

## 703 KAR 5:270. Kentucky's Accountability System.

RELATES TO: KRS 158.645, 158.6451, 158.6453, 158.6455, 20 U.S.C. 6311

STATUTORY AUTHORITY: KRS 158.6453, 158.6455

NECESSITY, FUNCTION, AND CONFORMITY: KRS 158.6453 requires the Kentucky Board of Education to create and implement a balanced statewide assessment program that measures the achievement of students, schools, and districts; complies with the federal Every Student Succeeds Act of 2015, 20 U.S.C. secs. 6301 et seq., or its successor; and ensures accountability. KRS 158.6455 requires the Kentucky Board of Education to create an accountability system to classify schools and districts, including a process for annual summative performance evaluations and goals for improvement. This administrative regulation establishes the statewide system of accountability, and meets requirements set forth in the federal Every Student Succeeds Act of 2015 at 20 U.S.C. 6311.

Section 1. Definitions. (1) "Achievement gap" means a measure of the performance difference between student demographic groups to each other for reading and mathematics.

(2) "Comparison group" means the student demographic group being contrasted to the reference group.

(3) "English learners" in the indicators of growth and transition readiness means students currently identified on an English language proficiency exam. For all other areas, it means students currently identified and those who continue to be monitored.

(4) "Federal student group designation" means targeted support and improvement, and comprehensive support and improvement as provided in KRS 160.346.

(5) "Federally defined student demographic groups" include White, African American, Hispanic, Asian, Native Hawaiian or other Pacific Islander, American Indian or Alaska Native, two (2) or more races, free/reduced-price meal eligible, students with disabilities who have an IEP, and English learners.

(6) "Full academic year" means 100 or more instructional days of student enrollment within the school year.

(7) "Grade twelve (12) non-graduates" means all students enrolled in grade twelve (12) at the end of the school year who do not graduate.

(8) "Graduation rate" means the percentage of students who enter high school and receive a diploma based on their cohort in four (4) and five (5) years, adjusting for transfers in and out, émigrés, and deceased students.

(9) "Growth" means a student's continuous improvement toward proficiency or above.

(10) "Indicator" means a component of the accountability system that provides specific information on the school or district.

(11) "Individual education program" or "IEP" means an individual education program as defined in 707 KAR 1:002.

(12) "Local education agency" or "LEA" for the purposes of this administrative regulation shall mean a local school district as provided in KRS 161.010 and KRS 161.020 or a charter school board of directors as provided in KRS 161.1590.

(13) "Practical significance" means a measure of the differences between student groups has real meaning.

(14) "Proficiency indicator" means the measure of academic status or performance for reading and mathematics on state assessments.

(15) "Proficient" or "proficiency" means reaching the desired level of knowledge and skills as measured on academic assessments.

(16) "Quality of school climate and safety indicator" means the measures of school environment.

(17) "Rating" means the process of inclusion of an indicator in the formal overall rating of the school or district.

(18) "Reference group" means a student demographic group to which another group is contrasted to provide a benchmark for performance.

(19) "Separate academic indicator for science, social studies, and writing" means the measure of academic status or performance for science, social studies, and writing on state assessments.

(20) "Transition readiness" means the attainment of the necessary knowledge, skills, and dispositions to successfully transition to the next level.

(21) "Value table" means a set of numbers that are used to attribute scores to different performance levels.

(22) "Writing" means the content area that includes on-demand writing, and editing and mechanics.

Section 2. Kentucky's accountability system that is used to classify schools and LEAs shall include the indicators of: proficiency; separate academic indicator for science, social studies, and writing; growth; transition readiness; quality of school climate and safety; and graduation rate.

(1) The proficiency indicator shall be measured by student performance on state tests in reading and mathematics.

(2) A separate academic indicator shall be measured by student performance on state tests in science, social studies, and writing.

(3) The growth indicator shall be calculated at the elementary and middle school levels. The growth indicator shall be measured:

(a) Based on a growth value table in reading and mathematics; and

(b) Progress toward achieving English proficiency by English learners.

(4) The quality of school climate and safety indicator shall include perception data from surveys that measure insight to the school environment.

(5) The transition readiness indicator shall be measured at high school for students meeting the following criteria:

(a) Earn a regular or alternative high school diploma plus grade twelve (12) non-graduates; and

(b) Achieve academic readiness or career readiness.

