

# Kentucky Department of Education



## Effects of COVID-19 on SEEK Calculations

### Budget Bill Appropriations for School Safety and Resiliency

Kentucky General Assembly  
Budget Review Subcommittee on Education  
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# Effects of COVID-19 on SEEK Calculations

# Senate Bill 177 (2020 Regular Session)

[Senate Bill 177](#) also set forth alternate attendance provisions that local school districts could use when calculating their average daily attendance used in SEEK fund determinations for the 2019-2020 school year.

“Notwithstanding any other statute or regulation to the contrary, for school year 2019-2020, school districts may, when submitting the Superintendent’s Annual Attendance Report, substitute attendance data for school year 2018-2019 for attendance data for school year 2019-2020. If a school district submits data for school year 2018-2019, this data shall be utilized to calculate the average daily attendance that will be used in calculating Support Education Excellence in Kentucky funds and any other state funding based in whole or in part on average daily attendance for the district.”



# Attendance and Funding Goals for the 2020-2021 School Year

- ▶ With the General Assembly out of session and the provisions of Senate Bill 177 only applicable to the 2019-2020 school year, KDE relied on funding provisions outlined in Senate Bill 177 to create the funding structure for the 2020-2021 school year.
- ▶ This allows the funding structure to be:
  - Temporary
  - Explainable
  - Flexible
  - Predictable
  - Verifiable
  - Familiar
- ▶ Does not incentivize or discourage decisions for in-person or remote instruction.



## Attendance and Funding Goals for the 2020-2021 School Year

- ▶ Allows KDE to work with the General Assembly during the 2021 Regular Session to tweak or modify – as needed – the provisions in Senate Bill 177 moving forward.





Pre-COVID-19 –

How is SEEK calculated  
and how is attendance collected?

# SEEK

- ▶ The Support Education Excellence in Kentucky (SEEK) funding formula is a foundation/base funding formula.
- ▶ In Kentucky, this starts with a **Base Per Pupil Guarantee** (set at \$4,000 per the current executive branch budget) that is multiplied by the **Average Daily Attendance (ADA)**, which is the end-of-year average.
- ▶ Local districts are required to generate tax revenues in support of school districts. The **required local effort** is the amount of locally generated tax revenue produced. Each district must levy a minimum equivalent tax rate of 30 cents per \$100 in assessed value of property and motor vehicles in order to receive state SEEK funds.



# Average Daily Attendance

- ▶ KRS 157.320(1)
  - “Average daily attendance” means the aggregate days attended by pupils in a public school, adjusted for weather-related low attendance days if applicable, divided by the actual number of days the school is in session, after the five (5) days with the lowest attendance have been deducted.
  - An example: A student has 95 percent attendance for the school year. The student’s ADA would be .95.
  - Adjustments







During COVID-19 –  
Student Participation, Attendance  
and Funding Calculations  
for the 2019-2020 School Year

# Three Different School Years

- ▶ A “normal” school year where Adjusted Average Daily Attendance (AADA) can be used (FY 2018-2019)
- ▶ AADA + 30-40 NTI days due to COVID-19 (FY 2019-2020)
- ▶ An upcoming school year where there are still unknowns (FY 2020-2021)



# Three Different School Years



	2018-2019	2019-2020	2020-2021
<b>AADA</b>	Actual	District Option per SB 177	Prior Year's Choice per SB 177
<b>Home/Hospital</b>	Actual	District Option per SB 177	Prior Year's Choice per SB 177
<b>At Risk</b>	Actual	District Option per SB 177	Prior Year's Choice per SB 177
<b>Transportation</b>	Actual	District Option per SB 177	Prior Year's Choice per SB 177
<b>Property Assessments</b>	Actual	Actual	Actual
<b>Exceptional Child</b>	Actual	Actual	Actual
<b>Limited English Proficiency</b>	Actual	Actual	Actual

# School Year 2019-2020

## Senate Bill 177 and COVID-19

- ▶ SB 177 provided that districts choose between 2018-2019 or 2019-2020 data to determine funding based in whole or in part on average daily attendance (ADA).
- ▶ 14 districts chose to use 2019-2020 data.
- ▶ The 2019-2020 school year Tentative SEEK allocations (based on the above district data choice) will be posted by the end of September.



