

1 AN ACT relating to postsecondary readiness.

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

3 ➔Section 1. KRS 158.6455 is amended to read as follows:

4 It is the intent of the General Assembly that schools succeed with all students and receive  
5 the appropriate consequences in proportion to that success.

6 (1) (a) The Kentucky Board of Education shall create an accountability system to  
7 classify districts and schools in accordance with the academic standards and  
8 student assessment program developed pursuant to KRS 158.6453.

9 (b) The accountability system shall include an annual meaningful differentiation  
10 of all public schools in the state using multiple measures that describe the  
11 overall performance of each district, school, and student subgroup.  
12 Performance shall be based on a combination of academic and school quality  
13 indicators and measures, hereinafter called "state indicators." The state  
14 indicators shall exclusively include:

- 15 1. Student assessment results;
- 16 2. Progress toward achieving English proficiency by limited English  
17 proficiency students;
- 18 3. Quality of school climate and safety;
- 19 4. High school graduation rates;
- 20 5. Postsecondary readiness for each high school student, which shall be  
21 included as an academic indicator, and shall be measured by:

- 22 a. Meeting or exceeding a college readiness benchmark score on the  
23 college admissions examination used as the statewide assessment  
24 in KRS 158.6453(5)(b)5. or a college placement examination  
25 approved by the Council on Postsecondary Education. The college  
26 readiness benchmark score shall be established by the Council on  
27 Postsecondary Education; ~~{or}~~

1           b. Achievement of college credit, postsecondary articulated credit,  
 2           apprenticeship time toward a credential or associate degree, or any  
 3           industry-recognized certifications, licensures, or credentials, with  
 4           more weight in accountability for industry-recognized  
 5           certifications, licensures, or credentials identified as high demand  
 6           in accordance with the process described in paragraph (e) of this  
 7           subsection. Eligible industry-recognized certifications, licensures,  
 8           or credentials shall not be limited to those earned in conjunction  
 9           with a minimum sequence of courses. Each high school shall  
 10          publicly report the credits, hours, and credentials on an annual  
 11          basis; or

12          **c. Meeting or exceeding a military readiness benchmark score on**  
 13          **the Armed Services Vocational Aptitude Battery test. The**  
 14          **benchmark score shall be established by the state board;** and

15          6. Any other factor mandated by the federal Every Student Succeeds Act of  
 16          2015, Pub. L. No. 114-95, or its successor.

17          (c) 1. Beginning with data from the 2020-2021 and 2021-2022 school years,  
 18          the accountability system performance for each district, school, and  
 19          student subgroup determined by the state indicators shall be based on a  
 20          combination of annual performance, hereinafter called "status," and  
 21          improvement over time, hereinafter called "change."

22          2. Status and change shall receive equal weight in determining overall  
 23          performance. For all students as a group and separately for individual  
 24          subgroups, status shall be determined, beginning with the data from the  
 25          2020-2021 academic year, by using the current year performance and  
 26          change shall be determined, beginning with the data from the 2021-2022  
 27          academic year, by using the difference in performance from the prior to

- 1 current year, except change shall be based on the difference in  
2 performance for the prior three (3) years for the purpose of determining  
3 the lowest-performing five percent (5%) of schools under KRS  
4 160.346(2) and (3).
- 5 3. For each state indicator, there shall be five (5) status levels ranging from  
6 very high to very low and five (5) change levels ranging from increased  
7 significantly to declined significantly.
- 8 4. The percentile cut scores for status and change levels shall be based on  
9 distribution and shall be approved by the Kentucky Department of  
10 Education and the Local Superintendents Advisory Council. The cut  
11 scores shall remain in place for at least six (6) years unless existing cut  
12 scores no longer support meaningful differentiation of schools as  
13 required by the federal Every Student Succeeds Act of 2015, Pub. L. No.  
14 114-95, or its successor.
- 15 (d) Beginning in the fall of 2022, the Kentucky Department of Education shall  
16 develop an online display of the accountability system results hereinafter  
17 called a "dashboard." A color-coded performance level for each state indicator  
18 shall be displayed in a straightforward manner on the dashboard for overall  
19 performance, status, and change by district, school, and individual subgroups.  
20 Overall performance shall aggregate all available data for the state indicators.
- 21 (e) Based on data from the Kentucky Center for Education and Workforce  
22 Statistics, each local workforce investment board, in conjunction with local  
23 economic development organizations from its state regional sector, shall  
24 annually compile a list of industry-recognized certifications, licensures, and  
25 credentials specific to the state and regional workforce area, rank them by  
26 demand for the state and regional area, and provide the list to the Kentucky  
27 Workforce Innovation Board. The Kentucky Workforce Innovation Board, in

1 conjunction with the Kentucky Department of Education, may revise the lists  
2 before the Kentucky Department of Education disseminates the lists to all  
3 school districts to be used as postsecondary readiness indicators.

