



Dr. Robbie Fletcher  
Commissioner of Education

**KENTUCKY DEPARTMENT OF EDUCATION**

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August 29, 2025

Legislative Research Commission  
700 Capitol Avenue  
Frankfort, KY 40601

VIA EMAIL: [ReportsToLRC@KyLegislature.gov](mailto:ReportsToLRC@KyLegislature.gov)

**RE: AGENCY RESPONSE TO HB 825 (2024) SPECIAL EXAMINATION**

Dear Commission Members:

Pursuant to KRS 43.090(1), the Kentucky Department of Education (KDE) hereby submits its response to the July 1, 2025 Special Report of the Auditor of Public Accounts (APA) as provided by House Bill 825 from the 2024 ordinary session of the Kentucky General Assembly. Attached hereto, please find a document containing KDE's response to each recommendation contained within the Special Report.

After serving one year as Kentucky's Commissioner of Education, I can confidently say that KDE is an organization focused on continuous improvement. KDE staff embrace opportunities for feedback and change aimed at improving outcomes for the over 630,000 students enrolled in Kentucky's public schools. As evidence of this continuous improvement mindset, KDE was already implementing 81 of the recommendations contained in the Special Report prior to its publication on July 1, 2025. As the Special Report notes, "[t]he overall culture at KDE is positive and morale is high. Staff take pride in their work, care about student success, believe in the mission of the agency, and overall work well together and with districts." With a positive culture, dedicated staff of professionals, and focus on continuous improvement, KDE has taken action in response to other recommendations following publication of the Special Report. We are excited to share these details with you in the attached document.

Not all recommendations in the Special Report, however, can be achieved by KDE alone. Approximately 41 of the recommendations will require collaboration with and/or action by other agencies or the General Assembly. One of KDE's core values is collaboration. As such, KDE welcomes the opportunity to continue strengthening its relationship with the General Assembly in service of Kentucky's public school students. As we enter the 2026 legislative session, KDE will request the help of the General Assembly in passing legislation to champion the [Kentucky United We Learn reimagined system of assessment and accountability](#), and to provide additional funding for various programs to support Kentucky's students. Collaboration, however, is a two-way street. Please know that KDE stands ready to assist the General Assembly in its efforts to continuously improve public elementary and secondary education in Kentucky. KDE welcomes the opportunity to provide data, explanations, recommendations, and presentations as the General

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Assembly explores various educational issues.

As you review the attached document, please feel free to contact me if you have any questions.

All IN,

A handwritten signature in black ink, appearing to read "Dr. Robbie Fletcher". The signature is written in a cursive, flowing style.

Dr. Robbie Fletcher

Commissioner of Education

cc: Auditor of Public Accounts  
Sen. Stephen West, Senate Standing Committee on Education  
Rep. Scott Lewis, House Standing Committee on Primary & Secondary Education  
Kentucky Board of Education  
KDE Executive Leadership Team

Number	Recommendation	Status	Notes
<b><i>Department Operations</i></b>			
1.1.a	The commissioner should have two Deputy Commissioners with clearly defined management roles overseeing major functional areas of the Department, such as academics and operations.	Resolved	As stated in KDE’s June 23, 2025 response to the APA, the two existing Deputy Commissioners are assigned responsibility in the major functional areas of operations and academics. As the Special Report notes, these individuals also have other responsibilities within KDE. Following review, KDE determined that adding two new Deputy Commissioners to perform these functions without additional responsibilities would cost the agency approximately \$537,000 annually. The Commissioner appreciates the oversight and awareness derived from the existing reporting structure. At this time, KDE will not amend its structure as noted in this recommendation but will continue to evaluate how it may enhance operational effectiveness and efficiencies into the future.
1.1.b	The Commissioner should establish a new Chief of Staff position who will provide decision-making support to the Commissioner, including overseeing the prioritization of communications between the Commissioner, executive staff, and stakeholders.	Resolved	As stated in KDE’s June 23, 2025 response to the APA, the current Deputy Commissioner roles are closely aligned with the Chief of Staff role suggested in this recommendation. The Deputy Commissioners provide strategic decision-making advice and support to the Commissioner. Adding a Chief of Staff position is estimated to cost the Department approximately \$250,000 annually. At this time, KDE will not amend its structure as noted in this recommendation  To aid in the communication between the Commissioner and superintendent stakeholders, two Special Assistants have been added, beginning August 1, 2025.
1.2.a	KDE should reduce and consolidate all job functions related to interpreting laws that impact the Department to designated policy advisor positions that report to the Director of Government Relations.	Resolved	Prior to the special examination, KDE updated the position descriptions of all policy advisors to more accurately reflect the breadth of work performed by these professionals. As stated in KDE’s response to the APA on June 23, 2025, agency policy advisors perform significant work other than legislation. At this time, KDE has determined policy advisors should continue to report to Associate Commissioners, not the Director of

			Government Relations. However, KDE will continue to consider this recommendation into the future to meet the agency's needs.
1.3.a	The Commissioner should continue to engage the Special Assistant role as a communication liaison with Superintendents.	Resolved	The Commissioner will maintain the Special Assistant position as a communication liaison with Superintendents. Two additional Special Assistants have been appointed to support this function. The Special Assistants will meet with the Commissioner monthly and serve as communication liaisons to the eight regional educational cooperatives and their boards.
1.4.a	KDE should put physical office space privacy protections in place for legal services staff.	Pending	KDE continues to evaluate the feasibility of this recommendation. KDE's offices are in a leased facility. Both ability to make building modifications as well as the cost of doing so must be fully evaluated and is ongoing.
1.5.a	KDE should create a coherent partnership between all communications related staff to align the Department's messaging, branding, timing, and material for both internal and external stakeholders.	Resolved	As noted in KDE's June 23, 2025, response to the APA, staff inside the Division of Communications continue to have regular meetings with communications staff from across the agency to plan communications related to upcoming projects and agency initiatives.
1.6.a	KDE should update and reorganize the Department's website for a consistent look and feel, coherent and intuitive navigation, accessibility compliance, and responsiveness to the needs of various stakeholder audiences.	Resolved	KDE will take steps to evaluate how best to arrange content on the KDE homepage without undergoing significant expense of a complete website redesign.
1.7.a	KDE should work with the Personnel Cabinet to determine how the hiring process for 18A employees can be improved and made more efficient.	Resolved	As noted in KDE's June 23, 2025, response to the APA, KDE has and continues to work closely with the Personnel Cabinet to request efficiencies in the KRS 18A hiring system.  KDE met with the Personnel Cabinet's Commissioner of the Department of Human Resources Administration and the Assistant Director of the Division of Career Opportunities in May 2025 to review KDE's hiring assessment. KDE's hiring timeline has improved significantly—down from an average of 66.76 days in early 2023, to an average of 49 days. The statewide goal for all agencies is to maintain a hiring timeline of no more than 50 days.

			<p>KDE will continue to work to improve its hiring process for 18A employees that are within KDE’s control. KDE has updated its internal guidance for HR Administrators to ensure that job duties, classifications, and percentages are accurately aligned on initial submission to limit the need for resubmissions to the Personnel Cabinet. In addition, on June 17, 2025, KDE added a second-level internal review of all personnel actions to reduce delays in approval from the Personnel Cabinet. KDE is also continuing to explore automation opportunities, refinement of internal review checkpoints, and meeting with other state agencies to review their hiring practices to identify and implement effective innovations.</p> <p>However, as stated in KDE’s response dated June 23, 2025, the 18A hiring process is within the authority of the legislature and Personnel Cabinet. KDE notified the Personnel Cabinet of this recommendation.</p>
1.8.a	KDE should ensure reference checks are a requirement in the hiring process for all external and internal candidates.	Resolved	On July 30, 2025 KDE implemented new procedures to require reference checks of all new hires.
1.9.a	KDE should clarify and communicate the Department's telecommuting policy.	Resolved	As stated in KDE’s response dated June 23, 2025, KDE has a detailed telecommuting policy and FAQ document that is acknowledged by all employees when they are approved for telecommuting and is available on the KDE intranet site. Furthermore, KDE communicated its telecommuting expectations for all employees on September 30, 2024. KDE reviewed and updated its telecommuting policy and related documents in July 2025. KDE communicated these policy updates with its staff during a department-wide staff meeting on August 19, 2025.
1.10.a	KDE should use technological solutions to perform automated IT equipment inventory functions and disabling of devices that may be lost or stolen.	Pending	The inventorying, tagging, and tracking of KDE assets is being thoroughly examined and recommendations for maintenance of those items, including items of less than \$500, will be made. Contact has been made with the appropriate individuals for detailed guidance and direction, such as the Finance and

			<p>Administration Cabinet’s Office of the Controller, Office of Statewide Accounting Services.</p> <p>The inventorying, tagging, and tracking of products purchased with Emergency Assistance to Non-Public Schools (EANS) federal funds, which is the bulk of KDE’s inventory, (Consisting of 17,549 of 26,640 items in total) is being thoroughly examined and recommendations for maintenance of those items will be made.</p> <p>KDE is continuing to evaluate whether it can utilize technological solutions to perform automated IT equipment inventory functions and disabling of devices that may be lost or stolen.</p>
1.10.b	KDE should perform a comprehensive review of older items and clean up the inventory files by removing outdated information or data.	Resolved	As stated in KDE’s response dated June 23, 2025, KDE continuously reviews its inventory to remove outdated items and will continue to do so. Please also refer to KDE’s above response to recommendation 1.10.a.
1.11.a	KDE should conduct a needs analysis and detailed workflow documentation of budgets, expenditure approvals, and disbursements.	Resolved	As stated in KDE’s response dated June 23, 2025, the Department Purchase Request (DPR) system and Financial Routing System were both updated in May 2025 and training was provided to designated KDE staff along with a guide for submitting an initial DPR and DPR for payment after the service/product is received. KDE’s Division of Budgets and Financial Management (DBFM) staff also consistently provide training for fiscal processes.
1.11.b	KDE should create a purchase request and payment workflow diagram.	Resolved	KDE created a purchase request and payment workflow diagram.
1.11.c	KDE should compare the Department's needs for budgeting and accounting system capabilities with Kentucky Budgeting System (KBUD) and Management Administrative & Reporting System (eMARS). For unmet KDE needs, the Department should create and execute an implementation plan or explore enhancements to the systems as applicable.	Resolved	As stated in KDE’s response dated June 23, 2025, KBUD and eMARS are systems used by KDE’s Division of Budgets and Financial Management (DFBM). DBFM will continue to work with the Office of the Controller in the Finance and Administration Cabinet on additional needs and workflows in eMARS that would improve KDE processes.

1.12.a	KDE should streamline IT procurement approvals.	Resolved	As stated in KDE’s June 23, 2025 response, KDE will continue to work on IT approvals to improve timeliness.
1.12.b	KDE should explore ways to allow ATCs, KSD, and KSB to procure goods and services similar to how school districts do instead of how KDE does.	Resolved	As noted in KDE’s June 23, 2025 response, the Area Technology Centers (ATC), Kentucky School for the Deaf (KSD), and Kentucky School for the Blind (KSB) are bound by the full requirements of the Kentucky Model Procurement Code at KRS Chapter 45A. To allow ATCs, KSD, and KSB the procurement flexibility afforded to school districts requires a statutory change by the legislature. Nevertheless, KDE will review its processes to determine whether certain procurement steps for ATCs, KSD, and KSB may be expedited.
1.13.a	KDE should create or purchase IT systems to move away from using spreadsheet software for major processes.	Resolved	<p>The Special Report at pg. 82 references the following systems/processes related to this recommendation: SEEK disbursement, travel reimbursement, purchase requests, and budgeting.</p> <p>Prior to the special examination, KDE solicited bids for a vendor to automate the SEEK allocation process. KDE continues to work with the Finance and Administration Cabinet regarding a competitive solicitation to automate the SEEK allocation process.</p> <p>Travel reimbursements are completed using the Travel Voucher Form incorporated by reference in 200 KAR 2:006 which is a Finance and Administration Cabinet (FAC) regulation. KDE was notified that FAC will be updating the Management Administrative &amp; Reporting System (eMARS) system to permit travelers to submit their requests/reimbursements directly in eMARS. KDE intends to utilize this process once it is available. KDE uses the Kentucky Budgeting System (KBUD) for budget tracking. As noted in KDE’s June 23, 2025 response, KDE currently utilizes the department purchase request (DPR) system to track purchasing and the financial routing system to track contracts, request for applications, request for proposals, etc. These are not paper based or email based systems as the</p>

			Special Report concludes. No additional action is necessary at this time based on this recommendation.
1.14.a	KDE should implement Commercial Off-the-Shelf (COTS) document and/or audit management systems.	Resolved	As stated in KDE's June 23, 2025 response, KDE does not believe that an off-the-shelf product can be utilized. However, KDE intends to create its own system to electronically track and capture attendance audit discrepancies and corrections.
1.14.b	KDE should review the document retention schedule with Kentucky Department for Library and Archives.	Resolved	As noted in KDE's June 23, 2025 response, KDE regularly reviews and updates its document retention schedule. The last update was completed in June 2023 in conjunction with the Department for Library and Archives. KDE will continue to routinely review and update its document retention schedule.
1.15.a	KDE should assess district needs in the DFB's scope of responsibility and create and execute a comprehensive improvement plan for the branch.	Resolved	<p>KDE agrees that DFB needs improvement in their processes and communication with districts and will create a comprehensive improvement plan.</p> <p>KDE will implement communication improvements including surveys, follow-up calls by management, and continuous improvement steps with DFB staff to make sure DFB is responsive, effective, and helpful to both school districts and the public.</p> <p>Each DFB Project Manager is responsible for a set number of districts. DFB Project Managers will set up an annual call with their districts to introduce themselves and ensure the district is aware of what DFB can do for them. Additionally, if DFB becomes aware of new district facilities staff being hired, DFB staff will contact the district to see what assistance, if any, they can provide.</p>
1.16.a	KDE should create and post an accessible guide with funding and construction flow charts for superintendents and school boards to use in local planning.	Resolved	KDE will create and post an accessible guide with funding and construction flow charts for superintendents and school boards to use in local planning.
1.16.b	KDE should implement annual training for new district leaders in facilities and finance management and include superintendents and board members.	Resolved	KDE will implement annual training for district facilities staff, superintendents, and local board members in facilities and finance management.

