

1 AN ACT relating to the education assessment and accountability system.

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

3 ➔ SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO

4 READ AS FOLLOWS:

5 **(1) As used in this section:**

6 **(a) "Locally developed indicators of quality" means measures or indicators**
7 **created or adopted by a local school district that:**

8 **1. Are aligned with the academic standards established in Section 2 of**
9 **this Act;**

10 **2. Allow students to demonstrate their ability to apply grade-appropriate,**
11 **standards-driven knowledge, content, and skills in real-world**
12 **applications; and**

13 **3. May include additional locally identified indicators related to priorities**
14 **established by the local community that serve to complement the**
15 **requirements in subparagraph 1. and 2. of this paragraph. These**
16 **indicators may include student well-being, fiscal responsibility, or**
17 **school safety; and**

18 **(b) "Vibrant learning" means an educational experience characterized by**
19 **student agency and the application of knowledge and skills aligned with the**
20 **academic standards established in Section 2 of this Act and are:**

21 **1. Developed in partnership with students' families, local communities,**
22 **and the local workforce; and**

23 **2. Demonstrated through personalized projects, outputs, experiences, or**
24 **other produced results reflecting each individual student's academic**
25 **and career interests.**

26 **(2) Each local school district may develop and implement a system of locally**
27 **developed indicators of quality in accordance with administrative regulations**

1 *promulgated by the Kentucky Board of Education. The locally developed*
2 *indicators of quality shall include:*

3 *(a) Student participation in vibrant learning experiences; and*
4 *(b) Locally developed indicators of performance.*

5 *(3) A local school district utilizing a system of locally developed indicators of quality*
6 *shall:*

7 *(a) When an indicator involves student data, include student performance data*
8 *for all students, disaggregated by individual subgroups, where permissible;*
9 *and*

10 *(b) Develop a publicly available, online display that clearly communicates each*
11 *applicable school and the district's performance on the locally developed*
12 *indicators, disaggregated by individual subgroups, where permissible.*

13 *(4) The Kentucky Department of Education:*

14 *(a) Shall offer technical assistance to local school districts in their development*
15 *of locally developed indicators of quality; and*

16 *(b) May offer an annual incentive to encourage local districts to develop locally*
17 *developed indicators of quality, which may include a financial incentive. A*
18 *financial incentive provided under this paragraph shall not exceed an*
19 *amount equal to ten thousand dollars (\$10,000) per district plus three*
20 *dollars (\$3) per student.*

21 *(5) (a) When the commissioner of education determines that more than sixty*
22 *percent (60%) of local school districts have elected to develop and*
23 *implement a system of locally developed indicators of quality in accordance*
24 *with subsection (2) of this section, all local school districts shall be required*
25 *to adopt a system of locally developed indicators of quality in accordance*
26 *with the requirements of subsection (2) of this section.*

27 *(b) A local school district required to adopt a system of locally developed*

1 indicators of quality in accordance with paragraph (a) of this subsection
2 shall comply with the requirement by the school year that occurs two (2)
3 years after the commissioner's determination that the threshold has been
4 met.

5 (6) The Kentucky Board of Education is authorized to promulgate administrative
6 regulations in accordance with KRS Chapter 13A necessary to administer the
7 provisions of this section.

8 ➔ Section 2. KRS 158.6453 (Effective July 1, 2026) is amended to read as
9 follows:

10 (1) As used in this section:

11 (a) "Accelerated learning" means an organized way of helping students meet
12 individual academic goals by providing direct instruction to eliminate student
13 performance deficiencies or enable students to move more quickly through
14 course requirements and pursue higher level skill development;

15 (b) "Advanced coursework" means educational programs or opportunities
16 designed to challenge students with more rigorous content beyond the
17 standard curriculum, including but not limited to advanced placement,
18 International Baccalaureate, and honors courses;

19 (c) "Constructed-response items" or "performance-based items" means individual
20 test items that require the student to create an answer rather than select a
21 response and may include fill-in-the-blank, short-answer, extended-answer,
22 open-response, and writing-on-demand formats;

23 (d) "Criterion-referenced test" means a test that is aligned with defined academic
24 content standards and measures an individual student's level of performance
25 against the standards;

26 (e) "Formative assessment" means a process used by teachers and students during
27 instruction to adjust ongoing teaching and learning to improve students'

1 achievement of intended instructional outcomes. Formative assessments may
2 include the use of commercial assessments, curriculum-embedded
3 assessments, classroom observations, teacher-designed ~~classroom tests and~~
4 assessments, and other processes and assignments to gain information about
5 individual student learning that reflects developmentally appropriate grade-
6 level performance;

7 (f) "Interim assessments" means assessments that are given periodically
8 throughout the year to provide diagnostic information and to show individual
9 student performance against content standards;

10 (g) "Summative assessment" means an assessment given at the end of the school
11 year, semester, or other period of time to evaluate students' performance
12 against academic~~content~~ standards within a unit of instruction or a course;
13 and

14 (h) "Writing" means a purposeful act of thinking and expression that uses
15 language to explore ideas and communicate meaning to others. Writing is a
16 complex, multifaceted act of communication and is distinct from basic
17 handwriting or penmanship.

18 (2) (a) Every six (6) years, the Kentucky Department of Education shall implement a
19 process for reviewing Kentucky's academic standards and the alignment of
20 corresponding assessments for possible revision or replacement to ensure
21 alignment with transition readiness standards necessary for global
22 competitiveness, state career and technical education standards, and KRS
23 158.196.

24 (b) The revisions to the academic~~content~~ standards shall:

25 1. Focus on critical knowledge, skills, and capacities needed for success in
26 the global economy;

27 2. Result in fewer but more in-depth standards to facilitate mastery

1 learning;

2 3. Communicate expectations more clearly and concisely to teachers,

3 parents, students, and citizens;

4 4. Be based on evidence-based research;

5 5. Consider international benchmarks; and

6 6. Ensure that the standards are aligned from elementary to high school to

7 postsecondary education so that students can be successful at each

8 education level.

9 (c) 1. The department shall establish four (4) standards and assessments

10 review committees, with each committee composed of a minimum of six

11 (6) Kentucky public school teachers and a minimum of two (2)

12 representatives from Kentucky institutions of higher education,

13 including at least one (1) representative from a public institution of

14 higher education. Each committee member shall teach in the subject

15 area that his or her committee is assigned to review and have no prior or

16 current affiliation with a curriculum or assessment resources vendor.

