

Kentucky Innovation Memo

Introduction

Competency-based education is part of a system that creates personalized learning opportunities that empower students to progress based on mastery of academic content, regardless of time, pace or place of learning. This approach to education ensures students have access to the resources and supports they need to accomplish their learning goals. Often, these varying needs may not be able to be met within a traditional model of education, a model that often assumes students of the same age are generally able to achieve mastery of content at the same time and pace with the same supports. Kentucky's education policy has built in flexibilities that can be effectively used for innovative education service delivery methods to support learner needs.

This policy memo is the first step by KnowledgeWorks to begin outlining, in collaboration with the Kentucky Department of Education (KDE), an initial understanding of the existing policies in state statute, regulation and guidance that can be leveraged by schools and school districts to provide competency-based, personalized and innovative learning options to students in the state. Our research identified four policy areas with flexibilities that could support these goals:

- Assessment and Accountability
- Funding Systems
- Seat Time/Calendar Requirements
- Teacher Certification

This memo briefly analyzes state policy areas with an eye towards creating and encouraging opportunities for innovation and discusses their potential uses by schools and districts for supporting the state's goals around competency-based education that is personalized to student needs and interests.

Assessment and Accountability

Summary of Policy Area: Assessment of student learning and the corresponding accountability system are critical areas that impact innovation. Assessment and accountability systems are responsible for capturing and reporting student knowledge and understanding of basic academic content. Traditional assessment and accountability methods have often relied on standardized testing at a single moment in a school year to measure student learning. These areas of policy, especially policy around assessment, have the greatest established support for innovation in the state of Kentucky and have been policy areas of interest for many years. [KRS § 158.6453](#) charges the KDE with creating an accountability system with multiple and meaningful measurements of school, district and student performance. The same statute instructs KDE to implement a statewide balanced assessment system. KDE has also established several areas of flexibility in the assessment system to enable more holistic data collection of student learning.

Existing Policies and Supports: The [Kentucky Summative Assessment \(KSA\)](#) is taken by Kentucky students to meet state and federal testing requirements. All students must complete the same test within a testing window of the last 14 days of the school district's instructional calendar, specified in [KRS](#)

[§ 158.6453](#). The results are integrated into Kentucky’s accountability system, notably through the public facing [Kentucky School Report card](#). At present, changes to KSA and the state’s accountability cannot be made without a modification to state statute. However, some innovative opportunities are possible in the KSA, including the statewide assessment program which “may include a combination of multiple competency-based assessment and performance measures” as approved by KDE. Additionally, KDE is charged with aiding teachers and administrators via training sessions and professional development on innovative assessment practices. KDE provides balanced assessment curriculum guidance for districts and teachers in its [Model Curriculum Framework](#). According to this document, a balanced assessment system “A comprehensive, balanced system of assessment serves a variety of purposes, uses multiple measures and meets the decision-making needs of all stakeholders from the classroom, building and district levels (Chappuis & Stiggins, 2017).”

An even greater opportunity for assessment and accountability innovation in Kentucky exists at the local level. Local Education Agencies (LEA) have considerable freedom in formulating interim and formative assessments, which take place during the learning process. As defined in [KRS § 158.6453](#), formative and interim assessments are purposed to “adjust ongoing teaching and learning to improve students’ achievement of intended instructional outcomes” and “provide diagnostic information and to show individual student performance against content standards,” respectively. The statute also requires local school boards implementing these assessments to develop a policy around minimizing reductions in instructional time. [KRS § 156.095](#) states that professional development opportunities for teachers may include assessment literacy and “Integration of performance-based student assessment into daily classroom instruction.” A notable recent example of assessment and accountability innovation in Kentucky is the [Local Laboratories of Learning \(L3\)](#) program. This program, as part of KDE’s [United We Learn](#) effort, engages local communities to pilot new assessment, accountability and learning approaches. No statutes or regulations in Kentucky prohibit the development of local accountability pilots such as the L3 communities. Each participating district involves both district staff and community members in the creation of “a system of assessment and accountability that reflects the diversity of the students, families and communities it represents.”

Recommendations: While this area of Kentucky state policy is well defined and inclusive of some innovation strategies and supports, the forthcoming Innovation Guide will provide an additional avenue to share the work of schools and districts leading this work, especially those associated with the L3 communities. The guide will highlight avenues for innovation, discuss the practical application of these flexibilities being developed by L3 community members and interrogate the existing structures to explore areas for further innovation. KDE staff, especially the policy directors, should actively work within this guide to ensure it includes a robust set of examples, as well as clarification around what is and is not possible under KY policy. Kentucky should also consider how the additional recommendations in the recently completed Kentucky Opportunity Analysis Balanced Assessment section could be implemented to support work in this area.

Funding Systems

Summary of Policy Area: Consistent, adequate and equitable funding systems are essential for successful education service delivery. State funding systems are a powerful tool to engender competency-based, personalized and innovative learning approaches to education. Money can be used

to support the development of more innovative approaches and to help teachers gain more skills in delivering personalized approaches to education. Additionally, funding systems must be constructed in such a way as to allow for, if not encourage, the use of competency-based approaches to education. Kentucky's student-based foundation along with additional allocations that support these approaches provide the state with the funding means necessary to implement this work at the local level.