1.17.a	KDE should review DFB website navigation and resources for ease of use, accessibility, searchability, and audience.	Resolved	This recommendation is already captured within the scope of recommendation 1.6.a. DFB will review existing website navigation and resources to determine how to better provide this information to the public, including school district leadership.
1.18.a	KDE should explore options to improve the facilities funding system by enhancing the nickel tax system or moving to a new funding model that enables less wealthy districts to build or modernize their facilities.	Resolved	As noted in KDE's June 23, 2025 response, KDE has no statutory authority to change the facilities funding. However, KDE has led conversations with stakeholders and legislators regarding facilities funding. KDE will continue to support these conversations.
1.19.a	KDE should accelerate the Commonwealth's work in streamlining and reforming the facilities approval process.	Resolved	KDE will continue to work to streamline and reform the facilities approval process by advocating for improvements to the legislature and proposing regulatory amendments to the Kentucky Board of Education.
1.19.b	KDE should determine which of the 68 recommendations of the Facilities Task Force from 2021 should be implemented and execute those recommendations accordingly.	Resolved	KDE will determine which of the 68 recommendations of the Facilities Task Force from 2021 should be implemented and execute any recommendations accordingly.
1.20.a	KDE should recommend appropriate classifications and salaries for Pupil Transportation Branch employees that match industry standards or similar positions in the Transportation Cabinet.	Resolved	<p>This recommendation is already captured within the scope of recommendation 1.7.a. As noted in KDE's June 23, 2025, response to the APA, KDE has and continues to work closely with the Personnel Cabinet to request efficiencies in the KRS 18A hiring system and has notified the Personnel Cabinet of this recommendation.</p> <p>KDE recognizes that the current 18A classification structure does not adequately reflect the technical expertise required for Pupil Transportation Branch staff, which has hindered recruitment and retention efforts. In response, KDE submitted a formal request to the Kentucky Personnel Cabinet on May 21, 2025, to establish new job classifications.</p> <p>These positions are critical to student safety and statewide transportation compliance. They oversee training for over 8,600 bus drivers and 600 inspectors annually, conduct inspections of</p>

			<p>more than 9,200 school buses, and provide technical guidance on bus safety regulations and accident investigations.</p> <p>KDE’s request to the Personnel Cabinet includes updated education and experience requirements that better reflect the field’s needs, including a substitution clause for non-degree technical experience. If approved, these classifications will improve recruitment, retention, and pay equity for KDE’s transportation professionals.</p>
<b><i>Fiscal Overview</i></b>			
2.1.a	KDE should heed the language of the biennial budget bill and utilize all SEEK funds as legally permitted. Excess funds should not lapse but be utilized to support allowable adjustment factors as needed.	Resolved	This recommendation is based on a flawed finding in the Special Report. KDE followed the language of the biennial budget bill and utilized all SEEK funding as legally permitted. <u>See Exhibit A, attached hereto, for a detailed explanation.</u>
<b><i>Department Strategy &amp; Partnerships</i></b>			
3.1.a	KDE should set KPI metrics early in the strategic plan implementation process to be transparent with stakeholders and to show progress over time.	Resolved	Five year goals have been set and include annual targets. KPIs have been identified for every goal in collaboration with the impacted offices in the agency. KDE expects to see positive trends in the identified KPIs over time to indicate the state is on track with goals. A dashboard is being developed to track goals and KPIs. The dashboard is expected in early 2026.
3.2.a	KDE should create tailored messaging for various stakeholders to support implementation that explains how United We Learn is aligned with the goals in KDE's Strategic Plan, and how stakeholders fit into both the United We Learn assessment and accountability work and KDE's strategic goals.	Resolved	<p>The KUWL Council met June 20, 2025 to decide what would be needed to continue casting the vision for UWL. Stakeholder specific materials are being prepared and will be available on the KUWL Council Resource page as well as shared by various means. An application is currently available for new members to join the council.</p> <p>Further, KUWL Council leadership will be meeting with the various advisory groups (students, teachers, principals, superintendents, families) with customized presentations explaining how the work of UWL is aligned to KDE’s strategic goals. The Commissioner is also meeting with local chambers of commerce (business leaders) to spread this message.</p>

3.3.a	KDE, OEA, and KYSTATS should collaborate and rely on each other for data collection, exchange, and analysis for similar or identical research objectives whenever possible.	Resolved	KDE collaborates with OEA on a regular basis, including fulfilling its requests for data related to various studies it performs. OEA’s function is oversight. Therefore, OEA must determine which data it will obtain from KDE versus that it wishes to obtain independently. KDE requested additional collaboration with KYSTATS. KYSTATS responded enthusiastically and invited KDE staff to be on their Research Agenda Board. KYSTATS is scheduling meetings.
3.4.a	KDE and Kentucky's education and labor agencies should expand their current collaboration to more closely align their efforts, resources, and goals around a state-level vision and strategies for the success of all Kentuckians.	Resolved	<p>KDE will continue working to expand its collaboration with Kentucky’s education and labor agencies, including aligning efforts, resources and goals in an effort to increase success and opportunities for all Kentuckians.</p> <p>Prior to the Special Report, KDE worked with KYSTATS and the CPE to develop and implement the <a href="#">FUTURITI</a> platform aimed at helping “Kentuckians ‘find their future’ by providing state-specific data about the numerous career paths and education options available to them.”</p> <p>Prior to the Special Report, KDE also worked closely with the Workforce Innovation Board (KWIB) and has hosted KWIB quarterly meetings at the KDE offices. KDE will continue to collaborate with the KWIB to approve and establish a valid industry certification list leading to postsecondary readiness designations for students. These credentials of value are deemed to be relevant for success in business and industry helping students to demonstrate technical skills needed within the respective industry.</p> <p>Prior to the special exam, the Commissioner served (and continues to serve) as a co-chair for Kentucky’s Education Continuum. Per the <a href="#">Continuum website</a>, it exists “to strengthen Kentucky’s education pipeline....and “addresses the moral imperative for students to have access and opportunity to earn degrees and credentials that lead to sustainable, competitive-wage careers.”</p>

			KDE actively participates in the State Workforce and Talent Team (SWATT). This group is a collaborative effort between multiple state agencies and the workforce, including Kentucky’s Education and Labor and Economic Development Cabinets, as well as numerous workforce and education partners. <a href="#"><u>“Kentucky Education and Labor Cabinet Secretary Jamie Link stressed the importance of this collaborative, coordinated approach and the event’s goal of creating innovative workforce strategies that address the needs of the Commonwealth’s diverse industries and regions.”</u></a>
3.5.a	KDE should establish a comprehensive engagement plan with the educational cooperatives to proactively align goals, success metrics, and resource allocation to support districts with the implementation of strategic initiatives.	Resolved	Prior to the special exam, KDE established monthly meetings with the educational cooperatives for the purpose of communication sharing around agency goals and initiatives. Optional programming is further available to cooperative staff for professional learning around strategic initiatives, such as high-quality instructional resource implementation and evidence-based reading and numeracy instruction. Also, see response to Recommendation 1.3.a above.
3.6.a	KDE should assess the efficacy and impact of each advisory group and revise structures as needed.	Resolved	Approximately half of the KDE advisory groups are required by statute. KDE will assess the efficacy and impact of each non-statutory advisory group and revise structures as needed.
3.7.a	KDE should strengthen its relationship with the General Assembly through consistent communication and collaboration to prioritize impactful legislation for Kentucky students.	Resolved	As the Special Report notes, “the Commissioner has worked quickly in his first year to build relationships with the state legislature.” KDE values collaboration with strategic partners, including the state legislature. KDE will continue its efforts to build relationships with the legislature to prioritize impactful legislation for Kentucky’s students.
<b><i>State Board Oversight of the Commissioner of Education</i></b>			
4.1.a	As positions become vacant, the Commonwealth should consider adding at least one business community member to the Board to represent industry interests.	Resolved	As noted in KDE’s June 23, 2025 response, appointments to the KBE are made by the Governor and include members with business/industry experience. Nevertheless, KDE communicated this recommendation to the Office of the Governor.
4.2.a	The Board should set and adhere to a regular schedule for self-assessment.	Resolved	As noted in KDE’s June 23, 2025 response, the KBE Chair and Vice Chair brought this recommendation before the board for

			<p>further discussion and consideration at its August 2025 retreat. The KBE contacted the National Association of State Boards of Education (NASBE) to assist it in completing a self-assessment. Following further consultation with NASBE, the KBE will consider policy changes to provide for regular self-assessment.</p>
4.3.a	<p>The Board should create measurable and actionable goals that can be achieved within a designated timeframe and should use these goals to strategically guide their actions.</p>	Resolved	<p>During KBE’s August 2025 retreat, the KBE discussed proposed goals that will be acted upon by the KBE during its October 2025 meeting. While the KBE believes that its previous annual goals were measurable and actionable (e.g. <a href="#">KUWL milestones with specific dates that were achieved in the designated time</a>) the KBE will further develop and share metrics around its continued commitment to the KUWL goals.</p>
4.4.a	<p>The Board should execute its oversight role by engaging in meaningful discussions and providing critical feedback during Board meetings.</p>	Resolved	<p>In <a href="#">August 2023 the KBE created two standing committees</a>: the United We Learn Committee and the State Schools Committee. By creating two standing committees that meet simultaneously during each regular meeting of the KBE, the board is able to efficiently engage in meaningful discussions and provide critical feedback on major initiatives and issues within the purview of the two committees.</p> <p>During the KBE’s August 2025 retreat the KBE amended its regular meeting schedule to include additional meetings beginning in 2026 to provide additional meeting time for board members to discuss and address key policy initiatives.</p>
4.5.a	<p>The Board should assess the efficacy of its current meeting frequency.</p>	Resolved	<p>During the KBE’s August 2025 retreat the KBE amended its regular meeting schedule to include additional meetings beginning in 2026 to provide additional meeting time for board members to discuss and address key policy initiatives.</p>
4.6.a	<p>KDE should ensure all meeting presentations, and other relevant documents and data, are shared ahead of time to allow for robust, action-oriented discussions during Board meetings.</p>	Resolved	<p>During its August 2025 retreat the KBE noted that its policy manual already provides that department staff shall provide all meeting materials to KBE members at least seven days in advance of meetings. The KBE is unaware of any time this longstanding timeline for providing materials was not followed. No further action is necessary.</p>

4.7.a	The Board should address any major matter that relates to Kentucky public education during open meeting.	Resolved	<p>As noted in KDE’s June 23, 2025 response, the observation leading to this recommendation involved the KBE entering closed session to discuss pending litigation as permitted by KRS 61.810(1)(c). The APA reply indicates the point of the recommendation is to “inform KDE that the public is not perceiving KBE as addressing critical education matters.” Contrary to this reply, the Special Report notes: “Most superintendent survey respondents agreed that KDE [...] takes action to improve student success, and positively contributes to student success in Kentucky.” The Superintendent Survey conducted as part of the special examination revealed that 84% of respondents agreed the agency shares information and resources in a timely manner. KDE communicates the work of the KBE to superintendents following each KBE meeting, including a detailed summary of KBE action and discussion. Superintendent satisfaction with agency communication is a reflection of intentional communication with superintendents regarding the work of both KDE and KBE.</p> <p>In <a href="#">August 2023 the KBE created two standing committees</a>: the United We Learn Committee and the State Schools Committee. By creating two standing committees that meet simultaneously during each regular meeting of the KBE, the board is able to efficiently engage in meaningful discussions and provide critical feedback on major initiatives and issues within the purview of the two committees.</p> <p>KBE will continue to address major matters related to public education during open meetings. KBE will also continue to utilize the exceptions to the Open Meetings Act to enter closed session to discuss proposed or pending litigation. During the KBE’s August 2025 retreat the KBE amended its regular meeting schedule to include additional meetings beginning in 2026 to provide additional meeting time for board members to discuss and address key policy initiatives.</p>
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4.8.a	KDE should provide the Board with a summary of results by grade and subject, and disaggregated by student subgroup, to get a clear picture of student achievement across the state.	Resolved	KDE provides this data to the KBE on an annual basis and will continue to do so. For the past four years, KDE provided the data in presentations to the KBE on December 5, 2024, December 7, 2023, December 7, 2022, and October 5, 2021, all of which are documented in the <a href="#">KBE meeting portal</a> . No further action is necessary.
<b><i>Academic Standards &amp; Model Curriculum Framework</i></b>			
5.1.a	KDE should enhance the MCF guidance documents based on educator feedback. Explore other approaches to support districts with the implementation process.	Resolved	Prior to the special exam, KDE began review and revision of MCF based on work with districts and feedback from the Quality Curriculum Taskforce. This revision ensures that the MCF includes effective guidance, tools and support that is most helpful to district and school leaders to ensure the development and implementation of their local curriculum. Section 1 of the MCF, the curriculum development process, was revised in 2024. KDE will continue to review and revise each subsequent section of the MCF using the same feedback process with stakeholders and the Quality Curriculum Taskforce. Please see response to Recommendations 5.2.a for additional strategies to support districts with the implementation process and to strategically build capacity with regional educational cooperatives as partners for districts with the implementation process.
5.2.a	KDE should create a data system to track districts' use of the MCF.	Resolved	KDE, in partnership with RIVET Education, is developing a Curriculum Implementation Dashboard. This dashboard includes survey data, self-assessment of the Curriculum Implementation Framework from the MCF, and classroom observation data to assist local leaders in evaluating their implementation of their locally designed curriculum. The dashboard will provide information to leaders on leading indicators of success and provide valuable data from classroom observations using the Instructional Practice Guides to inform local school improvement efforts. KDE will have access to aggregate data collected from the use of this tool to track districts' use of the MCF. This dashboard will be piloted and then be available as an opt-in tool for district use beginning in the 2026-2027 school year.

			<p>KDE is also developing a local monitoring toolkit to make clear how key aspects of the implementation process and their measures connect, as well as to equip districts with aligned tools to support monitoring of a local curriculum anchored in a high-quality instructional resource (HQIR). Districts can use the tools as a comprehensive suite or tailored to specific areas of need, including in-depth evaluations of overall curriculum implementation, supporting cycles of improvement for areas of need, and/or identifying and learning from bright spots.</p>
5.3.a	KDE should collect feedback from teachers and instructional leaders and produce more usable guidance documents.	Resolved	<p>KDE does and will continue to collect feedback from teachers and instructional leaders. In the most recent Customer Satisfaction Survey, 73% of respondents agreed that “service provided by KDE meets the needs of districts, schools and students” and “KDE produces high quality work.” KDE will continue to use the feedback it receives to produce work product that is timely, accurate, and helpful.</p> <p>Other examples of KDE efforts to collect stakeholder feedback include, but are not limited to, focus groups, pilots, the Quality Curriculum Taskforce, and advisory committees. Examples of advisory committees include the Teachers Advisory Council, Principal Advisory Council and School Curriculum Assessment and Accountability Council (SCAAC).</p>
5.4.a	KDE should update the published timeline for reviewing Academic Standards to reflect a complete timeline for all reviews.	Resolved	<p>As noted in KDE’s June 23, 2025 response, the standards review timeline was updated in June 2025 to reflect a complete timeline for all reviews.</p>
5.5.a	KDE should identify the quantity and quality of approved instructional materials needed for districts to select HQIRs in all content areas.	Resolved	<p>With feedback from the Quality Curriculum Taskforce, the KDE published approved lists of Tier 1 core comprehensive HQIRs for Reading/Writing and Mathematics in 2025 that are updated as additional standards-aligned, externally validated resources become available. KDE further published Instructional Resources Consumer Guides for reading and writing (2022), mathematics (2023) and science (2024). Additional resources for districts include the Instructional Resources Alignment Rubrics for social studies, Visual and</p>

