

## KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

**Topic:** Introduction and Discussion on Impact of Senate Bill 158 on Accountability

**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 review and discuss the impact to Kentucky’s accountability system resulting from the enactment of Senate Bill (SB) 158 (2020).

### APPLICABLE STATUTE OR REGULATION:

KRS 158.645, 158.6451, 158.6453, 158.6455, 703 KAR 5:270, *Kentucky’s accountability system*, and 20 U.S.C. 6311

### BACKGROUND:

#### *Existing Policy:*

As stated in KRS 158.6455, it is the intent of the General Assembly that schools succeed with all students and receive the appropriate consequences in proportion to that success. The Kentucky Board of Education (KBE) shall create an accountability system to classify districts and schools in accordance with the academic standards and student assessment programs developed pursuant to KRS 158.6453.

Currently, 703 KAR 5:270, *Kentucky’s accountability system*, defines Kentucky’s accountability system and the indicators used to measure district and school performance. The accountability system has six indicators that are used to classify schools and districts in a 5-star system. The indicators used for the 5-star rating are Proficiency, Separate Academic, Growth (elementary/middle only), Graduation (high only), Quality of School Climate and Safety, and Transition Readiness (high only).

#### *Summary of Issue:*

SB 158 (2020) became law on July 15, 2020 and significantly impacts Kentucky’s accountability system.

SB 158 (2020) amends KRS 158.6455 to create an accountability system that shall include an annual meaningful differentiation of all public schools in the state using multiple measures that describe the overall performance of each district, school and student subgroup. Performance shall be based on a combination of academic and school quality indicators and measures known as “state indicators.” Those indicators shall exclusively include student assessment results, progress toward achieving English proficiency by limited English proficiency students, quality of school climate and safety, high school graduation rates, and postsecondary readiness. In addition, the

accountability system performance for each district, school and student subgroup determined by the state indicators shall be based on a combination of annual performance, hereinafter called “Status,” and improvement over time, hereinafter called “Change.”

Staff from the Office of Assessment and Accountability (OAA) will introduce and start the discussion on the impacts of SB 158 to the Kentucky accountability system at the October board meeting. They will highlight federal and state requirements and the areas that will require decisions from the KBE to achieve compliance with SB 158. While federal and state law define the parameters of accountability, a regulation promulgated by the KBE will stipulate necessary details for implementation.

In addition, a future study session with the KBE will allow a deeper dive into the topics and generate guidance to craft amendments to the accountability regulation. Key issues and discussion topics at the study session will include measuring Change validly and reliably; incorporating allowed federal flexibility in determination of progress toward English language proficiency by English learners; determining weights for each indicator within Status and Change; and appropriate minimum number of students for accountability. In addition, possible flexible options should be considered given the uncertainty underlying assessment and accountability in 2021 due to possible continued schooling disruptions. After preliminary discussion and receiving guidance from the KBE, OAA staff will bring amendments to 703 KAR 5:270 for a first reading at the KBE’s December meeting.

The revised accountability regulation will allow the KDE to meet federal and state law around accountability and to submit Kentucky’s State Consolidated Plan. Complying with the current requirements in SB 158 is the first step along a timeline to achieve more long-term goals of the KBE.

#### **BUDGET IMPACT:**

The KDE anticipates incurring additional expenses to cover the costs of implementing SB 158 (2020). This legislation outlines changes to the accountability system that will require extensive staff time with OAA leadership, psychometric services with the Center for Assessment and Education Measurement Consulting, LLC, validity and reliability studies, training stakeholders on the accountability system and an updated School Report Card. The implementation of a new accountability structure will become the major focus of the work of OAA. Activities to transition between old and new systems will change and potentially expand current contracts that support the accountability system.

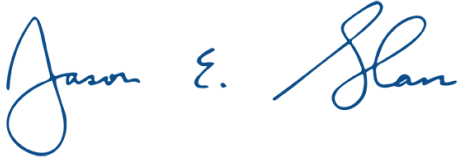
#### **GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:**

In the coming months, multiple stakeholders will be consulted in the amendments to 703 KAR 5:270, *Kentucky’s accountability system* regulation. Future stakeholders include, but are not limited to, the National Technical Advisory Panel on Assessment and Accountability (NTAPAA); School Curriculum, Assessment and Accountability Council (SCAAC); District

Assessment Coordinators (DAC) Advisory Group; Commissioner Advisory Groups and the Local Superintendents Advisory Council (LSAC).

**CONTACT PERSON(S):**

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**Commissioner of Education**

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