17 2. One (1) of the four (4) committees shall be assigned to focus on the

18 review of reading~~[language arts]~~ and writing academic standards and

19 corresponding assessments in reading, one (1) on the review of

20 mathematics academic standards and assessments, one (1) on the review

21 of science academic standards and assessments, and one (1) on the

22 review of social studies academic standards and assessments.

23 (d) 1. The department shall establish twelve (12) advisory panels to advise and

24 assist each of the four (4) standards and assessments review committees.

25 2. Three (3) advisory panels shall be assigned to each standards and

26 assessments review committee. One (1) panel shall review the standards

27 and assessments for kindergarten through grade five (5), one (1) shall

1 review the standards and assessments for grades six (6) through eight
2 (8), and one (1) shall review the standards and assessments for grades
3 nine (9) through twelve (12).

4 3. Each advisory panel shall be composed of at least one (1) representative
5 from a Kentucky institution of higher education and a minimum of six
6 (6) Kentucky public school teachers who teach in the grade level and
7 subject reviewed by the advisory panel to which they are assigned and
8 have no prior or current affiliation with a curriculum or assessment
9 resources vendor.

10 (e) The commissioner of education and the president of the Council on
11 Postsecondary Education shall also provide consultants for the standards and
12 assessments review committees and the advisory panels who are business and
13 industry professionals actively engaged in career fields that depend on the
14 various content areas.

15 (f) 1. The standards and assessments process review committee is hereby
16 established and shall be composed of the commissioner of education or
17 designee as a nonvoting member and nine (9) voting representatives of
18 public schools, of whom at least two (2) shall be parents of public
19 school students, appointed by the Governor and confirmed by the Senate
20 in accordance with KRS 11.160 as follows:

21 a. One (1) language arts teacher;
22 b. One (1) math teacher;
23 c. One (1) science teacher;
24 d. One (1) social studies teacher;
25 e. Two (2) school principals;
26 f. Two (2) school superintendents; and
27 g. One (1) school board member.

- 1 2. On making appointments to the committee, the Governor shall ensure
- 2 broad geographical urban and rural representation and representation of
- 3 elementary, middle, and high school levels; ensure equal representation
- 4 of the two (2) sexes, inasmuch as possible; and ensure that appointments
- 5 reflect the minority racial composition of the Commonwealth.
- 6 3. The review of the committee shall be limited to the procedural aspects
- 7 of the review process undertaken prior to its consideration.
- 8 4. Notwithstanding KRS 12.028, the committee shall not be subject to
- 9 reorganization by the Governor.

10 (g) 1. The review process implemented under this subsection shall be an open,

11 transparent process that allows all Kentuckians an opportunity to

12 participate. The department shall ensure the public's assistance in

13 reviewing and suggesting changes to the standards and alignment

14 adjustments to corresponding state assessments by establishing a

15 website dedicated to collecting comments by the public and educators.

16 An independent third party, which has no prior or current affiliation with

17 a curriculum or assessment resources vendor, shall be selected by the

18 department to collect and transmit the comments to the department for

19 dissemination to the appropriate advisory panel for review and

20 consideration.

21 2. Each advisory panel shall review the standards and assessments for its

22 assigned subject matter and grade level and the suggestions made by the

23 public and educators. After completing its review, each advisory panel

24 shall make recommendations for changes to the standards and alignment

25 adjustments for assessments to the appropriate standards and

26 assessments review committee.

27 3. Each standards and assessments review committee shall review the

1 findings and make recommendations to revise or replace existing
2 standards and to adjust alignment of assessments.

3 4. The recommendations shall be published on the website established in
4 this subsection for the purpose of gathering additional feedback from the
5 public. The commissioner shall subsequently present the
6 recommendations and the public feedback to the Interim Joint
7 Committee on Education.

8 5. The commissioner shall subsequently provide a report to the standards
9 and assessments process review committee summarizing the process
10 conducted under this subsection and the resulting recommendations. The
11 report shall include but not be limited to the timeline of the review
12 process, public feedback, and responses from the Interim Joint
13 Committee on Education.

14 6. After receiving the commissioner's report, the standards and assessments
15 process review committee shall either concur that stakeholders have had
16 adequate opportunity to provide input on standards and the
17 corresponding alignment of state assessments or find the input process
18 deficient. If the process is found deficient, the recommendations may be
19 returned to the appropriate standards and assessments review committee
20 for review as described in subparagraph 3. of this paragraph. If the
21 process is found sufficient, the recommendations shall be forwarded
22 without amendment to the Kentucky Board of Education.

23 (h) The Kentucky Board of Education shall promulgate administrative regulations
24 in accordance with KRS Chapter 13A as may be needed for the administration
25 of the review process, including staggering the timing and sequence of the
26 review process by subject area and remuneration of the review committees
27 and advisory panels described in paragraphs (c) and (d) of this subsection.

experience planning classroom instruction based on the revised standards.

2 (l) The Council on Postsecondary Education in cooperation with the Kentucky
3 Department of Education and the postsecondary education institutions in the
4 state shall coordinate information sessions regarding the academic ~~content~~
5 ~~standards~~ for faculty who teach in the various content areas.

6 (m) The Education Professional Standards Board shall, as a condition of program
7 approval, require teacher preparation programs to align curriculum with the
8 expectations set forth in the state's academic ~~content~~~~standards~~.

9 (3) (a) The Kentucky Board of Education shall be responsible for creating and
10 implementing a balanced statewide assessment program that measures the
11 students', schools', and districts' achievement of the goals set forth in KRS
12 158.645 and 158.6451, to ensure compliance with the federal Every Student
13 Succeeds Act of 2015, Pub. L. No. 114-95, or its successor, and to ensure
14 school accountability.

15 (b) The board shall revise the annual statewide assessment program as needed in
16 accordance with revised academic standards and corresponding assessment
17 alignment adjustments approved by the board under subsection (2) of this
18 section.

19 (c) The statewide assessments shall not include any academic standards not
20 approved by the board under subsection (2) of this section.

21 (d) The board shall seek the advice of the Office of Education Accountability; the
22 School Curriculum, Assessment, and Accountability Council; the Education
23 Assessment and Accountability Review Subcommittee, and the department's
24 technical advisory committee in the development of the assessment program.
25 The statewide assessment program shall not include measurement of a
26 student's ability to become a self-sufficient individual or to become a
27 responsible member of a family, work group, or community.

