

Summary of Changes to 703 KAR 5:280 – School improvement procedures.

Change	Reason
<p>Section 1: Adds the definition for “Additional Targeted Support and Improvement” (P. 2, Line 13-14); removes the definition for “adequate performance progress” (P. 2, Lines 14-15); revises the definitions for “advisory leadership team,” “district audit,” “school improvement plan,” “Targeted Support and Improvement,” and “turnaround plan” (P. 2, Lines 16-17; P. 3, Lines 7-10 and 22-23; P. 4, Lines 1-18).</p>	<p>Changes to “Additional Targeted Support and Improvement,” “Targeted Support and Improvement,” and “school improvement plan” are necessary to implement KRS 160.346, as amended by Senate Bill (SB) 175 (2019).</p> <p>Removal of “adequate performance progress” is necessary to conform with KRS 13A.222(4)(e)2.c., which prohibits the inclusion of definitions of terms not used in the regulation.</p> <p>Revisions to “advisory leadership team” and “district audit” provide transparency by cross-referencing sections of the regulation that further define these terms.</p> <p>Revisions to “turnaround plan” provide clarity by cross-referencing a more explanatory statutory citation.</p>
<p>Section 2: Relocates references on turnaround teams, membership on turnaround teams, and the mandatory notification form relating to turnaround teams to Section 7 of the regulation. (P. 4, Lines 10-14; P. 5, Lines 5-17 and 19-20 and 22)</p>	<p>Moving references to turnaround teams, membership on turnaround teams, and the mandatory notification form relating to turnaround teams from Section 2 titled, “Notification of Status for Comprehensive Support and Improvement,” to Section 7 titled, “Turnaround Team and Development of Turnaround Plan for School Identified for Comprehensive Support and Improvement,” offers clarity and better aligns with KRS 160.346. For more details, see the summary of changes for Section 7 below.</p>
<p>Section 4: Adds citations to KRS 160.346(6)(a)2. (P. 8, Lines 2 and 18-19)</p>	<p>Citing to KRS 160.346(6)(a)2. when referencing the principal capacity determination clarifies that this is a statutorily required audit component.</p>
<p>Section 5: Removes citation to KRS 160.346 (P. 11, Line 19) and corrects a cross-reference (P. 12, Line 2).</p>	<p>Removing the citation to KRS 160.346 and correcting the cross-reference within this section provides clarity regarding the criteria to be used in determining “the district’s level of functioning and ability to manage the intervention in the school identified for comprehensive support and improvement.”</p>

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<p>Section 7: Relocates references on turnaround teams, membership on turnaround teams, and the mandatory notification form relating to turnaround teams from Section 2 of the regulation (P. 13, Lines 2-20); creates a 15-day timeline for a local education agency (LEA) to notify the Kentucky Department of Education (KDE) of the selected turnaround team (P. 12, Lines 2-17); creates the “Notification of Non-Department Turnaround Team Form” (P. 13, Line 8); revises the timeline for the turnaround plan to be developed (P. 14, Lines 15-17); adds citations to KRS 160.346(7)(h) (P. 14, Lines 17-18, P. 15, Line 7); and, renumbers throughout and corrects cross-references as needed (P. 15, Line 10).</p>	<p>Moving references to turnaround teams, membership on turnaround teams, and the mandatory notification form relating to turnaround teams to Section 7 titled, “Turnaround Team and Development of Turnaround Plan for School Identified for Comprehensive Support and Improvement,” from Section 2 titled, “Notification of Status for Comprehensive Support and Improvement,” offers clarity and better aligns with KRS 160.346.</p> <p>Establishing a fifteen day timeline is necessary to guarantee the KDE receives prompt notice when a local education agency (LEA) will be using a non-department turnaround team. This also ensures additional turnaround activities, including the turnaround plan required by KRS 160.346, occur in a timely fashion. Revisions to the timeline for the turnaround plan to be developed are necessary to implement the newly created timeline for a LEA to notify the KDE it is using a non-department turnaround team.</p> <p>Creating a “Notification of Non-Department Turnaround Team Form” allows a LEA to notify KDE regarding the selected turnaround team separate from and after submission of the notice a LEA is required, pursuant to KRS 160.346(5) and Section 2 of 703 KAR 5:280, to send to the KDE when it selects an audit team. This adds clarity to the process and better aligns with KRS 160.346(7), which permits a LEA to appoint the turnaround team after selection of the audit team occurs and “after completion of the audit.”</p> <p>The addition of statutory citations is intended to offer a quick reference to requirements based in statute and not in 703 KAR 5:280.</p> <p>Renumbering and other corrections maximize accuracy and ensure compliance with KRS Chapter 13A.</p>
<p>Section 8: Adds requirement that advisory leadership team member information be reported to KDE (P. 15, Lines 19-22); adds requirement that KDE maintain database of advisory leadership team members. (P. 16, Lines 1-2); and, renumbers throughout.</p>	<p>Adding this requirement ensures that the KDE is able to collect and maintain needed information relating to members of the advisory leadership team within a school identified for comprehensive support and improvement (CSI). For reference, principals of schools identified for CSI are required, pursuant to KRS 160.346(7), to establish an advisory leadership team.</p>

