

**The Kentucky Board of Education (KBE) held day two of its regular meeting on August 8, 2024. The KBE met both virtually and in-person at the KSU Harold R. Benson Research and Demonstration Farm, 1525 Mills Ln, Frankfort KY. Members of the public were permitted to attend the meeting in person although encouraged to view the meeting on the Kentucky Department of Education’s (KDE) Media Portal. The board conducted the following business:**

**I. Call to Order**

Chair Sharon Robinson welcomed all board members and guests to the meeting. The meeting was called to order at 9:00 A.M. ET.

**II. Swearing In of Board Members**

Erin Gaines from the Kentucky Department of Education, Office of Legal Services was onsite to issue the oath of office. Both Juston Pate and Paul Long were newly appointed to the Board of Education.

**III. Roll Call**

Chair Robinson asked for a roll call of members. The following members were present: Holly Bloodworth, Mike Borchers, Paul Long, Juston Pate, Sharon Robinson, Lee Todd, Steve Trimble, Diane Woods, Lu Young, Lawrence McCrobie, Preston Graham and Secretary Jamie Link.

**IV. Public Comment Session**

Chair Robinson stated that the Public Comment Segment is limited to 10 speakers at a maximum of 3 minutes each. No one submitted items via the KBE email inbox, and no one was in attendance for public comment.

**V. Good News**

- A. KDE’s Cathy Gallagher is recipient of the 2024 Summer Hunger Heroes Award (Lu Young)**
- B. Russell Independent students win national recognition with metal sculpture (Holly Bloodworth)**
- C. Kentucky student competes in 2024 Braille Challenge Finals (Steve Trimble)**
- D. Kentucky teacher selected for the 2024 National STEM Scholar Program (Lee Todd)**
- E. Two Kentucky school named U.S. Department of Education 2024 Green Ribbon Schools (Diane Woods)**
- F. Kentucky’s “Meets” Streak Continues! (Sharon Robinson)**

**VI. Board Member Sharing**

Chair Robinson announced that the next item on the agenda is board sharing. It is an opportunity for board members to raise issues, pose questions, share concerns, and suggest topics to include on future board meeting agendas. Chair Robinson asked the five new board members (Juston Pate, Mike Borchers, Paul Long, Lawrence McCrobie, and Preston Graham) to briefly introduce themselves. Then, Lu Young shared that she was able to attend the ECS (Education Commission of the States) conference in July. She also shared that she and a few other board members were able to attend the Kentucky United We Learn Council Convening.

**VII. Report from the President of the Council on Postsecondary Education**

President Aaron Thompson, Ph.D., was unable to attend but provided a written report that is available in the board's portal

**VIII. Report from the Secretary of the Education and Labor Cabinet**

Secretary Jamie Link attended in-person to provide his report. Link spoke about bringing more workforce to Kentucky, which he explained is interconnected to improving education. He also mentioned that all 120 counties in Kentucky are now a part of the Dolly Parton Imagination Library program.

**IX. Report from the Commissioner of Education**

Commissioner Robbie Fletcher attended in person to provide his report. Commissioner Fletcher thanked the board and KDE for welcoming him. He announced that KY K-12 spent the last nine months upgrading internet service in schools across the state. The new service improves cyber security and bandwidth capabilities. Fletcher also mentioned that the Kentucky School for the Deaf held its Agricultural Camp in June. Additionally, twenty-three students at the Kentucky School for the Blind completed a summer work program at Kentucky Kingdom, the Louisville Zoo, and the American Printing House for the Blind. Commissioner Fletcher also provided a brief update on Area Technology Centers.

**X. Review Item**

**A. 2024 KIDS COUNT National Data Book**

Kentucky Youth Advocates Executive Director Terry Brooks presented the data and report. Brooks spoke about how children in poverty and other challenging circumstances affect quality of education. He also said that

when comparing Kentucky's current data (based on education metrics) to previous years there was a decline. He went on to say the report highlighted issues that educators face nationally.

