

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: Amendments to 704 KAR 3:305, Minimum Requirements for High School Graduation
(Second Reading)

Date: October 2020

Action Requested: Review Action/Consent Action/Discussion

Held In: Full Board Curriculum, Instruction and Assessment Operations

SUMMARY OF ISSUE BEFORE THE BOARD:

To take action on the proposed amendments to 704 KAR 3:305, Minimum requirements for high school graduation, to align the state minimum requirements with legislation established in Senate Bill (SB) 158 (2020).

COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends approval of the proposed amendments to 704 KAR 3:305, Minimum requirements for high school graduation, in order to align the state minimum requirements with legislation established in SB 158 (2020).

APPLICABLE STATUTE OR REGULATION:

KRS 156.070, 156.160(1)(a), (d), 158.140(6), 158.142, 158.645, 158.6451, 704 KAR 3:303 and 704 KAR Chapter 8

BACKGROUND:

Existing Policy:

KRS 156.160 requires the Kentucky Board of Education to promulgate administrative regulations relating to the courses of study for the different grades and the minimum requirements for high school graduation. KRS 158.142(3)(b) requires the board to promulgate administrative regulations establishing requirements for early graduation from high school. The content standards for the courses of study are established in the Kentucky academic standards incorporated by reference in 704 KAR 3:303 and 704 KAR Chapter 8. This administrative regulation, 704 KAR 3:305, establishes the minimum requirements necessary for entitlement to a high school diploma.

Summary of Issue:

No changes have been made to the administrative regulation since the first reading in August 2020.

704 KAR 3:305, Kentucky's new minimum high school graduation requirements, became effective on April 5, 2019. SB 158, however, makes significant changes to the state and local graduation requirements for students who entered high school in the 2019-2020 school year and

thereafter. Section 3(1)(d) establishes that 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) also states that a local board may not adopt any high school graduation requirements that include achieving a minimum score on a statewide assessment. Thus, SB 158 specifically impacts graduation qualifiers and graduation prerequisites as defined in Section 1 of 704 KAR 3:305.

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).

As a result, changes to Section 4 of the regulation are necessary in order to remove all graduation qualifier options to better align with the intent of SB 158 and eliminate potential inequities that may result as an unintended consequence of having fewer options for students to complete a graduation qualifier.

SB 158 also prohibits the use of a minimum score on a statewide assessment as a requirement for graduation on both the state and local level. As a result, the graduation prerequisite for reading and mathematics as currently defined in 704 KAR 3:305 must be amended. 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. Changes to Section 4 of the regulation also are needed to remove all graduation prerequisites to better align with the intent of the new legislation. Students, however, will be required to meet other minimum credit requirements as established in 704 KAR 3:305.

In accordance with Senate Bill 158, Section 8(2) of 704 KAR 3:305 also is being amended to include that a local board may not adopt any high school graduation requirements that include achieving a minimum score on a statewide assessment.

Budget Impact:

The required changes to state minimum high school graduation requirements will increase costs to the KDE in the form of additional staff time, specifically for the Office of Teaching and Learning, but also potentially for the Offices of Assessment and Accountability, Career and Technical Education and Student Transition, and Special Education and Early Learning, as well

as in the development of dedicated resources and communications to support the transition to new graduation requirements and provide opportunities for public feedback.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

The regulation will go before the LSAC at its September 29 meeting. A letter from this group, expressing its recommendation, should be received prior to the October board meeting.

CONTACT PERSON(S):

Rhonda Sims, Associate Commissioner
Office of Assessment and Accountability
Email: Rhonda.sims@education.ky.gov
(502) 564-2256

Micki Ray, Policy Advisor
Office of Teaching and Learning
Email: Micki.ray@education.ky.gov
(502) 564-9850



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