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Governor



Lt. Gov. Jacqueline Coleman
Secretary
Education and Workforce
Development Cabinet

Jason E. Glass, Ed.D.
Commissioner of Education and Chief Learner

KENTUCKY DEPARTMENT OF EDUCATION

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November 20, 2020

Diane Porter, Board of Education Chair
Jefferson County Public Schools
3332 Newburg Road
Louisville, KY 40232

Dr. Marty Pollio, Superintendent
Jefferson County Public Schools
3332 Newburg Road
Louisville, KY 40232

RE: Management Audit of Jefferson County Public Schools

Dear Chair Porter and Superintendent Pollio:

On September 21, 2020, a management audit team appointed by the Kentucky Department of Education (KDE) initiated a management audit (audit) of the Jefferson County Public School (JCPS) district pursuant to the terms of a Settlement Agreement and in accordance with KRS 158.780, KRS 158.785, and 703 KAR 3:205. The Settlement Agreement, entered on August 28, 2018 between KDE and the Jefferson County Board of Education, provided, in part, as follows:

KDE will initiate a management audit pursuant to KRS 158.780, KRS 158.785, and 703 KAR 3:205 no earlier than September 15, 2020, and the KDE Commissioner will issue his report and recommendation with regard to the audit within 90 calendar days after the commencement of the audit. Upon conclusion of the audit, the KDE Commissioner will recommend either that no further action be taken; that the Jefferson County Public Schools be declared a "state-assisted" district as set forth in KRS 158.785(4) and KRS 158.785(6); or that the Jefferson County Public Schools be declared a "state-managed" district as set forth in KRS 158.785(4) and KRS 158.785(7).¹

The Settlement Agreement also provided that JCPS would implement corrective action at least until a new audit was finalized. The finalized Management Audit Report is attached for your reference and, as set forth KRS 158.785, analyzes whether "there is a pattern of a significant lack of efficiency and effectiveness in the governance or administration of" JCPS.

¹ Settlement Agreement, Section E[1], page 4.

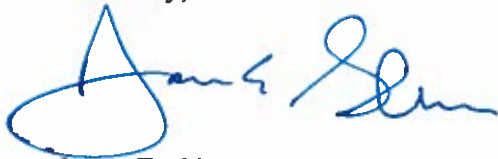
Based upon the findings outlined in the Management Audit Report, I have determined that there is not a pattern of a significant lack of efficiency and effectiveness in the governance and administration of JCPS. The evidence collected during the management audit establishes that neither state management nor state assistance is necessary at this time to correct any inefficiencies and ineffectiveness within the school district. Accordingly, the Settlement Agreement referenced herein should be considered fulfilled and JCPS should be released from further implementation of formal corrective action implemented pursuant to the Settlement Agreement. I do, however, highly recommend that JCPS review the recommendations of the management audit in detail and incorporate the recommendations into weekly cabinet meetings and the JCPS District Improvement Plan.

Further, notwithstanding the foregoing, JCPS should continue to collaborate with the KDE Office of Special Education and Early Learning (OSEEL) to ensure the district meets expectations under the Individual with Disabilities Education Act (IDEA) and implements any IDEA Corrective Action Plan (CAP) that may continue to be required pursuant to 707 KAR 1:380. Of note, a CAP implemented pursuant to 707 KAR 1:380 is outside the scope of the Settlement Agreement.

By copy of this letter, I am notifying the KBE of my position that no further action be taken. At the KBE's next regularly scheduled meeting, the JCPS Management Audit Report will be included as a review item. If you have any questions, please contact Dr. Kelly Foster, Associate Commissioner, by phone at (502) 564-5130 or by email at Kelly.Foster@education.ky.gov.

Finally, I appreciate the collaboration that has occurred between JCPS and the KDE thus far, and I look forward to continue working together to ensure that every child in JCPS has the opportunity to receive a high quality education in a safe and nurturing school environment.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason E. Glass".

Jason E. Glass, Ed.D.
Commissioner of Education

Enclosures

- c: Members of the Jefferson County Public Schools Board of Education
 Members of the Kentucky Board of Education
 Members of the Kentucky Department of Education Leadership Team

Jefferson County Management Audit Report

Per KRS 158.785

Prepared for

Kentucky Commissioner Dr. Jason Glass

Kentucky Department of Education Staff

November 2020

Contents

Executive Summary	4
Planning	4
Operational Support: Food Services, Transportation, Facilities	5
Operational Support: Financial Management	7
Operational Support: Personnel Administration	10
Instructional Management	10
Conclusions:	15
Summary of Findings	15
(a) Planning	15
(b) Operational support	15
1. Maintenance and operation of the physical plants	15
2. Facility construction	16
3. Maintenance and operation of the transportation system	16
4. School food services	17
(c) Fiscal Management – District Level	17
(c) Fiscal Management – School Level	17
(d) Personnel administration	18
(e) Instructional management	18
Management Audit Methodology:	21
Audit Report	22
I. PLANNING	22
Planning Recommendation:	26
II. OPERATIONAL SUPPORT- Food Services	26
Operational Support Recommendation:	29
II. OPERATIONAL SUPPORT- Facilities	29
Operational Support Recommendation:	32
II. OPERATIONAL SUPPORT- Transportation	32
Operational Support Recommendation:	35
III. FINANCIAL MANAGEMENT- Central Office	35
Financial Recommendations:	45
III. FINANCIAL MANAGEMENT- School	45
Financial Recommendation:	50
	2

IV. PERSONNEL ADMINISTRATION	50
Personnel Management Recommendation:	54
V. INSTRUCTIONAL MANAGEMENT	54
Instructional Management Recommendation:	65
V. INSTRUCTIONAL MANAGEMENT- Career and Technical Education	65
CTE Recommendations:	72

December 2020

Executive Summary

School District	Jefferson County Public Schools	
Superintendent	Marty Pollio	
Board Chair	Diane Porter	
Date of On Site Visit	September 21-October 9, 2020	Number of interviews: 1588
Management Audit Team	<p>Kelly Foster, Leesa Moman, Kay Kennedy, Katie Embree, Faith Corbin, Chay Ritter, Steve Lyles, Gary Leist, James Bauman, Elisa Hanley, Ricky Courtwright, Carl Meehan, Nicole Vanover, Jackie Chism, Gail Cox, Kim Carter, Becky Walsh, Lauren Moore, Cynthia Anderson, Serena Anderson, Maria de Armas, Felicia Bond, Kim Bullard, Kim Cornett, Melissa Evans, Milagros Fornell, Kevin Gay, Susan Greer, Jim Hamm, Crystal Higgins, Tim Huddleston, Charlotte Jones, Pebbles Lancaster, Nancy Lee, Teresa Miller-Ruiz, Wanetta Morrow, Mike Murphy, Raquel Perez, Nellie Poe, Denva Smith, Tom Stewart, Todd Tucker, Sam Watkins, Beth Hargis, Leslie Slaughter, Karla Tipton, Pamela Moore, Robin Linton, Tracy Osborne-Clay, Teresa Rogers, Scott U'Sellis, Claude Christian, Sherri Craig, Crystal Whitaker, Regan Satterwhite, Morgan Lovitt, Kiley Whitaker, Sylvia Starkey, Carol Ann Morrison, Malaika Williams, Bill Buchanan, Andrea Bartholomew, Jennifer Riley, Jarrod Slone, Allison Johnson, Joe McCowan, Erma White, Mike Abell, Vickie Writzel, Jessica Jones, Susan Burgan, Julie McCown. Kathy Harris, Nicole Barnette, Tania Sharp, Alisa Zimmerman</p>	
Area of Review	Recommendation	Evidence
Planning	<p>Recommendations for improvement in Planning: While the development and implementation of The Six Essential Systems for a Strong Learning Climate and Three Pillars is evident, there is limited evidence that they are directly impacting student achievement. The district will need to continue to implement the progress monitoring system (e.g., Vital Signs, CCV, and CSR) to determine that changes are occurring in student achievement particularly in sub-group performance.</p>	<p>Persons Interviewed: Superintendent, All Board Members, Chief of Staff, Chief Academic Officer, Chief Information Officer, Chief Human Resources, Chief Communications and Community Relations Officer, Chief Equity Officer, Chief Accountability, Research and Systems Improvement Officer, Chief Operations Officer, External General Counsel, Three Elementary Assistant Superintendents, Middle School Assistant Superintendent, High School Assistant Superintendent, Accelerated Improvement Schools Assistant Superintendent, Two Elementary Executive Administrators, Title I Director, Director of Compliance and Investigations, Executive Administrator of School Choice, Internal Auditor, Coordinator Open Records, Executive Administrator of Policy and Systems, Executive Administrator of Research and Systems, SBDM Members</p> <p>Documents Reviewed: Board Policies and Procedures, Board Agendas, Board Minutes,</p>

		<p>Board Meetings, School-Based Decision (SBDM) Minutes, Vision 2020, Corrective Action Plan (CAP), Jefferson County Teachers Association (JCTA) Contract, SBDM policies, Student Assignment Policies, Racial Equity Plan, Equity Policy, Racial Equity Analysis Protocol (REAP) Tool, Six Essential Systems for a Strong Learning Climate, Three Pillars, Comprehensive District Improvement Plan (CDIP), Comprehensive School Improvement Plan (CSIP), Survey Data, Affirming Racial Equity (ARE) Tool, Vital Signs, Collaborative Calibration Visit (CCV), Comprehensive System Review (CSR), Board Member Training Records, Board Policy Committee Agenda, Board Policy Committee Minutes, Principal Priority page, Organizational Chart, Job Descriptions, Policy Newsletter, Student Assignment Review Advisory Committee (SARAC) Agendas, School Support Log, Instructional Cabinet Agendas, District Support Team Handbook, Cabinet Meeting Agendas and Minutes</p>
<p>Operational Support: Food Services, Transportation, Facilities</p>	<p>Recommendations for improvement in Food Services: Increase participation which will yield additional revenue for the food service program while non-traditional instruction is occurring due to the pandemic which is permissible by program regulations. Considerations could include additional delivery sites and/or providing meals for the weekends.</p> <p>Develop a staffing plan to ensure that staffing levels are appropriate for the methods selected for meal service operations during the pandemic and also during normal operations.</p> <p>Recommendations for improvement in Transportation: Establish a goal for improvement on the number of behavior referrals from</p>	<p>Persons Interviewed for Food Services: Child Nutrition Director, Chief Financial Officer</p> <p>Documents Reviewed: JCPS 2019-2020 USDA National School Lunch Administrative Review; JCPS 2019-2020 USDA National School Lunch Procurement Review</p> <p>Persons Interviewed for Transportation: Chief Operating Officer; Director of Transportation; Transportation Specialist; Manager Vehicle Maintenance; Parts employee; Nichols Garage</p>

pupil transportation that affect African American and exceptional children. Some driver training does address referrals of these two student populations but there is no evidence of root cause analysis to systematically address the issues. Considerations may include the grades of students on the buses, the number of students on the buses, proper assignment of experienced drivers, and development of alternate transportation modes for students with multiple referrals.

Develop a process that allows the transportation department to be included in discussions around school choice and student assignment.

Develop a recruitment plan to ensure the district has enough bus drivers and monitors to support the school choice opportunities.

Develop and implement a system that accurately identifies buses for inspection at the proper mileage or time frame. This system should also focus on eliminating the duplication of inspections.

Develop and implement a process for the procuring of tires to ensure compliance for new and used tires.

Recommendations for improvement in Facilities:

It is recommended that the district continue to pursue opportunities to generate adequate revenues to address facilities renovation, maintenance and new building needs.

Foreman; Blankenbaker Garage Foreman; two Mechanics; Inspector/Instructor; Executive Administrator Climate and Culture; Chief of Exceptional Children; Coordinator Bus Driver Training

Documents reviewed: Bus Driver Training Certificates, Bus Driver Records, Bus Maintenance Records, Bus Behavior Incidents Tracking Report

Persons Interviewed for Facilities: Chief Operations Officer; Director, Facility Planning & Design; Specialist Fiscal Operations; Specialist General Maintenance and Grounds; Specialist, Maintenance and Renovations; Director Safety and Environmental Services; Principals at the ten schools selected for sample

Documents Reviewed: Facilities Budget Comparison FY17-FY21; Overview of Property

		<p>Management, Maintenance, and Support Services Operations: Property Management, Maintenance, and Support Services - Organizational Chart; Work Orders - Random Sample from ten Audited Schools; Building Modification Request from ten Audited Schools; Housekeeping Staffing Assignments; Maintenance TRADES Vacancies; District Maintenance Employee Listing; TRADES Program Organizational Charts; JCPS Property Insurance Policy 2020-2021 school year; District Facility Plan 2017-21</p>
<p>Operational Support: Financial Management</p>	<p>Recommendations for improvement in Financial Management at the district level: It is recommended the district conduct an annual test of the Munis backup system.</p> <p>It is recommended the district consider a utility tax to generate additional revenue.</p>	<p>Persons Interviewed at District Level: Superintendent, Chief Financial Officer, Executive Administrator for Accounting, Executive Administrator for Payroll, Executive Administrator of School Choice, All Board Members, Executive Administrator of Budgets, Budget Supervisor, Pupil Personnel Director, Chief Operation Officer, SBDM Coordinator, Internal Auditor, Fiscal Operations Specialist, Director of Facility Planning, Executive Administrator of Transportation, Manager of District Health, Executive Administrator of School & Community Nutrition Services, and 25 SBDM Council Members (Parents and Teachers)</p> <p>Documents Reviewed: Board Policy 02.4242 School Budget and Purchasing (SBDM); Board Policy 04.32 Model Procurement Code Purchasing; Administrative Procedure AP 04.2321 Purchase Certification; Administrative Procedure 04.32 AP.1 Model Procurement Code Purchasing; Board Policy 04.31 Fiscal Accounting and Authority to Encumber/Expend Funds; Administrative Procedure 0.431 AP 1 Purchasing; FY 2020-21 Budget Information and Instructions; District Staffing Allocation; Board Approved Staffing Allocations (1/24/20 meeting); Board minutes for FY19 Audit Approval; List of non-administrative district wide positions; Orders of the Treasurer (OT) – July 2020; Signed warrant proof report – July 2020; Board Minutes reflecting board approval – July 2020;</p>

<p> Check Register for March 2020; AP disbursement journal – March 2020; Certificates of insurance; Board Minutes for the past year; Documentation of purchasing policies and procedures (Fund 1 and Fund 2); Bank Reconciliations – July, 2018 – July 2020; Salary Schedules including extra duty and extended days; Investment policy and depository bid document; Training hours documentation for finance officer; Written process for general journals, including backup documentation and approval process; Budget Amendment process – Trigger, approvals, balances; Internal Audit: Audit Checklists and Templates for internal audits; YTD Budget Report for Fund 1, object code 043*, to include Vendor Name and Amount; Working Budget FY20; Travel Reimbursement Policy and Procedures; Employee Reimbursement Policy and Procedures; Written procedures relating to assignment and usage of district vehicles; Written procedures for cellular telephone guidelines section in Digital Technology Procedures; Policy on investigating, monitoring, and reporting hotline complaints; Disaster Recovery Plan and Business Continuity Plan; District Security Policy and Munis Security Policy; Password Policy and Munis Password Policy; Procedures on obtaining, testing, and implementing Munis upgrades; A sampling of grants and contracts ; IDEA funded inventory and disposal Most recent Budget Completion Journal with Account Warnings; Proof of running monthly Tables Validation in Munis; Project Budget Report for 335A, 335B showing Project/Unit/Object with Totals Only for FY19, FY20; Project Budget Report for 310X, 410X showing Project/Unit/Object with Totals Only for FY19, FY20. </p>
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	<p>Recommendations for improvement in Financial Management at the school level:</p> <p>It is recommended the person performing bookkeeper duties in each school not solely perform the recordation of receipts and revenues, together with the final reconciliation of the report log. Additional staff members must assist in the process to mitigate risk.</p> <p>It is recommended the internal audit branch expand the scope of the internal examinations to include fund 22, in order to verify expenditures are properly accounted for in schools maintaining credit cards that are not providing credit card information on a consistent basis to internal audit.</p> <p>It is recommended that all monthly SBDM Council minutes posted to the KSBA Portal contain any supporting documentation presented in the meetings to ascertain the topics were discussed in the meetings.</p>	<p>Report showing the Determination of Allocation of Title I funds by School for FY19, FY20; Copy of Section 7 Allocations Credit card policy;</p> <p>Persons Interviewed at School Level: Principal, Bookkeeper, and Secretary at the schools in the selected sample; Internal Auditor</p> <p>Documents Reviewed: Selected Purchase Orders, 2019-2020; Selected Receipts, 2019-2020; Selected Check copies/check stubs, 2019-2020; Selected Packing Slips, 2019-2020; Selected Bank Reconciliation Reports, 2019-2020; Selected Bank Statements, 2019-2020; Selected Inventory Forms, 2019-2020; Selected Multiple Receipt Forms, 2019-2020; Selected Deposit Tickets, 2019-2020; Selected Fundraiser Forms, 2019-2020; Ticket Receipts (although very minimal in light of the ongoing pandemic); Selected Fundraiser Forms, 2019-2020; Selected General Ledger Transfer Forms, 2019-2020; Selected Principals Combining Budget, 2019-2020; Selected SBDM Minutes, 2019-2020;</p>
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<p>Operational Support: Personnel Administration</p>	<p>Recommendations for improvement in Personnel Administration: It is recommended that the district develop a process to routinely audit employee personnel files for complete information.</p>	<p>Persons Interviewed: Chief Financial Officer, Chief Human Resources, Executive Administrator Personnel Services, Manager HR Quality Control, Director Labor Management and Employee Relations, File Clerk</p> <p>Documents Reviewed: Recruitment and Staffing Process flowchart; Personnel Action flowchart; Onboarding flowchart; Employee Discharge process; Collective bargaining agreements between JCPS and (a) the Jefferson County Association of Educational Support Personnel, (b) the Jefferson County Teachers Association, (c) Teamsters Local 783,(d) Service Employees International Union Local 320, (e) Service Employees International Union Plant Operators (Hourly)(NCFO Chapter 77); JCPS Kentucky New Hire Reports for January 2020 and August 2020; Job Openings and Labor Turnover Survey for Jan. 2020 and August 2020; Vacancy Report 2019-2020; Sample set of 49 personnel files; Board approved Job Descriptions</p>
<p>Instructional Management</p>	<p>Recommendations for Improvement in Instructional Management:</p> <p>Continue to build system fidelity and continuous improvement practices around guiding initiatives (e.g., Three Pillars and Six Essential Systems for a Strong Learning Climate) to embed them into the professional culture and to build sustainability.</p> <p>Engage in ongoing, job-embedded professional learning that helps district and school leaders understand systems for sharing effective feedback appropriate to particular situations (e.g., CSIP, bi-weekly reports, walkthrough reports, lesson plans).</p> <p>Seek, identify, and communicate explicit connections between initiatives to all stakeholders. Streamline initiatives, documents, and instruments in order to avoid overlap</p>	<p>Persons Interviewed: Superintendent, Chief Academic Officer, Chief of Exceptional Children, Zone and Level Assistant Superintendents, Assistant Superintendent for Academic Support Programs and Special Population, Assistant Superintendent School Culture and Climate, Executive Administrators, Executive Administrator Culture/Climate, Supervisor Leadership and Professional Development, District Assessment Coordinator, Director of Professional Development and Learning, Director of Academic Project Management, SBDM Coordinator, Executive Director of Curriculum Design and Learning Innovation, Principals, Assistant Principals, Academic Instructional Coaches, Regular Education, School Counselors, Special Education Teachers.</p> <p>Documents Reviewed: Student Backpack of Success Skills with multiple links, District data analysis of MAP, KPREP, Gap Data, District Walkthrough Process, district leadership meeting agenda and minutes, PLC agenda and minutes, staffing allocations, progress monitoring for</p>

and compliance-driven tasks. Ensure that actionable next steps systematically become part of the plan for continuous improvement.

Continue to ensure support services for EL students in each building by providing training for school communities in gap reduction strategies, encourage additional staff members to add this certification to their teaching credentials, and by adding staffing where appropriate.

Promulgate ongoing, individualized professional learning designed for leaders at each level (e.g., district level, school level, classroom level) to promote self-reflection and professional growth, and that results in changes in practice around teaching and learning.

implementation and for program effectiveness, process/protocol for student entry/exit and criteria, process or policies on how Assistant Superintendents communicates protocol or expectations to principals, district support documents that indicate principal accountability, stakeholder surveys, JCPS Organizational Charts, Vision 2020, Board Quarterly Progress Report, CDIP, Needs Assessment, State of the District, Future States Board Presentation, CSIPs, Board Policy Manual, Policy Newsletter, Board Policy Agenda/Minutes, Living Calendar, Digital Learning Channel, PD Digital Learning, Teacher Backpack with multiple links, Principal Backpack with multiple links, Principals Priority Page, Analysis of Impact Survey Results, Academic Instructional Coach Needs Assessment, District PD Plan, Analysis of School PD Plans, School PD plans, Curriculum Frameworks, Instructional Frameworks, Curriculum and Instructional Framework Resources, MTSS Website, MTSS school Implementation Plan Training Resources, MTSS Engagement Website, MTSS Toolkit Overview, MTSS Behavior Website, Academic MTSS Focus, Certified Evaluation Plan, Certified Evaluation Board Policy, Vital Signs, Comprehensive Systems Review (CSRs), Collaborative Calibration Visits (CCVs), MAP Analysis, PLC Framework, Racial Equity Board Reports, Bi-Weekly Report Samples/ Feedback, ATSI Tracking Plan, ATSI Name and Need Chart, District Leadership Meeting Agendas and Minutes, Principals' Meeting Agenda and Minutes, PLC Agendas and Minutes, Staffing allocations policies and procedures/progress monitoring for implementation and for program effectiveness, ECE procedures, Alternative Ed Policy, Zone/Level Protocols, AIS Framework, High Quality Professional Learning Framework, New Teacher Mentoring/ New Teacher Support Model, JCPS Student Support and Behavior Intervention Handbook, Five Basics of Teaching and Learning, Six Essential Systems for a Strong Learning Climate, Three Pillars.

CTE Recommendations for Improvement in Instructional Management:

It is recommended that the district focus efforts on more partnerships between the schools, businesses and the community. This focus should include more emphasis on work-based learning opportunities as an integral component of all career pathways.

Community engagement and work-based learning experiences were a common theme of the district staff interviews, but the actual experiences and opportunities discussed in school interviews appeared to be very limited in nature. School interviewees discussed highlights and efforts with one specific company, but did not discuss a variety of opportunities taking place in work-based learning aligned with career pathways. The District has, however, created a strong WBL manual, for which we recommend providing intentional training for school staff to ensure utilization.

It is recommended that current communication processes be evaluated, or new protocols be established, to ensure that high school administrators and academy coaches are communicating all CTE-related information and initiatives regularly with teachers, with mechanisms in place to ensure understanding and allow for feedback loops among all teachers within their buildings.

The district should be commended for utilizing the corrective action plan as a means to establish process documents

CTE Persons Interviewed: School Principals, Assistant Principals, School Counselors, CTE Coordinators, CTE Teachers, General Education Teachers, Special Education Teachers, Board of Education Members, SBDM Council Members, Pathway Instructional Leads, Director of Transition Readiness, Specialist School Business Partnership, Technician Data Management/Research, Specialist (Transition Readiness), High School Assistant Superintendent, Director of Postsecondary Planning

CTE Documents Reviewed: Student Transcripts, Student Schedules, Student Technical Education Database System (TEDS) records, Career Pathway Templates, School Master Schedules, Infinite Campus Calendar, Infinite Campus Instructional Minutes, Infinite Campus Period Schedules, Infinite Campus Course Tab, JCPS TEDS Automation Database, JCPS Dual Credit Guide, JCPS WBL guides, TEDS Management Folder, CTE Advisory Committee Sign-Ins, CTE Advisory Committee Meeting Minutes, Career & Technical Education-Schools/Teachers Folder, JCPS SmartSheet, Name and Need Chart

and protocols for CTE. It is recommended that the district evaluate these to determine their effectiveness and if overlapping processes are in place. This evaluation will allow the district to simplify or reduce the number of processes in place, which in turn will provide more accurate and thorough monitoring of their implementation. It is highly recommended that the district continue these efforts after the corrective action plan ends to sustain the effective practices. The KDE CTE team specifically recommends continuing high school redesign efforts, like the Academies of Louisville as these processes are still new, but have already been shown to have great potential.

To improve college and career advising and program improvement efforts it is recommended that the district tie the ILP with the “name and need” chart to have the students’ post-high school goals aligned with the transition readiness data. This will allow advisors to determine if the transition data is aligned to the students’ post-high school goals. Further, we recommend the addition of post-high school data elements into the “name and need” chart to enhance program improvement. With the addition of these data elements, which could be requested from the Kentucky Center for Statistics (KYSTATS), The District will be able to create a process to continually evaluate the effectiveness of each of their existing

programs and make improvements when needed.

