

# Senate Bill 1

**2017 Regular Session of the  
Kentucky General Assembly**

**Kentucky Department of Education  
April 13, 2017**

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# SB 1 Overview of Sections

**SB 1 is divided into 19 sections.**

## Amends:

- ▶ Section 1      [KRS 156.557](#)      Professional Growth and Effectiveness System
- ▶ Section 2      [KRS 158.305](#)      Response-to-intervention system
- ▶ Section 3      [KRS 158.6453](#)      Program Reviews / Assessments / School Report Cards / ACT
- ▶ Section 4      [KRS 158.6455](#)      Accountability / Industry Certifications / Student Test
- ▶ Section 5      [KRS 158.6458](#)      Implementation of state assessment and accountability system
- ▶ Section 6      [KRS 158.6459](#)      WorkKeys / ACT
- ▶ Section 7      [KRS 158.649](#)      Achievement Gaps
- ▶ Section 8      [KRS 158.782](#)      Guidelines to Provide Highly Skilled Assistance to Schools and Districts
- ▶ Section 9      [KRS 158.805](#)      Commonwealth School Improvement Fund
- ▶ Section 10      [KRS 158.840](#)      Statewide Assessment Policies and Reporting Requirements
- ▶ Section 11      [KRS 160.345](#)      School Based Decision Making Councils (SBDMs)
- ▶ Section 12      [KRS 160.346](#)      Priority Schools and School Interventions / Turnaround Model
- ▶ Section 13      [KRS 160.107](#)      Application and Implementation Requirements for Districts of Innovation
- ▶ Section 14      [KRS 164.020](#)      Powers and Duties of Council on Postsecondary Education



# SB 1 Overview of Sections (Cont'd)

SB 1 is divided into 19 sections.

- ▶ Section 15      [KRS 164.7874](#)    Definitions Statute
- ▶ Section 16      [KRS 158.145](#)    Legislative Findings and Declarations on School Dropout Rate
- ▶ Section 17      [KRS 158.6457](#)    Definitions for KRS 158.6452, 158.6453, 158.6455, and 158.6457
- ▶ Section 18      Noncodified
- ▶ Section 19      Noncodified



# Professional Growth and Effectiveness System

- Bill eliminates a statewide evaluation system (PGES) established in 2013.
- KDE to develop a “statewide framework for teaching”.
- Instead of KDE maintaining a statewide evaluation system, each local district required to develop and implement a personnel evaluation system aligned to the statewide framework for teaching.
- Local district personnel evaluation systems to use multiple measures of effectiveness and have at least four performance levels with summative evaluations required annually for non-tenured staff and every 3 years for tenured teachers.
- KBE promulgates regulations for written guidelines to follow in implementing the personnel evaluation systems.
- Results of teacher evaluations excluded from being part of the accountability system.

## Response to Intervention

- Existing language requires KDE to make available technical assistance and training to assist in the implementation of the district-wide, response to intervention system to identify and assist any student experiencing difficulty in reading, writing, mathematics, or behavior.
- New language requires KDE to provide technical assistance and training ***if*** a local district requests the assistance and training.
- Language has been expanded to include determining appropriate instructional modifications needed for advanced learners to make continuous progress.



# Standards Review Process

Beginning in 2017-2018 and every six years thereafter, KDE must implement a process for reviewing academic standards and the alignment of corresponding assessments for possible revision or replacement to ensure alignment with postsecondary readiness standards necessary for global competitiveness and with state career and technical education standards.

Teachers are at the center of the standards review process.

A system of committees is established to conduct the process:

- Four Standards and Assessments Review and Development Committees to conduct the review of academic standards and assessments for language arts, mathematics, science and social studies
- Twelve Advisory Panels to advise and assist the Standards and Assessments Review and Development Committees
- A 10-member Standards and Assessments Process Review Committee to examine the procedural aspects of the review process and ensure transparency and input from citizens

Existing standards stay in place until new ones approved by the Kentucky Board of Education. Revisions to be in place by second academic year following review process.



# Program Reviews

- ▶ Eliminates program reviews and program audits for arts and humanities, practical living skills and career studies, and the writing program and eliminates their subsequent inclusion in the state accountability system.
- ▶ Does not replace with any other form of testing for these content areas.
- ▶ Deletes language requiring program reviews to be used in determining school and district accountability for student achievement.

