INTERIM JOINT COMMITTEE ON EDUCATION

Minutes of the 6th Meeting of the 2020 Interim

November 12, 2020

Call to Order and Roll Call

The 6th meeting of the Interim Joint Committee on Education was held on Thursday, November 12, 2020, at 10:30 AM, 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 Regina Huff, Co-Chair; Senators David P. Givens, Jimmy Higdon, Alice Forgy Kerr, Stephen Meredith, Gerald A. Neal, Michael J. Nemes, Reginald Thomas, Johnny Ray Turner, Stephen West, and Mike Wilson; Representatives Kim Banta, Tina Bojanowski, R. Travis Brenda, Randy Bridges, Jeffery Donohue, Jim Glenn, Mark Hart, Scott Lewis, Mary Lou Marzian, C. Ed Massey, Bobby McCool, Reginald Meeks, Kimberly Poore Moser, Melinda Gibbons Prunty, Steve Riley, John Sims Jr, James Tipton, Russell Webber, Richard White, and Lisa Willner.

LRC Staff: Jo Carole Ellis, Yvette Perry, Joshua Collins, Maurya Allen, and Christal White.

Approval of Minutes – October 20, 2020

On a motion by Senator West and a second by Senator Meredith, the minutes of the October 20, 2020, meeting were approved by voice vote.

2021 BR 176, A Joint Resolution Relating to Accountability

Presenting the joint resolution relating to accountability were Representatives Tina Bojanowski and Kim Banta.

Representative Bojanowski discussed end-of-year school assessments for students for measuring school accountability. The proposed joint resolution encourages the Commissioner of KDE to form a committee requiring accountability measures that drive instruction.

Representative Bojanowski said Kentucky requires more testing than the federal law requires. She provided a breakdown of required testing in Kentucky for each subject by elementary, middle, and high school levels compared to requirements for federal testing. Kentucky requires elementary and middle school students be tested for reading and math in grades 3 and 5 and in grades 6 and 8, while high school testing for the same subjects is

limited to one-time testing, the same as required at the Federal level. Kentucky requires one-time testing in science, social studies, on-demand writing, editing and mechanics in elementary, middle, and high schools, while federal testing is not required on these subjects. In Kentucky, college admissions testing is required in grades 10 and 11.

KDE estimated $21 million of their budget is spent on assessment and accountability testing. Representative Bojanowski said that Jefferson County spends $5 million on testing and accountability. Early language learner testing and kindergarten screening costs were not included in the budget numbers.

Representative Bojanowski expressed concerns with the current system of focusing on how students will do on end-of-the-year tests. She said we must be cognizant of addressing the issue to determine if education funds spent actually drive value and enable students to become productive members of society. The concerns include test-based instruction; more requirements in Kentucky than the federal government, additional testing in districts along with state and federal required assessments, delayed receipt of scores until the next academic year; testing not providing information with informed instruction; testing that does not value student performance beyond standardized testing; and testing that does not incentivize rich and diverse learning opportunity and does not value student performance beyond standardized testing. Representative Banta said only mandatory testing is included in the recommendations and would in no way interfere with a district's decision to require more tests approved by the board and superintendent.

Representative Banta suggested the Commissioner of Education convene a strategic Assessment and Accountability Committee to examine flexibility in federally-required assessments that can provide opportunities and improve the current approach to assessment and accountability. In 2015, an update to the education law specifically gave states some flexibility in the assessment and accountability process. Recommended appointments for the committee should include the Commissioner of Education; teachers in language arts, math, science, social studies, special education, and career and technical education; two school principals; two school superintendents; a school board member; and a public school parent. The committee reports would be presented to the IJCE by December 1, 2021, and by December 1, 2022.

Representative Banta said possible outcomes of the Assessment and Accountability Committee should include, but not be limited to, replacing single summative assessments with a series of interim assessments, reducing emphasis on high-stakes standardized testing, incorporating alternative performance measures, utilizing the universal design for a learning approach, considering a computer adaptive criterion-referenced test, restricting the number of classroom hours to state and district required testing, and improving the ability of state required assessments to drive meaningful and individualized student instruction.

Responding to a question by Representative Tipton, Representative Bojanowski said MAPP testing scores are received within 24 hours and aid in driving instruction standards for children requiring help in specific subject areas. MAPP is an integrated test of four academic skills (critical thinking, reading, writing, and mathematics) and measures these skills in three contexts: humanities, social sciences and natural sciences.

In response to a question by Senator West, Representative Bojanowski said her research incorporated results from other states and the impact on student achievement.