1 (4) (a) The academic components of the statewide assessment program shall be
2 composed of annual student summative tests, which may include a
3 combination of multiple competency-based assessment and performance
4 measures approved by the Kentucky Board of Education.

5 (b) The annual student summative tests shall:

6 1. Measure individual student achievement in ~~language, reading,~~ English, mathematics, science, and social studies at designated grades;

7 2. Provide teachers and parents a valid and reliable comprehensive analysis
8 of skills mastered by individual students;

9 3. Provide diagnostic information that identifies strengths and academic
10 deficiencies of individual students in the content areas;

11 4. Provide information to teachers that can enable them to improve
12 instruction for current and future students;

13 5. Provide longitudinal profiles for students; and

14 6. Ensure school and district accountability for student achievement of the
15 goals set forth in KRS 158.645 and 158.6451, except the statewide
16 assessment program shall not include measurement of a student's ability
17 to become a self-sufficient individual or to become a responsible
18 member of a family, work group, or community.

19 (5) The state student assessments shall include the following components:

20 (a) Elementary and middle grades requirements are:

21 1. A criterion-referenced test each in mathematics and reading in grades
22 three (3) through eight (8) that is valid and reliable for an individual
23 student and that measures the depth and breadth of the~~Kentucky's~~
24 academic ~~content~~ standards; and

25 2. A criterion-referenced test each in science and social studies that is valid
26 and reliable for an individual student as necessary to measure the depth
27 and breadth of ~~Kentucky's~~ academic ~~content~~ standards; and

1 and breadth of ~~the~~~~Kentucky's~~ academic ~~content~~ standards to be
2 administered one (1) time within the elementary and middle grades,
3 respectively;]

4 3. An on-demand assessment of student writing to be administered one (1)
5 time within the elementary grades and one (1) time within the middle
6 grades; and

7 4. An editing and mechanics test relating to writing, using multiple choice
8 and constructed response items, to be administered one (1) time within
9 the elementary and the middle grades, respectively;]

10 (b) High school requirements are:

11 1. A criterion-referenced test in mathematics, reading, and science that is
12 valid and reliable for an individual student and that measures the depth
13 and breadth of Kentucky's academic content standards to be
14 administered one (1) time within the high school grades;

15 2. A criterion-referenced test in social studies that is valid and reliable for
16 an individual student as necessary to measure the depth and breadth of
17 ~~the~~~~Kentucky's~~ academic ~~content~~ standards to be administered one (1)
18 time within the high school grades; and

19 3. ~~An on-demand assessment of student writing to be administered one (1)~~
20 time within the high school grades;

21 4. ~~An editing and mechanics test relating to writing, using multiple choice~~
22 ~~and constructed response items, to be administered one (1) time within~~
23 ~~the high school grades; and~~

24 5. ~~]A college admissions examination to assess English, reading,~~
25 ~~mathematics, and science in the spring of grade eleven (11);~~

26 (c) The Kentucky Board of Education shall add any other component necessary
27 to comply with the Every Student Succeeds Act of 2015, Pub. L. No. 114-95,

1 or its successor, as determined by the United States Department of Education;

2 (d) The criterion-referenced components required in this subsection shall be

3 composed of constructed response items and multiple choice items; and

4 (e) The results of the assessment program developed under this subsection shall

5 be used by schools and districts to determine appropriate instructional

6 modifications for all students in order for students to make continuous

7 progress, including that needed by advanced learners.

8 (6) Each school district shall administer the statewide student assessment during the

9 last fourteen (14) days of school in the district's instructional calendar. The

10 Kentucky Board of Education may change the testing window to allow for

11 innovative assessment systems or other online test administration and shall

12 promulgate administrative regulations that minimize the number of days of testing

13 and outline the procedures to be used during the testing process to ensure test

14 security, including procedures for testing makeup days, and to comply with federal

15 assessment requirements.

16 (7) A student enrolled in a district-operated or district-contracted alternative program

17 shall participate in the appropriate assessments required by this section.

18 (8) A local school district may select and use commercial interim or formative

19 assessments or develop and use its own formative assessments to provide data on

20 how well its students are growing toward mastery of Kentucky academic standards,

21 so long as the district's local school board develops a policy minimizing the

22 reduction in instructional time related to the administration of the interim

23 assessments. Nothing in this section precludes teachers from using ongoing teacher-

24 developed formative processes.

25 (9) Each school that enrolls primary students shall use diagnostic assessments and

26 prompts that measure readiness in reading and mathematics for its primary students

27 as determined by the school to be developmentally appropriate. The schools may

1 use commercial products, use products and procedures developed by the district, or
2 develop their own diagnostic procedures. The results shall be used to inform the
3 teachers and parents or guardians of each student's skill level.

4 (10) The state board shall ensure that a technically sound longitudinal comparison of the
5 assessment results for the same students shall be made available.

6 (11) The following provisions shall apply to the college admissions examination
7 described in subsection (5)(b)3.~~5.~~ of this section:

8 (a) The cost of the college admissions examination administered to students in
9 high school shall be paid for by the Kentucky Department of Education. The
10 costs of additional college admissions examinations shall be the responsibility
11 of the student;

12 (b) If funds are available, the Kentucky Department of Education shall provide a
13 college admissions examination preparation program to all public high school
14 juniors. The department may contract for necessary services; and

15 (c) Accommodations provided to a student with a disability taking the college
16 admissions assessment under this subsection shall consist of:

17 1. Accommodations provided in a manner allowed by the college
18 admissions assessment provider when results in test scores are
19 reportable to a postsecondary institution for admissions and placement
20 purposes, except as provided in subparagraph 2. of this paragraph; or

21 2. Accommodations provided in a manner allowed by a student's
22 individualized education program as defined in KRS 158.281 for a
23 student whose disability precludes valid assessment of his or her
24 academic abilities using the accommodations provided under
25 subparagraph 1. of this paragraph when the student's scores are not
26 reportable to a postsecondary institution for admissions and placement
27 purposes.

1 (12) Kentucky teachers shall have a significant role in providing feedback about the
2 design of the assessments, except for the college admissions exam described in
3 subsection (5)(b)3.[5.] of this section. The assessments shall be designed to:
4 (a) Measure developmentally appropriate grade-level performance aligned to
5 the academic standards[grade appropriate core academic content, basic skills,
6 and higher order thinking skills and their application];
7 (b) Provide valid and reliable scores for schools. If scores are reported for
8 students individually, they shall be valid and reliable;and
9 (c) Minimize the time spent by teachers and students on assessment[; and
10 (d) ~~Assess Kentucky academic standards only~~].