			Performing Arts and health and physical education. The HQIR repository required in SB 207 (2025) will do more to signal quality and establish fair pricing statewide for local adoption of approved HQIRs.
5.6.a	KDE should create incentives for all districts to complete the annual HQIR survey to allow KDE to identify gaps among districts and opportunities for statewide collaboration.	Resolved	<p>KDE/KBE cannot impose a requirement to report this information. HB 48 (2025) provides: “On or after the effective date of this Act, the state board shall not impose any new reporting requirement upon public schools or public school districts that is not expressly authorized by state statute or federal law.” See Sec. 11(6).</p> <p>KDE already incentivizes districts to complete the HQIR survey. Districts that complete the HQIR survey are granted access to all related participant data. This access allows for opportunities for cross-collaboration statewide. Once established, the HQIR repository required in SB 207 (2025) will serve to incentivize and track HQIR adoptions across the commonwealth and may replace the need for the current survey.</p>
5.7.a	KDE should evaluate its budget and/or work with the General Assembly to ensure funds can be allocated towards the adoption of HQIRs.	Resolved	<p>As noted in KDE’s June 23, 2025 response, KDE prepared an additional budget request to adequately fund district adoption of HQIRs for appropriation by the General Assembly in the 2026-2028 biennial budget. These funds would allow for full implementation of SB 207 (2025) and ensure that schools and districts have access to HQIRs that support teachers in implementing standards-aligned, grade-level instruction.</p> <p>To ensure that districts have access to HQIRs that support standards-aligned, grade-level instruction, an additional \$17 million dollars per fiscal year is needed. In the absence of statewide funding, KDE allocates several state and federal grants to assist districts in purchasing HQIRs, including the Reading Diagnostic and Intervention Fund grant, KY Numeracy Counts K-3 HQIR grant, and the Kentucky Comprehensive Literacy (KyCL25) grant.</p>

5.8.a	KDE should develop evidence submission guidelines for elementary, middle, and high school settings to streamline the annual district reporting requirements.	Resolved	The annual MTSS survey has been updated to provide clarity in submission guidelines and to streamline evidence submission requirements.
5.9.a	KDE should determine the additional resources and funding needed to increase the number of State Literacy Coaching Specialists (SLCSs) in schools and communicate this need to the General Assembly.	Resolved	KDE prepared an additional budget request to adequately fund a statewide literacy coaching model for consideration by the General Assembly during the 2026 legislative session. To ensure that all students in grades K-4, not just those in schools with the highest percentage of novice, are provided with the support needed to accelerate student progress toward proficient performance in reading, KDE requested an additional \$4 million dollars per fiscal year to ensure an adequate number of coaches are available to support schools in successfully implementing the requirements provided in SB 9 (2022), <i>The Read to Succeed Act</i> . The additional funding will support the salaries of literacy coaches who can provide expert job-embedded training and support for teachers, schools and districts.
5.10.a	KDE should collaborate with the General Assembly to prioritize any necessary action to mitigate and/or ban the three-cueing model for reading instruction.	Resolved	KDE partnered with key legislators during the 2024 and 2025 legislative sessions to establish and refine draft bill language that would ban the three-cueing model for reading instruction. However, HB 612 (2024) failed to pass in the Senate and HB 528 (2025) failed to pass in the House. KDE is, again, in partnership with key legislators to refine language to support a new bill for the 2026 legislative session to ban three-cueing.
5.11.a	KDE should assess what resources and funding are needed to support the broader implementation of numeracy initiatives across the Commonwealth.	Resolved	KDE prepared an additional budget request to adequately fund HB 162 (2024), the <i>Kentucky Numeracy Counts Act</i> for consideration by the General Assembly during the 2026 legislative session. KDE requested an additional \$5 million dollars per fiscal year to minimally fund the coaching program and to expand the number of grantees awarded as required pursuant to KRS 158.843. Current funding is not sufficient to fully implement HB 162 (2024), including the creation of a mathematics coaching program, grant opportunities for local school districts to purchase approved high-quality research and evidence-based curriculum aligned to kindergarten through

			grade three (3) academic standards in mathematics, and expenditures for curriculum-based professional learning to implement new curriculum," (KRS 158.843(3) and (4)).
5.12.a	KDE should create and execute a strategic plan that defines the Department's vision for supporting districts in serving EL students effectively. The plan should include professional development, resources, and ongoing support tailored to the needs of EL students.	Resolved	<p>KDE has a <a href="#">strategic plan through 2029</a>, which includes strategic objectives aimed at expanding recruitment of qualified teachers, improving early literacy, and improving early numeracy. These objectives aim to improve outcomes for all students, including EL students.</p> <p>KDE hired a Multilingual Learner (MLL) Specialist responsible for providing research-based support to meet the growing population of MLL students and families in Kentucky. The MLL Specialist is responsible for providing state-wide professional learning, statewide guidance, supplemental resources and technical assistance specific to implementing effective evidence-based strategies that support outcomes for MLL students across Kentucky.</p>
5.13.a	KDE should establish at least one full-time position within the Department dedicated to improving instruction and academic outcomes of ELs.	Resolved	As noted in KDE's June 23, 2025 response, this KDE staff member has been secured and began at KDE in July 2025. See response to Recommendation 5.12.a above.
<b><i>Statewide Accountability &amp; Assessments</i></b>			
6.1.a	KDE should consider ways to increase the efficiency of project management and collaboration calls with assessment vendors.	Resolved	<p>KDE engages in regularly scheduled discussions with assessment vendors to ensure contractual obligations are fulfilled. Vendors retain full responsibility for managing the scope of work outlined in their contracts. KDE staff provide oversight to verify that contractual expectations are met and that deliverables are completed in alignment with established timelines.</p> <p>In its oversight role, KDE acts on behalf of Kentucky's students by advocating for their assessment needs and holding vendors accountable for performance. Kentucky's state-required assessments are administered within narrowly defined testing windows. Consequently, vigilant monitoring and timely adjustments to schedules are essential to facilitate smooth test</p>

		<p>administrations for students and district/school staff. Given that the scope of work directly affects district-level communications and the generation of timely, reliable data that guides school improvement and contributes to school accountability, it is necessary that staff participate in vendor discussions when appropriate. Staff attendance at vendor meetings is limited to individuals whose responsibilities directly relate to the assessment being discussed. In the interest of operational efficiency and staff focus, calendar invitations are canceled or declined when meeting topics are neither relevant nor time sensitive. No further action is necessary at this time.</p>
6.2.a	<p>KDE should examine the proficiency standards for fourth grade Reading, eighth grade Mathematics, and eighth grade Reading due to the misalignment with the NAEP proficiency standards.</p>	<p>Kentucky must continue to follow all federal requirements regarding the validity and reliability of its assessment system. Under Title I sections 1111(a)(4) and 1111(b)(2)(B)(iii)-(iv) of the Elementary &amp; Secondary Education Act (ESEA), as well as 34 CFR §200.2(b)(4) and (5) and (d), states must undergo a peer review of the technical quality of their state assessment systems implemented under the ESEA.</p> <p>Kentucky’s Summative Assessments in reading and mathematics have been approved through the federally required peer review process, which mandates a formal, technically sound standard setting process to establish cut scores that define proficiency levels and involves panelists with appropriate experience and expertise. This standard setting process includes an evaluation of impact data and its alignment to relevant external assessments such as the National Assessment of Educational Progress (NAEP) and national college admissions examinations to inform potential adjustments and ensure coherence with broader educational benchmarks. Any revision to a previously peer-reviewed assessment requires rigorous justification, including psychometric evidence of validity and reliability, alignment with academic standards, stakeholder engagement, impact analysis on student outcomes and equity, comparability over time, and other critical elements.</p>

			<p>While the audit recommendation to evaluate proficiency standards is valuable for continuous improvement, it does not, on its own, constitute sufficient justification for making changes to the current state assessment proficiency score cuts and levels. Kentucky will continue to assess the rigor of its proficiency standards by evaluating impact data and referencing relevant external assessments such as NAEP and national college admissions examinations. Although the recommendation emphasizes examination of fourth grade reading and eighth grade reading and mathematics, Kentucky will also evaluate external data, such as NAEP, for science during an upcoming standard-setting process.</p> <p>While Kentucky students performed at higher levels on the Kentucky Summative Assessment (KSA) compared to NAEP in Grade 4 Reading, Grade 8 Reading, and Grade 8 Mathematics, conclusions regarding the relative rigor of KSA proficiency standards must be approached with caution. KSA assessments are aligned to the full scope of Kentucky’s content standards, capturing what students are expected to learn and master in the current academic year. In contrast, NAEP measures cumulative academic knowledge and may not reflect the specific instructional content taught within Kentucky’s classrooms during the current school year. Comparisons between KSA and NAEP performance results provide one perspective on the rigor of Kentucky’s proficiency expectations. However, it is important to recognize that these assessments serve different purposes and should be interpreted together as complementary tools that provide a more comprehensive picture of student performance.</p>
6.3.a	KDE should collaborate with the vendor to enhance the SRC dashboard interface and functionality before releasing 2024-2025 data. Collect and analyze stakeholder perception data to find more opportunities for improvement.	Resolved	KDE continues to work with the SRC vendor to refine and improve reporting. The 2024-2025 SRC will include new dashboard views that include comparisons and trends to help with evaluation of data reported. Each KDE office has a SRC

			point of contact that directs reporting expectations for their respective areas of responsibility.
6.4.a	KDE should develop a comprehensive strategy to guide school accountability across the Department's offices.	Resolved	<p>KDE’s comprehensive strategy to guide school accountability across the Department is contained within its federally approved Every Student Succeeds Act (ESSA) state plan and <a href="#">2024-2029 Strategic Plan</a>. ESSA requires each state to set forth a statewide accountability system that complies with the requirements of ESSA, including required state assessments, establishment of long-term goals, accountability indicators, how schools will be differentiated based on accountability results, identification of schools performing below certain levels, and school improvement intervention. KDE relies on the annual accountability results (among other data) to drive its strategic planning, as well as department-wide technical assistance to school districts. For example, based on accountability data KDE identified improving early literacy and early numeracy as strategic statewide goals - specifically measured by increases in 3<sup>rd</sup> grade reading and math proficiency. To achieve these strategic statewide goals, cross functional KDE teams meet regularly to review progress and determine how KDE may best serve school districts in advancing early literacy and early numeracy for elementary school learners. These cross functional teams identify the work needed from each office across KDE in furthering the Commonwealth’s progress toward the identified strategic goals. For schools identified as needing improvement intervention, <a href="#">KDE implements detailed processes</a> that guide accountability in this area. As KDE moves toward implementation of the United We Learn assessment and accountability system, it must update and seek federal approval of its ESSA state plan, including an opportunity for public comment. In doing so, KDE will describe its comprehensive strategy to guide school accountability with additional detail to better communicate its action plan with stakeholders.</p>

6.5.a	KDE should consider ways to provide high-quality customer service, while also holding districts to high expectations.	Resolved	KDE proudly provides high-quality customer service. In its most recent annual customer service survey, 78% of respondents agreed that KDE is a leader in the field of education. In surveys provided to every individual who contacted KDE by email between April 1 and June 30, 2025, 91% of respondents indicated they were satisfied or very satisfied with the service they received from KDE. As acknowledged in the Special Report (pg. 28), most school district superintendents agreed that KDE takes action to improve student success and positively contributes to student success in Kentucky. KDE also establishes and holds districts to high expectations, both through technical assistance, as well as more rigorous intervention when voluntary compliance is not achieved. See response to Recommendation 6.4.a and Recommendation 6.6.a.
6.6.a	The Commissioner should use KDE's statutory authority to strengthen district improvement when necessary.	Resolved	As the Special Report notes, “[r]esearch suggests that state takeovers do not always guarantee improved academic outcomes for struggling districts. [...] Given this, state takeovers require thoughtful and tailored implementation.” Pg. 179. On April 16, 2025, KDE shared with the audit team that Menifee County, Breathitt County, and Jefferson County school districts all received management audits in the last five years. In addition, Robertson County, Fleming County, and Caverna Independent school districts received management audits since 2013. Boyd County and Nelson County school districts also received management reviews in the past year, the findings of which were resolved through technical assistance. Pursuant to 703 KAR 3:205, KDE uses a progressive approach to state management. This progressive approach is a more efficient use of resources to provide technical assistance and secure voluntary improvement in a school district, rather than the time and expense of a prolonged legal process to force a district takeover. Furthermore, a progressive approach ensures that KDE is not usurping local authority unnecessarily. This begins with a management review, which may, at the Commissioner’s discretion, lead to a management audit, which may, at the

			direction of the KBE, lead to a variety of levels of state management. While full management may be appropriate at times, this is not always necessary. Many times, KDE is able to collaborate with the district directly to improve management of the district without seeking to remove the authority of locally elected officials. KDE remains committed to exercising its state management authority over a school district when necessary, but values a progressive approach that more efficiently allows school districts to make voluntary improvements to avoid a state takeover.
6.7.a	KDE should develop a multi-year United We Learn implementation plan that includes KDE's strategies for holding districts accountable for rigorous local accountability measures, that overhauls the reporting system, and that provides stakeholders with a clear, implementable definition of vibrant learning. The plan should outline specific quantitative measures to track impact.	Resolved	<p><a href="#">KDE's strategic plan</a> includes implementation of the United We Learn reimaged assessment and accountability system. KDE developed Key Performance Indicators (KPIs) specific to agency-wide goals of vibrant learning and local accountability implementation to track its progress toward this strategic goal. However, full implementation of reimaged assessment and accountability requires legislative action. Passage of such legislation is included in the Kentucky Board of Education <a href="#">legislative priorities for 2026</a>.</p> <p>To support this legislation, KDE developed a phase-in plan to support local accountability implementation over a three-year period beginning with a pilot year in 2026-2027. A Local Accountability Guidebook has been developed and will be available in September 2025. "Vibrant Learning" was defined by the KUWL Council and is on the <a href="#">KUWL Council webpage</a>. A Vibrant Learning experiences rubric is pending design with a cross-agency team for testing in Fall 2025.</p>
6.8.a	KDE should identify additional resources needed to scale the Division of Innovation's work. The Division of Innovation and OTL should coordinate to ensure professional development offerings are not duplicative, maximizing KDE's reach to districts.	Resolved	KDE prepared an additional budget request to sustain six Regional Innovation Specialist positions related to the United We Learn reimaged assessment and accountability system. OTL and the Division of Innovation have and continue to collaborate on tools and resources for local implementation and high-quality professional learning focused on standards-aligned instruction that maximize the efforts of the Division of

			Innovation while ensuring students have access to rigorous, grade-level instruction.
<b><i>Monitoring &amp; Consolidated Monitoring of Districts &amp; Programs</i></b>			
7.1.a	KDE should evaluate the feasibility of more frequent district monitoring, potentially increasing the number of districts monitored annually, depending on staff capacity.	Resolved	<p>More frequent district monitoring of all Kentucky school districts requires additional staff and funding at KDE. As KDE explained to the auditors, it implements a risk-based system identifying districts for monitoring based on data KDE collects. This recommendations suggests that KDE should increase its monitoring of districts whose data indicate a low risk of non-compliance.</p> <p>Given current staffing and funding, KDE will continue to implement the existing consolidated monitoring process. Outside this process, other monitoring activities occur across the agency, which include monitoring from other programs (e.g. IDEA, gifted and talented, 21<sup>st</sup> Century Community Learning Centers, McKinney-Vento programs for homeless students, migrant education programs, and career and technical education); Title I, Part A desk reviews; funding application reviews; and data reporting and review.</p>
7.2.a	KDE should clearly explain to district leadership the reasons for selecting a district for monitoring.	Resolved	KDE has and will continue to explain to school district leaders the risk assessment process utilized when districts are selected for monitoring. Furthermore, KDE provides districts selected for monitoring with their individual risk assessment results upon request.
7.3.a	KDE should publish the list of districts selected for monitoring in the fall once district leadership has received official notice.	Resolved	<p>As monitoring selections are made, KDE will post district names to the consolidated monitoring webpages. The listing will resemble the one on <a href="#">this page</a>, with links to consolidated reports provided when the reports are released to districts. Until those reports are released, the districts will be listed without links.</p> <p>KDE will also publish district names that are selected for all IDEA fiscal and programmatic monitoring. The links to reports will be posted when reports are released to districts.</p>