# Assessments

- ▶ KBE to revise the annual statewide assessment program as needed and in light of any revisions to standards and corresponding assessment alignment adjustments. Cannot include any academic standards not approved by KBE.
- ▶ Statewide assessment program to be composed of annual student summative tests, which may include multiple competency-based assessments and performance measures approved by KBE.
- ▶ Annual student summative tests must measure individual student achievement in language arts, reading, English, mathematics, science, and social studies at designated grades.
- ▶ KBE allowed to change the testing window for innovative assessment systems or other online testing administration.
- ▶ KBE to promulgate regulations to minimize the number of days of testing and outline procedures to be used during testing and ensure security.
- ▶ Language added requiring that students enrolled in a district-operated or district-contracted alternative program must participate in the appropriate assessments.
- ▶ A local school district may select and use commercial interim or formative assessments or develop and use its own formative assessments to provide data, with the added provisions that a local district may do so if the local school board develops a policy minimizing the reduction in instructional time related to the administration of the interim assessments.



# Assessments (Cont'd)

## Elementary and Middle Grade Requirements:

- ▶ A criterion-referenced test each in math and reading in grades three-eight.
- ▶ A criterion-referenced test each in science and social studies is to be administered one time in elementary and one time in middle grades.
- ▶ An on-demand assessment of student writing to be administered one time in elementary and one time in middle grades.
- ▶ An editing and mechanics test relating to writing using multiple choice and constructed response items, to be administered one time within elementary and the middle grades, respectively.

## High School Requirements:

- ▶ A criterion-referenced test each in math, reading, social studies and science administered one time in high school grades.
- ▶ An on-demand assessment of student writing to be administered one time.
- ▶ An editing and mechanics test in writing, using multiple choice and constructed response to be administered one time.



# College Admissions Examination

- ▶ Removes language requiring high school and college readiness examinations to assess English, reading, mathematics, and science in grades 8 and 10.
- ▶ Removes language requiring a college admissions examination to assess English, reading, mathematics, and science in grade 11.
- ▶ Requires a college admissions exam to assess English, reading, math, and science in the spring of grade 10 **and** the spring of grade 11.
- ▶ Requires cost of both the college admissions examinations to be paid by KDE.
- ▶ Removes WorkKeys assessments.

## Assessment Results

- ▶ Requires assessment results to be delivered no later than 75 days after the last day the assessment was administered.
- ▶ Requires KDE and KBE to offer “optional” assistance to local districts and schools in developing and using continuous assessment strategies.
- ▶ Removes requirement that a student’s highest score on the college admissions and placement test to be included on the official high school transcript.
- ▶ Requires operational subset of test items from each assessment administered to students to be provided to schools and districts.



# School Report Cards

- ▶ Information on how to electronically access a summary of district testing results required to be published in the newspaper.
- ▶ School report cards to continue including the following components reported by race, gender, and disability when appropriate:
  - Student academic achievement, including the results from each of the assessments administered.
  - For Advanced Placement, Cambridge Advanced International (adds Cambridge), and International Baccalaureate, the courses offered, the number of students enrolled, completing, and taking the examination for each course, and the percentage of examinees receiving a score of three (3) or better on AP examinations, a score of "e" or better on Cambridge Advanced International examinations, or a score of five (5) or better on IB examinations. This data must be disaggregated by gender, race, students with disabilities, and economic status.
  - Nonacademic achievement, including the school's attendance, retention, graduation rates, and student transition to postsecondary.
  - School learning environment and parental involvement.
  - Any other school performance data required by ESSA.
- ▶ An individual student report to parents for each student grades 3-8 that summarizes the student's skills in reading, science, social studies, and mathematics and a student's highest scores on the college admissions assessments.



# Visual and Performing Arts; Practical Living Skills and Career Studies; Foreign Language; Writing Program

## Requires that beginning in 2017-2018 and every six years thereafter:

- ▶ KDE must implement a comprehensive process for reviewing and revising academic standards in visual and performing arts and practical living skills and career studies for all levels and in foreign language for middle and high schools.
- ▶ KDE must provide to all schools guidelines for programs that incorporate academic standards in visual and performing arts, practical living and career studies.
- ▶ KDE must provide to middle and high schools guidelines for including a foreign language program.

