

**Valley High School**

10200 Dixie Highway  
Louisville, Kentucky 40272  
(502) 485-8339  
Fax: (502) 8884



October 10, 2016

Commissioner Dr. Stephen L. Pruitt  
Kentucky Department of Education  
300 Sower Boulevard, 5<sup>th</sup> Floor  
Frankfort, KY 40601

Dear Commissioner Pruitt:

In accordance with 703 KAR 5:240(7)(2), Valley High School is submitting an appeal to its classification as a Priority School as a result of the 2015-16 K-PREP assessment. The school requests that either:

1. The provisions outlined in 703 KAR 5:225(7)(1) for Valley High School to exit Priority School status in 2011-12 should be used to determine the school's exit from priority school status as a result of the of the 2015-16 K-PREP assessment,

or

2. The application of the graduation rate threshold of 70% outlined in 703 KAR 5:225(7)(1)(c) for the 2013-14 and 2014-15 school years satisfy the requirement for two of the three years of Valley High School's meeting the Priority School exit criteria, with the revised 80% 4-year graduation rate threshold applied to the 2015-16 school year.

As a result of this request, the school's classification would change from "Priority" to "Focus School-Needs Improvement."

For the past four (4) academic years (2012-13 to present), Valley High School has met its Annual Measureable Objective; and as a result of the 2015-16 K-PREP assessment, the school is no longer identified by the applicable percent calculation of being in the lowest (5) percent of high schools in the Commonwealth (Table 1). The school has met the provisions of 703 KAR 5:225(7)(1), parts (a) and (b) to exit priority school status by meeting AMO for three (3) consecutive years and scoring above the lowest five (5) percent of schools to exit priority school status. These regulations have remained unchanged by recent legislative action.

Table 1: Valley High School Progress Towards Exiting Priority Status

Year	AMO	Percent Rank in Kentucky	4 Year Graduation Rate	Graduation Rate Goal Identified in 703 KAR 5:225	5 Year Graduation Rate
2011-12	Baseline	1			
2012-13	Yes	1	70.9	70	
2013-14	Yes	1	71.8	70	77.9
2014-15	Yes	2	77.9	70	74.5
2015-16	Yes	7	82.7	80	79.8

As a result of legislative action, changes to 703 KAR 5:225(7)(1)(c) went into effect for the 2015-16 school year that raised the graduation rate threshold for exiting from Priority School status from 70% to 80% for three (3) consecutive years. We contend that Valley should be held responsible for the requirements for exiting priority status in KAR 5:225(7)(1)(c) when they were placed in priority status during the 2011-12 school year. By applying this interpretation, the school would have successfully scored at or above a seventy (70) percent graduation rate for three consecutive years and met all requirements to exit priority school status outlined in 703 KAR 5:225(7)(1).

At the conclusion of the 2013-14 and 2014-15 school years, Valley met the 70% graduation rate requirement outlined in 703 KAR 5:225; and at the conclusion of the 2015-16 school year, the school exceeded the 80% threshold identified in the new regulation (Table 1). Under this interpretation, we also contend that since new regulations came into effect during Valley's school improvement efforts, the school should not experience retroactive negative effects of a new regulation on prior year's performance if the school met the legally-required graduation rate threshold during those prior years. In addition, it is important to note that Valley is currently meeting the trajectory required to meet the 98% 4-year Graduation Rate Goal as outlined in 703 KAR 5:225(1)(7). We submit that a reasonable interpretation of the regulation would be that Valley met the 70% graduation rate requirement for the first two years of exit criteria (2013-14 and 2014-15 school years) and met the 80% graduation rate requirement of year three (2015-16 school year) and subsequently met the requirements outlined in 703 KAR 225(7)(1)(c) to exit priority status. This interpretation combined with meeting AMO for three (3) consecutive years and scoring above the lowest five (5) percent of schools in the Commonwealth, Valley High School would meet the criteria to exit priority school status.

We appreciate your consideration in this matter and appreciate the ongoing support that the school has received from KDE's Education Recovery staff. If you have any questions regarding this appeal, do not hesitate to contact me at (502) 485-8339.

Sincerely,



Robert L. Stephenson, Principal  
Valley High School