

INTERIM JOINT COMMITTEE ON EDUCATION

Minutes of the 1st Meeting of the 2021 Interim

June 1, 2021

Call to Order and Roll Call

The 1st meeting of the Interim Joint Committee on Education was held on Tuesday, June 1, 2021, at 11:00 a.m., in Room 149 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 Danny Carroll, Denise Harper Angel, Jimmy Higdon, Alice Forgy Kerr, Stephen Meredith, Gerald A. Neal, Adrienne Southworth, Reginald Thomas, Stephen West, and Mike Wilson; Representatives Shane Baker, Kim Banta, Tina Bojanowski, Jennifer Decker, Jeffery Donohue, Myron Dossett, Scott Lewis, C. Ed Massey, Bobby McCool, Charles Miller, Melinda Gibbons Prunty, Steve Riley, Attica Scott, James Tipton, Russell Webber, Richard White, and Lisa Willner.

Guests: Erin Klarer, Vice President of Government Relations, Kentucky Higher Education Assistance Authority; Dr. Aaron Thompson, President, Council on Postsecondary Education (CPE); Dr. David Mahan, Associate Vice President, Data and Advanced Analytics, CPE; Dr. Jessica Cunningham, Executive Director, KY STATS; Robin Kinney, Associate Commissioner, Office of Finance and Operations, Kentucky Department of Education (KDE); Jessi Carlton, Assistant Director, Division of District Support, KDE; Dr. Sally Sugg, Superintendent, Shelby County Schools; Robert Harmon, Director of Pupil Personnel, Adair County Schools; Steve Hill, Director of Pupil Personnel, Fayette County Public Schools; and Kelly Foster, Associate Commissioner, Office of Continuous Improvement and Support, KDE.

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

Factors to Consider when Revising KEES

Erin Klarer was present to speak about the Kentucky Educational Excellence Scholarship (KEES) program. KEES is a statewide scholarship program which provide incentives to students to maintain good grades and finish on time. There is a GPA award for each year of high school, an ACT bonus, and supplemental bonuses for low income students who score high on Advanced Placement (AP), International Baccalaureate (IB), and Cambridge Advanced International (CAI) tests. The program was established in 1998 with three main policy goals: to incentivize students to work harder in high school, to

encourage students to stay in Kentucky for postsecondary education, and to incentivize students to work hard in college. There have been 15 statutory changes to KEES since its inception, each of which takes four to five years for the full fiscal impact to be realized. The two most recent expanded uses were in 2017, which allow students in registered apprenticeships to use KEES funds for training expenses, and in 2019, which allow students in qualified workforce training programs to receive KEES reimbursement. The fiscal impact of both of these changes is just starting to be realized.

Ms. Klarer directed members' attention to brochures in their meeting materials which outline the award schedule, including available bonuses. She clarified that students must earn at least one year of award for good grades before qualifying for the ACT bonus award. As there has been some discussion among the committee about changes to eligibility requirements, she informed members of the current eligibility limits. Eligible high school students are U.S. citizens, nationals, or permanent residents; are Kentucky residents; cannot be a convicted felon; and must attend an eligible high school at least 140 days of the year while meeting KEES curriculum standards. An eligible high school is a Kentucky public or private school that is certified by the Kentucky Department of Education as voluntarily complying with curriculum, certification, and textbook standards established by the Kentucky Board of Education. This includes both Gatton and Kraft Academies. Students must also earn at least five high school credits and achieve an annual GPA of 2.5 or higher to earn KEES awards for that year. Regarding discussion of removing the prohibition for felony convictions, KHEAA does not currently track criminal records of students. That is typically screened for by colleges or universities as part of the admissions process, so it is difficult for KHEAA to provide an informed fiscal analysis on the impact of that proposed change other than to say it would have an immediate fiscal impact.

Bonus awards were added to the KEES program in 2008, as a result of Senate Bill 2 of the 2008 Regular Session, making supplemental awards available to free/reduced price lunch eligible students if they receive qualifying scores on AP, IB, or CAI exams. She pointed out that this change resulted in an unintended consequence, in that there is currently no limit to the number of bonus awards a qualifying student can receive. Also, students do not have to take an AP course in order to take the exam, and therefore qualify for bonus awards. She noted that this year there was a very bright student who has taken a number of exams and has earned close to \$6,300 of KEES annual award money. She reminded members that students receive their full award amount annually (split evenly between the fall and spring term) until the first of three conditions is met: completion of eight academic terms, five years since the student's high school graduation, or successful completion of a first bachelor's degree. There are some exceptions for active duty military service, extended illness (certified by an attending physician), or natural disasters that render a student unable to attend classes.