Responding to a question from Senator Thomas about computer adaptive testing, Representative Banta said students are given questions, and their responses determines the level of testing required. In response to a follow-up question, Representative Bojanowski said some states have restrictions on what percentage of time in the classroom is used for testing. She said the suggestions provided are just a starting point for the committee.

Representative Riley suggested that a representative and senator be added to the makeup of the Accessibility and Accountability Committee. Referring to student accountability, Representative Riley said SAT and ACT scores impact scholarships and school choices and encouraged all students to take the test while the information is still fresh, as future plans and job markets are ever-changing.

In response to a question from Representative Gibbons Prunty, Representative Bojanowski said testing should include general knowledge of standards as opposed to only general knowledge. Representative Gibbons-Prunty said veterans maintain students do not have a good understanding of history and believes social studies and updated history should be included.

Responding to a question from Senator Meredith, Representative Bojanowski said discussions with Mr. Glass and KDE are forthcoming.

Representative Moser questioned if standardized testing encourages synchronized learning. She said common sense, teacher flexibility, teaching style, and creativity are important. Representative Banta said adjustments can be made as to how classes are taught among students, and elected board members should allow districts the flexibility to meet student needs.

Representative Huff said measures for statewide assessment are needed to allow students and parents a way to gauge success. She said teachers are limited, and balance is necessary to find a way to hold teachers and students accountable to determine where we stand. Representative Bojanowski said federal requirements will continue to be met.

Senator Wise said funding is important and necessary.

Early Literacy Initiatives

Senator Stephen West and Representative James Tipton filed companion legislation last year, Senate Bill 214 and House Bill 488, regarding early literacy initiatives. The bills were presented before the Senate and House Education Committees, for discussion only. Due to 2020 being a budget session and as a result of restrictions placed due to COVID-19, the legislation was not passed out of committee.

Representative Tipton said limited resources make a difference in educational outcome. Statistics show a child not reading by grade 4 will have challenges throughout life.

Senator West said he is convinced this initiative with the proper funding is the best way to improve Kentucky's standing and reduce achievement gaps. Statistics from March determined out of 693 Kentucky elementary schools, only 139 were in the novice category and 92 of the lowest-performing schools did not receive grants. He said uniformity and expansion of the Read to Achieve Program is needed across the state, especially to help with transient students.

Presentations on early literacy initiatives were provided by Rhonda Sims, Associate Commissioner, KDE; Dr. Thomas Woods-Tucker, Deputy Commissioner, KDE; Micki Ray, Policy Advisor, KDE; and Brigitte Blom Ramsey, President & CEO, Prichard Committee for Academic Excellence.

The Kentucky Performance Rating for Educational Progress (K-PREP) testing results are divided into four performance levels as novice, apprentice, proficient, and distinguished. Scores determined a slight decline of all students scoring proficient and distinguished from 2015 to 2016, a slight increase in 2017, and a slight decline in 2018 and 2019. Over the past five years, approximately 118,000 students were not proficient readers upon leaving Grade 3. Research indicates those students are four times less likely to finish high school.

Ms. Sims said the National Assessment of Education Progress (NAEP) state data results over the last five years results revealed a downward trend in Grade 4 reading results. Based on 2018-2019 data, Kentucky ranked 23rd in the nation, and 33 percent of the students scored below basic on the Grade 4 reading assessment. The Read to Succeed Act includes specific policy changes that can be made now as first steps in a long-term effort to improve learning outcomes for all students. Ms. Sim's said policy changes are needed for improvement.

Ms. Ray said the Read to Succeed Act, proposed through Senate Bill 214 and House Bill 488, are comprehensive actions to improve early literacy outcomes. Included are early intervention and high-quality instruction, reading improvement plans, family and

community engagement, teacher certification, and state professional learning support strategies.

Ms. Ray provided an overview of the proposed legislation and mentioned that Section 1 clarifies the legislative intent for reading in all elementary schools. These include a multi-tiered system of support; instruction provided by qualified individuals; evidence-based reading instruction that emphasizes phonemic awareness, phonics, fluency, vocabulary, and comprehension; and collaboration with the Governor's Office of Early Childhood, Kentucky Educational Television (KET), and the Kentucky Department of Libraries and Archives.

Section 2 changes impact the intervention process. The suggested changes clarify the process for developing an improvement plan to help accelerate student learning and overseeing individualized standard reading plans; establish the selection of and training on the administration and use of universal screeners and diagnostic assessments and support guidance in the selection of measures; and engage parents in the decision process and provide information to families to promote literacy in the home.

Section 3 creates a new chapter in KRS 164 requiring educational preparation programs for interdisciplinary early childhood education or elementary education to include evidence-based reading instructional programming and assessment processes and programs. The Education Professional Standard Board (EPSB) will maintain a list of approved reading teacher preparation tests to evaluate reading instruction knowledge and skills. Teacher candidates must successfully pass an approved reading instruction test.