## **XI. Consent Agenda**

- A. Certification of 702 KAR 3:540, Uniform academic course codes-** KDE Deputy Commissioner and Chief Equity Officer Thomas Tucker, Ph.D., KDE Chief Academic Officer Micki Ray, and KDE Policy Advisor Sarah Peace
- B. KBE Regular Meeting Calendar**
- C. Assignment of KBE Members to Standing Committees**
- D. Appointment of KBE Members to Serve on the State Evaluation Appeals Panel (SEAP) for the 24-25 Fiscal Year**
- E. Hearing Officer's Report-** KDE Deputy Commissioner and General Counsel Todd G. Allen
- F. Litigation Report-** KDE Deputy Commissioner and General Counsel Todd G. Allen

Chair Robinson remarked that the consent agenda items were distributed to members in advance of the meeting for review, however, if an item is moved, the chair may decide to take up the matter immediately or move it to a discussion item later in the agenda. None of the items were moved and Chair Robinson asked for a motion to approve the consent agenda. The motion was made by Juston Pate and seconded by Mike Borchers. The motion was approved unanimously with a voice vote.

## **XII. Action/Discussion Items**

- A. Financial Report from the Boyd County School District (Discussion Only)** Boyd County Schools Superintendent William Boblett, Jr. and KDE Associate Commissioner Matt Ross presented the financial report. Ross explained that the KDE provided the Boyd County School District with a loan. Pursuant to the terms of the June 20, 2024, MOA between the BCBE and the Kentucky Department of Education (KDE), the district is subject to enhanced financial monitoring by KDE and required to provide a Financial Report at each meeting of the Kentucky Board of Education as long as the district's budget includes less than a two percent minimum reserve. No action taken.

**B. Boyd County Schools Request to Expend Funds in Excess of Income**

KDE Associate Commissioner Matt Ross and KDE Division Director Chay Ritter presented the request from Boyd County Schools. Ross explained to the board that this item's purpose is to officially take action on the Boyd County Board of Education's (BCBE) declaration of emergency to expend funds in excess of income and revenue for the 2024 fiscal year pursuant to KRS 160.550(1) and 702 KAR 3:050.

Chair Robinson asked the board to entertain a motion to approve the Boyd County Schools request to expend funds in excess of income. The motion was made by Steve Trimble and seconded by Diane Woods. The motion passed unanimously with a voice vote.

**C. Amendment to 704 KAR 3:305, Minimum requirements for high school graduation**

KDE Deputy Commissioner and Chief Equity Officer Thomas Tucker, Ph.D., KDE Chief Academic Officer Micki Ray, and KDE Policy Advisor Sarah Peace presented the proposed amendment. The issue before the board was to take action on proposed amendments to 704 KAR 3:305, minimum requirements for high school graduation. Regulatory amendments are required to conform to HB 535 (2024), which they explained modified the civics requirement for high school graduation provided under KRS 158.141. Additional technical amendments were made throughout the regulation to remove outdated language, improve readability, provide greater clarity, and conform to regulatory drafting requirements provided under KRS Chapter 13A, including the addition of the Early Graduation Program (EGP) intent form as a material incorporated by reference as provided under KRS 158.142(2).

Chair Robinson asked the board to entertain a motion to approve the proposed amendment to 704 KAR 3:305, Minimum requirements for high school graduation. The motion was made by Mike Borchers and seconded by Steve Trimble. The motion passed unanimously with a voice vote.

**D. Amendment to 703 KAR 5:080, Administration Code for Kentucky's Educational Assessment Program**

KDE Associate Commissioner Rhonda L. Sims and KDE Policy Advisor Jennifer Larkins presented the proposed amendment. The presenters explained that the current version of the material incorporated by

reference was written in 2014. Since that time, Kentucky has transitioned to online testing for most administrations. The proposed amendments to 703 KAR 5:080 updated the language to reflect that change. The presenters also proposed other clarifying language and changes based on feedback from the testing allegation coordinators in the Office of Legal Services.

Chair Robinson asked the board to entertain a motion to approve the proposed amendment to 703 KAR 5:080, Administration Code for Kentucky's Educational Assessment Program including amendments to the material incorporated by reference. The motion was made by Diane Woods and seconded by Juston Pate. The motion passed unanimously with a voice vote.

