KENTUCKY BOARD OF EDUCATION
REGULAR MEETING
JUNE 13-14, 2007

STATE BOARD ROOM
1ST FLOOR, CAPITAL PLAZA TOWER
FRANKFORT, KENTUCKY

SUMMARY MINUTES

The Kentucky Board of Education held its regular meeting on June 13-14, 2007, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky. The Board conducted the following business:

Wednesday, June 13, 2007

CALL TO ORDER

Chair Keith Travis called the meeting to order at 9:00 a.m. and asked that all cell phones be turned off or muted and reminded everyone that the meeting was being broadcasted over the internet via webcasting.

ROLL CALL

Present for the meeting were C.B. Akins, Kaye Baird, Joe Brothers, Jeanne Ferguson, Bonnie Lash Freeman, Judy Gibbons, Doug Hubbard, David Rhodes, Keith Travis, and Janna Vice. Absent were Tom Layzell and David Webb.

APPROVAL OF MINUTES FROM THE APRIL 4-5, APRIL 15, APRIL 24 AND MAY 9-10, 2007 KBE MEETINGS

Chair Travis then asked if there were any revisions or additions to the April 4-5, April 15, April 24 or May 9-10 meeting minutes. None were brought forward; thus, Joe Brothers moved approval of all of the submitted minutes and Kaye Baird seconded the motion. The motion carried.

REPORT OF THE SECRETARY OF THE EDUCATION CABINET

Secretary Laura Owens made the following comments:

- The Council on Postsecondary Education is still looking for a President and hopefully will make that decision by the end of the summer.

- I look forward to working with the new commissioner when she comes on board in mid-July.

- We are dealing with the issue of the changes related to ACT being able to qualify for KEES dollars.

REPORT OF THE PRESIDENT OF THE COUNCIL ON POSTSECONDARY EDUCATION

Chair Travis noted that Dr. Layzell had sent a written report that could be found in the meeting folders.

REPORT OF THE EXECUTIVE DIRECTOR OF THE EDUCATION PROFESSIONAL STANDARDS BOARD

Dr. Phil Rogers made the following comments:

- A document is being passed around that summarizes the issues to be discussed at the upcoming Education Professional Standards Board retreat.

- I am also looking forward to working with the new commissioner when she comes on board.

- The Education Professional Standards Board recommended for the first time to pursue option 7, World Languages. These are languages that are not typically offered and don't have a preparation program. The avenue to seek certification is through the Alternative Certification Program.

- We are working with the various education constituency groups on a survey related working conditions in schools.

C.B. Akins pointed out that diversity was last on the survey list and needed to be raised to the forefront.

Bonnie Lash Freeman then added that she misses having Dr. Layzell at the meetings and hoped that he would be able to be present in the near future because of the common issues that the two boards need to address.

Phil Rogers continued that he thought all three boards need to come together on common issues in the future.

Keith Travis then asked Rogers if he would facilitate the coming together of the boards once the lead people at the agencies are in place.

ANNOUNCEMENTS

Chair Keith Travis indicated the following:

- Item XIV. V.2, Report from Kentucky Youth Advocates on Study of Alternative Education, is being deferred until August, so it will be deleted from the Curriculum Committee's agenda.

REPORT OF THE COMMISSIONER OF EDUCATION

Interim Commissioner Noland gave the following report:

- At the Kentucky Association of School Superintendents, Dr. Barbara Erwin and I had dinner with the twelve new superintendents who are more focused on being instructional leaders than in the past. On Wednesday, Dr. Erwin gave the keynote address and was well received.

- The new Kentucky Department of Education employees are as follows and they are asked to stand:

    - Brenton McNear, Office Support Assistant I, Office of Leadership and School Improvement
    - Karen Smith, Education Vocational Program Consultant, Office of Special Instructional Services
    - Elizabeth Bruce, Office Support Assistant I, Office of Special Instructional Services
    - John Keene, Office Support Assistant II, Office of Education Technology
    - Dru Hawkins, Internal Policy Analyst II, Office of Internal Administration and Support
    - Jessica Williams, Office Support Assistant I, Office of Internal Administration and Support
    - Meghan Hughes, Office Support Assistant II, Office of Internal Administration and Support
    - Cara Neel, Office Support Assistant II, Office of Teaching and Learning
    - Kara Vest, Office Support Assistant II, Office of Teaching and Learning
    - Anthony Whiteside, Office Support Assistant I, Commissioner's Office
    - Kayla Meadows, Office Support Assistant I, Office of Teaching and Learning
    - Andrea McGrapth, Office Support Assistant I, Office of District Support Services
    - Cheryl Pulley, Exceptional Children Program Consultant, Office of Special Instructional Services

- The KDE YES Team Member of the Month for June is Claude Christian. Claude manages the student services branch for the Division of Federal Programs and Instructional Equity. His branch deals with students from all walks of life and the branch's work directly impacts the achievement gap, migrant and instructional equity programs. Claude is the state director for supplemental educational services provided under the *No Child Left Behind Act*, the point of contact for the

Commissioner's Educational Equity Council and co-lead for KDE's organizational culture initiative. He was asked to stand and be recognized.

- It is my honor and privilege to recognize a valuable KDE employee who has reached the milestone of 35 years of service in state government. Tom Engstrom, Director of the Division of Administrative Services in the Office of Internal Administrative and Support, has served the commonwealth for 35 years in various capacities. He was asked to come forward to accept a plaque as a token of appreciation for his distinguished service for the state of Kentucky.

Chair Keith Travis welcomed the summer interns and thanked Tom Engstrom for the 35 years of service to the children of Kentucky.

GOOD NEWS FROM SCHOOLS/DISTRICTS

The following items of good news were highlighted by the noted board members:

- Jeanne Ferguson – Congratulations to students and staff of the Kentucky School for the Blind, who commemorated 165 years of service to students who are blind and visually impaired during a Founders Day program on Wednesday, May 9. The school opened in May 1842 on Sixth Street in downtown Louisville and was moved to the current site in 1855, with the modern facility built in 1967. The school serves students in the Commonwealth who are blind and visually impaired through a variety of educational programs on campus and by providing Braille and large print textbooks, instructional materials, consultations, assessments and technical assistance to local school districts. Congratulations to KSB on reaching its 165th birthday!

- Bonnie Lash Freeman – Two Central High School students from Louisville traveled to Uganda as part of a mission trip this summer. Sophmore Tye Bridges and Senior Brittany Perkins represented Central on the trip, which is sponsored by film makers who produced a documentary about Uganda called "Invisible Children." More than 400 schools nationwide competed for spots on the trip through the Schools for Schools Project, which challenges American students to donate money and register on a website to document awareness. Congratulations to Tye and Brittany for this accomplishment!

- David Rhodes – Kim Dearing, a teacher at Greenup County High School, has been named one of 100 Apple Distinguished Educators for using technology to improve her teaching methods. Dearing's students use project-based learning to produce broadcasts, digital movies and other items related to their studies in literature. Dearing will attend an Apple-sponsored week-long institute in July in California to share ideas and techniques with other educators. Congratulations to Kim on this honor!

- David Rhodes – Montgomery County High School's Mock Trial Team captured the 2007 Mock Trial State Title and finished fifth in the nation this year. This high school's team has previously won the state title nine times with the four most recent being consecutive wins. Montgomery County High School's record of excellence in this competition certainly makes Kentucky an outstanding state nationally. Congratulations to the team and the staff that worked with them. They are to be commended for the hard work that resulted in this outstanding honor!

- Judy Gibbons – Straub Elementary in Mason County is one of 130 public schools nationwide to receive the 2007 HP Technology for Teaching Grant, which is designed to improve learning in the classroom through innovative technology. Straub received a $31,000 grant, which includes equipment and money for teachers. Students will use the grant to study weather patterns, log and graph data and make predictions based on their findings. They will also create digital storybooks to share their knowledge and skills with their families and other students. Congratulations to the staff and students at Straub Elementary!

- C.B. Akins – KBE member Judy Gibbons was one of five non-teacher winners of this year's prestigious A.B. Albright Awards, which are given each year to education advocates. The Northern Kentucky Chamber of Commerce partners annually with the *Kentucky Post* for an evening of thanks to those committed to educational excellence throughout the region. The A.B. Albright Awards are named for the former president of Northern Kentucky University. The Albright Awards are presented to an outstanding teacher, administrator, business, governments, individual and community volunteers. They symbolize the Northern Kentucky Chamber of Commerce's long-standing commitment and the vital role educators and community leaders play in ensuring we create the best and brightest students.

  Judy received the Outstanding Governance Individual Award and was recognized for her two decades as a volunteer and consensus builder for public education locally. She volunteered at the Education Alliance of Northern Kentucky, Northern Kentucky Council of Partners in Education and the Vision 21st Team Educational Excellence Committee. She was among the honorees at the 22nd annual Golden Apple Awards held Monday, May 7 in Erlanger. Congratulations to our own Judy Gibbons!

RESOLUTION TO HONOR THE COMMISSIONER'S SEARCH COMMITTEE

At this point, Keith Travis read the following resolution to honor the hard work of the Board's Commissioner Search Committee:

Resolution Honoring the Commissioner's Search Committee
By
The Kentucky Board of Education
Commonwealth of Kentucky

Whereas, **The Kentucky Board of Education's vision is "Every child--Proficient and prepared for success";**

Whereas, **The Commissioner's Search Committee has focused on the realization of the Board's vision through its search for Kentucky's next commissioner;**

Whereas, **The Commissioner's Search Committee has dedicated many hours, at great personal sacrifice, to finding top candidates for commissioner to recommend to the full Board;**

Whereas, **The Commissioner's Search Committee has performed at the distinguished level and exhibited solid leadership in its search for the next commissioner; and,**

Whereas, **The Commissioner's Search Committee members are held in high regard by their colleagues on the Board;**

NOW, THEREFORE, be it resolved by the Kentucky Board of Education to declare its gratitude to the Commissioner's Search Committee members, Bonnie Lash Freeman, Chair; C.B. Akins; Jeanne Ferguson; Judy Gibbons and David Webb, and thank them for their outstanding service to the students of this Commonwealth.

Done in the city of Frankfort, this thirteenth day of June, in the year Two Thousand and Seven.

_____
Keith Travis, Chair
Kentucky Board of Education

Kaye Baird moved to approve the resolution and David Rhodes seconded the motion. The motion carried.