11 (13) The results from assessment under subsections (3) and (5) of this section shall be
12 reported to the school districts and schools no later than seventy-five (75) days
13 following the last day the assessment can be administered. Assessment reports
14 provided to the school districts and schools shall include an electronic copy of an
15 operational subset of test items from each assessment administered to their students
16 and the results for each of those test items by student and by school.

17 (14) The Department of Education shall gather information to establish the validity of
18 the assessment and accountability program. It shall develop a biennial plan for
19 validation studies that shall include but not be limited to the consistency of student
20 results across multiple measures, the congruence of school scores with documented
21 improvements in instructional practice and the school learning environment, and the
22 potential for all scores to yield fair, consistent, and accurate student performance
23 level and school accountability decisions. Validation activities shall take place in a
24 timely manner and shall include a review of the accuracy of scores assigned to
25 students and schools, as well as of the testing materials. The plan shall be submitted
26 to the Commission by July 1 of the first year of each biennium. A summary of the
27 findings shall be submitted to the Legislative Research Commission by September

1 1 of the second year of the biennium.

2 (15) The Department of Education and the state board shall offer optional assistance to
3 local school districts and schools in developing and using continuous assessment
4 strategies needed to ensure student progress. The continuous assessment shall
5 provide diagnostic information to improve instruction to meet the needs of
6 individual students.

7 (16) The Administration Code for Kentucky's Assessment Program shall include
8 prohibitions of inappropriate test preparation activities by school district employees
9 charged with test administration and oversight, including but not limited to the issue
10 of teachers being required to do test practice in lieu of regular classroom instruction
11 and test practice outside the normal work day. The code shall include disciplinary
12 sanctions that may be taken toward a school or individuals.

13 (17) The Kentucky Board of Education, after the Department of Education has received
14 advice from the Office of Education Accountability; the School Curriculum,
15 Assessment, and Accountability Council; and the department's technical advisory
16 committee, shall promulgate an administrative regulation under KRS Chapter 13A
17 to establish the components of a reporting structure for assessments administered
18 under this section. The reporting structure shall include the following components:
19 (a) A school report card that clearly communicates with parents and the public
20 about school performance. The school report card shall be sent to the parents
21 of the students of the districts, and information on electronic access to a
22 summary of the results for the district shall be published in the newspaper
23 with the largest circulation in the county. It shall include but not be limited to
24 the following components reported by race, gender, and disability when
25 appropriate:
26 1. Student academic achievement, including the results from each of the
27 assessments administered under this section;

1 2. For Advanced Placement, Cambridge Advanced International, and
2 International Baccalaureate, the courses offered, the number of students
3 enrolled, completing, and taking the examination for each course, and
4 the percentage of examinees receiving a score of three (3) or better on
5 AP examinations, a score of "e" or better on Cambridge Advanced
6 International examinations, or a score of four (4) or better on IB
7 examinations. The data shall be disaggregated by gender, race, students
8 with disabilities, and economic status;

9 3. Nonacademic achievement, including the school's attendance, retention,
10 graduation rates, and student transition to postsecondary;

11 4. School learning environment, including measures of parental
12 involvement; and

13 5. Any other school performance data required by the Every Student
14 Succeeds Act of 2015, Pub. L. No. 114-95, or its successor;

15 (b) An individual student report to parents for each student in grades three (3)
16 through eight (8) summarizing the student's skills in reading, science, social
17 studies, and mathematics. The school's staff shall develop a plan for
18 accelerated learning for any student with identified deficiencies or strengths;
19 and

20 (c) A student's score on the college admissions assessment administered under
21 subsection (5)(b)3.[5.] of this section.

22 (18) (a) Every six (6) years, the Kentucky Department of Education shall implement a
23 comprehensive process for reviewing and revising the academic standards in
24 visual and performing arts and practical living skills and career studies for all
25 levels and in world~~foreign~~ language for middle and high schools. The
26 department shall develop review committees for the standards for each of the
27 content areas that include representation from certified specialist public

1 school teachers and postsecondary teachers in those subject areas.

2 (b) The academic standards in practical living skills for elementary, middle, and
3 high school levels shall include a focus on drug abuse prevention, with an
4 emphasis on the prescription drug epidemic and the connection between
5 prescription opioid abuse and addiction to other drugs, such as heroin and
6 synthetic drugs.

7 (c) The department shall provide to all schools guidelines for programs that
8 incorporate the adopted academic standards in visual and performing arts and
9 practical living and career studies. The department shall provide to middle and
10 high schools guidelines for including a foreign language program. The
11 guidelines shall address program length and time, courses offered, staffing,
12 resources, and facilities.

13 (d) The Kentucky Department of Education, in consultation with certified public
14 school teachers of visual and performing arts, may develop program standards
15 for the visual and performing arts.

16 (19) (a) The Kentucky Department of Education shall develop and distribute [provide]
17 to all school districts guidelines for including an effective writing program
18 across the content areas aligned to the academic standards. The department
19 shall provide professional learning opportunities to support authentic and
20 disciplinary-specific writing across the curriculum for school-based
21 decision making councils, principals, teachers, and teacher preparation
22 programs [within the curriculum].

23 (b) Each school-based decision making council, or if there is no school council
24 a committee appointed by the principal, shall adopt policies that determine
25 the writing program for the school and ensure the writing program policy is
26 published on the school's website. The writing program shall include
27 disciplinary-specific writing across the curriculum and incorporate a variety

of language resources, technological tools, and multiple opportunities for students to develop complex communication skills for a variety of purposes.

3 (20) (a) The Kentucky Department of Education, in consultation with the review
4 committees described in subsection (18) of this section, shall develop a school
5 profile report to be used by all schools to document how they will address the
6 adopted academic standards in their implementation of the programs as
7 described in subsection (18) of this section, which may include student
8 opportunities and experiences in extracurricular activities. The department
9 shall include the essential workplace ethics program on the school profile
10 report.

11 (b) By October 1 of each year, each school principal shall complete the school
12 profile report, which shall be signed by the members of the school council, or
13 the principal if no school council exists, and the superintendent. The report
14 shall be electronically transmitted to the Kentucky Department of Education,
15 and the original shall be maintained on file at the local board office and made
16 available to the public upon request. The department shall include a link to
17 each school's profile report on its website.

18 (c) If a school staff member, student, or a student's parent has concerns regarding
19 deficiencies in a school's implementation of the programs described in
20 subsection (18) of this section, he or she may submit a written inquiry to the
21 school council.