# Summer 2020

- ▶ SB 177 expired at the end of school year 2019-2020
- ▶ District input
- ▶ Need for flexibility in instructional models
- ▶ Budgeting
- ▶ Methodology
- ▶ Executive order 2020-243; commissioner's 6/24 memo; 702 KAR 3:270E



# School Year 2020-2021

- ▶ Maintain the same AADA-related data choices that districts made previously
- ▶ Mirrors provisions in SB 177 by temporarily decoupling attendance-driven funding to allow for participation
- ▶ District calendar/attendance decisions not impacted by funding





# Non-Traditional Instruction (NTI)

# NTI Pre- and Post-COVID

- ▶ The NTI program began as a pilot in 2011 and went statewide in the 2014-2015 school year.
- ▶ Prior to the 2019-2020 school year, Kentucky school districts saved over 1,500 instructional days using NTI, including 399 instructional days saved during the 2018-2019 school year alone.
- ▶ In March 2020, all 172 Kentucky school districts began utilizing the NTI program, 89 of which had never previously participated in NTI and were approved to do so on an emergency basis pursuant to a waiver issued by the Kentucky Board of Education.
- ▶ [Senate Bill 177](#) (2020) provided an unlimited number of NTI days, which included virtual or distance learning, for the 2019-2020 school year.
- ▶ At the end of the 2019-2020 school year, school districts statewide were able to reduce learning loss by collectively providing 6,240 days of NTI.

[KDE's Emergency NTI Guidance for Schools/Districts](#)





# NTI for the 2020-2021 School Year

- ▶ All 171 Kentucky public school districts have been approved to participate in the NTI program for the upcoming school year.
- ▶ When applying to participate in NTI in 2020-2021, many districts shifted their primary NTI delivery approach from paper-based to digital.
- ▶ To do so, many districts are utilizing federal CARES Act money and other funding sources to purchase more computers, hotspot internet devices, and any additional technology needed for students to access digital learning.



# Participation on NTI Days

- ▶ Since its inception in 2011, NTI has used participation to document student engagement in the same way attendance is measured in the traditional classroom.
- ▶ As in the traditional classroom setting, participation does not replace grading. The quality of participation is reflected in the grading as it is for students seated in the physical classroom.
- ▶ In the spring of 2020, districts collected and compiled teacher-level participation data into a weekly districtwide participation submission to the KDE.
- ▶ Participation rates in the spring of 2020 averaged above 90 percent statewide.



# Participation on NTI Days

- ▶ For the 2020-2021 school year, participation will be used as the measure for all students and not limited to NTI days.
- ▶ Students who are in-person will have their physical presence count as participation.
- ▶ Students who are using NTI, whether part time or full time, will have participation recorded by teachers using a variety of interactions, including but not limited to:
  - One-on-one video chats or phone calls between the teacher and student (or parent of a younger child or one with special needs);
  - Group chats between the teacher and whole class or groups of students within a class;
  - Student time spent on a learning management system (e.g. Google Classroom) completing assignments; and/or
  - Submission of instructional packets for paper-based students.





# Budget Bill Appropriations for the School Safety and Resiliency Act

# School Safety Under Senate Bill 1 (2019)

- ▶ In 2019, the Kentucky General Assembly passed the [School Safety and Resiliency Act](#), affecting multiple statutes regarding school safety and student resiliency and necessitating significant collaboration between the education, law enforcement and mental health sectors.
- ▶ KDE was specifically tasked with components related to:
  - [School Counselor Data](#);
  - [Trauma-Informed Toolkit](#);
  - [School Security Risk Assessment Tool](#);
  - [Anonymous Reporting Tool](#); and
  - [Active Shooter Training](#).
- ▶ For the budget biennium ending June 30, 2020, KDE's budget was reduced and funding for 21 programs was reduced or eliminated.
- ▶ No additional funding was allocated to KDE to aid in its implementation of SB1 (2019).



