

**LOCAL SUPERINTENDENTS ADVISORY COUNCIL (LSAC)
Meeting September 26, 2017**

Membership:

**Dr. Henry Webb, Chair
Mr. Russ Tilford
Mr. Keith Davis
Mr. David Cox
Mr. Elmer Thomas**

**Dr. David Rust
Mr. Tim Bobrowski
Mr. Buddy Berry
Mr. Jerry Green
Dr. James Flynn**

October 2, 2017

Ms. Mary Gwen Wheeler, Board Chair
Kentucky Board of Education
300 Sower Boulevard
Frankfort, Kentucky 40601

Dear Ms. Wheeler:

The Local Superintendents Advisory Council (LSAC) met on September 26, 2017 to discuss the request for approval of the following regulations:

704 KAR 3:370, Kentucky Framework for Personnel Evaluation (*Second reading, Action/discussion item – Curriculum Committee*)

LSAC conducted its second reading of the changes to the Personnel Evaluation regulation. KDE staff discussed with LSAC members the required changes per Senate Bill 1 which passed during the 2017 regular session of the Kentucky General Assembly.

Overall, LSAC was supportive of changes to the Personnel Evaluation regulation with no members voting against.

701 KAR 8:010, Student application, lottery and enrollment (*Second reading, Action/discussion item – Full Board*)

701 KAR 8:020, Evaluation of authorized performance (*Second reading, Action/discussion item – Full Board*)

701 KAR 8:030, Revocation and nonrenewal process for authorizers (*Second reading, Action/discussion item – Full Board*)

701 KAR 8:040, Conversion charter school creation and operation (*Second reading, Action/discussion item – Full Board*)

LSAC conducted its second reading of the charter school regulations and their documents incorporated by reference. LSAC was presented with information as well about a possibly more accurate definition for “multiple” for 701 KAR 8:010 that

encompasses multiples born across midnight and therefore resulting in different birth dates and a more full description in 701 KAR 8:010 and in the charter school application (document to be incorporated by reference in 701 KAR 8:020) of the term "shareholder" to ensure interpretation as a shareholder of the charter school community and not a shareholder of a business organization.

LSAC was apprised of the occurrence of the second meeting of the Charter Schools Advisory Council (CSAC) on the second reading versions of the regulations and their documents and of a recent meeting of the K-groups at which KDE staff solicited informal feedback prior to the formal comment period on the regulations and their documents. LSAC was apprised that CSAC and the commissioner have now recommended to the KBE for the charter school contract, a document proposed for incorporation by reference into 701 KAR 8:010, that the charter school contract be a guidance document which can serve as a resource for charter school authorizers and charter school boards of directors as they negotiate to form a charter school contract rather than a mandatory document with base contract content that authorizers and charter school boards of directors are required to utilize.

LSAC members noted that the charter school lottery policy publication requirement in 701 KAR 8:010 Section 3(1) did not specify the means of publication and KDE staff thanked LSAC for this mention and stated that clarification would be added to more accurately state in this language that publication can be accomplished by publication on the charter school's website.

KDE staff also discussed with LSAC members that an alternative view of the due process rights requirements for expulsion of a charter school student has been proposed to KDE by CSAC that the charter school does not have to provide all the due process rights and educational opportunities afforded a student in KRS 158.150. LSAC agreed with KDE staff that a charter school board of directors has to provide all the due process rights and educational opportunities in KRS 158.150 just like a school district in Kentucky.

Concern was expressed regarding the content added to 701 KAR 8:010 Section 7(2)(d) providing the opportunity for the resident local school district superintendent to attend the due process hearing under KRS 158.150 for the expulsion of a charter school student and LSAC members asserted that they did not believe it was appropriate for the resident local school district superintendent to attend that due process hearing since the student was at that time a student of the charter school and not a student of the resident local school district.

Overall, LSAC was supportive of the charter school regulations and their documents incorporated by reference, with one member voting against.

The LSAC membership offers this letter of support and affirms staff's recommendations. The members of LSAC appreciate the opportunity to participate in the discussion and provide a local perspective on issues of concern to the Kentucky Board of Education.

Sincerely,

Dr. Henry Webb

Dr. Henry Webb
LSAC Chair

cc: Kentucky Board of Education Members