There is no application process for KEES. High schools report GPAs to KHEAA who updates the accounts for each student and sends a letter outlining their current award amount balance to the student. Then, in the fall, students arrive on campus and the institutions send enrollment reports to KHEAA who releases the appropriate funds to the institution to cover student expenses. At the end of term, institutions report back to KHEAA with student GPAs so the accounts can be updated again for the next year. There are 55 in-state participating institutions and 23 in the academic common market. If an undergraduate program is not available at a public institution in Kentucky, KEES can be used at a school in the academic common market which has that program. The most notable programs students use this exception for are aerospace engineering, nuclear engineering, recording industry, business music, audio production, and coastal marine science. There are further requirements to maintain minimum GPAs in order to continue receiving KEES, however, if a student brings their grades up following a semester of poor performance, they become eligible again to receive their KEES money.

The newest component of KEES is as a reimbursement for expenses incurred during a registered apprenticeship program or qualified workforce training program. Registered apprenticeship programs are approved by the U.S. Department of Labor and the Kentucky Education and Workforce Development Cabinet. The Cabinet sends a list of participating students to KHEAA so they can be tracked in the database and a letter is sent to students informing them of their KEES funds and the process to receive reimbursement. The qualified workforce training programs are those that have an articulation agreement with a KEES participating institution. Currently there are two, an HVAC program and an electrical proprietary school, who have agreements with a KCTCS campus. Qualifying programs are limited to the top five workforce needed areas, much like the Work Ready Scholarship. To receive reimbursement, there is no GPA requirement, but there is a requirement for itemized receipts. There have been approximately 80 students participate in these new components to date.

Ms. Klarer closed her presentation thanking the Kentucky Lottery for their support and positive promotion of the KEES program and other scholarships funded from lottery revenue. A total of \$3.8 billion has been disbursed in the form of grants and scholarships since 1999. But she reminded members that KEES is not funded like a bank account, it is funded like Social Security, based on historical trends and forecasting. Any time there is an increase in student participation or institution eligibility it increases the costs and pulls funds from the College Access Program (CAP) and the Kentucky Tuition Grant (KTG), which are both need based, or from the Dual Credit Scholarship, the Work Ready Scholarship, or the Teacher Scholarship.

Senator Wilson thanked Ms. Klarer for her presentation and reiterated that the lottery proceeds are a finite fund and every time there is an expansion in KEES, there is a reduction in funds available to the other new scholarship programs that have been created.

Responding to questions from Representative Tipton, Ms. Klarer explained that there has been a slight downward trend for enrollment and a simultaneous upward trend in lottery revenue, both possibly caused by the pandemic, which has resulted in the CAP and KTG programs both experiencing higher award amounts in the last year. Additionally, as of this meeting, awards were still being distributed, even though frequently funds have been exhausted by this time in the year. However, the KEES awards, as well as other lottery supported awards, are always subject to fund availability. Representative Tipton voiced his desire to see these conversations continue because while awards are given to more students, and more students are taking advantage of them, the award amounts have not kept pace with tuition increases.

In response to a question from Representative Bojanowski, Ms. Klarer said she would need to coordinate with another agency, such as the Kentucky Center for Statistics (KY STATS), in order to match up how many students who receive KEES awards to attend postsecondary institutions remain in Kentucky for employment upon graduation.

Implementation of 2020 House Bill 419

Dr. Aaron Thompson, Dr. David Mahan, and Dr. Jessica Cunningham were present to discuss the implementation of a new interactive data tool for students. Dr. Thompson commented that it was necessary to understand the pipeline of students going into postsecondary education. Currently 50.5 percent of graduating high school seniors go to college. This is not sufficient to support our economy and fill the jobs market. We need to build a better way for students to get into and out of the postsecondary education system, regardless of their starting point. Transparency will facilitate that. The Student Rights Bill (House Bill 419 of the 2020 Regular Session) has that as a core element and led directly to the creation of the web tool being demonstrated today.