## Requires school profile report:

- ▶ KDE, in consultation with the review committees, must develop a school profile report to be used by schools to describe how they will address the state-mandated standards in their implementation of the programs named above and it may include student opportunities in extracurricular activities.
- ▶ By October 1 of each year, principals must complete the school profile report, which must be signed by the school council and the superintendent. Must be electronically submitted to KDE and maintained on file at board office.

## For the writing program:

- ▶ KDE must provide to all schools guidelines for including an effective writing program within the curriculum.
- ▶ Each SBDM (or if there is no SBDM, a committee appointed by the principal), must adopt policies that determine the writing program for its school and submit to KDE for review and comment.
- ▶ The writing program must incorporate a variety of language resources, technological tools and multiple opportunities for students to develop complex communication skills for a variety of purposes..



# Accountability

The KBE must create an accountability system to classify districts and schools in accordance with the academic standards and student assessment program.

The accountability system must include:

- An annual overall summative performance evaluation of each school and district compared to goals established by the KDE.
- The evaluation for each school and district must:
  - Not include a single summative numerical score that ranks schools against each other.
  - Be based on academic and school quality indicators and measures (more weight on academic measures).
- Student assessment results.
- Progress toward achieving English proficiency by EL students.
- Quality of school climate and safety.
- High school graduation rates.
- Postsecondary readiness for each high school student.
- Any other factor required by ESSA.



# Accountability

## Certifications

- KDE must pay for the cost of any assessment taken by a high school student for attaining an industry recognized certification, credential, or licensure if the student consecutively completes at least two (2) related career pathway courses approved by the department prior to taking the assessment.
- If a high school student has not completed the two (2) course requirement but meets performance-based experience eligibility and passes an assessment, KDE must provide a weighted reimbursement amount to the school district for the cost of the assessment based on the level of demand of the certificate, credential, or license earned.
- The Kentucky Board of Education must promulgate regulations establishing the performance-based experience eligibility requirements and weighted reimbursement amounts.

## **KBE must address the following:**

- Language is added to require KBE to establish more rigorous action, intervention, and consequences for schools that fail to exit comprehensive support and improvement status.
- KBE's regulation is to address a system of district accountability that includes establishing a formula of accountability, goals for improvement over 3 years (rather than 2), rewards for leadership, consequences that address the problems and provide assistance when:
  - One or more schools in the district fail to exit comprehensive support and improvement status after 3 consecutive years of implementing the turnaround intervention process.
- KBE's regulation to establish an appeals process for a performance judgment is to reflect the 3-year period.



# Achievement Gaps

- ▶ Updates “achievement gap” definition to reference subgroups of students as described in ESSA.
- ▶ Requires by October 1 (rather than Nov 1) of each year, KDE must provide school councils data on students’ performance.
- ▶ Requires local boards, upon recommendation of the superintendent, to adopt a policy for reviewing academic performance on state assessments for various student groups.
- ▶ By February 1 of each year, requires SBDMs or the principal if no SBDM, to set annual targets (rather than biennial targets) to eliminate achievement gaps and submit them to the superintendent for consideration.
- ▶ By January 1 of each year (rather than April 1 every other year) requires the SBDM or the principal if no SBDM, to review and revise the school improvement plan to include the annual targets.
- ▶ Updates language requiring the superintendent to report to the commissioner and the local school board if a school fails to meet its targets in any academic content area to reduce the gap in student achievement for any group for 2 consecutive years.



# Assistance to Schools and Districts



## Guidelines to provide highly skilled assistance to schools and districts:

- ▶ Requires KBE to promulgate regulations establishing the monitoring and periodic review of the implementation of a local school district's turnaround plan for a school identified for comprehensive support and improvement.
- ▶ Limits the monitoring and review process to performing an annual review of the school's state assessment data and measures of school quality, periodic site visits, observation, and interviews of representative stakeholders and students.
- ▶ Requires schools and districts receiving highly skilled assistance from KDE prior to the effective date of SB 1, to continue to receive assistance in accordance with the established assistance plan.

