

158.6455 School accountability system -- List of certifications, licensures, and credentials -- Reimbursement for assessment -- Consequences for schools that fail to exit support status -- Components of accountability system -- Appeals of performance judgments.

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

- (1) (a) The Kentucky Board of Education shall create an accountability system to classify districts and schools in accordance with the academic standards and student assessment program developed pursuant to KRS 158.6453.
- (b) The accountability system shall include:
 1. An annual overall summative performance evaluation of each school and district compared to goals established by the Kentucky Department of Education. The evaluation for each school and district shall:
 - a. Not consist of a single summative numerical score that ranks schools against each other; and
 - b. Be based on a combination of academic and school quality indicators and measures, with greater weight assigned to the academic measures;
 2. Student assessment results;
 3. Progress toward achieving English proficiency by limited English proficiency students;
 4. Quality of school climate and safety;
 5. High school graduation rates;
 6. Postsecondary readiness for each high school student, which shall be included as an academic indicator, and shall be measured by:
 - a. Meeting or exceeding a college readiness benchmark score on the college admissions examination used as the statewide assessment in KRS 158.6453(5)(b)5. or a college placement examination approved by the Council on Postsecondary Education. The college readiness benchmark score shall be established by the Council on Postsecondary Education; or
 - b. Achievement of college credit, postsecondary articulated credit, apprenticeship time toward a credential or associate degree, or any industry-recognized certifications, licensures, or credentials, with more weight in accountability for industry-recognized certifications, licensures, or credentials identified as high demand in accordance with the process described in paragraph (c) of this subsection. Eligible industry-recognized certifications, licensures, or credentials shall not be limited to those earned in conjunction with a minimum sequence of courses. Each high school shall publicly report the credits, hours, and credentials on an annual basis; and

7. Any other factor mandated by the federal Every Student Succeeds Act of 2015, Pub. L. No. 114-95, or its successor.
 - (c) Based on data from the Kentucky Center for Education and Workforce Statistics, each local workforce investment board, in conjunction with local economic development organizations from its state regional sector, shall annually compile a list of industry-recognized certifications, licensures, and credentials specific to the state and regional workforce area, rank them by demand for the state and regional area, and provide the list to the Kentucky Workforce Innovation Board. The Kentucky Workforce Innovation Board, in conjunction with the Kentucky Department of Education, may revise the lists before the Kentucky Department of Education disseminates the lists to all school districts to be used as postsecondary readiness indicators.
 - (d)
 1. The Kentucky Department of Education shall pay for the cost of an assessment taken by a high school student for attaining an industry-recognized certification, credential, or licensure if the student consecutively completes at least two (2) related career pathway courses approved by the department prior to taking the assessment.
 2. If a high school student has not completed the two (2) course requirement described in subparagraph 1. of this paragraph but meets performance-based experience eligibility and passes an assessment, the department shall provide a weighted reimbursement amount to the school district for the cost of the assessment based on the level of demand of the certificate, credential, or license earned. The Kentucky Board of Education shall promulgate regulations establishing the performance-based experience eligibility requirements and weighted reimbursement amounts.
 - (e) Prior to promulgating administrative regulations to revise the accountability system, the board shall seek advice from the School Curriculum, Assessment, and Accountability Council; the Office of Education Accountability; the Education Assessment and Accountability Review Subcommittee; and the National Technical Advisory Panel on Assessment and Accountability.
- (2) A student's test scores shall be counted in the accountability measure of:
- (a)
 1. The school in which the student is currently enrolled if the student has been enrolled in that school for at least a full academic year as defined by the Kentucky Board of Education; or
 2. The school in which the student was previously enrolled if the student was enrolled in that school for at least a full academic year as defined by the Kentucky Board of Education; and
 - (b) The school district if the student is enrolled in the district for at least a full academic year as defined by the Kentucky Board of Education; and
 - (c) The state if the student is enrolled in a Kentucky public school prior to the beginning of the statewide testing period.
- (3) After receiving the advice of the Office of Education Accountability; the School