22 (21) (a) No later than December 1, 2025, each local board of education shall adopt a
23 district plan establishing clear policies on the promotion of advanced
24 coursework or accelerated learning in language arts, mathematics, social
25 studies, and science by grade level for students in grades four (4) to twelve
26 (12).

27 (b) The district plan required by paragraph (a) of this subsection shall:

1. Be published on a publicly accessible location on the district website;
2. Describe the strategies and approach to advanced coursework or accelerated learning options by grade level for language arts, mathematics, social studies, and science; and
3. Require that the service delivery options for students identified as gifted and talented in language arts, mathematics, social studies, and science include the following for each grade level and subject area:
 - a. i. Accelerated learning; or
 - ii. Advanced coursework; and
 - b. At least one (1) of the following service delivery options:
 - i. Collaborative teaching and consultation services;
 - ii. Special counseling services;
 - iii. Differentiated study experiences for individuals and cluster groups in the regular classroom;
 - iv. Distance learning;
 - v. Enrichment services that are not extracurricular during the school day;
 - vi. Independent study;
 - vii. Mentorships;
 - viii. Resource services delivered in a pull-out classroom or other appropriate instructional setting;
 - ix. Seminars;
 - x. Travel study options; or
 - xi. Special schools or self-contained classrooms for students in grades four (4) through twelve (12) only.

area on the most recent statewide assessment for which scores are available in available advanced coursework for that subject area and any corresponding subject area designated by the local board of education;

2. Include eligibility criteria for qualification for available advanced coursework for all other students;
3. Require written consent from a parent or guardian of a student to withdraw or exclude a student that is eligible for advanced coursework according to the district plan from that advanced coursework. If a student requests to withdraw from advanced coursework to pursue another educational opportunity, a principal may withdraw the student without written consent from a parent or guardian only after a good-faith attempt to contact the parent or guardian is unsuccessful; and
4. Permit a principal to withdraw a student from advanced coursework without written consent from his or her parent or guardian if the student's participation in advanced coursework would have an adverse educational impact on a student, including interference with his or her career pathway, access to career and technical education coursework, or another educational opportunity.

19 (22) [(a)] The Kentucky Board of Education may promulgate administrative
20 regulations in accordance with KRS Chapter 13A to administer the provisions
21 of subsection (21) of this section. {

22 (b) By December 1, 2025, the Kentucky Department of Education, in
23 collaboration with local school districts, shall establish school district
24 recommendations for the consistent use of preliminary assessment data and
25 other criteria to identify students prepared for advanced coursework.]

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

27 It is the intent of the General Assembly that schools succeed with all students and receive

1 the appropriate consequences in proportion to that success.

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

5 (b) The state accountability system shall include an annual meaningful
6 differentiation of all public schools in the state using multiple measures that
7 describe the overall performance of each district, school, and student
8 subgroup. Beginning with data from the 2026-2027 school year,
9 performance shall be based on a combination of academic and school quality
10 indicators and measures, hereinafter called "state indicators." The state
11 indicators shall exclusively include:

12 1. Student assessment results;

13 2. Measures of individual student growth in reading and mathematics;

14 3. Progress toward achieving English proficiency by limited English
15 proficiency students;

16 4.[3.]Student engagement as measured by chronic absenteeism, which shall
17 be defined as a student missing ten percent (10%) or more of yearly
18 school time for excused or unexcused reasons throughout the school
19 year[Quality of school climate and safety];

20 5.[4.]High school graduation rates;

21 6.[5.]Postsecondary readiness for each high school student, which shall be
22 included as an academic indicator, and shall be measured by one (1) of
23 the following:

24 a. Meeting or exceeding a college readiness benchmark score on the
25 college admissions examination used as the statewide assessment
26 in KRS 158.6453(5)(b)3.[5.] or a college placement examination
27 approved by the Council on Postsecondary Education. The college

1 Each high school shall publicly report the credits, hours, and
2 credentials on an annual basis; and

3 7.[6.] Any other factor mandated by the federal Every Student Succeeds Act
4 of 2015, Pub. L. No. 114-95, or its successor.

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

10 2. ~~Status and change shall receive equal weight in determining overall performance. For all students as a group and separately for individual subgroups, status shall be determined, beginning with the data from the 2020-2021 academic year, by using the current year performance and change shall be determined, beginning with the data from the 2021-2022 academic year, by using the difference in performance from the prior to current year, except change shall be based on the difference in performance for the prior three (3) years for the purpose of determining the lowest performing five percent (5%) of schools under KRS 160.346(2) and (3).~~

20 3. For each state indicator, there shall be five (5) status levels ranging from very high to very low and five (5) change levels ranging from increased significantly to declined significantly.

23 4. The percentile cut scores for status and change levels shall be based on distribution and shall be approved by the Kentucky Department of Education and the Local Superintendents Advisory Council. The cut scores shall remain in place for at least six (6) years unless existing cut scores no longer support meaningful differentiation of schools as

1 required by the federal Every Student Succeeds Act of 2015, Pub. L. No.
2 114-95, or its successor.

3 (d) Beginning in the fall of 2022,]The Kentucky Department of Education shall
4 develop an online display of the state accountability system results
5 hereinafter called a "dashboard." A color-coded performance level for
6 each state indicator and overall performance shall be displayed in a
7 straightforward manner on the dashboard]for overall performance,
8 status, and change]by district, school, and individual subgroups. Overall
9 performance shall aggregate all available data for the state indicators.

10 2. *The percentile cut scores for the color-coded performance level for*
11 *each state indicator and overall performance shall be based on*
12 *distribution and shall be approved by the Kentucky Department of*
13 *Education and the Local Superintendents Advisory Council. The cut*
14 *scores shall remain in place for at least six (6) years unless existing*
15 *cut scores no longer support a meaningful differentiation of schools*
16 *as required by the federal Every Student Succeeds Act of 2015, Pub. L.*
17 *No. 114-95, or its successor.*

academic year as defined by the Kentucky Board of Education; and

4 (3) After receiving the advice of the Office of Education Accountability; the School
5 Curriculum, Assessment, and Accountability Council; and the department's
6 technical advisory committee, the Kentucky Board of Education shall promulgate
7 an administrative regulation in conformity with KRS 158.6471 and 158.6472 and
8 KRS Chapter 13A to establish more rigorous action, intervention, and appropriate
9 consequences for schools that fail to exit comprehensive support and improvement
10 status described in KRS 160.346. The consequences shall be designed to improve
11 the academic performance and learning environment of identified schools and may
12 include but not be limited to:

13 (a) A review and audit process to determine the appropriateness of a school's or
14 district's classification and to recommend needed assistance;

15 (b) School and district improvement plans;

16 (c) Eligibility to receive Commonwealth school improvement funds under KRS
17 158.805;

18 (d) Education assistance from highly skilled certified staff; and

19 (e) Observation of school personnel.

