



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

July 25, 2022

The Honorable Jason Glass
Commissioner of Education
Kentucky Department of Education
300 Sower Boulevard, Fifth Floor
Frankfort, KY 40601

Dear Commissioner Glass:

I am writing in response to Kentucky's requests to the U.S. Department of Education (Department) to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA). First, on May 14, 2021, Kentucky requested an amendment using the regular amendment process for changes that extend past the 2021-2022 school year. Kentucky's amendment request was subsequently revised twice, most recently on May 9, 2022, based on the Department's feedback. Second, on March 7, 2022, Kentucky submitted a COVID-19 State Plan Addendum for one-year changes for the 2021-2022 school year due to extraordinary circumstances related to the COVID-19 pandemic and in response to the waivers the Department granted Kentucky from the accountability requirements of the ESEA for the 2019-2020 and 2020-2021 school years and the assessment requirements for the 2019-2020 school year.

I have determined that the amendment and Addendum requests meet the requirements in the ESEA and, for this reason, I am approving Kentucky's amendment and Addendum requests. A summary of Kentucky's amendment is enclosed. In the Addendum request, Kentucky indicated that it would:

- Shift forward its timeline for long-term goals and measurements of interim progress for academic achievement, graduation rate, and English language proficiency by two years.
- Modify its methodology used to identify schools for targeted support and improvement in fall 2022 to use only one year of data from school year 2021-2022 rather than using three consecutive years of data.
- Not count the 2019-2020 or 2020-2021 school years towards the number of years in which a school must meet the criteria in order to exit comprehensive or additional targeted support and improvement status.
- Increase the number of years schools identified for comprehensive targeted support and improvement in fall 2022 have to meet the exit criteria to four years (before taking more-rigorous State-determined action).

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

- Increase the number of years schools identified for additional targeted support and improvement in fall 2022 have to meet the exit criteria to six years (before a school is identified for comprehensive support and improvement).

This letter, as well as Kentucky's revised ESEA consolidated State plan and its Addendum for school year 2021-2022, will be posted on the Department's website (available at: <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-consolidated-state-plans/>). Any further requests to amend Kentucky's ESEA consolidated State plan must be submitted to the Department for review and approval.

Please be aware that approval of this amendment to Kentucky's consolidated State plan is not a determination that all the information and data included in the amended State plan comply with Federal civil rights requirements, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act. It is Kentucky's responsibility to comply with these civil rights requirements.

I know that you are doing all in your power to support your districts and schools to ensure the health and well-being of students and educators. Thank you for your dedication to this effort. If you have any questions, please contact my staff at OESE.TitleI-a@ed.gov.

Sincerely,

/s/

James F. Lane, Ed.D.
Senior Advisor, Office of the Secretary
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary
Office of Elementary and Secondary Education

Enclosure

cc: Meredith Brewer, KDE
Kelly Foster, KDE

Amendment to the Kentucky Consolidated State Plan

The following is a summary of Kentucky’s amendment request. Please refer to the Department’s website <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-consolidated-state-plans/> for Kentucky’s complete consolidated State plan.

Title I, Part A of the ESEA: Improving Basic Programs Operated by Local Educational Agencies

- *Academic Standards and Assessments*
KDE updated its consolidated State plan to reflect the State’s revised standards and assessments.
- *Minimum N-Size*
KDE revised the minimum number of students necessary for a school or student subgroup to be included in the accountability system from 10 per grade to 30 per school. KDE did not change its minimum number of 10 students necessary for reporting purposes.
- *Other Academic Indicator for Elementary and Middle Schools That Are Not High Schools*
KDE will use “State Assessment Results in Science” as its Other Academic indicator for elementary and secondary schools that are not high schools. The State will no longer use student growth on the reading/language arts and mathematics assessments as an indicator in this area.
- *Progress in English Language Proficiency Indicator*
KDE changed its methodology for calculating the Progress in Achieving ELP indicator such that only students whose ELP assessment scores increase” are included in the numerator (e.g., if a student’s prior year WIDA ACCESS score was 2, the student would only be included in the numerator for the indicator if the current year score is 2.5 or higher). Previously, KDE included in the numerator students who maintained the same score on the ELP assessment.

Additionally, the State will now use the same methodology for high schools and will no longer include the High School Transition Ready and English Language Readiness measures.

- *School Quality or Student Success Indicators*
KDE renamed its Transition Readiness indicator to Postsecondary Readiness. Previously, Kentucky’s Transition Readiness indicator consisted of three separate sections: Academic Readiness, Career Readiness, and (for English learners) English Language Readiness. The State removed the English Language Readiness portion from its Postsecondary Readiness indicator. The State also removed the option of completing a KDE-approved alternate process to verify exceptional work experience as part of the measurements in the Career Readiness portion of this indicator.