7.4.a	KDE should use risk assessment results to tailor technical assistance for each district.	Resolved	KDE has and will continue to use risk assessment results to tailor technical assistance for districts. Risk assessment results are used to provide monitoring focal points that are explored during individual desk reviews and on-site monitoring visits. These focal points are used, for example, to develop questions and make requests to inspect particular documentation. This allows KDE staff to review a district with specificity and provide individual recommendations and technical assistance based on observations. The risk assessment is also used in conjunction with the results reviews referenced in Recommendation 7.5.a to develop resources.
7.5.a	KDE should establish a data repository to centrally track monitoring outcomes and guide future technical assistance and monitoring efforts.	Resolved	Progress in addressing certain monitoring findings, including Title I, Part A, are tracked each year. After the monitoring season ends, KDE reviews all findings, identifies common findings, and analyzes how the agency may provide further technical assistance for all districts. In past years this has included the creation of new resources, topics for newsletters and webinars, and a review of the wording on the checklist to ensure clarity. KDE will continue to implement this process.
7.6.a	KDE should offer tailored, constructive feedback to districts to promote continuous improvement in consolidated monitoring reports.	Resolved	<a href="#">Consolidated reports</a> already provide constructive, individualized feedback for areas of improvement. Program areas that identify the same opportunity for improvement collaboratively develop common solutions/recommendations to resolve the issue. These common solutions/recommendations are based on real-world, in-person observations for each district, many times referencing other related, successful practices/models within the district, as well as other resources. Many times, the recommended solutions focus on collaboration opportunities that exist across the district and its schools.
7.7.a	KDE should ensure all recommendations are tailored to the local context of each district.	Resolved	This recommendation is already captured within Recommendation 7.6.a. See response to Recommendation 7.6.a above. In addition to that response, individual program monitoring reports contain findings, recommendations, and required actions that are based on real-world, in-person observations for each district. Portions of the recommendation wording may be similar to help ensure consistency in

			messaging; however, district-specific details are added as appropriate.
7.8.a	OCIS should strategically coordinate district selections to minimize capacity strain. Evaluating the timing and calendar of monitoring activities will ensure site visits are appropriately spaced.	Resolved	This recommendation is already captured within Recommendation 7.14.a below. See response to Recommendation 7.14.a below.
7.9.a	KDE should create a process to collect and share best practices with districts, using them to offer tailored technical assistance.	Resolved	For many years KDE has maintained a <a href="#">database of best practices on its website</a> . The site is a voluntary, knowledge sharing resource whose primary purpose is to highlight innovative local practices—not to serve as core mechanisms for technical assistance or program monitoring. This is a peer-to-peer sharing database and winners are selected to present at Kentucky’s annual Continuous Improvement Summit. KDE will recognize 13 new best practice winners in September, 2025, recognized 16 best practice winners in 2024, and recognized 9 schools and districts in 2023. Most recently, staff have been invited to present on the database in Lexington to a group of teachers and administrators interested in learning more.
7.10.a	KDE should, when appropriate, utilize its authority to conduct management reviews and audits to improve efficiency and effectiveness in district governance or administration.	Resolved	This recommendation is already captured within Recommendation 6.6.a. See response to Recommendation 6.6.a above.
7.11.a	KDE should publish an annual one-page "fast facts" document with expanded summary data and multi-year trend information including financial metrics such as total cost (state and local), cost per rider, riders versus walkers, special transportation modes (such as specially equipped buses or vans), and driver information (such as average age and hourly wage).	Resolved	KDE will publish an annual one-page “fast facts” document regarding transportation and is continuing to evaluate what information will be included.
7.12.a	KDE should add links to the nutrition monitoring manual, online training, technical assistance materials, and results search to the	Resolved	As stated in KDE’s June 23, 2025, response, nutrition monitoring results are already posted on the KDE website. However, KDE has updated its website to include additional language in two areas related to the monitoring results to assist

	KDE school meal programs webpage to enhance accessibility by organizations and the public.		<p>the public in locating, which can be found here: <a href="#">School Meal Programs - Kentucky Department of Education</a>.</p> <p>KDE will not add links to the nutrition monitoring manual, online training, or technical assistance materials to the KDE website. Materials developed specifically for existing program operators are located on an intranet site, referred to as SponsorNet, and all existing program operators have access to these materials. KDE posts information pertaining to the public on the KDE website.</p>
7.13.a	KDE should update attendance monitoring protocols to use electronic/remote monitoring and electronic document receipt/storage, reserving onsite visits for random selections and follow-ups on suspected major errors or fraud.	Resolved	KDE is amending its processes to utilize electronic audit forms via tablets instead of paper. However, at this time, KDE believes continuing attendance audit visits is a best practice. These visits create a touchpoint to connect districts with state staff and facilitate relationships that help both the district and KDE.
7.14.a	KDE should create a system to track district engagements and prevent overlapping audit or monitoring activities.	Resolved	<p>KDE implements a process for all KDE offices to share lists of districts selected for monitoring under various programs to ensure that districts are not unnecessarily monitored for multiple programs in the same year.</p> <p>KDE has and will continue to implement steps to strategically coordinate its monitoring to minimize burden and disruption to school districts. Consolidated monitoring site visits occur between early January through the end of April. KDE staff already incorporate scheduling and pacing considerations such as spring break timing, end of school year activities, federal and state holidays, and include make up dates to account for adverse weather.</p>
<b><i>Student Supports</i></b>			
8.1.a	KDE should create a Student Support and School Safety strategic plan to guide cross-office collaboration on critical interdisciplinary work and establish structures to sustain these efforts.	Resolved	The Division of Student Support utilizes existing KDE processes to guide cross-office and inter-agency collaboration (including the Kentucky Center for School Safety, Department for Community Based Services, etc.) related to school safety. This information will be logged and maintained as part of the Division's strategic planning efforts.

8.2.a	KDE should update the organizational reporting structure of OTL so the Comprehensive Coordinator for School Counseling directly reports to the Chief Academic Officer.	Pending	KDE continues to evaluate the feasibility of this recommendation. The Chief Academic Officer currently has a regular monthly meeting with the Comprehensive School Counseling Coordinator.
8.2.b	KDE should further develop a detailed, long-term vision for Comprehensive School Counseling.	Resolved	KDE will develop a long-term vision with actionable goals for the program and to consult with cross-agency partners to eliminate redundancies and improve effectiveness in supporting districts in this area.
8.3.a	SCAC should define the educational priorities that meet the needs of the whole child to help drive the Council's agenda and to more strategically advise KDE.	Resolved	This recommendation will be shared with SCAC during its next meeting.
8.4.a	KDE should conduct a statewide landscape analysis of school counseling and school-based mental health to determine where mental health and counseling needs are underserved.	Resolved	KDE already collects and reports this information. KRS 158.4416(3)(f) requires local school district superintendents to report to the department the number of school-based mental health service providers, the position held, placement in the district, certification or licensure held, the source of funding for each position, a summary of the job duties and work undertaken by each school-based mental health service provider, and the approximate percent of time devoted to each duty over the course of the year. KDE maintains this data and compiles it for reporting to the Interim Joint Committee on Education (IJCE) by June 1 of each year.
8.5.a	KDE should better promote current ILP tools, such as the ILP Playbooks and Futuriti, to encourage LEAs to more effectively implement the ILP with fidelity.	Resolved	KDE continues to refine the ILP resources and has partnered with CPE to promote Futuriti. These resources are shared and communicated on the KDE website, in monthly counselor newsletters and in regular professional learning sessions.
8.6.a	KDE should identify the root cause of enrollment discrepancies and implement strategies to promote student access to advanced coursework statewide.	Resolved	KDE regularly gathers Advanced Placement (AP) enrollment data via the School Report Card to identify gaps in AP enrollment. 704 KAR 3:510, Section 2, requires school districts to: "(3) Establish an equitable process for recruitment of underrepresented students in advanced placement courses including: (a) Racial minorities; (b) Students with limited English proficiency; (c) Students who qualify for free and reduced lunch; (d) Students with disabilities; and (e) Males or females."

			KDE also developed guidance for access to advanced coursework in middle school, which includes strategies for ensuring access to a broad range of learners, to assist in early identification of students who may otherwise be underrepresented in AP coursework.
8.7.a	KDE should develop a standardized process for tracking usage of training, presentations, or other information sharing events from the Safe Schools Branch.	Resolved	The Safe Schools Branch has created a training tracking log to inform and monitor technical assistance.
8.8.a	KDE should provide resources on how best to prevent, respond to, and support victims of sexual violence for relevant stakeholders including students, school personnel, and families in the Commonwealth.	Resolved	<p>KDE <a href="#">maintains a list</a> of approved, comprehensive, evidence-informed training on child abuse and neglect prevention, recognition, and reporting that encompass child physical, sexual, and emotional abuse and neglect. This training must be completed by school staff throughout Kentucky within 90 days of being hired, and must be repeated every two years for school administrators, certified personnel, office staff, instructional assistants, as well as coaches and extracurricular sponsors employed by the school district. This requirement has been in place since 2017.</p> <p>For students, the <a href="#">Kentucky Academic Standards for Health</a> (2018) require grade appropriate instruction related to sexual violence prevention and response. For example, the Kentucky Academic Standards for Health, Grades K-5 include the following standards:</p> <ul style="list-style-type: none"> <li>• Explain the benefits and harmful effects of healthy and unhealthy peer and family relationships and how to report unhealthy interactions.</li> <li>• Explain and demonstrate how to effectively communicate needs, wants and feelings in healthy ways, and describe appropriate ways to respond to unwanted, threatening or harmful situations.</li> </ul> <p>The Kentucky Academic Standards for Health, High School include the following performance indicators:</p>

			<ul style="list-style-type: none"> <li>• Analyze characteristics of healthy relationships and explain how to build and maintain healthy relationships with family members, peers and boyfriends and girlfriends.</li> <li>• Summarize the importance of talking with parents and other trusted adults about issues related to relationships, growth and development and sexual health.</li> <li>• Analyze situations that could lead to being pressured into having sex.</li> <li>• Explain why it is wrong to trick, threaten, or coerce another person into having sex.</li> <li>• Explain why rape and sexual assault should be reported to a trusted adult.</li> <li>• Use consensual, consistent language to set personal limits and explain its implications for decision-making to avoid risky behaviors.</li> </ul>
8.9.a	KDE should encourage the Student Advisory Council to evaluate progress on recommendations in the <u>A Focus on School Safety</u> report and, if necessary, make additional recommendations for KDE to consider in School Safety.	Resolved	This recommendation will be brought before the new members of the Commissioner’s Student Advisory Council during the 2025-26 school year.
8.10.a	KDE should make efforts to support and help increase the number of schools and districts implementing a PSIS framework with fidelity across the state.	Resolved	<p>KDE has increased the number of schools applying for and being recognized for fidelity recognition each year over the past five school years. There was an increase in 102 schools submitting data in PBISApps in the most recent school year compared to the prior year.</p> <p>Building capacity across the cascade of implementation for PBIS Assessment is crucial to the sustainability of PBIS/MTSS in the state. KDE’s “cascade” approach includes building capacity within regional cooperatives to support their member districts in fidelity implementation; in turn, district leaders support their school PBIS teams in implementing PBIS with fidelity.</p>

8.11.a	<p>KDE should monitor, share, and discuss disaggregated disciplinary data with school leadership and staff, highlighting disparities. KDE should also facilitate professional development for LEAs to understand the root cause of these disparities.</p>	Resolved	<p>Both branches of KDE’s Division of Student Success actively work to bring awareness to various role groups within schools and districts to disparities using the data tools available within Infinite Campus. The Division of Student Success also works with the Office of Special Education &amp; Early Learning (OSEEL) program consultant who leads Significant Disproportionality and Comprehensive Coordinated Early Intervening Services (CCEIS)/Coordinated Early Intervening Services (CEIS) work to address disproportionality, particularly through PBIS and trauma-informed discipline strategies.</p> <p>The Safe School Annual Statistical Report is state-level data disseminated by KDE, while the KY Center for School Safety provides district-level analyses of these same data. Both agencies are dedicated to reducing these disparities; however, the data show additional support is needed for these disparities to be eliminated.</p> <p>KDE provides training to school districts upon request. When Districts request training, the district is analyzed to determine the training previously completed, current process implementation, what (if any) behaviors they are currently experiencing, attendance, staffing, etc.. Then, technical assistance, including training, is designed to support each individual district according to their specific needs, including current data. KDE’s PBIS team trains districts on how to utilize the data systems that they all have access to (Tableau and Infinite Campus) and suggestions on how to input data, read, and utilize this data in their data-based decision making.</p> <p>As required by federal law, OSEEL monitors discipline data for special education students with regards to Indicator 4: Significant Discrepancy and Significant Disproportionality. Both Indicator 4 and Significant Disproportionality require districts to examine root cause(s) for disparities within the data. OSEEL has processes established for partnering with and</p>
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			supporting districts through these processes. OSEEL has processes for professional development and coaching activities designed to address root causes.
<b><i>Diversity, Equity, &amp; Inclusion</i></b>			
9.1.a	The Commonwealth should increase its focus on closing achievement gaps.	Resolved	<p>KDE is committed to closing achievement gaps by equipping schools and districts with targeted supports and resources. Through its work in school and district improvement planning, KDE ensures that schools analyze disaggregated data, identify root causes of performance disparities and implement measurable strategies that support all learners. School-based decision making councils play a pivotal role in this work by engaging educators, families and communities in collaborative decision making and improvement planning. KDE strengthens this work by offering several SBDM-related trainings and resources in this area. KDE also employs continuous improvement coaches and educational recovery staff who provide direct, embedded support in schools. These experts assist leadership teams in building capacity, monitoring progress and sustaining improvement efforts aligned to state and federal expectations related to achievement gaps. Together these efforts reflect KDE’s commitment to fostering learning environments that meet the needs of all students.</p> <p>KDE further supports statewide efforts to close achievement gaps through the implementation of high-quality academic standards and a focus on Tier 1 HQIR implementation that provides access to grade-level learning for all students through the effective implementation of evidence-based curriculum and instruction.</p> <p>KDE’s Office of Special Education &amp; Early Learning measures achievement gaps as required under Indicator 3D of the SPP/APR. OSEEL will review the potential of including this indicator in IDEA Annual District Determinations.</p>
<b><i>Exceptional Children</i></b>			

