



First Reading: 703 KAR 5:280

Presentation to the Kentucky Board of Education on
October 7, 2020.

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

- ▶ **Senate Bill (SB) 1 (2017)** initially set forth, in KRS 160.346(2), how Kentucky identified a school for targeted support and improvement (TSI), including additional targeted support and improvement (ATSI).
 - In fall 2018, 418 schools were identified for ATSI. Of those, 10 schools remain identified for ATSI in 2020-21.
 - To date, no school has been identified for TSI.
- ▶ **SB 175 (2019)** further refined Kentucky's identification of schools for TSI and ATSI; however, feedback from the U.S. Department of Education revealed those changes were not compliant with the Every Student Succeeds Act.
- ▶ **SB 158 (2020)** revised KRS 160.346(2) in a way that the KDE believes aligns the identification of TSI and ATSI school with federal law.



New State Law on Targeted Support and Improvement

As revised by SB 158 (2020), KRS 160.346(2) states:

(a) Beginning with the 2020-2021 school year, and annually thereafter, the department shall identify a school for targeted support and improvement if the school has one (1) or more of the same subgroups, 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.

(b) Beginning with the 2021-2022 school year, and every three (3) years thereafter, the department shall identify a school for additional targeted support and improvement if the school has one (1) or more subgroups, 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 the school was identified in the immediately preceding year for targeted support and improvement as described in paragraph (a) of this subsection.



Entrance Criteria Summarized

Targeted Support and Improvement (TSI)

TSI	Identified annually beginning in 2020-2021*: <ul style="list-style-type: none">• The school includes one or more of the same subgroups whose performance is at or below that of all students in the lowest-performing five percent of schools for three (3) consecutive years.
ATSI	Identified every three (3) years beginning in 2021-2022*: <ul style="list-style-type: none">• The school has one or more subgroups whose performance is at or below that of all students in the lowest-performing five percent of schools and• The school was identified for TSI in the immediately preceding year.

*Identification delayed due to waivers granted in response to the COVID-19 pandemic.



Additional Impacts of SB 158 (2020) on School Improvement

- ▶ Moves the identification of CSI schools to every three (3) years beginning with the 2021-2022 school year.
- ▶ Requires KDE to act as audit team in all CSI schools.
- ▶ Permits the appeal of “any judgment made by the department...of a principal, superintendent, school, or school district which it considers grossly unfair.”
- ▶ Mandates turnaround efforts in CSI schools be led by an entity on the KBE’s “approved turnaround vendor list,” which is defined in the bill and may include teams staffed by KDE.
 - Beginning in 2023, KDE must submit an annual report to the Interim Joint Committee on Education regarding the performance of turnaround vendors.





Summary of Changes to 703 KAR 5:280

Section 1: Definitions

- ▶ Substantively revises the definition of “audit team.”
- ▶ Creates a new definition for “model and practice school” and incorporates such within the definition of “local education agency.”
 - Changes are made throughout the regulation to implement House Bill 366 (2020) within existing school improvement processes.



Section 2: Audit Team Membership

- ▶ Deletes language previously in Section 2, which pertained to and was titled “Notification of Status for CSI.”
- ▶ Renumbers accordingly.



Section 3: School Audit

- ▶ **Strikes language pertaining to non-KDE led audit teams.**
- ▶ **Aligns determinations regarding principal capacity with the Professional Standards for Educational Leaders approved by the National Policy Board for Educational Administration.**
- ▶ **Removes language pertaining to the authority of school-based decision making councils in CSI schools as this is covered comprehensively in KRS 160.346(8)(b) and (15).**



Section 4: District Audit

- ▶ Strikes language pertaining to non-KDE led audit teams.



Section 5: Notification to Schools and LEAs of Audit Findings

- ▶ **Articulates a process by which a school or district may appeal a recommendation regarding:**
 - **The principal or school leader's leadership capacity and authority or**
 - **The district or governing board's leadership capacity and authority.**



Section 6: Turnaround Team and Plan for CSI Schools

- ▶ Ensures the turnaround team in a CSI school is on the KBE's approved turnaround vendor list.
- ▶ Includes language clarifying that all CSI schools are eligible to apply for funding under 20 U.S.C. 6303 and that any funding awarded thereunder may be used to assist with funding a non-KDE led turnaround team.



Section 15: Approved Turnaround Vendor List

- ▶ Sets forth the parameters of the KBE's approved turnaround vendor list.
- ▶ Requires the use of a "Turnaround Vendor Application" outlining evidence of the entity's document success at:
 - Turnaround diagnosis;
 - Training;
 - Improved performance of organizations; and,
 - Expertise in using evidence-based strategies.



Section 15: Approved Turnaround Vendor List (continued)

- ▶ **Permits an entity with a KBE-approved “Turnaround Vendor Application” to provide turnaround training and support to a CSI school.**
- ▶ **Requires entities on the approved turnaround vendor list annually supply performance data to inform the KBE and the Interim Joint Committee on Education, as required by KRS 160.346(10).**
- ▶ **Establishes other oversight and revocation processes.**



Section 16: Incorporation by Reference

- ▶ Revises the “Notification Non-Department Turnaround Team Form.”
- ▶ Creates a new “Turnaround Vendor Application.”
- ▶ Incorporates both of the above within the regulation.
- ▶ Removes the “Notification of Non-Department Audit Team Form.”



Questions?

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