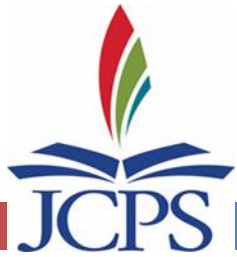


Jefferson County Public Schools

Excellence with Equity

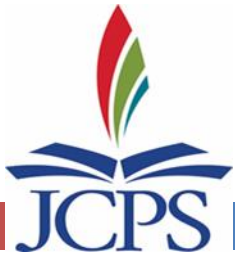
Report on the 2017 Regular Session of the Kentucky General Assembly

Jefferson County Board of Education
April 25, 2017



2017 Regular Session of General Assembly

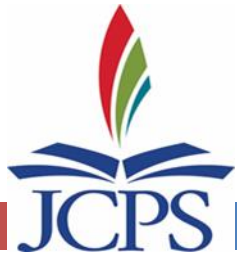
- Short, non-budget session (30 legislative days)
- Republican supermajorities in House and Senate
- New leadership in House
- Intentional focus on a limited number of priorities



2017 Regular Session of General Assembly

Three Key Pieces of Legislation

- Senate Bill 1 – AN ACT relating to public education and declaring an emergency.
 - Educator Evaluation (Professional Growth & Evaluation System – PGES)
 - Response to Intervention (RTI)
 - Standards, Assessment, and Accountability
 - Support and interventions for Low-Performing Schools
 - Aligned to federal ESSA
- HB 420 & HB 471– AN ACT relating to charter schools and making an appropriation therefor.
 - Charter Schools and charter school funding
- HB 151 – AN ACT relating to school attendance
 - “Neighborhood schools”
 - Elimination of local control over student assignment



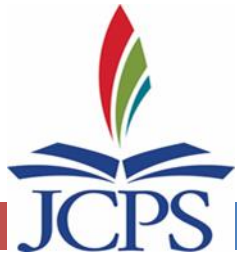
Senate Bill 1

Professional Growth & Effectiveness System (PGES)

- Eliminates statewide PGES, to be replaced by a “statewide framework for teaching” to be developed by KDE.
- Local districts develop and implement a personnel evaluation system aligned to the statewide framework.
- Local evaluation system must include:
 - Multiple measures of effectiveness;
 - At least three performance levels on summative evaluations; and
 - Summative evaluation annually for non-tenured teachers and once every three years for teachers with tenure.
- Results of teacher evaluation are not part of the accountability system.

Response to Intervention (RTI)

- Changes existing RTI language to require KDE to provide technical assistance and training to a district only if requested by the district.
- Technical assistance language changed to include assistance in determining instructional modifications for advanced learners.



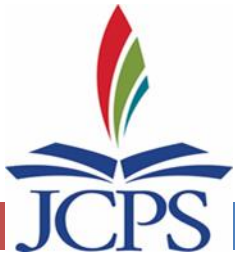
Senate Bill 1

Kentucky Standards – New Review Process

- Standards review beginning in 2017-18 and every six years thereafter.
- Teachers are to be central to the development of standards.
- System of Committees:
 - Four Standards & Assessment Review & Development Committees;
 - Twelve Advisory Panels to the Standards & Assessment Committees;
 - Ten member Process Review Committee focused on review process, procedures, and transparency.
- Existing standards remain in place until new ones are approved by the Kentucky Board of Education (KBE).
- New standards to be in place by second academic year after review process.

Program Reviews

- Eliminates program reviews and audits for arts and humanities, practical living and career studies, and writing.
- Does not replace program reviews with assessment in those content areas.
- For visual and performing arts, writing, foreign language, and practical living, requires KDE to review and revise standards and provide guidelines to schools and districts for implementation.



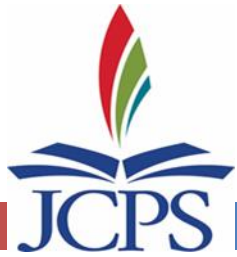
Senate Bill 1

Statewide Assessments

- To be revised after new standards have been developed.
- Assessments may include competency- and performance-based measures.
- Requires annual student achievement assessments for language arts, reading, mathematics, science, and social studies in designated grades.
- Permits KBE to revise testing window to permit innovative or online assessment systems.
- Requires students in alternative programs to participate in the assessments.
- Permits locally developed or purchased formative assessments, if the local board develops a policy to minimize the reduction in instructional time.

