

EDUCATION ASSESSMENT AND ACCOUNTABILITY REVIEW SUBCOMMITTEE

Minutes

July 7, 2020

Call to Order and Roll Call

The July meeting of the Education Assessment and Accountability Review Subcommittee was held on Tuesday, July 7, 2020, at 3:00 p.m., in Room 171 of the Capitol Annex. Senator Max Wise, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Max Wise, Co-Chair; Representative Brandon Reed, Co-Chair; Senators Gerald A. Neal, and Mike Wilson; and Representative Tina Bojanowski.

LRC Staff: Joshua Collins, Committee Analyst, and Maurya Allen, Committee Assistant.

Approval of the minutes was tabled until the next meeting.

OEA Annual Report

David Wickersham, Deputy Director, Office of Education Accountability (OEA), gave a brief overview of the OEA Annual Report. He explained that OEA only conducts investigations following a written complaint, but assured members that there are multiple avenues for filing a complaint in writing including mail, fax, and email. Only approximately six to seven percent of complaints are investigated, largely based on the ability to perform an investigation and whether an alleged infraction is against the law. All complaints are logged, however, and if a pattern begins to emerge in a district, that may prompt an investigation as well. There are also instances where OEA refers the complaint to another agency for investigation, such as the Department for Community Based Services, if it falls outside of their jurisdiction.

During an investigation, OEA speaks with any witnesses that are available, which often includes school administration, staff, or occasionally parents. However, OEA never interviews children as part of an investigation. OEA also does not investigate complaints regarding disciplinary issues or special education; these are referred to other appropriate agencies. Following interviews, a preliminary investigative report is prepared and supplied to the accused and other relevant individuals. This report will include suggestions for remediation activities but OEA has no authority to administer any penalties. In approximately two-thirds of cases, there is no response to the preliminary investigative

report. School personnel will occasionally seek guidance from school board counsel and subsequently a response is made, but it is not required. A majority of complaints and investigations are resolved through a remediation method, but the executive branch has the authority to administer penalties such as suspension or revocation of teaching licenses if they are warranted.

There were 414 written complaints in 2019, and approximately two-thirds were anonymous, which is a typical pattern. So far this calendar year, there have been 50 percent fewer complaints and currently there are 45 pending cases. Many of those are residual cases that were begun at the end of 2019. Among the complaints currently being received, a majority are regarding school responses to the novel coronavirus pandemic, changes to graduation activities, and allegations of occupational health and safety violations (employees feeling unsafe at work). A majority of complaints regarding health and safety violation allegations were referred to the Department of Public Health. There have also been concerns about site based decision making body elections that were impacted due to COVID-19. Lastly, concerns regarding superintendents exceeding their authority, particularly in matters related to hiring, have remained stable.

During the novel coronavirus pandemic, OEA has prioritized health of investigators while endeavoring not to sacrifice workflow and timely investigation of complaints. Investigators have performed virtual interviews instead of making site visits to school, as would normally occur. Mr. Wickersham credited the Office of Computer and Information Technology for their assistance in getting the technology in place to allow virtual interviews to take place. He said they will continue with virtual investigations until it is safe for OEA personnel to visit schools in-person. They are aware that for OEA to perform in-person interviews it would place additional burden on the schools that are already facing immense challenges just to have students back in classrooms. In conclusion, Mr. Wickersham said OEA will continue to provide for the research projects that were requested by this committee for 2020 and will also be assisting with a staff study investigating Kentucky's Public Health Emergency Preparedness.

There were no questions from members and acceptance of the report was tabled until the next meeting.

District Data Profiles

Dr. Bart Liguori, Research Division Manager, OEA, was present to give a brief overview of the 2018-2019 District Data Profiles. This report received a Notable Document Award from NCSL in 2012. He cautioned that when comparing data in the new District Data Profiles with previous reports, as changes have occurred to graduation requirements (affecting graduation rate), accountability system (affecting student achievement data), and fund balance rate. The District Data Profiles allow easy access to commonly used education data. It provides an overview of state education as well as providing a way to compare individual districts to the whole and compare Kentucky with surrounding states. Data for

the report comes from the Kentucky Department of Education (KDE) and the Kentucky Center for Statistics (KYStats). Much of this data is also found in the school report cards published by KDE. Dr. Liguori recognized the work of Albert Alexander, OEA Research analyst, on the assembly of the print version of the report.