Dr. Mahan introduced the interactive tool which will be available online and will address questions prospective students are asking such as job availability, salary levels, and degree costs. The web tool was designed to answer those questions in an interactive and comprehensive manner, regardless of whether they are a current high school student, an adult who never went to college, or an adult looking to change career paths. It will also hopefully serve to enhance other advising tools already available to students and advisors including the KY STATS Career Explorer, KY Career Edge, KnowHow2GoKY, and KnowHow2Transfer. The web tool is still undergoing a process of feedback with students, advisors, and administrators before full launch.

Dr. Cunningham demonstrated the various features of the tool by accessing the webpage at kystats.ky.gov and clicking on “Reports.” It is the top report on that page and is titled “Kentucky Student’s Right to Know.” She illustrated how students can select a major program of interest and then view which job titles frequently correspond with that degree program. Using ‘electrician’ as an example, the tool illustrates the top occupations for that major, the average number of annual job openings, and the typical salaries for early,

mid, and late career. The tool also informs students which institutions provide a preparation program, as well as the cost of attendance, program duration, and graduation rate. One of the key features Dr. Cunningham pointed out was the inclusion of career and technical education (CTE) pathways by selecting the “Additional Pathways” tab in the report. The different categories represent no CTE experience, some CTE experience, or completion of a CTE pathway. The report includes the percent of those categories that went directly into the workforce, those that went on to pursue a postsecondary credential, and those that went out-of-state or did not go into the workforce or postsecondary enrollment. Earnings data is also displayed, as well as the enrollment in apprenticeship programs.

Another degree example Dr. Cunningham demonstrated was “electrical engineering.” The report then displayed the top five occupations by demand, the average earnings, the typical entry level education required, and the institutions offering that degree. Clicking on the institution name illustrates the cost of attendance for in-state tuition, and the outcomes for the institution by this major. Dr. Mahan pointed out that the average debt was also presented for this major. This gives students a more informed understanding of what kind of debt they will be taking on to pursue that degree compared to the average salary expected upon employment, in order to make the best informed decisions about student loans and debt repayment options. All of this is to better inform students making choices for postsecondary education and employment opportunities.

Dr. Thompson closed the presentation saying that he thought initially that the project would be more laborious and the final product not as in depth as what they have developed. This project has produced a very easy to understand and transparent tool for students and their families. He encourages the members to work with the application and be prepared to promote it to schools, families, and others in their communities.

In response to questions from Chair Wise regarding the marketing plans for this tool, Dr. Thompson said he plans to get it first into the hands of the higher education advisors and K-12 guidance counselors. He stated he would also like to see it promoted by third-party educational advocacy groups and by employers and others in the business communities. It is useful to employers promoting skilling-up their workforce, as well as those looking to re-enter the workforce following the pandemic. Dr. Mahan said they have also reached out to KHEAA about inclusion of the information on the KEES award letters.

Senator Higdon stated he found this new tool very informative and highly commended the work done by KY STATS to help craft this resource.

Representative McCool said he appreciated this implementation as it will be a critical living document to help students make solid career choices.

Senator Wilson thanked CPE and KY STATS for their work and asked if there was an app for mobile devices to interface with this new tool. Dr. Mahan said there was not

currently an app, but there are plans to develop one. He agreed with Senator Wilson that it would be very useful to be able to provide it to students directly on their devices during something like freshman orientation sessions or career counseling situations. Senator Wilson also stated his appreciation for the inclusion of debt payments in the information on the costs for degree completion so students are well prepared for those upon graduation.

Representative Huff commented that the presentation was very informative and encouraged the continued promotion of the FAFSA to students so they also are aware of all the financial resources that exist to help them reach their postsecondary education goals.

Student Participation during the COVID-19 Pandemic

Robin Kinney, Jessi Carlton, Dr. Sally Sugg, Robert Harmon, and Steve Hill discussed student participation during the COVID-19 pandemic and the 2020-21 school year.

Ms. Kinney began by reviewing where the school year ended in 2020 and why that necessitates a discussion of participation today. In March 2020, the General Assembly was in session, which afforded KDE the chance to look at how funding would happen at a state level for the duration of the pandemic. Senate Bill 177 of the 2020 Regular Session, allowed school districts to engage students through participation rather than daily attendance. There were limited opportunities for a participation model prior to that time. During the pandemic, school districts were still accountable for engagement and delivery of education to students, whether in-person or virtually. Under this new model, the teachers recorded participation in Infinite Campus (IC), the statewide student information system.