10.1.a	KDE should utilize all aspects of State Performance Plan (SPP) indicators 1 through 14, including the results-oriented aspects of those indicators, when establishing annual LEA determination levels.	Resolved	OSEEL will continue to issue LEA Annual Determinations as required by the Individuals with Disabilities Education Act (IDEA). KDE will update its LEA Annual Determination process to include additional results indicators and utilize all aspects of the SPP indicators 1 through 14 while continuing to meet the requirements of the IDEA.
10.1.b	KDE should refine special education monitoring and support processes to ensure the system is focused on improving educational and functional outcomes for students with disabilities.	Resolved	OSEEL is examining current processes and will determine changes that can be made within the processes established and governed by the IDEA to enhance the focus on improving educational and functional outcomes for students with disabilities.
10.2.a	KDE should provide dispute resolution resource documents and their respective hyperlinks in both English and a variety of languages on the KDE website to provide access for stakeholders whose primary language is not English.	Resolved	KDE will update the labels for its existing non-English forms so they are accessible to stakeholders whose primary language is not English. KDE is also evaluating how best to arrange content on the KDE homepage without undergoing significant expense of a complete website redesign. See response to Recommendation 1.6.a.
10.3.a	KDE should develop implementation processes and procedures aligned to KRS 157.224(5) for the withholding of LEA funds due through a special education trust fund. After processes and procedures are developed, OSEEL should implement such processes and procedures for any circumstance in which LEA funds are withheld due to the LEA's failure to meet the required special education program standards.	Resolved	KDE will develop implementation processes and procedures aligned to KRS 157.224(5) for the withholding of LEA funds through a special education trust fund, consistent with the requirements of the IDEA.
10.4.a	KDE should conduct targeted engagement efforts with stakeholders from LEAs with more than 5,000 enrolled students to understand the distinct needs of the district related to significant disproportionality in special education.	Resolved	KDE will offer targeted engagement with LEAs with more than 5,000 students regarding significant disproportionality.
10.4.b	KDE should use data from targeted engagements to identify and improve state support systems for LEAs addressing significant disproportionality in special education and implement necessary changes.	Resolved	KDE will continue to analyze data from engagements both via in person, online virtual meeting and technical assistance logs to make improvements in the overall process of addressing the needs of districts identified for significant disproportionality and required to implement Comprehensive Coordinated Early

			Intervening Services (CCEIS) consistent with requirements established in the IDEA. KDE assigned dedicated staff to work with districts identified with significant disproportionality.
10.5.a	KDE should review, update, organize, and condense website materials related to special education for all appropriate audiences, including resources in multiple languages, and ensure all policy guidance and resources are accessible and align with regulatory requirements, research, and best practices.	Resolved	This recommendation is captured within Recommendations 1.6.a and 10.2.a above. See responses to Recommendations 1.6.a and 10.2.a.
10.6.a	KDE should develop an improved system for tracking special education related communications and storing vetted or cataloged responses.	Resolved	KDE will investigate Customer Relationship Management (CRM) platforms—such as HubSpot, Microsoft Dynamics 365, Zoho CRM, Zendesk, and Monday.com CRM—as potential tools to strengthen communication, streamline stakeholder engagement, and improve service delivery.
10.6.b	KDE should revise the internal requirement for KDE to peer review special education guidance by multiple staff members by reducing the number of reviews needed before issuing stakeholder guidance when requested.	Resolved	This recommendation is captured within Recommendation 10.7.b below.  KDE amended processes such that peer reviews are now only required for complex technical assistance responses and statewide publications. This process will continue to ensure high-quality customer service and the alignment of guidance with the requirements of the IDEA.
10.6.c	KDE should conduct targeted engagement efforts, such as focus groups or listening sessions with special education stakeholders in LEAs with student enrollment populations larger than 5,000 to gather more information about large district support needs. Use data gathered through targeted engagements to identify continuous improvement areas related to state support systems for LEAs and implement any changes needed to provide such support.	Resolved	KDE will develop a team to create procedures for targeted engagement of stakeholders in larger LEAs (student enrollment populations larger than 5,000). KDE will use the product of these engagements to improve state systems that support the implementation of the IDEA.
10.7.a	KDE should analyze trends and themes related to special education topics from the Department’s customer service communications	Resolved	KDE produces a monthly impact report that analyzes the department’s phone and email support activities within the OSEEL Guidance & Support Branch. This report serves

	<p>to identify areas that are not clear in the available resource documents and training materials.</p>		<p>multiple purposes, including determining the effectiveness of current guidance, identifying emerging needs for guidance and training in the area of special education. The division director, assistant director, and branch manager convene weekly to review data from the impact report. These meetings are used to explore potential topics for guidance and training. The impact report is triangulated with additional data sources from across the office to ensure a comprehensive understanding of current needs.</p> <p>Monthly general supervision team meetings bring together representatives from across OSEEL. During these meetings, data related to statewide training and guidance—such as monitoring outcome reports and feedback from recent trainings—are reviewed. This information is also triangulated with communication logs and the impact report to identify trends and determine whether new or updated guidance and training materials are needed.</p>
<p>10.7.b</p>	<p>KDE should streamline OSEEL’s internal process for developing special education related public-facing resources to deliver more timely guidance materials to stakeholders.</p>	<p>Resolved</p>	<p>KDE amended processes such that peer reviews are now only required for complex technical assistance responses and statewide publications. This process will continue to ensure high-quality customer service and the alignment of guidance with the requirements of the IDEA.</p> <p>The development of guidance documents is managed through SharePoint, enabling real-time collaboration among all internal stakeholders, including the policy advisor and supervisor. This shared platform allows multiple reviewers to simultaneously access, edit, and provide feedback on the document, ensuring a transparent and efficient review process. To support effective project planning, review timelines are established to guide the development process and set realistic publication goals. However, the process remains flexible—internal stakeholders can contribute feedback or edits at any stage, promoting continuous improvement and responsiveness throughout the development cycle.</p>

10.7.c	KDE should identify LEA training needs to improve educational outcomes for special education students and provide professional learning opportunities to enhance LEAs' capacity to meet these students' academic needs.	Resolved	KDE will develop a team to create procedures for focus groups that consist of stakeholders in LEAs, including larger LEAs (student enrollment populations larger than 5,000). These procedures and focus groups will be used to help LEAs self-identify training needs. Additionally, KDE will continue to use risk assessment tools and the results of IDEA dispute resolution processes to identify LEA training needs.
10.8.a	KDE should revise the purpose, structures, and coordination of SAPEC to align with the advisory's regulatory requirements according to 34 C.F.R. § 300.169. SAPEC should advise KDE on the impact of state policies and areas where the needs of students with disabilities are unmet.	Resolved	The purposes, structures, and coordination of SAPEC, along with its duties, are established in the federal regulations implementing the IDEA. KDE will revise its documentary processes to more transparently document and demonstrate action taken by the SAPEC to advise KDE on unmet needs and state policies.
10.8.b	KDE should implement a transparent tracking mechanism that demonstrates when SAPEC makes policy recommendations to the Department, how such recommendations were reviewed by the Department and by whom, decisions regarding the implementation of such recommendations, and the Department's progress in moving forward SAPEC's recommendations.	Resolved	KDE will implement a tracking system that improves the transparency of SAPEC policy recommendations and subsequent consideration and resolution of such recommendations, consistent with the requirements of state and federal law.
10.8.c	KDE should develop an outreach, recruitment, and training plan to ensure SAPEC vacancies are filled, members are trained to understand roles and responsibilities, and active membership is posted on the Department's website for the public to access.	Resolved	KDE will continue to actively recruit members for SAPEC, which vacancies are filled through gubernatorial appointment. KDE publishes active membership and will continue to update this membership list. KDE will continue to provide training for SAPEC members in their roles and responsibilities.
10.9.a	KDE should ensure gifted and talented monitoring includes disproportionate representation.	Resolved	KDE provides training for districts on the process of utilizing the Quality Assurance (QA) Gifted and Talented report to self-monitor for disproportionate representation.
10.9.b	KDE should limit the number of items in an LEA's gifted and talented self-assessment to only those elements that are not already available to KDE staff through existing data systems	Resolved	KDE will continue to review the Summative Evaluation to ensure alignment with the Kentucky Administrative Regulation for Gifted and Talented programs (704 KAR 3:285). Items that are not supported by this regulation or that duplicate data already available through other KDE data sources will be

	including School Accountability, Infinite Campus, and the Student Information System.		considered for removal to streamline reporting and reduce redundancy.
10.9.c	KDE should establish an integrated gifted and talented summative assessment method through the statewide Student Information System or other online data management platform that allow for pre-filled data fields, extended response mechanisms such as dropdowns, rubrics, or rating scales, and upload capabilities for documentation.	Resolved	KDE will evaluate the capabilities of the Student Information System to identify opportunities for enhancing the functionality of the summative assessment process.
10.9.d	KDE should implement a data validation procedure to verify LEA gifted and talented self-reported data, including randomized sampling of assessment items and review of supporting artifacts, or sampling of LEAs reporting full compliance for follow-up verification.	Resolved	The recommendation suggests comprehensive program monitoring for gifted programs. However, comprehensive program monitoring is beyond the current scope of statutes governing Gifted and Talented education in Kentucky. These statutes do not contain any monitoring requirements.
10.10.a	KDE should implement a transparent tracking mechanism that demonstrates when SACGTE makes policy recommendations to the Department, how such recommendations were reviewed by the Department and by whom, decisions regarding the implementation of such recommendations, and the Department's progress in moving forward the SACGTE's policy recommendations.	Resolved	KDE will restructure the minutes of the SACGTE meetings to clarify the policy recommendations made by SACGTE. Subsequent agendas will document the review of and decisions regarding SACGTE recommendations, along with progress updates.
10.11.a	KDE should cross-train the Department's staff that guide and train LEAs, such as OTL, on effective instruction principles for gifted and talented learners to support educator training needs.	Resolved	KDE will provide cross-training across the Department on effective instruction principles for gifted learners. Currently, OTL provides guidance for HQIR unit and lesson internalization that directs educators to identify the embedded HQIR supports for enrichment of student learning or to consider how the needs of gifted learners may be addressed beyond grade-level mastery.
10.11.b	KDE should reassign the responsibilities of managing the SACGTE from the Gifted and Talented Coordinator to the Guidance and Support Branch Manager.	Resolved	KDE reassigned these responsibilities.

<b><i>Kentucky School for the Blind &amp; Kentucky School for the Deaf</i></b>			
11.1.a	KDE should collect survey data (anonymously, if necessary, to encourage better quantitative and qualitative responses) regarding detailed concerns, thoughts, and proposed solutions for identified problems on a regular basis from KSB and KSD administrators, personnel, parents, and students.	Resolved	KSB and KSD certified staff participate in the Impact Ky working conditions survey. This survey is administered anonymously every other year. KDE will explore opportunities to expand the use of anonymous surveys to support more comprehensive and candid feedback from personnel, parents, and students.
11.1.b	KDE should establish more consistent interaction with KSB and KSD to better understand the needs of the state schools and the communities they serve. This additional interaction should involve not only the administration of KSB and KSD but also include teachers, staff, and students, as well as a greater presence on each campus.	Resolved	Under KRS 167.015, KSB and KSD are under the exclusive control of the Kentucky Board of Education and thus do not have a legal identity separate from that of KDE. In addition to daily operation and control, KDE currently maintains a structured and consistent presence at both campuses through regular on-site engagement, operational and programmatic support, direct communication with school leaders and staff, and participation in campus events. These efforts are aligned with KDE’s organizational framework, which supports school-level leadership while ensuring ongoing oversight and accountability. KDE will continue its structured and consistent oversight and engagement.
11.1.c	KDE should establish more consistent interaction with the KSB and KSD advisory boards to assist them in meeting the needs of KSB and KSD, as well as the communities they serve. This should include attending KSB and KSD advisory board meetings and ensuring each advisory board has the required number of members to have a quorum for meetings.	Resolved	KDE interacts with the KSB and KSD advisory boards by attending each meeting. Attendance by advisory board members is not compulsory, but voluntary and it is not possible to guarantee that a quorum of such members will attend meetings. KDE immediately recommends appointments to both advisory boards when vacancies exist.
11.1.d	KDE should ensure the KSB Advisory Board is comprised of at least some individuals who are blind or visually impaired, reflecting the community the board serves, and seek a statutory change that provides for such representation.	Resolved	The bylaws of the KSB Advisory Board provide for the membership contained in this recommendation.
11.1.e	KDE should strive to include a substantive overview of both KSB and KSD in KBE board meetings on an as needed or more frequent basis.	Resolved	In <a href="#">August 2023 the KBE created a State Schools Committee</a> for this very purpose. The committee is charged with “reviewing and advising the full board on all policy matters related to the

	KBE must be consistently informed of the state schools' conditions (fiscal and otherwise) and take timely action on items that need to be addressed and/or require attention.		governance and operations of the Kentucky School for the Blind, Kentucky School for the Deaf, and the Area Technology Centers operated by the KDE.” The committee was established as a standing committee, meaning that it both meets and reports to the full board during each regular meeting of the KBE.
11.1.f	<p>KDE should consider the following options related to administrative oversight and operations:</p> <ul style="list-style-type: none"> <li>Formally appoint a KSD superintendent pursuant to KRS 167.017.</li> <li>Administratively appoint a KSB superintendent while seeking a statutory addition to provide for a formal appointment process for a KSB superintendent.</li> <li>Administratively appoint one superintendent to oversee both KSB and KSD while seeking a statutory change to KRS 167.017 to provide for a formal appointment process for a KSB superintendent.</li> <li>Analyze whether KSB and KSD should be established as independent school districts and turn their advisory boards into decision-making school boards.</li> </ul>	Pending	<p>This recommendation contradicts Recommendations 11.1.b and 11.1.c above. Nevertheless, KDE is calculating an estimate of the cost and implications of implementing this recommendation, specifically the cost associated with the first three bullet points regarding a superintendent. Neither KSB nor KSD operate with excess funding. The addition of administrative positions at the schools means that other positions/expenses must be eliminated to balance the budget.</p> <p>As for establishing KSB and KSD as independent school districts, this action would require a statutory change by the Kentucky General Assembly. KSB and KSD are not common schools. Furthermore, they do not have school district boundaries for board elections and taxing authority. Therefore, significant details distinguish these schools from being able to operate as any other school district in the Commonwealth.</p>
11.1.g	KDE should work with the Kentucky Personnel Cabinet to review the job specifications and pay scales for 18A classified employee positions.	Resolved	As noted in KDE’s June 23, 2025 response, KDE has, and will continue to, actively collaborate with the Kentucky Personnel Cabinet to conduct ongoing reviews of the job classifications utilized at Kentucky School for the Blind and Kentucky School for the Deaf. In addition, KDE has, and will continue to explore other avenues, outside of the job class specifications, in which to ensure staff at Kentucky School for the Blind and Kentucky School for the Deaf are appropriately compensated. KDE notified the Personnel Cabinet of this recommendation.
11.2.a	KDE should foster greater communication related to procurement with KSB and KSD,	Resolved	Consistent and ongoing communication is a foundational part of the KDE Division of State Schools (DoSS) process. The

	ensuring that any necessary immediacy for approval is clearly communicated to the appropriate personnel at KDE.		<p>Division includes Fiscal Manager positions at both KSB and KSD, who work closely with KDE’s OSEEL and OFO to ensure that school-level procurement aligns with KDE policy and all applicable state and federal regulations. These Fiscal Managers regularly coordinate with DoSS, OSEEL, and OFO to communicate procurement needs and the urgency of approvals.</p> <p>To support transparency and coordination, DoSS maintains a Weekly Reports/Communication System, incorporating input from each school’s Principal and Fiscal Manager. This system enables staff to identify priorities, request support, and track action items. In addition to these structured processes, DoSS staff are on-site weekly at both campuses and remain accessible through multiple channels, including phone, Microsoft Teams, and email. School leaders also have direct access to the Division Director for time-sensitive matters.</p>
11.2.b	KDE should conduct an internal analysis of its approval process to identify any factors that may negatively impact procurement timing. Any unnecessary obstacles should be removed.	Resolved	KDE will implement this recommendation.
11.2.c	The schools' fiscal managers should hold an annual information session at the beginning of each academic year to ensure a clear understanding of the procurement process among staff. A KDE representative should attend these sessions to speak to KDE's role in the process. Clarity and transparency during this session is key to fostering trust and communication regarding any future issues.	Resolved	KDE is integrating a dedicated fiscal session into each school’s Beginning of Year (BOY) training. These sessions will be led by the school-based Fiscal Managers and Principals with KDE participation. The BOY training plan includes a comprehensive agenda that reflects the following key fiscal and operational priorities: Procurement, Classroom Budget and Supplies Request Processes, and Travel Request and Reimbursement Processes. This annual training structure will be implemented beginning with the 2025–2026 school year and will occur at the start of each academic year to ensure consistent understanding of fiscal processes and KDE’s role in supporting compliance.
11.3.a	With support and oversight from KDE, KSB and KSD should review their respective process for budgeting to determine whether additional funding is available to assist teachers and staff	Resolved	KSB and KSD have school-managed budgets in place to ensure all essential classroom items for students are fully funded and accessible. Staff are expected to follow established request