ELEMENTARY AND MIDDLE SCHOOL NORM-REFERENCED TESTS

Coming forward for this presentation were Pam Rogers, Kevin Hill, Rhonda Sims and Linda France. Linda France began and said that she would frame the discussion by

looking at where we've been and where we are now and at recommendations for the future. She used a PowerPoint to make the following points:

- Basis for modifying the system

    - Seven Steps Forward in Assessment was introduced by Commissioner Gene Wilhoit about three years ago and is a tool for conversations with Kentuckians. The main points of this document were:

        - A clearer and more focused Core Content for Assessment (subset of Program of Studies)
        - A way to provide meaningful and quick student information to schools
        - Balance of items (open-response to multiple choice)
        - Appropriate time (testing and reporting)
        - A measure to help forecast college success, which included the infusion of ACT, PLAN and EXPLORE into the system
        - Other steps included monitoring each student's progress, improving writing assessments and scoring, and creating new ways to assess arts and humanities and practical living/vocational studies

    - Federal *No Child Left Behind* requirements impacted the system and required:
        - Annual testing of reading and mathematics in grades 3-8
        - Annual alternate assessment linked to grade-level core content reporting separate scores in reading and mathematics

    - State legislative requirements impacted the configuration of the system as follows:
        - Senate Bill 130 (2006) requires readiness test for high school and college, WorkKeys and ACT; remediation and accelerated learing plans; and inclusion of scores in state accountability calculations
        - House Bill 197 established a pilot for end-of-course assessments in high school mathematics and the Algebra II work is proceeding relative to this legislative mandate

- Chronology of Changes to CATS

    - Steven Steps Forward in Assessment (ongoing 2004-2005)
    - KBE discussion of components of assessment system (ongoing 2004-2005)
    - RFP for an assessment system released (August 2005)
    - Assessment contracts awarded (March 2006)
    - KBE discussion of assessment components in accountability (introduction in June 2006 – final approval of 703 KAR 5:020 in February 2007)

- Review of regulation 703 KAR 5:020 by the Education Assessment and Accountability Review Subcommittee (EAARS) (June and November 2006, March 2007)
- KBE discussion of Hearing Officer's Report regarding final EAARS review (April 2007)
- KBE discussion of Norm Referenced Tests at elementary and middle school levels (June 2007)

At this point Linda France asked Rhonda Sims to continue the PowerPoint with an explanation of enhancements to CATS and said she would come back and talk about some specific recommendations in relation to the norm-referenced tests after Rhonda's presentation.

Rhonda Sims talked about the following enhancements to the CATS system:

- Additional Kentucky Core Content Test grades tested
  - Reading (3, 5, 6, 8)
  - Mathematics (3, 4, 6, 7)

- Common core of items

- Norm-referenced tests
  - Flexibility at elementary to allow multi-purpose use of one assessment
  - Readiness tests at middle and high school levels

- Inclusion of predictive/readiness measures
  - EXPLORE at 8th grade
  - PLAN at 10th grade
  - ACT at 11th grade and WorkKeys (beginning 2007-2008)

- Requirement for an Individual Learning Plan
  - Grades 6-12

Ms. Sims then summarized the current testing at the elementary school as follows:

- Kentucky Core Content Test (grade 3-5)
  - Grade 3 Reading and Mathematics
  - Grade 4 Reading, Mathematics, Science and Practical Living/Vocational Studies
  - Grade 5 Reading, Mathematics, Social Studies, Art and Humanities, and On-Demand Writing

- NRT Requirements in Regulation
  - Administer once in elementary (grades K-5)
  - Include reading and mathematics components
  - Report results publicly

    - Discuss individual student results with parents

- Grant Schools
    - Reading First (73 schools)
        - GRADE (Group Reading and Diagnostic Evaluation) administered three (3) times per year to all kindergarten to grade 3 students
        - DIBELS (Dynamic Indicators of Basic Early Literacy Skills) administered three times per year to all kindergarten to grade 3 students
        - mClass: DIBELS administered by 20 additional Kentucky schools
    - Read to Achieve (312 schools)
        - GRADE (Group Reading and Diagnostic Evaluation) administered minimum of two (2) times per year to all kindergarten to grade 3 students

Ms. Sims then talked about elementary norm-referenced testing for 2006-2007 as follows:

- NRT products from nine (9) test publishers that were used:
    - CTB McGraw Hill (62% of district)
    - Pearson (17% of districts)
    - Northwest Educational Measurement (10% of districts)
    - Riverside (6% of districts)
    - Think Link Learning (4% of districts)
    - Scantron-Ed Performance Series (<1% of districts)
    - Harcourt (<1% of districts)
    - PRO-ED Psychological Corporation (<1% of districts)
    - Psychological Assessment Resources, Inc. (<1% of districts)

- Grade distribution of NRT Testing
    - Grade 3 (47%)
    - Grade 2 (44%)
    - Grade span (i.e., Kindergarten – 2nd grade) (5%)
    - Grades K, 1, 4 and 5 (<1% each)

Deputy Commissioner Linda France then came back into the presentation to summarize the reason the norm-referenced test was taken out of the accountability was that it would cut down on the redundancy of the testing since CATS now tests in reading and math in grades 3-8 and would give flexibility to districts in how they administered norm-referenced tests.

Janna Vice noted that the regulation still requires taking a norm-referenced test but just took it out of accountability. She indicated the interpretation of the statute is really the issue with EAARS interpreting it one way and the Department in another way.

Doug Hubbard noted that it is a matter of interpretation and what the Board is trying to do is get in harmony with EAARS.

Deputy Commissioner France then brought forward some recommendations on the norm-referenced test as follows:

- The School Curriculum, Assessment and Accountability Council (SCAAC) recommends that results be consistent across the biennium and that KBE not include an elementary NRT in accountability until 2008-2009.

- The Kentucky Department of Education recommends to maintain for 2007-2008 the current regulation and process so that schools could still exercise flexibility and the norm-referenced test would not be included in accountability.

- The Department also recommends the release of an RFP for a uniform single NRT in 2007-2008 with administration of this uniform single norm-referenced test for the first time in 2008-2009. It would also be included in accountability for the first time in 2008-2009.

- Relative to middle school, the Department recommends that ACT reserve a form of EXPLORE for state administration and let the Department secure a price for current and future use. The Department also recommends that administration parameters for a reserved form (i.e., testing window) be determined and after successful negotiation, the inclusion of EXPLORE in middle school accountability would be revisited in 2008-2009.

Bonnie Freeman then stated that it was her understanding if we go back to using a single norm-referenced test at elementary, a specific grade level would have to be identified where it will be given. Linda France replied affirmatively.

Keith Travis added that the Board will also have to redo the accountability weights.

Doug Hubbard then asked what the problem would be with changing back to the single norm-referenced test and counting it in accountability immediately.

Interim Commissioner Noland replied that a two-year cycle of testing would keep the rules the same for schools.

C.B. Akins agreed that it would be less of a problem if schools selected a norm-referenced test for a biennium.

Bonnie Freeman then asked if the Board could ask schools to use the same assessment in the second year of the biennium.

Interim Commissioner Noland replied that schools could be encouraged to use the same assessment the second year but said this could not be required unless it was put into regulation.

Bonnie Lash Freeman continued that she preferred if next year one test is not to be used across the state then at least schools would use the same test as they had the year before.

At this point Linda France reaffirmed that the department's recommendation is in line with the School Curriculum, Assessment and Accountability Council's recommendation that results be consistent across the biennium and that the Board not include an elementary norm-referenced test in accountability until 2008-2009.

Joe Brothers said he thought this recommendation also aligned with EAARS intent.

Pam Rogers said she agreed because EAARS did not give the Board a timeline.

Doug Hubbard emphasized that he wanted to comply as soon as possible.

David Rhodes stated that he thought EAARS will be disappointed if the Board isn't being more proactive.

Keith Travis commented that he was more concerned with getting to proficiency instead of spending time on the percent something counted in accountability. He summarized that the options are to either follow the Department's recommendations or move faster. Travis was concerned about changing the rules in the middle of the biennium.

Janna Vice noted that the question is the timing. She felt that the right thing to do is to add the norm-referenced test back in but indicated the question would be when this would happen.

Doug Hubbard emphasized again that he thought the Board needed to do what is required to become legal with the interpretation of EAARS.

Janna Vice said that she had talked with an EAARS member that agreed there is room for interpretation on the norm-referenced test, but expressed the intent is to have the same comparison across the state. She said it made sense to her to finish the biennium before the change was made.

Linda France then pointed out that schools are making plans now for next year and because the system is complex, they need advance notice of any changes. She said that waiting until the next biennium to implement the change keeps the current process in place for a second year and she thought districts could be encouraged to use the same test as last year.

Joe Brothers then asked if it was possible to implement the Department's recommendations but require schools to use the same test used this year.

Interim Commissioner Noland replied that the only way to accomplish this was to pass an emergency regulation and indicated this is an option.

C.B. Akins pointed out that a school cannot give a different test every year and compare results.

Janna Vice then noted the Board must accept that the situation is a result of its decision and then encourage the use of the same test.

Keith Travis then asked staff to bring back the accountability regulation in August with amended language for the Board to consider.

UPDATE ON ACT IMPLEMENTATION

Deputy Commissioner Linda France said the purpose of this item would be to share the PLAN and EXPLORE results statewide and to share the results of the alignment study that has been conducted between ACT and CATS. She asked Kevin Hill to go over the PLAN and EXPLORE results.

Mr. Hill gave the Board a handout that gave a state summary of the EXPLORE and PLAN results. For EXPLORE for the fall 2006 administration, in Kentucky the composite score was 14.5 compared to 14.9 for the nation. He indicated that for PLAN, which was given in the fall of 2006, the Kentucky composite score was 16.4 and the composite score in the nation was 17.5. Hill noted that the scoring scale for EXPLORE is 1-25 and the scale for PLAN is 1-32. He cautioned that the key to remember is that all students in Kentucky are taking these tests and this is not true in other states.

Chair Travis then asked how high a percentage of students take these tests in other states.

Kevin Hill replied that he would have to get that data and bring it back to the Board.

Janna Vice then inquired how staff expected students in Kentucky to do on these tests.

Kevin Hill responded that the results are similar to what staff predicted.

Ms. Vice continued that she hopes staff would share the same charts with the Board that the School, Curriculum, Assessment and Accountability Council saw and thought the focus should be on subject areas that are considered to be the most important. Vice emphasized that it is important for students to do well in English, math, reading and science. She noted that the bar chart shown to SCAAC showed Kentucky students to be lower in every area. Ms. Vice emphasized that some things are more important and she thought we cannot be all things to all people.

Kevin Hill referred the board to page 40 in the Agenda Book where the bar chart that Ms. Vice referred to could be found.

Keith Travis then noted that the Board needs to think about what gets measured gets managed.

Secretary Owens added that she thought what is important is that we give students the ability to be successful.

Associate Commissioner Pam Rogers reminded the Board that EXPLORE predicts success in high school and PLAN predicts success on the ACT.

Kevin Hill added that the two tests have different scales and said staff must analyze the results closer and look at trends. He also pointed out that staff must also look at the ACT benchmark on both.

C.B. Akins noted that the results tell him little and said it would be more meaningful to see how students do on PLAN related to how they do on EXPLORE related to performance on the ACT.

Kevin Hill agreed that it is important to have longitudinal data and said that will be available in the future.

Joe Brothers then asked if there were some other states where these tests are being given to all students so that some comparisons could take place.

Kevin Hill responded that there are a few states that are giving the tests to more students but not to 100% of their students. He indicated staff is trying to get the results from these states.

Bonnie Lash Freeman then asked if the results would come out sooner next year.

Interim Commissioner Noland responded that the schools got the individual reports in December and clarified that it was the norm comparison data that was delayed this year.

The presentation then moved on to the results of the alignment study. Linda France began by stressing the importance of this study because what is taught must be assessed as well as the depth of knowledge and breadth of this knowledge. She shared that Dr. Norman Webb conducted the study and said the analysis is ongoing due to the amount of technical data. France noted that the study looked at categorical alignment, depth of knowledge (four levels), the range of knowledge and the balance of representation. Relative to the key findings, she noted that the alignment between the Kentucky Core Content for Assessment mathematics standards and ACT mathematics standards was about 75%. She went on to say that the depth of knowledge levels on the ACT in mathematics were too low when looking at the standards set by Kentucky. France said that most of the ACT standards were a 1 or 2 where Kentucky's were a 2 or a 3. In writing and reading, France said that the Kentucky standards were found to be in general alignment with ACT but noted that in English, full alignment would require replacing 20

to 22 items on each form with items that have a higher depth of knowledge level, generally levels 3 or 4. For reading, she commented, a total of 10 to 14 items would need to replaced on the reading forms to obtain full alignment. France said that at the Board's next meeting, more specific information on the subdomains and the alignment would be brought forward.