Participation was counted daily. For in-person students, this was recorded as daily attendance, but for remote instruction there were four types of participation recorded in order to capture engagement through all modes of instruction. Those were one-on-one video or phone communication between a teacher and student (or a teacher and parent with smaller/special needs student); group video communication or phone call between a teacher and a whole class or small group of students within a class; student logging into a learning management software system to complete assignments; or submission of paper-based assignments for students in non-digital, non-traditional settings.

Ms. Carlton gave an overview of how the data was reported, collected, and posted to the KDE website. The participation report shows aggregate data at the district level for three reporting periods; October 2020, January 2021, and a third report will be posted by July 2021. The first report, which contains data through the end of September, highlighted districts that were having trouble with the new reporting methodology. KDE reached out to those districts that struggled and helped ensure students were accurately being recorded in IC following the new criteria. The January report covers August through December, and the final report will reflect the whole year and be available soon on the website.

The report is created in two forms, an aggregate report posted online and a student participation report, which is more useful to individual districts because it contains student level data broken down by different student groups such as gender, race, free/reduced price lunch status, etc. This will allow school districts to see if there are individual students, or perhaps a demographic subset of students, who need more support. The participation rates were in line with previous years' attendance rates. In normal years, KDE performs attendance audits, and this year they performed participation reviews to fulfill that same function. Because the IC data does not allow recording of the four modes of participation, the participation review process allowed a better understanding of what was happening at a district level.

Twenty-nine districts were selected at random, and each was asked to provide information for one elementary, one middle, and one high school on two preselected dates. That data was collected and showed that on those dates, about 11 percent of students did not have any participation. Ms. Carlton noted that this may reflect some schools had not fully mastered the new reporting methodology as the preselected dates were in the fall semester. Another insight of note was that 11 percent of remote instruction students were participating via paper-based assignments and approximately 77 percent were participating through electronic methods. The mode of instruction with the highest rate of participation was via student time logged into a learning management software system to complete assignments.

Dr. Sugg spoke about both the challenges and successes her school district encountered in student participation during the pandemic. Shelby County already had one-to-one student to device ratios before the pandemic and had a non-traditional instruction (NTI) plan in place. They had also already been working towards individual learning plans for all students. These combined to make it easier to transition to virtual. However, they faced many of the challenges other districts have reported regarding connectivity issues at home or strained home life (parents out of work or working in essential jobs). One of the bright spots was the same too, the commitment from teachers going above and beyond to meet their students' needs. Many teachers made neighborhood calls to see students, especially English as a Second Language (ESL) students. Shelby County did not develop a 'virtual academy' separate from in-person students, but rather preferred a traditional classroom model where one teacher had a class of students. This made transition back to in-person instruction easier for remote students. The district received a lot of positive feedback from families regarding personalized learning. Going forward, Shelby County plans to have targeted interventions for students who need assistance or maybe expanded learning for gifted students. They are also working to strengthen staff supports to support the mental and emotional health of teachers and other staff who have also been through a very rough year.

Mr. Harmon said Adair County took many proactive measures during the summer before the start of the 2020-21 school year. First was ensuring that the technology supports

were in place for all students. They also focused on creating relationships with parents to build on when frustrations set in regarding motivation and navigating the software platforms. Teachers in Adair County also reached out on a personal level with families through phone calls, home visits, and text messaging. This foundation of trust made it easier for parents to reach out for help when their students had difficulty with remote instruction. Utilizing IC was also a vital component in terms of ensuring accountability and fostering communication. Mr. Harmon stated that face-to-face in-person instruction is best, but that sometimes doing face-to-face instruction virtually through the use of technology is a reasonably good substitute. The biggest change was in terms of pacing and modification of workloads to adapt to the struggles students were facing at home, especially those with siblings at home or whose parents were working remotely at home as well. Teachers also struggled to prepare classwork for mixed in-person/virtual classrooms and the decision was made to move to a different format, allowing teachers the most flexibility and the best return on investment of time. Adair County plans to use summer school this year not just for credit recovery, but also to foster the social and emotional skill building that students will need after a year of social distancing.

Mr. Hill spoke of how this year illustrated the ways the education system can grow and flex to meet challenges. Fayette County implemented tiered interventions for remote learning, but structure was key. Over the summer, Fayette County worked to ensure every student had an internet-ready device. School personnel worked on reducing barriers and enhancing communication, especially with ESL and special needs students and families. Mr. Hill said that the opportunities provided by remote instruction are awesome if done properly. Teacher presence is key, as is making sure there is the right fit between student and program or platform. Social and emotional health is also critical and Fayette County strove to include support for mental health into the virtual program. School personnel performed over 36,000 home visits and plan to hold three summer sessions to bring struggling kids up prior to return to school in August. He said he does not agree with the idea that students ‘lost out’ over the last year. It was different, but no one should discredit what the students and staff were able to achieve.