The school master schedules reviewed during the audit showed that the district is working to improve the consistency of these across schools. The 2020-21 school year schedules showed improvement over the 2019-20 schedules and it is encouraged to continue this process to further align these across schools. It is also encouraged that the title of the course on the master schedule and the title of the course on the CPTs match to decrease likelihood of monitoring errors.

The District is already focusing efforts to provide more dual credit opportunities within the district, however, we recommend using dual credit data on type and location to evaluate equality in these offerings across the district. The KDE CTE team also recommends that the district continue its efforts to embed dual credit across all pathways.

The KDE CTE team would also recommend expanding the already established implementation and scaling efforts at the middle school level and with alternative schools. It is recommended that these partnerships be established more extensively with elementary schools over time, as these efforts will have a more systemic impact on the district overall

Conclusions: Pursuant to 703 KAR 3:205(2) (2), the comprehensive audit included an investigation of the district's compliance with state and federal statutes and administrative regulations and local board policies. Deficiencies identified and established may constitute a pattern of a significant lack of effectiveness and efficiency in the governance and administration of the school district. As a result of analysis of all reviewed Kentucky Department of Education data, Jefferson County Public Schools' data, information gathered during the onsite management audit which occurred September 21-October 9, 2020, it is the recommendation of the Commissioner based upon the findings outlined in the Management Audit Report, that a pattern of significant lack of efficiency and effectiveness in the governance and administration of JCPS does not exist and no further action towards JCPS, should be taken pursuant to KRS 158.785.

Summary of Findings

Regulation 703 KAR 3:205, Section 2 (2)	Findings
<p>(a) Planning – failure to develop, adopt and implement planning processes that allow for public review and timely action by the board and administration regarding management of the administrative and business activities of the school district and of the management of the instructional program</p>	<p>The data collected in the progress monitoring system (e.g., Vital Signs, CCV, CSR) has not been used to make systemic changes in sub-group performance.</p> <p>The Six Essential Systems for a Strong Learning Climate and the Three Pillars are being implemented with different levels of fidelity across the school district.</p>
<p>(b) Operational support - failure to provide the operational support services required to operate an efficient and effective school system including:</p>	
<p>1. Maintenance and operation of the physical plants - failure of the district to maintain school building cleanliness and safety including:</p>	
Regulation 703 KAR 3:205, Section 2 (2) (b) 1	Findings
Failure to develop and maintain an accurate record of the maintenance needs and expenditures	No Finding.
Failure to budget and expend funds necessary to maintain the physical plant	Funds available for allocation to address maintenance, renovations, and new construction projects are inadequate.
Failure to employ maintenance and operation staff who provide clean and safe school buildings.	No Finding.
Failure to make efficient use of personnel as indicated by excessive staffing when compared to school districts of similar size and funding.	No Finding.
Failure to make repairs that prevent costly and unnecessary maintenance expenditures.	No Finding.

Failure to ensure that existing facilities are adequately insured	No Finding.
<i>2. Facility construction - failure to manage a school facility construction program that is in compliance with 702 KAR Chapter 4 and is planned, executed, and completed to ensure that public funds are expended in a responsible manner including a failure to:</i>	
Regulation 703 KAR 3:205, Section 2 (2) (b) 2	Findings
Develop and implement a planning process for identifying the need for new or improved facilities	No Finding.
Maintain an up-to-date facility survey or ensure that regulatory approvals are secured.	No Finding.
Develop and implement plans to receive the allowable benefit from School Facilities Construction Commission.	No Finding.
Follow proper bidding requirements and develop and maintain accurate records of expenditures and authorization of expenditures on school construction projects	No Finding.
Institute an administrative oversight process to ensure that facility construction activities are efficient and accountable for both local and state funds.	No Finding.
<i>3. Maintenance and operation of the transportation system to provide and maintain an efficient transportation system including a failure to:</i>	
Regulation 703 KAR 3:205, Section 2 (2) (b) 3	Findings
Provide training for personnel responsible for the safe transportation of children in accordance with Kentucky Board of Education administrative regulations	Black/African American students and students in the Exceptional Child Education program have a disproportionate rate of behavior referrals from incidents on school buses.
Develop and implement policies and procedures regarding the use of district-owned vehicles	No finding.
Purchase and maintain equipment to safely and efficiently transport children to school	Bus inspections are not timed in an efficient or effective manner. In some instances, there is duplication and in other instances, inspections are past due.

Follow bidding requirements for the purchase of equipment and materials necessary to conduct the school's transportation program.	The district has installed non-approved tires on some school buses and purchased used recapped tires that are not brands authorized by KDE.
<i>4. School food services - failure to develop an efficient system of school food services including a failure to:</i>	
Regulation 703 KAR 3:205, Section 2 (2) (b) 4	Findings
Develop and maintain an accurate record of school expenditures.	No Finding.
Utilize federal and local resources to operate a nutritious program in a cost effective manner.	Meal services are only being provided to around 15% of the students that would normally receive meals under normal non-pandemic conditions.
Employ school food service staff who provide meals in accordance with federal and state guidelines.	There are more than 140 unfilled food services positions (vacancies) across the district. The child nutrition director and chief financial officer both indicated during interviews that several positions were intentionally left unfilled to mitigate the revenue shortage.
Make efficient use of personnel as indicate by excessive staffing when compared to school districts of similar size and funding	No Finding.
<i>(c) Fiscal Management – District Level failure to perform the appropriate planning, budgeting, fund management, and accounting responsibilities required for the fiscal management of the school district including a failure to:</i>	
Regulation 703 KAR 3:205, Section 2 (2)(c)	Findings
Assess the need for expenditures.	No Finding.
Recommend use of available funds according to an established set of priorities.	JCPS has not adopted a utility tax. Consequently, it has foregone this additional revenue stream on an annual basis.
Maintain accurate records of expenditures and authorization of expenditures as required for auditing purposes	According to the Executive Administrator of Accounting, an actual test run of the backup system for Munis has not been executed.
Comply with purchasing requirements applicable to school districts.	No Finding.
Implement investment policies to ensure that all public funds are invested safely and productively.	No Finding.
<i>(c) Fiscal Management –School Level- failure to perform the appropriate planning, budgeting, fund management, and accounting responsibilities required for the fiscal management of the school including a failure to:</i>	
Regulation 703 KAR 3:205, Section 2 (2) (c)	Findings

Assess the need for expenditures.	No Finding
Recommend use of available funds according to an established set of priorities.	In the review of the SBDM minutes for the schools, financial reports were not consistently attached to the minutes to verify that the reports were reviewed.
Maintain accurate records of expenditures and authorization of expenditures as required for auditing purposes	In one school, interviews indicated the bookkeeper "never takes time off" and no one ever assists the bookkeeper with any of her duties. This observation indicates a potential "behavioral red-flag" issue. Behavioral red flags can often lead to "occupational fraud" in the workplace.
Comply with purchasing requirements applicable to school districts.	Interviews at one high school revealed the presence of a Kroger credit card; however, the monthly reports sent by the school to internal audit stated the school did not have a credit card.
Implement investment policies to ensure that all public funds are invested safely and productively.	No Finding
<i>(d) Personnel administration - failure to ensure school district staff are prepared to perform the required professional and staff responsibilities in an effective and efficient manner, including a failure to:</i>	
Regulation 703 KAR 3:205, Section 2 (d)	Findings
Develop and implement employment practices and procedures that ensure the selection and placement of the most qualified personnel.	Incomplete personnel files indicate that the district must complete the initial audit of all personnel files and develop a process for on-going monitoring.
Train and evaluate the professional staff of the district as required by applicable laws.	No Finding.
<i>(e) Instructional management - failure to develop and maintain district-level instructional policy including a failure to:</i>	
Regulation 703 KAR 3:205, Section 2 (e)	Findings
Maintain a curriculum consistent with 703 KAR 4:060 and applicable laws.	No Finding
Provide the resources necessary to support the instructional program.	While professional learning opportunities around feedback occurred in the district, little evidence of its implementation or impact was revealed. Across the levels of the organization, feedback varied by content and sharing mechanisms (e.g., bi-weekly report, school walkthrough report).

A review of evidence demonstrated that the district has attempted to communicate connections between monitoring tools and the Three Pillars and Six Essential Systems for a Strong Learning Climate; however, an emerging theme from stakeholder interviews suggested a perception of numerous disconnected ideas and/or initiatives.

According to stakeholder interviews and surveys, student behavior, impeding student achievement, continues to be an area of concern in the district.

Although the district has developed a plan for extending English Learners (EL) services to all schools, many stakeholders suggested they were not adequately prepared to meet EL students' needs.

About ten percent (10%) of the Career Pathway Templates (CPTs) are either incorrect, not following best practice or not offering the core course in the pathway. These discrepancies are apparent in all CTE career pathway areas, but show up in the Health Science CPTs most frequently.

Although incredible growth has occurred in the district there is some inequity in dual credit availability and offerings across individual schools. Dual credit data reviewed and school interviews conducted showed some schools with only general education dual credit classes or limited dual credit offerings.

Based upon the interviews, the biggest area of concern for the KDE CTE team is that the same level of partnership and understanding between the central office staff and school administrators was not completely evident at the high school teacher and CTE classroom level.

Work-based learning did not appear to be an integral component of the pathway experience for most students. Many experiences discussed by school staff revolved around opportunities not aligned with the students' chosen career pathways.

Some major achievement gaps still exist within the district. It should be noted that, in many interviews it was stated that the 2019-2020 transition readiness data would have likely shown improvements for the district,

but due to the pandemic these data elements were not available for review.

Inconsistencies and overlaps in the evidence reviewed, including advisory committee meeting minutes and sign-in documentation, made it hard to determine if individual school advisory meetings are occurring in all CTE areas or if all required advisory committee members were represented.

Management Audit Methodology:

The management audit team utilizes both qualitative and quantitative data collected from the district both onsite and offsite in the analysis of district and school planning, governance, operations (e.g. financial, transportation, facilities, personnel) and instructional management. The audit team uses the following guideposts in review of the data:

- **APPROACH:** Addresses the methods the organization uses to accomplish the work; the appropriateness of the methods to intended outcomes; effectiveness of the methods, the degree to which the activity is repeatable and based on reliable data and information
- **DEPLOYMENT:** How the approach is applied in addressing values relevant and important to the organization (performance goals); if the approach is applied consistently and is it executed by all the appropriate work units (offices, departments)
- **LEARNING:** How the organization refines the approach through cycles of evaluation and improvement (e.g., over time and several data points); encourages breakthrough change to approach through innovation; shares refinements and innovations with other work units and processes in the organization
- **INTEGRATION:** The approach is aligned with the organizational needs identified in the CDIP or CSIP or KBE goals and other departments; the measures, information and improvement systems are complementary across processes and work units; the plans processes, results, analyses, learning and actions are harmonized across processes and work units to support organization-wide goals

Audit Report

I. PLANNING

- a. **Team Members:** Kelly Foster, Leesa Moman
- b. **Persons Interviewed:** Superintendent, All Board Members, Chief of Staff, Chief Academic Officer, Chief Information Officer, Chief Human Resources, Chief Communications and Community Relations Officer, Chief Equity Officer, Chief Accountability Research and Systems Improvement Officer, Chief Operations Officer, External General Counsel, Three Elementary Assistant Superintendents, Middle School Assistant Superintendent, High School Assistant Superintendent, Accelerated Improvement Schools Assistant Superintendent, Two Elementary Executive Administrators, Title I Director, Director of Compliance and Investigations, Executive Administrator of School Choice, Internal Auditor, Coordinator Open Records, Executive Administrator of Policy and Systems, Executive Administrator of Research and Systems, SBDM Members

APPROACH:

Who is the leader of the governance and management system?

The Jefferson County Board of Education has seven members. The range of membership spans from one year to 14 years. The Board of Education members serve in a governance role and set policies that are implemented by the Superintendent. The Superintendent is the manager of the district and the implementer of change. Additional layers of management include Chiefs, Assistant Superintendents, Executive Administrators and Directors. At the school level, principals and school based councils (if one exists) are responsible for overseeing the day to day operations of the school. Additionally, at the school level, instructional leadership teams and administrative teams participate in the management of the school functions.

What documents, policies, procedures indicate how the schools are governed?

Board Policies
Vision 2020
Corrective Action Plan (CAP)
Jefferson County Teachers Association (JCTA) Contract
School-Based Decision Making policies (SBDM)
Student Assignment Policies
Racial Equity Plan
Equity Policy
Racial Equity Analysis Protocol (REAP) Tool
Six Essential Systems for a Strong Learning Climate
Three Pillars
Comprehensive District Improvement Plan (CDIP)
Comprehensive School Improvement Plan (CSIP)
Affirming Racial Equity (ARE) Tool
Vital Signs
Collaborative Calibration Visit (CCV)
Comprehensive System Review (CSR)

What are the organizational structure and job descriptions of the central office?

Based on district level interviews, the Superintendent is the leader of the central office. The central office went through a reorganization in May 2019. The Exceptional Child Education (ECE) department completed their reorganization in April 2020. Based on interviews at the district and school level, the new organizational structure is more efficient and coherent. All job descriptions were updated between May and August 2019. A process is in place to review any new job descriptions at each board meeting.

The Board of Education approves policies that are then implemented at the central office and throughout the school district. The Superintendent delegates the work through Chiefs and Assistant Superintendents. Assistant Superintendents and Executive Administrators communicate directly with principals at the school level.

Assistant Superintendents and their support teams (Multi-Tier Systems of Supports (MTSS) Behavior Resource Teachers, MTSS Engagement Resource Teachers, MTSS Academic Acceleration Coaches, Diversity Equity Poverty (DEP) Resource Teacher, Accountability Research System Improvement (ARSI) Specialists, Digital Innovation Leaders, Math Leads/Coaches, English Language Arts Lead and Elementary Literacy Coaches, Deeper Learning Resource Teachers, Human Resources Specialist, Attendance Support, School Social Workers, Career and Technical Education (CTE) Pathway Leads and English as the Second Language (ESL) Resource Teachers) are available to assist the schools with professional learning needs and modeling best practices.

What are the communication structures in the school district?

Social Media (e.g., Facebook, Twitter, Instagram)

Google Form for Board Members

Newsletters

Daily Email to Employees

Daily Details Newsletter to Families

Great Stories to Share Newsletter

Virtual Town Halls

State of the District

The Hub

Weekly Employee Newsletters

Weekly Video Message from Dr. Pollio to Staff and Community

Sunday Weekly Message from Dr. Pollio to School Leadership

Nightly Updates to Board Members of District Events, Media Coverage, and Social Media

Digital Learning Channel

Principal Priority Page

Face to Face Meetings

Committee Meetings

Role Like Group Meetings

Cabinet Meetings

Instructional Cabinet Meetings

Assistant Superintendent Meetings

Sunday Board Meeting Summary email

Based on district level interviews, the organizational chart is used as a mechanism for communication. The Superintendent ensures that board members are kept informed. The Chief of Staff also works directly with board members to ensure they have the necessary information to make informed decisions. The district has a google form in place that allows Board Members to submit questions about board meeting agenda items. There is a system in place for all Board Members to have access to the questions and answers before the meeting.

The Superintendent meets with Cabinet Members on a weekly basis. The Instructional Cabinet meets once a month. Chiefs, Principals and Executive Administrators have an ongoing open line of communication with principals and use the Principal Priority Page as a way to share information.

Based on interviews, there is a communication system in place that allows for a coherent clear vision to be communicated both internally and externally. The continued focus on communicating the Six Essential Systems for a Strong Learning Climate and the Three Pillars have provided a foundation for all stakeholders to be focused on the same message.

What is the relationship between the central office and the Board of Education?

Based on interviews, there is a professional relationship between the Board of Education and the central office. The Superintendent's leadership style has established a trusting relationship between him and the Board of Education and him and the Chiefs. Interviews indicated that the Superintendent has processes in place to ensure the Board of Education is informed. The boundaries between the roles and responsibilities of the Superintendent and the roles and responsibilities of the Board Members are clear.

DEPLOYMENT:

How far into the organization is the understanding of how the district is governed?

Interviews indicated that central office and school employees understand that the system is governed by the Board of Education, the Superintendent, Chiefs, Assistant Superintendents, and other district level employees.

How do you know?

Interviews indicated that school employees could articulate the organization of the district. Interviews also showed that central office and school employees are invested in the vision of the district and the Six Essential Systems for a Strong Learning Climate and the Three Pillars. Each employee receives a synopsis of board meetings including board policy changes. Employees also have access to the organizational chart and job descriptions which are available on the Jefferson County Public Schools (JCPS) website.

LEARNING:

How are changes in policy and administrative tasks communicated in the organization?

Interviews indicated that when the Board of Education approves a policy the Superintendent communicates the policy change to all district employees (e.g., newsletter, email). Policies are also available on the district website for review by stakeholders.

How do they know that the policies and procedures are working?

Interviews indicated that the policies are working because they are aligned with the Six Essential Systems for a Strong Learning Climate and the Three Pillars.

District level interviews revealed several collaborative efforts (e.g., Assistant Superintendent meetings, Cabinet meetings, Principal Professional Learning Community (PPLC) meetings, Vital Signs, CCV, CSR) occur to measure the effectiveness of policies and procedures.

What are the processes in place to change the policies and procedures?

Based on interviews, there is a process in place to make changes to policies and procedures. Policies go through the REAP Protocol in order to ensure the policy is not marginalizing any group of employees or students. Suggested policy changes flow from the Chiefs to the members of the Board Policy Committee which consists of two Board of Education Members, the Superintendent, Central Office representatives, community members, General Counsel, JCTA representatives and stakeholders. The Board Policy Committee's responsibility is to review policies and consider revisions as needed. The edited policies are sent to the Board of Education for a first and second reading before approval. There is a policy newsletter which is disseminated to all employees following board approval of new policies.

The district has created a process to review and update procedures. Between September 2019 and July 2020 all procedures were reviewed. The district used the Kentucky School Board Association (KSBA) model procedures as a starting point for the review process. Each division reviewed the model procedures and made the necessary revisions to reflect the needs of JCPS. These procedures were then sent back to KSBA for review. Once finalized the procedures were presented to the Board of Education as part of the Superintendent report. The procedures will continue to be reviewed in alignment with each JCPS policy review.

School interviews suggested that school policies and procedures are reviewed annually and that SBDM Members are given the opportunity to provide feedback on new and existing policies. Many SBDM Members indicated that the REAP tool was used when amending or developing policies.

INTEGRATION:

What evidence is there that the policies and procedures work together for the goals of the school district/student achievement?

Interviews indicated that the weekly review of the CAP in Cabinet Meetings have caused an intentional focus on the policies and procedures of the district. The Six Essential Systems for a Strong Learning Climate and the Three Pillars place a focus on the goals of the school district.

A progress monitoring system (e.g., Vital Signs, CCV, and CSR) has been developed that allows quantitative and qualitative data to be collected from a variety of sources and to be reviewed throughout the school year. However, the data has not been used to make systemic changes leading to improvement in sub-group performance.

The central office staff and teachers have a working knowledge of the Six Essential Systems for a Strong Learning Climate and the Three Pillars. The Systems and Pillars have developed a culture that includes a common language for staff in the district. However, the Systems and Pillars are being implemented with different levels of fidelity across the school district.

Planning Recommendation:

- While the development and implementation of The Six Essential Systems for a Strong Learning Climate and Three Pillars is evident, there is limited evidence that they are directly impacting student achievement. The district will need to continue to implement the progress monitoring system (e.g., Vital Signs, CCV, and CSR) to determine that changes are occurring in student achievement particularly in sub-group performance.

II. OPERATIONAL SUPPORT- Food Services

- a. **Team Members:** Kay Kennedy, Katie Embree, Faith Corbin, Chay Ritter and Steve Lyles
- b. **Persons Interviewed:** Child Nutrition Director, Chief Financial Officer

APPROACH

Who is the leader of the operational systems in the district?

The Chief Operations Officer (COO) is the operational leader of food service operations for the district. The Chief Operations Officer directly oversees the Director of School and Community Nutrition Services (SCNS). The Director of School and Community Nutrition Services serves as the Child Nutrition Director for the district. The Child Nutrition Director oversees management staff that includes an assistant program director, purchasing and dietary specialists as well as child nutrition consultants. The child nutrition consultants are responsible for providing oversight and direction to cafeteria managers in each of the schools. The cafeteria manager is responsible for school level food service operations.

What processes are in place to ensure they operate appropriately?

The district participates in the United States Department of Agriculture (USDA) child nutrition programs. These programs include the National School Lunch and Breakfast Program, the Child and Adult Care Food

Program, and the Summer Food Service Program. The district also applied and was approved to implement the USDA grant to operate the Fresh Fruit and Vegetable Program at 38 sites in SY 2020-2021. On average, the district serves more than 1,700,000 school breakfast and lunch meals to more than 97,000 students each month. The district also participates in the Community Eligibility Program which is a program that provides school breakfast and lunch at no charge to students attending participating schools within the district.

In SY 2019-2020, the district participated in the USDA Administrative and Procurement compliance reviews as a requirement for participation in the National School Lunch Program (NSLP) that was conducted by the KDE Division of School Community Nutrition. Both the Administrative and Procurement reviews are comprehensive compliance reviews that examine various aspects of the program. During the Administrative Review of the JCPS NSLP food service program, one finding was issued in the area of certification and benefit issuance. The finding was minor in nature and corrective action was taken immediately. A finding from the JCPS 2018 Management Audit stated that food service did not have a process in place for measuring non-compliance for non-program revenue. During the Administrative Review in SY 19-20, the process for measuring compliance with non-program revenue was reviewed. The process put in place as a result of the corrective action from the 2018 Management Audit is in compliant. During the Procurement Review of the JCPS food service program, no findings were issued. The combined results of both reviews are an indication that the food service program is being run in accordance with state and federal guidelines.

What documents and policies are in place to support operations?

The JCPS Board Policy manual contains information that addresses food service operations. SCNS also issues an Employee Handbook that contains all policies and procedures related to food service operations. SCNS maintains all resources, forms, manuals, and procurement guidelines in a secure location on the district SharePoint site that can only be accessed by staff.

DEPLOYMENT

In addition to the Administrative and Procurement Reviews, additional policies are in place to support operations. The leadership staff of SCNS conducts onsite monitoring reviews of all school level operations to ensure program compliance and program improvement throughout the school year. During the monitoring reviews, leadership staff provide corrective action as necessary and staff training. As a result of the previous Management Audit of JCPS in 2018, it was recommended that food service staff receive additional training on the separation of duties. The recommendation was a result of food service staff completing tasks that were provided by the district through the payment of indirect costs. To remedy the situation, SCNS created and implemented a feedback loop policy to ensure that staff understand their duties as food service staff. Since the beginning of SY 19-20, JCPS has provided training, both in person and electronically, to all applicable staff. As a result of the training, staff are assessed (via a test). On average 90% of food service staff have demonstrated that they understand their duties by receiving a passing score. Further supports provided to food service regarding separation of duties include information being added to the SCNS Employment Handbook and a job duty template for added communication and increased awareness. Also, SCNS management staff continue to perform site visits to observe meal service operations and to ensure separation of duties was occurring.

Additional policies that are in place to support operations also include expanded communications with other operational departments in the district. During the interview process, the child nutrition director explained that relationships have improved between facilities, housekeeping and transportation services regarding working with and supporting food service operations. Also, through interviews, the child nutrition director spoke to the sharing of dietary and meal accommodation student information with the district health services department. The child nutrition director described a collaborative process in which both departments shared information through one electronic system. The director said that the enhanced communication and improved technology has resulted in increased safety and awareness for food service staff when preparing meals for students.

LEARNING

How do operational systems use data and information to improve?

Child nutrition programs receive reimbursement using the meals times rate formula. SCNS has dedicated staff and processes to ensure that all students within the district are identified at the most accurate rate of free, reduced or paid. SCNS staff collaborate with local school level officials to identify students who are directly certified through the Cabinet for Health and Family Services to extend those benefits to other students in the household if applicable. In SY 19-20 JCPS was able to operate the Community Eligibility Program (CEP) at 133 sites out of 146 with a claiming rate of 99.73% of meals being reimbursed at the free rate. For SY 20-21, three additional sites were added to increase participation to 136 sites out of 146 with a claiming rate of 100% of meals being reimbursed at the free rate. During the interview process, the child nutrition director said that their goal is to continue to ensure students are identified appropriately and continue to increase participation in the CEP for schools who are currently not participating if possible. The district benefits from participation in the CEP program because not only do students receive meals at no charge which encourages student program participation, but it also reduces the administrative burden on food service staff with the reduction of household applications to process and encourages less student meal charges.

