



First Reading: 703 KAR 5:280

Presentation to the Kentucky Board of Education on
June 5, 2019.

Federal Law on Targeted Support and Improvement

- ▶ January 28, 2019 email from the U.S. Department of Education clarified:
 - ESSA “requires each State to identify any school that has one or more subgroups performing as poorly as any Title I school identified as among the lowest-performing (i.e., in the bottom five percent) for comprehensive support and improvement (CSI) using the *same* methodology the State used to identify those CSI schools.”
 - “Although there is no statutory flexibility for the methodology for identifying additional targeted support schools, there are two areas in which States have discretion”:
 - ✓ Each state establishes the frequency for identifying ATSI schools and
 - ✓ A state determines whether it identifies ATSI schools from among *all* schools, including non-Title I schools, or from among only those schools identified for targeted support and improvement based on having one or more consistently underperforming (TSI-Consistently Underperforming) subgroups.



Prior State Law on Targeted Support and Improvement

- ▶ Previously, KRS 160.346(2) required a school to be identified for TSI if the school had:
 - One or more subgroups performing as poorly as all students in any of the lowest performing five percent of schools by level (identified annually beginning in 2018-2019) or
 - 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).
- ▶ During the 2019 legislative session, the Kentucky General Assembly passed Senate Bill 175 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 Targeted Support and Improvement (TSI).



New State Law on Targeted Support and Improvement

- ▶ As revised by SB 175 (2019), KRS 160.346(2) states:
 - 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.
 - 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.



Entrance Criteria

Targeted Support and Improvement (TSI)

TSI	<p>Identified annually beginning in 2019-2020:</p> <ul style="list-style-type: none">• The school is in the lowest performing 10 percent of all schools and• The school includes at least one subgroup whose performance is at or below that of all students in the lowest-performing five percent of schools for three (3) consecutive years.
ATSI	<p>Identified every three (3) years beginning in 2020-2021:</p> <ul style="list-style-type: none">• The school has at least one subgroup whose performance is at or below that of all students in the lowest-performing five percent of schools and• The school has been identified for TSI.





Summary of Changes to 703 KAR 5:280

Section 1: Definitions

- ▶ **Revises the following definitions:**
 - **Advisory leadership team;**
 - **District audit;**
 - **School improvement plan;**
 - **Targeted Support and Improvement; and,**
 - **Turnaround Plan.**
- ▶ **Creates a new definition for “Additional Targeted Support and Improvement.”**
- ▶ **Removes the definition of “adequate performance progress.”**



Section 2: Notification of Status for CSI

- ▶ Relocates language in this section involving the turnaround team to Section 7.



Section 4: School Audit

- ▶ Clarifies throughout that the school audit, whether conducted by KDE or a non-department team, must make a recommendation regarding principal capacity.



Section 5: District Audit

- ▶ **Makes two non-substantive changes relating to criteria used in determining “the district’s level of functioning and ability to manage the intervention in the school identified for comprehensive support and improvement:”**
 - **Removes citation to KRS 160.346 on page 11, line 19 and**
 - **Correctly cross-references district capacity criteria set forth in Section 5(4).**



Section 7: Turnaround Team and Plan for CSI Schools

- ▶ Relocates references to turnaround teams, membership on turnaround teams, and the mandatory notification form relating to turnaround teams to this section from Section 2.
- ▶ Creates a 15-day timeline for a local education agency to notify KDE of the selected turnaround team.
 - The timeline begins when the Commissioner notifies the school and district of the audit findings.



Section 7: Turnaround Team and Plan for CSI Schools

(continued)

- ▶ **Creates the “Notification of Non-Department Turnaround Team Form.”**
- ▶ **Revises the timeline for the turnaround plan to be developed.**
 - **The turnaround plan is due 30 days after the local education agency notifies KDE of the selected turnaround team.**
- ▶ **Adds a citations to KRS 160.346(7)(h) on page 14, lines 16-18 and on page 15, line 7.**



Section 8: Advisory Leadership Team

- ▶ Adds the requirement that advisory leadership team (ALT) member information be reported to KDE and requires KDE maintain a database of ALT members.
- ▶ This ensures KDE has the legal authority to collect needed information on the ALT within a CSI school.



Section 11: Targeted Support and Improvement

- ▶ References to “additional targeted support and improvement” are made throughout to clarify that KRS 160.346(4) applies to TSI and ATSI schools.
- ▶ KRS 160.346(4) requires 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.”



Section 12: Significant Number of Schools

- ▶ References to “additional targeted support and improvement” are made throughout to clarify that KRS 160.346(11) applies to districts with a significant number of TSI schools, including ATSI schools.
- ▶ KRS 160.346(11) requires KDE to provide technical assistance to districts with a significant number of TSI schools, including ATSI schools, and also permits KDE to engage in other types of activities to support those districts.



Section 14: Technical Assistance for LEAs Serving a Significant Number of Schools (TSI)

- ▶ Adds reference to “additional targeted support and improvement” on page 20, line two.
- ▶ This ensures compliance with KRS 160.346(11).



Section 15: Exit Criteria

- ▶ **KRS 160.346(9) requires KDE to “establish statewide exit criteria for schools identified for targeted support and improvement and comprehensive support and improvement.”**
- ▶ **Changes to this section ensure that exit criteria for TSI and ATSI schools aligns with identification criteria established by the legislature in SB 175 (2019).**



Section 15: Exit Criteria



Targeted Support and Improvement

TSI	The school will exit when it no longer meets the criteria for identification outlined in KRS 160.346(2)(a).
ATSI	The school will exit when: <ul style="list-style-type: none">• The identified subgroup is no longer at or below that of all students in the lowest-performing five percent of schools and• The school demonstrates continued progress on the data that serves as the basis for identification.

Section 16: Incorporation by Reference

- ▶ **Creates separate forms to notify KDE of non-department audit teams and non-department turnaround teams. Specifically:**
 - **“Notification of Non-Department Audit Team Form” and**
 - **“Notification Non-Department Turnaround Team Form.”**



Next Steps



Anticipated Timeline for Promulgation of 703 KAR 5:280, as Amended

- ▶ **May 2019: First Reading by LSAC**
- ▶ **June 2019: First Reading by KBE**
- ▶ **July 2019: Second Reading by LSAC**
- ▶ **August 2019: Second Reading by KBE**
- ▶ **August-October 2019: Public Comment Period**
- ▶ **November 2019-January 2020: Initiation of Legislative Process**
- ▶ **March-May 2020: Possible Regulation Effective Date**



Questions?

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