Curriculum, Assessment, and Accountability Council; and the National Technical Advisory Panel on Assessment and Accountability, the Kentucky Board of Education shall promulgate an administrative regulation in conformity with KRS 158.6471 and 158.6472 and KRS Chapter 13A to establish more rigorous action, intervention, and appropriate consequences for schools that fail to exit comprehensive support and improvement status described in KRS 160.346. The consequences shall be designed to improve the academic performance and learning environment of identified schools and may include but not be limited to:

- (a) A review and audit process to determine the appropriateness of a school's or district's classification and to recommend needed assistance;
 - (b) School and district improvement plans;
 - (c) Eligibility to receive Commonwealth school improvement funds under KRS 158.805;
 - (d) Education assistance from highly skilled certified staff; and
 - (e) Observation of school personnel.
- (4) All students who drop out of school during a school year shall be included in a school's annual average school graduation rate calculation.
- (5) After receiving the advice of the Education Assessment and Accountability Review Subcommittee, the Office of Education Accountability; the School Curriculum, Assessment, and Accountability Council; and the National Technical Advisory Panel on Assessment and Accountability, the Kentucky Board of Education may promulgate by administrative regulation, in conformity with KRS 158.6471 and 158.6472 and KRS Chapter 13A, a system of district accountability that includes establishing a formula for accountability, goals for improvement over a three (3) year period, rewards for leadership in improving teaching and learning in the district, and consequences that address the problems and provide assistance when one (1) or more schools in the district fail to exit comprehensive support and improvement status after three (3) consecutive years of implementing the turnaround intervention process described in KRS 160.346.
- (6) After receiving the advice of the Office of Education Accountability; the School Curriculum, Assessment, and Accountability Council; and the National Technical Advisory Panel on Assessment and Accountability, the Kentucky Board of Education shall promulgate administrative regulations in conformity with KRS 158.6471 and 158.6472 and KRS Chapter 13A, to establish a process whereby a school shall be allowed to appeal a performance judgment which it considers grossly unfair. Upon appeal, an administrative hearing shall be conducted in accordance with KRS Chapter 13B. The state board may adjust a performance judgment on appeal when evidence of highly unusual circumstances warrants the conclusion that the performance judgment is based on fraud or a mistake in computations, is arbitrary, is lacking any reasonable basis, or when there are significant new circumstances occurring during the three (3) year assessment period which are beyond the control of the school.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 199, sec. 2, effective June 27, 2019. -- Amended 2017 Ky. Acts ch. 63, sec. 14, effective June 29, 2017; and ch. 156, sec. 4, effective April 10, 2017. -- Amended 2009 Ky. Acts ch. 101, sec. 4, effective March 25, 2009. -- Amended 2006 Ky. Acts ch. 227, sec. 3, effective July 12, 2006. -- Amended 2004 Ky. Acts ch. 58, sec. 1, effective July 13, 2004; ch. 103, sec. 2, effective July 13, 2004; and ch. 188, sec. 2, effective July 13, 2004. -- Amended 2000 Ky. Acts ch. 212, sec. 2, effective July 14, 2000; and ch. 452, sec. 6, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 598, sec. 12, effective April 14, 1998. -- Amended 1996 Ky. Acts ch. 318, sec. 49, effective July 15, 1996; and ch. 362, sec. 6, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 256, sec. 4, effective July 1, 1994; and ch. 408, sec. 3, effective July 15, 1994. -- Created 1990 Ky. Acts ch. 476, Pt. I, sec. 5, effective July 13, 1990.

Legislative Research Commission Note (3/25/2009). The Reviser of Statutes has altered the internal numbering of subsection (2) of this statute from the way it appears in 2009 Ky. Acts ch. 101, sec. 4, under the authority of KRS 7.136 (1)(c).