Assessment Results

- To be available no later than 75 days after the last testing day.
- Operational subset of test items to be provided to schools and districts.
- Revisions to School Report Cards and reporting of student data to parents.



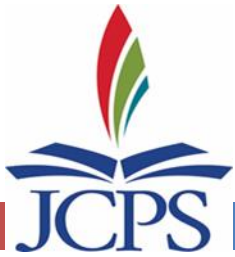
Senate Bill 1

Elementary and Middle School Assessments

- Criterion-referenced tests in math and reading in grades three through eight.
- Criterion-referenced tests in social studies and science, once in elementary school and once in middle school.
- On-demand writing test, once in elementary school and once in middle school.
- Editing and mechanics test, once in elementary school and once in middle school.

High School Assessments

- One criterion-referenced test each in math, reading, social studies, and science.
- One on-demand writing assessment.
- One editing and mechanics test in writing.
- College admissions exam in spring of grades 10 and 11, paid for by KDE.



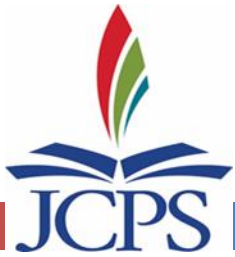
Senate Bill 1

Accountability System

- Annual summative performance evaluation of each school and district, compared to goals established by KDE.
- Summative school performance evaluation must:
 - Not include a single summative score that ranks schools;
 - Be based on academic and school quality indicators (more weight on academics);
 - Student assessment results;
 - Progress toward English proficiency for EL students;
 - School climate and safety;
 - Postsecondary readiness; and
 - Any other requirement under ESSA
- Updates language on achievement gaps to align with ESSA and to adjust dates for setting targets, revising school improvement plans, and reporting.

Certifications, Credentials, and Licensures

- KDE pays for certification assessment for students who completes two related career pathways courses.
- KDE provides reimbursement for certification assessments for students without career pathways courses, weighted based on level of demand.



Senate Bill 1

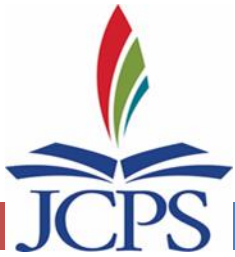
Persistently Low Achieving (PLA) Schools

Identification of Comprehensive Support and Improvement Schools (aka Priority Schools)

- Beginning in 2018-19, a school in the lowest-performing 5% of schools based on the state accountability system;
- A high school with a 4 year cohort graduation rate of less than 80%; or
- A school identified by the department as a Targeted Support and Improvement school which fails to exit that status.

Audit Process for Comprehensive Support and Improvement Schools

- Turnaround audit team:
 - Selected by local board using KDE developed criteria; or
 - If no suitable audit team available, the board must select KDE.
- Audit to include:
 - Diagnosis of causes of low performance;
 - Recommendation regarding principal's capacity; and
 - Recommendation of turnaround principles and strategies necessary for the district to provide to assist school with turnaround.

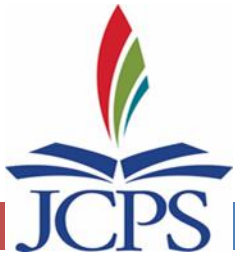


Senate Bill 1

Persistently Low Achieving (PLA) Schools

Turnaround Intervention in Comprehensive Support and Improvement Schools

- Local Board of Education must:
 - Issue an RFP and select for a private entity with documented success at turnaround to provide a training and support team for the school;
 - Use local staff and community partners to serve as the turnaround team for the school; or
 - Select KDE to serve as the turnaround team.
- Superintendent shall
 - Assume authority of SBDM Council; and
 - Retain or reassign principal to comparable position, and select principal if a vacancy occurs.
- Reporting requirements are established, with opportunity to request exemptions, to permit focus on instruction and interventions
- KDE funding for a maximum of three years, based on KDE budget for turnaround support.



