

1 **Education and Workforce Development Cabinet**

2 **Kentucky Board of Education**

3 **Department of Education**

4 **(New Administrative Regulation)**

5 **703 KAR 5:220. School and District Accountability Recognition, Support and**

6 **Consequences**

7 RELATES TO: KRS 158.6453, KRS 158.6455

8 STATUTORY AUTHORITY: KRS 158.6453; KRS 158.6455

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 158.6453 requires the Kentucky Board
10 of Education to create and implement a balanced statewide assessment program that measures
11 the achievement of students, schools and districts, complies with the federal No Child Left
12 Behind Act of 2001, 20 U.S.C. secs. 6301 et seq., or its successor and ensures accountability.
13 KRS 158.6455 requires the Kentucky Board of Education, following revision of academic
14 standards and development of a student assessment program, to create an accountability system
15 to classify schools and districts, including a formula for accountability, goals for improvement,
16 and rewards and consequences.

17 Section 1. Statewide system of Accountability Recognition, Support and Consequences. (1) The
18 accountability system shall be called Unbridled Learning: College and Career Ready for All. An
19 Overall Score shall be used to classify schools and districts for recognition, support and

1 consequences. The Overall Score shall be a compilation of the following three accountability
2 components:

3 (a) Next -Generation Learners;

4 (b) Next-Generation Instructional Programs and Support; and

5 (c) Next-Generation Professionals

6 Section 2. Weighting of Components Comprising the Overall Score. The total number of points
7 earned in each component of Next-Generation Learners, Next-Generation Instructional Programs
8 and Support, and Next-Generation Professionals shall be weighted in the following manner to
9 obtain the Overall Score:

Grade Range	Next-Generation Learner	Next-Generation Instructional Programs and Support	Next-Generation Professionals	Total Overall Score
Elementary	70	20	10	100
Middle	70	20	10	100
High	70	20	10	100

10 (1) The total number of points in the Overall Score shall classify schools and districts into one of
11 three classifications:

12 (a) Distinguished

13 (b) Proficient

14 (c) Needs Improvement: Low, Medium or High. The Needs Improvement classification will be
15 divided into three levels – low, medium, and high.

1 (2) The placement of schools and districts into one of three classifications and the establishment
2 of goals shall follow a standard-setting process. The process shall be advised by the National
3 Technical Advisory Panel on Assessment and Accountability, School Curriculum Assessment
4 and Accountability Council and the Office of Education Accountability. The process shall use
5 accepted technical procedures and involve Kentucky school and district administrators and
6 teachers. The Kentucky Board of Education shall review the process and approve the final cut
7 scores and goals that determine placement in one of the three classifications.

8 (3) If data cannot be calculated for any component, the weights shall be redistributed equally to
9 components that shall be reported for the school or district.

10 (4) Reporting of component scores and the Overall Score shall include the numeric score and the
11 classification resulting from that score. A directional indicator shall also be reported with the
12 overall and component scores to indicate whether the scores are advancing or declining from
13 previous year scores.

14 Section 3: Timelines and Conditions for Recognition and Support. (1) Timelines for
15 implementing elements of the Unbridled Learning: College and Career Ready for All
16 Accountability System shall be as follows:

17 (a) Using the Overall Score from the 2011-12 school year and each school year thereafter, all
18 schools and districts shall be placed into one of the three classifications within the Unbridled
19 Learning: College and Career Ready for All Accountability System.

20 (b) Beginning with the 2011-12 school year, schools qualifying as persistently low-achieving
21 schools shall receive consequences as outlined in KRS 160.346.

1 (c) Using the Overall Score from the 2011-2012 school year and each school year thereafter, all
2 eligible schools and districts shall receive recognition, support and consequences as outlined in
3 this regulation.

4 (2) Schools and districts identified in Section 4 shall continue to meet eligibility criteria in order
5 to retain their designation and receive recognition for that category.

6 Section 4. Categories for Recognition, Support and Consequences. Schools and districts shall be
7 placed in categories for the purposes of recognition, support, and consequences based upon their
8 Overall Score and classification. Categories for the purposes of recognition, support and
9 consequences shall be as follows:

10 (1) “Kentucky Schools or Districts of High Distinction” shall include Kentucky Schools or
11 Districts of Distinction that score within the top five or 5% (whichever is greater) of elementary
12 schools, middle schools, high schools or districts in the Distinguished classification on the
13 Overall Score.