Keith Travis asked how big of a task the full alignment would be.

Pam Rogers stated that National Technical Advisory Panel on Assessment and Accountability (NTAPAA) would have to weigh in on this. She did say that at NTAPAA's recent meeting, they felt that aligning the two tests and merging them is a very complex problem.

Janna Vice said that she heard a gasp when staff reported that ACT focused on mostly level 1 depth of knowledge. She stated that Level 4 is advanced learning but it does not mean that it is better learning. She reminded the Board that ACT is the best predictor of college success and commented that Kentucky's testing system sometimes ignores the basic foundations of learning.

Jeanne Ferguson agreed with Ms. Vice.

Linda France stated that Ms. Vice's point is important but said that a student will not do well on a level 2 question if grounding does not occur in level 1. She went on to share that in a session that staff was involved in this week, they looked at Japanese classroom instruction versus American classroom instruction and found that the Japanese classroom focuses on level 3 problems with an emphasis on problem solving.

Pam Rogers shared that NTAPAA praised the Department for including depth of knowledge in its standards.

Linda France thought that staff could bring back some level 1 questions compared to level 2 questions at the next meeting.

David Rhodes indicated that he thought the Board might need to go back to the legislature to have them reconsider merging the two tests because of the complexity of the task.

Janna Vice said she agreed with Rhodes.

Keith Travis added that sometimes we need to rely on the technical experts to help us instead of a legislative mandate.

Janna Vice added that she thought if NTAPAA does not recommend merging the two tests, the Board should take this back to the legislature to have them understand the problem.

Doug Hubbard noted that the Board is caught in a situation where it must comply with the law.

CONTINUATION OF PROGRESS TOWARD PROFICIENCY BY 2014

Deputy Commissioner Linda France indicated that staff had looked at each content area and done the same calculations as before to predict the reaching of proficiency across the state. She cautioned that the predictive data is a stretch but does give the Board somewhat of a long-range view. France said the focus of today's presentation will be about how to get to proficiency with a strong recommendation to look at the instructional core, what students needs to know and be able to do, how we will know if students have learned the content and what should be done if students have not learned the content. She noted that today content specialists will be addressing the Board, including Karen Kidwell, Ann Bartosh and Cherry Boyles.

Associate Commissioner Starr Lewis then stated that she does not look at things in an either/or way because students must be able to do both higher order thinking and basic skills. She noted that 40% of students who make the ACT benchmarks still do not do well in college. Lewis stated that research from Achieve, Inc. that consulted college professors on why students are not successful in college once they are admitted indicates that the students do not comprehend complex reading materials, cannot think analytically, lack appropriate work and study habits, write poorly, do not know how to do research and cannot apply what they have learned. She went on to say that when employers are consulted, they indicate that students hired right out of high school who are not successful lack written communication skills (81%), leadership (73%), work ethic (70%), critical thinking skills and problem solving (70%), and self direction (58%). Lewis continued that the competencies that have been identified as being the most important for success in college are ability to write, to reason, to think analytically and to problem solve. She then reiterated that students cannot do level 2 depth of knowledge questions unless they know level 1 skills. Lewis maintained that students cannot do level 3 questions unless they have basic knowledge and some applications. She felt that sometimes it is easy to get into a false argument in an either/or situation when the truth is that we must make sure our students learn basic concepts and how to apply them. Lewis pointed out that a lot of discussion has occurred today about assessment that supports and measures depth of knowledge but she said she wanted to switch the attention to instruction. She commented that the Department can put frameworks in place but emphasized that the important thing is what happens in the classroom with teachers and students around content that is applied to meaningful relevant situations.

Associate Commissioner Lewis then proceeded to use a PowerPoint to present the following information:

- On the path to proficiency …
    - What does the research tell us most impacts student achievement?
    - What do we know about high quality instruction?

    - What do we know about high achieving schools and what is working?

- Student achievement will not improve unless and until teaching improves. Higher standards, more testing, smaller schools, etc. do not, by themselves, improve teaching.

At this point Associate Commissioner Lewis asked Karen Kidwell to share data and information she has gathered from working with the area of science.

Ms. Kidwell then continued with the PowerPoint as follows:

- Key elements of high quality instruction

    - Questioning – engineering effective classroom discussions, questions, and learning tasks
    - Feedback – providing focus, descriptive, and qualitative information that moves learners forward
    - Sharing learning expectations – communicating clearly and specifically the lesson targets/objectives
    - Self-assessments – engaging students in analyzing their work against the one "target" or standard
    - Peer assessment – activating students as resources for each others' learning

- 2006 High Performance Science Schools attributed success to the following:

    - Dedicating time daily to science instruction
    - Teachers who have a passion for science
    - Aligned curriculum
    - Recognizing the importance ALL teachers play in preparing students for success
    - Reading across the content areas

- 2006 High Performing Science Schools attributes of success:

    - High expectations for ALL
    - Review of CRITICAL vocabulary
    - Hands-on activities followed by deep discussions and reflective writing
    - Emphasis on "Proficient" (models and expectations)
    - Formative assessment

- Schools report on what impacted their science performance:

    - One full hour of instruction daily for <u>all</u> students in science outside of the literacy block

- Support from reading materials such as Focus on Science in addition to the science block
- Frequent hands-on activities/science experiments (Johnson Elementary School – Laurel County)
- Collaborating with other education professionals
- Allowing formative assessment to be as important as summative assessment
- Connecting content learned with personal experience (Hart County)
- Focus science instruction to include blocks of time each instructional day
- Teachers have a passion for teaching science content (Hendron/Lone Oak Elementary – McCracken County)
- Use of all resources available – even going back several years to the help offered by the highly skilled educator and to address the issues found by the auditing
- Alignment of the curriculum on a district and school level (Paces Creek Elementary, Clay County)
- High expectations for every child
- Recognizing the importance of all teachers K-6, not only the accountability grades
- A school-wide focus on reading (Paces Creek Elementary, Clay County)

Associate Commissioner Starr Lewis said that Ms. Kidwell's information summarizes the recent inquiry research project in science and its results but indicated the presentation would now move to mathematics where a similar inquiry research project will soon be conducted. She asked Ann Bartosh to talk about how the work will proceed.

Ms. Bartosh reported that a parallel study to what was conducted in science will occur in mathematics. She noted that the same habits in science are not specifically the ones to look at in mathematics but emphasized there will still be a lot of similarity. Bartosh pointed out that mathematics is a tool used in science to a large extent and explained that the research that is going on will deal with coaching and intervention in the primary grades and what additional things are working for these teachers to yield a profound understanding of mathematics. She noted that in mathematics student effort and diligence is very important. Bartosh promised to bring back the results of the study to the Board in the future.

Next, Cherry Boyles talked about the research efforts in the area of literacy. Boyles noted that the elements of high quality instruction are very consistent across content areas. She reminded the Board that it was participating in a three-part focus on literacy where the data is showing that schools are making more progress in the early literacy area at the current time. Boyles indicated this is happening because of a systemic and strategic focus on literacy, a balanced approach to assessment (both formative and summative), coaching efforts for teachers in order to meet the professional development needs and the needs of their students, real use of instructional strategies where literacy is taught as a block of time and across content areas as well and use of intervention plans and intervention specialists. Thankfully, she stated, the focus is beginning to broaden so

that there is a more systemic look for work in adolescent literacy within the state and nationally. Boyles noted that tomorrow the Board will hear from two state partners, the Collaborative Center for Literacy Development and the Kentucky Writing Project, who are working in that systemic way within the literacy area. In August, she pointed out, the Kentucky Literacy Team will focus on the Striving Readers Project that keys in on adolescent literacy using a systemic approach.

David Rhodes said he agreed that it is the way things are taught that affects the progress schools and students are making, but inquired what can be done to improve teacher training.

Starr Lewis responded that stronger partnerships with others is a necessary element and Interim Commissioner Kevin Noland thought that working with the Education Professional Standards Board is a big part of helping to improve teacher training.

Janna Vice then inquired how the Board and Department can ensure good practices in the classroom.

Linda France responded that it is all about leadership supporting good instruction.

Bonnie Lash Freeman commented that she appreciated what was learned but said much of it focused on the elementary level and she thought that middle school and high school levels have bigger issues. Freeman asked if the Department has any discretion over the professional development dollars moving from the Department to the schools and districts.

Interim Commissioner Noland replied that the great majority of professional development funds go directly to school districts. Associate Commissioner Starr Lewis added that there is some discretion over the academy funds.

Bonnie Lash Freeman continued that as the Board looks at moving toward proficiency, we need to look at how to funnel professional development dollars to do this where an increased look at curriculum, assessment and instruction must occur. She felt that what is happening with professional development in high schools and middle schools are elements that the Board must focus on in reaching proficiency. Ms. Freeman then stated that she has a book where the lessons learned from Reading First are highlighted and felt that something like this should be done for Striving Readers and other initiatives.

At this point Karen Kidwell clarified that the science data was from all levels but that she just highlighted some findings at elementary.

Joe Brothers commented that the Board must some how find the synergy to make these best practices happen all over the state.

STATEWIDE SYSTEM OF ASSISTANCE TO LOW PERFORMING SCHOOLS – THE VOLUNTARY PARTNERSHIP ASSISTANCE TEAM (VPAT) OPTION – GALLATIN AND MADISON COUNTIES

Associate Commissioner Johnnie Grissom referred the Board to page 57 of the Agenda Book for the staff note giving the background on this item and pointed out that on page 59 a chart appears that outlines the assistance options when a district gets in Tier 3, which requires intervention under the *No Child Left Behind Act*. Grissom noted that some of the district's funds are deferred to use in special ways. She indicated that the Voluntary Partnership Assistance Team (VPAT) is one option and clarified that voluntary is not necessarily what people might think because the district is actually volunteering to undergo this kind of scrutiny. Grissom explained that a district in Tier 3 will indicate which assistance option it prefers and then the department staff look at the data to see if that particular option is appropriate.

Chair Travis asked how many Tier 3 districts are using the VPAT option.

Associate Commissioner Steve Schenck replied that 24 districts are using the VPAT option with 13 placed in the state assistance team option and 7 in the network assistance team option. He stated that the VPAT experience has produced much learning and introduced the partners in the VPAT option who were present as follows: Dr. Blake Haselton, Kentucky Association of School Superintendents, and David Baird, Kentucky School Boards Association. Schenck noted that the VPAT program is the only one of its kind in the nation and said it is producing a tremendous amount of learning on what to do to move a system in another direction.

The VPAT team from Gallatin County presented on their experience first and Superintendent Dot Perkins made the following points using a PowerPoint presentation:

- Before the VPAT process, all of our schools participated in a guided self-study in 2004-05 and a climate and culture audit in 2005-06.

- The voluntary assistance model (VAM) was implemented in Gallatin County as follows:

    - Seventeen months ago the Gallatin County School District became involved in this process with partners Blake Haselton and David Baird.