Partly due to the high free meal reimbursement rate combined with an efficient use of resources, as noted by the chief finance operator of the district during interviews, during normal operations the child nutrition fund balance typically maintains a one to two-month operating balance. The department also employs between 900 and 1000 staff members. Under normal operating conditions, the food service fund is self-sustaining and is able to meet its financial obligations.

However, the pandemic has placed financial strain on food service operations. Due to the decreased reimbursement as a result of the closure of schools for in-person instruction combined with an increased cost in food and supplies, the food service fund has been unable to meet its financial obligations since June of 2020. The general fund has been paying the costs that the food service fund has been unable to pay. The child nutrition director is currently taking advantage of all USDA flexibilities including implementation of the Summer Food Service Program (includes community feeding) during the fall of 2020 which yields a higher reimbursement and simplified meal pattern. However, as stated by the child nutrition director in interviews, meal services are only being provided to around 15% of the students that would normally receive meals under

normal non-pandemic conditions. SCNS is currently only providing curbside pick-up meal service at district sites. Furthermore, there are more than 140 unfilled food services positions (vacancies) across the district. The child nutrition director and chief financial officer both indicated during interviews that several positions were intentionally left unfilled to mitigate the revenue shortage. Additionally, with the workforce conditions created by the pandemic both knew filling the vacancies would be challenging.

INTEGRATION

What evidence is there that learning is shared throughout the organization?

The child nutrition director clearly demonstrates a knowledge of and ability to collaborate and work with all other operational departments within JCPS. With regards to shared knowledge within the food services department, the child nutrition director ensures that all management staff are knowledgeable of program regulations. Management staff are directed and encouraged to participate in various trainings at the local, state and national level. Knowledge is passed from the management level to the local school level through manager's meetings and via electronic/virtual trainings. Evidence of training and program knowledge at all staff levels was demonstrated during the Administrative and Procurement Compliance Reviews that yielded only one program finding in total.

Operational Support Recommendation:

- It is recommended that steps are taken to increase participation which will yield additional revenue for the food service program while non-traditional instruction is occurring due to the pandemic which is permissible by program regulations. Considerations could include additional delivery sites and/or providing meals for the weekends.
- It is recommended that a staffing plan be developed to ensure that staffing levels are appropriate for the methods selected for meal service operations during the pandemic and also during normal operations.

II. OPERATIONAL SUPPORT- Facilities

- a. Team Members:** Kay Kennedy, Steve Lyles, Gary Leist, James Bauman
- b. Persons Interviewed:** Chief Operations Officer, Directory of Facility Planning & Design, Specialist Fiscal Operations, Specialist General Maintenance and Grounds, Specialist Maintenance and Renovations, Director Safety and Environmental Services

APPROACH

Who is the leader of the operational systems in the district?

The Chief Operating Officer (COO) of the District is the leader of the operating system. All Facility Planning, Construction and Maintenance divisions report to the Chief Operating Officer. The Executive Administrator Property Management and Maintenance Support Services position is currently vacant.

At the school level, the Plant Operator is responsible for the total housekeeping and overall operation of the physical plant, and is the point of contact with the District regarding Work Orders. The Principal only contacts the plant operator if there is a breakdown in communication. The Head Custodian is the direct representative of the Plant Operator, and in charge of the custodial staff in the absence of the Plant Operator.

Building modifications are generally requested by the Principal to the Property Management and Maintenance Support Services Department, and are subject to review and approval, as they may impact the school's budget.

What processes are in place to ensure they operate appropriately?

Plant Operators, organizationally under the Supervisor Housekeeping Services, are trusted to keep the school facility operational through their own efforts, as well as those of the custodians, per the Plant Operators Handbook. Relations and communications between Plant Operator, school staff, and district staff are on a personal, informal, collaborative basis. A good relationship between the school and district is seen as key.

What documents and policies are in place to support operations?

JCPS has an extensive set of documents for bidders, to ensure bidders are not only qualified but also respond to community needs. Groups outside JCPS have advocated for a more inclusive process for disadvantaged businesses and this is being developed by the district. JCPS has also developed a comprehensive 121 page Plant Operators Handbook. This Handbook is for the express purpose of providing standardized methods and procedures for housekeeping. In addition, there is a JCPS Housekeeping website, with FAQs and other pertinent information.

Work Orders for general maintenance are handled online through a system that generally works well. There is a concern though with the resources available, both personnel and fiscal which was noted in the 2018 audit. Work Orders can be reviewed and printed at the Plant Operators office. Building Modifications are reviewed and approved by the district, who also determines the budget impact on the school budget.

DEPLOYMENT

How are operational processes deployed and how do you know they are working.

The Building Modification/Work Order system continues to function as intended.

Interviews indicated that the custodial staffing is adequate to provide a safe, functional, clean facility. The Principals work closely with their Plant Operator and report that work orders are completed in both a timely and satisfactory manner.

None of the interviews reported any building failures (roof leak, non-functioning HVAC, etc.) or unsafe conditions due to a lack of maintenance.

Generally, the principals do not participate in the District Facility Planning (DFP) process; this is managed by the Central Office. Furthermore, the scheduling, budgeting, determination and management of major renovation and addition projects is handled by the Central Office; with only minor input from the school center's building administration.

In the past, some overcrowding was addressed through student reassignment rather than through the construction of additional instructional space.

Most major renovation projects are undertaken during the summer months when the schools are not in session.

LEARNING

How do operational systems use data and information to improve?

Regular communication has been established between Facility Planning and Design and Student Assignment. This is a critical collaboration as the district is looking at a building program larger than at any time in the last few decades and will ensure facilities are placed where needed and sized for the student population.

Work Orders and Building Modifications, yearly walkthroughs and the Kentucky Facility Inventory and Classification System (KFICS) are all used to determine facility needs. The funding allocated for maintenance projects does not cover the need. Due to budget limitations, work orders are selected and completed based on efficiency and effectiveness planning rather than by date submitted.

JCPS has nearly eliminated all friable asbestos from its school facilities, and that the only remaining hazardous materials are safely concealed (i.e., floor tile) and do not pose a health hazard.

The current DFP was approved in 2017. It was amended in December 2018, to add several major renovation projects. In March 2019, the status of several elementary schools was changed to transitional and major renovation projects at those schools were deleted. The 2019 amendment also added new construction projects for three elementary schools to replace the transitional elementary schools. The DFP indicates a finding in October 2020 to add a capital construction project for a new middle school. Total funding for identified projects is in excess of \$1.3 billion. The Board of Education has levied an additional tax to fund the highest priority capital projects and the board is awaiting resolution of a legal challenge to that tax. Funds available for allocation to address maintenance, renovations, and new construction projects are inadequate.

INTEGRATION

What evidence is there that learning is shared throughout the organization?

Interviews indicated communication between the various shops and offices are positive and collaborative. Facilities did not indicate they felt shut out by Central Office personnel. The Chief Operations Officer works with the Budget Office in the Finance department to determine the budget. The funds allocated means the renovation and maintenance projects are largely reactive, rather than proactive for district needs. The Board of Education is attempting to generate additional revenue through its taxing authority to address facility needs.

Currently there are only four new school facilities slated for construction in the immediate future. Also, difficulty in finding suitable property for new schools minimizes the potential for new facilities in Jefferson County.

The district's Continuity of Operations Plan has been developed and the Director of Safety and Environmental services reported that the annual review and update process has been completed for the 2020-21 school year.

Operational Support Recommendation:

- It is recommended that the district continue to pursue opportunities to generate adequate revenues to address facilities renovation, maintenance and new building needs.

II. OPERATIONAL SUPPORT- Transportation

- Team Members:** Elisa Hanley, Kay Kennedy, Chay Ritter, Ricky Courtwright, Carl Meehan
- Persons Interviewed:** Chief Operating Officer, Director of Transportation, Transportation Specialist, Manager Vehicle Maintenance, Parts Employee, Garage Foremans foreman, Mechanics, Inspector/Instructor, Executive Administrator Climate and Culture, Chief of Exceptional Children, Coordinator Bus Driver Training.

APPROACH

Who is the leader of the operational systems in the district?

The Executive Administrator for Transportation Services is the leader of the transportation system. A Transportation Specialist was identified to manage the Corrective Action Plan for the 2018 Management Audit. There are three managers who are responsible for the compound operations, including bus driver assignments. An Assistant Special Needs Transportation staff person is responsible for the day to day special needs transportation operation.

What processes are in place to ensure they operate appropriately?

The Executive Administrator talks with his staff daily and they meet as a group weekly. Interviews indicated that communication must be succinct and precise and that there is a lot of upward and downward communication with the team. Coordinators are at the sites one to two days a week interacting with the bus compounds. Drivers can go to management with issues. Additional training is available when requested or needed.

There is an Employee Involvement Committee (EIC) that addresses employee concerns. Transportation Services utilized a newsletter during the 2019-2020 school year. Site visits are conducted at each of the schools to ensure proper policies and procedures are being followed. Behavior incidents are submitted and followed up on.

Bus routes are determined through their Geographic Information Systems (GIS) department. They work with internal and external organizations to route students. They can change routing immediately upon being informed of an issue or change for the assignment of students. Transportation is not restricted to any specific area, therefore students in the same neighborhood could go to several different schools, causing inefficient bus routing.

Interviews indicated there is a process in place to monitor school bus behavior referrals. The data has identified specific schools where the issues are coming from. These are reviewed by multiple parties and are checked for accuracy. Discipline is compared to the school code of conduct to ensure proper discipline has been followed. The referrals are disproportionately minority students and exceptional children.

The Executive Administrator meets with the Manager of Vehicle Maintenance monthly regarding garage operations. They review the monthly reports and budget. They are in verbal communication a minimum of two times a day to ensure smooth operations. The Executive Administrator also speaks with the foremen and other staff weekly. All training for the garage is the responsibility of the foreman. They also follow up with the Transportation Specialist and the Coordinator of Bus Driver Training on the driver training concerns

What documents and policies are in place to support operations?

The district uses the KDE Pupil Transportation Management Manual for operational reference. Also, the Corrective Action Plan from the 2018 Management Audit has documented the resulting operational changes.

DEPLOYMENT

How are operational processes deployed and how do you know they are working?

Documentation of the EIC meetings clearly shows answers to questions from employees are addressed by management. Some changes were able to be implemented, but others were not. (i.e., overgrown vegetation removed near parked training buses, construction trash near a bus stop).

The bus routing system is immediate, and the driver can get information as soon as the changes are made. The drivers are informed via radio, or in person if there is time.

Behavior referrals continue to be a concern for bus drivers. An increased training allowance has been added to the collective bargaining agreement, and additional training for bus drivers was provided during the 2020 summer. The Assistant Special Needs Transportation and the relevant bus driver are provided a one-page report

for any ECE students and students with Behavioral Intervention Plans (BIP) so they can more clearly understand the child's needs and interventions. The one-page reports are updated frequently.

It was observed that non-approved tires were installed on some school buses and used recapped tires had been purchased that are not brands authorized by KDE. The District identified that a total of 144 buses had non-approved tires and all have been successfully changed.

LEARNING

How do operational systems use data and information to improve?

Changes from the EIC are implemented per the discussions in their meetings. Adjustments are made daily in the GIS department. If there are issues with roads, GIS Staff can adjust. Numbers are run for efficiency purposes and buses are added or removed as needed.

African American students and students in the Exceptional Child Education program have a disproportionate rate of behavior referrals from incidents on school buses. In speaking with the Executive Administrator Climate and Culture, behavioral data is used to drive training. Although additional training has been provided to drivers, additional tools need to be implemented to get to the root cause of the issue. However, a specific goal to decrease the number of referrals was not set, they are looking for any decrease. It was mentioned by the Chief Exceptional Children Education that they are working on reducing overall referrals for the district in schools and on the buses, however, there has been no specific plan implemented to reduce referrals related to bus transportation.

Interviews indicated that bus cost data, along with other variables, are used to determine which school buses to surplus. As an example, if the engine of a bus goes out, they may surplus the bus due to the \$30k price tag. This is a good example of using their data to decide which buses to replace annually.

Bus inspections are not timed in an efficient or effective manner. In some instances, there is duplication and in other instances, inspections are past due. The district is not using the data regarding their monthly inspections to determine duplication of services. There were 95 inspections that were done with less than 20 days in between the last inspection, duplicating unneeded work. Of the 95 inspections, 61 were inspected with 15 or less days, and 28 were inspected with 10 or less days in between.

There were 98 inspections that had 31 days or more since the previous inspection. Of those 98 inspections, 46 were 35 or more days past due. Of the 46 past due inspections, 14 inspections were 40 or more days past due, and three inspections were 50 or more days past due.

The various inspections are not being done on proper rotation. There were 43 occasions on 38 buses that went six months or more without a B inspection, which includes an oil change. The manufacturer recommendation for a B inspection is mileage or six months, whichever comes first.

The district does an additional inspection which is not required by KDE, which includes an oil change and additional items that JCPS has put into place. This inspection is completed at increments that would typically be a B inspection/oil change (18,000 miles).

INTEGRATION

What evidence is there that learning is shared throughout the organization?

In one instance to assist with the reduction in behavior referrals, a new school has been established for grades K-4. This will allow the younger students to be separated from the older students. They will also be bussed separately. There are problems when a wide range of grades are transported together. JCPS is optimistic this change will be positive when implementation is complete.

Interviews indicated that the Transportation Department has not been involved in the school choice discussions. This negatively impacts the ability of the Transportation Department to forecast any needs or changes that will be required.

Operational Support Recommendation:

- Establish a goal for an improvement on the number of behavior referrals from pupil transportation that affect African American and exceptional children. Some driver training does address referrals of these two student populations but there is no evidence of root cause analysis to systemically address the issues. Considerations may include the grades of students on the buses, the number of students on the buses, proper assignment of experienced drivers, and development of alternate transportation modes for students with multiple referrals.
- Develop a process so the transportation department is included in the school choice student assignment discussion.
- Develop a recruitment plan to ensure the district has enough bus drivers and monitors to support the school choice opportunities.
- Develop and implement a system that accurately identifies buses for inspection at the proper mileage or time frame. This system should also focus on eliminating the duplication of inspections.
- Develop and implement a process for the procuring of tires to ensure compliance for new and used tires.

III. FINANCIAL MANAGEMENT- Central Office

- a. **Team Members:** Kay Kennedy, Chay Ritter, Steve Lyles, Krystal Smith
- b. **Persons Interviewed:** Superintendent, Chief Financial Officer, Executive Administrator for Accounting, Executive Administrator for Payroll, Executive Administrator of Budgets, Budget Supervisor, Executive Administrator of School Choice, Board Members, Chief Operations Officer, SBDM Coordinator, Internal Auditor, Fiscal Operations Specialist, Director of Facility Planning,

Executive Administrator of Transportation, Manager of District Health, Executive Administrator of School & Community Nutrition Services, Pupil Personnel Director, SBDM Council Members

APPROACH

Who is the leader of the financial management system in the district?

The Chief Financial Officer (CFO) is the leader of the financial management system in the district. The Chief Finance Officer (CFO) reports to the Superintendent. Additionally, the Executive Administrators of Budget, Accounting, and Payroll as well as the Director of Purchasing report to the CFO.

What internal controls are in place to ensure the fidelity, efficiency, and accuracy of the financial records of the district?

A review of the FY19 Annual Financial Report (AFR) compared to the FY20 Working Budget was conducted.

- There were several changes noted. One notable item is the decline in General Fund SEEK revenue in the amount of \$15.4 Million.
- The ad valorem taxes increased by \$30 Million and occupational tax by \$8 Million.
- The General Fund expenditures increased by nearly \$150 Million.
- The Construction Fund (Fund 360) budget increased by \$64 Million, due to an increase in bond proceeds.
- The Food Service (Fund 51) budget increased by nearly \$29 Million, based upon additional food service cost.
- The Debt Service Fund (Fund 400) increased by \$12 Million as a result of debt service requirements.
- The FY19 AFR reports zero revenue for Utility Tax and the CFO confirmed the district has not levied this tax.

Interviews indicated that staffing allocations are made in accordance with a board approved staffing formula.

The Audit Review Team reviewed the process for identifying unmet student needs with the Executive Administrator of Budgets. There is an online tool for notification of annual allocations. Interviews indicated that Principals and program managers are trained on the budget process and submit budget proposals to meet high priority needs. The responsible parties enter their own budgets using the online tool, and the system automatically displays the declining balance until the budget is complete. After SBDM approval, the principal also uses this process for 702 KAR 3:246, Section 6, School Council Allocation Formula, allocations including each school's unused funds from the prior fiscal year that are permitted to be carried forward to the subsequent fiscal year.

Interviews indicated a multiple-level approach is in place to evaluate budget proposals and fund the selected ones within the district's priorities and available funds. A committee reviews all proposals; the Superintendent's Cabinet decides which ones to fund.

The Board gives final approval through the budget adoption process. The district's administration receives about five times more budget requests in dollar amounts than can be funded each year. Board Members participate in a work session relating to the budget, then vote to approve the budget at a regular meeting. A review of the board minutes indicates that budget approvals and subsequent submissions are done in a timely manner.

Policies/Procedures

Based on a copy of the May 9, 2017 board minutes, the Board approved the District Petty Cash and Internal Petty Cash policies. According to the CFO, neither of the central office sites (i.e., Van Hoose Education Center and the CB Young Service Center) currently utilize petty cash.

The Board is required to approve all contracts. The approved Request for Proposal (RFP) award, specifies the maximum number of renewals or extensions permitted. The Board has established a limit of five renewals per contract. The district provides a monthly report of all contract renewals and extensions to the board.

The district operates under various policies and procedures:

- The district has an expense reimbursement policy. Travel and Employee Reimbursement Information is referenced on the district's website per Board Policy 03.125 and 03.225.
- The district has Board policies 03.1321 and 03.2321 related to assignment and usage of the district owned vehicles.
- The district has Board policies 03.1321 and 03.2321 for cellular telephones.
- The district has policies and procedures that assist with updating, maintaining, and safeguarding the data in the Munis financial system.
- The district's Security Policy details procedures for access to Munis and the district's network. A Personnel Action Report is the source document for granting access. Queries are run twice weekly to determine pending action notification. Three designated individuals (one primary and two additional as backup) have authority to grant access to individuals.
- The Password Policy for Munis and the district's network are identical. Passwords are set to expire at 90 days and users are given 14 days advance warning to change passwords. After a password lapses, the account becomes inactive, and only a network administrator has authority to reactivate the account.
- Documented procedures ensure proper segregation of duties in performing security administrative functions. Additionally, all general journals and on-line banking transactions require approval prior to posting.
- As evidenced by the JCPS Accounts Receivable Flow Chart, the district ensures proper segregation of duties in performing the accounts receivable functions. The chart details the segregation of duties pertaining to opening mail and the cash management process. These processes continued, even during the Covid-19 pandemic.
- The Board has a monthly Work Session and Regular Board meetings where the members receive and/or discuss information. The Board typically has the first reading of topics at one board meeting, then votes on the topics usually at the following board meeting. Major initiatives will be presented to the board at a Work Session and sometimes multiple Work Sessions before being presented at the regular business meetings for approval.

Planning

The Board recently established a Revenue Task Force to focus on the revenue aspects of the district's financial operation. The priority of the Task Force is to look for ways to increase revenues to enhance the aging facilities of the district. Based on the interviews of the Administrative Staff and Board of Education members, the gap between the district's identified DFP needs and available funding is significant. The average age of all facilities exceeds fifty years, and the newest high school is fifty years old. The findings of the Task Force led the Board to recently pass a 4% tax increase and is currently awaiting the results of a recallable nickel in the upcoming ballot specifically to improve facilities.

In 2018, the Board hired an Internal Auditor to conduct internal audits throughout the year. Previously, the Board had contracted out the internal audit function. The Director of Internal Audit facilitates the complaint hotlines for the district. She and her staff also perform risk-based reviews of district transactions and processes. They monitor School Activity Funds at the district schools as well as the work-order processes in Facilities. They have done limited testing in the Human Resource Department at this time and plan to work in the future with Transportation in bus routing decisions.

The district has developed a Disaster Recovery Plan, which addresses restoration of information technology (IT) functionality. The district has a contract for a nightly backup of Munis data at an alternative site. Additionally, the district backs up its other IT programs every 15 minutes. According to the Executive Administrator of Accounting, an actual test run of the backup system has not been undertaken. Time and Attendance system would be the biggest challenge if an on-site system failure were to occur. The Disaster Recovery contract the district has with Tyler Technologies for the Munis system allows an annual test of the system. Tyler Technologies provides a daily backup of the district data to an off-site location but an actual test restoration of the data has not occurred.

The district also has a written Business Continuity Plan that addresses IT issues. However, it does not address building issues that may occur because of a disaster.

The district has performed regular testing of the Munis system, in accordance with established protocols.

What is the relationship between the Central Office finance staff, the Board of Education, other Central Office staff, and the schools?

Based on interviews with Central Office staff, Board members, and SBDM council members all are encouraged and permitted to assist in setting budget priorities. Communication appears to be consistent and transparent between the varying levels of operations.

DEPLOYMENT

How are the finance internal controls deployed throughout the district?

Internal Controls

The district has over 800,000 account codes. Typically, the district begins updating the Munis Chart of Accounts in early June. The Executive Administrator of Accounting stated that the district procedure is to deactivate unnecessary codes after receipt of approval from KDE of the prior fiscal year's AFR.

Bank statements and bank reconciliations to the general ledger accounts were reviewed for the months of July 2018, July 2019, and July 2020. All were in order and fully reconciled. According to the CFO, outstanding checks are investigated six months after issuance and, if necessary, a new check is reissued after voiding the old outstanding check.

According to the Executive Administrator of Accounting, the Accounting Department manages ten (10) credit cards.

Seven of these are assigned to HR Recruiters with their actual name on the card. Since these cards are not available for checkout, there is no sign-in/sign-out process. Before the pandemic essentially shut down travel in March, 2020, these recruiters regularly travelled to job fairs across the United States, especially from February through April of each year accruing expenses to their personal credit cards. Their travel reimbursement vouchers were sometimes \$4,000 or more in a single month, causing personal cash flow-issues for some employees. Accounting recommended a purchasing card system, where every transaction is reviewed by Accounting and extensively documented in accordance with JCPS Travel Guidelines.

Two central office credit cards are used exclusively for transactions that must be paid online or for Board travel expenses for board members or the Superintendent. There is no credit card sign in/out process because there are only a few users. The cards are kept in a locked fireproof safe in the Accounting Office. Only the Executive Administrator of Accounting and one of his staff have the combination to this safe. Communications uses the cards to arrange advertising spots largely for hiring over online sites or social media. None of these sites will take a check, so the cards are necessary. The Superintendent's secretary uses a card to pay the upfront travel costs related to conferences and trainings for the Board and the Superintendent. These include registration, airfare, and hotel stays. Meal reimbursements are done after-the-fact because they do not conform to credit card payments (the district uses per diem reimbursements, not actual). Other ordinary expenses are not paid with a credit card (i.e., Purchase Order, check, reimbursement to personal credit card). The credit card cannot be used for Accounting department expenses.

The last central office credit card is utilized by the Transportation Department to pay for federal criminal background checks, which is the only way to process this payment. This card was only issued in June 2020 and has not been used yet. They have been instructed to use a sign in/out system because Accounting does not physically control the card. The card is kept in a secure, locked location at the Transportation Department offices.

A dedicated staff member is charged with training bookkeepers on the requirements of 702 KAR 3:130, Internal Accounting, which incorporates the Accounting Procedures for Kentucky School Activity Funds (i.e., Redbook). She holds in-person corporate trainings as well as on-site trainings with bookkeepers as needed.

Previously outsourced, the internal auditor is now a staff position within the district. The current internal audit function uses a risk-based approach to identify processes and procedures that need to be reviewed. Such factors include financial impacts, compliance impacts, personnel turnover, and last time a review was done. The internal auditor also regularly meets with board members and compiles a repository of reports for internal review and comparison.

The district performs regular testing of the Munis system, in accordance with established protocols. JCPS is designated as an early adopter of Munis upgrades. As such, upon receipt of upgrades, they are loaded on the test site in the Munis application, and the district begins testing within one week of receipt. All upgrades are loaded during lockout phase and an Administrator adds new account codes. After receiving feedback from users, the upgrade is loaded to the live site.

Grants

Based upon a review of the bill payment paperwork (e.g., electronic copies) involved in the sampling of the selective grants, all documentation was available and logically filed.

Purchasing/Payables

As evidenced by Board policy 04.3111, the Board is to receive and approve a listing of invoices on the "Orders of the Treasurer Report". Except for situations requiring subsequent Board approval, the Treasurer is to receive a Board-approved and signed "Orders of the Treasurer Report" prior to issuance of checks. It should be noted that the purchase order amount and invoice amount can and frequently do differ, due to pricing fluctuations, shipping and handling fees, quantity shortages, partial order backorders, etc.