Suggested amendments in Section 4 include repurposing the reading diagnostic and intervention fund to train and support teachers and library media specialists to improve student reading skills in Grades K-3 through statewide professional learning in literacy, early reading instruction, and intervention. Suggested new language creates a literacy coaching program and provides job-embedded expert support and training for teachers in schools with the most need.

Section 5 suggested amendments include repurposing and updating roles of the Read to Succeed Council. The council will advise KDE on universal screeners, reading diagnostic assessments, and a statewide professional development program for K-3 literacy instruction.

Suggested amendments in Section 6 include the Collaborative Center for Literacy Development (CCLD) advising the Kentucky Board of Education (KBE) regarding evidence-based comprehensive reading instruction. CCLD will collaborate with KDE to develop and implement a comprehensive research agenda evaluating comprehensive reading programs and reading intervention programs.

Dr. Woods-Tucker said two critical points are to engage with superintendents across the Commonwealth and embrace Kentucky's effort to create a safe-haven in school for students and staff. KDE supports and encourages equity, diversity, and inclusion as well addressing social and emotional issues and supports the Kentucky Board of Education's (KBE) establishment of an anti-racism resolution. KDE seeks efforts to improve issues that drive curriculum and education.

Dr. Woods said societal and equity issues in the communities impact schools and working together addresses these issues. He said taking advantage of available community resources by reaching out to business leaders, religious leaders, and the community is essential for success. He said addressing issues of the heart helps students learn on a more in-depth level. Ms. Ray said creating equity for all students across the state is critical.

Representative Bojanowski said K-PREP measures reading and reasoning, paying attention to task, ability to focus for an expanded period of time, and extended assessment of background knowledge. She asked if consideration has been given to utilizing other testing such as the Developmental Reading Assessment (DRA) and the Benchmark Assessment System (BAS) evaluations, which may have a greater impact on the student's ability to read at the appropriate grade level versus K-PREP. She said adding those assessments to the legislation may provide more solid investments in improving literacy. Senator West said the goal is to use caution with adding testing, but he would be open to exploring it if necessary when funding is available. He said it is necessary to find out how elementary teachers are taught at the post-secondary level and provide the best methods for the best outcomes to attain the goal of improving learning and moving more students to the proficient level. Representative Tipton said he is open to conversation regarding assessment to improve the legislation. The goal is how to improve the outcomes for our children.

Senator Thomas said improving early literacy at an earlier age with universal preschool could eliminate the achievement gap. Senator West said ideally parents would teach kids to reach the preschool level and implementing early childhood education funding has been largely affected by the pandemic. Senator West and Representative Tipton agreed the high cost of early childhood education and limited resources should be best utilized by investing the available funds to achieve the best results.

Senator Higdon said the Read to Achieve Program is a good benchmark, with proper funding. He said people at the local level should not be dictated to or burdened with bureaucracy.

Senator West said the legislation is a life-changing initiative. Kentucky will pay the cost now or later through remediation, an untrained work force, or incarceration for a return on our investment.

Representative Banta said districts are doing well with early childhood education. She said we must be cognizant that requirements for districts to add more professional development hours takes away hours from other duties.

Senator Wilson said investment in reading by grade 3 is critical as students who cannot read cannot succeed. Responding to a question from Senator Wilson, Senator West said the proposed committee substitute discussed during the 2020 session is the product to begin with, but work with the Prichard Committee and educational stakeholders will determine the final bill introduced.

Ms. Ramsey said the objective of the Prichard Committee is to recommend and elevate policies and practices that support teachers, both pre-service and in the classroom, and deliver instruction that will ensure every student achieves proficiency in reading and mathematics by the end of Grade 3.

The Prichard Committee Working Group Task Force, compromised of legislative members, state education leaders, K-12 school and district leaders, university leaders, and college students, began meeting in August with a goal of meeting six times through December.

In response to a question from Senator Wise, Ms. Ramsey said input from pre-service teachers and educators indicate they have reached out to many teachers across the state, and teacher input is extremely important.

Senator Nemes said many felons are unable to read and reminded the committee that incarceration is a huge cost to the taxpayers.

Representative Riley said literacy is important and teachers cannot adequately teach through online instruction. When parents lack resources, he said virtual learning disproportionately impacts low income students and will impact long-term issues. Representative Riley said many students are disengaged in virtual learning due to broadband access or influences at home.

Representative Tipton thanked the committee and offered to get input from stakeholders.

There being no further business before the committee, the meeting adjourned at 12:00 p.m.