    - A scholastic review occurred on January 22-27, 2006.

    - The initial meeting of the VAM team occurred in Frankfort on February 16, 2006.

    - Results of the scholastic review were delivered to the district by Barbara Kennedy on February 20, 2006, with Board Chair David Morris present during this meeting.

- The original VAM team in 2006 consisted of Dr. Louise Byrd from the Kentucky Department of Education, Dr. Jim Simpson, Kentucky Association of School Superintendents, Karen Lambertus, Highly Skilled Educator, Kathy Lousignont, Kentucky School Boards Association, Dot Perkins, Superintendent and principals and central office administrators.

- The VAM team reviewed and analyzed the scholastic review results, made these results public and gave a report to the local board of education at the February 27, 2006 board meeting and immediately went to work on a 45-day plan to address gaps in student achievement in the short-term.

- Kathy Lousignont, David Baird and Tim Holt from the Kentucky School Boards Association all worked with the local board members helping them understand what the district was going through.

- After the administration of CATS in 2006, the district went to work on long-term plans to move the district forward, conducted a curriculum alignment, implemented "Monitoring Mondays", and started learning checks/common assessments.

- In 2006-07, new VAM team members included Dr. David Keller, Kentucky School Boards Association, Betty Fox, Highly Skilled Educator, Debra Cornett, Kentucky Department of Education, Dr. Jim Simpson, Kentucky Association of School Superintendents, Dot Perkins, Superintendent and central office administrators and principals.

- During the 2006-07 school year, frequent, regular and ongoing monitoring of curriculum and instructional practices occurred in all schools (Monitoring Mondays), students were identified who just weren't getting it, interventions and strategies were put into place to help them and constant review of data was implemented.

- Instructional conversations with teachers, principals and students occurred and included the following:
    - Every Monday our central office team with assistance from the Ohio Valley Educational Cooperative are in one of the district's four schools visiting classrooms, collecting data and interviewing teachers and students.
    - On Tuesday or during that week, the central office team returns to that school to discuss the results with teachers and review their documentation.
    - The principal receives all information.

- VAM has accomplished the following for the local district:
    - Given validity to the results of the guided self-study and the climate and culture audits that all of the schools experienced.

    - Initiated instructional conversations.
    - Identified teacher leaders.
    - Created a professional learning community atmosphere.

- Other positive effects of VAM include:
    - It has changed the way we do business in the central office (a central office administrator assigned to each school is visible and involved).
    - We are all partners.
    - Everyone is held accountable.
    - A culture shift has occurred in our schools and community creating a value for education.
    - Data is used to drive decisions.

- The things we are doing differently now due to VAM include:
    - Monitoring Mondays
    - Documentation and data
    - Common language and vocabulary – Standards and Indicators for School Improvement
    - Increased understanding of Core Content, CATS and NCLB
    - District-wide professional development initiative – Thoughtful Classroom
    - Student centered

At this point, Superintendent Perkins asked Pam Scudder, a third grade teacher from Gallatin County, to talk about how VAM has impacted the work in the classroom. Ms. Scudder continued the PowerPoint and first talked about how this initiative has changed the focus within the classroom as follows:

- Assessment and Data Driven – Literacy First, Accelerated Reader, Star Reader, Accelerated Math, Star Math, Learning Checks, common assessments, SRA, and NCLB subgroups

- Individual student needs identified

Ms. Scudder moved on to interventions that included:

- Extended school services were offered – in daytime and after school

- SRA addressed deficient reading skills.

- Section 7 teachers were hired to target at-risk students.

- Technology was used for a variety of purposes, i.e., Intelligent Classroom, Study Island, Headsprout, etc.

- Small group instruction occurred with identified students.

- Flexible movement of students occurred for specific skills.

Relative to communication and how it was affected within the classroom, Ms. Scudder indicated it has resulted in:

- Increased communication between primary and upper elementary, upper elementary and middle school, and middle and high school

- Increased communication between the parent and the teacher

- Increased communication between the central office and schools

- Increased administrative support

- Students belonging to all teachers on the team

Ms. Scudder moved on to accountability and indicated the following:

- Goals – set by students, classes, teams, schools and the district

- Systemic data collection and communication within the learning community with the goal calculator

- Monitoring Mondays

Specifically to what Monitoring Monday means for teachers and students, Ms. Scudder reported:

- Student responses offered insight into student perceptions of curriculum and instructional practices.

- Explicitly defined objectives resulted in increased student understanding and purpose of each lesson.

- Documentation led to teacher self-reflection and positive change.

At this point Deb Brown, principal of the Upper Elementary in Gallatin County, gave the following reflections on the VAM process:

- Tools for reflection/analysis of our work

- Conversations with staff, specific and focused on student learning

- Explicit expectations

Ms. Brown continued that Monitoring Mondays:

- Support principals and teachers in validating what is working and what we are doing well
- Forced all staff to focus and take ownership of student results
- Forced all staff to document and provide evidence of teaching and student learning
- Exposed weaknesses in areas of need
- Central office demonstrated support and knowledge of our schools, students and staff

Superintendent Perkins then summarized that the test scores showed a 7 point gain district-wide after going through the VPAT process last year. She continued that a 20 point gain in reading occurred in the upper elementary and a 20 point gain overall in math occurred at the high school level. Perkins emphasized that these gains resulted from focusing on curriculum and instructional practices plus making everyone aware and holding everyone accountable. She emphasized that the winners in this case are the students. Superintendent Perkins indicated that the next steps include:

- Vertical curriculum alignment across the district
- Research-based mathematics program (K-12)
- Identification of students early with a red flag or red hot list
- Best practices including Thoughtful Education, professional development district-wide
- Continuing monitoring of curriculum and instructional practices
- More visible display and easier access of data in the central office
- Support for the high school – scheduling, common assessments, goal calculator and Freshmen Academy

Superintendent Perkins concluded with a summary of what VAM has meant for the district and its students as follows:

- We now know what we didn't know.
- We are willing to take risks and explore opportunities to improve our district and improve student achievement.

- We will be better next year with everything we have experienced this year.

At this point, the floor was opened up for comments or questions. C.B. Akins said that he highly commended the district for participating in this approach and the progress that has been realized. The audience then applauded the Gallatin County team for the presentation and hard work it had accomplished.

Bonnie Lash Freeman then asked how information is shared with parents in the community.

Superintendent Perkins replied that the district has 1,600 students and one newspaper and that she is well known throughout the community. She shared that a Friday email goes out district-wide and into the community with details of what is happening in the VAM project as well as a regular Board newsletter. Perkins emphasized there is no hidden agenda with anyone within the school system.

Keith Travis inquired how the district got to the point where everyone knew help was needed.

Superintendent Perkins responded that progressing through Tier 1, Tier 2 and Tier 3 obviously was a sign that help was needed. She commented that she had always known Blake Haselton and through conversation with him reached the conclusion this was an approach the district should pursue.

Dr. Haselton added that the goal of VPAT is to build capacity within the district and to get out of the district as soon as possible.

Chair Travis then thanked the Gallatin County team and praised them for what had been accomplished in such a short time. He then asked the team from Madison County to come forward for their presentation.

David Cook, Kentucky Department of Education member of Madison County's VPAT team, began by introducing the rest of the team made up of Bob Storer, Kentucky Association of School Superintendents mentor, Doug Whitlock, Madison County Board Member, Ken Bicknell, Assistant Principal at Madison Southern High School, Kevin Hub, Assistant Superintendent and Tommy Floyd, Assistant Superintendent. Cook explained that Madison County's situation was a bit unique because the superintendent had to leave the district three months into the VPAT process due to illness and he emphasized that it is a testament to the work of this team and Tommy Floyd serving in the role of superintendent as to the success of the initiative.

Tommy Floyd then took the lead in the presentation and indicated that Madison County is very serious about what it is doing in the VPAT program. He then asked Dr. Whitlock, Madison County Board Member, to give the introductory part of the presentation.

Dr. Whitlock began by saying that the Board just heard that Gallatin County will be graduating from the VPAT process, but he explained that Madison County has asked not to exit the program yet because the district wants to get Dr. Caudill, the superintendent, back on board around July 1. Whitlock noted that if it had not been for VPAT, Tommy Floyd would not have been in the district and he emphasized that Mr. Floyd has been a godsend. Whitlock asked that the first slide of the PowerPoint presentation be brought up and noted that it dealt with Madison County's path to entering VPAT. He stated that the history of VPAT was as follows:

- Madison County Board had been concerned since year one of *No Child Left Behind* with achievement gaps.

- The district began initiatives during the year of its Tier 1 status, but the district continued to head toward Tier 2 and now Tier 3.

- In 2006, Madison County was invited to be one of seven districts to pilot an initiative called The Voluntary Assistance Team.

- Madison County was only one of the districts to directly involve a local board member on the VPAT.

- We made a commitment to be open-minded about what the process told us about ourselves, even if it made us uncomfortable.

Mr. Whitlock shared that the scholastic audit showed:

- District leadership did not show a sufficient sense of urgency toward student achievement.

- We were fragmented in our support of academics.

- The superintendent had too many direct reports.

- We were not doing enough to "name and claim" the "gap" kids.

- Cultural climate issues existed on some of our campuses.

- Curriculum alignment and monitoring needed improving.

- We needed to build leadership capacity throughout the district.

- Our professional development efforts needed more "user" involvement.

Among the scholastic audit team's recommendations, Mr. Whitlock shared the following:

- Better communication by the district leadership of the district's goals and commitment to improving student achievement

- Reorganization of the central office to better align to the commitment to instruction

- The addition of an assistant superintendent for student achievement

- Emphasis on holding building level leaders accountable for student achievement

- Developing capacity for distributive leadership

Whitlock then shared that the Board's self-assessment led it to:

- Focus even more on academic achievement

- Look at every item that comes before them in terms of its impact on gap reduction and student achievement

- Close the loop. When proposals come to us for approval, we make a requirement for a date to report on the results and efficacy of the program as a condition for our approval.

- Renew our conviction that our work is about kids, not about adults.

At this point, Assistant Superintendent Tommy Floyd took over the presentation and indicted that the changes in Madison County have occurred because the local board stood firm when asked to make VPAT go away. He explained the scholastic audit told the district the next steps to take in the improvement process. Part of those changes, Floyd indicated, was the creation of the Chief Academic Officer position in which he serves. Floyd explained that the Chief Academic Officer role is as follows:

- Daily building presence

- Coordination/communications/supervision with 16 building principals

- Supervision of curriculum-instruction-assessment

- Coordinate efforts of MCAT

- Provide direction and follow-up on PAT directives and district initiatives through MCAT and district personnel

- Focus on all issues affecting teaching and learning in the Madison County Schools

Floyd continued that with the creation with the Madison County Achievement Team (MCAT), the following actions occurred:

- Restructuring of all district personnel affecting student achievement
- Relocating achievement team to the Madison County Achievement Center
- Refocusing on delivery of services in accountability to all 16 Madison County Schools

Mr. Floyd explained that the benefits of the move of the team included:

- Increased communication among team members
- Facilitation of collaborative opportunities to provide individual school services
- Coordination of efforts and resources
- Reduction of repetition in a large district
- Daily focus on enhancement of teaching and learning
- Availability of training facility for district needs
- Impromptu meetings constantly improving coordination of effort and accountability of the team
- Paradiem shift for Madison County Schools – district staff members visiting schools daily
- Increase in communication/trust among district staff and building staff
- Daily presence of district staff in buildings

The Madison County Achievement Team's organization, Floyd reported, included the following:

- Chief Academic Officer
- Elementary Supervisor
- Secondary Supervisor
- Chief Information Officer – technology

- Building principals
- Achievement coaches
- Gifted and Talented
- Assessment
- Federal programs
- Preschool
- Special Education
- School psychology

The elementary initiatives being implemented in the district, Floyd shared, were as follows:

- Elementary schools test scores were generally above state average.
- In 2002, Reading Recovery was implemented in all elementary schools.
- All 10 elementary schools have Read to Achieve grants.
- Eight of 10 elementary schools have been funded for math intervention grants.
- Improvement is being made in part because these additional funding streams have allowed for additional staff to be hired to support reading and math.