The district utilizes a purchase order system for all purchases. The district utilizes the Munis purchase order system module from the beginning requisition stage to the ending receipt verification stage.

As part of the overall process of invoices and payments, the district utilizes the Munis Purchase Order (PO) Module. The PO Module is used to encumber transactions for purchases made. A random sample of 19 purchase orders from March 2020 was reviewed. The appropriate invoices, check copies and bid documents for these purchase orders were also reviewed. All documents were filed appropriately and available for review in the JCPS Content Management System.

Individuals who have access to budgeted funds are authorized to initiate purchases on behalf of the district. This is accomplished by completing a Requisition. After passing through multiple approvals, it is forwarded to Purchasing. That department is responsible for checking the item(s) against the bid list, then issuing and releasing the Purchase Order. After the items are received by the ordering individual, that person generates a Receiving Ticket. It is forwarded to the Accounts Payable Department, where it is matched with an invoice from the vendor. All invoices are to be sent directly to the Accounts Payable Department. If no Receiving Ticket is received, a faxed copy of the invoice is emailed to the ordering individual with a request to follow up on receipt of the goods or services.

Goods and services are bid by the Purchasing Department. A sampling of vendors who have sold items to the district within the fiscal year was selected from the YTD Budget Report, fund 1, object code 043*. In instances where the vendor received over \$20,000 in payment(s) from the district, a bid was received.

A spreadsheet that itemizes the documents that were reviewed as a sampling of the district's disbursements was compiled. No issues were found in the purchase orders, invoices, or checks for the sample. JCPS has a Procurement Regulations document that is posted on the district's web site. As evidenced by the sampling of vendors that were reviewed, the district's bid files consist of the required documents. For example, the files consisted of bid specifications, tabulation of bids, and award of bid procedures. Also, the required documents are saved in the purchase order files.

Payroll

The three grants that were selected for review by KDE were Title II Part A, Title II Part D, and Title III. Payroll records for a sample of employees from each of the three selected grants were reviewed. All the payroll processes were in order, and in the random sampling of the gross amounts, deductions, direct deposit, and all tax remittances were in balance. Records have been maintained in an orderly manner and were easily retrievable. Due to Covid-19, Time and Effort Reports were not reviewed for this report because the documents requested for the review are stored in a facility where no one is currently working.

A review of the Employee Master records within Munis indicates that gender, race, EEO, part/full, and address fields for certified and classified staff were appropriately populated.

There are 300 reporting locations in the district and seven payroll technicians assigned to specific schools throughout the district. Time and attendance are entered at the school level. Approvals and data validation are run through a workflow system within Munis. Crystal Reports are also reviewed for accuracy as a means of verifying payroll. Once a payroll file is ready to be sent to the bank, a file technician uploads the file to the bank. The Executive Administrator of Payroll then approves the file, supporting a segregation of duties. The district utilizes a software token to approve the payroll file. A software token is a form of two-factor authentication provided by banks adding security features to the approval process.

The district utilizes the Employee Self Service module within Munis.

All employees are paid by direct deposit. If there are issues with the direct deposit account, an employee may need to go back to their bank to resolve.

This summer the district implemented pay incentives to get substitutes to work on Mondays and Fridays.

Investments/Cash Management

According to the Executive Administrator of Accounting and JCPS Accounts Receivable Flow Chart, the bond technician opens the mail and gives all checks to the revenue clerk. The revenue clerk stamps the checks, scans the checks into the bank's portal, confirms the total deposit, initials the total on her adding machine tape, and scans the grant checks into a SharePoint site. Then she gives the deposit stack to the bond technician. The bond

technician totals the deposit to verify the revenue clerk's accuracy. The bond technician initials and reconciles the deposit scan batch to the verified adding machine tape. The revenue clerk then transmits the deposit to the bank and gives the deposit batch to a different revenue clerk for keying into Munis. The next morning, the revenue clerk prints the prior day bank account transaction register and verifies that the same amount was deposited as she had initialed. After recording the deposit in Munis, the revenue clerk retains the original checks, detail listing, and backup for documentation.

If an individual brings cash into the Accounting Department, a revenue clerk counts the cash in the presence of that individual and provides a prenumbered receipt to the individual. When cash is received, it is counted by two people in the department and sealed in an envelope in the presence of both people, with all supporting documentation inside the envelope. The total cash amount is written on the outside of the envelope, and the envelope is given to the Executive Administrator of Accounting or Accounting Supervisor.

The Executive Administrator of Accounting or Accounting Supervisor records the deposit on a spreadsheet and locks it in a fireproof safe. Once the carbon copies of the cash receipts add up to \$5,000, or the last working day of the week, whichever is sooner, the carbon copies of the cash receipts are given to a revenue clerk. The Executive Administrator of Accounting or Accounting Supervisor unlocks the cash deposit envelopes and verifies the deposit spreadsheet. The Executive Administrator of Accounting or his designee gives the stack of envelopes to the bond technician with the spreadsheet. The bond technician unseals the envelopes, recounts the cash, verifies the carbons, and prepares the deposit ticket. The courier takes the deposit to the bank. The courier brings back the bank-imprinted deposit tickets for filing. The carbons and all backup deposit documentation are given to a different revenue clerk who enters the receipt in Munis.

School Activity Funds/Other

According to the Director of Accounting, each school's activity account funds are in one Board-approved bank account.

How do you know?

During the interview sessions, the Chief Financial Officer, Executive Administrators of Accounting, Payroll, and Budgets, Budget Supervisor, Fiscal Operations Specialist, Chief Operations Officer and SBDM Council Members described their department processes or roles that consist of internal controls. The district's written policies and procedures, financial documentation and statements are evidence that internal controls are in place and working.

The independent audit results confirm that the internal controls are working effectively. The internal control processes observed by the KDE management audit team were effective (e.g., separation of duties, opening the mail, making deposits).

LEARNING

What data and information are used to improve the financial standing of the district?

The Board is provided with monthly financial reports and approval of the reports is reflected in the board

minutes. In addition to the Munis Monthly Financial Report, the Board is provided with a staff-prepared monthly summary Financial Report, Notes of Interest, Purchase Order Report, and Voucher Report. The staff-prepared monthly summary Financial Report explains the reasons for fluctuation or variances. The board members are given the opportunity to ask questions or obtain additional information relating to the reports through different venues such as work sessions, inquiring of the Superintendent, and using the Financial Transparency Tool. This tool is an on-line application with multiple drill down functions to make financial data easily accessible to all stakeholders.

The Central Office provides Munis access for all principals and bookkeepers to obtain updated financial reports for their school funds. Training is provided on how to access and interpret these reports. Based upon interviews with SBDM council members, councils receive copies of the monthly financial reports. The responsibility for disseminating this information rests on the principal. The principal and bookkeeper can answer questions regarding financial matters at the school such as activity funds or purchasing. At every council meeting, the budget is discussed. The intention behind this is to communicate clearly to the SBDM council the financial status of each school.

The district utilizes the independent audit report's findings and management letter comments to improve or address the financial, grants, and operational areas within the district.

The annual independent audit report findings and management letter comments are discussed with the board members prior to board approval of the audit. The district management implements corrective actions to address the findings and management comments. According to the Executive Administrator of Accounting, all the fiscal year (FY) 2019 audit findings and management letter comments have been fully addressed. As evidenced by the November 12, 2019 Board minutes, the Board accepted the FY 2019 independent audit report from Strothman & Company.

How do they know that the internal controls and other policies/procedures are working?

The district is effectively utilizing segregation of duties within the accounts receivable and payroll processes, based on interviews with the Executive Administrators of Accounting and Payroll and the review of selected accounts receivable and payroll documentation.

A review of the district's vendor file indicates that there are no issues with duplicate vendors. According to the Executive Administrator of Accounting, the district performs a vendor merge several times a year to avoid duplicate vendors.

As evidenced by the district's January 2020 Validation Report, the district is routinely running a Full Validation Report. No out of balance conditions were identified on the report.

As evidenced by the review of the budget documents and selective purchasing documents, and interviews with the Chief Finance Officer, Executive Administrators of Accounting, Budgets, and others, the budget and purchase order processes are functioning according to the district's policies and procedures.

The Director of Internal Audit reports directly to the Board several times a year. Her department reviews transactions and processes. They examine School Activity Funds, Facilities, Human Resources, and are in the process of adding bus routes for examination. They also monitor and manage the district complaint hotline and bully hotline.

There was no evidence that the internal controls and policies/procedures are not working effectively and efficiently.

How is the Board informed of the financial status of the district and the impact of the budget on student performance?

The financial status is presented at the Board meetings and is included as part of the Board agenda. As evidenced by the FY 2019 Board minutes, the district's budgets, monthly financial report, a staff- prepared monthly summary Financial Report, Notes of Interest, renewal contracts, Purchase Order Report and Voucher Report are presented to and approved by the board. The Board Members can ask questions relating to the reports and may use the Financial Transparency Tool available on the district's website.

The district's Finance Report (i.e., Notes, Balance Sheet, Revenue & Expenditures), is presented at the board meetings. Line items for monthly finances are presented by fund. Board members commented that the Central Office's Finance Department staff provide timely financial reports and board members have the opportunity to ask questions when needed. Board members stated confidence in the work of the Chief Financial Officer and other financial personnel.

Several Board Members mentioned that they communicate directly with the Superintendent when they have questions or need information.

INTEGRATION

Prior to our audit, the Board approved a 4% tax rate with exonerations the previous two years. Within the past year, a Revenue Task Force was created to enhance the district's overall financial stability, especially in the arena of facilities.

The district is one of only 14 districts in the state of Kentucky that has not adopted a utility tax. Consequently, it has foregone this additional revenue stream on an annual basis.

What evidence is there that the policies and procedures work together for the goals of the school district/student achievement?

During interviews, board members expressed the district's financial data and policies are transparent. Statements were made that resourceful spending of district funds is a top priority to maintain an increasing level of student achievement. Financial reports are available on the JCPS website through the link to board meeting materials

and through Citizen Transparency Site for Financial Data. The JCPS website also has a link to the Board policies.

Because student attendance affects funding, the Director of Pupil Personnel was interviewed. The district uses Infinite Campus to track enrollments and student attendance. The district provides training for school personnel to properly record student attendance.

Student health impacts student attendance. The Manager of District Health oversees the school nurses and ensures that students supports are in place where needed to help with chronic absenteeism due to asthma, diabetes, obesity, and special needs.

Financial Recommendations:

- KDE recommends the district conduct an annual test of the Munis backup system. If an event were to occur that necessitated a need to use the data from a backup from Tyler Technologies, it is not assured that a seamless event could happen without proper practice.
- KDE recommends the district consider a utility tax. JCPS is one of only 14 districts in the state of Kentucky that has not adopted a utility tax.

III. FINANCIAL MANAGEMENT- School

- a. **Team members:** Nicole Vanover, Jackie Chism, Gail Cox, Kim Carter, Becky Walsh, James Bauman, Gary Leist
- b. **Persons Interviewed:** Principals, Bookkeepers, Secretaries, Technician School Finance, Director Internal Audit.

APPROACH

Who is the leader of the financial management system in the schools?

Interviews indicated the chief financial officer is considered the primary leader of the financial management system in the district, with the principal overseeing the financial management of the school.

The principal, along with the bookkeeper, are each involved in the day to day financial operations. Seven of the schools reviewed, have a School-Based Decision Making (SBDM) Council, composed of teachers, parents, and the school principal per KRS 160.345. Each year, the council approves the overall budget for the school which includes 702 KAR 3:246, Sections 6 and 7 funds. Three of the schools reviewed were Comprehensive Support and Improvement Schools (CSI) which have an advisory leadership team instead of an SBDM Council.

The SBDM minutes are maintained on the KSBA Public Portal and the link for the agendas and meeting notes can be found on each school's individual website.

What internal controls are in place to ensure the fidelity, efficiency, and accuracy of the financial records of the schools?

Schools are required to operate in accordance with procedures outlined in 702 KAR 3:130, Internal Accounting, which incorporates the Accounting Procedures for Kentucky School Activity Funds (Redbook). In addition to Redbook, there are board policies and procedures in place to ensure monies are received and spent as intended, and SBDM or advisory councils are functioning in each school. Confirmation of school councils meeting monthly and receiving financial reports from the principal and board members, are an attestation of the monthly SBDM minutes. Throughout the interviews, all principals indicated they covered the budget during monthly meetings and was noted in both the agendas and minutes. However, in the review of the SBDM minutes for the schools, financial reports were not consistently attached to the minutes to verify the reports were reviewed.

What is the relationship between the Central Office finance staff, the Board of Education, other Central Office staff, and the schools?

Interviews indicated there is an overall improvement in communication between the finance staff in the Central Office and schools. It was noted in several interviews, there was a vast improvement in transparency over the past few years. One school noted its appreciation of the increased frequency of newsletters as means of communication due to the pandemic restrictions. It was also expressed by a principal, that the relationship between the Central Office and Board has improved since the last management audit. No obstacles appear to exist from a school perspective.

DEPLOYMENT

How are the finance internal controls deployed throughout the schools?

The district has an internal audit branch to assist in the assurance of internal control compliance. Their focus is on measuring the internal control criteria through effective monthly monitoring, reporting their findings to relevant school personnel for corrective action.

Redbook training is provided annually for principals and bookkeepers through the Central Office. Additionally, the Executive Administrator of Budget trains new principals in the schools, and when deemed necessary, refresher courses are given throughout the year by JCPS designated training teams to staff who handle financial transactions. Beginning in December 2018 through September 2020, the JCPS internal audit department has created PowerPoint presentations and made videos available to all JCPS staff which provide detailed training on Redbook guidelines. Topics include Redbook receipts; deposits; fundraising; school activity funds; multiple receipt forms and bookkeeper training. Additional video training includes sponsor guidance, back to school kickoff and end of year packets. Required updates to the presentations have been completed since July 2019. In addition to giving a broad band of accessibility to all JCPS staff, this type of training has greatly assisted during the pandemic.

All the schools reviewed noted the secretary or attendance clerk opened the general mail with the principal opening the bank statements. Three of the schools noted they received electronic copies of the bank statements

which were opened electronically by the principal. All schools observed have a designated bookkeeper who performs financial duties including recording checks in chronological order; recording receipts on a deposit ticket; recording revenue in the school accounting system to agree with the deposit tickets; reconciles reports, and photocopying checks. In one instance, a principal at an elementary school noted the bookkeeper “never takes time off” with the secretary corroborating this information. The secretary noted to KDE’s Audit Review Team she has a manual for bookkeeping duties but has never had to use it because she has never been asked to assist the bookkeeper with any of her duties. She said this was due to the bookkeeper never taking vacation time. This observation is a potential “behavioral red-flag” issue. Behavioral red flags can often lead to “occupational fraud” in the workplace. Individuals who are engaged in occupational fraud schemes often exhibit certain behavioral traits or warning signs associated with illegal activity including living beyond means and financial difficulties. Fraud may not be present with a red flag issue but could certainly prompt an investigation. These red flags can be detected and prevented with the use of proper controls.

All school bookkeepers confirmed deposits are made daily or when funds collected total \$100. Exceptions to this occasionally occur due to funds received after banking hours in which case the funds are maintained in safes available. All the schools that participated in the audit, maintained one bank account for school activity funds. One finding noted in the last management audit included multiple bank accounts at the school level. KDE recommended all schools utilize one bank account for school activity funds, with any outstanding checks being voided and written off in the EPES system. JCPS implemented action steps in response to this finding which included developing, implementing, and monitoring strict timelines and procedures for closing bank accounts. Internal audit incorporated this in their testing which most likely improved the process.

No schools maintain petty cash funds. Schools are permitted to utilize a credit card such as a Kroger or Sam’s card. Redbook guidelines state school credit cards should be safeguarded and kept under lock and key and schools should maintain a sign-in/sign-out sheet for each credit card maintained. A very important finding was made during the last management audit surrounding credit cards as a result of one middle school principal interviewed, retaining personal possession of the school credit card. As a result, KDE and JCPS agreed to procedures which would ensure appropriate protocols for credit card management including the safeguarding of the credit card under lock and key, together with the utilization of a sign-in/out sheet. During the current review, the schools which maintain credit cards are following Redbook guidelines with one exception noted. Interviews at one high school revealed the presence of a Kroger credit card; while, the monthly reports issued to internal audit stated the school did not have a credit card. Further discussions revealed the bookkeeper at the school level routinely answers the internal audit questionnaire in this manner because purchases made with the credit card are not with school activity funds. KDE’s discussion with the internal auditor revealed the internal audit branch may need to expand the scope of the internal examinations to include fund 22, or at the very least, modify the questionnaire so internal auditor is aware of those schools maintaining credit cards who are not providing information on a routine basis to internal auditor. Otherwise, the sign in/sign out sheets, transactions, etc. are not being properly audited. This observation illustrates that progress is being made in this area but is still an area of concern.

Invoices, with accompanying purchase orders, receipts, check copies or stubs, and packing slips, should reconcile with one another and contain all necessary approvals. Furthermore, the check number and date paid should be on invoices and all documents filed by month in check numerical order. Documentation was adequate and sufficient for all schools observed. Purchase orders were reviewed at all 10 schools and found acceptable. It

was noted general ledgers were observed in all schools. All schools visited stated they followed the Kentucky Model Procurement Code (KRS Chapter 45A), adopted by the district regarding bidding and purchasing activities.

Per Redbook, bank statements should always be signed and dated by the principal prior to the bookkeeper receiving them. During the review of bank statements and deposit slips, it was noted that three schools received electronic statements which were sent directly to the principals by the school secretaries. Physical copies were also given directly to the principal by the secretary. All bank statements were signed and dated by the principal.

All school finance staff confirmed ticket sales were closely monitored according to internal control safeguards.

Inventory forms were observed at all the schools. An inventory form reviewed for one high school, noted 6 students oversaw taking inventory, with a sponsor/teacher supervising the count.

Multiple receipt forms were observed in all schools with the proper documentation, such as the deposit ticket and accompanying bank statement indicating the fund deposit.

Fundraiser forms were not available for all schools. Those that were examined were considered acceptable.

Grants, if applicable, are administered, processed, and maintained at the Central Office, thereby making the documentation unavailable for the school level Audit Review Team to review. The documentation surrounding grants may be maintained and controlled at the central office level; however, a basic understanding of the processes involved in grant management should exist at the school level. Finance personnel in the sample of audited schools that were interviewed did not have a working knowledge of the grants utilized at their school. As a finding was noted in this regard on the last KDE management audit, a KDE recommendation was made which consisted of developing, implementing, and monitoring a grant management system at the school level. Per the recommendation and as monitored in the Corrective Action Plan (CAP), the JCPS staff has attached monthly emails to school principals regarding Title I, Title IV, Textbook, and other local grants. Grant closing memorandums are sent from Grants and Awards to all school bookkeepers, order/receiving clerks, secretaries, FRYSC Coordinators, ESS coordinators, etc. It does appear that JCPS has adhered to the CAP and is providing the grant information to the appropriate parties.

How do you know?

The Audit Review Team conducted interviews with school principals, bookkeepers, secretaries and the JCPS internal auditor to learn processes including segregation of duties, Redbook training, procurement policies, etc. The Audit Review Team reviewed the findings noted in the last external audit conducted at the school level for each school visited and inquired with the bookkeeper about all findings noted within the audit. The Audit Review Team reviewed a sample of receipts and expenditures at each school visited, together with the Principals Combining budget, SBDM minutes, general ledgers and monthly reports. The Audit Review Team reviewed a sample of monthly report verification forms with most monthly report verification forms consisting of the following items: general ledger transfers, sequential list of receipts, checks, activity transfers, journal adjustments, and a copy of the bank statement signed and dated by the principal. In addition to this documentation, a member of the Audit Review Team was actively engaged in the CAP and attended bi-monthly

meetings held at the board office. During these meetings, progress was noted for any relative finding listed in the JCPS management audit of 2018.

LEARNING

What data and information are used to improve the financial standing of the district?

Based upon interviews with principals, the principal often initiates the school budget considerations by preparing a "Needs Assessment", working together with an Instructional Leadership Team (ILT). Once a budget analysis is prepared by the principal, the SBDM Council initially meets to assist in staffing determinations. The SBDM reviews the district's allocation and customizes the school budget to meet the needs of the students in their school. SBDM Council meeting minutes indicate they meet monthly to discuss the ongoing needs of the school, with the JCPS Board of Education approving all final school allocations. Additionally, the CAP monitoring tool is currently being shared with the assistant superintendents which assists in creating additional district financial transparency.

How do they know that the internal controls and other policies/procedures are working?

Each year, an independent annual audit is performed at the school level to examine school activity funds. The FY 2018/2019 audit was the most current available for inspection. In review of this last audit report and auditor's notes pertaining to schools visited, there were minor instances of irregularities noted, and management responses were obtained for those findings. Some of these findings, however, were repeated in the previous fiscal year, and observed by KDE while examining FY 2018/2019 records. KDE observed that two of the schools had new principals and that four others had new bookkeepers since the last Management Audit, validating the concerns for additional and continuous Redbook training. It was noted in one elementary school, that training staff were sent to the school to assist with the new bookkeeper transition.

How is the Board informed of the financial status of the district and the impact of the budget on student performance?

Per KRS 160.290 (1), the Board has control and management of all school funds. Although the Board is not involved with establishing individual school budgets, they do approve how monies are allocated to schools, with the SBDM establishing the school budget priorities. SBDM minutes containing the school's financial status are provided on a monthly basis to the Board. Furthermore, an independent annual audit is performed at the school level pertaining to school activity funds. The latest audit performed on all schools visited, was for the FY 2018/2019 school year. Following the last management audit, a KDE recommendation was made to report school level findings by school to the Jefferson County Board of Education. Per the CAP, external audit documents are being provided to all board members for all school findings. In the October 30, 2019 board meeting minutes, it was noted the JCPS external auditor, Strothman and Company, presented their comprehensive annual financial report to the board members, consisting of the audit's introductory, financial and statistical components. The July 29, 2020 board minutes indicated there was an external audit planning discussion with Dean Dorton, who JCPS has retained as their new external auditor. The firm indicated they would confirm their audit results with a presentation to the board during the November 10, 2020 meeting.

INTEGRATION

What evidence is there that the policies and procedures work together for the goals of the school district/student achievement?

Prior to 2018, the internal audit function of the district was outsourced. With the initiation of the CAP after the 2018 management audit, an Internal Audit and Investigation Director was hired to head the internal audit department within JCPS. The focus of the department has been to build a monitoring structure, looking at systems rather than transactions. Criteria are measured against findings with the goal of determining the root cause of the errors. High level summaries are presented to the Board, with a status of the audit plans, allowing for greater communication and clarity.

In the August 4, 2020 board meeting, the Director of Internal Audit presented a status report based on the current Internal Audit Work Plan as of June 30, 2020. She also presented the Internal Audit Risk-Based Audit for the period November 1, 2020, through October 31, 2021. Each Board member had an opportunity to comment and ask questions. A board member highlighted the importance of the internal audit and urged other members to reach out to the director to ensure the Board is doing its required due diligence.

It was noted in the 2018 management audit, communication was lacking from Central Office to school level personnel with a finding for much needed improved communication. During the current audit interviews, it was noted communication between the Central Office and schools was favorable. It was noted by several schools that the level of transparency has greatly improved from the last JCPS management audit of 2018.

Financial Recommendation:

- It is recommended that the person performing bookkeeper duties in each school, does not solely perform the recordation of receipts and revenues, together with the final reconciliation of the report log. Additional staff members must assist in the process to mitigate risk.
- It is recommended the internal audit branch expand the scope of the internal examinations to include fund 22, in order to verify expenditures are properly accounted for in those schools maintaining credit cards who are not providing information on a consistent basis to internal audit. Without internal audit oversight, the sign in/sign out sheets, transactions, etc., are not being properly audited.
- It is recommended that all monthly SBDM Council minutes posted to the KSBA Portal, contain any supporting documentation presented in the meetings to ascertain the topics were discussed in the meetings.

IV. PERSONNEL ADMINISTRATION

a. Team Members: Kay Kennedy, Lauren Moore

- b. **Persons Interviewed:** Chief Financial Officer, Chief Human Resources, Executive Administrator Personnel Services, Manager HR Quality Control, Director Labor Management and Employee Relations, Records Clerk.

APPROACH

Who is the leader in hiring and staffing for the district?

The Chief Human Resources is the leader in hiring and staffing for the district, reporting directly to the Superintendent. The Executive Administrator Personnel Services, the Manager HR Quality Control, the Manager Employee Services, and the Director Labor Management report directly to the Chief Human Resources

What processes are in place to hire, train, and provide support for certified and classified staff?

The Human Resources department oversees a robust online application system. The district uses the position control module in Munis to monitor budget approved positions. When there is a vacancy at a school or department, the opening is posted on the online system through which interested applicants, either external or internal, can apply for that position. The job description and salary schedule are provided with the posting. The system allows the openings to be viewed by job type or by job location.

