

AN ACT relating to improving school and student performance.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 160 IS CREATED TO READ AS FOLLOWS:

(1) For purposes of this section:

(a) "Focus school" means a school that:

1. Has a non-duplicated student gap group score in the bottom ten percent (10%) of non-duplicated student gap groups scores for all elementary, middle, and high schools when combining two (2) consecutive years of data, except only one (1) year shall be used for a new or reconfigured school;
2. Has an individual student subgroup by level that falls in the bottom five percent (5%) for individual subjects when combining two (2) consecutive years of data, except only one (1) year shall be used for a new or reconfigured school; or
3. Is a high school with a graduation rate that has been less than eighty percent (80%) for two (2) consecutive years;

(b) "Non-duplicated student gap group score" means an aggregate, non-duplicated count of achievement scores of student groups that include African-American, Hispanic, American Indian, limited English proficiency, students in poverty based on qualification for free and reduced price lunch, and students with disabilities who have an individualized education program as defined in KRS 158.281;

(c) "Internal innovation plan" means a mandatory plan that is implemented by the superintendent, in collaboration with school stakeholders, to assist a targeted focus school after an audit is conducted under this section. The plan shall be designed to eliminate a school's achievement gap and improve

student learning and performance by expanding learning experiences for students with new or creative alternatives to existing instructional and administrative practices. The plan may include a request for exemption from certain administrative regulations, statutory provisions, and local board of education policies as permitted under KRS 156.108 and 160.107 to meet the diverse needs of students; and

(d) "Targeted focus school" means, beginning with the state assessment program results for the 2014-2015 school year, a school that:

1. Has been a focus school for three (3) consecutive years;
2. Has a non-duplicated student gap group score below the state average non-duplicated student gap group score; and
3. Has shown no improvement in the non-duplicated student gap group score for three (3) consecutive years.

(2) The Kentucky Board of Education shall promulgate administrative regulations establishing the audit process, audit team membership, and criteria the audit team shall utilize to determine the capacity of the local board of education, superintendent, principal, and school council to assist a targeted focus school. The local school district shall pay for the cost of the audit.

(3) An audit team shall be established by the local school district in accordance with administrative regulations promulgated under subsection (2) of this section. The audit review and report shall include:

- (a) The functioning of the school and the school council;
- (b) A determination of the ability of the local board of education, school council, superintendent, and principal to lead the intervention in the targeted focus school;
- (c) The interaction and relationship among the local board of education, superintendent, central office personnel, and the school council;

- (d) The functioning of the school, including the results of the most recent teacher working conditions survey administered by the Kentucky Department of Education;
 - (e) A recommendation of the steps the school may implement to increase student learning;
 - (f) A recommendation to the superintendent concerning whether the school council and principal have the capacity to close the school's achievement gaps and whether the current principal should remain as principal in the school; and
 - (g) A recommendation to the local board of education concerning whether the superintendent has the capacity to assist the school with closing the school's achievement gaps.
- (4) Within thirty (30) days of receiving the reports of the targeted focus school audit, the superintendent shall act on the recommendations in the report, including:
- (a) Removing the school principal if the audit report includes such a recommendation and the superintendent chooses to follow the recommendation; and
 - (b) Consulting with school stakeholders, including the school council, parents, principal, certified staff, and classified staff, to prepare the internal innovation plan.
- (5) (a) The proposed internal innovation plan shall be reviewed for approval by the school council and the local board of education and specific areas for improvement shall be identified, if needed, before final approval is given. If the audit determines either the school council or the local board of education does not have capacity for the turnaround of the targeted focus school, that entity shall not review and approve the proposal.
- (b) The superintendent shall report to the local board of education on the

implementation and results of the approved plan.

- (6) If the audit indicates the school council or the principal does not have the capacity to close the school's achievement gaps, additional training shall be provided to the school council or the principal, or both, as recommended.
- (7) (a) Within thirty (30) days of the superintendent's removal of the principal, the school council may appeal the superintendent's action to the local board of education by submitting a written request, including any supporting information. The local board of education shall consider the audit report, the superintendent's basis for the decision, and the school council's request for consideration with any supporting information, and make a final determination regarding the removal of the principal.
- (b) If the local board is not scheduled to meet within thirty (30) days following the receipt of an appeal of the superintendent's decision, the board chair shall call a special meeting for action on the appeal.
- (8) The Department of Education shall review the audit reports and provide appropriate training and support to assist local school districts with a targeted focus school.
- (9) If a school district contains a targeted focus school or schools, the local board of education shall include in the superintendent's evaluation a goal directly related to closing achievement gaps in the targeted focus schools in the district.
- (10) A school shall exit targeted focus school status when it no longer meets the definition of a targeted focus school for two (2) consecutive years after the internal innovation plan has begun.
- (11) If, in the course of a targeted focus school audit, the audit team identifies information suggesting that a violation of KRS 160.345(9)(a) may have occurred, the superintendent shall forward the evidence to the Office of Education Accountability for investigation.