The print version of the report includes a data dictionary, 173 district profiles in alphabetical order, a single report for the state as a whole, and several tables. The tables are useful for comparing districts as well as seeing where individual districts rank. An online, interactive version is also available on the LRC website for members as well as any member of the public wishing to access it. The interactive report allows for even greater accessibility and for more robust analysis. The tools have been made more mobile friendly, more user intuitive, and now allows for more comparisons as a result of feedback from the committee last year.

The digital report is structured into three visualizations: data from the 2018-19 school year; heat maps for selected variables; and 10-year trend data. Visualizations are then further divided into tabs for demographics, staffing, finance, performance, and accountability. It is also possible to filter the data based on a variety of categories. District websites are also embedded in the profiles for each individual district. Dr. Liguori chose to illustrate some of the features by highlighting Marion, Larue, and Green Counties. He started by looking at staffing differences, using the appropriate filters, for these districts in comparison to the state as a whole. Teacher turnover was specifically discussed as OEA presented a report last year to the committee concerning teacher shortages. Green County was shown to have average turnover when compared to the state, however, Marion and Larue counties had slightly lower turnover. Tabs for performance and finance were also demonstrated, as was the ability to return to the LRC webpage.

A heat map illustrating the differences visually was shared with the committee. These are a good way to display data about a geographic area, such as the state, or to make quick visual comparisons across school districts. Dr. Liguori demonstrated with a map of the state illustrating free/reduced price lunch data by district. He explained that free/reduced price lunch data is frequently used as a proxy for low income status of districts. The heat map illustrated showed that the darker districts had higher percentage of students using free/reduced price lunch. Changing the data on the map is achieved through a drop-down menu.

In speaking on district finance, Dr. Liguori selected a map of per-pupil current expenditures by district. He pointed out that by changing the measure, the legend and colors were also changed to accommodate the new data. From this heat map, it was evident that two very small districts, Southgate Independent and Anchorage Independent, were outliers with significantly higher expenditures. These have the ability to skew the data so can be removed from the maps through the use of a drop-down menu. With these removed, Owsley County became the next highest expenditure, and itself appeared to be an outlier

in its region. While it is above the state average, it is possible to break down the expenditures by per-pupil local revenues. These remain consistent with other eastern Kentucky counties. When looking at per-pupil state revenues, it was illustrated that all of eastern Kentucky has higher per-pupil state revenues. However, Owsley County is not the highest in the state or even in the region. Next, looking at federal per-pupil revenues, Dr. Liguori showed Owsley County receives over \$7,000 per-pupil and is almost twice the next highest district. He shared that Owsley has the highest poverty rate of any district in the state, as illustrated in the earlier free/reduced price lunch data heat map. In fact, Owsley County has the second highest percentage of childhood poverty in the nation. This high level of poverty has led to greater investment by both the state and federal governments.

In November, OEA will present a report on facilities upgrades. One important aspect of facility upgrades is funding. Looking at the previous editions of the District Data Profiles, ten years ago there were 20 districts that levied a recallable nickel (a 0.05 cent tax for building needs). A heat map is also available to see that 49 districts have issued that tax as of 2019. It is necessary to keep this data in mind when considering the report later in the year.

Finally, Dr. Liguori illustrated the multi-year trend line visualizations. As in all other visualizations, it is possible to select multiple districts, but the default is state-level data. To illustrate comparison of selected districts, Dr. Liguori highlighted Paducah and Pikeville. Because the default value is average daily attendance, the state is shown with much higher values than the individual districts selected. The graph is less informative because the selected scale, necessary to include the state-wide data, is too large. Removing the state from the selections, automatically adjusts the scale and allows for more direct comparison between the two districts. Measures are in the same order as they are in the print version of the report, however, not all variables from the print version are available online. For example, salary schedules are not available, but minimum salary (Rank 3 with 0 years experience), average salary, and maximum salary (Rank 1 with 30 years experience). Selecting average salary showed that teachers in Pikeville make more than teachers in Paducah. Paducah teacher salary, however, is consistent with the state average. Part of the difference may be because of the structure of the workforce. Rank 1 teachers have a master's degree with other graduate study or national board certification. They are further along in their career and subsequently get paid more. Looking at the percent of teachers in each district who are Rank 1, it is evident that there are more Rank 1 teachers in Pikeville than in Paducah.

With any of the visualizations, they can be exported as a picture or slide for inclusion in a presentation by selecting the download button. There is an abundance of data in the District Data Profiles, but the existence of outliers should always be kept in mind when accessing and utilizing it. Also, the print edition has more details and data definitions, which could be helpful in interpreting the visualizations. There were no questions from members regarding this report.

Acceptance of the reports was tabled until the next meeting of the committee. With no further business to come before the committee, the meeting adjourned at 3:33 p.m.