**E. Amendment to 703 KAR 5:240, Accountability Administrative Procedures and Guidelines**

KDE Associate Commissioner Rhonda L. Sims and KDE Policy Advisor Jennifer Larkins presented the proposed amendment. Larkins explained that the regulation provides test administrators with guidelines considered appropriate in preparing students for the assessments, in administering them, and in providing for proper security of the testing materials. She said the code applies to administrations of all assessments that are included in accountability reporting.

Chair Robinson asked the board to entertain a motion to approve the proposed amendment to 703 KAR 5:240, Accountability Administrative Procedures and Guidelines. The motion was made by Steve Trimble and seconded by Juston Pate. The motion passed with a unanimously with a voice vote.

**F. Amendment to 704 KAR 3:535, Full-time enrolled online, virtual, and remote learning programs**

KDE Associate Commissioner David Couch, Chief Digital Officer Marty Park, KDE Deputy Commissioner and Chief Equity Officer Thomas Tucker, Ph.D., KDE Chief Academic Officer Micki Ray, KDE Deputy Commissioner and General Counsel Todd G. Allen, and KDE Associate Commissioner Rhona L. Sims presented the proposed amendment. The presentation explained that with collaboration and feedback from all offices of the KDE, the Office of Education Technology, Office of Teaching and Learning, Office of Assessment and Accountability have prepared

suggested amendments to 704 KAR 3:535. These amendments include ensuring students in these programs and through this specific funding mechanism are appropriately included in the accountability system, providing clarifications around teachers and administrators of full-time enrolled online, virtual and remote learning programs, providing a point of emphasis regarding the adoption and annual review of policies and procedures regarding periodic monitoring by the district, and making technical corrections.

Chair Robinson asked the board to entertain a motion to approve the proposed amendments to 704 KAR 3:535, Full-time enrolled online, virtual, and remote learning programs. The motion was made by Holly Bloodworth and seconded by Lee Todd. The motion passed unanimously with a voice vote.

**Next, Chair Robinson dismissed the members of the board to committees.**

Chair Robinson noted that agendas and committee information is accessible through the KBE portal.

- A. United We Learn/ Teaching and Learning Committee
  - a. Kentucky Numeracy Counts Update
- B. State Schools Committee
  - a. Annual Updates to the Kentucky Tech Policies and Procedures
  - b. Annual Policy Adoptions and Amendments for the Kentucky School for the Blind (KSB) and the Kentucky School for the Deaf (KSD)

**Return from the KBE committees to the main board meeting room.**

**XIII. Lunch (No business conducted)**

**XIV. Action/ Discussion Items**

**A. Report of United We Learn/Teaching and Learning Committee on Action/Discussion Items**

United We Learn Committee Chair Holly Bloodworth provided an update on the committee's meeting. She said that it was exciting to hear about the current Numeracy Counts plan.

**B. Report of State Schools Committee on Action/Discussion Items**

State Schools Committee Chair Randy Poe was unable to attend the meeting. Vice Chair Young chaired the committee and presented two items

for consideration of the full board. Chair Robinson stated that coming from committee, the motion did not require a second. The motion passed unanimously with a voice vote.

**C. Kentucky Education Technology System (KETS) Operational Plan for School Year 2024-2025**

KDE Associate Commissioner David Couch, KDE Division Director Mike Leadingham, and KDE Chief Digital Officer Marty Park presented the 2024-2025 KETS Operational Plan. Couch said that the item is “to approve the use of Kentucky Education Technology System (KETS) funds in the amount of \$15.4M for the 2024-2025 school year. The KBE has already approved the annual KY K-12 education technology priorities and needs as part of the KETS Master Plan for Education Technology for SY2024-2030, that was officially approved in March 2024 as a document incorporated by reference to 701 KAR 5:110. Since 1992, the KBE has been required, by statute, to approve KETS funds as one of the annual funding sources to help address the annual KY K-12 education technology (EdTech) needs. There are a variety of funding sources in districts and KDE that go toward paying for the KY K-12 products and services each year; however, the only EdTech funding source that the KBE is required to approve annually is the KETS funds, which are \$15.4M for SY 2024-2025. This is the main reason this staff note is being brought before you each year.”

