

**Kentucky Board of Education  
December 6, 2017  
Report from the Secretary  
Education and Workforce Development Cabinet**

**Kentucky's Districts of Innovation**

Kentucky's Districts of Innovation (DOI) program was established by House Bill 37 and passed into law in 2012 by the Kentucky General Assembly. It should be noted that the program was established as an alternative to passing legislation for public charter schools. DOI was understood to be a mechanism to provide Kentucky's existing traditional public schools charter-like flexibility to innovate and improve education outcomes for students. The application of DOI over the past five years has largely failed to deliver a significant number of specialized forms of education. It is time to revisit the original legislation and regulations to provide a useable platform for innovation by schools across the state.

The DOI statute defines a DOI as "a district that has developed a plan of innovation" that has been "approved by the Kentucky Board of Education to be exempted from certain administrative regulations and statutory provisions to improve the educational performance of students within the district". It defines innovation as "a new or creative alternative to existing instructional and administrative practices intended to improve student learning and student performance of all students". And finally, it defines a school of innovation as "a school that voluntarily participates in a district of innovation plan to improve instruction, including waivers and exemptions from local board of education policies, selected provisions of Kentucky Administrative Regulations promulgated by the Kentucky Board of Education, and selected sections of the Kentucky Revised Statutes".

A DOI's initial approval is for a five-year period, with renewals not to exceed five years. The Kentucky Board of Education's regulation for DOI includes the rules guiding application for DOIs, the scoring of those applications and oversight for the program. Among the required elements in applications is, "A list of the statutes, administrative regulations, and local board policies from which the local district is seeking a waiver or exemption in order to implement innovative strategies and an explanation of how the requirements of those authorities are a barrier to that implementation".

Since 2013, the Kentucky Department of Education (KDE) has approved a total of 10 districts as DOIs; four in 2013, three in 2014, and three in 2016. Some of those districts and schools have established noteworthy and innovative programs and approaches to education; others tried programs that have not been successful. More importantly; however, only a small number of schools and districts have participated in the program thus far. Questions remain about

whether program participation truly provides districts with the flexibility needed to enact significant reform and whether the program's design is appropriate for spurring districts and schools to enact reforms needed to meet new expectations for student performance and achievement gap closure and prepare students for the jobs of today and tomorrow.

Given the questions surrounding the impact of the program, its relatively limited scale after five years and the limited progress Kentucky's public schools have made with improving education outcomes for children from low income backgrounds, at the very least, the KBE should give serious reexamination to the DOI program. Our students deserve a DOI program providing districts the flexibility needed to innovate in exchange for performance accountability.