	with the purchase of essential items. Methods of assistance could include designated classroom stipends and/or a reimbursement process (separate from the processes associated with the schools' charitable foundations).		<p>processes under the direction of school leadership to obtain the necessary materials.</p> <p>KDE, through the Division of Budget and Financial Management and the Division of State Schools, has provided training and on-site support to ensure staff understand how to access available resources. To strengthen clarity and consistency moving forward, fiscal managers have designated classroom budgets to support instructional needs. The classroom budget process will be incorporated into each school's Beginning-of-Year (BOY) training to ensure all staff are informed and equipped to request necessary resources. This annual training structure will be implemented beginning with the 2025–2026 school year and will occur at the start of each academic year to ensure consistent understanding of processes and KDE's role in supporting compliance.</p>
11.3.b	With support and oversight from KDE, KSB and KSD should make efforts to inform their employees of their respective schools' budgets on an annual basis via informational sessions, regardless of whether either of the above suggestions is possible. Employee awareness of the fiscal budget (and its constraints) should promote transparency and informed purchasing, as well as help alleviate any misconception that money is being withheld for arbitrary or unexplained reasons.	Resolved	<p>KDE will explore ways to enhance communication of school-level budget information to staff at KSB and KSD, with the goal of promoting transparency, supporting informed decision-making, and addressing any misconceptions related to resource availability.</p> <p>Beginning with the 2025–26 school year, each school's Beginning-of-Year (BOY) training will include an overview of school-level budgets, including key funding sources. This annual session will help ensure staff are informed, foster transparency, and support a shared understanding of how resources are allocated and accessed.</p>
11.4.a	With support and oversight from KDE, KSB and KSD should formulate and formalize a written complaint process. The process should provide detailed information and guidance on the types of complaints that can be handled by the respective schools and specify which types of complaints should be submitted to KDE.	Resolved	<p>As explained in KDE's June 23, 2025 response to the draft Special Report, formal grievance policies are in place at both KSB and KSD, consistent with those adopted by the KBE and used statewide. These include <a href="#">Policy 03.16 for staff and Policy 09.4281 for students and parents</a>. In addition, all KRS Chapter 18A employees follow the formal <a href="#">grievance procedures</a> established by the Kentucky Personnel Cabinet. KSB and KSD</p>

			<p>each have an on-site KDE HR Administrator to support staff with guidance.</p> <p>Parents have multiple formal avenues to raise concerns, including through the ARC process, where they are reminded of their procedural safeguards and rights under IDEA. Concerns related to IEP implementation are addressed through OSEEL via a federally regulated <a href="#">dispute resolution process</a>.</p>
11.4.b	Take steps to ensure all staff, teachers, students, and guardians are aware of the applicable complaint process. Awareness can be raised by holding informational sessions, email blasts, or announcements in newsletters.	Resolved	To ensure consistent understanding and implementation, training on grievance policies and complaint procedures will be incorporated into the Beginning of Year (BOY) training at both schools starting with the 2025–2026 school year. KDE will examine opportunities to further strengthen stakeholder awareness and enhance communication efforts across all levels.
11.4.c	Maintain and update the complaint process as necessary.	Resolved	As explained in KDE’s June 23, 2025 response to the draft Special Report, policies governing KSB and KSD, including the grievance procedures for certified staff and students/parents, are reviewed and revised annually by the Kentucky Board of Education. Complaint processes for KRS 18A classified staff are within the authority of the Kentucky Personnel Cabinet.
<b>Preschool</b>			
12.1.a	KDE should strike and/or amend Subpart 4 of § 4 of 704 KAR 3:410 in accordance with controlling Supreme Court precedent.	Resolved	The finding which informed this recommendation is flawed. Specifically, the finding relied upon <i>Carson v. Makin</i> , 596 U.S. 767 (2022). In <i>Carson</i> , the state offered a tuition reimbursement program for certain students to attend private schools through their own private choice. 704 KAR 3:410, however, does not offer a program where individual students attend private schools through their own private choice. Instead, 704 KAR 3:410 provides a mechanism for public school districts to contract with a private entity to fulfill the school district’s responsibility to provide public preschool services for all eligible children in the district. As written, the special report would have the state mandate that all preschool students in a school district that contracted with a religious entity be compelled to attend a religious preschool in order to

			take advantage of public preschool benefits, even when that religious preschool does not align with the beliefs of the parents/students. Obviously, doing so would run afoul of the Establishment Clause. See <i>Teen Ranch, Inc. v. Udow</i> , 479 F.3d 403 (6 <sup>th</sup> Cir. 2007).
12.2.a	KDE should provide ongoing training to agency staff responsible for implementing and interpreting regulatory requirements for preschool programs. Training should be provided at least annually.	Resolved	KDE will continue providing annual/ongoing training to preschool staff responsible for implementing and interpreting regulatory requirements for preschool programs.
12.2.b	KDE should develop and implement a process for inter-rater reliability within the preschool monitoring process. Staff should be equipped to evaluate and identify compliant and noncompliant practices with accuracy and consistency across staff utilizing KDE monitoring protocols.	Resolved	KDE will implement this recommendation.
12.2.c	KDE should assign a minimum of two staff to conduct site visits for the purpose of evaluating regulatory compliance to conduct validation and verification of noncompliant preschool program practices.	Resolved	KDE will implement this recommendation.
12.3.a	KDE should review the history of student performance against state targets in each SPP Indicator 7 reported area as well as available kindergarten readiness data to evaluate the degree to which future state targets in this area meet criteria for being both rigorous and attainable.	Resolved	Consistent with federal requirements for the SPP, KDE set targets for Indicator 7 in 2025. Indicator 7 Targets will be set again in FFY2026.
12.4.a	KDE should incorporate metrics associated with preschool outcomes and kindergarten readiness within the annual preschool determinations process to emphasize the need for programs to not only meet compliance standards but also implement high-quality programs and practices	Resolved	KDE will implement this recommendation to the extent consistent with federal and state requirements.

	that promote student outcomes in all domain areas.		
12.4.b	KDE should refine preschool monitoring processes to verify LEAs with high rates of inclusionary practices for preschool students with disabilities are implementing strong practices aligned to student outcomes.	Resolved	KDE will implement this recommendation to the extent consistent with federal and state requirements.
12.4.c	KDE should enhance support efforts to emphasize student growth in pre-academic skills. It is commendable that KDE has emphasized social emotional readiness as evidenced by kindergarten readiness data. Similar efforts should be implemented to ensure students have solid foundations for academic success.	Resolved	KDE will collaborate with Kentucky early childhood partners to explore initiatives for enhancing pre-academic outcomes among preschool students. To support this effort, KDE will develop training modules for preschool educators, focusing on the five key developmental domains.
<b><i>Career &amp; Technical Education</i></b>			
13.1.a	KDE should explore whether restrictions on the use of state funds for memberships or chapter dues have a basis in statute.	Resolved	As part of the leadership development offered to students through the organizations, chapters and students participate in fundraising activities which increase student ownership and participation within the organizations. Local chapters may provide payment for student membership dues through fundraising activities. When surveyed, no state responded indicating it provides payment of membership dues through state or federal CTE funds.
13.1.b	KDE should create a way to fully or partially offset travel costs to national events for state Career and Technical Student Organization (CTSO) officers and state-level competition winners representing the Commonwealth at national-level competitions.	Resolved	This recommendation is inconsistent with findings in the Special Report. As stated in the Special Report, “State CTE supplemental funding can be used to pay for student travel to state or national events.” See pg. 315.
13.2.a	KDE should examine the statutory authority behind the FFA Leadership Training Center and, if necessary, initiate legislative action to properly establish the Commonwealth’s fiscal and operational responsibility for the Center.	Resolved	This has been addressed in past budgets of the Commonwealth. The <a href="#">2018-2020 Budget</a> states: “The Kentucky FFA Leadership Training Center at Hardinsburg is also part of Career and Technical Education program.” See pg. 71. See also <a href="#">2016-2018 Budget</a> at pg. 75. Furthermore, the <a href="#">2018-2020 Capital Budget</a> appropriated a maintenance pool fund to KDE for capital

			construction projects at the FFA Leadership Training Center. See pg. 7. See also <a href="#">2016-2018 Capital Budget</a> at pg. 7.
13.3.a	Identify statewide college and career readiness goals and integrate with KDE's Strategic Plan.	Resolved	KDE is currently working on identification of statewide postsecondary career goals and will finalize those measures in September. The Associate Commissioner for the Office of Career & Technical Education (OCTE) will serve on the Kentucky United We Lean Leadership Team and will integrate postsecondary career goals within the KDEs Strategic Plan. Postsecondary career goals include increases in Work-Based Learning, Concentrators, Completers, Industry Certifications and Dual Credit. These goals and measures will be aligned to the KDE strategic plan.
13.4.a	KDE should review Kentucky and comparison state data and explore setting more ambitious Perkins goals as applicable to Kentucky's CTE strategy.	Resolved	<p>The Perkins goals relied upon in the Special Report are 2022-2023 goals. However, more ambitious Perkins goals were established with the Perkins V State Plan approved by the KBE in March 2025. Data supporting these goals was retrieved from the Perkins Collaborative Resource Network.</p> <p>Perkins V, Section 113 establishes guidelines used by the federal government to measure state and local Perkins accountability and return on investment. Perkins V, Section 113(A) explains the required core indicators of performance and requires states to publish indicators of performance in the state plan. The Kentucky Perkins V State Plan includes Kentucky's current Perkins Performance Model as Appendix E and notes Kentucky's current Perkins Performance Model was posted to the KDE website for public review and comment May 30, 2024 through June 19, 2024. Comments could be submitted in writing or by telephone. No comments were received.</p> <p>The Kentucky Perkins Performance Model includes a baseline for each required indicator derived from the average of the actual performance data from the two most recently completed program years. Goals for each subsequent year of the model, per Perkins V Section 113, were set to increase from the baseline to continually make meaningful progress toward</p>

			improving performance. No additional action is needed based on this recommendation.
13.5.a	KDE should launch public information resources and campaigns to increase awareness and promote CTE programs statewide among non-educator audiences.	Resolved	<p>KDE is and will remain actively engaged in raising awareness about CTE through ongoing campaigns aimed at a broad audience, including those outside the education sector. In March 2025, KDE hired marketing staff to support statewide CTE promotion efforts. The Office of Career &amp; Technical Education also collaborates closely with the Division of Communications to ensure consistent messaging across both internal and external channels. This includes recent press releases and social media posts about HOSA; Family, Career and Community Leaders of America; and SkillsUSA. There also have been videos shared on social media about KDE’s support of agricultural programs and the SkillsUSA statewide conference.</p> <p>To further support understanding of CTE pathways, KDE staff developed a guidance document that outlines career options, skills development and postsecondary opportunities available through Kentucky’s CTE programs. This resource is especially helpful for school schedulers and parents who may not be familiar with the full range of CTE offerings.</p> <p>While promotional funding is limited due to KDE’s focus on directing resources toward student learning and program improvement, KDE continues to find innovative ways to spotlight CTE. In 2025, KDE supported the “All in for Ag” campaign, which featured events across the state to promote agricultural education. Each February, Kentucky observes Career and Technical Education Month to celebrate the impact of CTE in preparing students for high-demand careers and strengthening the state’s workforce. KDE also partnered with the Kentucky Community and Technical College System (KCTCS) for the “Going Pro” campaign, which celebrated</p>

			<p>students who secured employment with Kentucky-based companies.</p> <p>To keep the public informed, KDE publishes a monthly CTE newsletter featuring updates and highlights from across the state. Additionally, KDE collaborated with the Council on Postsecondary Education (CPE) to launch <i>Futuriti</i>, an application designed to help students of all ages explore career pathways and related education and training opportunities.</p>
13.5.b	KDE should build strategic connections between secondary school counselors, CTE program directors, ATCs, and workforce industries to increase co-op and apprenticeship opportunities statewide.	Resolved	<p>KDE is dedicated to building strategic connections between secondary school counselors, CTE program directors, Area Technology Centers (ATCs), and workforce industry partners to expand meaningful career pathways for students. By fostering collaboration among these key stakeholders, KDE aims to increase access to cooperative education and apprenticeship opportunities across the state. This coordinated effort ensures that students are better prepared for the demands of the modern workforce while supporting the economic development needs of local communities and industries. To this end, KDE provides grant funding for school counselors to attend the Kentucky Association for Career and Technical Education summer conference.</p> <p>KDE is an active participant in the State Wide Advisory and Talent Team (SWATT) which is a state wide collaborative approach to addressing Kentucky’s Workforce needs. As part of this collaborative, conversations are underway to increase co-op and apprenticeship opportunities in an effort to not only increase the workforce, but also provide greater work based learning opportunities for Kentucky’s CTE students.</p>
13.6.a	KDE should examine how information on high-level priorities gets to schools and ATCs to ensure priorities are reflected in programming and outcomes.	Resolved	<p>KDE recognizes the importance of effectively communicating high-level priorities to schools and ATCs to ensure alignment in programming and outcomes. KDE will review current communications methods and engagement strategies to identify areas for improvement. Efforts will focus on ensuring that priorities are clearly communicated with consistent follow-up.</p>

			KDE will explore feedback to better understand how priorities are received and implemented at the local level to ensure continuous improvement and stronger alignment to statewide educational goals.
13.6.b	KDE should assess how establishing statewide college and career readiness goals, or integrating CTE into the Department's Strategic Plan, can support the dissemination of information.	Resolved	This recommendation is captured within Recommendation 13.3.a. See response to Recommendation 13.3.a above.
13.7.a	KDE should create and publish online a CTE annual report with the agency's statewide CTE goals, outcomes and participation data, and performance-based metrics.	Resolved	KDE will create and publish an online CTE annual report in addition to its current reporting via the online School Report Card.
<b><i>Area Technology Centers</i></b>			
14.1.a	KDE should assess whether allowing ATCs to operate under the procedures of the host districts would bring procedural and fiscal efficiencies to school operations.	Resolved	<p>This recommendation is captured within Recommendation 1.12.b above.</p> <p>KDE previously assessed whether ATC operation under host districts would be more procedurally and fiscally efficient. Data-driven decisions made in collaboration with business and industry, local stakeholders, elected officials, and local districts resulted in the continuation of ATCs remaining under state operation under the authority of the KBE.</p> <p>KRS 157.069 provided a three-year window (during the 2020-2021, 2021-2022, or 2022-2023 academic years) for districts to take over the ATCs, receiving a portion of the then current year budgets. Four districts elected to take over the ATCs. At present, local districts also have the option to solicit for local control.</p> <p>Assessment data continually show that if operation of ATCs is transferred to local districts, it would create significant disparities in access and opportunity for students, particularly in underserved or rural areas where resources and program availability may become limited. Finally, this recommendation</p>

			contradicts Recommendation 14.10.a that the ATCs should expand programmatic capacity.
14.2.a	KDE should explore finding ways of funding CTE programs in comprehensive high schools and ATCs equally.	Resolved	KDE has and will continue working with legislators to address bringing the ATCs under the Supplemental CTE Funding and removing the “notwithstanding” language in the budget bill which creates disparities in ATC funding.
14.3.a	KDE should work with the state to ensure salary parity for ATC teachers, leaders, and staff with equivalent roles in host districts.	Resolved	KDE will convene a salary work group to address CTE salaries across the state. The group will identify and review options in hopes of securing a bill sponsor for anticipated 2026 legislative action to address this issue.
14.4.a	KDE should work with the state to identify additional funding for additional ATC staff dedicated to student services such as special education, Section 504 plan support, EL services, and counseling.	Resolved	KDE agrees there is a need for additional staff dedicated to student services in ATCs. A special education consultant within the Office of Special Education & Early Learning (OSEEL) is assigned to work with the Office of Career & Technical Education (OCTE) to ensure students with disabilities in CTE programs receive necessary supports. Going forward, KDE will present additional budget requests with the goal of securing additional funding and positions for this effort.
14.5.a	ATCs should provide summer programming that includes extended learning opportunities for current CTE students and exploratory learning about CTE pathways for prospective students.	Resolved	KDE supports expanding summer and exploratory opportunities for students. However, doing so requires additional funding. Including Area Technology Centers (ATCs) in the Supplemental CTE Funds Availability would help increase access to these programs (see Recommendation 14.2.a above). This recommendation will also be considered by the occupation-based salary work group as part of efforts to secure additional funding for staff and salaries to support exploratory and summer programming. These programs are currently available through the federal Perkins grant, though limited due to staffing and total budgetary constraints.
14.6.a	KDE should streamline entry and compensation processes to attract more industry professionals to teach in ATCs and CTE programs.	Resolved	KDE proposed amendments to 16 KAR 2:020, Occupation-based teacher certification, to the Education Professional Standards Board (EPSB) in August. Additionally, KDE is convening a salary work group to address CTE salaries across the state. The group will identify and review options with the goal of securing a bill sponsor for anticipated 2026 legislative action.