Floyd continued that the secondary initiatives include the following:

- Standards-based unit training (Wiggins)
- Curriculum map refinement
- CATS calculator/KCCT-like templates
- Transition plans
- School snapshots
- Vision teams district
- Student voice

- District E-walk teams (over 1,200 classroom walk-throughs in middle/high school by a district team)

Mr. Floyd shared the following about achievement coaches:

- Three exist at the secondary level daily assisting five secondary schools.

- One exists at elementary daily assisting ten elementary schools along with the elementary supervisor.

- One math intervention consultant works regularly with middle schools, oversees an Algebra II mapping process-seventh grade and is working on Madison County differentiated math training for the summer of 2007.

Mr. Floyd summarized the following initiatives underway in Madison County as a result of VPAT:

- Curriculum mapping for elementary and secondary schools – monitored by MCAT

- District utilization of formative assessments and periodic decisions on achievement impact to classrooms in all schools

- Establishment of "Mike's Kids" concept and personal staff accountability for each child

- Professional learning communities utilizing student achievement data – periodic team meetings to ask hard questions affecting student achievement progress

- Transition plans

- Nine-week snapshots – resulting from direct questions asked by the VPAT team

- Instructional "picture" provided with E-walk software to all schools

- E-walk teams established

- Expectations of building leadership and E-walk software

- Expectation of communication of snapshot data

- Results utilized in ongoing building decisions

- Secondary vision teams

- Secondary student voice

At this point, Mr. Floyd asked Ken Bickell, Assistant Principal of Madison Southern High School to talk about what is occurring in that school. Mr. Bickell stated if school staff are uncomfortable that is okay because it means good changes are happening for kids. He commented that what is happening in Madison County is very exciting and noted that his school first focused on the consistency of assessment and instruction. He shared that people also indicated communication was addressed with small learning communities formed to exchange information on how to teach concepts. Bickell summarized that the school is not where it wants to be but is much further down the road than it was.

Chair Travis commended Madison County for its work and the progress made. He thanked the team for presenting its work to the Board.

HEARING OFFICER'S REPORT

Interim Commissioner Kevin Noland came forward and recommended the Board appoint a hearing officer to handle the matter of an annexation appeal between Elizabethtown Independent and Hardin County. Bonnie Lash Freeman moved to appoint a hearing officer for this purpose and Judy Gibbons seconded the motion. The motion carried.

Noland went on to recommend that the Board appoint a hearing officer to handle a performance judgment appeal involving Fern Creek High School in the Jefferson County School District. Kaye Baird moved to appoint a hearing officer for this matter and Doug Hubbard seconded the motion. The motion carried.

Noland continued that the Board would now need to deal with the Statements of Consideration on the special education regulations and the KHSAA regulation. He explained that the Board can decide if it wants to make changes in the version of the regulation that it last passed or not and if changes are made, then Noland said he could file them with the Legislative Research Commission to be forwarded to the Administrative Regulation Review Subcommittee. He began with the Statement of Consideration on the special education regulations and the comments from the public hearing that resulted in some recommendations from staff for additional changes. Noland indicated that the only changes staff is recommending are as follows:

- Delete (29)(a)(1),(2),(3), (b) and (c)

- Insert (a) may be mild to profound, unilateral or bilateral, permanent or fluctuating, and is determined by:

  (1) an average pure-tone hearing loss and speech range (500 Hz, 1000 Hz, and 2000 Hz) of at least 25 dB in the better ear: or

(2) an average pure-tone hearing loss in the high-frequency rage (2000 Hz, 4000 Hz, and 6000 Hz) of at least 45 dB in the better ear; or
(3) an average pure-tone unilateral hearing loss in the speech range (500 Hz, 1000 Hz and 2000 Hz) of at least 60 dB in the impaired ear: and, (b) results in difficulty identifying linguistic information through hearing: and, (c) has an adverse affect on the child's educational performance.

- In 707 KAR 1:320, Section 7, page 13, line 11, after the word "year" insert the following "or when the child has reached the age of fourteen years".

- In 707 KAR 1:340, Section 6, page 9, line 8, delete the word "to" and insert "by" in lieu thereof.

- Section 10, page 16, line 11, delete subsection "11" and insert subsections "11 and 12" in lieu thereof.

At this point, Doug Hubbard moved to adopt the Statement of Consideration and Bonnie Lash Freeman seconded the motion. The motion carried.

Mr. Noland then proceeded with the Statement of Consideration on the KHSAA regulation and summarized that only the following changes were recommended by staff:

- Bylaw 4, page 8, section 5(c)(i) athletic territory establishment, in the last two sentences, delete "may" and insert "shall" in lieu thereof.

- In (II)(1), for the last three sentences, delete "may" and insert "shall" in lieu thereof.

- In (2) for the last two sentences, delete "may" and insert "shall" in lieu thereof.

- On page 4, section 4, lines 11, 12 and 13-14, after KHSAA Handbook, Fall 2007, insert June 14, 2007, edition.

Kaye Baird moved to adopt the Statement of Consideration as presented and Bonnie Lash Freeman seconded the motion. The motion carried with Jeanne Ferguson and Judy Gibbons voting no. Both of these individuals stated that the approach on Proposal 2 is unfair to children and penalizes them.

MANAGEMENT COMMITTEE MEETING

Action/Consent Items

1. **District Facility Plans: Adair, Allen, Anderson, Ballard, Barren, Boyle, Bracken, Breckinridge, Caldwell, Carter, Campbell, Clark, Estill, Franklin, Fleming, Floyd, Garrard, Grant, Graves, Hancock, Harrison, Hopkins, Henry, Knox, Leslie, Livingston, Madison, Marion, Martin,**

McCracken, Metcalfe, Monroe, Morgan, Rowan, Simpson, Spencer, Taylor, Trigg, Warren, Wayne and Washington County Schools and Barbourville, Bardstown, Bellevue, Berea, Campbellsville, Cloverport, Dawson Springs, Elizabethtown, Glasgow, Mayfield, Murray, Paintsville, Paducah, Raceland, Russellville, Silver Grove and Somerset Independent School Districts. Doug Hubbard, Vice Chair of the Management Committee, asked Tim Lucas to come forward to talk about the facility plans that were submitted for approval. Mr. Lucas indicated there were about 60 plans submitted for consideration along with two facility plan amendments. He clarified that staff is recommending rejection of two of the plans but approval of the rest of them.

Vice Chair Hubbard recommended that Taylor and Martin Counties be removed from consideration to approve plans and clarified that the Graves County Plan had been removed from consideration at this meeting.

At this point there was considerable discussion on the Clark County facility plan and Mike Stokley was called forward to present his concerns on this plan. He noted that what the Board was told by staff is in total disagreement with what he will present. He indicated that he disagreed with staff's recommendation based on the best practice numbers given as guidance by the Division of Facilities Management. Stokley cited violations to the facility plan process that he perceived.

Keith Travis asked for the test scores in the schools that are proposed to be closed in Clark County and Mr. Stokley brought another individual forward who provided those scores.

Judy Gibbons noted that there seems to be two very different views on what is going on in Clark County relative to facilities.

David Rhodes said that it seems the process was followed.

Interim Commissioner Noland pointed out that Tim Lucas prepared a response to many of these points and indicated that closing a school is under the purview of a local board of education.

Doug Hubbard noted that it seemed to him if a district goes through the correct steps, then the Board would be going beyond its purview to stop the plan.

Interim Commissioner Noland stated that in the past the Board looked at whether the process was followed.

Doug Hubbard stated that he did not want to get into the business of second guessing a local board of education.

Judy Gibbons was concerned how the leap was made from a seven million to an 80 million dollar bonding capacity.

After much discussion, David Rhodes moved to approve all facility plans except the ones from Taylor and Martin Counties. Kaye Baird seconded the motion.

Judy Gibbons stated that she had a problem with applying numbers to schools that would be over the best practice recommendations.

The question was called and the motion carried with Judy Gibbons voting no.

At this point David Rhodes moved to reject, upon staff's recommendation, the plans from Martin and Taylor Counties and Kaye Baird seconded the motion. The motion carried.

2. **District Facility Plan Amendments: Jackson County and Owensboro Independent.** Vice Chair Hubbard asked if there was a motion relative to these two facility plan amendments. Judy Gibbons moved to approve both of them and Kaye Baird seconded the motion. The motion carried.

Doug Hubbard reminded the committee that the Graves County Plan had been withdrawn but said Kelly Whitaker from that area had been granted five minutes to address the committee. Ms. Whitaker used the time to itemize violations in the facility planning process that had occurred during the planning process in Graves County.

Keith Travis then thanked Representative Nessler for being present during this discussion and also thanked Senator Winters for his involvement in the issues within Graves County. He then expressed concern that the letter providing urgent needs funds was issued in January, yet Graves County still has no approved facility plan. Travis stated that he does have some concern about waiving the maximum limits for new schools as affected in Clark County. He also went on to point out that the ad for the public hearing in Graves County was so small that it could hardly be read and that no community people attended the public hearing. However, Travis noted that an ad to select the architect appeared in a conspicuous place in the Graves County paper. He said the Graves County plan would be coming back in August and that he was going to recommend to the full board that in the future when a facility plan involves consolidation, there needs to be assurance that the process is open. He was concerned as to whether the urgent needs dollars for Graves County still exist and said he wanted to know when the plan comes forward in August why there was a change in status for Lowes Elementary School.

Doug Hubbard noted that it is the duty of the Board to make sure the process is procedurally fair.

Review Items

1. **Update on the Kentucky School for the Blind (KSB) and Kentucky School for the Deaf (KSD).** Associate Commissioner Johnnie Grissom announced that two retirements were taking place at the schools, Kathy Jones in August and Larry Conner in June. She thanked both of these individuals for their outstanding service. In addition, Grissom introduced Wilton McMillan, KSB and KSD collaborative team member, Fran Hardin, outreach at KSD, Diane Haynes, Kentucky Deaf/Blind Project, Cathy Johnson, KSD administrator and John Robertson, principal of KSB. She explained that Barb Kibler and Bill Stearns would be giving a condensed version of the update related to these schools.

   Barb Kibler began and said the staff note on page 61 is broken down into two areas, school improvement and outreach services. Kibler explained that the schools have a much broader mission than just providing services on campus. She then gave the following highlights of the occurrences at the campuses as follows:

   - Literacy is an issue for both school populations. Different things have been done including aligning curriculum, developing pacing guides, instituting learning checks and teacher assessments at KSB, integrating instruction into student life during the rest of the day and incorporating more reading into subjects, especially at KSD. Also, work is going to begin on an assessment of students' signing skills at KSD.

