

Matthew G. Bevin
Governor



Derrick Ramsey, Secretary
Education and Workforce
Development Cabinet

Wayne D. Lewis, Ph.D.
Interim Commissioner of Education

KENTUCKY DEPARTMENT OF EDUCATION

300 Sower Boulevard • Frankfort, Kentucky 40601
Phone: (502) 564-3141 • www.education.ky.gov

August 3, 2018

Mr. Phillip Watts, Superintendent
Breathitt County Schools
420 Court Street
Jackson, KY 41339

Ruschelle Hamilton, Chair
Breathitt County Board of Education
420 Court Street
Jackson, KY 41339

RE: Management Audit of Breathitt County

Dear Superintendent Watts and Chair Hamilton:

Breathitt County Schools was initially designated a state managed district in 2012, and the Kentucky Board of Education (KBE) voted in 2014 to continue state management for an additional three years. For the entirety of the management period, Breathitt County Schools has received ongoing support from the Kentucky Department of Education (KDE).

Pursuant to KRS 158.785(8), the local district shall continue to be designated as "state managed" until the KBE determines that the pattern of ineffective and inefficient governance or administration and the specific deficiencies determined by the management audit have been corrected. Further, the statute prohibits a designation as "state managed" for longer than three consecutive years unless the KBE extends the timeframe after a complete review of a new management audit. In accordance with KRS 158.785 as well as with KRS 158.780 and 703 KAR 3:205, KDE began conducting a new management audit of Breathitt County Schools in November 2017. This management audit is now complete, and the Management Audit Report is attached for your reference.

Based upon the findings outlined in the Management Audit Report, I have determined that a pattern of a significant lack of efficiency and effectiveness in the governance and administration of Breathitt County Schools exists and continues to exist. Further, the evidence collected during the management audit establishes that state management is necessary to correct the inefficiencies and

Phillip Watts, Superintendent of Breathitt County Schools
Ruschelle Hamilton, Chair of Breathitt County Board of Education
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ineffectiveness within Breathitt County Schools. Accordingly, in my official capacity as the chief state school officer, it is my recommendation to the KBE that Breathitt County Schools continue to be designated a state-managed district.

By copy of this letter, I have filed my recommendation of continued state management with the KBE. Pursuant to KRS 158.780, KRS 158.785 and 703 KAR 3:205, the Breathitt County Board of Education has the right to a hearing on the matter before the KBE. In the event a hearing is requested, the hearing will be open to the public and the procedures established in KRS Chapter 13B will apply. In accordance with KRS 13B.050(1), notice of the hearing will be provided to the parties not less than 20 days in advance of the date set for the hearing.

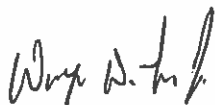
In the alternative and pursuant to 703 KAR 3:205, Section 3(4), the Breathitt County Board of Education may choose to agree with my recommendation of state management and waive the right to participate in the hearing before the KBE. If that is the case, I will place my recommendation before the KBE at an upcoming special or regular meeting, and the KBE will vote whether to approve the recommendation of state management.

Please use the attached form to designate that a public hearing is requested or, alternatively, that the district is waiving a formal hearing on the recommendation of state management. Please respond on or before September 3, 2018. After receipt of the decision from the Breathitt County Board of Education, a scheduling order will be issued for the hearing or, if the hearing is waived, for the date of review by the KBE.

Thank you in advance for a prompt response. I look forward to continue working together to ensure that every child in Breathitt County Schools has the opportunity to receive a high quality education in a safe and nurturing school environment.

If you have any questions, please feel free to contact Dr. Kelly Foster, Associate Commissioner, by phone at (502) 564-5130 or by email at kelly.foster@educatoin.ky.gov.

Sincerely,



Wayne D. Lewis, Ph.D.
Interim Commissioner of Education

Enclosures

c: Members of the Breathitt County Board of Education
Members of the Kentucky Board of Education
Members of the Kentucky Department of Education Planning Committee

STATEMENT OF ACTION BY THE
BREATHITT COUNTY BOARD OF EDUCATION

Please indicate selection of one of the listed options by signing below and returning on or before September 3, 2018 to the Kentucky Department of Education, 300 Sower Boulevard – 5th Floor, Frankfort, KY 40601.

ELECTION TO WAIVE AN ADMINISTRATIVE HEARING:

The Breathitt County Board of Education hereby acknowledges receipt of the Commissioner of Education's recommendation of "state management." The Breathitt County Board of Education accepts this recommendation and waives participation in an administrative hearing before the Kentucky Board of Education to be held in compliance with KRS Chapter 13B. The Breathitt County Board of Education acknowledges that, by electing to waive its right to an administrative hearing, the Commissioner of Education's recommendation of "state management" will be placed before the Kentucky Board of Education for approval without a hearing in accordance with 703 KAR 3:250, Section 3(4).

Board Chair
(on behalf of the Breathitt County Board of Education)

Date

ELCTION TO PROCEED WITH AN ADMINISTRATIVE HEARING:

The Breathitt County Board of Education hereby acknowledges receipt of the Commissioner of Education's recommendation of "state management." Pursuant to KRS 158.780, KRS 158.785, and 703 KAR 3:205, the Breathitt County Board of Education elects to participate in an administrative hearing before the Kentucky Board of Education to be held in compliance with KRS Chapter 13B.

Board Chair
(on behalf of the Breathitt County Board of Education)

Date