Chair Wise agreed that while face-to-face is best, virtual instruction is a great opportunity. Responding to questions about virtual instruction in the future, Dr. Sugg said Shelby County will continue to have a virtual option for students who do high school entirely remotely, as it did before the pandemic, and are looking into an option for elementary students, but students in that program will be assigned to a teacher with whom they have one-to-one instruction. Students who participate in that program have to apply and have a proven record of academic success. She sees this potentially as an option for homeschool students wanting to participate in what the public school can offer. Mr. Hill said Fayette County plans to have a virtual learning academy for grades K-12 with its own curriculum, but believes a majority of students and parents will want to return to an in-person classroom setting. Mr. Harmon said Adair County will not have an open program

but will have an option for virtual learners who apply for a waiver citing extenuating circumstances that would prohibit them from success in an in-person classroom

Responding to questions from Representative Tipton, Ms. Kinney said the Kentucky Board of Education can grant waivers for use of participation numbers in the SEEK formula regarding school funding. Additionally, there are plans to expand use of participation numbers for entirely virtual academies to be factored into the SEEK formula.

In response to a question from Senator Southworth, Mr. Harmon said the four-day weeks used in his district during the pandemic, where students had either in-person or remote instruction on Monday, Tuesday, Thursday, and Friday, but teachers had the use of Wednesday for planning or individual student meetings, would not be used in the upcoming school year. Dr. Suggs said Shelby County used a similar four-day schedule, where teachers could provide targeted assistance on the fifth day and transportation was provided to students who needed to come to the school for one-to-one in-person meetings.

Ms. Kelly Foster joined the presenters to respond to a question from Senator West. She said state assessment returns are usually in the fall, but due to a waiver from the U.S. Department of Education, Kentucky was exempt from performing state assessments this past year. Formative assessments were performed in most districts for a real-time understanding of where students were academically. It was reassuring to discover that students who were already adept in reading or math did not fall behind, and in some cases were able to grow their skills. However, those students who were already struggling in math or reading, struggled to keep up and were slower to gain new mastery.

Representative Riley said he expects schools will see some significant deficiencies as a result of this year. Teachers are critically important and schools teach more than hard skills. Social skills cannot be taught virtually and he is already seeing a lack of social skills among children who have been socially distancing for a year. He looks forward to students getting back into the classroom to develop those skills.

In response to questions from Senator Thomas, Dr. Suggs answered that vaccines, much like masks, had become a highly politicized topic. In her district, as in most others, they worked closely with their local health department to determine appropriate health protocols for returning to in-person instruction. When those protocols were followed, all the students and staff were kept safe. The local health department has also worked with the school to establish vaccine distribution events for staff and eligible students and will continue to work with them to see that everyone can get a vaccine. Mr. Harmon answered that his school district was maintaining that getting vaccinated will be a personal choice, but his school has also worked with their local clinics to get staff vaccinated and establish the sanitation guidance that keeps everyone safe. He will continue to advocate for following the guidance based on good science. Mr. Hill reiterated how closely his district worked with local health officials to increase vaccine acceptance. They will continue to

encourage those who want to get the vaccine to do so and increase access so that as many families can take advantage of the vaccine prior to schools starting in the fall. Mr. Harmon added that the foundation of trust and communication that served districts so well during virtual instruction also allows staff to advocate for vaccines. And Mr. Hill commented that mandating the vaccine might serve to push away more families than it would help.

Responding to statements from Representative Huff, Ms. Kinney agreed that some schools may expand their virtual academies going forward, but a majority of families will prefer to return to a traditional school setting. Also, the use of virtual instruction will be voluntary, rather than mandatory, and that will make that mode of instruction more robust. Mr. Hill said his teachers had seen the value of virtual instruction and will still be involved in any virtual academies. Dr. Sugg added that students who participate in a virtual only academy in her district must sign a contract so they are fully aware of the rigor required for online instruction to be successful.

There being no further questions, the meeting adjourned at 12:51 p.m. The next meeting of the committee will be July 5, 2021, at 11:00 a.m. in Capitol Annex room 149.