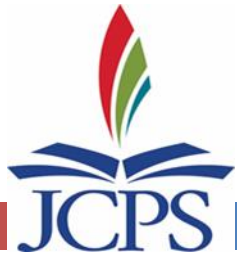
Senate Bill 1

Identification of Targeted Support and Improvement Schools (aka Focus Schools)

- In 2018-19, schools with at least one subgroup whose performance is at or below that subgroup's performance in the lowest 5% of schools.
- In 2019-20, schools with at least one subgroup whose performance is at or below the that subgroup's performance in the lowest 10% of schools for two consecutive years.

School Improvement Plans for Targeted Support and Improvement Schools

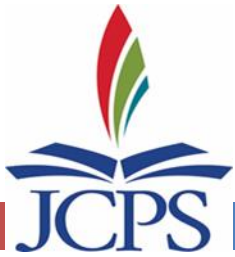
- Identified schools must revise improvement plans, which must include:
 - Turnaround leadership development and support;
 - Identification of critical resource inequities;
 - Evidence-based interventions; and
 - Additional actions to address the causes of consistently underperforming subgroups.
- If adequate performance progress in not made:
 - The district shall provide additional support and action; or
 - The school must be identified as a Comprehensive Support and Improvement School.



Senate Bill 1

Exit Criteria for Targeted and Comprehensive Support and Improvement Schools

- Exit Criteria established by Kentucky Board of Education.
- If a school does not make progress for two consecutive years, or exit after three years, the school must enter an intervention process chosen by the Commissioner.
- For districts with a significant number of schools, as determined by the state board:
 - KDE must review the local board's resource allocation and provide technical assistance; and
 - KDE may provide a recommended list or turnaround or school intervention providers with demonstrated success implementing evidence-based strategies.
- SBDM Council may be restored two years after exiting Comprehensive Support and Improvement Status.



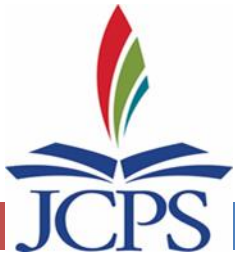
HB 520 - Charter Schools

Public Charter Schools

- Must be governed by a Board of Directors;
- Has powers of a public body corporate and politic (e.g. enter into contracts; sue or be sued; and adopt bylaws);
- Has autonomy over decisions regarding most matters, including finance, purchasing of goods and services, personnel matters, scheduling, and curriculum and instruction;
- Operates under the terms of a charter contract with specific educational objectives, with oversight from the authorizer;
- Is a public school to which parent choose to send their children; and
- Offers a comprehensive instructional program.

Board of Directors

- Accountable to authorizer under the charter contract;
- Must have a minimum of two parents;
- Must have, collectively, expertise in leadership, curriculum and instruction, law, and finance;
- Must not include individuals with conflicts of interest; and
- May hold one or more charter contracts.



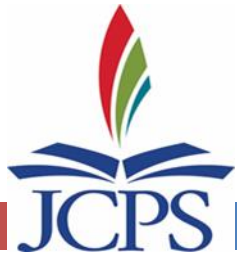
HB 520 - Charter Schools

Charter School Contracting Authority

- May negotiate and contract with its authorizer or any third party for
 - Use, operation, or maintenance of building and grounds;
 - Liability insurance; or
 - Goods and services.
- Goods or services contracted for with a school district must be provided at cost;
- Contracts exceeding \$10,000 are subject to Open Record Act.
- Charter schools are exempt from zoning and land use regulations governing public schools.

Local Boards

- Must provide or publicize information to parents about a public charter school in the district.
- Must not assign or require a student to attend a public charter school.



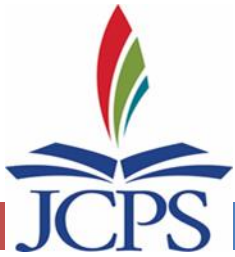
HB 520 - Charter Schools

Charter School Employees

- In KTRS or CERS, and the Kentucky Employees Health Plan.
- Tenured teachers employed by a local Board of Education must be granted a two-year leave of absence to teach at a charter school, and may return to a district school during after the leave of absence.

