

INTERIM JOINT COMMITTEE ON EDUCATION

Minutes of the 5th Meeting of the 2018 Interim

November 19, 2018

Call to Order and Roll Call

The 5th meeting of the Interim Joint Committee on Education was held on Monday, November 19, 2018, at 1:00 PM, in Room 154 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 John Carney, Co-Chair; Senators Julie Raque Adams, Danny Carroll, David P. Givens, Jimmy Higdon, Alice Forgy Kerr, Stephen Meredith, Reginald Thomas, Johnny Ray Turner, Stephen West, and Mike Wilson; Representatives Linda Belcher, Danny Bentley, Mark Hart, Mary Lou Marzian, Reginald Meeks, Charles Miller, Phil Moffett, Tim Moore, Kimberly Poore Moser, Melinda Gibbons Prunty, Steve Riley, James Tipton, Gerald Watkins, and Russell Webber.

Guests: Senator John Schickel; Dr. Randy Poe, Superintendent, Boone County Schools; Jim Waters, President and CEO, Bluegrass Institute; Eric Kennedy, Director of Government Relations, Kentucky School Boards Association (KSBA); Davonna Page, Board of Education Member, Russellville Independent Schools; Lauren Mitchell, Parent Representative, Site-Based Decision Making Council (SBDM); TeAndra Parker, SBDM Member; Lucy Waterbury, Save Our Schools Ky; Wayne Lewis, Commissioner of Education; Amanda Ellis, Deputy Commissioner and Chief Academic Officer, Kentucky Department of Education (KDE); Rhonda Sims, Associate Commissioner, Office of Standards, Assessment and Accountability, KDE; Jennifer Fraker, Policy Advisor, Office of Standards, Assessment and Accountability, KDE; Krista Hall, Director, Division of Program Standards, KDE; Laruen Gallicchio, Office of Teaching and Learning, KDE; and Chad Collins, General Counsel, Kentucky High School Athletics Association (KHSAA).

LRC Staff: Jo Carole Ellis, Yvette Perry, Joshua Collins, Lauren Busch, and Chase O'Dell.

Approval of Minutes

Senator Meredith moved to adopt the minutes of the September 10, 2018, meeting. The motion was seconded by Senator West and passed by voice vote.

Site-Based Decision Making Councils

Senator John Schickel; Dr. Randy Poe, Superintendent, Boone County Schools; Jim Waters, President and CEO, Bluegrass Institute; Eric Kennedy, Director of Government Relations, KSBA; Davonna Page, Board of Education Member, Russellville Independent Schools; Lauren Mitchell, Parent Representative, SBDM Council; TeAndra Parker, SBDM Member; and Lucy Waterbury, Save Our Schools KY; discussed SBDM Councils.

Senator Schickel testified the two most important issues in Kentucky are the future of children and the handling of taxpayer money.

Dr. Poe said the Boone County school system is the third largest in the state and there is need for more parent empowerment across the board.

Courts have interpreted school boards have no authority over SBDM Councils. Dr. Poe said issues concerning the selection of textbooks and other district curriculum have arisen. With a 37 percent transient rate within the Boone County school district, he said schools within one mile of each other are using different text books.

Two additional classifications under the new accountability standards set by the KDE are Comprehensive Support and Improvement (CSI) schools and Targeted Support and Improvement (TSI) schools. Under CSI schools, a board of education is allowed to eliminate a SBDM council. However, that is not the case with TSI schools.

Dr. Poe testified if a teacher received a poor evaluation for not following board of education guidelines, it could be challenged by a SBDM council in a tribunal. He also said there is nothing a superintendent or board of education can do when a school chooses an instructional path that differs from the district, until the school goes into CSI.

Dr. Poe recommended the KDE be directed to promulgate appropriate Kentucky Administrative Regulations to ensure there is a clear-cut road to decision-making power when conflicts occur.

Mr. Waters testified that while there has been more than two decades of site-based governance in schools, there is still chaos and confusion concerning who can do what. The Bluegrass Institute has little reason to believe that continuing with the current governance model as it is will fulfill its statutory mandate. The effects of SBDM councils on student success are questionable at best. The Bluegrass Institute is struggling to find meaningful impact that SBDM councils have on improving low-performing schools.

Mr. Waters said the priority schools program was abruptly ended when the new CSI program was launched by the KDE in conjunction with the state's latest assessment results. It was disconcerting that, when the CSI program was implemented, all the priority schools were released from their status.