## Commonwealth School Improvement Fund:

- ▶ Allows requests to include funding for personnel costs, but no funding continues after school improvement funds are no longer provided.

# Reporting and Principal Selection

## Reporting

Adds language to prevent state-required reporting of instructional plans, formative assessment results, staff effectiveness processes, or interventions implemented in the classroom, except:

- Interventions related to RTI.
- Funds provided under reading and math programs.
- Schools that are identified for comprehensive support and improvement and fail to exit comprehensive support and improvement status after three consecutive years of implementation in the turnaround intervention process.

## Principal Selection

Personnel decisions at the school level:

- Eliminates language specifically allowing Jefferson County to adopt an alternative principal selection process and opens this to any school council.
- Eliminates language regarding principal vacancies in schools that have an index score that places a school in the lowest 1/3 of all schools requiring that the superintendent must appoint the principal after consulting with the school council.

Eliminates language that each school council must annually review data for program assessments (leaves in student assessments).



# Persistently Low-Achieving Schools

- Removes all definitions and references to current priority school identification and processes.
- Adds new definitions for level, turnaround, turnaround plan and turnaround team.

## Identification of Schools - Targeted Support and Improvement

Adds new language for identification of Targeted Support and Improvement schools:

- ▶ Beginning in the 2018-2019 school year, KDE must identify a school for targeted support and improvement if the school has at least 1 subgroup (ESSA) whose performance in the state accountability system by level is at or below the summative performance of all students, based on school performance, in any of the lowest-performing 5% of all schools. (Section 12, Subsection 2a)
- ▶ Beginning in the 2019-2020 school year, or the second year of implementation of ESSA, KDE must identify a school for targeted support and improvement if the school has at least 1 subgroup whose performance in the state accountability system by level is at or below that of all students, based on the school performance, in any of the lowest-performing ten percent of all schools for two consecutive years. (Section 12, Subsection 2b)



# Identification of Schools – Comprehensive Support and Improvement

Adds new language for identification of Comprehensive Support and Improvement schools:

- ▶ Beginning in 2018-2019, KDE shall identify a school for comprehensive support and improvement if the school is:
  - In the lowest-performing five percent (5%) of all schools in its level based on the school's performance in the state accountability system;
  - A high school with a four- (4) year cohort graduation rate that is less than eighty percent (80%); or
  - Identified by the department for targeted support and improvement and fails to exit targeted support and improvement status.



# Schools Identified for Targeted Support and Improvement

Adds new language for responsibilities for schools:

- ▶ Once identified for Targeted Support and Improvement, local school personnel and stakeholders must revise the school improvement plan, which is subject to review and approval by the local board of education.
- ▶ Revised plans must include:
  - Components of turnaround leadership development and support.
  - Identification of critical resource inequities.
  - Evidence-based interventions.
  - Additional actions that address the causes of consistently underperforming subgroups of students.

If adequate performance progress is not made (as defined by the department) by Targeted Support and Improvement schools:

- ▶ By a school identified in Section 12, Subsection (2)(b) (lowest-performing ten percent (10%) of all schools for two (2) consecutive years), the local school district must take additional action to assist and support the school in reaching performance goals. (See slide 16)
- ▶ By a school identified in Section 12, Subsection (2)(a) (any of the lowest-performing five percent (5%) of all schools), the school must be identified for comprehensive support and improvement. (See slide 16)



# Audit Process – Comprehensive Support and Improvement

## Audit Process

- ▶ When a school is identified for comprehensive support and improvement, an audit must be performed.
- ▶ The local board of education must select a turnaround audit team with documented expertise in diagnosing the causes of an organization's low performance and providing advice and strategies resulting in effective turnaround leadership.
- ▶ The audit team cannot include any of the district's employees.
- ▶ If the local board determines no suitable audit teams are available, the board must select the department to perform the audit.
- ▶ The KBE must recommend criteria to the local board of education for a review process that a turnaround audit team may utilize to assess the turnaround leadership capacity of the principal, superintendent, and district.
- ▶ The audit must be the only comprehensive audit required for a school unless the school fails to exit comprehensive support and improvement status or exits comprehensive support and improvement status but subsequently repeats as a school identified for comprehensive support and improvement.



