

Interim Commissioner's Report to the Kentucky Board of Education

Wayne D. Lewis, Jr., PhD

Major Department Projects and Initiatives (April-June 2018)

- Strategic plan revision
- Academic standards review and revision
- Accountability system implementation
- Jefferson County Public Schools' management audit
- Department reorganization
- Career and technical education (CTE) campaign -soon to launch

District, School, and Co-Op Visits (April-June 2018)

- Jefferson County Public Schools, April 2018
- Craft Academy at Morehead State University, April 2018
- Menifee County Schools, May 2018
- Kentucky School for the Blind (KSB), May 2018
- Kentucky School for the Deaf (KSD), May 2018
- Fulton County Schools, May 2018
- Four Rivers Career Academy (formerly Fulton County ATC), May 2018
- Hickman County Schools, May 2018
- Mayfield/Graves County ATC, May 2018
- Fayette County Schools (Supt. Caulk), May 2018
- Woodford County Schools (Supt. Hawkins), May 2018
- Green River Regional Educational Cooperative (GRREC), June 2018

Upcoming National Meetings

- National Charter Schools Conference, June 2018, Austin, TX
- SREB Legislative Work Conference, June 2018, Boca Raton, FL
- Council of Chief State School Officers' Summer Leadership Convening, July 2018, Salt Lake City, UT

Upcoming Speaking Engagements

- Louisville Forum, June 13th, Louisville
- Early Childhood Institute, June 14th, Louisville
- KY Association for Career and Technical Education Summer Program, July 23rd, Louisville
- KASA Annual Leadership Institute, July 27th, Louisville

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- Pikeville Independent Schools Opening Day, August 8th, Pikeville
- Ohio Valley Education Cooperative (OVEC), August 29th, Shelbyville
- National Association of Pupil Services Administrators, October 15th, Covington

Approval of Kentucky's Consolidated State Plan

We were notified in May by U.S. Education Secretary Betsy DeVos that the U.S. Department of Education had approved Kentucky's consolidated state plan required under the Every Student Succeeds Act (ESSA). Approval of our plan was the culmination of more than two years of work by the agency, partners, and stakeholders across the state. I offer my sincere thanks to every KDE staff member and every KBE member who has had a hand in the process of developing the new accountability system, the new online school report card, or other parts of the plan.

While approval of the plan is an important and significant accomplishment, we have already moved into the challenging work of implementation. I will continue to update the KBE on our progress.

Agency Response to State Budget Reduction

The 2018-2019 biennial budget applies a 6.25% reduction in funding to many areas affecting services to schools and districts administered by KDE, as well as line item grants which are distributed directly to districts. In addition, some programs had all funding eliminated. The overall reduction in these areas is approximately \$53 million.

To manage and implement the budget, we identified 49 positions for elimination. Of these positions, 24 are staffed through contractual agreements with local school districts and educational partners (MOAs). Persons serving in these positions have been notified of the non-renewals, as were local school districts and partners. The remaining 25 positions are KDE positions that were previously budgeted for and unfilled or will be managed through attrition. I sincerely hope the agency can avoid further staff reductions, but I cannot say that definitively at this time. We will continue to update KDE staff, our school and district partners, and the KBE if any additional staff reductions are warranted.

Because of staff reductions and ongoing conversations about the strategic use of resources across the organization, the department will soon be reorganized with the goals of increasing efficiency and aligning department resources with KDE/KBE priorities. The reorganization will be complete during the summer of 2018.

Jefferson County Public Schools (JCPS) Management Audit

From February 2017 through April 2018, the Jefferson County Public Schools (JCPS) underwent a management audit pursuant to KRS 158.780, KRS 158.785, and 703 KAR 3:205. A management audit of the district was required when data and information from a six-month management review identified the presence of critically ineffective or inefficient management in the district. Specifically, that review identified more than 30 items determined to be significant deficiencies.

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A management audit was then conducted to determine whether there was “a pattern of a significant lack of efficiency and effectiveness in the governance or administration of [the] school district” (KRS 158.785). The complete details of the audit’s findings are available for you in my letter and its accompanying attachments dated April 30, 2018. Major findings of note included:

- Inconsistencies in the implementation of board policy, data collection, and reporting of the inappropriate use of physical restraint and seclusion;
- The implementation, support and evaluation of evidence-based practices related to the Individuals with Disabilities Act (IDEA) was ineffective or nonexistent, with substantiated findings of IDEA noncompliance in eight (8) areas, including a long-term pattern of significant disproportionality related to the disciplinary removal of African American students with IEPs;
- Failure of the district to ensure that staff are appropriately trained in key areas including, but not limited to, restraint and seclusion, compliance with federal and state laws, and effective delivery of instruction;
- The district’s design and implementation of an elaborate process to illegally place non-certified instructors in positions requiring teacher certification by the Education Professional Standards Board (EPSB);
- Significant deficiencies with the implementation of Head Start, including failure to ensure that all staff refrain from maltreatment of or endangering the health and safety of children; failure to ensure children were not left alone or unsupervised; and a failure to establish and maintain efficient and effective reporting systems; and
- A consistent pattern of investigative defects in the district’s investigations which materially affect the conclusions drawn by investigators, leaving the district unable to take appropriate disciplinary action.

As stated in my April 30th letter, based on the findings of the audit, I have determined that the evidence overwhelmingly supports the conclusion that there is a significant lack of efficiency and effectiveness in the governance and administration of the JCPS. The evidence collected during the management review and audit establishes the following:

- a) An existence of a pattern of a significant lack of efficiency and effectiveness in the governance or administration of JCPS;
- b) The pattern of a significant lack of efficiency and effectiveness in the governance or administration continues to exist; and
- c) State management is necessary to correct the inefficiencies and ineffectiveness within JCPS.

During its May 30th board meeting, the JCPS board voted unanimously to participate in an administrative hearing before the Kentucky Board of Education. I look forward to the opportunity to make the case for state management of the district at that hearing.

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Interim Commissioner's Education Policy Priorities

- **Achievement Gaps:** Significantly reducing economic and racial/ethnic achievement gaps
 - As measured by standardized examinations, high school graduation rates, and transition readiness rates
- **Early Learning:** Significantly increasing young learners' proficiency in reading and mathematics as measured by standardized examinations in 3rd grade
- **High School Graduation Requirements:** Revising and implementing minimum high school graduation requirements
 - Including required demonstration of competence in reading and basic mathematics, and demonstration of readiness for transition into a career or postsecondary education/training
- **Skills Gap:** Increasing the number and percentage of high school students completing CTE pathways and earning industry recognized credentials in high-demand sectors
- **Early Postsecondary Opportunities (EPOs):** Increasing the number and percentage of high school students successfully completing early postsecondary opportunities (EPOs)
 - Including dual credit, dual enrollment, articulated credit, Advanced Placement (AP), International Baccalaureate (IB), and Cambridge
- **Reducing Bureaucracy:** Increasing flexibility and autonomy for public schools and school districts in exchange for performance accountability
 - Including revision of the current Districts of Innovation (DOI) program through proposed changes to regulation and statute, and continuing to advocate for increased flexibility for public schools with the Kentucky General Assembly
- **School/Program Choice:** Expanding the number and type of high-quality public school options available to Kentucky's students
 - Including high-quality schools and programs of choice within traditional public school districts, KDE-operated schools and area technology centers (ATCs), and the growth of a new public charter school sector