# School Counselor Data

- ▶ [KRS 158.4416\(3\)\(e\)](#), as adopted by SB1 (2019), required KDE to collect data on the number and placement of school counselors from each superintendent by Nov. 1, 2019.
- ▶ Superintendents also were required to report to KDE the source of funding for each position, as well as a summary of the job duties and work undertaken by each counselor and the approximate percent of time devoted to each duty over the course of the year.
- ▶ Using the Google platform, KDE collected data from 165 school districts in fall of 2019.
- ▶ Participating districts reported employing an average of 9.26 certified school counselors.
- ▶ Participating districts reported specific school counselor tasks based on the American School Counseling Association's list of [Appropriate and Inappropriate Activities for School Counselors](#).



# Trauma-Informed Toolkit

- ▶ [KRS 158.4416\(4\)](#), as adopted by SB1 (2019), states:

On or before July 1, 2020, the Department of Education shall make available a toolkit that includes guidance, strategies, behavioral interventions, practices and techniques to assist school districts and public charter schools in developing a trauma-informed approach in schools.
  
- ▶ KDE released the following in fulfillment of KRS 158.4416(4):
  - [Understanding Trauma & Traumatic Stress](#);
  - [What Is a Trauma-Informed School?](#); and
  - [Trauma-Informed Teams](#).
  
- ▶ These tools also are intended to assist local boards of education develop plans for implementing trauma-informed approaches in their schools by July 2021, as required in KRS 158.4416(5).





# School Security Risk Assessment Tool

- ▶ SB1 (2019) amended KRS [158.443\(9\)\(b\)](#) to require the Kentucky Center for School Safety's (KCSS) board of directors:

Approve a school security risk assessment tool and updates as necessary in accordance with [KRS 158.4410](#) to be incorporated by reference within an administrative regulation promulgated in accordance with KRS Chapter 13A.

- ▶ While KCSS lacks the legal authority to independently promulgate regulations, [KRS 158.442](#) requires KCSS to “advise the Kentucky Board of Education on administrative policies and administrative regulations relating to school safety and security,” and [KRS 158.444](#) requires the KBE to promulgate “appropriate administrative regulations relating to school safety.”
- ▶ Accordingly, the KBE is in the process of promulgating [702 KAR 1:180](#), pursuant to KRS 158.443(9)(b) and KRS 158.444, to incorporate, by reference, the school security risk assessment tool approved by the KCSS' board of directors.





# Anonymous Reporting Tool and Active Shooter Training



## ▶ **Anonymous Reporting Tool:**

- [KRS 158.4451\(1\)](#), as adopted by SB1 (2019), required, by July 1, 2019, the Kentucky Office of Homeland Security to collaborate with KCSS, KDE, the Department of Criminal Justice Training, and Kentucky State Police to make available an anonymous reporting tool to receive information concerning unsafe, potentially harmful, dangerous, violent, or criminal activities.
- A collaborative effort between stakeholders determined that KCSS' existing STOP! Tipline would be expanded to cover all Kentucky public schools at no cost and be transitioned over to the Office of Homeland Security.

## ▶ **Active Shooter Training:**

- [KRS 156.095\(7\)](#) requires all school district employees having direct contact with students to annually complete, by Nov. 1 of each year, one hour of training on how to respond to an active shooter situation.
- On Aug. 8, 2019, the commissioner of education emailed superintendents and school safety coordinators statewide regarding the requirements of KRS 156.095(7), including options available for meeting the active shooter training mandate prior to Nov. 1, 2019.