Chair Robinson asked the board to entertain a motion to approve the 2024-2025 KETS operational management resources of \$15.4M in accordance with KRS 157.665(3) to help address the KY K-12 education technology operational management needs. The motion was made by Steve Trimble and seconded by Diane Woods. The motion passed with a unanimous voice vote.

**D. Amendment to 702 KAR 1:116, Annual in-service training of district board members**

KDE Deputy Commissioner and General Counsel Todd G. Allen presented the proposed amendment. Allen said that KRS 160.180 establishes the annual in-service training requirements for all school board members and requires the Kentucky Board of Education (KBE) to identify the criteria for fulfilling the training requirements. The regulation identifies the Kentucky School Boards Association (KSBA) as the main provider of annual training to local school board members and setting forth the criteria for fulfilling training requirements and making regular reports to the KBE. KRS 160.180 was amended by HB 449 during the 2024 legislative session, requiring

amendments to the annual training requirements found in regulation.

Chair Robinson asked the board to entertain a motion to approve the proposed amendment to 702 KAR 1:116, Annual in-service training of district board members. The motion was made by Holly Bloodworth and seconded by Lu Young. The motion passed unanimously with a voice vote.

**E. Amendment to 780 KAR 3:072, Attendance, compensatory time, and leave for certified and equivalent service**

**F. Amendment to 780 KAR 3:080, Extent and duration of school term, use of school days and extended employment**

KDE Associate Commissioner Beth Hargis, Ed.D. and KDE Policy Advisor Regan Satterwhite presented the two amendments. Satterwhite said that these items are clean-up in nature and predate the Office of Career and Technical Education.

Chair Robinson asked the board to entertain a motion to approve the proposed amendments to 780 KAR 3:072 and 780 KAR 3:080. The motion was made by Lu Young and seconded by Steve Trimble. The motion passed unanimously with a voice vote.

**G. Amendment to 702 KAR 4:090, Property disposal**

KDE Associate Commissioner Matt Ross, KDE Division Director Chay Ritter, and KDE District Facilities Branch Project Manager John Gilbert presented the proposed amendment. Ross explained that the updates make the process of property disposal simplified for districts.

Chair Robinson asked the board to entertain a motion to approve the proposed amendment to 702 KAR 4:090, Property disposal. The motion was made by Lee Todd and seconded by Juston Pate. The motion passed unanimously with a voice vote.

**H. Waiver Request from the Jefferson County Board of Education Related to Section 4(4)(b) of 702 KAR 4:050, Building sites; inspection, approval**

KDE Associate Commissioner Matt Ross and KDE Division Director Chay Ritter presented the proposed amendments. Ross said that the Jefferson County Board of Education requested a waiver 702 KAR 4:050 to acquire an approximate 20-acre property located in West Louisville to construct a new middle school. Multiple parcels were consolidated by the current



owner. The consolidation also involved street closures. A fifty (50') foot wide public utility, sewer, and drainage traverses the property. The easement is a portion of a larger Metropolitan Sewer District storm drainage easement which connects areas to the east and west of the site and will serve the proposed school. Relocating the drainage easement is not practical. Based on conversations with utility providers, other existing easements can be released. The district will be able to develop the site for its intended purpose with the easement in place.

Chair Robinson asked the board to entertain a motion to approve the waiver request from the Jefferson County Board of Education Related to Section 4(4)(b) of 702 KAR 4:050, Building sites; inspection, approval. The motion was made by Steve Trimble and seconded by Juston Pate. The motion passed unanimously with a voice vote.

**XV. Presentation of the 2024 Grissom Award for Innovation in Special Education**

Commissioner Fletcher facilitated the award presentation. The winners of the award were announced to be Lynn Petrey, Jennifer Whitt, and Tracey Francis. Commissioner Fletcher offered his congratulations to the recipients and thanked them for their commitment to the students of Kentucky.

**XVI. Adjournment**

Chair Robinson thanked everyone for their time and asked for a motion to adjourn the meeting. The motion was made by Lu Young and seconded by Steve Trimble. The motion passed unanimously with a voice vote.