   - In the area of career and technical education, at KSB all students who are moving toward employment in the workforce now have the opportunity to do community-based instruction and community-based work experiences along with getting jobs in the community. Also, toward the end of these students' school careers, the schools are beginning transition back into the local public school, the home community and community resources. At KSD, a major revamping of career and technical education courses are occurring. A partnership with the local hospital on health careers is being explored and the possibility of using the hospital as a work site. Staff is also working with Rodney Kelly's division on a manufacturing and technical program to focus on students acquiring skills to lead to jobs in the manufacturing area.

   - Both schools continue to improve on the CATS assessment scores. KSB exceeded its goal in the last round and KSD continues to improve. KDE has provided some different kinds of professional

development experiences and is trying to get the schools more focused on their own data and making professional development decisions based on the needs of their students.

- In the area of involving parents and families, the fact that our students' families are not always local makes family involvement harder. Staff exists at both schools that work just on interacting with families through regional meetings, setting up communication networks and accessing resources.

- Both schools have reviewed their policies and procedures to make sure these schools are streamlined in how they address issues so that the schools are safe, orderly and welcoming.

In the area of outreach services, Kibler gave the following highlights:

- Both schools greatly expanded outreach efforts in the last few years to include technical assistance, observations, evaluation staff and instruction material/resources for teachers.

- At KSB, the Kentucky Information Materials Resource Center is a service provided to school districts to get instructional materials out to them in Braille and large print. A process has just been completed in the last year where everything is now computerized and KSB can retrieve information and get it out more quickly.

- The schools continue to do a tremendous amount of professional development and training across the state. Ongoing collaboration with the Kentucky Deaf/Blind Project provides training, technical assistance and consultation for students with multiple sensory and disability needs.

Associate Commissioner Johnnie Grissom emphasized that this is a statewide outreach effort by both schools.

Barb Kibler added that KSB has short course offerings that allow students to come to the school for a short period of time to gain certain skills and then return back to their home schools. She indicated that KSD is also getting this type of program off the ground.

Doug Hubbard requested that when schedules to visit these schools are issued having the invitations go out earlier in order for Board members to accommodate their schedules would be helpful.

David Rhodes noted that these schools have turned around compared to when the Board first started to work on improving them.

Action/Discussion Items

1. **Request for the KBE to approve the surplus of property at the Kentucky School for the Deaf and update on facilities issues at the Kentucky School for the Deaf and Kentucky School for the Blind.** Associate Commissioner Johnnie Grissom noted that this item appears on page 65 of the Agenda Book. She then asked Bill Stearns to give a brief explanation of what is being brought to the Board for action.

   Mr. Stearns explained that in August of 2006, the Board gave approval to the Kentucky Department of Education to surplus two one-half acre parcels of land at the Kentucky School for the Deaf (KSD). He reported that the surplusing of these parcels is nearing completion. He went on to say that this staff note is asking the Board to proceed with surplusing two buildings on the Kentucky School for the Deaf campus, Bruce Hall and Barbie Hall. Stearns stated that these two buildings are not in the current KSD facility plan and indicated that the Danville Independent School District has expressed interest in purchasing them. He said that Danville Independent has asked to have the first opportunity to acquire the buildings.

   Doug Hubbard then asked if it was legal to offer the Danville Independent School District the first opportunity to acquire these two buildings.

   Interim Commissioner Kevin Noland explained that the Finance and Administration Cabinet oversees the surplus process and within their discretion is an exception that allows the offering for first right of purchase to other government entities. He explained the Danville Independent School District is already leasing the properties and thus, the Department would like to offer them the first option to purchase.

   At this point, David Rhodes moved approval for the sale of the surplus property at the Kentucky School for the Deaf along with giving the Danville Independent School District the first option to purchase the two buildings. Kaye Baird seconded the motion and it carried.

Action/Consent Items

3. **Kentucky School for the Blind (KSB) Advisory Board Appointment.** David Rhodes moved approval of the appointment of Jan Moseley to the KSB advisory board and Judy Gibbons seconded the motion. The motion carried.

Action/Discussion Items

2. **Site Acquisition and Preparation Costs Approval for the Proposed New Elementary School at Masterson Station in Fayette County.** Interim

Commissioner Noland explained that Fayette County went through a lengthy condemnation process and did not know until the process was over that the costs would exceed 10% of the maximum budget for the project. He noted the district also encountered a rock problem on the site. Noland said that the district had already purchased the property because it did not anticipate going over the limit set within the regulation.

At this point David Rhodes moved approval of the Masterson Station site acquisition and preparation costs at 13.42% of the total project cost. Kaye Baird seconded the motion and it carried.

3. **Kentucky High School Athletic Association (KHSAA) At-Large Appointment to the Board of Control.** Interim Commissioner Noland reminded the committee members that he had sent a memorandum to the Board about three weeks ago recommending Jeff Schlosser to be reappointed to fill the at-large position. He commented that there were a lot of good candidates to be considered for this appointment.

   David Rhodes then moved approval of Mr. Schlosser's appointment. Judy Gibbons seconded the motion and it carried.

Review Items

2. **704 KAR 4:020, School Health Services.** Division Director Paul McElwain stated that this will be the Board's first look at this regulation and explained it contains a proposed change to delete the requirement of a TB skin test for initial hires. He noted this to be based on a recommendation from the Center for Disease Control. McElwain explained that an employee would go through screening first prior to taking a TB skin test. He indicated that the regulation would come back to the Board in August for final approval.

3. **702 KAR 5:080, Bus drivers's qualifications, responsibilities and training.** Division Director Kay Kennedy explained that the major change in this regulation is the same that Paul McElwain had just explained previously to take out the requirement for initial hires to take a TB skin test. Kennedy emphasized this is in line with the Center for Disease Control recommendation and also said there were some technical cleanups within the regulation. She stated the regulation will come back for final approval in August.

Action/Consent Items

4. **2008 Kentucky Minimum Specifications for School Buses.** Division Director Kay Kennedy explained that the changes to these specifications must be approved by the Board and noted that the Department convenes a meeting annually for vendors to review changes.

Kaye Baird then moved approval of the 2008 minimum specifications for school buses and David Rhodes seconded the motion. The motion carried.

Thursday, June 14, 2007

CURRICULUM, INSTRUCTION AND ASSESSMENT COMMITTEE

Action/Consent Items

1. **Certification of Non Public Schools.** Associate Commissioner Johnnie Grissom explained that a request is being submitted to approve the certification of the listed non public schools.

   C.B. Akins said that he had asked if these non public schools were subject to the same standards as public schools and was assured that they are.

   At this point, C.B. Akins moved approval of the certification of the submitted non public schools and Joe Brothers seconded the motion. The motion carried.

2. **Appointment to the State Textbook Commission.** Division Director Michael Miller recommended that the Board appoint John W. Hardy to the textbook commission and also introduced Ann Asbeck, who handles textbooks within the Kentucky Department of Education.

   Jeanne Ferguson moved approval of this appointment and C.B. Akins seconded the motion. The motion carried.

3. **Request from the Webster County Board of Education for a waiver of 704 KAR 3:410, Section 7, personnel, for lead teacher requirements for the preschool education program for 4-year-old children.** Kim Townley and Annette Bridges came forward for this item. Townley explained that in 1995, the Interdisciplinary Early Childhood Education Certificate was established and that the Board passed a regulation requiring this certification on a phase-in basis. She went on to say that as of 2004, any lead teacher must have this certification. Townley indicated a unique situation now exists with Webster County and Providence Independent merging where a person who was working in Providence has now been hired by Webster County. However, Townley noted, this teacher does not hold the Interdisciplinary Early Childhood Education Certification, but is enrolled in classes at Murray State University working toward this certification. She recommended this shows good cause to grant a two-year waiver of 704 KAR 3:410, Section 7, in order to allow this teacher to acquire the certification.

C.B. Akins moved approval of the waiver if the teacher continuously works on the certification and is monitored. Jeanne Ferguson seconded the motion and it carried.

Review Items

1. **White Paper on Gifted and Talented: *Kentucky's Future: Mining Untapped Treasure Children and Youth of the Commonwealth Who are Gifted and Talented.*** Coming forward for this presentation were Dale Brown, Julia Roberts, Lynette Baldwin and Michael Miller.

   Dale Brown began the conversation and said the reason the group was before the Board was that they were concerned about meeting the needs of gifted and talented students. He said that Warren County, the district in which he is superintendent, has made significant changes in the services for gifted and talented students. He noted that the white paper that had been given to the Board identifies three main areas that need focus: professional development, comprehensive identification of students and adequate programs. He indicated that funding is a component in the white paper because the funding level has been flat.

   Julia Roberts then noted that money sends a message on how important something is and also said that it is a myth that gifted and talented students are kids that will make it on their own. She shared that Kentucky is in the forefront in terms of the category of gifted and talented education. Roberts emphasized that developing the talents of these students is as important as any child with the key being continuous progress.

   Lynette Baldwin commented that she gets calls from parents wanting more for their children but saying they have encountered barriers in getting additional services. She emphasized that it is up to us as educators to see that the barriers are removed. Baldwin said that a big barrier is the financial component cause districts say they would do more if they had the dollars. She pointed out a chart in the folder given to the Board addresses funding. She said that most gifted and talented students spend their time in the general classroom. Baldwin also pointed out a research booklet was given to the Board in the folder that was titled "A Nation Deceived; How Schools Hold Back America's Brightest Students". Baldwin felt the acceleration strategy is not used because it is not fully understood. She commented that the need for professional development is great.

   At this point Jeanne Ferguson asked for how gifted and talented students are identified.

   Lynette Baldwin replied that the regulation defines generally how to identify these students but noted the district determines the specific measures to use.

C.B. Akins wanted to know how professional development ensured the identification of students across cultural barriers.

Julia Roberts responded that students come from all parts of society who are gifted and said the Kentucky Association for Gifted Education is very aware of the issues related to cultural barriers. She emphasized that early identification must occur.

C.B. Akins continued that there is a lack of representation in AP classes of minority students.

Ms. Roberts replied that she agreed and said we must all work on this together.

Lynette Baldwin added that part of the issue is the use of alternative testing methods, multiple tests and multiple sources.

Bonnie Freeman inquired how we can assure that gifted and talented students in the regular classroom get appropriate services. She was concerned that sometimes their identification as gifted and talented just results in more work for these students.

Division Director Michael Miller replied that the collaborative model is used within the regular classroom and then sometimes these students meet with other gifted and talented students.

Dale Brown then stated that we must continue professional development on meeting the needs of all students. He thought that the Individual Learning Plan is a great tool and reported that he is getting good feedback from parents on this.

Joe Brothers commented that the funding and effort in the area of gifted and talented is pitiful. He felt the Board must address this issue. He commended the presenters for what they are trying to do and challenged them to be vocal about their concerns.

Bonnie Lash Freeman asked the presenters what else is needed from the Board.

Dale Brown responded that the Board's advocacy and teaming with the Kentucky Association for Gifted Education to work together on these issues is needed.

C.B. Akins suggested the presenters talk about 130,000 students rather than 20% because it is a more powerful message.

Interim Commissioner Kevin Noland pointed out that in August, the Board will begin talking about the budget and this initiative could be put on the table for consideration. He confirmed that the funding for gifted and talented has been flat and that at one time consideration was given for rolling it SEEK in order to get a regular increase. However, he explained that the down side is that then the dollars are not earmarked for gifted and talented. Noland recommended that the funding for gifted and talented be considered in August.