20 (4) All students who drop out of school during a school year shall be included in a
21 school's annual average school graduation rate calculation.

22 (5) After receiving the advice of the Education Assessment and Accountability Review
23 Subcommittee, the Office of Education Accountability; the School Curriculum,
24 Assessment, and Accountability Council; and the department's technical advisory
25 committee, the Kentucky Board of Education may promulgate by administrative
26 regulation, in conformity with KRS 158.6471 and 158.6472 and KRS Chapter 13A,
27 a system of district accountability that includes establishing a formula for

1 accountability, goals for improvement over a three (3) year period, rewards for
2 leadership in improving teaching and learning in the district, and consequences that
3 address the problems and provide assistance when one (1) or more schools in the
4 district fail to exit comprehensive support and improvement status after three (3)
5 consecutive years of implementing the turnaround intervention process described in
6 KRS 160.346.

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

21 (7) Advice and recommendations provided by the department's technical advisory
22 committee shall be summarized and reported by the department by July 1 and
23 December 1 of each year to the Office of Education Accountability. The report shall
24 include:

25 (a) Advice and recommendations provided by panel members relating to:

26 1. Development and modification to the assessment and accountability
27 system;

- 1 2. The development of administrative regulations governing the
- 2 assessment and accountability system;
- 3 3. The setting of standards used in the assessment and accountability
- 4 system; and
- 5 4. KRS 158.6453, 158.6455, 158.782, or 158.860; and

6 (b) Any documentation used by the panel in support of the panel's advice and

7 recommendations.

8 Upon receipt of the report, the Office of Education Accountability shall forward the
9 report to the Education Assessment and Accountability Review Subcommittee and
10 the co-chairs of the Interim Joint Committee on Education.

11 ➔Section 4. KRS 158.6459 is amended to read as follows:

- 12 (1) A high school student whose highest score on the college admissions examination
13 under KRS 158.6453(5)(b)3~~3~~5 in English, reading, or mathematics is below the
14 systemwide standard established by the Council on Postsecondary Education for
15 entry into a credit-bearing course at a public postsecondary institution without
16 placement in a remedial course or an entry-level course with supplementary
17 academic support shall be provided the opportunity to participate in accelerated
18 learning designed to address his or her identified academic deficiencies prior to
19 high school graduation.
- 20 (2) A high school, in collaboration with its school district, shall develop and implement
21 accelerated learning that:
 - 22 (a) Allows a student's learning plan to be individualized to meet the student's
23 academic needs based on an assessment of test results and consultation among
24 parents, teachers, and the student; and
 - 25 (b) May include changes in a student's class schedule.
- 26 (3) The Kentucky Department of Education, the Council on Postsecondary Education,
27 and public postsecondary institutions shall offer support and technical assistance to

1 schools and school districts in the development of accelerated learning.

2 ➔Section 5. KRS 164.7874 is amended to read as follows:

3 As used in KRS 164.7871 to 164.7885:

4 (1) "Academic term" means a semester or other time period specified in an
5 administrative regulation promulgated by the authority;

6 (2) "Academic year" means a period consisting of at least the minimum school term, as
7 defined in KRS 158.070;

8 (3) "ACT score" means the composite score achieved on the American College Test at
9 a national test site on a national test date or the college admissions examination
10 administered statewide under KRS 158.6453(5)(b)3.~~5.~~ if the exam is the ACT, or
11 an equivalent score, as determined by the authority, on the SAT administered by the
12 College Board, Inc.;

13 (4) "Authority" means the Kentucky Higher Education Assistance Authority;

14 (5) "Award period" means the fall and spring consecutive academic terms within one
15 (1) academic year;

16 (6) "Council" means the Council on Postsecondary Education created under KRS
17 164.011;

18 (7) "Eligible high school student" means any person who:

19 (a) Is a citizen, national, or permanent resident of the United States and Kentucky
20 resident;

21 (b) Was enrolled after July 1, 1998:

22 1. In a Kentucky high school for at least one hundred forty (140) days of
23 the minimum school term unless exempted by the authority's executive
24 director upon documentation of extreme hardship, while meeting the
25 KEEs curriculum requirements, and was enrolled in a Kentucky high
26 school at the end of the academic year;

27 2. In a Kentucky high school for the fall academic term of the senior year

1 and who:

- 2 a. Was enrolled during the entire academic term;
- 3 b. Completed the high school's graduation requirements during the
- 4 fall academic term; and
- 5 c. Was not enrolled in a secondary school during any other academic
- 6 term of that academic year; or
- 7 3. In the Gatton Academy of Mathematics and Science in Kentucky, the
- 8 Craft Academy for Excellence in Science and Mathematics, or in high
- 9 school at a model and practice school under KRS 164.380 while meeting
- 10 the Kentucky educational excellence scholarship curriculum
- 11 requirements;
- 12 (c) Has a grade point average of 2.5 or above at the end of any academic year
- 13 beginning after July 1, 1998, or at the end of the fall academic term for a
- 14 student eligible under paragraph (b) of this subsection; and
- 15 (d) Is not a convicted felon;
- 16 (8) "Eligible postsecondary student" means a citizen, national, or permanent resident of
- 17 the United States and Kentucky resident, as determined by the participating
- 18 institution in accordance with criteria established by the council for the purposes of
- 19 admission and tuition assessment, who:
- 20 (a) Earned a KEEES award;
- 21 (b) Has the required postsecondary GPA and credit hours required under KRS
- 22 164.7881;
- 23 (c) Has remaining semesters of eligibility under KRS 164.7881;
- 24 (d) Is enrolled in a participating institution as a part-time or full-time student; and
- 25 (e) Is not a convicted felon;
- 26 (9) "Full-time student" means a student enrolled in a postsecondary program of study
- 27 that meets the full-time student requirements of the participating institution in

1 which the student is enrolled;

2 (10) "Grade point average" or "GPA" means the grade point average earned by an
3 eligible student and reported by the high school or participating institution in which
4 the student was enrolled based on a scale of 4.0 or its equivalent if the high school
5 or participating institution that the student attends does not use the 4.0 grade scale;