Mr. Waters also testified having a SBDM council does not provide a guarantee of improving school performance. He further stated his belief that loss of the site-based authority is a good thing for both parents and children.

Mr. Waters stated while some progress has been made in Kentucky, it has been neither enough nor fast enough to close academic achievement gaps and ensure that the next generation is prepared to face the rigors of a competitive global marketplace.

Mr. Waters questioned whether teachers have the adequate time and training needed to serve on SBDM councils. He questioned whether it is reasonable to expect that each of the 1,253 public schools in Kentucky have the personnel required to manage curriculum and hiring effectively. He stressed that curriculum decisions are crucial in properly preparing students for their future.

Mr. Waters testified that it is difficult to get parents to run for SBDM councils. The Office of Education Accountability and KDE should investigate parental involvement as it relates to parents willing to serve on councils, specifically in lower-performing schools.

Mr. Waters testified that checks and balances are missing in many school governance areas.

Ms. Page testified she believes in the public-school model of education in the Commonwealth and said it is the most important function of state government. She has served both as a SBDM council parent representative and as a member of her district's board of education. SBDM councils and local boards play an important role in decision making.

Ms. Page said that the process for hiring principals does not always work well. A change in the principal selection process will create a more genuine and effective chain of accountability.

Ms. Page asked the legislature to allow superintendents to hire school principals. This would allow superintendents to build a team that would be the most effective in carrying out the district's mission.

Mr. Kennedy said everyone in the public-school system should be engaged. A better balance of authority between school boards and SBDM councils can bring in more community involvement.

Ms. Parker testified she started out as a parent on SBDM councils at the elementary, middle, and high school levels. It was invaluable to have a say in what went on at her school and the experience thrust her into becoming an educator. It is invaluable for parents and teachers to have a say in what goes on at their schools.

Ms. Mitchell stated she had been serving on SBDM councils for six years. Parental voice and community involvement is vital for success.

Ms. Waterbury testified superintendents wielded a lot of power in the past. SBDM councils came about because parent and teacher voices were needed in determining who the leadership of a school would be. In regards to the selection of principals, most SBDM councils select the candidate submitted by a superintendent. There should be a public service campaign that explains to parents the power they have in Kentucky schools.

Ms. Waterbury testified that priority schools and CSI schools do not have SBDM councils, and schools that are in TSI for three years will lose their SBDM councils.

Ms. Waterbury testified that SBDM, in addition to funding, moved Kentucky from the bottom in the nation in education to the middle and that SBDM councils provide opportunities for parents to become leaders in the community.

In response to a question from Senator Meredith, Ms. Page stated that serving on the district board of education can be frustrating at times because she does not have the ability to address the issues parents bring to her. Mr. Kennedy said being a school board member is often a thankless job, and there are many things board members are told they cannot do. Senator Schickel testified there is no compensation for serving on a school board. Mr. Waters added that parents are frustrated because by law, parents must be in the minority on a SBDM council. In response to a follow-up question from Senator Meredith, Mr. Kennedy said the KSBA is always trying to explain the role of a school board member and how to run in order to get great candidates interesting in running. Dr. Poe said superintendents are prohibited from getting involved in school board races and there must be a way to determine who has decision-making authority when conflicts arise.

In response to a question from Representative Belcher, Mr. Waters said he did not have information readily available to know whether test scores went up in schools where SBDM councils were removed. In response to another question from Representative Belcher, Dr. Poe said districts should have appropriate textbooks that cover the standards created by the KDE. He said he is not asking for the same textbooks district-wide, rather that textbooks be approved and meet standards. In response to another question, Dr. Poe stated his belief that regulations should be promulgated through the KDE.

In response to a question from Senator Wilson, Dr. Poe testified that some schools struggle to find parents to run for SBDM councils. Mr. Poe advocated for equal representation of teachers and parents on SBDM councils.

Senator Schickel added he had decided not to introduce a bill on the issue until after the committee meeting.

Representative Riley stated that during his time as principal and chairman of a SBDM council, he never had a vote. Principals should have more say on SBDM councils; it is troubling that principals can be fired by someone who did not hire them.

In response to Representative Hart, Senator Schickel said there will be a bill in the session regarding SBDM councils. There will likely be changes from last year's bill.