1. A school shall receive credit for each student demonstrating academic readiness by:

a. Scoring at or above the benchmark score as determined by the Council on Postsecondary Education (CPE) on the college admissions examination or college placement examination; or

b. Completing six (6) hours of Kentucky Department of Education approved dual credit and receiving a grade of C or higher in each course; or

c. Completing two (2) advanced placement (AP) courses and receiving a score of three (3) or higher on each AP assessment; or

d. Receiving a score of five (5) or higher on two (2) examinations for international baccalaureate courses; or

e. Scoring at or above the benchmark on two (2) Cambridge Advanced International examinations; or

f. Completing a combination of academic readiness indicators listed above.

g. Demonstration of academic readiness listed in paragraph 5 (b)1 of this section shall include one (1) quantitative reasoning or natural sciences and one (1) written or oral communication; or visual and performing arts; or humanities; or social and behavioral sciences learning outcomes.

2. A school shall receive credit for each student demonstrating career readiness by:

a. Scoring at or above the benchmark on industry certifications as approved by the Kentucky Workforce Innovation Board on an annual basis; or

b. Scoring at or above the benchmark on the career and technical education end-of program assessment for articulated credit; or

c. Completing six (6) hours of Kentucky Department of Education approved CTE dual credit, and receiving a grade of C or higher in each course; or

d. Completing a Kentucky Department of Education approved or labor cabinet-approved apprenticeship; or

e. Completing a Kentucky Department of Education approved alternate process to verify exceptional work experience.

3. For students who qualify as English learners in high school: Meeting criteria for English language proficiency to be English language ready.

4. Students participating in the alternate assessment program shall meet criteria based on academic or career alternate assessment requirements.

(6) The graduation rate indicator shall be measured for each high school using the four (4)-year and extended five (5)-year cohort rate. The graduation rate shall be reported for all students and student groups.

Section 3. Classification of Schools and LEAs in the State Accountability System. (1) Data shall be included in the overall rating for schools and LEAs for the following indicators:

(a) Proficiency (reading and mathematics);

(b) Separate academic indicator (science, social studies, and writing);

(c) Growth (elementary and middle school);

(d) Transition readiness (high school);

(e) Quality of school climate and safety; and

(f) Graduation rate (high school).

(2) Data from individual student performance on state assessments administered as required in KRS 158.6451 and KRS 158.6453 shall be included in the overall rating of each school and LEA. This data shall include students with disabilities with IEPs who participate in the alternate assessment program.

(3) Data in the overall rating shall be attributed to grade level spans for schools and LEA as established in this subsection.

(a) Elementary schools shall include data from: proficiency; separate academic indicator for science, social studies, and writing; growth; quality of school climate and safety; and federal student group designation.

(b) Middle schools shall include data from: proficiency; separate academic indicator for science, social studies, and writing; growth; quality of school climate and safety; and federal student group designation.

(c) High schools shall include data from: proficiency; separate academic indicator for science, social studies, and writing; transition readiness; graduation rate; quality of school climate and safety and federal student group designation.

(d) LEAs shall include data from: school proficiency; separate academic indicator for science, social studies, and writing; growth; transition readiness; graduation rate; and quality of school climate and safety.

Section 4. Calculations for Reporting Categories. (1) Proficiency for reading and mathematics shall be rated equally in elementary, middle and high schools and LEAs by awarding points as described in paragraph 2(b) of this section.

(2) The separate academic indicator for science, social studies, and writing shall be rated in elementary, middle and high schools, and in LEAs by awarding points as described in paragraph 2(b) of this section. The highest proportion shall be attributed to science and social studies.

(a) For any content area (reading, mathematics, science, social studies, and writing) where data are not available, the data of the remaining content areas shall be redistributed proportionally across proficiency and separate academic indicator.

(b) The following chart shall be used to calculate the points for proficiency and the separate academic indicator:

Proficiency Levels	Points Awarded for Each Percent of Students
Novice	0
Apprentice	.5
Proficient	1
Distinguished	1.25

(3) Growth shall be rated for elementary and middle schools as established in this subsection.

(a) Novice and apprentice performance levels for growth calculations shall be subdivided into novice high, novice low; and apprentice high, apprentice low.

