

EDUCATION ASSESSMENT AND ACCOUNTABILITY REVIEW SUBCOMMITTEE

Minutes

June 19, 2018

Call to Order and Roll Call

The June meeting of the Education Assessment and Accountability Review Subcommittee was held on Tuesday, June 19, 2018, at 1:00 p.m., in Room 129 of the Capitol Annex. Representative Daniel Elliott, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Max Wise, Co-Chair; Representative Daniel Elliott, Co-Chair; Senators Alice Forgy Kerr, Gerald A. Neal, and Mike Wilson; Representatives Derrick Graham, Regina Huff, and Steve Riley.

Guests: Erin Klarer, Vice President of Governmental Relations, Kentucky Higher Education Assistance Authority; Wayne Young, Executive Director, Kentucky Association of School Administrators; Terri Collins, Office of Education Accountability; Angie Jones, Office of Education Accountability; and Bryan Jones, Office of Education Accountability.

LRC Staff: Joshua Collins, Lauren Busch, and Maurya Allen.

Approval of February 26, 2018 Minutes

Representative Riley made a motion to approve the minutes of the February 26, 2018 meeting, seconded by Senator Wise. The motion passed by voice vote.

Review of Administrative Regulations

Todd Allen, General Counsel, Kentucky Department of Education (KDE), Kelly Foster, Associate Commissioner, Office of Continuous Improvement and Support, KDE, and Whitney Crow, Executive Advisor, Office of Continuous Improvement and Support, KDE, discussed the proposed amendments to administrative regulations. The first regulation was 703 KAR 5:191, repealing 703 KAR 5:190 and 703 KAR 5:260 to better align regulations with requirements of Senate Bill 1 of the 2017 Regular Session and the federal Every Student Succeeds Act (ESSA). There was no action necessary on this item.

The presenters discussed 703 KAR 5:225, which relates to continuous improvement plans for schools and districts. The primary change to this regulation was the removal of references to the accountability system. The changes were to better align regulation with the requirements of Senate Bill 1 and incorporate any material from the repealed regulations that was still necessary. There was discussion of the proposed LRC staff amendments that were suggested to improve the regulation's clarity. Senator Wise made a motion to adopt the amendment to the regulation, seconded by Representative Riley. The motion passed by roll call vote of 7 Yes votes, 0 No votes, and 0 Pass votes.

The final regulation for review was 703 KAR 5:280 regarding school improvement procedures. The regulation was being amended to comply with Senate Bill 1 and ESSA as well as incorporating information from the repealed regulations as necessary. The regulation identifies the procedures for comprehensive and targeted support schools. Following brief discussion, Senator Wise made a motion to adopt the agency amendment to the regulation. Representative Huff seconded the motion. The motion passed by roll call vote of 7 Yes votes, 0 No votes, and 0 Pass votes.

2017 OEA Annual Report

David Wickersham, Deputy Director, Office of Education Accountability (OEA), Bart Liguori, Research Division Manager, OEA, and Bryan Jones, Investigations Division Manager, OEA, presented the annual OEA report. Mr. Wickersham introduced the new graduate fellows and part-time employees who have joined the staff this interim. Mr. Wickersham covered highlights of the report which show how productive the office is for having such a small staff. In the last year the office responded to 457 written complaints, opened 34 investigations, and closed 48 investigations. Over the course of the last 11 years, the office has finished nearly 800 cases. While the office has investigative authority, the ability to remedy errors is constrained by the separation of powers doctrine. The Attorney General's office has final authority to take action against unlawful school board members, the Commissioner of the Kentucky Department of Education has authority over local district personnel, and the Education Professional Standards Board can take action against those who hold professional certification in the state.

2017 District Data Profiles

Bart Liguori, Research Division Manager, OEA and Albert Alexander, Research Analyst, OEA, discussed the 2017 District Data Profiles research report, which was requested as part of the 2018 Research Agenda approved by the subcommittee last year. It is a source of comprehensive district-level education data and an encyclopedia on the current state of districts across the Commonwealth. Mr. Liguori explained that the District Data Profiles were going to be provided in two parts this year. The first was a paper copy which had been presented to members in the past, as well as an interactive

online edition. Mr. Alexander said that the report had received a notable documents award in 2012 by the National Conference of State Legislatures and that this was the 11th year the report had been compiled. He advised members to use caution however when comparing the current report to previous version because there had been significant changes in terms of graduation rate measures, student achievement, and fund balance percent of change. The purpose of the report is to provide a quick, reliable reference for district information as well as a way to compare districts to the state and to other districts with similar characteristics. The primary data sources for the current report were provided from KDE and the Center for Education Statistics including the School Report Card, Infinite Campus, and the MUNIS program used by all districts.

The profiles contain a data dictionary, 173 district profiles, a state profile, and rankings based on selected measures. Mr. Alexander explained the layout of district data in the document. The Overview and Trends section shows number of students and number of A1 schools in the district. The Demographic Profile provides various demographic breakdowns, including the number of students receiving free and reduced price lunch, those with limited English proficiency, non-white ethnicities. Other sections were Graduation Retention, Attendance, and Discipline. The Staffing section of each profile shows number of classified personnel in a district, number of certified personnel, and teacher experience, as well as a salary schedule for certified personnel based on rank and experience. The Student Performance section includes scores from Advanced Placement exams, the ACT, kindergarten readiness exams, and similar assessments. This was the third year that data had been provided regarding dual credit performance but scores from the five individual components of the statewide accountability system were not included due to changes in the system and KDE's decision not to report them. The Finance section shows the tax rates and SEEK distribution across the state. The average per pupil distribution is \$406,593, but this does not show the wide range of district per pupil property assessments, which vary from a high of \$1.3 million to a low of just over \$100,000. The Finance section of individual district profiles show dollar amounts and rates, as well as end of year fund balance, current expenditures, and fund balance percentages.

Mr. Liguori illustrated how the data is being published online with an interactive feature to allow more comparison among districts. This was a direct result of feedback from previous meetings of the subcommittee where members had expressed a desire to manipulate and compare the data on their own. The profiles will be hosted in this format on the LRC webpage and can be accessed by any internet connected device, including mobile devices such as tablets. The same sections found in the paper report are presented as tabs on the webpage. Mr. Liguori demonstrated how the visualizations can be used to create graphs and heat maps comparing data statewide. He encouraged members to access the material to get a sense of the material. He cautioned members that some districts are outliers, especially smaller districts, and that the data dictionary in the print

edition of the report would be a valuable resource when using the online visualizations for explanation of some terms used.

Chairman Elliot thanked the staff for their presentations and agreed that this would be an invaluable tool for legislators and the public.

In response to a question from Representative Graham, Tracy Herman, Legislative Liaison, KDE, stated that she would inquire further as to why the final year of individual component scores were not reported and provide that information. Representative Graham asked about staffing, specifically for Franklin County, and how it was possible, as presented in the report, for a teacher to still be a Rank 3 with so many years of experience. Mr. Alexander said that it was based on many factors and because salary schedule ranks must be adopted to span 30 years.

Following these questions, Senator Wise made a motion to accept the reports, seconded by Senator Kerr. The motion passed by voice vote.

There being no further business, the meeting was adjourned at 1:45 p.m.