14 (2) “Kentucky Schools or Districts of Distinction” shall include schools and districts that are
15 classified as Distinguished based on their Overall Score that have also received school or district
16 accreditation from a recognized accreditation organization. Districts shall not qualify as a
17 District of Distinction if any of their schools are rated as persistently lowest-achieving schools.

18 (3) “Kentucky Proficient Schools or Districts” shall include schools or districts that score in the
19 Proficient classification of schools or districts on the Overall Score.

20 (4) “Kentucky Schools or Districts On the Move” shall include schools or districts that score in
21 the Proficient or Needs Improvement classification of schools or districts on the Overall Score
22 that also:

1 (a) Move from low to middle or middle to high levels within the Needs Improvement

2 classification;

3 (b) Show improvement in the areas of

4 1. Next-Generation Learners;

5 2. Next-Generation Instructional Programs and Support; and

6 3. Next-Generation Professionals; or

7 (c) Attain an Overall Score indicating the school or district is in the top 10% of improvement.

8 (6) "Needs Improvement Schools or Districts" means schools or districts that score in the Needs
9 Improvement classification of schools or districts on the Overall Score. Needs Improvement
10 Schools or Districts shall be divided into three levels: low, middle and high.

11 Section 5. Recognition. Schools and districts shall receive recognition as determined by the
12 Commissioner and based on the attainment of one or more of the recognition categories
13 described in Section 4. Each recognized school or district shall be authorized to use a KDE-
14 approved web logo and other promotional materials as may be designated by KDE reflecting the
15 category of recognition earned. Kentucky Schools and Districts of High Distinction shall receive
16 special recognition as determined by the Commissioner.

17 Section 6. Support and consequences for districts. (1) Supports and consequences shall be
18 applied to the lowest scoring 20% of districts in the Needs Improvement classification. Districts
19 will receive notification from the Commissioner of Education within 5 days of release of the
20 annual accountability data, identifying them as one of the lowest 20% and the required supports
21 and consequences that will apply.

1 (a) A district that is classified in the lowest 20% of the Needs Improvement classification for the
2 first time shall revise the comprehensive district improvement plan (CDIP) within ninety (90)
3 days of receiving the notice from the Commissioner. The district shall use a variety of relevant
4 sources including perception data gathered from the administration of a valid and reliable
5 measure of teaching and learning conditions to inform the needs assessment required by the plan.
6 The plan shall include the support to be provided to schools by the district. The CDIP shall be
7 posted to the district website, and shall address the following areas:

- 8 1. Curriculum alignment within the school(s);
- 9 2. Evaluation and assessment strategies to continuously monitor and modify instruction to meet
10 student needs and support proficient student work;
- 11 3. Professional development to address the goals of the plan;
- 12 4. Parental communication and involvement;
- 13 5. Attendance improvement and dropout prevention;
- 14 6. Activities to target the underperforming areas of achievement, gap, growth, college/career
15 readiness and/or graduation rate;
- 16 7. Activities to target demonstrators of weakness in program reviews;
- 17 8. Activities to target areas of need identified in teacher and leader effectiveness measures; and
- 18 9. Technical assistance that will be accessed.

19 (b) A district that is classified in the lowest 20% of the Needs Improvement classification for the
20 second or more consecutive times shall revise the CDIP as specified in subparagraph (a) of this
21 paragraph and submit it for approval by KDE within ninety (90) days of receiving the notice

1 from the Commissioner. Upon approval by KDE, the CDIP shall be posted to the district
2 website.

3 (c) In addition to the requirements of subparagraph (b) of this paragraph, a district that is
4 classified in the lowest 20% in the Need Improvement classification for third or more
5 consecutive time shall engage in the following:

6 (i) Participate in a set of improvement strategies outlined by a district-wide accreditation process.

7 (ii) If directed by the KDE, receive the assignment of a high-achieving partner district of similar
8 demographics for mentor activities as directed by KDE.

9 (iii) Accept ongoing resources throughout the year as assigned or approved by the KDE.