4 (f) 1. The Kentucky Department of Education shall pay for the cost of an  
5 assessment taken by a high school student for attaining an industry-  
6 recognized certification, credential, or licensure if the student  
7 consecutively completes at least two (2) related career pathway courses  
8 approved by the department prior to taking the assessment.

9 2. If a high school student has not completed the two (2) course  
10 requirement described in subparagraph 1. of this paragraph but meets  
11 performance-based experience eligibility and passes an assessment, the  
12 department shall provide a weighted reimbursement amount to the  
13 school district for the cost of the assessment based on the level of  
14 demand of the certificate, credential, or license earned. The Kentucky  
15 Board of Education shall promulgate regulations establishing the  
16 performance-based experience eligibility requirements and weighted  
17 reimbursement amounts.

18 (g) Prior to promulgating administrative regulations to revise the accountability  
19 system, the board shall seek advice from the School Curriculum, Assessment,  
20 and Accountability Council; the Office of Education Accountability; the  
21 Education Assessment and Accountability Review Subcommittee; and the  
22 National Technical Advisory Panel on Assessment and Accountability.

23 (2) A student's test scores shall be counted in the accountability measure of:

24 (a) 1. The school in which the student is currently enrolled if the student has  
25 been enrolled in that school for at least a full academic year as defined  
26 by the Kentucky Board of Education; or

27 2. The school in which the student was previously enrolled if the student

- 1                   was enrolled in that school for at least a full academic year as defined by  
2                   the Kentucky Board of Education; and
- 3       (b) The school district if the student is enrolled in the district for at least a full  
4           academic year as defined by the Kentucky Board of Education; and
- 5       (c) The state if the student is enrolled in a Kentucky public school prior to the  
6           beginning of the statewide testing period.
- 7 (3) After receiving the advice of the Office of Education Accountability; the School  
8       Curriculum, Assessment, and Accountability Council; and the National Technical  
9       Advisory Panel on Assessment and Accountability, the Kentucky Board of  
10      Education shall promulgate an administrative regulation in conformity with KRS  
11      158.6471 and 158.6472 and KRS Chapter 13A to establish more rigorous action,  
12      intervention, and appropriate consequences for schools that fail to exit  
13      comprehensive support and improvement status described in KRS 160.346. The  
14      consequences shall be designed to improve the academic performance and learning  
15      environment of identified schools and may include but not be limited to:
- 16      (a) A review and audit process to determine the appropriateness of a school's or  
17          district's classification and to recommend needed assistance;
- 18      (b) School and district improvement plans;
- 19      (c) Eligibility to receive Commonwealth school improvement funds under KRS  
20          158.805;
- 21      (d) Education assistance from highly skilled certified staff; and
- 22      (e) Observation of school personnel.
- 23 (4) All students who drop out of school during a school year shall be included in a  
24      school's annual average school graduation rate calculation.
- 25 (5) After receiving the advice of the Education Assessment and Accountability Review  
26      Subcommittee, the Office of Education Accountability; the School Curriculum,  
27      Assessment, and Accountability Council; and the National Technical Advisory

1 Panel on Assessment and Accountability, the Kentucky Board of Education may  
2 promulgate by administrative regulation, in conformity with KRS 158.6471 and  
3 158.6472 and KRS Chapter 13A, a system of district accountability that includes  
4 establishing a formula for accountability, goals for improvement over a three (3)  
5 year period, rewards for leadership in improving teaching and learning in the  
6 district, and consequences that address the problems and provide assistance when  
7 one (1) or more schools in the district fail to exit comprehensive support and  
8 improvement status after three (3) consecutive years of implementing the  
9 turnaround intervention process described in KRS 160.346.

10 (6) After receiving the advice of the Office of Education Accountability; the School  
11 Curriculum, Assessment, and Accountability Council; and the National Technical  
12 Advisory Panel on Assessment and Accountability, the Kentucky Board of  
13 Education shall promulgate administrative regulations in conformity with KRS  
14 158.6471 and 158.6472 and KRS Chapter 13A to establish a process whereby a  
15 school or school district shall be allowed to appeal any performance judgment made  
16 by the department under this section or KRS 160.346 of a principal, superintendent,  
17 school, or school district which it considers grossly unfair. Upon appeal, an  
18 administrative hearing shall be conducted in accordance with KRS Chapter 13B.  
19 The state board may adjust a performance judgment on appeal when evidence of  
20 unusual circumstances warrants the conclusion that the performance judgment is  
21 based on fraud or a mistake in computations, is arbitrary, is lacking any reasonable  
22 basis, or when there are significant new circumstances occurring during the three  
23 (3) year assessment period which are beyond the control of the appellant school or  
24 school district.