

Questions and Answers from Senate Bill 128 Webinar Hosted by KASA and KHSAA April 12, 2021

1. Do supplemental students get a choice of virtual or in-person? Can we mandate in-person? **SB 128 and the KDE Guidance are silent on this issue. I don't think there is anything that compels you to give them a choice. I think the General Assembly is inclined to want as many students attending in-person as possible, and much of the purpose behind HB 128 is to give students access to the things they missed due to not attending in-person. I think the policy discretion given to the district allows the board to mandate that all supplemental students attend in-person, absent valid legal or medical excuse.**
2. Is this new law regarding grades 3+ only? My understanding is that there is already an existing provision about an extra year of primary. **There is, but SB 128 allows all students K through 12 to access the supplemental year.**
3. Does the supplemental year count as a year of retention for primary students? If a student has been retained in a prior year, is the student eligible for a supplemental year and vice versa? **All students are eligible for the supplemental year.**
4. If a student retakes a course, can he/she use the highest grade for their transcript? **Graduated seniors cannot get credit or change their GPA. Other students may have their grades impacted by retaking a course under the local district grading policy. Whatever policy the district has had on this topic can remain in effect.**
5. Are students who take a "supplemental" year allowed to take any courses outside of their previous course or a supplemental course? **The local district will determine through policy which courses qualify as supplemental.**
6. How are December graduates impacted? May they return for a supplemental year, still? **Students who graduated in December 2020 will not be enrolled in your district on May 1 and are thus not eligible for a supplemental year.**
7. Can a senior who has the credits to graduate choose not to, and reclassify as a non-graduated senior next year? **SB 128 has no provision that permits a student to decline to graduate. KRS 158.140 also says that a student who meets all graduation requirements shall receive a diploma.**
8. If a child has been retained in the past can parents still opt for a "re-do" this year? **SB 128 says all students are eligible for a supplemental year.**

9. If a student is still in high school, do they still have access to reduced priced college courses? If not, why is this the case? if they are still in high school, why are they being treated differently? **Students who graduate but return for a supplemental year must pursue dual enrollment. Their tuition will be set by the postsecondary institution. Students who have not graduated may still qualify for dual credit or work ready scholarships.**
10. If a K-3 student takes the supplemental year can they still get an additional extra year in primary in a future year? **SB 128 does not impact other statutory provisions for students who are in the primary program.**
11. If our board is not going to allow for a supplemental year, do we need to allow students the opportunity to apply? **SB 128 states the board decision must be made by June 1. It has no restrictions other than that, but the intent appears to be that the board decision will come after student interest level is determined.**
12. If a student is working toward a certificate of completion or alternative certification (special education) and is a 4th grader, would that student be attending school an additional year or until age 22 if they request the supplemental year? Or would they still age out of services at 21? **Taking a supplemental year would not change the requirements of serving students under IDEA, except for students who are already 21.**
13. I thought SB128 said that students could NOT transfer to play athletics after May 1st. Is that not accurate? **That specific prohibition is not in SB 128. It does say KHSAA rules on transfers remain in effect.**
14. May a board vote no on SB 128 prior to receiving applications from students? **SB 128 states the board decision must be made by June 1. It has no restrictions other than that, but the intent appears to be that the board decision will come after student interest level is determined.**
15. If a student has completed all graduation requirements, must they be considered a graduate, even though they are staying an additional year? **SB 128 clearly states that students who meet graduation requirements can participate in a "temporary program for graduated seniors." KRS 158.140 also says that a student who meets all graduation requirements shall receive a diploma.**
16. Does a student who decides to repeat 9th grade have to retake 9th grade English or can they take 10th grade English? **The local district will determine through policy which courses qualify as supplemental.**
17. Students who participate in the alternate assessment program would normally "age out" of eligibility at age 21; how would this supplemental year affect those students? **If they are currently 21 they may still request a supplemental year, but the district cannot use IDEA funds for the provision of services.**

18. If a current senior meets all graduation requirements can they choose not to graduate at the end of this year and take the supplemental year next year...or do they have to graduate and come back as a "graduated senior?" **SB 128 clearly states that students who meet graduation requirements can participate in a "temporary program for graduated seniors."** KRS 158.140 also says that a student who meets all graduation requirements shall receive a diploma.
19. If a student has completed graduation requirements, are they required to graduate, even if they come back an extra year? **SB 128 clearly states that students who meet graduation requirements can participate in a "temporary program for graduated seniors."** KRS 158.140 also says that a student who meets all graduation requirements shall receive a diploma.
20. I understand for a graduating senior who returns that their GPA and transcript are locked, but can an underclassman retake a course to REPLACE their grade and not receive a duplicate credit? A true do-over? **This appears to be a decision that can be made under the local implementation policy.**
21. KEES will continue to use all grades, correct? So, even if a student has an F in Algebra I and retakes Algebra I and gets a C, then both grades are averaged for each year's KEES amount, correct? **This appears to be a decision that can be made under the local implementation policy.**
22. What are the consequences, if any, if a graduated senior returns to play, for example, football and then simply says "I'm done" after the season? **There do not seem to be any consequences.**
23. What about Middle School athletic eligibility for middle school students taking a supplemental year? Is this up to the league/s that the school plays in? **15:46 – 17:58 of audio: Bylaw two talks about the age rule requirement – specifically not waved by the legislation – caps the age. Cannot waive the age requirements for middle school – cannot participate in eighth grade if you have already reached 15, cannot participate in seventh grade if you are I believe 14.**
24. Can KHSAA address any issues with the NCAA Clearinghouse? **54:54 – 55:35 of audio: Right now only recognizes four years of credit starting at ninth grade. They can count toward GPA or core requirement unless NCAA amends the rules.**
25. Can KHSAA repeat the information regarding age issues with middle school/8th grade? **52:45 – 54:40 of audio: Repeat the middle school eligibility.**
26. With a graduate student taking the supplemental year, will they need a full class schedule to be eligible? If they graduated what classes will they be required to take? **39:00 – 41:00 and 47 – 49 of audio: They still have to take and pass four classes.**