

## KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

**Topic:** Amendments to 703 KAR 5:240, Accountability Administrative Procedures and Guidelines

**Date:** Aug. 8, 2024

**Action Requested:**  Review  Action/Consent  Action/Discussion

**Held In:**  Full Board  State Schools  United We Learn

### **SUMMARY OF ISSUE BEFORE THE BOARD:**

The Kentucky Department of Education requests that the Kentucky Board of Education take action on proposed amendments to 703 KAR 5:240, Accountability Administrative Procedures and Guidelines. The amendments are required primarily due to the recent addition of full-time enrolled online, virtual, and remote learning programs.

### **COMMISSIONER'S RECOMMENDATION:**

The Commissioner recommends the board approve amendments to 703 KAR 5:240.

### **APPLICABLE STATUTE OR REGULATION:**

KRS 158.6453(3)(a) and KRS 158.6455(1)(a) require the Kentucky Board of Education to promulgate administrative regulations to create and implement a balanced statewide assessment and accountability program that measures the achievement of students, schools, and districts; complies with the federal Every Student Succeeds Act of 2015, 20 U.S.C. 6301 et seq.; and ensures accountability.

### **BACKGROUND:**

#### *Existing Policy:*

In Kentucky's accountability system, there are accountable schools and non-accountable programs. Non-accountable programs are not without any accountability; data are reported publicly in the state's School Report Card. However, these non-accountable programs do not receive federal classifications of Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI), and Additional Targeted Support and Improvement (ATSI) or the support services that come with those designations. Depending on the state school classification of the school or program, accountability for a student is attributed to a school, a district, or the state, based on specific criteria such as number of days of student enrollment.

#### *Summary of Issue:*

The proposed amendments to 703 KAR 5:240 are a result of the addition of full-time enrolled online, virtual and remote learning programs as defined by 704 KAR 3:535. There is currently no method in 703 KAR 5:240 for attributing accountability for students attending these programs or for reporting associated data.

Proposed amendments to 704 KAR 3:535 will require students in these virtual programs to be enrolled in an accountable school. Students' accountability will be attributable to the accountable school, in accordance with full academic year and other accountability guidelines.

The amendments to this regulation address reporting features for full-time enrolled online, virtual and remote learning programs.

The department also proposes other clarifying language changes.

*Budget Impact:*


There is no anticipated impact on KDE's budget.

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

The KBE will be provided with feedback from the School Curriculum, Assessment and Accountability Council and Local Superintendents Advisory Council prior to the August meeting.

**CONTACT PERSON(S):**

Rhonda L. Sims  
Associate Commissioner  
Office of Assessment and Accountability  
Email: [Rhonda.Sims@education.ky.gov](mailto:Rhonda.Sims@education.ky.gov)  
(502) 564-2256, ext. 4751



**Commissioner of Education**

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