

160.346 Definitions -- Targeted and comprehensive support and improvement -- Revised plans -- Turnaround audit team -- Review and report -- Intervention process -- Reimbursement of district -- Exit criteria -- Schools requiring rigorous support and action -- District with significant number of targeted schools -- Evidence of violation -- Restoration of school's right to establish council.

- (1) For purposes of this section:
 - (a) "Department" means the Kentucky Department of Education;
 - (b) "ESSA" means the Every Student Succeeds Act of 2015, Pub. L. No. 114-95, or its successor;
 - (c) "Level" means elementary, middle, or high school;
 - (d) "Turnaround" means a comprehensive transformation of a school to achieve accelerated, meaningful, and sustainable increases in student achievement through improved school leadership and school district support;
 - (e) "Turnaround plan" means a mandatory school plan that is designed to improve student learning and performance with evidence-based interventions as defined in ESSA and that is developed and implemented by the local school district in partnership with stakeholders, including the principal, other school leaders, teachers, and parents; and
 - (f) "Turnaround team" means the turnaround training and support team selected by the local board of education as described in subsection (7)(a) of this section.
- (2)
 - (a) Beginning with the 2019-2020 school year, and annually thereafter, the department shall identify a school for targeted support and improvement if the school has at least one (1) subgroup, as defined by ESSA, whose performance in the state accountability system by level is at or below that of all students in any of the lowest-performing five percent (5%) of all schools for three (3) consecutive years and the school is in the lowest-performing ten percent (10%) of all schools by level.
 - (b) Beginning with the 2020-2021 school year, and every three (3) years thereafter, the department shall identify a school for additional targeted support and improvement if the school has at least one (1) subgroup, as defined by ESSA, whose performance in the state accountability system by level is at or below the summative performance of all students in any of the lowest-performing five percent (5%) of all schools identified under subsection (3)(a) of this section and has been identified for targeted support and improvement as described in paragraph (a) of this subsection.
- (3) Beginning with the 2018-2019 school year, or upon the department's implementation of the provisions of ESSA, whichever occurs first, a school shall be identified by the department for comprehensive support and improvement if the school is:
 - (a) In the lowest-performing five percent (5%) of all schools in its level based on the school's performance in the state accountability system;

- (b) A high school with a four (4) year cohort graduation rate that is less than eighty percent (80%); or
 - (c) Identified by the department for targeted support and improvement under subsection (2)(b) of this section and fails to exit targeted support and improvement status based on criteria established under subsection (9) of this section.
- (4)
- (a) When a school is identified for targeted support and improvement, the local school personnel, working with stakeholders, including the principal, other school leaders, teachers, and parents, shall revise its school improvement plan, which shall be subject to review and approval by the local board of education.
 - (b) Each revised plan shall be informed by all available indicators, including student performance compared to long-term goals, and shall include:
 - 1. Components of turnaround leadership development and support;
 - 2. Identification of critical resource inequities;
 - 3. Evidence-based interventions; and
 - 4. Additional actions that address the causes of consistently underperforming subgroups of students.
 - (c) If adequate performance progress, as defined by the department, is not made:
 - 1. By a school identified under subsection (2)(b) of this section, the local school district shall take additional action to assist and support the school in reaching performance goals; and
 - 2. By a school identified under subsection (2)(a) of this section, the school shall be identified for comprehensive support and improvement.
- (5)
- (a) When a school is identified for comprehensive support and improvement, an audit shall be performed. The local board of education shall select a turnaround audit team with documented expertise in diagnosing the causes of an organization's low performance and providing advice and strategies resulting in effective turnaround leadership. The audit team shall not include any of the district's employees.
 - (b) If the local board determines no suitable audit teams are available, the board shall select the department to perform the audit.
 - (c) The Kentucky Board of Education shall recommend criteria to the local board of education for a review process that a turnaround audit team may utilize to assess the turnaround leadership capacity of the principal, superintendent, and district.
 - (d) The audit conducted under this subsection shall be the only comprehensive audit required for a school unless the school fails to exit comprehensive support and improvement status as described in subsection (10) of this section or exits comprehensive support and improvement status but subsequently repeats as a school identified for comprehensive support and improvement.
- (6)
- (a) An audit team established under subsection (5) of this section to audit a school identified for comprehensive support and improvement shall include in the

review and report:

1. A diagnosis of the causes of the school's low performance, with an emphasis on underperforming subgroups of students and corresponding critical resource inequities;
 2. An assessment and recommendation to the superintendent regarding the principal's capacity to function or develop as a turnaround specialist, including if the principal should be reassigned to a comparable position in the school district;
 3. An assessment of the interaction and relationship among the superintendent, central office personnel, and the school principal;
 4. A recommendation of the steps the school may implement to launch and sustain a turnaround process; and
 5. A recommendation to the local board of education of the turnaround principles and strategies necessary for the superintendent to assist the school with turnaround.
- (b) The report of an audit conducted under this subsection shall be provided to the superintendent, local board of education, school principal, commissioner of education, and the Kentucky Board of Education.
- (7) After completion of the audit described in subsection (6) of this section, each school identified for comprehensive support and improvement shall engage in the following turnaround intervention process:
- (a) The local board of education shall:
 1. Issue a request for proposals for a private entity with documented success at turnaround diagnosis, training, and improved performance of organizations to provide a turnaround training and support team to the school identified for comprehensive support and improvement. The local board of education shall select the turnaround entity and negotiate the scope and duration of the entity's services;
 2. Utilize local staff and community partners to serve as the turnaround team for the school identified for comprehensive support and improvement; or
 3. Select the Kentucky Department of Education to serve as the turnaround team, if the local board determines the options provided in subparagraphs 1. and 2. of this paragraph are not viable alternatives;
 - (b) The authority of the school council granted under KRS 160.345 shall be transferred to the superintendent;
 - (c) The superintendent may either retain the principal or reassign him or her to a comparable position in the district;
 - (d) The superintendent shall select a principal for the school if a principal vacancy or reassignment occurs. The superintendent shall consult with the turnaround team, parents, certified staff, and classified staff before appointing a principal replacement;

- (e) Upon recommendation of the principal, the superintendent may reassign certified staff members to a comparable position in the school district;
 - (f) The superintendent shall collaborate with the turnaround team to design ongoing turnaround training and support for the principal and a corresponding monitoring system of effectiveness and student achievement results;
 - (g) The principal shall collaborate with the turnaround team to establish an advisory leadership team representing school stakeholders including other school leaders, teachers, and parents;
 - (h)
 1. The local school board shall collaborate with the superintendent, principal, turnaround team, and the advisory leadership team to propose a three (3) year turnaround plan.
 2. The turnaround plan shall include requests to the department for exemptions from submitting documentation that are identified by the principal, advisory leadership team, and turnaround team as inhibitors to investing time in innovative instruction and accelerated student achievement of diverse learners including ongoing staff instructional plans, student interventions, formative assessment results, or staff effectiveness processes.
 3. The turnaround plan shall be reviewed for approval by the superintendent and the local board of education and shall be subject to review, approval, monitoring, and periodic review by the department as described in KRS 158.782;
 - (i) The school district may request technical assistance from the department for development and implementation of the turnaround plan, which may include conducting needs assessments, selecting evidence-based interventions, and reviewing and addressing resource inequities;
 - (j) The turnaround plan shall be fully implemented by the first full day of the school year following the school year the school was identified for comprehensive support and improvement; and
 - (k) The superintendent shall periodically report to the local school board, and at least annually to the commissioner of education, on the implementation and results of the turnaround plan.
- (8) To assist with funding the audit and turnaround intervention process described in subsections (5) and (7) of this section and not provided by the department, the department shall annually reimburse the school district, for a maximum of three (3) years, an amount not to exceed the amount budgeted by the department to serve as the turnaround team to a school under subsection (7)(a)3. of this section, including Commonwealth school improvement funds under KRS 158.805 and assistance personnel.
- (9) The Kentucky Board of Education shall establish statewide exit criteria for schools identified for targeted support and improvement and comprehensive support and improvement.
- (10) If a school enters comprehensive support and improvement status and does not

make any annual improvement, as determined by the department, for two (2) consecutive years, or if the school does not exit the status after three (3) years, the school shall enter a school intervention process chosen by the commissioner of education that provides more rigorous support and action by the department to improve the school's performance.

- (11) For school districts that include a significant number of schools, as determined by the department, identified for targeted support and improvement:
 - (a) The department shall periodically review a local board's resource allocations to support school improvement and provide technical assistance to the local school board; and
 - (b) The department may provide a recommended list of turnaround or school intervention providers that have demonstrated success implementing evidence-based strategies.
- (12) If, in the course of a school audit, the audit team identifies information suggesting that a violation of KRS 160.345(9)(a) may have occurred, the commissioner of education shall forward the evidence to the Office of Education Accountability for investigation.
- (13) A school's right to establish a council granted under KRS 160.345 may be restored by the local board of education two (2) years after the school exits comprehensive support and improvement status.

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History: Amended 2019 Ky. Acts ch. 199, sec. 3, effective June 27, 2019. -- Amended 2017 Ky. Acts ch. 156, sec. 12, effective April 10, 2017. -- Amended 2012 Ky. Acts ch. 61, sec. 2, effective July 12, 2012. -- Amended 2010 Ky. Acts ch. 1, sec. 1, effective January 14, 2010. -- Created 2004 Ky. Acts ch. 188, sec. 1, effective July 13, 2004.