10 (2) Supports and consequences shall be applied to all the remaining districts within the
11 classification of Needs Improvement not identified in Section 6 (1). Districts will receive
12 notification from the Commissioner of Education within 5 days of release of the annual
13 accountability data, identifying them as one of the remaining districts within the classification of
14 Needs Improvement and the required supports and consequences that will apply.

15 (a) A district that is classified in the Needs Improvement classification for the first time shall
16 revise the CDIP within ninety (90) days of receiving the notice from the Commissioner. The
17 district shall use a variety of relevant sources including perception data gathered from the
18 administration of a valid and reliable measure of teaching and learning conditions to inform the
19 needs assessment required by the plan. The plan shall include the support to be provided to
20 schools by the district. The district plan shall be posted to the district website and shall address
21 the following areas:

22 1. Curriculum alignment within the school(s);

- 1 2. Evaluation and assessment strategies to continuously monitor and modify instruction to meet
- 2 student needs and support proficient student work;
- 3 3. Professional development to address the goals of the plan;
- 4 4. Parental communication and involvement;
- 5 5. Attendance improvement and dropout prevention;
- 6 6. Activities to target the underperforming areas of achievement, gap, growth, college/career
- 7 readiness and/or graduation rate;
- 8 7. Activities to target demonstrators of weakness in program reviews;
- 9 8. Activities to target areas of need identified in teacher and leader effectiveness measures; and
- 10 9. Technical assistance that will be accessed.

11 (3) If a district remains in the Needs Improvement classification and does not meet the
12 definitions of being a Kentucky District On the Move for three consecutive compilations of the
13 Overall Score, it shall comply with the strategies outlined in Section 6 (1)(b) above. If a district
14 remains in the Needs Improvement classification and does not meet the definition of being a
15 Kentucky District On the Move for four consecutive compilations of the Overall Score, it shall
16 comply with the strategies outlined in Section 6 (1)(c) above.

17 (4) KDE shall review and approve all submissions required by this Section, monitor
18 implementation of district plans and provide necessary guidance based upon information
19 gathered from sources such as, but not limited to, the following:

- 20 (a) Progress reports from the district
- 21 (b) Data reviews
- 22 (c) On-site observations

1 Section 7. Support and consequences for schools. In addition to compliance with the
2 requirements of KRS 160.346, identified schools shall receive the following supports and
3 consequences. The Commissioner of Education shall notify those districts containing identified
4 schools of the required supports and consequences within 5 days of release of annual
5 accountability data.

6 (1) Schools identified pursuant to KRS 160.346 as “Persistently low-achieving schools” shall
7 receive assistance and support as required by that statute.

8 (2) A district containing a school(s) in the lowest 20% of elementary, 20% of middle or 20% of
9 high schools in the Needs Improvement classification shall require the school(s) to comply with
10 the following:

11 (a) A school that is classified in the lowest 20% of the Needs Improvement classification for the
12 first time shall revise the comprehensive school improvement plan (CSIP) and submit it for
13 approval by the district within ninety (90) days of receiving notice from the Commissioner. The
14 school shall use a variety of relevant sources including perception data gathered from the
15 administration of a valid and reliable measure of teaching and learning conditions to inform the
16 needs assessment required by the plan. The school’s plan shall include the support that will be
17 provided by the district. Upon approval by the district, the school plan shall be posted to the
18 appropriate school website, and shall address the following areas:

- 19 1. Curriculum alignment within the school;
- 20 2. Evaluation and assessment strategies to continuously monitor and modify instruction to meet
21 student needs and support proficient student work;
- 22 3. Professional development to address the goals of the plan;

- 1 4. Parental communication and involvement;
- 2 5. Attendance improvement and dropout prevention;
- 3 6. Activities to target the underperforming areas of achievement, gap, growth, college/career
- 4 readiness and/or graduation rate;
- 5 7. Activities to target demonstrators of weakness in program reviews;
- 6 8. Activities to target areas of need identified in teacher and leader effectiveness measures; and
- 7 9. Technical assistance that will be accessed.

8 (b) A school that is classified in the lowest 20% of the Needs Improvement classification for the
9 second or more consecutive times shall revise the CSIP as specified in subparagraph (a) of this
10 paragraph and submit it for approval by the district prior to submission for approval by KDE
11 within ninety (90) days of receiving notice from the Commissioner. Upon approval by KDE, the
12 CSIP shall be posted to the school website.