6 (11) "High school" means any Kentucky public high school, the Gatton Academy of
7 Mathematics and Science in Kentucky, the Craft Academy for Excellence in
8 Science and Mathematics, a high school of a model and practice school under KRS
9 164.380, and any private, parochial, or church school located in Kentucky that has
10 been certified by the Kentucky Board of Education as voluntarily complying with
11 curriculum, certification, and textbook standards established by the Kentucky Board
12 of Education under KRS 156.160;

13 (12) "KEES" or "Kentucky educational excellence scholarship" means a scholarship
14 provided under KRS 164.7871 to 164.7885;

15 (13) "KEES award" means:

16 (a) For an eligible high school student, the sum of the KEES base amount for
17 each academic year of high school plus any KEES supplemental amount, as
18 adjusted pursuant to KRS 164.7881; and

19 (b) For a student eligible under KRS 164.7879(3)(e), the KEES supplemental
20 amount as adjusted pursuant to KRS 164.7881;

21 (14) "KEES award maximum" means the sum of the KEES base amount earned in each
22 academic year of high school plus any KEES supplemental amount earned;

23 (15) "KEES base amount" or "base amount" means the amount earned by an eligible
24 high school student based on the student's GPA pursuant to KRS 164.7879;

25 (16) "KEES curriculum" means five (5) courses of study, except for students who meet
26 the criteria of subsection (7)(b)2. of this section, in an academic year as determined
27 in accordance with an administrative regulation promulgated by the authority;

- 1 (17) "KEES supplemental amount" means the amount earned by an eligible student
2 based on the student's ACT score pursuant to KRS 164.7879;
- 3 (18) "KEES trust fund" means the Wallace G. Wilkinson Kentucky educational
4 excellence scholarship trust fund;
- 5 (19) "On track to graduate" means the number of cumulative credit hours earned as
6 compared to the number of hours determined by the postsecondary education
7 institution as necessary to complete a bachelor's degree by the end of eight (8)
8 academic terms or ten (10) academic terms if a student is enrolled in an
9 undergraduate program that requires five (5) years of study;
- 10 (20) "Participating institution" means an "institution" as defined in KRS 164.001 that is
11 eligible to participate in the federal Pell Grant program, executes a contract with the
12 authority on terms the authority deems necessary or appropriate for the
13 administration of its programs, and:
 - 14 (a) 1. Is publicly operated;
15 2. Is licensed by the Commonwealth of Kentucky and has operated for at
16 least ten (10) years, offers an associate or baccalaureate degree program
17 of study not comprised solely of sectarian instruction, and admits as
18 regular students only high school graduates, recipients of a High School
19 Equivalency Diploma, or students transferring from another accredited
20 degree granting institution; or
21 3. Is designated by the authority as an approved out-of-state institution that
22 offers a degree program in a field of study that is not offered at any
23 institution in the Commonwealth; and
 - 24 (b) Continues to commit financial resources to student financial assistance
25 programs; and
- 26 (21) "Part-time student" means a student enrolled in a postsecondary program of study
27 who does not meet the full-time student requirements of the participating institution

1 in which the student is enrolled and who is enrolled for at least six (6) credit hours,
2 or the equivalent for an institution that does not use credit hours.

3 ➔Section 6. KRS 157.069 is amended to read as follows:

4 (1) As used in this section:

5 (a) "Administrative operations costs" means costs associated with the operations
6 and staffing of a state-operated area technology center, including but not
7 limited to personnel, facility costs, building utilities and maintenance, and
8 custodial and office supplies;

9 (b) "Approved career and technical education dual credit" means earning a grade
10 of "C" or higher for a Kentucky Department of Education-approved career
11 and technical education dual credit course equivalent to three (3) hours of
12 college credit;

13 (c) "Approved career and technical education pathway" means a four (4) course
14 career and technical education pathway approved by the Kentucky
15 Department of Education that provides a coherent, articulated sequence of
16 rigorous academic and career-related courses within a career and technical
17 education program area, and leads to an associate degree, an industry-
18 recognized certificate or license, or a baccalaureate or higher degree;

19 (d) "Concentrator" means a student who has earned at least two (2) credits for no
20 less than two (2) courses in a single career and technical education pathway;

21 (e) "Converted career and technical education center" means a center providing
22 locally operated career and technical education for which a local district
23 assumed authority from the state for the management and control of the center
24 during the 2020-2021, 2021-2022, or 2022-2023 academic years;

25 (f) "General-cost career and technical education program" means a career and
26 technical education program or pathway in which high-cost technical
27 equipment, materials, or facilities are not required;

- (g) "General-cost full-time equivalents" means the total number of secondary students enrolled in general-cost career and technical education programs, multiplied by the number of hours those students are enrolled, and divided by six (6) hours;
- (h) "High-cost career and technical education program" means a career and technical education program or pathway in which high-cost equipment, materials, or facilities are required;
- (i) "Locally operated career and technical education" means a district program that provides secondary students with one (1) or more approved career and technical education pathways;
- (j) "State-operated area technology center" means a state-operated secondary school facility with the primary purpose of offering approved career and technical education pathways;
- (k) "Supplemental funding" or "supplemental funds" means moneys appropriated by the General Assembly to support qualifying locally operated career and technical education centers and programs and state-operated area technology centers and programs based on enrollment and incentive criteria;
- (l) "Technical skill attainment" means earning an industry-recognized certification, licensure, or credential as identified by the Kentucky Workforce Innovation Board pursuant to KRS 158.6455(1)(d){e)} or passing an end-of-program assessment for articulated postsecondary credit as designated by the Kentucky Department of Education Office of Career and Technical Education;
- (m) "Weighted high-cost full-time equivalents" means the total number of secondary students enrolled in high-cost career and technical education programs, multiplied by the number of credit hours in which those students are enrolled, divided by six (6) hours, and multiplied by one and one-half

1 (1.5); and

2 (n) "Work-based learning program" means a cooperative education program,
3 internship, or registered apprenticeship within the student's chosen approved
4 career and technical education pathway.

5 (2) The Kentucky Department of Education shall provide funds from the department's
6 annual general fund appropriation to support the administrative operations costs of
7 state-operated area technology centers and converted career and technical education
8 centers.