KDE also added a new SQSS indicator: Quality of School Climate and Safety. The indicator is based on a survey that gathers information using a Likert scale (i.e., strongly agreed, agreed, disagreed, and strongly disagreed) from all students statewide in grades 3-8, 10 and 11 in two constructs of school climate and safety. KDE uses a modified version of the survey for students who take the alternate assessment. In order to calculate the indicator, each item's response will be converted into a numerical value (i.e., 0 for strongly disagree, 33.33 for disagree, 66.66 for agree, and 100 from strongly agree) to calculate an index for each construct for all students and student subgroups. The scores from both construct indexes are then averaged to calculate the score.

- *Annual Meaningful Differentiation/Weighting*
For the 2021-2022 school year, for each indicator, KDE will calculate a “status” outcome (i.e., a color based on a future system being established this summer) based on the school's current-year performance. (Next year, KDE plans to submit a future amendment for the Department's review to include a “change” portion of the indicator, which will compare prior- and current-year performance starting in school year 2022-2023). KDE will use a summative score for school identifications and to meet ESEA requirements. For State reporting purposes, the State will determine a color-coded “level” (i.e., very low in current year, low in current year, medium in current year, high in current year, or very high in current year) for each school for each indicator. The State will specify the cut points of each level with a standards-setting process using baseline performance from school year 2021-2022. KDE will need to submit an amendment with the cut-points for the color-coded levels once the standards-setting process is complete.
- *Different Methodology*
KDE will use two different methodologies for annual meaningful differentiation for schools that do not have all necessary data. First, for small schools that do not meet the minimum number of 30 students to be included in the accountability system, KDE will require a minimum of 10 students per grade and content for comprehensive support and improvement and a minimum of 10 students per subgroup when identifying schools for targeted and additional targeted support and improvement (TSI and ATSI, respectively). Second, schools with students only in kindergarten through second grade will receive the same accountability classification as the school the students feed into.
- *Comprehensive Support and Improvement (CSI)-Lowest 5 Percent*
KDE updated its timeline to indicate it will identify not less than the lowest performing five percent of Title I schools for CSI based on data from SY 2021-2022 in fall 2022.
- *CSI -Not Exiting Additional Targeted Support and Improvement (ATSI)*
KDE updated its timeline to indicate it will identify schools for CSI based on not meeting the exit criteria for ATSI in fall 2023. After that, KDE will next identify schools for CSI based on not exiting ATSI status is fall 2028 and again every three years thereafter.
- *Targeted Support and Improvement (TSI)-Consistently Underperforming Subgroups*
KDE updated its timeline to indicate it will identify schools for TSI in fall 2022.

- *Additional Targeted Support and Improvement*
KDE updated its timeline to indicate it will identify schools for ATSI in fall 2022 from among all schools. Starting in fall 2025, and every three years after, KDE will revert back to its usual methodology of identifying a school for ATSI if it was identified for TSI in the prior year (e.g., identify ATSI schools in fall 2025 from the pool of TSI schools identified in fall 2024) and it has at least one student group whose performance is as low as the all student group in a school identified for CSI in the bottom 5 percent of Title I schools.
- *Annual Measurement of Achievement*
Consistent with statutory requirements, KDE removes a reference to allowing students to be excused from statewide assessments based on an “extraordinary circumstance.”
- *Disproportionate Rate of Access to Educators*
KDE replaced two tables in order to provide updated information on the percentage of all students, and disaggregated by student subgroups, in Title I and non-Title I schools served by ineffective and inexperienced teachers.
- *School Conditions*
KDE included new information on its Positive Behavioral Interventions and Supports system; the State’s Behavior Institute, which provides trainings and meetings focused on supports for students and faculty around social and emotional behavioral disorders; and its description of disproportionality under the Individuals with Disabilities Education Act (IDEA). KDE removed its description of Culturally Responsive Teaching and Universal Design for Learning.
- *School Transitions*
KDE included new information on its Early Warning Tool, which uses data to identify students that are at-risk of dropping out, and its chronic absenteeism and student mobility reports that can be run through its statewide student information system to identify students in need of additional support. KDE also included new information on how it plans to support transitions for students with disabilities as part of its SPP/APR.

Title II, Part A of the ESEA: Preparing, Training, and Recruiting High-Quality Teachers, Principals, and Other School Leaders

- *Improving Skills for Educators*
KDE updated its consolidated State plan to improve alignment among curriculum, professional development, and assessment; enhance educator collaboration in local curriculum adoption; and align its Title II, Part A professional development (PD) with OSEP-funded PD.
- *Teacher Preparation*
KDE updated its consolidated State plan to describe the umbrella organization of higher education institutions with which it collaborates to provide PD.

- *Use of Funds to Improve Equitable Access to Teachers in Title I, Part A Schools*
KDE updated its consolidated State plan to remove reference to Title II, Part A-funded activities intended to benefit pre-service teachers and to promote the teaching profession among P-12 students.

Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act: Education for Homeless Children and Youth

- *Education for Homeless Children and Youths Program*
KDE updated descriptions of its State-level activities for several State plan requirements but did not substantially change them. These requirements include Student Identification, Support for School Personnel, Access to Services, and Policies to Remove Barriers.