(b) The school calculation for mathematics shall be the sum of the total points from the growth value table for all students divided by the total number of scores.

(c) The values in the growth value table below shall be used in calculating growth in this subsection.

Growth Value Table (Points for student performance in Year 2, given Performance in Year 1)						
	Novice		Apprentice		Proficient	Distinguished
	Low	High	Low	High		
Year 1 Student Performance						
Distinguished	0	0	0	0	0	50
Proficient	0	0	0	0	50	100
Apprentice High	0	0	0	50	100	150
Apprentice Low	0	0	50	100	150	200
Novice High	0	50	100	150	200	250

Novice Low	0	10 0	15 0	20 0	250	300
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(d) The school calculation for reading shall be the sum of the total points for all students from the growth value table plus growth for English language proficiency as described in Section 4(3)(e) of this administrative regulation divided by the total number of scores.

(e) Progress toward achieving English proficiency by English learners shall be calculated as follows:

1. Individual growth shall be compared to prior year performance on an English proficiency exam.

2. The exit benchmark and English learner growth value table created involving Kentucky educators and advised by technical experts shall be utilized.

3. Points for each English learner based on the English learner growth value table shall be summed.

a. Depending on further analysis, Kentucky may modify the value table and its use to reflect factors that may impact English learners' progress toward language proficiency, including age upon entry to U.S. schools, initial English language proficiency level, and degree of interrupted schooling.

b. The values in the growth value table below shall be used in calculating growth in this subsection.

WIDA ACCESS score previous year	WIDA ACCESS score current year							
	1	1.5	2.0	2.5	3.0	3.5	4.0	4.5
4.0	0	0	0	0	0	0	50	100
3.5	0	0	0	0	0	50	100	150
3.0	0	0	0	0	50	100	150	200
2.5	0	0	0	50	100	150	200	250
2.0	0	0	50	100	150	200	250	300
1.5	0	50	100	150	200	250	300	300
1.0	0	100	150	200	250	300	300	300

4. Total points for English learners shall be added to the sum of the reading growth points for all students in reading as described in Section 4(3)(e) of this administrative regulation.

(f) For an overall school growth score, an average of reading scores that includes growth for English learners on an English proficiency exam and mathematics growth scores shall be calculated.

(4) The quality of school climate and safety indicator shall be rated for elementary, middle, high schools, and LEAs as established in this subsection. The Kentucky Board of Education shall approve the measures of quality of school climate and safety.

(5) Transition readiness shall be calculated by dividing the number of high school graduates plus grade twelve (12) non-graduates who have met measures of transition readiness plus the number of English learners who have achieved English language proficiency by the total number of graduates plus grade twelve (12) non-graduates plus the number of graduates who have received English language services during high school. Credit for students obtaining an industry-recognized certification, licensure, or credential in specialized career pathways in state and regional high demand sectors as approved by Kentucky's Workforce Innovation Board is one

and one-quarter (1.25) points. Credit for students obtaining all other readiness indicators is one (1.0) point.

(6) Graduation rate is the percentage of students completing the requirements for a Kentucky high school diploma compared to the cohort of students beginning in grade nine. The accountability system shall include a four (4) year cohort rate and an extended five (5) year cohort rate. Each rate shall be weighted equally.

(7) The overall rating shall be assigned as follows:

(a) The indicators for each school and LEA as identified in Section 3 of this administrative regulation shall contribute to the overall rating of schools and LEAs.

(b) Indicators identified in Section 3 shall have a rating of very low, low, medium, high, or very high by school and LEA level.

(c) A standard setting process shall be conducted involving Kentucky educators and advised by technical experts to determine very low to very high performance levels for each indicator including proficiency, separate academic indicator, growth, transition readiness, graduation rate, and quality of school climate and safety.

(8) An overall star rating for elementary, middle, and high schools shall be reported using a five (5) star rating system to communicate performance of schools, with one (1) star being the lowest rating and five (5) stars being the highest rating. Performance of schools, LEAs, and state will be reported by level (elementary, middle, and high) as applicable. The School Report Card shall display the star ratings earned for each school, LEA, and state (by level) and the total five (5) stars available.

