

## KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

**Topic:** 703 KAR 5:280, School Improvement Procedures (First Reading)

**Date:** June 2019

**Action Requested:**  Review  Action/Consent  Action/Discussion

**Assigned To:**  Full Board  Curriculum, Instruction and Assessment

Finance  Operations Management

### SUMMARY OF ISSUE BEFORE THE BOARD:

To review proposed amendments to 703 KAR 5:280, School improvement procedures to align with the requirements of Senate Bill (SB) 175 (2019).

### APPLICABLE STATUTE OR REGULATION:

KRS 156.029(7); KRS 156.070(5); KRS 158.6453; KRS 158.6455; KRS 160.346; 20 U.S.C. 6301, et seq.; and, 20 U.S.C. 6311.

### BACKGROUND:

*Existing Policy:* The Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act (ESSA), requires, in Section 1111(c)(4)(D) and 1111(d)(1), that the Kentucky Department of Education (KDE) identify schools for comprehensive support and improvement (CSI) and requires, in Section 1111(d)(2), the KDE identify schools for targeted support and improvement (TSI). In concert with the requirements of ESSA, the Kentucky General Assembly passed sweeping education reform in SB 1 (2017) addressing, among other items, the identification of schools for CSI and TSI pursuant to KRS 160.346. Previously, KRS 160.346(2) required a school to be identified for TSI if it had one or more subgroups performing as poorly as all students in any of the lowest performing 5 percent of schools by level (identified annually beginning in 2018-2019) or had one or more subgroups performing as poorly as all students in any of the lowest performing 10 percent of schools by level for two consecutive years (identified annually beginning in 2020-2021).

*Summary of Issue:* During the most recent legislative session, the Kentucky General Assembly passed SB 175 (2019) to further refine Kentucky's implementation of ESSA, particularly as it relates to the development of standards and assessments, postsecondary readiness, and the identification of schools for TSI. Now, as revised by SB 175 (2019), KRS 160.346(2) states:

- (a) Beginning with the 2019-2020 school year, and annually thereafter, the department shall identify a school for targeted support and improvement if the school has at least one (1) subgroup, as defined by ESSA, whose performance in the state accountability system by level is at or below that of all students in any of the lowest-performing five percent (5%) of all schools for three (3) consecutive years and the school is in the lowest-performing ten percent (10%) of all schools by level.

(b) Beginning with the 2020-2021 school year, and every three (3) years thereafter, the department shall identify a school for additional targeted support and improvement if the school has at least one (1) subgroup, as defined by ESSA, whose performance in the state accountability system by level is at or below the summative performance of all students in any of the lowest-performing five percent (5%) of all schools identified under subsection (3)(a) of this section and has been identified for targeted support and improvement as described in paragraph (a) of this subsection.

Amendments to 703 KAR 5:280 are necessary to implement the changes SB 175 (2019) made to the identification of schools for TSI as well as to align the regulation with KRS 160.346, as amended by SB 175 (2019), and proposed revisions to Kentucky’s Consolidated State Plan. Specifically, amendments to 703 KAR 5:280 distinguish between schools identified for TSI and those identified for Additional Targeted Support and Improvement (ATSI) and establish the exit criteria for schools identified for TSI and ATSI.

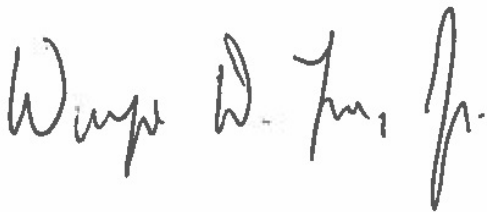
*Budget Impact:* The amendment of this administrative regulation has no fiscal impact on state funds. Providing a system of school improvement procedures and supports continues to be required by federal and state law, and Kentucky is estimated to receive \$600,000 in federal funding under Title I, Part A to support school improvement in identified schools.

**GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:**

The Local Superintendents Advisory Council (LSAC) will review this regulation at its meeting on May 28, 2019. Their feedback will be shared with the KBE prior to the June meeting.

**CONTACT PERSON(S):**

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**Commissioner of Education**

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