Applications of qualified candidates are provided electronically to the hiring manager who selects candidates for interviews. After interviews, the selected candidate is offered the position. If the candidate is a new hire, the on-boarding process begins through the Welcome Center. If the candidate is already an employee, the on-boarding process is modified depending on the new position being taken. The employee's permanent personnel file is set up at this point to store documentation (e.g., transcripts, diplomas, certifications) that support a valid employment. During the audit interview, the Executive Administrator Personnel provided a view of the folder checklist that ensures necessary supporting documents have been provided to the district and are in the file before the file is sent to the Records Storage department. To ensure proper segregation of duties, the Human Resources Employee Services department is responsible for entering the appropriate information to ensure employees are assigned the proper salary and benefits.

Labor Management and Employee Relations (LMER) provides ongoing support to both certified and classified employees. Employee contracts negotiated with the employee bargaining units are easily accessible on the LMER website.

What processes are in place to ensure fairness in staffing?

Hiring managers can access all applicant information directly through the Frontline application.

Interviews indicated that the Racial Equity Analysis Protocol (REAP) has been applied to the policies and procedures of the personnel administrative functions.

DEPLOYMENT

What evidence is there that the evidences mentioned in the approach are deployed in all staffing and hiring situations of the district?

Job Openings are posted on the JCPS website for both certified and classified positions. The Frontline System for managing job applications is deployed on the website and is accessible for both external and internal job seekers.

Beginning in June 2018, the HR department initiated a long-term project to audit the personnel files for active employees. The files are being reviewed in alphabetic order and the clerk indicated she is working in the files for employees whose last name begins with "R". A sample of 49 files (36 certified employees and 13 classified employees) were reviewed remotely with the assistance of the clerk. It is up to the district to determine the contents of the personnel files.

For this audit process, the files for certified employees were examined for the following contents: Criminal Record Check (CRC), Education Professional Standards Board Certification, Transcripts corresponding to Certification and pay type, Current Contract, and an Employee Evaluation. The review yielded the following findings:

- Criminal Record Check – 2 employees had no CRC on file, clerk noted for follow-up
- EPSB Certification - 2 expired in 2018, clerk noted for follow-up
- Transcripts not corresponding to Certification – 19 files had no transcript to support the current level of certification, clerk noted for follow-up
- Contract – All files showed the appropriate type of contract, either "Limited" or "Continuing" per the experience level of the employee
- Employee Evaluations – All files indicated an evaluation had been done within the past 3 years in accordance with the cyclical nature of the evaluation process.

With respect to the files for classified employees, the personnel files were examined for the following contents: Application for Current Position, Criminal Record Check (CRC), High School Diploma or GED, Current Contract, and Employee Evaluation. The review yielded the following findings:

- Current Application – 1 employee had no application on file, clerk noted for follow-up
- Criminal Record Check – 1 employee had no CRC but the file was marked "contingent", clerk noted for follow-up
- High School Diploma/GED – 1 employee, who actually has Rank 1 certification from EPSB but is serving in a classified position, has no evidence of either a diploma or transcript, clerk noted for follow-up.
- Contract – All employees had a contract for the 2019-2020 fiscal year, contracts for the current year have not been filed yet due to the pandemic.
- Evaluation – All employees had an evaluation on file in accordance with their position and level of experience.

Interviews indicated that current procedures within the HR department utilize a checklist to ensure that files are completed during the on-boarding process before the files are sent to the Records department. If, for example, the CRC has not been received or the employee has not provided a current transcript then the file is not transferred to the Records department until complete. The salary schedule indicates increments for achieving Rank II or Rank I certification, and employees also receive an increment for 15 hours of post-graduate work leading to Rank II or Rank I certification. Current employees must provide updated transcripts to support any pay increase resulting from advanced certification or progress toward an advanced certification. The findings indicate that current transcripts are not consistently maintained in personnel files.

Each employee in the district must have a federal Employee Eligibility Verification, Form I-9 on file. The district maintains a scanned copy of each employees Form I-9 along with a copy of any supporting documentation. The scanned Form I-9 was requested for the same 49 employees whose personnel files were reviewed. The district did not have a Form I-9 on file for 13 of the employees requested. Insufficient or incomplete documentation is a violation of section 274A (a)(1)(B) of the Immigration and Nationality Act (INA) (8 CFR 274a .2(f)(2)) and may be subject to civil fines and/or criminal penalties. This finding indicates that Form I-9 is not maintained consistently for employees. The district indicated that the employees would be contacted to provide the Form I-9 and that the Form I-9 would be added to the quality control process going forward.

Incomplete personnel files indicate that the district must complete the initial audit of all personnel files and develop a process for on-going monitoring. The Internal Auditor could assist the Human Resources Department in developing an efficient and effective monitoring system.

The district provided the KY New Hire Reports and the federal Job Openings and Labor Turnover Survey Reports as requested.

The district has developed a Business Continuity Plan and is encouraged to continue the annual review of the plan to identify any areas for modification.

LEARNING

What measures of effectiveness are gathered to improve the hiring and staffing system especially in gap areas?

JCPS has a robust recruitment program. There are many programs highlighted on the website. During the late winter/early spring timeframe, there is typically extensive travel by district recruiters to colleges and universities to reach potential candidates. JCPS has developed the Louisville Teacher Residency Program in partnership with the University of Louisville and Simmons College to provide non-certified college graduates a one-year master's degree program leading to a teaching certificate. The program participants are committed to working in one of the district's accelerated improvement schools. The "Purple Project" program is offered through a partnership of the University of Kentucky, the University of Louisville, and the US Department of

Education that provides grants to doctoral candidates in the field of special education in return for a service commitment.

The HR department conducts a Customer Service Satisfaction survey of those employees who use its services. The survey results are shared monthly with the HR leadership team for follow-up.

The district has a process in place to ensure that all meetings (e.g., informational, policy, committees) be monitored with respect to the timing of the meeting to ensure maximum opportunity for participation by affected staff.

INTEGRATION

What evidence is there that employees understand the hiring practices and that it is systematic?

The following bargaining organizations represent JCPS employees:

- Jefferson County Association of Educational Support Personnel (AFSCME)
- Service Employees International Union Local 320
- Teamsters Local 783
- Jefferson County Teachers Association (JCTA)
- Service Employees International Union Plant Operators (Hourly) (NCFO Chapter 77)

These bargaining units assist their members with salary and benefits questions, grievance procedures and other employee concerns.

What evidence is there that the staffing works with the goals of the school district /student achievement?

All job descriptions (certified and classified) have been reviewed within the past two years and necessary adjustments have been made to reflect the duties of each position. Over the past two years, positions have been evaluated with respect to the necessary functions provided by the position. Some positions have been merged, others deleted, and new positions have been created that accurately reflect the district's strategic plan, Vision 2020. The updated job descriptions have been reviewed and approved by the Board of Education as indicated in Board Meeting Minutes. The updated job descriptions also allow the job duties to be reflected in each employee's evaluation.

Personnel Management Recommendation:

- It is recommended that employee personnel files be routinely audited for complete information.

V. INSTRUCTIONAL MANAGEMENT

a. Team Members: Cynthia Anderson, Serena Anderson, Maria de Armas, Felicia Bond, Kim Bullard, Kim Cornett, Melissa Evans, Milagros Fornell, Kevin Gay, Susan Greer, Jim Hamm, Crystal Higgins, Tim

Huddleston, Charlotte Jones, Pebbles Lancaster, Nancy Lee, Teresa Miller-Ruiz, Wanetta Morrow, Mike Murphy, Raquel Perez, Nellie Poe, Denva Smith, Tom Stewart, Todd Tucker, Sam Watkins

b. Interviewed: Superintendent, Chief Academic Officer, Chief of Exceptional Children, Zone and Level Assistant Superintendents, Assistant Superintendent for Academic Support Programs and Special Population, Assistant Superintendent School Culture and Climate, Executive Administrators, Executive Administrator Culture/Climate, Supervisor Leadership and Professional Development, District Assessment Coordinator, Director of Professional Development and Learning, Director of Academic Project Management, SBDM Coordinator, Executive Director of Curriculum Design and Learning Innovation, Principals, Assistant Principals, Academic Instructional Coaches, Regular Education, School Counselors, Special Education Teachers

APPROACH

Who is the leader of the curriculum and instructional processes in the district?

Based on the revised organizational charts for the Jefferson County Public Schools, the flow of management is clear around their Academic School Division and the work of the zones and levels. Interviews from various stakeholders substantiated the Superintendent is the leader of curriculum and instruction through his Vision 2020, Three Pillars, and Six Essential Systems for a Strong Learning Climate.

The Chief Academic Officer (CAO) is referenced by staff as directing the work of curriculum and instruction as well. Many stakeholders described their direct reports, standing meetings, and cross-departmental work, while the CAO expressed the collaborative focus on improved student achievement. Further, many district staff members described their work around curriculum originating through and with the Chief Academic Officer; then flowing to others whose divisions carried the work throughout the organization.

Assistant Superintendents and Executive Administrators (EA), along with their support teams (e.g., Diversity, Equity and Poverty Resource Teachers, content area leads, mental health counselors, Exceptional Child Education specialists) were identified as key players in the work of curriculum and instruction based on the needs of individual schools and their students. Principals, assistant principals and Academic Instructional Coaches (AIC) lead the work of the curriculum and instruction processes at the school level, in collaboration with their district level partners. The Professional Learning Community (PLC) and teacher leaders are assigned to facilitate the established PLC protocol where much of this work is to occur.

What processes are in place to ensure that core curriculum is aligned with state standards processes and horizontally aligned within the district?

The district has adopted a curriculum and instruction policy that highlights compliance pieces to meet state and federal regulations. This policy articulates student capacities (e.g., communication skills; knowledge to make economic, social, and political choices; core values and qualities of good character to make moral and ethical decisions), as well as instructional goals (e.g., use basic communication and mathematics skills for purposes and

situations they will encounter throughout their lives; become responsible members of a family, work group, or community, including demonstrating effectiveness in community service; think and solve problems in school situations and in a variety of situations they will encounter in life). (JCPS Board Policy 08.1)

The district provides instructional and curriculum frameworks accessible on the district website. These frameworks and other resources, such as assessment links (e.g., Assessment Landscape Page, MAP goal setting information) and content-specific information (e.g., math supports, guided reading supports) are also connected to the Principal and Teacher Backpacks. These frameworks provide guidance to district and school level leaders for directing teachers through the process of creating and/or revising school curriculum maps and pacing guides. While these resources are accessible and available to all school personnel, stakeholder interviews revealed varied levels of implementation fidelity and inconsistent use.

Interviews with some principals, assistant principals, AICs, school counselors, and teachers reference a “guaranteed and viable curriculum” as being the goal for all students. Additionally, a review of evidence shows the district provides a Professional Learning Community (PLC) framework, so that teachers and other PLC members may employ a protocol to analyze and deconstruct standards (Steps 4 and 5 of the “Getting Started” section in the district’s PLC framework: “Identify and Deconstruct Essential Standards” and “Commit to a Guaranteed and Viable Curriculum”) with a focus on aligning all curriculum to the *Kentucky Academic Standards* (KAS). These stages focused on the first of four PLC questions (“What do we want students to know and be able to do?”) mentioned by various stakeholders. School leadership and teachers, guided by district content area specialists, have also used the *Clarity for Learning* protocols for writing learning targets and determining success criteria from the KAS in some schools. Finally, the framework implores PLC members to utilize tools to help ensure equitable learning for all students, such as the Affirming Racial Equity (ARE) tool, which was described as a lens for looking at curriculum and instructional resources for cultural responsiveness.

Most recently, the district identified their *Five Basics for Teaching and Learning*, which are:

1. Curriculum and instructional frameworks;
2. Standard deconstruction and unit development protocol;
3. Assessment landscape;
4. Determining standard and grade level alignment (TNTP assignment review protocols); and
5. Ensuring high quality student work (Quality Work Protocol).

Some district and school leaders spoke to the *Five Basics* during interviews; however, the extent to which the *Five Basics* will meaningfully guide district- and school-wide teaching and learning remains to be determined based on the newness of these principles.

How do you measure effectiveness of these processes?

Review of evidence and interviews with principals, assistant principals, AICs, school counselors, and teachers suggested a working knowledge of the district’s guiding *Three Pillars* (i.e., the Backpack of Success Skills, Racial Equity, and Culture & Climate) and *Six Essential Systems for a Strong Learning Climate* (i.e., Standards and Curriculum Implementation; Effective Use of Data; Collaboration, Planning, and Instructional Practices for

Deeper Learning; Progress Monitoring and Analysis of Student Work; Academic and Behavioral Supports; Instructional Feedback and Professional Learning). Stakeholders mentioned the Six Systems “driving” their work and decision-making, and that the Three Pillars and Six Systems have “given us a common language.”

All principals are expected to complete and submit bi-weekly reports to their assigned zone assistant superintendent. These reports consist of self-assessments of each school-level focus on the Three Pillars and Six Essential Systems for a Strong Learning Climate. Some stakeholder interviews suggested that, while the intent of these reports is to offer opportunities for collaborative principal and leadership team reflection and feedback for improvement from district leadership, they sometimes became individual compliance activities.

The Zone/Level Support Team conducts interim Collaborative Calibration Visits (CCVs) at each school. These visits involve conducting interviews, walkthroughs, and reviewing relevant artifacts. Evidence and interviews with stakeholders revealed the principal presents progress on Systems and Pillars via a formal presentation (e.g., Google slide deck) during this visit, as well. Feedback is provided to principals. However, some feedback appeared to be general rather than descriptive feedback that informs meaningful improvement. These CCVs are followed by Vital Signs Meetings, during which the assistant superintendent and/or EA meet with the principal for a “pulse check” on key data points and progress on CCV-identified and other opportunities for improvement. Comprehensive Systems Reviews (CSRs) offer another layer of oversight, being compared to a “mini-audit” in stakeholder interviews.

District leadership conduct classroom walkthroughs to provide feedback to principals. Principals and other school leadership team members conduct walkthroughs and formal observations that often resulted in informal feedback around teacher practices (e.g., classroom management, guided reading groups).

Stakeholder interviews suggested that PLCs meet regularly to analyze and use student common and classroom level formative and summative assessment data to inform instructional decision making, some saying “Data is what drives a school.” Some teachers also cited the use of a Quality Work Protocol in PLCs. Interviews with principals, assistant principals, AICs, school counselors, and teachers also reinforced the regular use of data to drive instruction through Instructional Leadership Team (ILT) meetings, the use of data walls or virtual data walls, and the Assessment Landscape page. Measures of Academic Progress (MAP) and Jan Richardson assessment data were most commonly, but not solely, referred to as data points used to determine student readiness levels and identify students for tiered instruction.

What processes are in place to ensure that rigorous, engaging instructional strategies are used in classrooms?

During interviews, various stakeholders referenced the utilization of AICs within each building which help to ensure the implementation of the district instructional policy. It was also substantiated that AICs collaborate with district content area specialists as an additional layer of support to encourage the use of instructional strategies within classrooms. In addition, several stakeholder interviews revealed the recent addition of the *Five Basics for Teaching and Learning* which include Curriculum and Instructional Frameworks, the Standards Deconstruction and Unit Development Protocol, Assessment Landscape, determining standard and grade level alignment using TNTP Assignment Review Protocols, and ensuring high quality student work through the use of the Quality Work Protocol. During interviews, multiple references were made to the resources provided

through the Teacher Backpack. The frameworks and protocols for the *Five Basics for Teaching and Learning* were noted within the Teacher Backpack.

Interviews with principals, assistant principals, teachers, and AICs referenced the use of the Classroom Instructional Framework provided by the district when planning instruction. Within the Classroom Instructional Framework for Mathematics, there is a stated expectation of “opportunities for learning by using high-cognitive demanding questions that should provide feedback to enter, move forward, reflect, or extend through pathways.” The framework further asks teachers to create “opportunities for students to reflect on feedback from others in order to modify and set goals that progress toward individualized learning targets.” The Classroom Instructional Framework for English/Language Arts specifically mentions the use of a “growth mindset environment,” “high yield, evidence based practices,” and “culturally responsive instruction.” Principal and assistant principal interviews suggested walkthrough procedures are in place to address rigor and engaging instruction within the classrooms throughout the district.

Multiple stakeholders characterized professional development provided by the district as a positive support for classroom instruction. Teacher interviews substantiated professional learning has been provided around Kagan structures, metacognition, and providing feedback to students. Additionally, the Virtual Professional Learning Schedule provided documentation of professional learning offered to teachers such as Reciprocal Teaching for Distance Learning, Opportunities to Respond, and Choice Boards, via the JCPS Digital Learning Channel, all of which would support the implementation of rigorous, engaging instruction within the classroom. While the virtual topics provided for staff are extensive and comprehensive, the degree to which participation is systematically chosen or results in improved student achievement remain unclear. Sample CSIPs provided by the district reveal an expectation of rigorous, engaging instructional strategies (e.g., Jan Richardson guided reading, writing PD, feedback PD).

The development of Professional Learning Communities (PLCs) with commitment and fidelity was cited by various stakeholders as having a positive impact on the types of instructional strategies used within classroom instruction. Multiple stakeholders mentioned the JCPS PLC Framework, and through stakeholder interviews it was revealed that JCPS uses the DuFour model. Multiple administrators, AICs, and teachers cited the DuFour questions as guiding their PLC conversations. Those questions include:

1. What do we want our students to know and be able to do?
2. How will we know they are learning?
3. How will we respond when they don't learn? (What interventions will we use?)
4. How will we respond if they already know it? (What types of extensions will we use?)

Another component of the PLC is for PLC members to apply the Affirming Racial Equity (ARE) Tool to determine if documents (e.g. lessons, unit of study activities) are equitable for all students. The use of this tool in planning classroom instruction was widely referenced by principals, assistant principals, school counselors, AICs, and teachers across the district.

What evidences are there of alternative programming for students?

The district's organizational chart and stakeholder interviews confirmed that alternative programming resides under the Culture and Climate Department, led by the Assistant Superintendent for Culture and Climate.

Interviews with state agency school personnel revealed a variety of alternative placement options (e.g., choice schools, schools that meet social emotional needs, schools that meet academic needs, and those that meet behavioral needs) in accordance with the JCPS board policy around alternative schools, which states, “The Board of Education shall develop and establish alternative school programs which shall reflect the goals and philosophy of the Jefferson County Public Schools. Alternative school/program curriculum expectations shall not be less than curriculum expectations in non-alternative programs in core content subjects (math, science, language arts, and social studies).”

The *JCPS Student Support and Behavior Intervention Handbook* states, “The goal of behavior support alternative placement helps students improve academic skills, become more self-sufficient, and develop self-control.” Stakeholder interviews revealed that schools have a protocol in place to determine whether students would be more successful in an alternative placement setting rather than in a comprehensive school. Several principals, school counselors and teachers stated that student placement decisions are based on data, and that decisions are made using a committee process. Stakeholders confirm a clearly communicated and accurate list of available alternative programs. While there are clear criteria for students entering and exiting alternative placement, a clear process or protocol to track student success after they exit alternative placements or whether students must return to alternative placement settings is not evidenced. In addition to the alternative placements, interviews with principals, assistant principals, school counselors, and teachers revealed the existence of processes and procedures for intervention and enrichment periods during the school day, as well as placement in Gifted and Talented programs.

School counselors were able to clearly describe the process for determining student referrals for Exceptional Child Education (ECE), and multiple stakeholders stated that decisions are made through the Admission and Release Committee (ARC). Further, stakeholder interviews revealed the support of additional staff such as ECE Implementation Coach and Mental Health Counselors in many schools. These roles partially comprise the support team leveraged by assistant superintendents according to individual school needs.

Some stakeholders referenced the implementation of Positive Behavioral Interventions and Supports (PBIS) as well as restorative practices. According to stakeholder interviews, behavior continues to be a focus within the district. On the Impact Kentucky Teacher Survey in the Managing Student Behavior Domain, only 20% of teachers responded affirmatively to “how often does student misconduct disrupt the learning environment at your school.”

Push-in, collaborative services provided in schools to meet the needs of students were also referenced. Interviewees communicated that in some alternative settings, behavior assessments are used to plan instruction, and student binders contain crisis intervention plans. Stakeholder interviews revealed across the district there has been an increase in the number of staff members trained in physical restraint and seclusion.

English Language Learner (ELL)/English as a Second Language (ESL) services are addressed in Pillar Two: Racial Equity. While the district has developed and began implementing a three-part plan for extending ELL/ESL services to all schools, many school interviews suggested they were not prepared to adequately meet English Learner (EL) students’ needs. Stakeholder interviews revealed that principals have received training in

tools and strategies to benefit EL student learning, and currently the training is being offered to school counselors, other administrators, and teachers. Additionally, district resource teachers model and co-teach in the comprehensive classroom setting. The district offers scholarships to current employees who want to add EL certification to their teaching credentials. While students who are new to the country or have very limited exposure to the country attend the Newcomer Academy, a process for transitioning students from the Newcomer Academy to comprehensive school settings, as well as other strategies for supporting this population, are still in early stages. The true impact on student achievement remains unclear.

What documents, policies, procedures are being used to ensure curriculum/ special education requirements are being met?

The district's organizational chart confirms that the Chief Exceptional Child Education oversees the work around exceptional children, while the Chief Academic Officer directs the work around curriculum. The district has adopted policies and procedures to support both curriculum and special education requirements. The district curriculum and instruction policy outlines compliance with state and federal regulations. This policy articulates student capacities (e.g., communication skills; knowledge to make economic, social, and political choices; core values and qualities of good character to make moral and ethical decisions), as well as instructional goals (e.g., use basic communication and mathematics skills for purposes and situations they will encounter throughout their lives; become responsible members of a family, work group, or community, including demonstrating effectiveness in community service; think and solve problems in school situations and in a variety of situations they will encounter in life). (08.1) Likewise, the Students with Disabilities policy provides for meeting legal obligation in a least restrictive environment (LRE) for all students with disabilities. (08.131)

Sample Comprehensive School Improvement Plans (CSIPs) include ECE-specific goals and strategies (e.g., "All ECE special class and ECE resource teachers receive coaching support from Greater Louisville Education Cooperative (GLEC) and the ECE Implementation Coach,"), as well as curriculum (e.g., "Teachers implement the JCPS Curriculum Framework in daily writing assignments.") Additionally, some CSIPs include activities centering on ECE students not meeting ACT benchmarks and ECE students receiving support to prepare for End of Program (EOP) assessments. According to stakeholder interviews, principals and AICs monitor curriculum implementation through PLC meetings using the district's PLC framework. Principals also conduct walkthrough observations to monitor curriculum. However, based on stakeholder interviews, in some schools the degree to which PLC or walkthrough data result in actionable next steps appears to be varied. Some sample professional development plans included a variety of session options (e.g., differentiation, backwards planning, guided reading). However, documents and procedures to ensure requirements are being met remain somewhat non-specific.

Stakeholder interviews suggested the district support teams are leveraged by the assistant superintendents to assist in meeting special education requirements. Some schools include Multi-tiered Systems of Support (MTSS) behavior resource teachers and mental health counselors on staff. Interviews with principals, school counselors, and teachers confirmed the emphasis on a collaborative "push-in," rather than pull-out model to support students with disabilities who can be successful in the comprehensive classroom setting.

Based on stakeholder interviews and a review of evidence (e.g., the Teacher Backpack), the district MTSS team supports teachers by providing classroom management and student support strategies including modeling and information provided online (e.g., behavior modules). Each support team utilizes the JCPS School MTSS Implementation Plan and a behavior coach who can assist with more intense student behavior. The team also offers differentiated support according to school and classroom need. School level student assistant teams (SATs) meet to discuss and identify appropriate intervention supports based on data/evidence for individual students. Sample blank behavior plans provided offer options for modifications (e.g., role-playing, prompting, modified assignments).

How do you measure effectiveness of these processes?

Stakeholder interviews and provided evidence revealed attempts at collaborative communication across departments to provide monitoring tools (e.g., end-of-year reflections, P-4 principal/assistant principal interim summative evaluations). Multiple stakeholders mentioned improved communication and collaboration with statements such as, “There has been a shift within the district” and “Having a common language has made a huge difference.”

Multiple stakeholder interviews and a review of evidence revealed a variety of frameworks and monitoring tools. These include:

- PLC frameworks
- Curriculum framework
- Instructional framework
- Assessment landscape
- REAP
- ARE
- EMPT
- Student Backpack of Success Skills and defense rubrics
- Teacher Backpack (including multiple links)
- Principal Backpack (including multiple links)
- Solution Tree PLC monitoring tools/rubrics
- CCV
- CSR
- Vital Signs
- Bi-weekly report
- Quality Work (QW) protocol
- TNTP assignment review protocol
- Standards deconstruction and unit planning protocol
- Principal PGP to include a racial equity goal from the Diversity, Equity, and Poverty (DEP) Growth Plan Menu

Artifacts demonstrated the district has attempted to communicate connections between monitoring tools and the Three Pillars and Six Systems for a Strong Learning Climate; however, an emerging theme in many stakeholder interviews suggested, items could be streamlined more. Interviews indicated that there are many documents

and resources, but that schools are left to interpret them. Additionally, some stakeholder interviews suggested that district support appeared to be compliance rather than resulting in meaningful change. Finally, the Teacher Backpack effectiveness appeared to be monitored according to the number of times accessed, rather than impact on professional practice or student achievement.