(a)

Overall Accountability Weights						
	Proficiency (Reading and Mathematics)	Separate Academic Indicator (Science, Social Studies, and Writing)	Growth (including English Language Learners)	Quality of School Climate and Safety	Transition Readiness (High school includes English language learners)	Graduation Rate (4 and 5 year cohort)
Elementary/ Middle Schools	35	26	35	4	--	---
High Schools	45	15	---	4	30	6

(b) The performance on indicators that contribute to the overall star ratings shall be determined by a standards setting process involving Kentucky educators.

(c) If achievement gaps are found in schools and LEAs earning a four (4) or five (5) star rating, the star rating will be reduced by one (1) star.

1. Achievement gap shall be calculated between student demographic comparison groups and reference groups for reading and mathematics combined by:

a. Determining the student demographic groups to be included in this subsection, which shall include the following student demographic groups that have at least ten (10) students: African American, Hispanic, Asian, Native Hawaiian or other Pacific Islander, American Indian or Alaska Native, two (2) or more races, and White.

b. (i) Comparing African American, Hispanic, Asian, Native Hawaiian or other Pacific Islander, American Indian or Alaska Native, two (2) or more races, and White to a reference group. The reference group shall be the highest performing racial and ethnic student group

that has at least ten (10) students and constitutes at least ten (10) percent of the students enrolled in the school;

(ii) Free and reduced price meal eligible students compared to non-free and reduced price meal eligible students;

(iii) Students with disabilities who have an IEP compared to students without IEPs; and

(iv) English learners compared to non-English learner students.

2. Using a statistical analysis for each pair of comparison and reference groups, the department shall determine if a gap between the comparison group and reference group is both statistically and practically significant.

(d) Kentucky will identify schools to determine bottom five (5) percent and ten (10) percent based on the indicators of the (five) 5-star system.

(e) If data cannot be calculated for an indicator, the weights shall be redistributed proportionally to remaining indicators that shall be reported for the school or LEA.

(9) School accountability indicators shall be assigned as follows:

(a) Students enrolled for a full academic year shall be included in the calculations for proficiency, a separate academic indicator for science, social studies, and writing,, growth, quality of school climate and safety, and transition readiness for a school and LEA.

(b) Graduation rate calculations shall be based on the students' final enrollment.

(c) Student demographic groups shall have a minimum of ten (10) students to be included in school rating calculations.

(d) In accordance with KRS 158.6455, schools and districts shall be placed into one (1) of five (5) star ratings established by a standards-setting process utilizing results from the first operational administration of assessments in 2018-19. The process shall:

1. Be advised by the National Technical Advisory Panel on Assessment and Accountability; the School Curriculum, Assessment and Accountability Council; and the Office of Education Accountability; and

2. Use accepted technical procedures and involve Kentucky school and district administrators and teachers.

Section 5. Public Reporting Requirements. (1) The Kentucky Department of Education shall report disaggregated data for each indicator of the state assessment and accountability system.

(2) Progress on long-term and interim goals shall be reported publicly as required by the federal Every Student Succeeds Act. Goals shall be developed for every student group, including all students, for academic achievement in each content area of reading, mathematics, science, social studies, and writing, and the content areas combined; graduation rate based on four (4) year and five (5) year adjusted cohorts; and progress on English proficiency for English learners.

(3) The goal for academic achievement operationalizes both the improvement of proficient and distinguished performance for all students and each student group and the reduction of gaps in student group performance by fifty (50) percent by 2030. Each student group of ten (10) or more students shall be compared to the reference group of the highest performing student group that is at least ten (10) percent of the student population.

(4) Goals for graduation rate shall be generated for a four (4) year adjusted cohort to ninety-five (95) percent for all students and an extended five (5) year cohort to ninety-six (96) percent for all students. The goal for progress on English language proficiency shall be based on the percent of students making progress toward attainment of the English language.

(5) Performance levels of each indicator (proficiency for reading and mathematics, a separate academic indicator for science, social studies, and writing, growth, transition readiness,

quality of school climate and safety, and graduation rate) from very low to very high on each indicator will be determined by Kentucky educators with a standards setting process.

(6) Federal designations and statistically and practically significant achievement gaps will be reported for each school, LEA, and state. (44 Ky.R. 848, 1567, 2008; eff. 2-26-2018; 45 Ky.R. 2179, 2707, 3068; eff. 5-31-2019; 46 Ky.R. 2144; eff. 7-31-2020.)