# Audit Review and Report– Comprehensive Support and Improvement

An audit team established to audit a school identified for comprehensive support and improvement must include in the review and report:

- A diagnosis of the causes of the school's low performance, with an emphasis on underperforming subgroups of students and corresponding critical resource inequities.
- An assessment and recommendation to the superintendent regarding the principal's capacity to function or develop as a turnaround specialist, including if the principal should be reassigned to a comparable position in the school district.
- An assessment of the interaction and relationship among the superintendent, central office personnel, and the school principal.
- A recommendation of the steps the school may implement to launch and sustain a turnaround process.
- A recommendation to the local board of education of the turnaround principles and strategies necessary for the superintendent to provide to assist the school with turnaround.

The audit report must be provided to the superintendent, local board of education, school principal, commissioner of education and the KBE.



# Audit Results – Comprehensive Support and Improvement

After the audit, each school identified for comprehensive support and improvement must engage in the following turnaround intervention process.

The local board of education must:

- ▶ Issue a request for proposals for a private entity with documented success at turnaround diagnosis, training, and improved performance of organizations to provide a turnaround training and support team to the school identified for comprehensive support and improvement.
  - The local board of education must select the turnaround entity and negotiate the scope and duration of the entity's services.
- ▶ Utilize local staff and community partners to serve as the turnaround team for the school identified for comprehensive support and improvement.
- ▶ Select the KDE to serve as the turnaround team, if the local board determines the options above are not viable alternatives.



# Audit Results – Comprehensive Support and Improvement

Additionally, the following must occur:

- ▶ The authority of the school council must be transferred to the superintendent.
- ▶ The superintendent may either retain the principal or reassign to a comparable position.
- ▶ The superintendent must select a principal for the school if a principal vacancy or reassignment occurs.
- ▶ The superintendent may reassign staff.
- ▶ The superintendent must collaborate with the turnaround team to design ongoing turnaround training and support for the principal and a monitoring system of effectiveness and student achievement results.
- ▶ The principal must collaborate with the turnaround team to establish an advisory leadership team representing school stakeholders.
- ▶ The local school board must collaborate with the superintendent, principal, turnaround team, and the advisory leadership team to propose a three- (3) year turnaround plan.
- ▶ The turnaround plan must include requests to KDE for exemptions from submitting documentation that are identified as inhibitors to investing time in innovative instruction and accelerated student achievement of diverse learners including ongoing staff instructional plans, student interventions, formative assessment results, or staff effectiveness processes.
- ▶ The turnaround plan must be reviewed for approval by the superintendent and the local board of education and must be subject to review, approval, monitoring and periodic review by KDE.
- ▶ The district may ask KDE for technical assistance.
- ▶ The turnaround plan must be implemented the first day of the school year following identification.
- ▶ Superintendent must report to local board on progress periodically.
- ▶ Superintendent must report to the commissioner of education at least once a year on the progress.
- ▶ To assist with funding the audit and turnaround intervention process and not provided by the department, the department must annually reimburse the school district for a maximum of 3 years, an amount not to exceed the amount budgeted by the department to serve as the turnaround team to a school, including Commonwealth School Improvement Funds and assistance personnel.



# Exit Criteria and KDE

- ▶ KBE must establish statewide exit criteria for schools identified for targeted support and improvement and comprehensive support and improvement.
- ▶ If a school enters comprehensive support and improvement status and does not make any annual improvement as determined by KDE for 2 consecutive years or if the school does not exit the status after 3 years, the school must enter a school intervention process that is chosen by the commissioner of education that provides more rigorous support and action by the department to improve the school's performance.
- ▶ For school districts that include a significant number of schools, as determined KBE, identified for targeted support and improvement:
  - KDE must periodically review a local board's resource allocations to support school improvement and provide technical assistance to the local board.
  - KDE may provide a recommended list of turnaround or school intervention providers that have demonstrated success implementing evidence-based strategies.
- ▶ A school's right to establish a council may be restored by the local board of education two (2) years after the school exits comprehensive support and improvement status.





Questions?

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*Kentucky Department of*

*Our Children,*

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