DEPLOYMENT

What evidence is there that the processes identified are deployed with fidelity throughout the organization?

Interviews indicated that stakeholders across levels were aware of the revisions of the JCPS Organizational Chart and could identify district level supports. Common themes among interviews included the changes in roles and responsibilities, the improved flow of communication, and references to the Three Pillars and the Six Essential Systems for a Strong Learning Climate. Following are evidences that support processes deployed to varying degrees across the district:

- Stakeholders could speak to the Three Pillars and Six Essential Systems for a Strong Learning Climate on some level.
- Meeting agendas are organized by the Three Pillars and Six Essential Systems for a Strong Learning Climate.
- Many communications (e.g., weekly reminders, JCPS Twitter) are aligned to the Three Pillars and Six Essential Systems for a Strong Learning Climate.
- PLC structures (e.g., data review) invite collaboration and common language.
- Walk-through protocols provide a mechanism for monitoring professional learning and student engagement in classrooms.
- Leadership PLCs offer a platform for people with similar role groups (e.g., principals meet with principals, assistant principals meet with assistant principals, AICs meet with AICs) to connect around district initiatives, participate in professional learning activities, and engage in collegial discussions.

While the above evidence exists, a systematic structure for channeling all of the developed initiatives into a method for organizational decision-making or to ensure that fidelity of each initiative results in student growth and achievement remains unclear. The early stages of implementation of the work and lack of long-term data create a barrier to determining true impact at the classroom level.

LEARNING

What processes are in place to use data and information to improve learning processes?

The district has purchased the Measures of Academic Progress (MAP) assessment system for all schools in the district. Interviews suggested MAP data is analyzed to determine student growth and achievement levels and for MTSS placement. Job-alike PLCs create the opportunity for data discussions across schools in the district. Supports and resources are housed in a Google Classroom for document management. Interviews and artifacts revealed that monitoring tools (e.g., CCV, CSR, Vital Signs, district walkthroughs, bi-weekly reports) allow for

the collection of various points of data to inform the district and schools of each school's performance and to highlight areas for support.

Based on the data concerning ECE students, the district has provided Exceptional Child Implementation Coaches to most schools who can manage and chair ARCs and offer additional support as needed. This allows Exceptional Child Education specialists more time to provide individualized supports within the classroom setting around the Individualized Education Plan (IEP) goals.

Per System Two, Effective Use of Data, the Teacher Backpack houses processes and tools (e.g., common formative and summative assessments, assignment review and quality work protocols, pre-assessments to determine next steps for instruction, analyzing data from MAP assessments, Student Backpack for Success artifacts, MTSS data for intervention placement, exceptional children data, and other underrepresented student groups data) for collecting and using data. An additional data collection process referenced by many interviewees is the Equity Monitoring Progress Tool (EMPT). Also housed within the Teacher Backpack, this tool allows leaders and teachers to identify inequities to be addressed by professional learning within the District Professional Development Plan.

Sample agendas and interviews suggested the analysis of academic and behavioral data as standing meeting discussions for administrative teams, instructional leadership teams, school leadership teams, and MTSS teams to inform staff and to create next steps. Resource teachers, as part of the support teams, meet with school-level teams to study and analyze data and attend PLC meetings to offer feedback. Further, administrative teams conduct walkthroughs to gather data around the implementation of district initiatives and rigor of instruction.

Interviews revealed the development of the CSIPs occurred at the school administrative level; however, teacher interviews did not clearly suggest they played an integral role in the process. Many teachers indicated they were unfamiliar with plan specifics including the SMART goals. Further, many interviewees referenced the CSIP as their school plans rather than being driving forces for moving the work forward.

What evidence is there that these are working?

The monitoring processes (e.g., CCV, CSR, Vital Signs, district walkthroughs, bi-weekly reports) of the Three Pillars and Six Essential Systems for a Strong Learning Climate are designed to monitor district initiatives, but are sometimes seen as compliance pieces by school level personnel as revealed by interviews. Some interviewees shared the need to have pieces of the various processes streamlined into combined documents. According to some interviews, a formalized process for receiving feedback from these processes has not been efficiently or effectively communicated. The board Quarterly Progress Report provides an overall view of the district's actions and the key metrics around the Three Pillars.

Evidence supports that the PLC processes are embedded into the culture of schools to varying degrees. The majority of teachers spoke to the use of the Teacher Backpack during PLC. The Backpack is seen as an important tool for curriculum development and for creating a common language district wide. Teachers also spoke to the use of the four DuFour data questions as the guiding force of the work of each PLC, which is

monitored for fidelity by observations, coaching and feedback sessions, and administrative participation. Stakeholders reveal a positive change in the PLC mindset.

Some stakeholder interviews within alternative schools suggested their teachers implemented a formal PLC process focused on deconstruction of standards, data analysis, and using data to create intervention/enrichment groups. Interviews indicated PLC implementation in state agency schools increased a sense of community among staff and students. Additionally, stakeholders indicated state agency PLCs resulted from district alignment and coherence efforts, stating, “We are in a good place for consistency across schools.”

What data and information are used?

Based on interviews and artifact review, the Three Pillars and Six Essential Systems for a Strong Learning Climate were designed to guide the processes and carry out the vision in JCPS. Data and information related to the pieces of this work are collected and analyzed. Some school-level interviews indicated the PLC protocol, utilizing the Dufour questions, is designed for processing and analyzing points of data. Academic data (e.g., MAP, Common Formative and Summative assessments, and literacy/math assessments) and behavior data (e.g., attendance, referrals, and occurrences) are considered in many settings when determining next steps toward promoting student learning and achievement. Some results are used for tiered intervention placements for student groups.

Tools (e.g., CCV, CSR, Vital Sign) measure school effectiveness in relation to the Three Pillars and Six Systems for a Strong Learning Climate. Additionally, leadership meetings occurred around discussions for clarifying roles and responsibilities of particular job titles within their place in the JCPS organizational charts. Some interviewees stated that their current roles were addressed in professional growth plans.

INTEGRATION

How is the learning from each of the levels used to improve the overall system?

The Superintendent has provided a plan in his Vision 2020 and additional expectations that focused around the Three Pillars and Six Essential Systems for a Strong Learning Climate. School personnel expressed that a “cohesiveness” had developed not only within the schools but also within the district as a whole. Stakeholders mostly agreed that the cohesiveness has led to improved two-way communication and common language within and among schools. According to artifact review and interviews, there are various avenues for communication (e.g., JCPS Living Calendar, JCPS Digital Learning Channel, weekly reminders, PLC’s, Google Classroom, Youtube Channel, JCPS Twitter, Principal’s Priority Page, Principal and Teacher backpacks, Weekly Wrap-up with Dr. Marty Pollio). Policies and work protocols appear to be grounded in the Three Pillars and Six Systems for a Strong Learning Climate to guide the work being completed. Based on interviews, planning, data disaggregation, and reflective practice follows the established PLC protocol.

The structure outlined in the JCPS Organizational Chart document describes the infrastructure for teaching and learning. Although the five-zone district reorganization has helped stakeholders identify the necessary people to contact, interviews from stakeholders at different levels reflect a discrepancy in perceptions of two-way

communication clarity and effectiveness. Schools receive support through resources, training, monitoring, feedback, and staffing. These changes have also led to common instructional expectations within individual schools (e.g., use of principal and teacher backpacks, PLC Framework, MTSS Toolkits, instructional framework, ARE tool, CFA's).

Many stakeholder interviews and artifacts revealed the district has written procedures for monitoring, reduction of equity gaps, and the equitable distribution of resources and supports. This evidence demonstrates the creation and development of a framework, including policies, procedures and processes, to unify school improvement efforts. However, the clearly defined system for continuous improvement to allow the data and information from every level to improve the organization is not fully evident.

Instructional Management Recommendation:

- Continue to build system fidelity and continuous improvement practices around guiding initiatives (e.g., Three Pillars and Six Essential Systems for a Strong Learning Climate) to embed them into the professional culture and to build sustainability.
- Engage in ongoing, job-embedded professional learning that helps district and school leaders understand systems for sharing effective feedback appropriate to particular situations (e.g., CSIP, bi-weekly reports, walkthrough reports, lesson plans).
- Seek, identify, and communicate explicit connections between initiatives to all stakeholders. Streamline initiatives, documents, and instruments in order to avoid overlap and compliance-driven tasks. Ensure that actionable next steps systematically become part of the plan for continuous improvement.
- Continue to ensure support services for EL students in each building by providing training for school communities in gap reduction strategies, encourage additional staff members to add this certification to their teaching credentials, and by adding staffing where appropriate.
- Promulgate ongoing, individualized professional learning designed for leaders at each level (e.g, district level, school level, classroom level) to promote self-reflection and professional growth, and that results in changes in practice around teaching and learning.

V. INSTRUCTIONAL MANAGEMENT- Career and Technical Education

a. Team Members: Beth Hargis, Leslie Slaughter, Karla Tipton, Pamela Moore, Robin Linton, Tracy Osborne-Clay, Teresa Rogers, Scott U'Sellis, Claude Christian, Sherri Craig, Crystal Whitaker, Regan Satterwhite, Morgan Lovitt, and Kiley Whitaker

b. Interviewed: Principals, Assistant Principals, School Counselors, CTE Coordinators, Teachers, Board of Education Members, SBDM Council Members, Pathway Instructional Leads, Director of Transition Readiness, Specialist School Business Partnership, Technician Data Management/Research, Specialist (Transition Readiness), High School Assistant Superintendent, Director of Postsecondary Planning

APPROACH

Who is the leader of the curriculum and instructional processes in the district?

The instructional leads within the district's transition readiness office are the primary curriculum and instructional leads for Career and Technical Education (CTE) within the district. These leads are overseen by the Director of Transition Readiness and the Assistant Superintendent of High Schools. Instructional leads review the Career Pathway Templates (CPTs) and work directly with schools and teachers to ensure accuracy and alignment across the district. The district has an intentional pathway development process in place for the CPTs that is understood by school administration and academy coaches. It is also evident that the academy coaches understand their leadership role in curriculum development at the school level. However, the CPT process is still fairly new at all levels and has opportunities for improvement, with about ten percent (10%) of the CPTs being either incorrect, not following best practice or not offering the core course in the pathway. These discrepancies are apparent in all CTE career pathways, but show up in the Health Science CPTs the most frequently. Interviews indicated that some of these issues are based on the pathways being new or due to other outstanding circumstances; however, the process could be enhanced using several recommendations provided in the following sections. The uniformity seen in the CPTs is not reflected in the structure of individual school master schedules. This could lead to additional difficulties in determining if pathways are correctly structured and could explain some of the issues found within the 10% of errors identified above.

Based on interviews, it is also apparent that the district office leads the curriculum process for and has worked hard to ensure dual credit is appropriately offered within the district. When reviewing data, however, it was found that there is some inequity in dual credit availability and offerings across individual schools.

What processes are in place to ensure that core curriculum is aligned with state standards processes and horizontally aligned within the district?

The district created a process to review and align career pathways across JCPS. The district is also working to align pathway courses in all schools to help with students transferring within the district. The Audit Review Team reviewed all CPTs for all schools across the district and these CPTs were found to be very similar, regardless of the school in which they were offered. School administrators, counselors and academy coaches, based on those interviewed, understood this structure and were well informed by district leadership. The utilization of the CPT process ensures both vertical alignment, in terms of the state CTE Program of Studies, as well as horizontal alignment with pathway implementation from school to school.

Other integral parts of CTE were discussed in many interviews by district office personnel and was found to be a focus of much of their work. This included strategic priorities, such as:

- processes for implementing work-based learning (WBL) within pathways across the district;
- tracking advisory committee membership and ensuring advisory committee meetings were taking place;
- structured professional learning committees (PLCs) and interdisciplinary PLCs; and
- tracking students' transition readiness progress and ensuring student needs were being met.

How do you measure effectiveness of these processes?

The effectiveness of these processes was measured through review of CPTs, school and district interviews, process documents, documented evidence and data analysis. Interviews at the district level identified well-defined processes, along with the process documents. School administration interviews determined that these processes were, in fact, in place within the district and that administration had a clear understanding of such processes; however, this same level of understanding and communication did not appear to be in place for individual teachers and the communication structure could be improved by ensuring alignment down to the classroom level. It was also found from reviewing documented evidence that, while these structures are in place, there are many overlapping processes and documentation structures that appear to be causing difficulty in monitoring and ensuring that processes are followed. It is recommended that the district simplify or reduce the number of processes in place to allow better and more thorough review of the processes and their effectiveness. Through teacher interviews it was also apparent that while the structure for WBL was in place, that the actual offerings and experiences were limited for students. Work-based learning did not appear to be an integral component of the pathway experience for most students. Interviews and data also show that monitoring and documentation of student transition readiness needs was happening, but actual data collection or follow-up of students' transition to postsecondary (i.e., college, workforce, military) was not in place. This lack of post-high school data limits the ability to determine the effectiveness of the district's processes and strategic goals, in terms of how successful they have been for student transition. As the district moves forward with the continued implementation of its CTE priorities, it is recommended that an intentional process be considered to review and evaluate such post-high school outcome data.

Data analysis shows that on many CTE assessments, and with some demographic groups, JCPS is closing gaps; however, some major achievement gaps still exist within the district. It should be noted that, in many interviews it was stated that the 2019-2020 data would have likely shown improvements for the district, but due to the pandemic these data elements were not available for review. Analysis of post-high school data from the Kentucky Center for Statistics (KYSTATS) shows very little change in the data over the last few years; however, many of the strategies in place will not show impact until those students that were freshmen when the strategy was instituted graduate from high school. This, again, is why an emphasis on post-high school transition data should be considered a critical element of JCPS' continuous improvement strategies and a way to continually measure the effectiveness of such strategies.

What processes are in place to ensure that rigorous, engaging instructional strategies are used in classrooms?

Evidence indicated that PLCs are established within each of the schools and are occurring regularly based on information provided in school interviews. Instructional leads report that they are now able to work directly with CTE teachers on curriculum and instruction. During numerous interviews it was stated that schools are using the "name and need" chart to determine student success on assessments and are analyzing assessment data to make improvements in instruction. Growth in the number of students demonstrating transition readiness supports the notion that students are being more successful on these indicators. Interviews also identified a wide range of CTE-professional development, interdisciplinary instructional planning, and school-wide, as well as district-wide, collaboration occurring across the district. Through evidence and interviews it is also clear that

advisory committee meetings are occurring, though from some of the evidence it is hard to determine if the individual school advisory meetings are occurring in all CTE areas or with all required advisory members.

The Academies of Louisville initiative is a huge part of the JCPS efforts to ensure that CTE instruction is effective. This academy structure is at the heart of engaging students in CTE and preparing them for their post-high school lives. The academy approach is designed to integrate both technical and general education coursework to make instruction more meaningful for the students. It is also designed to improve the culture and atmosphere of the school system. This structure allows students to learn academic standards in new and more relevant, contextual ways. While this structure is new, it has quickly become an integral part of the district's strategic priorities that are known to students, parents, board members, staff and the community at-large.

What evidences are there of alternative programming for students?

Dual credit data shows major improvement in all areas of enrollment, including the number of unique students taking dual credit coursework, as well as the number of courses students can choose to enroll in. CTE dual credit has also become a bigger percentage of the overall offerings across the district. Data also shows an increased number of and enrollments in career pathways across the district. Comparing these pathways to those offered in the past, data shows a much higher percentage of these pathways following best practice implementation. Most of these pathways also offered or were in the process of offering dual credit alternatives to the high school courses. These are two major areas of improvement giving students more opportunity and access to alternative offerings in the high schools.

It was also discovered through interviews with the district staff and schools that CTE is being incorporated in different ways into the alternative schools across the district. The Paxton/Patterson labs are already incorporated in several of these schools, allowing new availability to students who traditionally were not able to access CTE programming. One alternative school is also within its first year of Big Picture Learning Academy (BPLA) implementation. BPLA is a network of schools across the country that focuses heavily on community engagement, project-based learning, mentorships and internships. Even in schools where these labs or initiatives were not being implemented, interviews showed more of an intentional focus on career awareness and workplace readiness skills.

What documents, policies, procedures are being used to ensure curriculum/ special education requirements are being met?

As discussed in earlier sections, advisory committees, CPTs, PLCs and the "name and need" charts were being utilized to ensure requirements are being met across the district. The district has also incorporated a "weekly ten" monitoring process to ensure data continually reflects the requirements of pathways. During interviews it was determined that the Individual Learning Plan (ILP) platform, including the JCPS Backpack of Success, was also being utilized across the district to allow all students to explore their career interests and demonstrate essential life and career skills. The district has created strong ILP implementation tools for use by schools, most of which were being utilized; however, evidence indicates that many schools are not fully utilizing their autonomy to personalize this process for their own students. Nonetheless, the activities and processes currently in place do appear to meet minimum state requirements. To improve college and career advising efforts it is

recommended that the district tie the ILP with the “name and need” chart to have the students’ post-high schools goals aligned with the transition readiness data. Furthermore, interviews indicated that Admissions and Release Committee (ARC) meetings were being conducted and that vocational rehabilitation services were being utilized to support ongoing work within many alternative schools to support the needs of special education students.

How do you measure effectiveness of these processes?

The “name and need” chart, based on research and interviews, is having a dramatic effect on the transition readiness rates in the district. The chart, however, is not being utilized to its full extent, as it does not include any post-high school information for students. The connection of students to their post-high school plans would help the district to better individualize instruction and set appropriate goals in transition readiness for its students. The district’s current ILP process does collect student-level post-high school goals; however, there does not appear to be a connection to the “name and need” chart and these student goals established within the ILP, nor any mechanism to evaluate whether graduates are accomplishing such goals. In addition to the recommendation to tie the ILP and “name and need” chart together, we also recommend the addition of post-high school data elements as a way to enhance current program improvement, but are not suggesting that the current process in place is ineffective.

As stated previously, the CPTs are providing more alignment and accuracy across the district, but this process still has opportunities for improvement. Streamlining the process to eliminate redundancy, providing an additional monitoring step by the district’s CTE data staff, and creating a more consistent master schedule process, are all suggested strategies for continuing to improve the accuracy of career pathway implementation.

Evidence indicated that CTE advisory committee processes were in place across the district and shows that meetings, in most cases, were being monitored and attended by the district leadership. From the review, there appears to be overlapping processes and duplicative monitoring steps taking place. Even with these processes occurring, there were some committees that were failing to meet requirements. It is recommended that duplicative processes be evaluated to allow a more simplified monitoring and review process by the district. From interviews it was also unclear how much input the committees at the individual schools were providing or how such feedback is being utilized for program improvement. Also, during school interviews, it was difficult to determine how small businesses across the region were being utilized, both in the committee structures and through other partnerships with the schools. There was, however, an enormous amount of conversation about large businesses and companies, such as UPS and GE, and their role in the district’s initiatives.

The Audit Review Team does believe strongly, based on all information reviewed, that alternative schools are offering many opportunities for students that are appropriate for the populations served. From interviews, it was apparent that these schools were an integral part of the district’s continuous improvement priorities and school redesign efforts. Administrators and staff in these buildings are passionate and are working to ensure students are provided opportunities to increase their likelihood for post-high school success. There is also evidence of a strong connection between the district’s special education office and the alternative schools.

DEPLOYMENT

What evidence is there that the processes identified are deployed with fidelity throughout the organization?

The processes identified appear to be clearly understood by high school leadership and these school leaders were able to articulate what the processes were and how they were being followed in the district. The collaborative relationship between the Academies of Louisville schools and the academy coaches is extremely strong and evident within the district; however, the same level of connection was not as evident in the non-academy high schools. Interviews with district office staff discussed how CTE efforts were in place and on-going with the non-academy schools, but that because of their structure, these initiatives were not as well-developed as they desired. The Audit Review Team was informed that the opportunity to become an Academy of Louisville was offered district-wide to all high schools when the initiative began, but that some schools had chosen not to take advantage of this opportunity.

Interviews with middle school administration, however, indicated that there is still room for improvement and stronger connection with the district's Transition Readiness office. While the Audit Review Team agrees that there is opportunity for improvement with middle school CTE implementation, evidence supports that the focus and priority of the work has been at the high school level first, with many of the middle school processes just beginning within the district. As many of these processes are new, it is understandable that they are not as yet well-established. The Audit Review Team recommends continuing the implementation and scaling efforts at the middle school level, as this will make the CTE programming in the high schools much stronger over time. It should be noted, however, that there is a strong evidence of partnership between the middle schools and the counseling office at the district level.

One significant area to highlight within the district has been the improvement, understanding, and use of the CTE data with fidelity. Very few errors were discovered during the data review process and the district has dramatically improved their efforts to ensure accuracy of this data since the last KDE review. One area that was identified as problematic in the last review was the entry and accuracy of attend hours, which determines CTE funding. During this review, no errors were found in the attend hour data. The district is to be commended for the replicable protocols that have been established to ensure stronger data accuracy and to ensure that such data is driving local CTE discussions and decision-making.

LEARNING

What processes are in place to use data and information to improve learning processes?

School administrators, SBDM councils and board members all discussed the use of high school data to improve outcomes for students. CTE data is being presented regularly to board members and all board members were able to articulate how the Assistant Superintendent for High Schools was keeping them up to date on CTE progress. At the school level, it was discussed how data is being utilized in the "name and need" chart and as part of their PLC protocols. There appeared to be very limited to no usage of post-high school data to determine success of these learning processes. Many district interviewees acknowledged this gap in data analysis. They did indicate that there are plans in place and that some work has begun to remedy this missing component.

The KDE CTE team reviewing CPTs also noted that the information available on the CPTs should be highlighted as a strength. This one form allows counselors to ensure appropriate course scheduling, ensures that

transfer students are able to continue their pathway at a new school, allows students and parents to see the opportunities for dual credit and to earn industry certifications, and is also a road map for future pathway improvements for JCPS. The inclusion of dual credit both on this form and in the district is also designed to improve student acceleration and the overall learning process in the district.

What evidence is there that these are working?

While it is evident from interviews that data is being utilized within the district, data reviews indicate that gaps do persist in student performance in several demographic groups, such as African American students. This same review of data also shows many improvements in teaching and learning, especially with English Learners and with the earning of industry certifications by all students. English Learners in JCPS are outperforming those in the state on CTE End-of-Program assessments. Likewise, both the number of industry certifications earned and the unique number of students earning industry certifications has improved each year.

Dual credit data shows improvement in all areas and it is evident from this data that dual credit has been a strategic focus of the district; however, interviews with school staff uncovered limited dual credit opportunities in some of the schools. Due to these interviews, KDE CTE staff reviewed individual school data and it is apparent from the data that, while dual credit has increased dramatically for the district as a whole, such gains are not as evident in all high schools and that dual credit offerings are not equitable across all schools.

Interviewees also frequently discussed how the CTE improvement work has had a positive impact on graduation rates, student attendance, behavior incidences, CTE concentrator numbers and pathway completion percentages. Data from this review of JCPS supports many of these improvements that were discussed, with the exception of behavior events, which have continued to increase. CTE-specific data for concentrators, enrollments, pathways, and completion is a positive highlight and does reflect increases across the district.

What data and information are used?

The focus of most of the data discussions was around the transition readiness indicators and the improvements in that area of the assessment and accountability framework. It is unfortunate that COVID-19 prevented this data from being available for the 2019-2020 school year, but based on anecdotal information discussed with district and school staff, as well as data available in the “name and need” charts, it appears that the transition readiness increases could have been a big highlight for the district.

INTEGRATION

How is the learning from each of the levels used to improve the overall system?

At all levels, the strong partnerships between the schools and the district office were evident. While these partnerships were not all with the Transition Readiness office, it was apparent that the schools were receiving information and support from the district’s central office staff. The Transition Readiness office has developed strong relationships with the high schools and the school administration talked about this partnership several times. The Audit Review Team would recommend expanding these partnerships more extensively with

elementary, middle and alternative schools over time, as these efforts will have a more systemic impact on the district overall. It is acknowledged that many of the district's processes are new and this level of partnership will take time to build at all levels. Based upon the interviews, the biggest area of concern for the Audit Review Team is that the same level of partnership and understanding between the central office staff and school administrators was not completely evident at the high school teacher and CTE classroom level. It is apparent, as stated many times, that a strong partnership exists between the district and the high school administrators, but from interviews, some of this information was not reaching the high school teachers. It is recommended that current communication processes be evaluated, or new protocols be established, to ensure that high school administrators and academy coaches are communicating all CTE-related information and initiatives regularly with teachers, with mechanisms in place to ensure understanding and allow for feedback loops among all teachers within their buildings.

