Senate Bill 158 FAQs
July 13, 2020

Senate Bill 158 Implications for Minimum High School Graduation Requirements

704 KAR 3:305, Kentucky's new minimum high school graduation requirements, became effective on April 5, 2019. However, Senate Bill 158 (2020) requires changes be made to state and local graduation requirements for students who entered high school in the 2019-2020 school year and thereafter.

Question: What does SB 158 say regarding graduation requirements?

- Section 3(1)(d): The minimum requirements for high school graduation may not include a postsecondary readiness indicator used in the state accountability system or a minimum score on a statewide assessment.
- Section 4(6): A local board may not adopt any high school graduation requirements that include achieving a minimum score on a statewide assessment.

While these changes apply to all students graduating during the 2020-2021 school year and thereafter, 704 KAR 3:305 only incorporated the elements of a postsecondary readiness indicator and minimum score on a statewide assessment for students entering high school on or before the 2019-2020 school year. Therefore, students who entered high school on or before the 2018-2019 school year will not be subject to a state level change in graduation requirements as a result of SB 158. See question 1 below.

Question: What does this mean for students, families, schools and districts?

1. The state minimum requirements stay the same for students who entered high school on or before the 2018-2019 school year.

YEAR	MINIMUM NUMBER OF CREDITS	ENGLISH/ LANGUAGE ARTS	SOCIAL STUDIES	MATHEMATICS	SCIENCE	OTHER CREDITS	GRADE 10 EXAMS	OTHER REQUIREMENTS
GRADE NINE STUDENTS ENTERING 2018-2019 SCHOOL YEAR	22 credits	Four credits: English I, II, III, and IV	Three credits	Three credits: Algebra I, Geometry, and Algebra II; A mathematics course or equivalent will be taken each year of high school	Three credits	1/2 credit: Health 1/2 credit: Physical Education One credit: visual/performing arts	Counts only toward accountability spring of 2020	Civics test; demonstrated performance based competency in technology; seven elective credits

Note: The Grade 10 exams referenced in the above chart were waived for the 2019-2020 school year and do not count toward state or federal accountability for the 2019-2020 school year.

2. The state minimum requirements must be amended for students who entered high school in the 2019-2020 school year and thereafter.

What is changing as a result of SB 158?

a. SB 158 prohibits the use of a postsecondary readiness indicator used in the state accountability system or a minimum score on a statewide assessment. Therefore, SB 158 limits the **graduation qualifier** options for students who entered high school in

the 2019-2020 school year and thereafter. The **graduation qualifiers** provide experiences intended to prepare students for what comes after high school. Only three **graduation qualifiers** remain allowable per SB 158 from the original eight established in 704 KAR 3:305.

The remaining **graduation qualifiers** allowable per SB 158 are as follows:
- Complete the precollege curriculum as established by the Council on Postsecondary Education; OR
- Earn four credits from classes within a single KDE-approved career pathway; OR
- Complete a KDE-approved process to verify 500 hours of exceptional work experience or alternative requirements as outlined in a student's Individual Education Program (IEP).

The Kentucky Department of Education (KDE) will be recommending changes to the regulation to remove all **graduation qualifier** options to better align with the intent of the new legislation.

b. Students entering high school in the fall of 2020 and beyond will **NOT** have to meet a "**graduation prerequisite**" for reading and mathematics as currently defined in 704 KAR 3:305 in order to graduate.

The student collection of evidence included in (4)(2)(b)(3) is not prohibited by SB 158. However, it is no longer needed as state and local graduation requirements are prohibited from including the other **graduation prerequisites** for reading and mathematics included in 704 KAR 3:305.

KDE will be recommending changes to the regulation to remove all **graduation prerequisites** to better align with the intent of the new legislation. Yet students will be required to meet other minimum credit requirements as established in 704 KAR 3:305.

3. Local boards of education will need to review and amend local policy to eliminate any high school graduation requirements that include achieving a minimum score on a statewide assessment.

Question: How can schools and districts best support students who entered high school in the 2019-2020 school year and thereafter in light of the required statutory changes?

Focus on student coursework and aligning coursework with the student's Individual Learning Plan (ILP). The new graduation requirements give students the chance to take more classes geared toward their plans after graduation.

Students must complete the following 22 personalized credits before graduation:
- English I and II AND 2 additional English/language arts credits aligned with the student's ILP that address the remaining required *Kentucky Academic Standards (KAS) for Reading* and *Writing*
- Algebra I and Geometry AND two additional Mathematics credits aligned with the student's ILP that address the remaining required *KAS for Mathematics*
- 3 credits Social Studies (at least 1 aligned with the student's ILP)
- 3 credits Science (at least 1 aligned with the student's ILP)
- 1/2 credit Health and 1/2 credit Physical Education (one of which shall include CPR training)
- 1 credit Visual and Performing Arts
- 6 additional credits aligned with the student's ILP

Other requirements: Pass state-mandated civics test; receive instruction in essential workplace skills; demonstrate competency in technology; develop an ILP (grades 6-12); successfully complete a course or program in financial literacy (grade 9 students entering the 2020-21 school year).

Question: Does SB 158 impact the Early Graduation Program?

No, the Early Graduation Program will stay in effect. KRS 158.142 establishes that Early Graduation is a deliberate pathway for students in grades 9-11 who wish to move on when ready, receive a diploma from the district and be eligible for acceptance into Kentucky public universities and nonprofit independent colleges and universities. The pathway provides a financial scholarship, known as the Early Graduation Certificate, to support this action. The statute took effect in June 2013. Section 5 of 704 KAR 3:305 will be reviewed and possibly amended, but is still presently a pathway for students to graduate early.

Question: What is the tentative timeline for the regulatory changes to 704 KAR 3:305 - Minimum requirements for high school graduation?

SB 158 is effective as of July 15, 2020. Therefore, the new statutory requirements apply to all students graduating during the 2020-2021 school year and thereafter. However, students who entered high school on or before the 2018-2019 school year will not be subject to a state level change in graduation requirements as a result of SB 158 because requirements for those students remain consistent with SB 158. Students who entered high school in the 2019-2020 school year and thereafter (students who are in grades 9 and 10 during the 2020-2021 school year) will be subject to state-level changes to 704 KAR 3:305 to align with SB 158.

Consequently, an amended draft of 704 KAR 3:305 should go before the Kentucky Board of Education for a first reading in August 2020. At a minimum, the process for board approval, public feedback and completion of the regulatory process is 9 months. Hence, a new regulation will not be in place until the fall of 2021. Local districts, however, are required to comply with the statutory changes established in SB 158 and the 704 KAR 3:305 regulatory pieces that remain during the time the KBE is updating the regulation.   *(OTL: mr)(OLS: jl.ta)(COMMS: tm.jg)*