

## KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

**Topic:** Amendments to 703 KAR 5:140, Requirements for School and District Report Cards  
(Second Reading)

**Date:** December 2019

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

**Held In:**  Full Board  Curriculum, Instruction and Assessment  
 Finance  Operations Management

### SUMMARY OF ISSUE BEFORE THE BOARD:

To discuss and approve the proposed amendments to 703 KAR 5:140, Requirements for school and district report cards.

KRS 158.6453(17) requires the KBE to promulgate an administrative regulation to define the implementation and components of a school and district report card that clearly communicates with parents and the public about school and district performance.

### COMMISSIONERS RECOMMENDATION:

The Commissioner recommends that the Kentucky Board of Education (KBE) approve the amendments to 703 KAR 5:140, Requirements for school and district report cards.

### APPLICABLE STATUTE OR REGULATION:

KRS 158.031, KRS 158.6453(17), 703 KAR 5:270, Kentucky's accountability system and 703 KAR 5:240, Accountability administrative procedures and guidelines

### BACKGROUND:

#### *Existing Policy:*

KRS 158.6453(17) requires the KBE to promulgate an administrative regulation to define the implementation and components of a school and district report card that clearly communicates with parents and the public about school and district performance. This administrative regulation, 703 KAR 5:140, establishes the standards for a school and district report card.

Currently, 703 KAR 5:140 covers: definitions, requirements for the school and district report cards, and data verification and publication.

#### *Summary of Issue:*

703 KAR 5:140 is being amended to align with new state and federal requirements. A few areas of amendment include:

- defining membership, school and district report card, and prominent location;

- replacing reference of the old accountability regulation with reference to the new accountability regulation;
- updating requirements for the school report card;
- updating requirements for the district report card; and
- adding a new section on communication on federal and state school accountability classifications, to include star ratings.

### **BUDGET IMPACT:**

Currently, the proposed amended regulation has the option of a school to send a written or electronic notification of star-ratings and federal classifications to parents or legal guardians. If written notification is required, state or school budgets would be impacted. For Kentucky's largest district, printing and shipping costs would be approximately \$52,000. For a smaller, rural district with around 1,800 students, printing and shipping costs would be approximately \$1,100.

If the agency were to request a vendor to print and ship to parents and legal guardians, the estimated costs would be approximately \$400,000-\$450,000. This would require the use of state funds and an amendment or new state contract.

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

The School Curriculum, Assessment and Accountability Council (SCAAC) reviewed this regulation at its meeting on September 17, 2019. Members asked whether or not the following words should be defined further: incidents, parents and professional qualifications of teachers. In addition, they asked if the public meeting in Section 5 should be recorded so that it can be shared at a later date for those who cannot attend the public meeting at the scheduled time. The agency considered all comments and included the definition of parent as defined in KRS 160.345(1)(d).

The Local Superintendents Advisory Council (LSAC) reviewed this regulation at its meeting on September 24, 2019. At that time, no member expressed concerns regarding changes being proposed to the regulation; however, members did ask questions pertaining to the definition of parent, along with who would determine whether a school could choose to post the school's accountability classification in a prominent location or if the school could host an advertised public meeting to discuss the school's accountability classifications and plan for sustainability or improvement listed in Section 5. The LSAC recommended that the superintendent be the one to make the decision in each district rather than each school principal. After consideration, the agency added the definition of parent and added language that the superintendent be the one to make the decision in each district on communication around the school's accountability classifications.

The Title I Committee of Practitioners reviewed this regulation at its meeting on October 29, 2019. At that time, some clarifying questions were asked by committee members along with a few concerns around the language in Section 5. The committee expressed concern about only allowing the superintendent to make the determination on whether results are posted in a prominent location or an advertised public meeting is held. In addition, they stated that the language was unclear on how long the posting should be and what exactly should be posted.

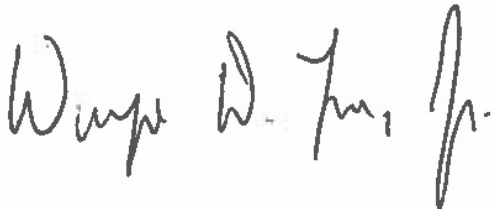
The regulation will go before the LSAC at its November 26 meeting. Likewise, the regulation will go before the SCAAC at its November 19 meeting. Comments from these groups should be received prior to the December KBE meeting.

The regulation also has been sent to the Office of Education Accountability (OEA) for review and advice. Any feedback received prior to the meeting will be shared. In addition, the National Technical Advisory Panel on Assessment and Accountability (NTAPAA) usually provides advice and feedback around regulations associated with assessment and accountability. However, due to vacant positions and lack of quorum on the panel, NTAPAA cannot offer advice.

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**Commissioner of Education**

Category: <input type="checkbox"/> District Innovation	<input type="checkbox"/> Strengthening Educators	<input type="checkbox"/> Family/Community Involvement	
<input type="checkbox"/> Student/Family Supports	<input type="checkbox"/> Student Interventions	<input type="checkbox"/> Coursework Completion	<input checked="" type="checkbox"/> Accountability Reporting