CTE Recommendations:

- It is recommended that the district focus efforts on more partnerships between the schools, businesses and the community. This focus should include more emphasis on work-based learning opportunities as an integral component of all career pathways. Community engagement and work-based learning experiences were a common theme of the district staff interviews, but the actual experiences and opportunities discussed in school interviews appeared to be very limited in nature. School interviewees discussed highlights and efforts with one specific company, but did not discuss a variety of opportunities taking place in work-based learning aligned with career pathways. JCPS has, however, created a strong WBL manual, for which we recommend providing intentional training for school staff to ensure utilization.
- It is recommended that current communication processes be evaluated, or new protocols be established, to ensure that high school administrators and academy coaches are communicating all CTE-related information and initiatives regularly with teachers, with mechanisms in place to ensure understanding and allow for feedback loops among all teachers within their buildings.
- The district should be commended for utilizing the corrective action plan as a means to establish process documents and protocols for CTE. It is recommended that the district evaluate these to determine their effectiveness and if overlapping processes are in place. This evaluation will allow the district to simplify or reduce the number of processes in place, which in turn will provide more accurate and thorough monitoring of their implementation. It is highly recommended that the district continue these efforts after the corrective action plan ends to sustain the effective practices. The KDE CTE team specifically recommends continuing high school redesign efforts, like the Academies of Louisville as these processes are still new, but have already been shown to have great potential.
- To improve college and career advising and program improvement efforts it is recommended that the district tie the ILP with the "name and need" chart to have the students' post-high school goals aligned with the transition readiness data. This will allow advisors to determine if the transition data is aligned to the students' post-high school goals. Further, we recommend the addition of post-high school data elements into the "name and need" chart as a way to enhance program improvement. With the addition

of these data elements, which could be requested from the Kentucky Center for Statistics (KYSTATS), JCPS will be able to create a process to continually evaluate the effectiveness of each of their existing programs and make improvements when needed.

- The school master schedules reviewed during the audit showed that the district is working to improve the consistency of these across schools. The 2020-21 school year schedules showed improvement over the 2019-20 schedules and it is encouraged to continue this process to further align these across schools. It is also encouraged that the title of the course on the master schedule and the title of the course on the CPTs match to decrease likelihood of monitoring errors.
- JCPS is already focusing efforts to provide more dual credit opportunities within the district, however, we recommend using dual credit data on type and location to evaluate equality in these offerings across the district. The KDE CTE team also recommends that the district continue its efforts to embed dual credit across all pathways.
- The KDE CTE team would also recommend expanding the already established implementation and scaling efforts at the middle school level and with alternative schools. It is recommended that these partnerships be established more extensively with elementary schools over time, as these efforts will have a more systemic impact on the district overall.

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

Kentucky Department of Education
Office of Special Education and Early Learning

Management Audit Report

JEFFERSON COUNTY PUBLIC SCHOOLS

November 20, 2020

INTRODUCTION AND PURPOSE OF THE REVIEW

Since October 2017 Jefferson County Public Schools (JCPS) has been under a Corrective Action Plan (CAP) for violations of the Individuals with Disabilities Education Act (IDEA). The CAP resulted from a management audit that occurred in April 2017. The Kentucky Department of Education (KDE) Division of Learning Services, which is now the Office of Special Education and Early Learning (OSEEL), led the IDEA section of the 2017 management audit and is responsible for oversight of the CAP.

The October 9, 2017 Report of Findings Related to Exceptional Child Education (ECE) services outlined the Findings of Fact and Conclusions for 10 areas of noncompliance under the IDEA.

OSEEL staff returned to JCPS to conduct follow-up visits from September 10-21, 2018. The purpose of the onsite visit was to determine the impact CAP activities made at the school and student levels. Following that visit, an updated IDEA CAP was issued to the district on March 5, 2019.

During the pendency of the CAPs, the district used a web-based spreadsheet called SmartSheet to track CAP activities and progress. This resulted in an organized and timely file sharing process between the district and KDE. The district and KDE staff were able to review and update the SmartSheet instantaneously.

As of the date of this report, the district has taken necessary steps toward the completion of both the IDEA and the physical restraint and seclusion CAPs. To move the IDEA CAP toward closure, a review of updated data, which OSEEL's Division of Monitoring and Results (DIMR) conducts through comparison folder reviews, must be completed as specified in the [Office of Special Education Programs \(OSEP\) Memo 09-02](#). Additionally, to move toward closure of the physical restraint and seclusion CAP, all issues cited in this report must be remedied to bring the district into compliance with [704 KAR 7:160](#).

EVIDENCE CONSIDERED

On September 29-October 9, 2020, OSEEL staff conducted scheduled virtual interviews with JCPS staff from the following locations:

- Central Office
- 22 Elementary Schools including:
 - Atkinson Academy
 - Bowen Elementary

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

- Carter Traditional Elementary
- Chenoweth Elementary
- Cochran Elementary
- Crums Lane Elementary
- Fairdale Elementary
- Farmer Elementary
- Field Elementary
- Jacob Elementary
- Kerrick Elementary
- Luhr Elementary
- McFerran Preparatory Academy
- Medora Elementary
- Middletown Elementary
- Rangeland Elementary
- Shacklette Elementary
- Smyrna Elementary
- Stonestreet Elementary
- Stopher Elementary
- Wheatley Elementary
- Zachary Taylor Elementary
- Six Middle Schools including:
 - Crosby Middle School
 - Frederick Law Olmstead Academy North
 - Jefferson County Traditional Middle School
 - Lassiter Middle School
 - Thomas Jefferson Middle School
 - Western Middle School for the Arts
- Six High Schools including:
 - Ballard High School
 - Butler Traditional High School
 - Fairdale High School
 - Fern Creek High School
 - Liberty High School
 - Waggener High School
- Three District Operated Special Education Programs (A3) including:
 - Ahrens Educational Resource Center
 - Binet School
 - Waller-Williams Environmental School
- Three Alternative Schools including:
 - Breckenridge Metropolitan High School

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

- Minor Daniels Academy
- Phoenix School of Discovery

The following investigative activities were conducted:

- formal interviews with Jefferson County staff consisted of:
 - 13 central office staff
 - 243 school administrators
 - 356 school employees
- a review of the following:
 - [JCPS website](#)
 - [Exceptional Child Education Procedures 2020](#)
 - [Student Support and Behavior Intervention Handbook](#)
 - JCPS [Multi-Tiered Systems of Support \(MTSS\)](#) webpage
 - 2019-20 IDEA Child Count Data
 - 2019-20 removal data for students with Individual Education Programs (IEPs)
 - 2019-20 physical restraint and seclusion data for students with IEPs
- record reviews for 66 individual students with disabilities:
 - due process records
 - Infinite Campus behavior tab data
 - evaluation information
 - attendance records
 - enrollment records
 - student Behavior Intervention Plans (BIPs)
 - student behavior progress monitoring

Student due process records for the review of IDEA compliance were chosen based on in-school and out-of-school removals and removals to Interim Alternative Educational Settings (IAES). Additional records were chosen randomly from active student due process records from the 2019-2020 school year, across all grade levels and disability categories.

Student records were selected for the physical restraint and seclusion review based on three criteria: numbers of physical restraint and seclusion of black students, numbers of students with IEPs, numbers of physical restraint or seclusion, or a combination of all three.

EXECUTIVE SUMMARY

The district updated its procedures by revising the [Exceptional Child Education Procedures 2020](#), the [Student Support and Behavior Intervention Handbook](#) and creating a [Multi-Tiered Systems of Support](#) website that includes an academic and behavior toolkit. Additionally, changes to the organizational structure of JCPS improved the ECE department's ability to oversee the district's special education program. Based on the findings of the previous audit, the Superintendent followed an OSEEL recommendation to hire a Chief of Exceptional Children which resulted in special education programming being included in conversations during executive leadership meetings. This also allowed

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

the district to elevate the concerns of the ECE program to the attention of the superintendent. Under the Chief's leadership, the district changed the structure of the special education department, strategically planned how to increase the capacity of staff through professional development, and improved programming for students with disabilities.

Conversations about the ECE program became a regular part of executive leadership meetings. Because of the increased focus on special education, the superintendent allocated financial resources for ECE initiatives. One such initiative included the addition of ECE Implementation Coaches within schools. Based on school interviews, it was evident the ECE Implementation Coaches provide necessary supports by leading IDEA compliance activities at the school level. Additionally, the creation of the ECE Implementation Coach position allowed school counselors to provide additional support to students.

Between February 2019-September 2020, JCPS addressed the following issues in the IDEA CAP and the physical restraint and seclusion CAP as outlined below:

Issue 1: Collection and Analysis of Student Discipline Data

- The Superintendent sent a letter to school administrators on February 20, 2019 directing them to ensure accurate student discipline data is collected within the statewide student information system, known as Infinite Campus (IC). The letter also established expectations for administrators to record the loss of instructional opportunities when a student was removed from instruction either by an adult or self-initiated student action.
- The district named a data steward at each school who is responsible for entering discipline data into Infinite Campus (IC). The names of the data stewards are updated quarterly.
- OSEEL provided training for data stewards on the Kentucky Student Information System (KSIS) Data Standards and discipline reporting procedures.
- The district created an orientation plan for new data stewards.
- The district conducted weekly district data team meetings to review discipline error reports and monitor the correction of errors.
- The district developed school behavior profile sheets and used them during the monthly cross analysis of attendance and behavior data.
- The district created a data dashboard, Data Management Center (DMC), to assist schools with analyzing discipline data.

Issue 2: Significant Disproportionality/Comprehensive Coordinated Early Intervening Services

- Comprehensive Coordinated Early Intervening Services (CCEIS) training occurred in the summer of 2019 for principals and assistant principals.
- ECE Implementation coaches were trained to provide support to schools identified in the CCEIS risk assessment process.
- The Greater Louisville Education Cooperative (GLEC) conducted training related to Significant Disproportionality under the IDEA and CCEIS.
- The IDEA Data Center (IDC) provided training to central office staff on Significant Disproportionality.

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

- The Board of Education approved and revised ECE procedures and published the procedures on the district website as part of the CCEIS review.
- The district identified schools for CCEIS through a risk-based data determination process for behavior screener implementation.
- Teachers were trained in Restorative Practices as part of the CCEIS Improvement Plan.
- The district completed a new CCEIS Improvement Plan and Risk Assessment for the 2020-2021 school year.

Issue 3: Positive Behavioral Interventions and Supports (PBIS)

- The Board of Education approved the [Student Support and Behavior Intervention Handbook](#) which describes behavior levels and clarifies that a removal includes in-school and out-of-school suspensions.
- The district published the [Student Support and Behavior Intervention Handbook](#) on the district website.
- The district created a [Multi-Tiered Systems of Support](#) website which includes an academic and behavior toolkit.

Issue 4: Continuum of Educational Settings under the IDEA

- The district conducted training regarding continuum of settings, least restrictive environment, harmful effects, and Admissions and Release Committee (ARC) decision-making requirements for ARC chairs, implementation coaches, building principals and assistant principals.
- The district created a strategic district-wide orientation plan to provide communication and training to new staff throughout the school year.
- The superintendent sent a letter to principals and assistant principals stating all decisions for students with disabilities must be made by the ARC. The letter further stated district level staff were not to unilaterally make placement decisions for students with disabilities and parents were no longer required to contact the Office of Culture and Climate to request placement options.
- The district developed an ARC Chair Protocol to guide the ARC with documentation of the harmful effects which may be present when placing students in more restrictive settings.
- The district performed ongoing internal desk audits of due process records to monitor IDEA compliance.
- The district required schools to individualize behavior point sheets to reflect student goals and criterion.
- District administrative staff established weekly Coordination of Student Supports meetings at the district level for reviewing academic and behavior supports and progress for at-risk students.

Issue 5: Disciplinary Procedures

- GLEC conducted training for all building administrators, ARC chairs, and teachers of record regarding manifestation determination procedures and requirements, functional behavior assessments and behavior intervention plans.
- The district created a strategic district-wide orientation plan to provide timely communication

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

and training to new staff throughout the school year.

- The Board of Education approved revised ECE procedures and amended policies regarding manifestation determination guidelines and removed the unnecessary obligation to conduct a manifestation determination review once removals exceed six days.
- The district created an alert protocol to send automated daily emails to school administrators, the district behavior coordinator and the director of special education (DoSE) when a student's number of out-of-school removals reach the sixth day and when the sum of all removals exceeded the 10th day.
- Continual due process record reviews by the district and the KDE monitored whether the ARC appropriately planned for and offered compensatory education services.

Issue 6: Admissions and Release Committee Process

- An ARC Chair Protocol was created and implemented to ensure district- identified components of the ARC meeting are documented.
- GLEC conducted training for ARC chairs on the ARC Chair Protocol created by the district.
- The district created a strategic district-wide orientation plan to provide timely communication and training to new staff throughout the school year.
- The superintendent authorized in writing that the following positions were able to allocate district resources during ARC meetings:
 - chief of exceptional child education
 - director exceptional child education (DoSE)
 - school principals
 - ARC chairpersons
- Each school identified personnel by name to fulfill the ARC chair responsibilities given by the superintendent. The list is updated quarterly.

Issue 7: Child Find and Evaluation

- All teachers signed a statement of understanding regarding [OSEP Memo 11-07](#).
- The district revised its [Exceptional Child Education Procedures 2020](#) which includes the special education referral system. The Board of Education approved the revised procedures which have been published on the district's website.
- The district established a communication protocol between the ECE department and the Office of Culture and Climate regarding discipline practices for students with disabilities.
- The district developed MTSS Toolkits that included a targeted group of high-yield practices that foster relationships between adults and students designed to improve outcomes for all students.

Issue 8: Supplementary Aids and Supports, Related Services, and Program Modifications / Supports for Schools

- GLEC conducted training for school counselors, ARC chairs and school psychologists on documentation of counseling as a related service.
- The district added district-employed mental health practitioners at every school.

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

- The district transferred ARC chair job duties from school counselors to ECE Implementation Coaches to allow time for school counselors to provide mental health support to students.
- The district reported an increase of students with counseling as a related service from six in April 2018 to 183 in January 2019.

Issue 9: Physical Restraint and Seclusion

- The district promulgated district physical restraint and seclusion policies and practices as outlined in [704 Kentucky Administrative Regulations \(KAR\) 7:160](#).
 - [JCPS board policy 09.2212](#)– Use of Physical Restraint and Seclusion was dated as adopted/amended on September 9, 2013.
 - A copy of the district’s [Procedures for the Use of Physical Restraint or Seclusion](#) was posted to the district’s website with a formal revision date of October 11, 2017.
- District personnel meet regularly to review physical restraint and seclusion data.
- The district named a Safe Crisis Management (SCM) lead whose responsibilities include oversight of all physical restraint and seclusion policies, procedures and practices in the district.
- The district offered SCM training to all personnel who implement physical restraint and seclusion in schools.
- The district monitors and maintains a list of personnel trained in SCM procedures.
- District staff utilized a SmartSheet to maintain and document requirements of the current Physical Restraint and Seclusion CAP.
- The district established a system for central office personnel to meet regularly to review data and items submitted for documentation of physical restraint and seclusion.
- The district conducted random monthly desk audits of physical restraint and seclusion throughout the district to examine staff patterns, student patterns, school patterns, and unwarranted physical restraint and seclusion.
- District staff met on a regular basis to discuss the status of physical restraint and seclusion in the district.
- The district developed a debriefing form to be completed after every physical restraint and seclusion. The district monitors the use of the debriefing form through desk audit data. District debriefing protocols were also clarified to indicate the expectation of a debriefing session after every physical restraint or seclusion regardless of parent participation, as soon as practicable, but no later than five school days following a physical restraint or seclusion.
- School administrators and SCM team members were trained to maintain all debriefing documentation.
- District personnel completed SCM trainings for staff in the district.

While JCPS is to be commended for completing many required CAP activities, the results of the most recent onsite audit revealed that IDEA deficiencies identified in the previous management audit have not been fully remedied. JCPS has progressed in its efforts to implement and sustain systemic change. However, despite the improvements the OSEEL verified persistent systemic findings of noncompliance.

Subject to oversight by the KDE, JCPS must address the root cause of noncompliance and correct the

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

noncompliance. Under 20 U.S.C. 1412, the KDE is responsible for the general supervision of all educational programs for children with disabilities in this state and for ensuring that IDEA deficiencies are identified and corrected. Pursuant to [707 KAR 1:380](#), the KDE will continue technical assistance in the district until JCPS can demonstrate 100% compliance. Because JCPS remains noncompliant past the one-year deadline for an IDEA CAP, it is imperative the work toward systemic compliance continues at an accelerated pace.

ISSUES

KDE-IDENTIFIED ISSUE	REGULATORY ALIGNMENT
Issue 1: Collection and Analysis of Student Discipline Data	KRS 158.444 704 KAR 7:160, Section 7
Issue 2: Significant Disproportionality and Comprehensive Coordinated Early Intervening Services	34 CFR §300.646
Issue 3: Positive Behavioral Interventions and Supports	707 KAR 1:320, Section 5 (2) (a)
Issue 4: Continuum of Educational Settings under the IDEA	707 KAR 1:350, Section 1 (2)
Issue 5: Disciplinary Procedures	707 KAR 1:340, Section 13 (6) 707 KAR 1:340, Section 14
Issue 6: Admissions and Release Committee (ARC)	707 KAR 1:320, Section 3 (1) (d)
Issue 7: Child Find and Evaluation	707 KAR 1:300, Section 1 (1)
Issue 8: Supplementary Aids and Services, Related Services and Program Modifications / Supports for School Personnel	707 KAR 1:002, Section 1 (27) 707 KAR 1:290, Section 1 (1) 707 KAR 1:290, Section 5 (1) 707 KAR 1:320, Section 5 (5) (c)
Issue 9: Physical Restraint and Seclusion	704 KAR 7:160
Additional Issue 10: Individual Education Program (IEP)	707 KAR 1:320, Section 2 707 KAR 1:320, Section 3 707 KAR 1:320, Section 4 707 KAR 1:320, Section 5 707 KAR 1:350, Section 1 (5)

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

FINDINGS OF FACT AND CONCLUSIONS

Issue 1: Collection and Analysis of Student Discipline Data

1. The October 9, 2017 Report of Findings Related to Exceptional Children Services has been incorporated herein by reference.
2. The February 5, 2018 CAP Status Report of Findings Related to Exceptional Children Services has been incorporated herein by reference.
3. The district took numerous steps, as outlined above, toward improving its collection and analysis of student-level data.
4. Reporting accurate discipline data is required under 20 USC §1418 (a), which obliges each state to submit data about children with disabilities, ages 3 through 21, who receive special education and related services under Part B of *IDEA*.
5. The KDE annually analyzes and reports Safe Schools Data that includes disciplinary events that occurred throughout the year.
6. As written in the KSIS Data Standards, when a student is removed from their current setting due to a disciplinary action, regardless of the duration of the removal, this event must be entered into IC with the appropriate resolution code documented.
7. The district reported zero Safe Schools data errors for the 2019-2020 school year.
8. According to the JCPS behavior resolution map, when a student is assigned to any of the following, it is considered a removal that must be captured in the Safe Schools Data:
 - a. In-School Alternative Program (ISAP)
 - b. Office Time Out
 - c. Out-of-School Suspension (OSS)
 - d. Positive Action Center (PAC)
 - e. Team Time Out
9. The Student Support and Behavior Intervention Handbook for the 2019-20 school year confirmed these settings are removals that must be included in the Safe Schools Data.
10. A review of 30 due process records revealed the following:
 - a. 70% of records documented a behavior event within IC; however, the resolution was not mapped to a state removal code which would result in these removals not being reported in the district's Safe Schools Data.
 - b. In 15 due process records reviewed, the behavior detail was missing some or all of the following within the behavior resolution details on the Behavior Detail Report:
 - i. start date
 - ii. end date
 - iii. start time
 - iv. end time
 - c. Based on a cross analysis between the IC behavior detail report and the student attendance detail, 13% of records revealed OSS events with an early dismissal the day before the suspension which was coded as an absence instead of as part of the suspension.

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

11. In 7% of the due process records reviewed, there was a one- or two-day gap in the student's enrollment following an ARC decision for alternative placement. These gaps began immediately following a behavior event and lasted until enrollment at an alternative school began. These enrollment gaps happen when a student is given an undocumented OSS prior to enrollment in an alternative school.
12. SSP7 is the state required code in IC for physical restraint. SSP8 is the state required code in IC for seclusion.
13. A review of physical restraint and seclusion in the district revealed the following:
 - a. During interviews, 21 schools discussed correct procedures for documenting physical restraint and seclusion in IC.
 - b. At one school, attendance staff could not articulate the requirements for documentation of student removals for behavior within the school. These staff explained they were responsible for inputting the data. However, they were not aware of removal recording practices, policies, and procedures.
 - c. Interviews at one school indicated that there was no clear plan for entering behavior incidents, including physical restraints and seclusions, into IC for the current school year.
 - d. A behavior documentation referral system using Google Forms was described in interviews at one school. The information from this system was then transferred to IC by the data clerk.
 - e. In interviews at one school, a documentation system using Google Forms was used for recording student removals until students met a "benchmark". Only when this "benchmark" was met was the subsequent removal entered into IC.
 - f. Interviews at one school indicated students were sent home after physical restraint or seclusion without the incident being coded in IC as a removal.
 - g. In one student record, only seven out of 35 physical restraints were documented as an SSP7 resolution in the IC behavior detail report. This resulted in 28 incidents of physical restraint being unreported in the district's Safe Schools Data.
 - h. There were 39 instances of undocumented physical restraint where details of a physical restraint were described in the detailed narrative of events but the physical restraints were not coded as an "SSP7: Restraint" as outlined in the [Data Standard Behavior \(Safe Schools\) Data Entry](#). Of the undocumented restraints, 28 occurred in one school.

Conclusions:

- A. The district's efforts toward improving the collection and analysis of data have not resolved the issue of failing to collect accurate data at each school within the district.
- B. Despite improvements and district-level initiatives, the district has failed to maintain accurate data in the statewide student information system by failing to include all discipline events, **in violation** of [Kentucky Revised Statutes \(KRS\) 158.444](#).
- C. The district is **in violation** of [704 KAR 7:160, Section 7](#) for failing to report all incidents of physical restraint in the statewide student information system.

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

Issue 2: Significant Disproportionality/CCEIS

14. All the above findings are incorporated by reference.
15. The district took numerous steps, as outlined above, toward addressing the root causes of its significant disproportionality.
16. The requirement of CCEIS is to provide comprehensive coordinated early intervening services to address factors contributing to the significant disproportionality. These requirements for CCEIS are outlined in [34 Code of Federal Regulations \(CFR\) 300.646](#).
17. For eight of the last nine school years (2011-2012 through 2020-2021), the district has been required to provide Coordinated Early Intervening Services (CEIS) and CCEIS due to significant disproportionality related to disciplinary removals of black students with IEPs (see [34 CFR 300.646](#)).
18. The table below lists the areas for which the district is currently identified for significant disproportionality.

Area(s) of Significant Disproportionality	Methodology Used			Risk Ratio			Reasonable Progress	
	2016-17	2017-18	2018-19	2016-17	2017-18	2018-19	2017-18	2018-19
Discipline: In-School Removals Greater Than 10 Days-Black	Risk Ratio	Risk Ratio	Risk Ratio	4.950	5.536	5.323	No	Yes
Discipline: All Disciplinary Removal Events-Black	Risk Ratio	Risk Ratio	Risk Ratio	3.382	3.345	3.193	No	Yes
Discipline: Out of School Removals Greater Than 10 Days-Black	Risk Ratio	Risk Ratio	Risk Ratio	6.924	5.719	4.953	Yes	Yes

19. As allowed under the flexibility described in [34 CFR 300.647 \(d\) \(2\)](#), the KDE included in Kentucky’s methodology for determining significant disproportionality a three year review of data and a standard for reasonable progress in the calculated risk ratio as having to exceed a 0.05 year-over-year improvement from the prior year’s ratio for a three-year period. If an LEA with a risk ratio of greater than 3.0 in each of the three years used to determine if significant disproportionality exists demonstrates that in each of the two most recent years it reduced its risk ratio in the examined area by 0.05 or more it would not be required to implement CCEIS under [34 CFR 300.646](#) the following year.