14.7.a	KDE should expand dual credit opportunities for students across all ATCs.	Resolved	<p>KDE is, and will remain, committed to expanding dual credit opportunities for students enrolled in ATCs through strategic partnerships and comprehensive initiatives. The ATCs utilize an inclusive approach that includes collaboration with post-secondary partners, adjunct faculty certification, communication with students and parents, and expanding post-secondary partnerships.</p> <p>KDE works closely with KCTCS to assist all eligible students pursuing dual credit opportunities through a statewide dual credit agreement. KCTCS is often the sole provider of CTE dual credit. ATC instructors are encouraged to obtain the necessary qualifications to be eligible to teach dual credit courses.</p> <p>KDE has a staff member dedicated to dual credit enhancement. This staff person serves on the Dual Credit Advisory committee including CPE and KHEAA to further support and encourage intentional dual credit attainment leading to both pathway completion and early postsecondary opportunities.</p>
14.8.a	KDE should publish data on ATC students' career readiness opportunities on the SRC.	Resolved	<p>This recommendation is captured within Recommendation 13.7.a. See response to Recommendation 13.7.a.</p> <p>KDE offices are working together to ensure relevant CTE data is published in the SRC.</p>
14.9.a	KDE should ensure that 20% SEEK funds for ATC facilities are used for the benefit of the ATCs.	Resolved	<p>KDE currently receives MUNIS reports indicating the use of the 20% facilities funds provided to districts for ATCs. KDE will develop a MUNIS monitoring checks and balances system to ensure the 20% facilities funds are spent following the intent of funding purposes.</p>
14.10.a	KDE should expand the programmatic capacity at locally run vocational programs and ATCs to minimize overlap in pathways offered by ATCs and feeder schools.	Resolved	<p>KDE agrees that programming at the local centers and ATCs should not overlap. <a href="#">ATC Policy 08.5</a> requires an analysis of program demand, as well as existing supply, for all new programs proposed. Many programs and pathways are not duplicative but represent strategic partnerships to ensure extension of opportunity and access for all students based on</p>

			<p>individualized student career choices. Additional funding and facility square footage would be required for centers to expand capacity.</p> <p>The Perkins V Comprehensive Local Needs Assessment (CLNA) is a critical component of the Perkins V legislation that improves career and technical education programs. The CLNA ensures that CTE programs are aligned with current labor market demands by analyzing local labor market information to identify high-demand industries and occupations on a regional level. The CLNA assesses programs to ensure sufficient size, scope, and quality to meet the needs of all students and regional business and industry. The CLNA is designed and used to create more effective and equitable CTE system by aligning programs with local economic needs, improving program quality, and fostering continuous improvement through stakeholder and data-driven decision making.</p> <p>KDE will continue to review this data to guide decisions on program, pathway, and certification offerings, in collaboration with program advisory and school steering committees whose membership includes: ATC principal, cooperating district(s) superintendent(s), cooperating school district(s) board member(s), cooperating school district(s) principal(s) and school counselor(s), site based council members, local labor market representatives, business and industry partners, and local and state officials. Recommendation for new programs in the ATCs, from these committees, results in conducting a new program viability study that is submitted to KDE for consideration based upon current program offerings, potential enrollment, and funding availability.</p>
14.11.a	KDE should assess whether efficiencies in state administrative oversight could be gained by allowing ATCs to operate under the procedures of their home districts.	Resolved	This recommendation is captured within Recommendation 14.1.a above. See response to Recommendation 14.1.a.

<b><i>Staffing &amp; Support of the Education Professional Standards Board</i></b>			
15.1.a	KDE and school districts should collaborate to the extent necessary to ensure the requirements of KRS 160.382 are met. KDE should seek to increase awareness of the importance of the data required by the statute and create an opportunity for KDE and districts to meet to discuss the best collection and reporting methods.	Resolved	KDE has sought to increase district participation by including reminders about the submission requirement in the <i>Commissioner's Weekly Message</i> which is shared with superintendents and district leadership. Prior to this increased effort, the average daily response rate was approximately 1.81 responses per day (1,150 total responses). Since the promotion of the survey, which began in April 2025, the average daily response rate has been 7.23 responses per day (607 total responses). This marks a 299% increase in daily responses.
15.2.a	KDE, to the extent possible, should enter discussions with KYSTATS to determine whether teacher recruitment tracking data can be continued, updated, and maintained. To the degree that it can, KDE should collaborate with KY Stats to the extent necessary to achieve desired results.	Resolved	As noted in KDE's June 23, 2025, response to the APA, KDE continues to have regular meetings with KYSTATS to ensure teacher recruitment tracking data is updated and maintained. KDE and KYSTATS are working together to consolidate existing educator workforce reports and refine datasets to increase utility and accuracy of published reports.
15.3.a	KDE should continue its efforts to address the issue of teacher retention and recruitment in Kentucky via the campaign and other methods. Every effort must have a solid metric of success so KDE can concretely design, implement, and track the impact of its efforts across the Commonwealth.	Resolved	In addition to the metrics included in KDE's June 23, 2025, response to the APA, the KDE Strategic Plan includes metrics to measure the impact of educator recruitment and retention efforts.
15.4.a	KDE should revise the KyFfT to align with updated regulations, initiatives, and resources. Convening stakeholders to understand whether new or updated technical assistance would better support districts' local use of the KyFfT.	Resolved	KDE is in discussion with the Danielson Group to pursue an update to the KyFfT. However, without dedicated funding, this may prove difficult due to the large-scale training required and licensing costs.
<b><i>Interscholastic Athletics</i></b>			
16.1.a	KHSAA should develop a tracking system or database for complaints received.	Resolved	KHSAA Response: The KHSAA does track any and all Title IX complaints received regarding the KHSAA itself. However, there have been no recent such complaints.

		<p>Further, it is accurate that the KHSAA does not produce a compiled list of Title IX complaints regarding any given school, a list which could be compiled in the future. When such complaints are received, they are referred to the school and school system with direction for review, as this is not an issue that the KHSAA has oversight or jurisdiction to require any corrective action, particularly as it relates to the expenditure of capital construction funds for facilities. The KHSAA also asserts and expresses to its membership the option of the Association referring the matter directly to the Office of Civil Rights in the event that the report contains factual information that would lead OCR to further review. Because the sanctions around Title IX violations include potential loss of federal funding at the district level, this method of referral has proven effective throughout the country to impact necessary changes.</p> <p>The KHSAA was originally requested to, and subsequently memorialized through 702 KAR 7:065, conduct an educational program for schools and districts around Title IX and its necessary relationship to education-based athletics. This program includes the use of trained retired educators to conduct continual cycles of facility and program review of the association's entire high school membership for those extracurricular matters over which the KHSAA has authority, including athletic participation, opportunities, benefits and facilities. This stipulation provides that each high school is reviewed on-site regarding each school's compliance with 20 U.S.C. Section 1681 (Title IX), as well as using its scheduling, roster and financial data to develop an annual summary report. The annual reports include the highlighting of any potential deficiencies in OCR compliance to the Kentucky Board of Education and the identification of plans for resolution, which often include both simple steps and capital construction needs. This program is a large part of its obligation to educate its members on the provisions of Title IX related to athletics, which is primarily focused on the opportunities and benefits</p>
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			<p>tests around the law. This authorization acknowledges that it does not provide the Association or any other state-level entity the ability to “enforce” Title IX as that remains the exclusive jurisdiction as a Federal Law and generally under the auspices of the Office of Civil Rights through the US Department of Education.</p> <p>In addition, the scope of Title IX goes far beyond the reaches of athletic participation, opportunities, benefits and facilities and therefore is likely not appropriate for association responsibility in those other areas unrelated to the ones detailed above. When issues are submitted in writing to the Association that may contain other subject matters around Title IX that are outside of the scope of the KHSAA, such as school day issues around the use of school facilities that are not related to athletics, they are routinely forwarded to the local school and district for review.</p>
16.1.b	KHSAA should include the complaint information gathered in the tracking system or database in the KHSAA Staff Annual Report, as presented to KBE.	Resolved	<p>KHSAA Response: The KHSAA agrees that it should include any appropriately submitted complaint information received regarding Title IX complaints under its jurisdiction and authority of the KHSAA in the KHSAA Staff Annual Report presented to the Kentucky Board of Education. This type of record could also include the matters received and referred to other entities that are not under the KHSAA scope of authority and thereby included in any annual report.</p>
16.1.c	KHSAA should ensure that all Title IX complaints are investigated, resolved, or properly referred.	Resolved	<p>KHSAA Response: The KHSAA accepts any Title IX complaint regarding the KHSAA and any program or personnel directly under the control of the KHSAA. Accordingly, those complaints will be reviewed, and any appropriate corrective action will be taken.</p> <p>For Title IX complaints regarding programs and/or personnel outside of the direct control of the KHSAA, these are (and will continue to be) routinely referred to the proper authority, regardless of whether this is a school, board of education, the</p>

			Kentucky Department of Education, or the Office of Civil Rights (US Department of Education).
16.2.a	KHSAA should resume providing an annual report to KBE to document actions taken to comply with 702 KAR 7:065.	Resolved	KHSAA Response: The COVID-19 Pandemic that the Commonwealth navigated in recent years saw many changes and disruptions in the routine practices of many organizations and the KHSAA was no exception. During this period, while the KHSAA maintained constant communication with the Kentucky Board of Education (as well as the Kentucky Department of Education), the annual reports were not as routine and timely as were formerly the case. Recent discussions with the Kentucky Board of Education that took place prior to this audit resulted in the two organizations prioritizing a regular schedule (on an annual basis) to create and deliver this report.
16.2.b	KHSAA should expand the report to include additional key information not required by regulation, such as accomplishments, important updates, complaints, referrals, etc.	Resolved	KHSAA Response: The KHSAA will continue to expand the annual report and work collaboratively with the Kentucky Department of Education and the Kentucky Board of Education to identify those areas of focus to ensure the sharing of important and relevant information with the Kentucky Board of Education as requested.
16.3.a	KHSAA, in collaboration with the General Assembly, should enact additional legislation in the 2026 Regular Session to prevent and/or mitigate abuse of minors by all coaches, regardless of their employment status.	Resolved	KHSAA Response: The KHSAA stands ready, as always, to work collaboratively with members of the Kentucky General Assembly on this and any other matter that is relevant to education-based athletics in the Commonwealth. As an example, the KHSAA worked with a variety of members of the House and Senate throughout the year and during the legislative sessions on issues that have even a tangential impact on interscholastic athletics. The KHSAA stands ready to continue to work with the General Assembly during the 2026 Regular session and beyond.
16.3.b	KHSAA should consider methods to centrally track investigations and charges of abuse of minors by all district employees and volunteers in school systems across the Commonwealth, and how to make such information accessible	Resolved	KHSAA Response: The KHSAA is happy to work with the Kentucky Board of Education and any other appropriate state agency to improve the health and safety of any and all students in the Commonwealth. While it is concerning that this

	only to those parties who need access, while maintaining transparency for students and privacy for district employees.		recommendation appears to be overly broad on its face and may impact areas outside of the jurisdiction of the KHSAA, the KHSAA stands ready to work with any agency to help improve the student experience and maintain a safe and healthy environment.
<b><i>Community Education Programs &amp; Services</i></b>			
17.1.a	KDE should consult with the Attorney General’s Office for its opinion on the retention of documents for state funding where a Request for Application (RFA) covers multiple years; collaborate with the Kentucky Department for Libraries and Archives (KDLA) to amend the applicable retention schedule to the extent necessary to ensure program documentation is not prematurely destroyed.	Resolved	KDE will issue a new Request for Applications (RFA) in 2026 and will maintain applications resulting in an award for the entirety of the grantees’ participation.
17.1.b	KDE should review the community education grant program requirements and ensure all supporting documentation for the requirements is met.	Resolved	To receive community education funds and in accordance with KRS 160.157, grantees must submit an annual report to KDE and the report must include an evaluation of the program, as well as a financial statement. While grantees do upload a MUNIS report to their reports, this does not guarantee that the \$5,000 match is reflected in the report. Each grantee completed the form and provided all necessary information, including a financial statement. The \$5,000 match was a requirement of the Request for Application (RFA) when it was last issued. KDE did include (on the most recent annual form) a requirement that the match be shown that was designed in part to satisfy the ongoing questions and requests KDE received from auditors.
17.1.c	KDE should review procedures for the community education grant program to ensure they are adequate to ensure the program is efficient and effective. This includes verifying that documentation is reconciled and confirmed for accuracy.	Resolved	Programmatic staff comply with each aspect of the laws governing this program. Annually, grantees submit a report to KDE regarding their supports locally and where information is inaccurate and incomplete, KDE staff make contact with grantees to ensure the information is satisfactory. Until the report is submitted and reconciled, funds for forthcoming years are withheld. To date, no funds have been withheld, because all grantees ensure compliance with programmatic requirements.