Conversion Charter Schools

- An existing public school may be converted into a charter school:
 - If a school has been identified by KDE to be in the lowest 5% of its level and 60% of parents or guardians sign a petition;
 - The petition may be submitted to the local board of education or other authorizer;
 - A conversion charter school must be housed in the same public school facility and must have the option of using existing assets of the school;
 - A governing board of a conversion charter school is not bound by existing collective bargaining agreement; and
 - Employees of a conversion charter school may organize and collectively bargain only as a separate unit from other school employees.



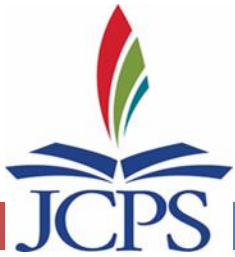
HB 520 - Charter Schools

Compliance with Statutes and Regulations

- A charter school must ensure compliance with statutory requirements for:
 - Compulsory attendance and instructional time;
 - Teacher certification;
 - Course offerings for high school graduation;
 - State assessment and accountability;
 - Accounting and financial practices;
 - Reporting of student and financial data;
 - Criminal background checks; and
 - Open records and open meetings statutes.
- A charter school is otherwise exempt from all statutes and administrative regulations, except those relating to health, safety, civil rights, and disability rights.

Enrollment

- Preference to returning students and siblings.
- Preference may be given to students eligible for free/reduced price lunch and students who attend persistently low-achieving schools.
- Randomized lottery if capacity is insufficient to enroll all applicants.
- Preference to returning students in a conversion charter school.



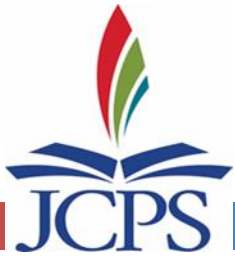
HB 520 - Charter Schools

Students

- Discrimination prohibited.
- Must serve one or more grades, K-12.
- May provide expanded learning opportunities for student at risk of academic failure, or for students with special needs.
- Must provide programs and services to students with disabilities in accordance with all federal and state laws and regulations, and in accordance with their IEPs.

Transportation

- Local district may provide transportation for charter schools in the district, and retain all transportation funding;
- If the district does not provide transportation, the district must transfer a proportional amount of funding allocated for transportation under SEEK to the charter schools.



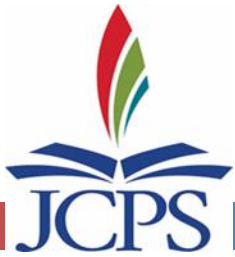
HB 520 - Charter Schools

Sports

- Charter schools are eligible to participate in state-sponsored or district-sponsored interscholastic athletics, academic programs, competitions, awards, scholarships, and recognitions.
- If a charter school does not offer any interscholastic activities, a student is eligible to participate at the school the student would have otherwise attended based on his or her address.

Transportation

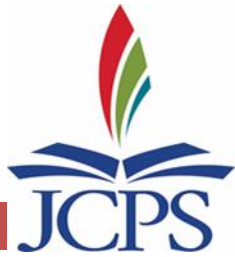
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HB 520 - Charter Schools

Authorizers

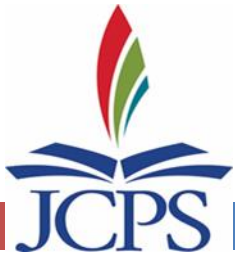
- Local Boards of Education, and the Mayors of Louisville and Lexington
- Decisions appealable to the KBE.
- Authorizers are required to:
 - Demonstrate public accountability and transparency;
 - Solicit, invite and evaluate applications;
 - Approve, and decline applications, and renew or revoke charters based on requirements of the bill (and related administrative regulations);
 - Negotiate a contract in good faith with charter school entity;
 - Monitor performance; and
 - Establish policies and practices, including standards relating to:
 - Organizational capacity and infrastructure;
 - Performance Contracting oversight and evaluation; and
 - Charter approval, renewal, and revocation.