REPORT OF FINDINGS RELATED TO

SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

- a. As evidenced in the table above, in the category of *Discipline: Out of School Removals Greater Than 10 Days-Black*, the district met the reasonable progress standard in each of the last two-years data were reviewed. As a result, despite this particular area continuing to exceed the risk ratio of 3.0, it did not contribute to the requirement that the district implement CCEIS. Reasonable progress only exempts a district from implementing CCEIS one year at a time. If the district fails to meet the reasonable progress the next year and exceeds the 3.0 risk ratio threshold it will be required to implement CCEIS the next school year.
 - b. As further evidenced in the preceding table, the district was found to have significant disproportionality in two other categories, *Discipline: All Disciplinary Removal Events-Black* and *Discipline: In-School Removals Greater Than 10 Days-Black*. In both of these categories the district not only exceeded the risk ratio threshold of 3.0 for three consecutive years, but also failed to demonstrate reasonable progress in each of the last two years, resulting in this finding and the continued requirement to implement CCEIS.
20. CCEIS are provided to students based on the factors that lead to the finding of significant disproportionality as determined in the district's root cause analysis. This includes students with and without disabilities. CCEIS should not supplant any other services the student is entitled to receive whether that is other intervention services the district provides or special education services the students receive because of their disability.
21. The district's CCEIS plan for the 2019-20 school year relied heavily on personnel. Personnel and related costs comprising over \$3,548,010 (98.9%) of a required set aside of 15% of IDEA funds equaling \$3,588,010. As the guidance for CCEIS under [34 CFR 300.646 \(d\) \(1\)](#) states, primary use of funds are outlined as follows:
- “In implementing comprehensive coordinated early intervening services an LEA—
- i. May carry out activities that include professional development and educational and behavioral evaluations, services, and supports.
 - ii. Must identify and address the factors contributing to the significant disproportionality, which may include, among other identified factors, a lack of access to scientifically based instruction; economic, cultural, or linguistic barriers to appropriate identification or placement in particular educational settings; inappropriate use of disciplinary removals; lack of access to appropriate diagnostic screenings; differences in academic achievement levels; and policies, practices, or procedures that contribute to the significant disproportionality.
 - iii. Must address a policy, practice, or procedure it identifies as contributing to the significant disproportionality, including a policy, practice or procedure that results in a failure to identify, or the inappropriate identification of, a racial or ethnic group (or groups).”
22. As a result of a finding of significant disproportionality under [34 CFR 300.646](#) in school years 2016-17 through 2018-19, the district was required to set aside 15% of its combined IDEA Part B funds from Sections 611 and 619 to provide CCEIS during the 2020-21 school year. This resulted in \$3,676,220 of the district's IDEA allocations being reserved to provide CCEIS as opposed to paying for the excess cost of providing special education and related services to children with disabilities.

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

23. Findings of significant disproportionality in eight of the last nine years have resulted in the district reserving IDEA funds in excess of \$30,000,000 since 2011. These were funds originally allocated to provide special education and related services to students with disabilities that were spent for other purposes.
24. As a result of a finding of continued significant disproportionality for the 2020-21 school year, a new CCEIS Improvement Plan and Risk Assessment have been completed by the district.

Conclusions:

- A. While data related to significant disproportionality indicate recent improvements, root causes contributing to those issues remain.
- B. The reasonable progress standard used in Kentucky's methodology for determining significant disproportionality year over year for the past three consecutive school years (2016-17 to 2017-18 and 2017-18 to 2018-19) under [34 CFR 300.646](#) were not met, resulting in a finding that the district is **in violation** of the regulation.

Issue 3: Positive Behavioral Interventions and Supports

25. All the above Findings are incorporated by reference.
26. The district took numerous steps, as outlined above, toward improving positive behavioral interventions and supports.
27. PBIS has been the sole approach focusing on student behavior that is specifically addressed in the IDEA.
28. Communication between the ECE and Culture and Climate departments has improved due to the communication protocol developed by the district.
29. According to interviews, school level data teams have met to discuss behavior, academic, and engagement challenges for students.
30. The [MTSS Toolkits](#) described a system of support that includes three tiers.
 - a. Tier 1 included school-wide and proactive classroom strategies, with eighty percent (80%) of students in the building meeting school-wide expectations.
 - b. Tier 2 included additional supports including specialized strategies. Fifteen percent (15%) of students will likely receive support at this level.
 - c. Tier 3 included the remaining five percent (5%) of students whose needs included wrap around services and intensive interventions.
31. According to the district, as part of CAP activities, each school created its own MTSS handbook.
32. All school MTSS teams met to intervene on behavior, academic and engagement challenges for students.
33. The [Student Support and Behavior Intervention Handbook](#) was posted to the district website for public use.
34. The [Student Support and Behavior Intervention Handbook](#) stated "an intervention is intended to be instructive, not punitive; is based on the principle of positive and preventative discipline; and is aimed at addressing the causes of misbehavior, resolving conflict, meeting students' needs and keeping students in school."

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

35. The [Student Support and Behavior Intervention Handbook](#) suggested staff model expectations and be involved in supporting positive school behavior by implementing suggested proactive supports. These proactive supports include creating positive schoolwide expectations that are clearly defined and taught and are retaught throughout the school year, establishing a schoolwide acknowledgement system, and employing targeted strategies for groups of students.
36. School administrators interviewed stated PBIS was used schoolwide.
37. Interviews indicated PBIS was widely associated with Tier 1 supports as part of each school's MTSS.
38. The district provided the OSEEL with the JCPS MTSS Handbook which was revised and made available to all JCPS schools and each school has its own MTSS manual based on the district framework.
39. Some interviews among administrators credited their school's strong PBIS with the reduction in IC behavior events and fewer instances of removal.
40. All the schools interviewed regarding PBIS/MTSS described a system of increasing and decreasing levels of interventions based on data.
41. Based on 30 student due process record reviews, all IEPs where the ARC documented the student's behavior impedes the student's learning included positive behavior intervention strategies in the IEP.

Conclusions:

- A. The district demonstrated its willingness to implement innovative strategies, such as PBIS, to address behavior and discipline needs of students.
- B. The district expanded MTSS across the district with the MTSS Toolkit and an MTSS plan for each school.
- C. The district is **in compliance** with [707 KAR 1:320, Section 5 \(2\) \(a\)](#).

Issue 4: Continuum of Educational Settings under the IDEA

42. All the above Findings are incorporated by reference.
43. The district has taken numerous steps, as outlined above, toward improving its continuum of educational settings under the IDEA.
44. Staff interviews articulated placement decisions are made through the ARC process.
45. According to central office interviews the district added four classrooms at alternative school buildings at the beginning of the 2020-2021 school year.
46. The alternative K-4 classrooms at Waller-Williams Environmental School moved into a separate building at the beginning of the 2020-2021 school year.
47. Interviews at one school revealed significant concerns regarding the number of alternative placement seats. In interviews at this school:
 - a. An administrator stated the district needed more alternative settings because parents are asking for more intensive environments.
 - b. The administrator stated it was hard for some students to get the environment they needed because there was a barrier with the number of seats, not only for their building but in the district as a whole.

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

- c. It was further stated the protocol was to go through central office and that “everyone at the district level opposes us.”
- d. Administrator interviews stated students leaving alternative schools are not sent to the school they originally attended, but to a transitional school, requiring up to three buses to transport.
- e. When students return from the alternative school setting, staff explained this school becomes a “dumping ground” for students who need a more “intensive environment” than their home school or are not wanted back at their home school because of previous discipline issues.
- f. Another individual at the school stated there are no vacancies at any alternative school location so the student stays at the current school.
- g. School staff stated in interviews alternative placement is a “negotiation” with the district because they only have so many seats available.

Conclusions:

- A. The district has made recent changes to improve its continuum of educational settings.
- B. Interviewees at one school consistently identified and described a lack of available seats.
- C. Based on the information provided during interviews at one school, and the consistency of that information, the KDE finds a violation of 707 KAR 1:350, Section 1 (2).
- D. Much as the KDE is responsible for the general supervision of educational programs for children with disabilities in the state, the district has administrative control of the schools in the district. Therefore, the district is **in violation** of [707 KAR 1:350, Section 1 \(2\)](#).

Issue 5: Disciplinary Procedures

- 48. All the above Findings are incorporated by reference.
- 49. The district took numerous steps, as outlined above, toward improving its disciplinary procedures under the IDEA.
- 50. The [Student Support and Behavior Intervention Handbook](#) states school personnel may remove a student with a disability from the student’s current placement for no more than 10 school days.
- 51. The district’s changes to the [Student Support and Behavior Intervention Handbook](#) have clarified requirements related to disciplinary requirements.
- 52. Overwhelmingly, interviews at the school level expressed the desire to keep students in class and acknowledged time out of the classroom is the least desirable consequence for behavior.
- 53. Interviews consistently described a push-in model that keeps students in class versus a removal model to address classroom behavior. The push-in model consists of administrators being called into the classroom to assist the student in de-escalation and redirection within the classroom.
- 54. According to interviews, removals from the classroom were consistently regarded as necessary only when the student was a danger to self or others.
- 55. While interviews with principals and ARC chairs indicated they are aware it is a requirement for a manifestation determination to occur when suspensions exceed 10 days, some said their protocol was to convene an ARC earlier to assess the necessary support for the student.
- 56. Two student due process records revealed errors in the disciplinary procedures conducted:
 - a. In one record, the student was removed from their current placement for more than 10 school

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

days in the same school year. The ARC did not convene a meeting to review all relevant information in the student's file to determine if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability, or if it was the direct result of the district's failure to implement the IEP.

- b. In the second record, the student was repeatedly suspended past 10 school days. The ARC determined the student's behavior was not a manifestation of the student's disability based on the student's eligibility category. However, the student's BIP and Functional Behavior Assessment (FBA) focused on the behaviors that resulted in the student's removal from their current placement. The ARC's decision that behaviors were not a manifestation of the student's disability was inconsistent with evidence documented in the BIP, FBA and conference summary.

Conclusions:

- A. The district's alert protocol has positively impacted administrator awareness of when a manifestation determination is necessary.
- B. However, errors in manifestation determination proceedings have been substantiated.
- C. As such, the district continues to be **in violation** of [707 KAR 1:340, Section 14 \(1\) and \(2\)](#).

Issue 6: ARC Process

- 57. All the above Findings are incorporated by reference.
- 58. The district has taken numerous steps, as outlined above, toward improving the ARC process in the district.
- 59. Interviews confirmed administrative and classroom staff understand the ARC has the responsibility for making all decisions pertaining to ECE students.
- 60. Interviews demonstrated decisions for special education students are made through the ARC process.

Conclusions:

- A. The hiring of implementation coaches and ongoing training provided by the district and GLEC in response to the IDEA CAP has increased understanding across the district that the ARC is the decision-making body for all decisions surrounding ECE students.
- B. The district is **in compliance** with the ARC decision making process found in [707 KAR 1:320, Section 3 \(1\) \(d\)](#).

Issue 7: Child Find under the IDEA

- 61. All the above Findings are incorporated by reference.
- 62. The district took numerous steps, as outlined above, toward improving its Child Find procedures.
- 63. The district provided the OSEEL with the JCPS MTSS Handbook and according to the district, each school had its own MTSS manual based on the district framework.
- 64. School staff interviews indicated wrap around services were available for students through community mental health supports, family resource centers and social programs.
- 65. Interviews indicated that when students reach the need for intensive services, the students are referred for special education evaluation.

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

66. Staff at the middle and high schools stated most students have been identified for special education prior to enrolling. However, these schools had a procedure for referring students for special education.
67. Staff interviewed at the elementary level stated there is a policy and procedures for referring students for special education services.
68. Student-specific files evidenced evaluations were conducted within the required timeline.

Conclusions:

- A. The district has child find policies and procedures used by individual schools to locate, identify and evaluate students for special education.
- B. Therefore, the district is **in compliance** with [707 KAR 1:300, Section 1 \(1\)](#).

Issue 8: Supplementary Aids and Services, Related Services and Program Modifications/Supports for School Personnel

69. All the above Findings are incorporated by reference.
70. The district has taken numerous steps, as outlined above, toward improving supplementary aids and services, related services and program modifications/supports for school personnel.
71. Interviews revealed that in 41 out of 45 schools interviewed there was at least a half-time, district-provided, mental health provider.
72. Of the four schools that did not have a mental health provider, one did not have a staff position, one had a school counselor and two had vacancies for a mental health provider.
73. All school level staff interviewed were able to identify other school and community mental health services, such as Seven Counties, residential facilities and district behavior coaches.
74. Interviews with district mental health providers indicated they provide direct counseling services to students, lead small groups, are members of school administrative teams and respond to behavioral issues in the moment and by referral.
75. The schools were inconsistent on whether mental health services were immediately available for students, or if there was a waiting list.
76. Interviews indicated schools have some type of referral process for students and families to request mental health services.
77. One mental health provider stated mental health services are not included as an IEP related service because of needed flexibility in the provider's schedule.
78. Another mental health provider stated mental health counseling as an IEP related service has not been a priority or preference because providers want to have time for all students.
79. Out of 30 student due process records reviewed, the following was noted:
 - a. Only one record identified mental health as a related service, documenting 20 minutes, one time a month.
 - b. Six records identified Speech as a related service.
 - c. One record identified Physical Therapy as a related service.
 - d. Six records identified Special Transportation as a related service.
80. File reviews and interviews in the district did not reveal a lack of related service providers in the district.

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

Conclusions:

- A. The district has improved the accessibility of on-site district mental health providers and other related service providers at the school level.
- B. However, barriers related to administrative convenience still exist in some schools. Mental health services are not included in IEPs or are not made priorities because the convenience of the service providers and their preferences are given deference.
- C. 707 KAR 1:002, Section 1 (27) (b) defines a free appropriate public education as special education and related services that are provided in conformity with an individual education program. Giving primacy to factors other than individualized education is a denial of a free appropriate public education.
- D. The requirement of a free appropriate public education is not solely satisfied by the existence of related services. Related services must also be utilized for the benefit of students based on their individualized needs.
- E. Therefore the district is **in violation** of [707 KAR 1:290, Section 1 \(1\)](#).
- F. The district is **in violation** due to student-specific noncompliance related to the program modifications or supports for school personnel provided for the child found in [707 KAR 1:320, Section 5 \(5\) \(c\)](#).

Issue 9: Physical Restraint and Seclusion

- 81. All the above findings are incorporated by reference.
- 82. The district took numerous steps, as outlined above, toward improving physical restraint/seclusion policies and practices.
- 83. A review of physical restraint/seclusion data from the 2019-2020 school year revealed the following:
 - a. There were 2,384 physical restraints and 292 seclusions in the district during the 2019-2020 school year.
 - b. The district accounted for 44.28% of all physical restraints statewide.
 - c. Among students with disabilities, the district accounted for 41.71% of all physical restraints statewide.
 - d. Enrollment of black students in the district was 36.4% of total district enrollment while black students accounted for 64.68% of all physical restraints in the district.
 - e. One school in JCPS accounted for:
 - i. 94.18% of all seclusions in the district
 - ii. 23.39% of all physical restraints in the district
 - iii. 31.74% of physical restraints involving ECE students in the district
 - iv. 10.36% of all physical restraints statewide
- 84. [JCPS board policy 09.2212](#) requires the district to develop procedures to be followed during and after each use of physical restraint or seclusion. These procedures were outlined by the district in their [Procedures for the Use of Physical Restraint or Seclusion](#) document.
- 85. The district's [Procedures for the Use of Physical Restraint or Seclusion](#) document named Extended Arm Assist as a physical restraint that is permitted in the district, and consequently must be documented. Conversely, supporting documentation in student files indicated inconsistent

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

documentation of extended arm assists as physical restraints. In some files, extended arm assists were referenced in the incident description while not documented as a physical restraint.

86. Thirty-seven student records were examined for physical restraint and seclusion. Out of those 37 student records, 506 behavior events documenting either physical restraint or seclusion were found.

The following was discovered:

- a. Thirteen of the documented physical restraints were determined to be improper uses of physical restraint. A list of "Permitted SCM Emergency Physical Safety Interventions" approved for use in the district are listed in the district's [Procedures for the Use of Physical Restraint or Seclusion](#) document. Examples of restraints documented in IC but not listed as approved interventions included:
 - i. Eight instances of "holding the head" were documented.
 - ii. Five instances where physical restraints not listed in the above referenced document were used including seated cradle with a leg wrap, hand over forearm, two-person kneeling crossarm and extended arm torso.
- b. Fifty-four student records indicated physical restraint and seclusion were used to force compliance on the part of the student. A threat of harm to self or others was not clearly documented in these instances.
- c. Eighty-six of the district's physical restraint and/or seclusion records did not document the effectiveness of the physical restraint and/or seclusion.
- d. There were six instances where an injury was documented, but no medical intervention was offered to the student. One file identified the student's injury as "*Severe: Extreme Physical Pain*" but indicated "*No medical service was provided.*" No reporting to the KDE of this injury was documented.

87. During interviews with district staff, the following was revealed:

- a. School staff indicated an awareness of the requirement to physically restrain or seclude students only when the student posed a danger to themselves or others.
- b. School and district staff indicated a commitment to de-escalation practices, reducing the need to physically restrain or seclude students.
- c. All schools interviewed indicated participation in required training for physical restraint and seclusion.

88. The district's [Procedures for the Use of Physical Restraint or Seclusion](#) states, "A debriefing session shall be held as soon as possible after the imposition of physical restraint or seclusion upon a student with the student and/or parent at parent request." Even though procedures in the district require debriefing sessions as soon as possible, only 18 out of 25 schools reviewed for physical restraint and seclusion completed the debriefing protocol after physical restraint and seclusion.

89. One school indicated they did not have the required minimum of five members of its core team to respond to dangerous behavior and implement physical restraints and seclusion if the student's behavior was a safety issue. This minimum requirement is outlined in the district's [Procedures for the Use of Physical Restraint or Seclusion](#).

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

Conclusions:

- A. All the above findings are incorporated by reference.
- B. Multiple instances of improper use of physical restraint or seclusion were identified as part of the review.
- C. Furthermore, repeated instances of physical restraint and seclusion were noted as the primary means of discipline even though behavior interventions specified in the student's IEP were not implemented.
- D. Therefore, the district is **in violation** of [704 KAR 7:160](#) , specifically:
 - a. [704 KAR 7:160, Section 2](#)
 - b. [704 KAR 7:160, Section 3 \(1\) \(b\)](#)
 - c. [704 KAR 7:160, Section 3 \(2\) \(a\)](#)
 - d. [704 KAR 7:160, Section 3 \(3\) \(a\)](#)
 - e. [704 KAR 7:160, Section 4 \(1\) \(b\)](#)
 - f. [704 KAR 7:160, Section 5 \(1\)](#)
 - g. [704 KAR 7:160, Section 5 \(2\)](#)
 - h. [704 KAR 7:160, Section 5 \(4\)](#)
 - i. [704 KAR 7:160, Section 5 \(9\)](#)
 - j. [704 KAR 7:160, Section 6](#)
 - k. [704 KAR 7:160, Section 7 \(1\)](#)
 - l. [704 KAR 7:160, Section 7 \(2\)](#)
 - m. [704 KAR 7:160, Section 7 \(3\)](#)
 - n. [704 KAR 7:160, Section 7 \(4\)](#)
- E. Although the district established and updated policies and procedures related to physical restraint and seclusion, evidence suggests the information contained within was not implemented at the school level.
- 90. As such, the district is **in violation** of its own policies and procedures for physical restraint and seclusion as outlined in [JCPS board policy 09.2212](#) and [Procedures for the Use of Physical Restraint or Seclusion](#).

Issue 10: Individual Education Program (IEP)

- 91. All the above findings are incorporated herein by reference.
- 92. One student was categorized as having a primary and secondary disability eligibility category. State regulations do not recognize a secondary disability.
- 93. Review of student due process records revealed the following systemic errors:
 - a. Four student due process records (13%) did not include evidence of ongoing progress data on annual goals.
 - b. Three student due process records (10%) failed to include evidence of IEP annual reviews.
 - c. Eleven student due process records (33%) failed to include all required components in the Present Levels of Academic Achievement and Functional Performance (hereinafter referred to as present levels).
 - d. Six student due process records (20%) failed to include in the present levels how the

REPORT OF FINDINGS RELATED TO
SPECIAL EDUCATION AND PHYSICAL RESTRAINT/SECLUSION

student's disability affected the student's involvement and progress in the general curriculum.

- e. Two student due process records (7%) did not have measurable annual goals that related directly to the students' present levels.
- f. Two student due process records (7%) failed to consider whether the student's behavior impeded learning of self or others.

94. Review of student due process records revealed the following student-specific errors:

- a. The meeting notice was sent only six days prior to the ARC meeting.
- b. The ARC did not document whether a regular education teacher was invited to and attended the ARC meeting.
- c. The ARC failed to document the dismissal of a member in writing prior to the meeting and did not show evidence that the absent member provided written input into the development of the IEP.
- d. The ARC failed to consider program modifications and supports for school personnel.
- e. The ARC did not explain the extent to which the student would not participate with non-disabled students in regular education classes.
- f. The IEP failed to document special education services.

Conclusions:

A. The review of student IEPs revealed numerous systemic and student-specific violations concerning IEP development and implementation.

B. The district is **in violation** of:

- a. [707 KAR 1:320, Section 2 \(6\) \(a\)](#)
- b. [707 KAR 1:320, Section 3 \(1\) \(b\)](#)
- c. [707 KAR 1:320, Section 3 \(2\)](#)
- d. [707 KAR 1:320, Section 3 \(3\)](#)
- e. [707 KAR 1:320, Section 4 \(1\)](#)
- f. [707 KAR 1:320, Section 5 \(1\)](#)
- g. [707 KAR 1:320, Section 5 \(2\) \(a\)](#)
- h. [707 KAR 1:320, Section 5 \(7\) \(a\) and \(b\)](#)
- i. [707 KAR 1:320, Section 5 \(8\)](#)
- j. [707 KAR 1:320, Section 5 \(9\)](#)
- k. [707 KAR 1:320, Section 5 \(12\)](#)
- l. [707 KAR 1:320, Section 5 \(13\) \(a\)](#)
- m. [707 KAR 1:350, Section 1 \(5\)](#)

REPORT OF FINDINGS
RELATED TO PRESCHOOL EDUCATION

Kentucky Department of Education
Office of Special Education and Early Learning
Management Audit Report

JEFFERSON COUNTY PUBLIC SCHOOLS

November 20, 2020

INTRODUCTION AND PURPOSE OF THE REVIEW

Since September 2018 the Jefferson County Public Schools (JCPS) early childhood program has been under a Corrective Action Plan (CAP). The CAP resulted from findings of noncompliance identified in a March 2018 KDE management audit report. The School Readiness Branch, currently within the Office of Special Education and Early Learning (OSEEL) led the early childhood monitoring and is responsible for oversight of the CAP.

The September 2018 CAP required the district to:

1. Establish and implement a process to ensure that all board policies and procedures regarding Early Childhood Education are sent to the Commissioner if a change will impact the final CAP;
2. Develop and implement a process whereby KDE staff will have access to all Early Childhood staff meetings;
3. Establish and implement a process for reviewing procedures and practices based on KDE monitoring visits and technical assistance;
4. Develop, implement, and monitor a system to ensure that children with disabilities collaborate with non-disabled peers as much as possible;
5. Develop, implement, and monitor a system to ensure that the early childhood program operates in compliance with administrative regulations in the areas of facilities, safety, health, and student information; and
6. Share results of monitoring process with supervisors and reflect in evaluations of early childhood staff and administrators.

To provide support to the district while also enforcing the CAP, the OSEEL conducted onsite visits to six early childhood centers from October 2018 to June 2019.

The district used a web-based spreadsheet called SmartSheet to track CAP activities and progress. This resulted in an organized and timely file sharing process. District and Kentucky Department of Education (KDE) staff reviewed and updated the SmartSheet instantaneously.

As of the date of this report, the district has taken necessary steps toward the completion of the early childhood CAP.

REPORT OF FINDINGS
RELATED TO PRESCHOOL EDUCATION

Evidence Considered

OSEEL staff conducted scheduled interviews with JCPS staff from the following locations:

- Central Office
- Cane Run Elementary
- Dawson Orman Education Center
- DuValle Elementary
- Hazelwood Elementary
- Jacob Elementary
- Laukhuf Elementary
- Minors Lane Elementary
- Smyrna Elementary

The following investigative activities were conducted:

- formal interviews with JCPS staff consisted of:
 - 3 central office employees
 - 58 school employees
 - 22 school administrators
- a review of the following:
 - the district's Head Start Full Utilization Agreements
 - 2019-20 Fall and Spring Enrollment Counts
 - 2019-20 Program Approval
 - 2020 Preliminary Fall Enrollment Counts
 - district website
- record reviews of enrollment paperwork for 100 students.

Conclusions

The JCPS has complied with the requirements of the September 2018, CAP. All original findings of noncompliance have been verified by the OSEEL as corrected. Additionally, the OSEEL verified updated data from the district as 100% compliant in the areas identified. No further action is required.