9 (3) For converted career and technical education centers, beginning with fiscal year
10 2024-2025, the Kentucky Department of Education shall deduct from funds
11 designated for the state-operated area technology centers an amount equal to the
12 administrative operations costs of each converted career and technical education
13 center in the amount received by the center in the most recent fiscal year that the
14 center was under state management and control. The funds for each converted
15 career and technical education center shall be divided as follows:

16 (a) Seventy-five percent (75%) of the funds shall be sent to the local district that
17 has assumed management and control of the center; and
18 (b) Twenty-five percent (25%) of the funds shall be sent to the career and
19 technical education innovation and support fund established in subsection (4)
20 of this section.

21 (4) (a) There is hereby established in the State Treasury a restricted fund to be known
22 as the career and technical education innovation and support fund to receive
23 the funds allocated under subsection (3)(b) of this section. The fund shall
24 consist of moneys received from state appropriations, gifts, grants, and federal
25 funds. The fund shall be administered by the Office of Career and Technical
26 Education. Amounts deposited in the fund shall be used for:

27 1. Supporting innovation in new or emerging career fields:

- 1 2. Supporting state-operated area technology centers that may experience
- 2 hardship or natural disasters;
- 3 3. Personnel costs to provide technical assistance to local districts
- 4 providing locally operated career and technical education, including
- 5 technical assistance relating to the monitoring and oversight on the use
- 6 of supplemental career and technical education funding; and
- 7 4. Any other purposes reasonably related to improving student outcomes in
- 8 career and technical education.

9 (b) Notwithstanding KRS 45.229, fund amounts not expended at the close of a

10 fiscal year shall not lapse but shall be carried forward into the next fiscal year.

11 (5) Beginning with the 2024-2025 fiscal year and for each fiscal year thereafter, the

12 Kentucky Department of Education shall distribute to local districts providing

13 locally operated career and technical education and to state-operated area

14 technology centers all general funds designated as supplemental funds to career and

15 technical education programs, subject to the following:

- 16 (a) A local district providing locally operated career and technical education or a
- 17 state-operated area technology center shall maintain eligibility for receipt of
- 18 federal funding pursuant to the Strengthening Career and Technical Education
- 19 for the 21st Century Act, Pub. L. No. 115-224, to be eligible to receive
- 20 supplemental funding pursuant to this subsection;
- 21 (b) All supplemental funds distributed pursuant to this subsection shall be used to
- 22 improve student outcomes in career and technical education pathways for
- 23 students in grades nine (9) through twelve (12), including but not limited to
- 24 student supplies, resources, materials, and equipment that is designed for
- 25 enhanced quality of instruction in a career and technical education pathway,
- 26 the purchase and maintenance of industry standard equipment, assisting
- 27 students with achieving technical skill attainment, and supporting career and

1 technical student organization participation;

2 (c) 1. Supplemental funds for career and technical education shall be divided
3 and allocated to each local district providing locally operated career and
4 technical education and to each state-operated area technology center,
5 with sixty percent (60%) dedicated for enrollment-based funding and
6 forty percent (40%) for incentive-based funding.

7 2. The sixty percent (60%) enrollment-based funding shall be based on a
8 statewide full-time equivalent calculation of the total weighted high-cost
9 full-time equivalents and general-cost full-time equivalents during the
10 prior school year, subject to the following:

11 a. The department shall then distribute the enrollment-based funds
12 for each state-operated area technology center or local district
13 providing locally operated career and technical education based on
14 the center's or district's proportional share of the combined
15 weighted high-cost full-time equivalents and general-cost full-time
16 equivalents of the prior year;

17 b. The department shall distribute the state-operated area technology
18 center fund portion to the respective state-operated area
19 technology centers and the local district fund portion to the
20 respective local districts; and

21 c. The department shall classify qualifying programs as either a high-
22 cost career and technical education program or a general-cost
23 career and technical education program.

24 3. The forty percent (40%) incentives-based funding shall be based on an
25 annual statewide calculation of the total number of qualifying student
26 incentives. The calculation shall only use students that are in grade
27 twelve (12) and use the total incentives earned by those students during

1 secondary education at a state-operated area technology center or within
2 a local district. Once a student has been included in a year's calculation,
3 that student shall not be included in any subsequent year's calculation,
4 subject to the following:

5 a. Qualifying student incentives for students in their grade twelve
6 (12) year shall include:

7 i. Reaching the designation of a concentrator;
8 ii. Technical skill attainment;
9 iii. Completing a required number of hours or achieving a
10 benchmark within a work-based learning program; and
11 iv. Earning an approved career and technical education dual
12 credit;

13 b. The incentives in subdivision a. of this subparagraph shall be
14 allotted to the state-operated area technology center or local
15 district in which it was earned. Each type of incentive shall only be
16 counted once per student at state-operated area technology centers
17 and once per student at local districts for a maximum of four (4)
18 incentives per student at state-operated area technology centers
19 and four (4) incentives at local districts throughout their secondary
20 career and technical education. For incentive criteria that is
21 achieved more than once at state-operated area technology centers,
22 the incentive shall be counted for the state-operated area
23 technology center where it was first achieved. For incentive
24 criteria that is achieved more than once at local districts, the
25 incentive shall be counted for the local district where it was first
26 achieved;

27 c. The department shall distribute incentives-based funds for each

1 state-operated area technology center or local district based on the
2 center's or district's proportional share of the combined number of
3 qualifying student incentives achieved by students in grade twelve
4 (12) at a state-operated area technology center or within a local
5 district throughout their secondary career and technical education.
6 The incentives-based funds shall be distributed to the state-
7 operated area technology center or local district in which the
8 incentive was achieved; and

9 d. The department shall distribute the state-operated area technology
10 center fund portion to the respective state-operated area
11 technology centers and the local district fund portion to the
12 respective local districts;

13 (d) There shall be no mid-year adjustment to the allocation of career and technical
14 education supplemental funding for a center or local district; and

15 (e) Notwithstanding the restriction in paragraph (b) of this subsection, a district
16 may submit a waiver request to the Office of Career and Technical Education
17 to use a portion of its allocation of supplemental funds for career and
18 technical education programming for students in grades (5) through eight (8).
19 The district shall submit a request which details the district's plan for career
20 and technical education programming for students in grades five (5) through
21 eight (8). In reviewing the request, the Office of Career and Technical
22 Education shall consider whether:

23 1. The district details a plan for orientation and exploration of broad-based
24 industries by giving students knowledge and experience regarding
25 careers within these industries and exploratory or hands-on skills used in
26 the industry;

27 2. There is direct alignment between middle and secondary career and