HB 520 - Charter Schools

Applications for Charter Schools must address

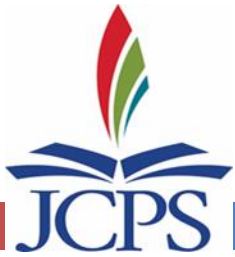
- Description of academic program, aligned with standards;
- Proposed governance structure;
- Plans for recruitment enrollment of students;
- Five year budget and raft fiscal and internal control polices;
- Draft personnel handbook and student discipline policies
- Description of facilities – location, use
- Ages and grade levels
- School calendar;
- Types and amount of insurance;
- Health and food services;
- Code of ethics;
- Dissolution plan;
- Staff recruitment and development;
- Community involvement;
- Co-curricular and extra curricular activities
- Start-up plan;
- Protocol for resolution of disputes with authorizer



HB 520 - Charter Schools

Applications contemplating the use of an Education Service Provider (ESP) must also address the following regarding the ESP:

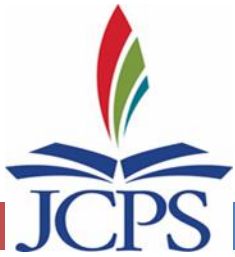
- Evidence of the ESP's success in serving student populations similar to target population;
- Successful management of nonacademic schools functions;
- Student performance data and financial audit reports for all current and past schools;
- Documentation of and explanation for any actions taken against other charter schools for academic, financial, or ethical concerns;
- Evidence of current capacity for growth;
- Term sheet setting forth: duration of contract; and proposed fees; roles and responsibilities for board, staff, and ESP; scope of services and resources provided by ESP; compensation structure, including fees; methods of contract enforcement; investment disclosure; conditions for renewal and terminal; disclosure and explanation of potential conflicts of interest between the board, ESP, and any affiliated business entities.



HB 520 - Charter Schools

Other provisions of HB 520

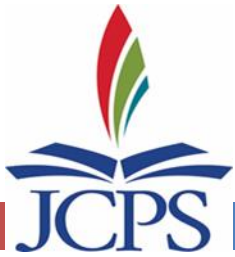
- Establish a process for review and consideration of applications by authorizers;
- Set forth process for appeals to the State Board of Education;
- Set forth the required provisions of the executed charter contract between an authorizer and a charter school board of directors;
- Establish the minimum performance metrics to be used by the authorizer in evaluating the performance of a charter school
- Require annual reports by authorizers to KDE;
- Establish process for renewal of charters; and
- Require an authorizer to develop a protocol for the closure of a charter school.



HB 471 - Charter School Funding

HB 471 amends the Executive Branch Budget for FY 2017-2018

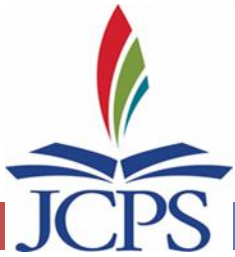
- A local district must transfer to a charter school the SEEK funds for students attending a charter school based on the current school allocation used by the district;
- If a district levies an occupational tax, charter schools must receive a proportionate per-pupil amount;
- Local capital outlay and other facilitates finance mechanisms are excluded.
- Three percent of funds must be retained by the district;
- A district will be levied a fine for late transfer of funds;
- Charter schools must receive a proportionate share of all state and federal categorical programs; and
- Charter schools are eligible for all state and federal grants, and may compete for grants as an independent educational entity;



HB 151 – “Neighborhood Schools”

HB 151/GA (as passed by the House) would:

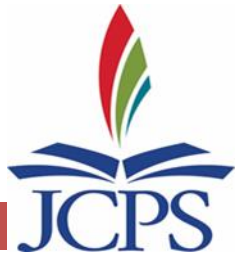
- Permit a child to enroll in the school nearest to their home, except if that school has academic/skill prerequisites or is currently a traditional school;
- Give first priority to students residing the shortest travel distance to a school when the capacity of the school is exceeded;
- If a student is denied attendance at the school closest to their home, give a student priority to attend the next closest school;
- Prohibit a student current attending a school from being displaced;
- Permit a child to attend a school other than the one closest, if there is capacity and if:
 - They meet academic or skill prerequisites;
 - They were admitted to a traditional school; or
 - The child is already attending the school; and
- Establish implementation in 2019-2020.



