule once they have met those college readiness standards to better reflect their chosen career pathway.

Impact on Getting to Proficiency:

Kentucky's focus is now on College and Career Readiness and the waiver better meets the students' needs.

Contact Person:

David Cook, Division Director
Division of Innovation and Partner Engagement
Office of Next Generation Schools and Districts
(502) 564-4201, ext. 4832
David.cook@education.ky.gov



Commissioner of Education

Date:

April 2015