13 (c) In addition to the requirements of subparagraph (b) of this paragraph, a school that is
14 classified in the lowest 20% in the Need Improvement classification for third or more
15 consecutive time shall engage in the following:

16 (i) Participate in a set of improvement strategies outlined by either a school-level or a district-
17 wide accreditation process.

18 (ii) If directed by the KDE, receive the assignment of a high-achieving partner school of similar
19 demographics for mentor activities as directed by KDE.

20 (iii) Accept ongoing resources throughout the year as assigned or approved by the KDE.

1 (3) Districts will receive notification from the Commissioner of Education of all other schools in
2 the Needs Improvement classification, not identified under Section 7 (a), which are required to
3 carry out the following:

4 (a) Revise the CSIP and submit it for approval by the district within ninety (90) days of receiving
5 notice from the Commissioner. The school shall use a variety of relevant sources including
6 perception data gathered from the administration of a valid and reliable measure of teaching and
7 learning conditions to inform the needs assessment required by the plan. The school's plan shall
8 include the support that will be provided by the district. The school plan shall be posted to the
9 appropriate school website and shall address the following areas:

- 10 1. Curriculum alignment within the school;
- 11 2. Evaluation and assessment strategies to continuously monitor and modify instruction to meet
12 student needs and support proficient student work;
- 13 3. Professional development to address the goals of the plan;
- 14 4. Parental communication and involvement;
- 15 5. Attendance improvement and dropout prevention;
- 16 6. Activities to target the underperforming areas of achievement, gap, growth, college/career
17 readiness and/or graduation rate;
- 18 7. Activities to target demonstrators of weakness in program reviews;
- 19 8. Activities to target areas of need identified in teacher and leader effectiveness measures; and
- 20 9. Technical assistance that will be accessed.

21 (4) If a school remains in the Needs Improvement classification and does not meet the definitions
22 of being a Kentucky School On the Move for three consecutive compilations of the Overall

1 Score, it shall comply with the strategies outlined in Section 7 (2)(b) above. If a school remains
2 in the Needs Improvement classification and does not meet the definitions of being a Kentucky
3 School On the Move for four consecutive compilations of the Overall Score, it shall comply with
4 the strategies outlined in Section 7 (2)(c) above.

5 (5) KDE shall review and approve all submissions required by this Section, monitor
6 implementation of district plans and provide necessary guidance based upon information
7 gathered from sources such as, but not limited to, the following:

8 (a) Progress reports from the district

9 (b) Data reviews

10 (c) On-site observations

11 Section 8. Student group performance measure. (1) The Kentucky Department of Education
12 shall create an annual report for all schools and districts showing the individual achievement
13 scores in each assessed subject for student groups that form the Non-Duplicated Gap Group
14 defined in 703 KAR 5:200. Student groups with more than twenty-five (25) students within
15 assessment grades in a school or district shall have a reported score. The Kentucky Department
16 of Education shall identify all student group performance that falls below the second and third
17 standard deviation compared to all students in the state. Schools and districts with any identified
18 student groups falling below the third standard deviation shall revise the school and district
19 improvement plans to implement the steps outlined in KRS 158.649. Schools and districts shall
20 utilize guidance from The Commissioner's Raising Achievement/Closing Gaps Council when
21 developing the revised plans.

1 (2) If a school's or district's same student group score remains below the third standard deviation
2 compared to all students in the state for two or more consecutive years, the following additional
3 actions shall occur:

4 (a) Continue actions undertaken during the first year of identification.

5 (b) If directed by the Kentucky Department of Education, receive the assignment of a high
6 achieving partner school/district or focus team for mentor activities as directed by the Kentucky
7 Department of Education.

8 (c) Accept ongoing resources throughout the year as assigned or approved by the Kentucky
9 Department of Education.

10 (3) If a school's or district's same student group remains below the third standard deviation
11 compared to all students in the state for three consecutive years, the following shall occur:

12 (a) The Kentucky Commissioner of Education shall designate schools and districts with
13 continuous low performance of three years or more in any specific student group as a targeted
14 school for assistance.

15 (b) The school or district shall undergo a targeted audit focusing on the specific group of students
16 with low scores. The targeted audit shall provide a report outlining the strengths and deficiencies
17 of the school or district in relation to the group and provide specific support to help the school
18 improve achievement of its student group.