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<p>Section 11: Clarifies requirements extend to schools identified for additional targeted support and improvement (ATSI). (P. 18, Lines 3-5 and 8-9)</p>	<p>Explicitly referencing schools identified for ATSI ensures compliance with KRS 160.346, as amended by Senate Bill 175 (2019), by clarifying that KRS 160.346(4) applies to schools identified for targeted support and improvement (TSI) as well as those identified for ATSI. For reference, KRS 160.346(4) requires all TSI schools, including ATSI schools, to revise the “school improvement plan, which shall be subject to review and approval by the local board of education.”</p>
<p>Section 12: Includes schools identified for ATSI when determining whether an LEA supports a significant number of schools identified for TSI. (P. 18, Lines 12-13, 16, and 20-23; P. 19, Lines 1-3)</p>	<p>Explicitly referencing schools identified for ATSI ensures compliance with KRS 160.346, as amended by Senate Bill 175 (2019), by clarifying that KRS 160.346(11) applies to districts with a significant number of schools identified for TSI, including ATSI. For reference, KRS 160.346(11) requires the KDE to provide technical assistance to districts with a significant number of schools identified for TSI, including ATSI, and also permits the KDE to engage in other types of activities to support those districts.</p>
<p>Section 14: Includes schools identified for ATSI when determining the technical assistance KDE shall provide to an LEA supporting a significant number of schools identified for TSI. (P. 19, Lines 3-4)</p>	<p>This change is necessary for clarity and to ensure compliance with KRS 160.346(11), as amended by SB 175 (2019), which requires the KDE to provide technical assistance to districts with a significant number of schools identified for TSI, including ATSI, and also permits the KDE to engage in other types of activities to support those districts. 703 KAR 5:280, Section 14 defines the technical assistance the KDE provides pursuant to KRS 160.346(11), and explicitly referencing schools identified for ATSI clarifies that this section of the regulation applies to districts with a significant number of schools identified for TSI, including ATSI.</p>
<p>Section 15: Revises the exit criteria for schools identified for TSI or ATSI. (P. 20, Lines 21-22; P. 21, Lines 1-3 and 5-7)</p>	<p>Revisions to the exit criteria are necessary to align 703 KAR 5:280 with KRS 160.346, as amended by Senate Bill 175 (2019). KRS 160.346(9) requires KDE to “establish statewide exit criteria for schools identified for targeted support and improvement and comprehensive support and improvement.” While the regulation currently establishes exit criteria in compliance with KRS 160.346(9), revisions are necessary to ensure that criteria aligns with the identification criteria KRS 160.346(2), as amended by SB 175 (2019), sets forth for schools identified for TSI and ATSI.</p>

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<p>Section 16: Revises the title of one document incorporated by reference (P. 21, Lines 10-11) and incorporates a new document by reference (P. 21, Line 12).</p>	<p>Changes to this section are necessary to implement proposed amendments to Sections 2 and 7 as detailed above.</p>
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