# Senate Bill 8 (2020)

During the 2020 Regular Session, the General Assembly made changes to the School Safety and Resiliency Act by adopting [Senate Bill 8](#), which primarily amends SB1 (2019) by:



- Requiring school resource officers (SRO) to be armed;
- Establishing the goal of having 1 SRO per school “campus”;
- Clarifying that the goal counselor-to-student ratio also can be met by employing “school-based mental health services providers”;
- Providing an exemption to requiring classroom doors remain locked during instruction when only one student and one teacher are in a classroom or when approved in writing by the state school security marshal; and
- Moving the active shooter training from the KDE’s purview over to the Department of Criminal Justice Training.

# HB 352 and School Safety Funding

- ▶ For the 2020-2021 fiscal year, [House Bill 352](#) (2020) allocates a total of \$7.4 million in new funding for “additional school-based mental health services provider full-time equivalent positions” in order “to meet the requirements of KRS 158.4416(3)(a).”
- ▶ HB352 (2020) also provides that the methodology for disseminating these funds to districts is determined by KCSS in collaboration with the State School Security Marshal.
- ▶ Pursuant to HB352 (2020), KCSS directed KDE to disperse an equal amount of funds to each of the 171 school districts in Kentucky.
- ▶ Accordingly, each local district received approximately \$43,000 to fund, during the 2020-2021 school and fiscal years, one or more “additional school-based mental health services provider full-time equivalent positions” in order “to meet the requirements of KRS 158.4416(3)(a).”
- ▶ For reference, [KRS 158.4416\(3\)\(a\)](#) requires, by July 1, 2021, or as funds and personnel become available, school districts to:
  - ✓ Employ at least one school counselor per school with the goal of each counselor spending 60 percent or more of his or her time providing services directly to students; and
  - ✓ Employ at least one school counselor or school-based mental health services provider for every 250 students, including but not limited to the school counselor the statute requires be placed in each school.



# HB 352 and School Safety Funding

To pay for the new mental health positions, no General Fund was provided for the following programs:

Learning & Results Services	Fiscal Year 2020	Fiscal Year 2021
	2018 HB 200	2020 HB 352
Commonwealth School Improvement Fund	\$0	\$0
Kentucky Academy for Equity in Teaching (KAET)	\$1,000,000	\$0
Kentucky Principal Internship Program	\$0	\$0
Kentucky Teacher Internship Program	\$0	\$0
Leadership & Mentor Fund	\$0	\$0
Middle School Academic Achievement Center	\$0	\$0
Professional Development	\$0	\$0
Teacher Academy	\$0	\$0
Teacher's Professional Growth Fund	\$0	\$0
Writing Program	\$0	\$0



# HB 352 and School Safety Funding

Provides \$18,200,000 in bond funding for school safety facility upgrades.

- ▶ The appropriation amount is based on a survey of districts by the Kentucky School Boards Association conducted in 2019.
- ▶ The funds are dedicated to the security requirements identified in [KRS 158.162\(3\)\(d\)](#) and allow districts to cover expenses for measures to control the access to each school building, including but not limited to:
  1. Controlling outside access to exterior doors during the school day;
  2. Controlling the front entrance of the school electronically or with a greeter;
  3. Controlling access to individual classrooms. If a classroom is equipped with hardware that allows the door to be locked from the outside but opened from the inside, the door should remain locked during instructional time;
  4. Requiring all visitors to report to the front office of the building, provide valid identification and state the purpose of the visit; and
  5. Providing a visitor's badge to be visibly displayed on a visitor's outer garment.



# HB 352 and School Safety Funding

The instructions and guidelines applicable to these funds are below:

- ▶ [School Security Form Instructions](#)  
[Facilities and BG1 Instructions](#)  
[SSR Funds by Districts](#)  
[School Security Request \(SSR\) Form](#)
- ▶ Allocations based on SY 2018-2019 AADA
- ▶ Districts may seek reimbursement for eligible security improvements from March 11, 2019, the effective date of SB 1 (2019).



# Questions or Comments

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