HB 151 – “Neighborhood Schools”

HB 151/GA would change the JCPS student assignment plan so that there would be:

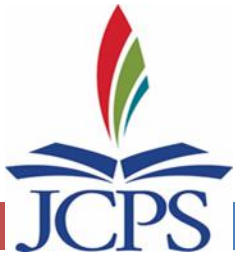
- **Less choice** – Would limit choice by potentially reducing seats in popular magnet programs and eliminating transfer opportunities.
- **Less certainty** – Would significantly reduce certainty for families about which school their child would attend.
- **Less equity** – Would reduce access to high performing schools and schools with special programs for students who live farther away from those schools.
- **Less diversity** – Would create more schools that are more segregated by race and income.
- **Lower student achievement** – Would increase the number of students attending high poverty and high minority non-magnet schools.
- **Less Innovation** – HB 151/GA would prohibit JCPS from creating new magnet schools or traditional schools.



HB 151 – “Neighborhood Schools”

The successful JCPS strategy to stop HB 151 included:

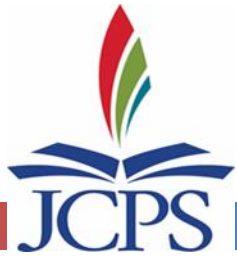
- Board adoption of a formal position statement in support of local control of student assignment;
- Strong guidance and direct lobbying support by McCarthy Strategic Solutions;
- Deep and comprehensive analysis of the impact of HB 151 on students and families for each school;
- Continuous positive engagement with the bill sponsor, legislative leaders, and the Jefferson County legislative delegation;
- Drafting of proposed changes to HB 151 to mitigate negative impact, while moving the legislative intent of sponsor forward;
- Regular and targeted communications to parents, JCPS staff, business leaders, community leaders;
- Superintendent testimony before legislative committees; and
- Activation of communications to General Assembly leadership and Jefferson County legislators by business leaders, community leaders, and JCPS parents, guardians, and friends.



HB 151 – “Neighborhood Schools”

Moving Forward

- This issue can be expected to remain an issue of interest for the General Assembly for the foreseeable future.
- Active engagement with the issues relating to Student Assignment between now and January 2018 is critical.
- Our belief in local control of student assignment requires that we periodically take a hard look at the student assignment plan, and make changes as appropriate.
- The process should be:
 - Open and collaborative, actively engaging parents, students, and stakeholders;
 - Based on the principles and values of our entire community;
 - Informed by high-quality research and national best practice; and
 - Based on a collective judgement regarding what is best for all of the children and families we serve.



Other Selected Legislation

Senate Bill 50 (Sen. Thayer)

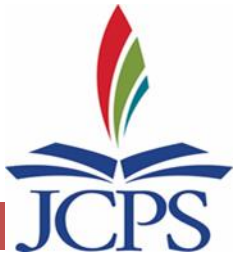
- Establishes a school district calendar committee and determines its membership.
- Allows inclusion of a variable student instructional year in a school calendar and defines a variable student instructional year.
- Provides that districts adopting a school calendar with the first student attendance day no earlier than the Monday closest to August 26 may use a variable student instructional year.

Senate Bill 101 (Sen. Adams)

- Permits a pharmacist to administer any immunization to children ages 9 to 17 years.

Senate Bill 117 (Sen. Wise)

- Allows a veteran with a bachelor's degree in any area to be issued a provisional teaching certificate if other criteria are met.



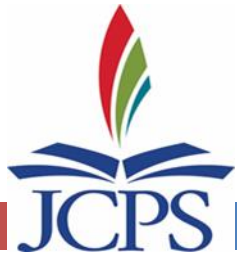
Other Selected Legislation

Senate Bill 159 (Sen. Carpenter)

- Requires all public high school students to pass a civics test in order to receive a regular diploma.
- Directs local boards of education to prepare or approve the test with 100 questions drawn from the test administered by the United States Citizenship and Immigration Services (USCIS) to persons seeking to become naturalized citizens.