Bonnie Lash Freeman also suggested that the teacher preparation programs be examined as to how teachers are prepared to work with gifted students. She thanked the presenters for coming and said the Board would be interested in hearing from some teachers and students in this area.

2. **Status of the Kentucky Alternate Assessment System.** Associate Commissioner Johnnie Grissom explained that the Kentucky Department of Education was guided to make changes in the alternate assessment in order to meet *No Child Left Behind* requirements. She then introduced Angela Miller, FMD teacher at the elementary level, Stacy Myers, FMD teacher at the high school level, Toyah Robey, Kentucky Department of Education Branch Manager, Cheryl Pulley, Kentucky Department of Education staff who will help coordinate the alternate assessment, Beverly Henderson, special education mentor and Larry Taylor, Director of the Division of Exceptional Children Services. Grissom indicated that Larry Taylor would be doing a PowerPoint presentation to give an overview of the alternate assessment process and said she hoped members would find out how many students take this assessment, understand the changes to it and dispel some of the errors/misunderstandings made in terms of the alternate assessment.

At this point Larry Taylor began the PowerPoint and shared that 1% of all students assessed in 2007 participated in the alternate assessment. He said this translates to about 4,700 students.

Johnnie Grissom added that what members see on the slide is that most special education students take the same test as the regular population. In other words, she said that 12% of special education students take the same test as 87% of the population. Grissom emphasized that the alternate assessment only applies to about 1% of those tested.

Larry Taylor continued with the PowerPoint and made the following points:

- One of the misconceptions is that just students in the functional disability category take the alternate assessment. The chart shows the different exceptionalities that take this test include functional mental

disability, multiple disabilities, autism, mild mental disability and other.

- The *No Child Left Behind Act* requires an annual assessment in reading and math in grades 3-8 and once in high school, science to be assessed one time in elementary school, middle school and high school, content standard linkage with a reduced level of complexity and grade-level assignment.

- The Individuals with Disabilities Act (IDEA) requires that students with disabilities are assessed in all content areas as those where students without disabilities are assessed, results are to be reported with the same frequency and regularity and access is to be provided to the general curriculum.

- In the building of the new assessment there was a tremendous amount of stakeholder involvement that included a content committee composed of Kentucky teachers who selected the standards, an alternate assessment technical committee composed of Kentucky teachers, university personnel and national experts and national/state expert participation for reliability and validity of the achievement standards. Tasks of the national/state experts included task and record design, alignment, range finding and standard setting.

- A comparison of the old Kentucky alternate assessment process with the new one was presented in chart form as follows:

OLD	**NEW**
Portfolio	Portfolio, attainment tasks, and transition attainment record
Every three years	Annually
One standard assessed in each of five content areas	Dimension A: five teacher-selected standards assessed per content area and Dimension B: three teacher-selected standards assessed per content area
Program focused	Student performance focused
Teacher scored regionally	Standardized scoring statewide
Portfolio evidence = 200-400 pages per student	Multiple evidence reduced to 30 pages per student

- Relative to the Kentucky Alternate Assessment Process and state content standards, the following applies:
    - Reduced number of standards
    - Difficulty of standard is reduced

    - Student instruction and assessment are designed to promote student learning
    - Meets the requirements for *No Child Left Behind* and the Individuals with Disabilities Education Act

- The Kentucky Alternate Assessment Process consists of the following components:
    - Portfolios – reading, mathematics and science
    - Attainment tasks – social studies, arts and humanities, practical living/vocational studies and writing
    - Transition attainment record – "mirror" of EXPLORE/PLAN/ACT and focus on transition and the application of life skills through English, mathematics, reading and science

- As far as curriculum access, it looks like the same activities, materials, and core learning but is different in the following ways:
    - Reduced complexity
    - Use of additional materials to augment learning
    - Use of technology
    - Direct application to student's life

- Students participating in the Kentucky Alternate Assessment Process need to have application of skills learned and have the skills intentionally taught in order to apply them in a meaningful way to their lives.

- Addressing academics in content areas by presenting the concepts in a more concrete manner helps students generalize skills to daily life skills.

- As far as learning targets, the following statements were shared:

    - Some students will learn the most complex and detailed aspects of the content area.
    - Most students will learn the big ideas and concepts with some details with increasing complexity.
    - All students should learn the big ideas, examples and non-examples.
    - Some students may learn everyday items and their relationship to the elements.
    - Examples of these different levels of learning targets were given in the next few slides.

- In order to communicate best practice for instruction and the need for high expectations, the following must occur:

    - Provide staff training and support
    - Presumed competence and a belief that all students can learn
    - Participation in regular classroom and community environments
    - Provide access and instruction in the regular curriculum using multiple ways
    - Teach life skills in naturally occurring routines of the day
    - Identify natural supports for peers

- More examples of learning targets and activities to implement standards were provided for the Board as well as a video showing implementation of the alternate portfolio process by a teacher.

- Lessons that were learned from implementing this process included:

    - Some teachers and parents were left with the impression that all students would complete the same standard at the same level of complexity as students participating in the general assessment; training and feedback are essential to correct this.
    - Some districts were better equipped to handle the change than others.

- The National Technical Advisory Panel on Assessment and Accountability said "The question is whether the assessment system is improving instruction. The validity studies should validate improved quality of instruction for students."

- As far as next steps, the following were communicated:

    - In June/July, special education coops will provide summer training for teachers, a review of participation guidelines will occur and meetings with parent groups will happen.
    - In August, on-line training for teachers administering the Kentucky Alternate Assessment portfolio will occur, eleven low incidence consultants will conduct Train the Trainers sessions and monthly webinars will begin.
    - During September/October, hands-on training for teachers statewide will occur on linking standards to instructional practice, best-practice instructional classroom examples, understanding cognitive demand on instruction and assessment and depth of knowledge in relationship to difficulty of tasks.
    - During November/December, a Council for Exceptional Children's parent workshop will occur, teacher needs and needed adjustments to the Kentucky Alternate Assessment Process will be assessed and preparation training for the Kentucky Alternate Assessment Process will occur.

Janna Vice then asked what the budget for special education is at the current time.

Larry Taylor replied that Kentucky receives $147 million in federal funds.

Jeanne Ferguson asked if the number of special education students had increased significantly.

Mr. Taylor replied that the number had increased but not significantly. He stated that the national average fluctuates between 12 and 13% of the student population.

Joe Brothers added that when a person mentions $147 million, he recalled that this only covers about 20% of the cost of educating these students.

Larry Taylor replied that 20% is approximately the level of funding and said initially the goal from the federal level was to cover 40%. He noted that for many years it never exceeded 7%. Taylor indicated that it is closer to 20% at this point and clarified that the majority of the $147 million flows through to the local districts.

Joe Brothers continued that the Board had received a lot of emails from parents with concerns about the meaningfulness of the new alternate assessment for their children. He asked Larry Taylor to address this.

Mr. Taylor responded that some districts were in a better position to deal with the implementation of the new alternate assessment process than others. He indicated that it was a leap for even the best districts, but explained for some districts it was a quantum leap. Taylor explained that districts vary greatly as far as the delivery of services and said that in some places where special education students are in a segregated environment, it seemed to be where the greatest number of calls and concerns existed.

Jeanne Ferguson asked if the parent concerns had been addressed.

Larry Taylor replied that Department staff has had parent meetings in several districts and in some districts where a greater degree of concern exists. He said that staff is continuing to do this and has learned the lesson that we cannot assume all communication to districts is getting to parents. He noted that staff is looking at how we get information to parents and how to make sure they get accurate information.

3. **Update on the Title III Program, Language Instruction for Limited English Proficient (LEP)/English Language Learners (ELLS) and Immigrant Students.** Coming forward for this presentation were Division

Director Michael Miller, Branch Manager Greg Finkbonner and Consultant Shelda Hale. Michael Miller explained that the purpose of the staff note today was to provide an overview of the Title III program and to spend a bit of time talking about some of the services provided to support districts as they work English Language Learners (ELLs).

Greg Finkbonner continued that today staff wanted to update the Board on some things that will be coming forward in the future and talk about standards for English Language Learners. He noted that standards have been in draft form for some time but now these are at the point of considering some changes. He then asked Shelda Hale to address that and some of the services offered to the students.

Shelda Hale commented that the biggest need and change going on is getting a new English language proficiency assessment for these students that is *No Child Left Behind* compliant and tests students in all four domains of listening, speaking, reading and writing. She noted that the tests must give a proficiency level in each domain. Hale shared that the assessment adopted in Kentucky is called ACCESS for ELLs and said this was given for the first time during the 2006-07 school year. Hale stated that all the data from this test has not yet come in.

Bonnie Lash Freeman asked how it is determined which students take this assessment.

Shelda Hale responded that it is determined by a home language survey that is required by the *No Child Left Behind Act* and Title III requirements. She then went on to explain that another issue is how to roll out the training on the English language proficiency (ELP) standards and the need to create documents to help districts understand how these correlate/relate to the state content standards. She stated that the ELL advisory group will be coming in on July 31 to look at the standards and to help create instructional tools for teachers. Hale indicated that since 1994, the increase for ELL students has been 417%, which is a growth rate that has happened faster than trained teachers can be acquired. She explained this points to the direction of more training for general education teachers.

Michael Miller clarified that the 417% growth would equal 10,415 students that speak 95 different languages.

Bonnie Lash Freeman then inquired as to the relationship with universities as far as preparing ELL teachers.

Ms. Hale responded that staff at the department are in dialogue with universities and use some of their staff as advisors. She said these teachers must be certified through the Education Professional Standards Board. At this

point, she then expanded on the list of services found in the staff note on page 296.

Michael Miller added that one more service provided by the department is the fact that the Individual Learning Plan is available in Spanish and other languages will be added in the future.

Questions were then asked about the amount of funding for ELP students. Ms. Hale noted there are three sources of funding: Title III, SEEK and immigrant funds.

Janna Vice wanted to know how many dollars are going into working with these students.

Shelda Hale replied that SEEK provides $4.4 million currently and referred the Board to page 301 in the Agenda Book to get the Title III and immigrant funding figures.

Michael Miller brought the presentation to a conclusion by saying that staff will be coming back to the Board in the next few months on the approval of the standards.

4. **704 KAR 7:101, Repeal of 704 KAR 7:100, Approval of operation of alternative education programs for purposes of driver's license revocation.** Interim Commissioner Kevin Noland explained that this is a review item that is here because the legislature passed a bill relative to the No Pass-No Drive law. He stated it was a condition that schools have an alternative education program to offer this provision but now it is available in all schools. He explained this regulation would come back in August for final action.

COMMENTS BY SUZANNE BURKHARDT (SHELBY COUNTY SCHOOL DISTRICT), 2007 KENTUCKY TEACHER OF THE YEAR

Ms. Burkhardt shared her thoughts on the teaching profession and gave a very motivational presentation on what it means to work with children as part of her life.

UPDATE ON THE COLLABORATIVE CENTER FOR LITERACY DEVELOPMENT AND THE KENTUCKY WRITING PROJECT STATE NETWORK

Associate Commissioner Starr Lewis introduced some of the partners across the state that are working in the area of literacy as follows:

- Susan Cantrell, Director of the Collaborative Center for Literacy Development at UK, which is a collaborative of universities across the state relative to literacy, reading comprehension, speaking and writing.