Representative Miller stated that SBDM councils are important to schools and that SBDM councils should remain.

Representative Marzian said the Kentucky Education Reform Act, with the help of parents, has changed education in a positive way. There are robust school board races in Jefferson County.

In response to Representative Miller, Dr. Poe said dialogue must include everyone involved and believes things cannot continue to operate the same.

Statewide Academic Standards for Social Studies

Wayne Lewis, Commissioner of Education, KDE; Amanda Ellis, Deputy Commissioner and Chief Academic Officer, KDE; Rhonda Sims, Associate Commissioner, Office of Standards, Assessment and Accountability, KDE; Jennifer Fraker, Policy Advisor, Office of Standards, Assessment and Accountability, KDE; Krista Hall, Director, Division of Program Standards, KDE; and Lauren Gallicchio, Office of Teaching and Learning, KDE, testified on statewide academic standards for social studies standards.

Ms. Ellis testified the standards revision process and requirements are outlined in 2017 Senate Bill (SB) 1. KDE has had several meetings with teachers discussing the revision of social studies standards.

Ms. Fraker stated that Kentucky Academic Standards for Social Studies will be incorporated by reference in 704 KAR 8:060.

Ms. Hall said groups of dedicated professionals and community members have participated in the standards revision process. Each writing team was composed of current and practicing classroom teachers, representation from institutions of higher learning, and community and business leaders. There were over 1,200 respondents during the public comment period in September. Seventy-eight percent of the respondents were classroom teachers. There were responses from 76 percent of the counties.

There were over 5,000 comments from respondents during the public comment period. Eight of the proposed standards received less than a 70 percent favorable rating from respondents.

Ms. Fraker testified that it was important to respondents that standards were organized by the disciplinary strands. There is concern amongst respondents about grade level content standards for grades K-3.

In response to a question from Senator Wise, Ms. Fraker stated that there were a wide variety of respondents in the public calls for feedback. She continued to say that KDE had specific focus groups for social studies teachers and placed a great deal of focus on involving the social studies community. In response to a follow-up question from Senator Wise, Ms. Gallicchio testified the proposed standards draft contains geography from kindergarten through high school. She said from kindergarten to eighth grade, standards all have a theme.

In response to a question from Senator Wilson, Ms. Fraker confirmed that the Standards and Assessment Process Review Committee was eliminated by the Governor through executive order and reestablished with three board members. In response to a follow-up, Commissioner Lewis said that KDE will ensure that individuals giving feedback online will not be timed out. Ms. Ellis explained that KDE was unaware of a glitch in the online feedback system.

In response to a question from Representative Belcher, Ms. Ellis testified that if approved, the new standards will be implemented in the Fall of 2021. Once approved, there will be a full year for teachers to review and prepare materials before implementation in the following year.

In response to a question from Representative Carney, Ms. Flaker testified the proposed standards are available on a public comment page and the board portal page. In response to a follow-up question, Ms. Ellis stated the public comment period was advertised through emails from Commissioner Lewis, the front-page of the KDE website, and the Kentucky Teacher publication. In response to another follow-up question, Ms. Flaker said Kentucky teachers worked on the proposed standards.

In response to a question from Representative Watkins, Ms. Gallicchio testified the current graduation requirement for high school students is three credits of social studies. Ms. Ellis said it is up to the SBDM councils to decide the courses offered. Commissioner Lewis said that while no specific course is required, a U.S. history end-of-course assessment is administered.

In response to a question from Senator Carroll, Ms. Gallicchio said an entire strand within the standards focuses on communicating conclusions, and students are required to

communicate knowledge and engage in civil discourse with classmates. In response to a follow-up question, Ms. Gallicchio said in the current proposed draft standards kindergarten through high school students will have to weave the content they are learning back to Kentucky.

In response to a question from Representative Carney, Ms. Sims testified a social studies test is administered in Grades 5 and 8, based on current standards. She said those tests would continue moving forward. There is a suspension of social studies testing at the high school level until the new standards are in place.

Amendment to Administrative Regulation

Chad Collins, General Counsel, KHSAA, was present to answer questions regarding changes to 702 KAR 007:065. No action was required on the proposed 702 KAR 007:065.

Other Business

In response to a question from Representative Belcher, Representative Carney stated a \$4,000 SEEK increase in the budget gave more flexibility to school districts.

With no further business to come before the committee, the meeting adjourned at 2:54 p.m.