17.1.d	KDE should provide sufficient oversight to ensure districts are adhering to their community education grant program plans and making progress in the right direction with the funding provided.	Resolved	KDE provides oversight to the program through a detailed annual evaluation report that local community education directors complete. The annual evaluation and subsequent review by KDE staff include a review of the following information for each grantee: (1) An analysis of the community's needs that serves as the guiding framework for the district's community education program and how the program addresses those identified needs; (2) A description of the schools served and how those schools benefit from the community education program; and (3) A description of how the program addresses the required components of community education initiative: facility usage, lifelong learning, collaboration, volunteerism/citizen involvement, and supports for preschool-12 <sup>th</sup> grade.
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## **Exhibit A: Response to Recommendation 2.1**

KDE disagrees with the APA's interpretation of the law referenced in Finding 2.1 and Recommendation 2.1.a. As such, no further action is needed by KDE.

The [2024-2026 Budget](#) states at Section 1, Part 1, C, 1, (2) in relevant part:

*Allocation of SEEK Funds: **Notwithstanding KRS 157.360(2)(c)**, the above General Fund appropriation to the base SEEK Program is intended to provide a base guarantee of \$4,326 per student in average daily attendance in fiscal year 2024-2025 and \$4,586 per student in average daily attendance in fiscal year 2025-2026, as well as to meet the other requirements of KRS 157.360. Notwithstanding KRS 157.360(2), each district's base funding level shall be adjusted for the number of students demonstrating limited proficiency in English language skills, multiplied by 0.096.*

KRS 157.360(2)(c) states:

*(2) Each district shall receive an amount equal to the base funding level for each pupil in average daily attendance in the district in the previous year, except a district shall receive an amount equal to one-half (1/2) of the state portion of the average statewide per pupil guaranteed base funding level for each student who graduated early under the provisions of KRS 158.142. Each district's base funding level shall be adjusted by the following factors: [ . . . ]*

*(c) Transportation costs. The per-pupil cost of transportation shall be calculated as provided by KRS 157.370. Districts which contract to furnish transportation to students attending nonpublic schools may adopt any payment formula which ensures that no public school funds are used for the transportation of nonpublic students.*

The 2024-2026 Budget specifically states: “Notwithstanding KRS 157.360(2)(c).” That is, irrespective of the language provided in KRS 157.360(2)(c) regarding an adjustment for transportation costs, the 2024-2026 Budget is controlling. Therefore, funding for the transportation adjustment factor is not appropriated in Section 1, Part 1, C, 1, (2) of the 2024-2025 Budget. Instead, funds are allocated to the transportation adjustment factor in Section 1, Part 1, C, 1, (20) which states:

*(20) SEEK Transportation: **Notwithstanding KRS 157.370 and 157.360(2)(c)**, included in the above General Fund appropriation is \$358,996,100 in fiscal year 2024-2025 and \$398,884,500 in fiscal year 2025-2026 to support pupil transportation. Mandated reports shall be submitted pursuant to Part III, 24. of this Act.*

Here, the General Assembly chose to override KRS 157.360(2)(c) and appropriate a specific amount for SEEK transportation rather than fund it as it did the other adjustment factors in the 2024-2026 Budget Section 1, Part 1, C, 1, (2). The 2024-2026 Budget Section 1, Part 1, C, 1, (9) states:

*SEEK Adjustment Factors: Funds allocated for the SEEK base and its adjustment factors that are not needed for the base or a particular adjustment factor may be allocated to other adjustment factors, if funds for that adjustment factor are not sufficient.*

By appropriating a specific amount to SEEK Transportation and “notwithstanding” KRS 157.360(2)(c), the General Assembly intended the funds for this adjustment factor to be sufficient. Therefore, KDE could not allocate funding from other adjustment factors to the transportation adjustment factor.

## **Exhibit A: Response to Recommendation 2.1**

The final audit inaccurately implies that vocational transportation is a SEEK adjustment factor. Funding for vocational transportation is separate from the SEEK adjustment factors. KRS 157.360(2)(c) does not include vocational transportation as an adjustment factor. Furthermore, KRS 157.370(8) states:

*The cost of transporting a district's pupils from the parent school to a state vocational-technical school or to a vocational educational center shall be calculated separately from the calculation required by subsections (1) through (7) of this section. The amount calculated shall be paid separately to each district from program funds budgeted for vocational pupil transportation, as a reimbursement based on the district's cost for providing this service. The amount of reimbursement shall be calculated in accordance with Kentucky Board of Education administrative regulations. **In the event that the appropriation for vocational pupil transportation in the biennial budget is insufficient to meet the total calculated cost of this service for all districts, the amount paid to each district shall be ratably reduced.** For the purpose of this subsection, the parent school shall be interpreted to mean that school in which the pupil is officially enrolled in a district's public common school system.*

The 2024-2026 Budget Section 1, Part 1, C, 1, (6) provides the appropriation for vocational transportation and states:

*Vocational Transportation: Included in the above General Fund appropriation is \$7,833,100 in each fiscal year for vocational transportation. Notwithstanding KRS 45.229, any portion of General Fund not expended for this purpose shall lapse to the Budget Reserve Trust Fund Account (KRS 48.705).*

Therefore, since vocational transportation is not a SEEK adjustment factor, the 2024-2026 Budget Section 1, Part 1, C, 1, (9) is not applicable.

The final audit states at page 102: "Excess SEEK funding for fiscal years 2021 through 2024 was not reallocated to adjustment factors that did not have sufficient funding; instead, the excess funding lapsed to the Budget Reserve Trust Fund Account (FY 2021 and 2022) and General Fund (FY 2023 and 2024)." This statement is inaccurate. The 2024-2026 Budget Section 1, Part 1, C, 1, (3) states:

*SEEK Lapse: Notwithstanding KRS 45.229 and 2022 Ky. Acts ch. 199, Part 27 I, C., 1., (3), any General Fund amounts appropriated to the SEEK Program that are not necessary to meet the requirements set forth in KRS 157.310 to 157.440 in fiscal years 2023-2024, 2024-2025, and 2025-2026 shall lapse to the Budget Reserve Trust Fund Account (KRS 48.705).*

Therefore, any lapse for FY 2024 goes to the Budget Reserve Trust Fund and not the General Fund.

KDE's June 23, 2025 response to the draft audit report indicates that past budget bills gave KDE the authority to apply excess funds to the transportation adjustment factor. However, upon further review KDE does not believe it had this authority in past budget bills either.

### **2022-2024 Budget, House Bill 1 (R.S. 2022)**

The 2022-2024 Budget contains similar language to the 2024-2026 Budget. Therefore, the above analysis is also applicable to the 2022-2024 Budget. Relevant provisions of the 2022-2204 Budget are cited below.

2022-2024 Budget, Section 1, Part 1, C, 1(2) states in relevant part:

## **Exhibit A: Response to Recommendation 2.1**

***Notwithstanding KRS 157.360(2)(c)**, the above General Fund appropriation to the base SEEK Program is intended to provide a base guarantee of \$4,100 per student in average daily attendance in fiscal year 2022-2023 and \$4,200 per student in average daily attendance in fiscal year 2023-2024, as well as to meet the other requirements of KRS 157.360. Notwithstanding KRS 157.360(2), each district's base funding level shall be adjusted for the number of students demonstrating limited proficiency in English language skills, multiplied by 0.096.*

KRS 157.360(2)(c) in 2022 was the same as that quoted above.

The 2022-2024 Budget, Section 1, Part 1, C, 1(21) states:

*SEEK Transportation: **Notwithstanding KRS 157.370 and 157.360(2)(c)**, included in the above General Fund appropriation is \$274,446,300 in each fiscal year to support pupil transportation.*

In addition, although the 2022-2024 Budget, Section 1, Part 1, C, 1(22) was vetoed by line, it provides insight into the intent of the General Assembly that transportation funding is treated separately. The 2022-2024 Budget, Section 1, Part 1, C, 1(6) states:

*Vocational Transportation: Included in the above General Fund appropriation is \$7,833,100 in each fiscal year for vocational transportation.*

KRS 157.370(8) cited above has not been amended since 1996. The 2022-2024 Budget, Section 1, Part 1, C, 1(9) states:

*SEEK Adjustment Factors: Funds allocated for the SEEK base and its adjustment factors that are not needed for the base or a particular adjustment factor may be allocated to other adjustment factors, if funds for that adjustment factor are not sufficient.*

Unlike the 2024-2026 Budget, the 2022-2024 Budget, Section 1, Part 1, C, 1(3) provides that any lapse was to the General Fund.

### **2020-2022 Budget, House Bill 192 (R.S. 2021)**

In 2020, the General Assembly passed a one-year budget for fiscal year 2021 rather than a biennial budget. See House Bill 352 discussed below. In 2021, the General Assembly passed House Bill 192 which revised the fiscal year 2021 budget and established the fiscal year 2022 budget.

The 2020-2022 Budget Section 1, Part 1, C, 1(2) states in relevant part:

*Allocation of SEEK Funds: **Notwithstanding KRS 157.360(2)(c)**, the above General Fund appropriation to the base SEEK Program is intended to provide a base guarantee of \$4,000 per student in average daily attendance in each fiscal year, as well as to meet the other requirements of KRS 157.360. Notwithstanding KRS 157.360(2), each district's base funding level shall be adjusted for the number of students demonstrating limited proficiency in English language skills, multiplied by 0.096.*

The 2020-2022 Budget Section 1, Part 1, C, 1(9) states:

*SEEK Adjustment Factors: Funds allocated for the SEEK base and its adjustment factors that are not needed for the base or a particular adjustment factor may be allocated to other adjustment factors, if funds for that adjustment factor are not sufficient.*

## **Exhibit A: Response to Recommendation 2.1**

These two provisions are like those found in the 2024-2026 Budget and 2022-2024 Budget. KRS 157.360(2)(c) in 2021 was the same as that cited above.

The 2020-2022 Budget does not include a separate provision regarding SEEK Transportation. Instead, this language appears in Section 1, Part 1, C, 1(4) which states:

*Base SEEK Allotments: Notwithstanding KRS 157.420(2), included in the above appropriations are \$1,836,553,400 in General Fund and \$130,000,000 in Federal Funds in fiscal year 2020-2021 and \$1,941,876,500 in General Fund in fiscal year 2021-2022 for the base SEEK Program as defined by KRS 157.360. Funds appropriated to the SEEK Program shall be allotted to school districts in accordance with KRS 157.310 to 157.440, except that the total of the funds allotted shall not exceed the appropriation for this purpose, except as provided in this Act.*

***Notwithstanding KRS 157.360(2)(c)**, included in the appropriation for the base SEEK Program is \$214,752,800 in each fiscal year for pupil transportation.*

Although this language differs from that in the 2024-2026 and 2022-2024 Budgets, it still has the same effect. KRS 157.360(2)(c) is notwithstanding here and above in Section 1, Part 1, C, 1(2) and SEEK transportation is appropriated a specific amount. Therefore, the General Assembly intended for this funding to be sufficient and that KDE could not allocate funding from another adjustment factor to the transportation adjustment factor.

The language regarding vocational transportation is similar to that of the 2024-2026 and 2022-2024 Budgets. The 2020-2022 Budget Section 1, Part 1, C, 1(6) states:

*Vocational Transportation: Included in the above General Fund appropriation is \$2,416,900 in each fiscal year for vocational transportation.*

Therefore, the above analysis regarding vocational transportation would apply here as well.

### **2020-2021 Budget, House Bill 352 (R.S. 2020)**

This 2020-2021 Budget contains similar language to that of the 2020-2022 Budget. The 2020-2021 Budget, Section 1, Part 1, C, 1(2) states in relevant part:

*Allocation of SEEK Funds: **Notwithstanding KRS 157.360(2)(c)**, the above General Fund appropriation to the base SEEK Program is intended to provide a base guarantee of \$4,000 per student in average daily attendance in fiscal year 2020-2021, as well as to meet the other requirements of KRS 157.360. Notwithstanding KRS 157.360(2), each district's base funding level shall be adjusted for the number of students demonstrating limited proficiency in English language skills, multiplied by 0.096.*

The 2020-2021 Budget, Section 1, Part 1, C, 1(9) states:

*SEEK Adjustment Factors: Funds allocated for the SEEK base and its adjustment factors that are not needed for the base or a particular adjustment factor may be allocated to other adjustment factors, if funds for that adjustment factor are not sufficient.*

These two provisions are like those found in future budgets as highlighted above. KRS 157.360(2)(c) in 2020 was the same as that cited above.

Similar to the 2020-2022 Budget, the 2020-2021 Budget does not include a separate provision regarding SEEK Transportation. Instead, this language appears in Section 1, Part 1, C, 1(4) which states:

## **Exhibit A: Response to Recommendation 2.1**

*Base SEEK Allotments: Notwithstanding KRS 157.420(2), included in the above General Fund appropriation is \$1,978,539,700 in fiscal year 2020-2021 for the base SEEK Program as defined by KRS 157.360. Funds appropriated to the SEEK Program shall be allotted to school districts in accordance with KRS 157.310 to 157.440, except that the total of the funds allotted shall not exceed the appropriation for this purpose, except as provided in this Act. **Notwithstanding KRS 157.360(2)(c)**, included in the appropriation for the base SEEK Program is \$214,752,800 in fiscal year 2020-2021 for pupil transportation.*

Like the 2020-2022 Budget, this language differs from that in the 2024-2026 and 2022-2024 Budgets, but it still has the same effect. KRS 157.360(2)(c) is notwithstanding here and above in Section 1, Part 1, C, 1(2) and SEEK transportation is appropriated a specific amount. Therefore, the General Assembly intended for this funding to be sufficient and that KDE could not allocate funding from another adjustment factor to the transportation adjustment factor.

The language regarding vocational transportation is similar to that of future budgets as highlighted above. The 2020-2021 Budget, Section 1, Part 1, C, 1(6) states:

*Vocational Transportation: Included in the above General Fund appropriation is \$2,416,900 in fiscal year 2020-2021 for vocational transportation.*

As such, the above analysis regarding vocational transportation is applicable here.

The final audit states on page 482-83: “The APA recommends that, in the future, KDE consult the General Assembly on matters like this instead of publicly criticizing it. Had KDE done so here, it would have been able to properly allocate excess SEEK funds the General Assembly gave it to cover any alleged funding shortfalls.” KDE staff are regularly in contact with staff from the Legislative Research Commission’s Budget Review Office regarding interpretations of budget bills as well as the Office of State Budget Director. The 2024-2026 Budget Section 1, Part III, 24 states:

*Budget Implementation: The General Assembly directs that the Executive Branch shall carry out all appropriations and budgetary language provisions as contained in the State/Executive Branch Budget. If the Legislative Research Commission suspects that any entity has acted in non-conformity with this section, the Legislative Research Commission may order an audit or review at the agency's expense. Such audit findings, reviews, and reports shall be subject to the Kentucky Open Records Law. The Secretary of each Cabinet, the Commissioner of Education, or agency head shall provide a comprehensive semiannual report, beginning February 1, 2025, to the standing Appropriations and Revenue Committees of the General Assembly or the Interim Joint Committee on Appropriations and Revenue, as appropriate, detailing expenditures related to the appropriations contained within the budgetary language provisions for each budget unit within their cabinet. If an agency does not expend the full General Fund appropriation contained within a budgetary language provision, the unexpended funds shall be transferred to the Budget Reserve Trust Fund Account (KRS 48.705).*

The Legislative Research Commission has not notified KDE that it is out of compliance with any appropriations or budgetary language provisions. In addition, each year KDE is audited by the APA as part of the Statewide Single Audit of the Commonwealth of Kentucky and the APA has not cited its current interpretation in Finding 2.1 as a finding for KDE. Therefore, KDE maintains that the above budget bills did not provide KDE with the authority to allocate funding from other adjustment factors to the transportation adjustment factor.