- Cindy Parker, the Kentucky Department of Education Branch Manager for English/Language Arts

- Jean Hicks, Director of the Kentucky Writing Project

Cindy Parker then said this presentation fits into a bigger picture where at the last meeting the Board heard about data and this meeting will hear from key partners and then in August will hear about a school and district initiative called Striving Readers.

Susan Cantrell then introduced staff from the Collaborative Center for Literacy Development as follows: Felicia Cummings-Smith, Associate Director and Keith Lyons, Communications and Marketing. She explained that the Collaborative Center for Literacy Development is a partnership among Kentucky's eight universities and the National Center. Cantrell identified four evaluation projects that the center is implementing as follows: Early Childhood Teacher Academies, Kentucky's Read to Achieve evaluation, Kentucky's Reading First evaluation and the Striving Readers grant. She then proceeded to use a PowerPoint presentation to go through each of these projects and the lessons learned from each. Recommendations on follow-up and future initiatives for each of these were given.

Next, Jean Hicks of the Kentucky Writing Project briefly presented the work of that network and focused on an evaluation study that looked at what the impact of Kentucky Writing Projects has been on student writing and teacher professional growth. Ms. Hicks handed out a copy of the study results and also a summary of the Kentucky Writing Projects state network collaboration with the Kentucky Department of Education.

At the summation of these presentations, research on the teaching of grammar was asked to be sent to the Board before the next meeting in August.

APPROVAL OF ACTION/CONSENT AGENDA ITEMS

A. District Facility Plans – On behalf of the Management Committee, Doug Hubbard recommended approval of all the submitted facility plans with the exception of Martin and Taylor Counties.

Kaye Baird clarified that she voted in favor of approving Clark County's plan yesterday but said since then has reconsidered her vote.

Judy Gibbons said she voted no on Clark County but does not oppose the other plans.

Joe Brothers said it was his understanding that the Board's role was to see that the process was followed.

Doug Hubbard replied that it was the committee's understanding the process was followed.

Janna Vice noted that a question exists as to whether the facility plan submitted to the Board from Clark County was the most recent one.

Tim Lucas explained that when the paper copy came back from the district to the department, a mistake in one of the school's name was made.

C.B. Akins stated that he was concerned that the criteria on the levels of schools at the upper end of the student population limit have some discretion.

David Rhodes also asked for an explanation about the difference in the larger numbers allowed for schools in Clark County rather than the strict interpretation in the Graves County situation on the minimum number of students allowed.

Division Director Mark Ryles confirmed that in the past, the Board has focused on whether the process was followed by the local board. He said that staff did look at the size of the populations for middle and high schools in Clark County but felt given their fiduciary issues, the larger schools were justified.

Keith Travis stated that his concern is that the Board denied the waiver for the lower size of the guidelines for Graves County but now it seems that in the top size there is discretion on the facility projects. He noted that this puts the Board in an awkward position.

Doug Hubbard said that every time there's a consolidation issue, some community atmosphere is destroyed. He said the question is whether the Board is going to approve a facility plan from a local board or get involved in local fights. He noted that the Kentucky Board of Education is not currently set up to be a court and said its function is to ensure plans meet the criteria of the regulations.

Keith Travis asked what would happen if the Clark County plan is rejected.

Tim Lucas responded that the needs in this plan will not be included in SFCC funding for the next two years.

Interim Commissioner Kevin Noland then suggested that a future discussion occur on the troubling issues relative to facility plans to decide if the regulation needs revisions.

The question was called on the original motion by Doug Hubbard and it did not pass with five members voting yes and five members voting no.

At this point, Kaye Baird moved to approve all of the submitted facility plans (not including Martin and Taylor counties) except Clark County. Judy Gibbons seconded the motion and it carried with eight yes votes and two no votes.

Next, Kaye Baird moved to reject the Clark County facility plan and remand it back to the district.

C.B. Akins stated that it troubled him that the dissenting contingent was led by the local board chair.

The motion by Kaye Baird died due to lack of a second.

At this point, Doug Hubbard moved to reject the facility plans from Taylor and Martin Counties and the motion carried.

Keith Travis then asked what the Board wanted to with the Clark County plan. A new motion came forward to approve the Clark County Facility Plan as presented made by David Rhodes and seconded by Joe Brothers. The motion carried with six yes votes, three no votes and one abstention.

B. Kentucky Minimum Specifications for School Busses 2008 – Doug Hubbard moved to approve these specifications and the motion carried.

C. District Facility Plan Amendments – Doug Hubbard moved to approve the district facility plan amendments from Jackson County and Owensboro Independent. The motion carried.

D. Non Public School Certification and Appointment of Textbook Commission Member – Bonnie Lash Freeman moved approval on both of these items on behalf of her committee and the motion carried.

E. Item related to facility plans – Keith Travis moved that in future facility planning processes, if consolidation is an issue, hearings be conducted by someone from KDE or an outside person. Judy Gibbons seconded the motion.

Kevin Noland suggested a discussion on potential changes to the regulation come forward before making this decision.

Keith Travis then rescinded his motion and Judy Gibbons rescinded the second.

REPORT OF THE MANAGEMENT COMMITTEE ON ACTION/DISCUSSION ITEMS

1. **Request for the KBE to approve the surplus property at the Kentucky School for the Deaf and update on the facilities issues at the Kentucky School for the Deaf and Kentucky School for the Blind** – Doug Hubbard

moved approval for the sale of the surplus property at the Kentucky School for the Deaf and the motion carried.

2. **Site acquisition and preparation costs approval for the proposed new elementary school at Masterson Station in Fayette County** – Doug Hubbard moved to approve the site acquisition and preparation costs for this new school and the motion carried.

3. **Kentucky High School Athletic Association (KHSAA) At-Large Appointment to the Board of Control** – Doug Hubbard moved approval of the reappointment of Jeffrey Schlosser to the Board of Control and the motion carried.

4. **Kentucky School for the Blind Advisory Board Appointment** - Doug Hubbard moved approval of the appointment Jan Moseley and the motion carried.

REPORT OF THE CURRICULUM, INSTRUCTION AND ASSESSMENT COMMITTEE ON ACTION/DISCUSSION ITEMS

Bonnie Lash Freeman moved approval of the request from the Webster County Board of Education for a waiver of 704 KAR 3:410, Section 7, personnel, for lead teacher requirements for the preschool education program for four year old children. The motion carried.

BOARD MEMBER SHARING

Keith Travis asked if there were any ideas that any board members wanted to share during this agenda item.

David Rhodes asked about the status of the letter to the U.S. Department of Education on the delay of the release of AYP scores. Interim Commissioner Noland said this was not yet approved but that the request has been submitted to the U.S. Department of Education and we are awaiting their approval.

Keith Travis then asked about the status of the Harlan County investigation. Interim Commissioner Noland replied that the state auditor is doing this work but said we do not have the final report. He indicated that when this report comes in it will be shared with the Board.

Doug Hubbard then said he would like to have a list of those schools that are going to make proficiency and those who will not.

Keith Travis asked Kevin Noland to help gather this information for the Board.

Janna Vice then said that she wanted to acknowledge the report that Starr Lewis provided relative to the changes in the Core Content. She also wanted to know if there would be an opportunity to dialogue with the Commission on Interscholastic Athletics and their work.

Kevin Noland said it might be possible to have their first meeting in concert with the Board's August meeting.

Keith Travis said an alternative might be to have the chair from that group come to the August meeting.

Kevin Noland replied that once the Commission's first meeting had occurred and a chair was elected, he would see that the chair comes to the August meeting.

Janna Vice continued that she felt the panel discussion results from the May retreat and the VPAT discussion from the June meeting should be part of the July meeting that will be devoted to strategic planning. She noted that the Prichard Committee also had some good suggestions for working with low performing schools. She said she hoped the conversation on July 11 could be focused around instruction.

KDE EMPLOYMENT REPORT

Joe Brothers inquired as to the criteria for doing phone interviews with applicants because the Employment Report said that 87 applicants were contacted by the Kentucky Department of Education.

Jill Hunter, Director of Human Resources, responded that the wording is unique and that actually 87 individuals either phoned or emailed the department to express interest.

INTERNAL BOARD BUSINESS

A. Ratification of the Commission on Interscholastic Athletics – Kevin Noland said that about four weeks ago, he sent a memorandum to the Board with recommended candidates for this commission that are subject to ratification by the full Board. He explained that he tried to identify persons of high integrity who would look at things objectively. He then went over the list of candidates.

   Doug Hubbard said he had a problem with a current Board of Control member being on the commission because it could put that person in a difficult position.

   David Rhodes said he could see that there could be a problem with this.

   At this point C.B. Akins moved to go into closed session to discuss personnel and Kaye Baird seconded the motion. The motion carried. The Board went

into closed session at 3:10 p.m. At 3:40 p.m., the Board came out of closed session on a motion by David Rhodes and second by Doug Hubbard. The motion carried.

Bonnie Lash Freeman then moved to accept as members for the Commission on Interscholastic Athletics the following individuals:

- Kenneth Shadowen
- Thomas Gumm
- Jane Adams Venters
- Sherron Gambert
- Harvey Thompson
- Brenda Jackson
- Zella Wells

Kaye Baird seconded the motion and it carried.

B. Approval of Meeting Dates for 2007, 2008 and 2009 – Bonnie Lash Freeman moved to approve the dates as submitted with the exception of changing the May 2008 date to May 13-14 and the May 2009 date to May 12-13. David Rhodes seconded the motion and it carried.

C. Approval of Revisions to the KBE Policy Manual – David Rhodes moved approval of the change to the policy manual and Doug Hubbard seconded the motion. The motion carried.

D. Appointment of the KBE Nominating Committee – Judy Gibbons moved to appoint C.B. Akins as chair of the nominating committee with other members being Kaye Baird, Jeanne Ferguson and David Rhodes. Joe Brothers seconded the motion and it carried.

E. Election of NASBE Officers – Mary Ann Miller reported that David Webb would like to recommend Lowell Johnson and that a letter be sent to NASBE about their election process and the way state memberships are organized into regions. Bonnie Lash Freeman agreed with the Lowell Johnson recommendation. Doug Hubbard moved to approve the slate of officers as recommended and to send a letter as requested by David Webb. Kaye Baird seconded the motion and it carried.

F. Approval of NASBE Dues – Joe Brothers moved to pay the dues and Bonnie Lash Freeman seconded the motion. The motion carried. Keith Travis also asked that NASBE be asked to gather information on the compensation of commissioners nationwide.

CLOSED SESSION TO DISCUSS PERSONNEL

Joe Brothers moved to enter into closed session to discuss personnel at 3:50 p.m. and Janna Vice seconded the motion. The motion carried. At 5:15 p.m., C.B. Akins moved to come out of closed session and Judy Gibbons seconded the motion. The motion carried.

OTHER BUSINESS

At this point, David Rhodes asked that Kevin Noland, Susan Palmer and Mary Ann Miller be thanked for doing extra work during the commissioner's search and as an expression of the Board's appreciation, the Board would like to give bonuses to Kevin Noland in the amount of $5,000, Mary Ann Miller in the amount of $2,500 and to Susan Palmer $1,500. The motion was seconded by Judy Gibbons and it carried.

Interim Commissioner Noland indicated that he was not sure that compensation could be given to others by the Board below the level of commissioner.

ADJOURNMENT

The Board adjourned at 5:20 p.m.