Senate Bill 236 (Sen. Adams)

- Permits a parent or legal guardian to request a background check of the child abuse and neglect registry records when employing a child care provider for his or her minor child.
- Requires that school superintendents conduct a background check of child abuse and neglect records maintained by CHFS when considering employment decisions
- Establishes a criminal penalty for knowingly employing certain offenders. ¶



Selected Noteworthy Legislation

House Bill 3 (Rep. Hoover)

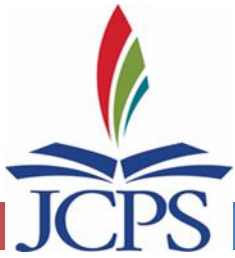
- Deletes prevailing wage provisions and abolishes the Prevailing Wage Review Board.

House Bill 33 (Rep. King)

- Requires CHFS, if granted custody of a dependent, neglected, or abused child, to notify the school the child is enrolled in verbally and then in writing, of persons authorized to contact the child or remove the child from school grounds.

House Bill 128 (Rep. DJ Johnson)

- Requires KBE to establish an elective social studies course on the Hebrew Scriptures, Old Testament, and New Testament.
- Requires that the course provide to students knowledge of biblical content, characters, poetry, and narratives that are prerequisites to understanding contemporary society and culture, including literature, art, music, mores, oratory, and public policy.
- Permits a school council to offer an elective social studies course on the Bible.



Other Selected Legislation

House Bill 3 (Rep. Hoover)

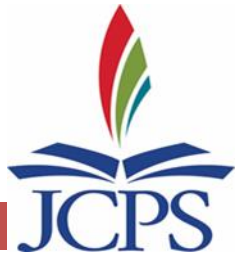
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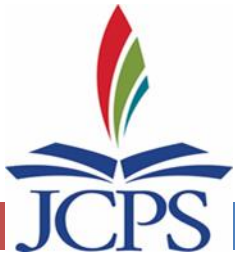
Other Selected Legislation

House Bill 206 (Rep. Carney)

- Establishes the Dual Credit Scholarship Program and defines terms for the program.
- Designates the Kentucky Higher Education Assistance Authority (KHEAA) to administer the program
- Provides KEES) funds to students enrolled in a registered apprenticeship program.

House Bill 241 (Rep. Sims)

- Prohibits a coach from returning a student to play who is diagnosed with a concussion.
- Prohibits a student from returning to play if no physician or licensed provider is available to conduct the required concussion evaluation.
- Prohibits a student who does not receive the required evaluation from returning to play in a subsequent practice or competition unless written clearance from a physician is provided.



Other Selected Legislation

House Bill 253 (Rep. Greer)

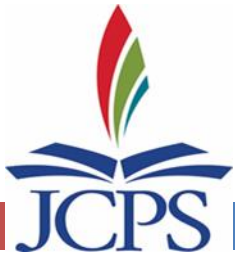
- Requires unannounced visits, if necessary, to the residence or location where reported child abuse or neglect has occurred
- Requires schools or child-care providers to allow access to a child who is subject to an investigation without parental consent.

House Bill 269 (Rep. Riley)

- Allows relatives who are currently ineligible for employment in a school district to serve as substitutes for a certified or classified employee if the relative is not: a regular, full-time or part-time employee of the district; accruing continuing contract status; receiving fringe benefits other than those provided other substitutes; or receiving preference in employment.

House Bill 277 (Rep. Reed)

Removes the local board of education member eligibility restriction that no aunt, uncle, son-in-law, or daughter-in-law be employed by that board.



Other Selected Legislation

House Bill 522 (Rep. Carney)

- Allows a state agency child who is at least 17 years old to seek a high school equivalency diploma.

House Bill 524 (Rep. Wuchner)

- Includes promoting human trafficking involving commercial sexual activity as a criminal offense against a minor if the victim is under 18.
- Requires public schools to display the National Human Trafficking Reporting Hotline.
- Requires the Department of Highways to post the hotline number of the National Human Trafficking Resource Center in all rest areas.
- Adds specific injuries to a child under 12 to the definition of "serious physical injury."