Existing Policies and Supports: As outlined in [Ky. Rev. Stat. Ann. § 157.360](#), Kentucky uses a [student-based foundation](#) to appropriate funding to students based on various factors. The base funding, along with additional allocations based on student needs, are covered in the [Support Education Excellence in Kentucky](#) funding program. In addition to base funding, SEEK allocates money for transportation costs and special needs students. The total funding is set by these factors as well as the average daily attendance. As defined in [Ky. Rev. Stat. Ann. § 157.320](#), "Average daily attendance means the aggregate days attended by pupils in a public school, adjusted for weather-related low attendance days if applicable, divided by the actual number of days the school is in session, after the five days with the lowest attendance have been deducted." Attendance requirements are outlined in [702 Ky. Admin. Regs. 7:125](#) and is taken daily in elementary school and by class period for middle and high school students.

In addition to the state funding system, other funding exists to further supplement innovative approaches to learning. For example, [KRS § 158.805](#) establishes the Commonwealth school improvement fund, created to "assist local schools in pursuing new and innovative strategies to meet the educational needs of the school's students and raise a school's performance level." The fund's first listed purpose is "to support teachers and administrators in the development of sound and innovative approaches to improve instruction or management, including better use of formative and summative, performance-based assessments." KDE is mandated to assist schools in preparing grant proposals, and the Kentucky Board of Education is given the authority to award grants from the fund.

Recommendations: The determination and allocation of funding through the primary funding system does not appear to hinder competency-based approaches to education. This is often a concern for schools and districts across the country as they consider moving towards personalized and competency-based approaches, as some state's funding systems rely on strict instructional time definitions as part of funding determination. Clearly articulating this in a document targeted to practitioners, such as the Innovation Guide, may alleviate fears around moving towards competency-based approaches to education and changes to funding. Additionally, providing examples of schools and school districts leveraging the various sources of financing available to support competency-based, personalized and innovative learning in the forthcoming Innovation Guide will help education leaders think differently about leveraging funding to support students.

[Seat Time/Calendar Requirements](#)

Summary of Policy Area: Seat time and calendar requirements can often restrict where and how learning takes place. Traditional models of education assume students need to be in their brick-and-mortar classroom receiving instruction for a certain number of hours or minutes to receive credit for learning. More personalized approaches to education recognize the need for a more flexible approach to how credit for mastery of academic content occurs. Without the opportunity to seek flexibility in these two related policy areas, innovation can be limited. Kentucky statute and regulation permit

flexibility in seat time and calendar requirements that can be leveraged to support competency-based, personalized and innovative learning.

Existing Policies and Supports: According to KDE’s [Pupil Attendance Manual](#), instructional time means time spent in the classroom or the standard school day minus the amount of time used for breaks, lunch and recess. [KRS § 158.070](#) defines a student instructional year as “1,062 hours of instructional time for students delivered on not less than 170 attendance days.” The potential for exemption from these requirements is discussed as part of innovative alternative school calendars found in the same area of statute. [702 KAR 7:130](#) sets guidelines and procedures for the approval of waivers from student instructional year requirements for districts to adopt innovative instructional calendars, defining those as “all calendars that contain less than 170 six (6) hour instructional days.” Local boards of education must submit a request for an innovative alternative school calendar to the Commissioner of Education that includes information about the reasoning and structure of the district’s proposal. By allowing for instructional time flexibility, innovative alternative school calendars allow schools and districts to give students more learning opportunities outside of the traditional classroom. These could include work-based learning experiences and other off-campus opportunities.

As stated in [704 KAR 3:305](#), each Kentucky public high school student must accumulate at least 22 credits to graduate. Traditionally, credits are awarded by Carnegie Units, which are determined by instructional time. In Kentucky, one Carnegie Unit is defined as at least 120 hours of instructional time in one subject. However, Kentucky offers another avenue for students to earn credits. [Performance-based credits](#), meaning credits earned outside of the traditional structure of a 120-hour instructional course and allowing for a satisfactory demonstration of learning, are also allowed. This means that a student could earn credit for a performance-based course in less than the 120 hours required to earn a Carnegie Unit credit if they are able to show subject area mastery in less time. Under the previously cited standard, districts must establish policies for performance-based credit systems including development procedures, performance descriptors, assessments and reporting procedures.

Recommendations: Allowing flexibility in when and how students gain credit and check-off learning goals to demonstrate concept mastery is an essential component of personalized learning. By including practical examples of school seat time and calendar flexibilities, the Innovation Guide will act as a tool to help schools and districts continue thinking outside of more traditional models of education and better serve student needs.

Teacher Certification

Summary of Policy Area: In a competency-based, personalized and innovative learning environment, educators are essential to ensuring students meet their learning goals. Making sure that every learner has access to a high-quality educator is critical for both student development and preparing them for postsecondary and career options. While traditional pathways towards teaching credentials are the most common method for achieving this, other avenues often exist for individuals who are experts in a specific field to become certified. Having the flexibility to certify teachers who demonstrate expertise in a subject area can be critical to ensuring that the personalized learning goals of students are achieved. Kentucky has multiple avenues for those with qualifying experience to get into the classroom outside the traditional certification process. The state’s traditional teacher certification procedure runs through

the Education Professional Standards Board, established in [KRS § 161.030](#), while [KRS § 161.048](#) offers multiple alternative procedures to the traditional certification process.

Existing Policies and Supports: [KRS § 161.048](#) specifies that the Education Professional Standards Board in the state is responsible for informing those “who have potential as teachers of these options and [assisting] local boards of education in implementing these options and recruitment of individuals who can enhance the education system in Kentucky.” One of these options involves the certification of a person with “exceptional work experience,” defined as “a person with recognized superiority as compared with others in rank, status, and attainment or superior knowledge and skill in comparison with the generally accepted standards in the area in which certification is sought” in [16 KAR 9:010](#). A person that meets this criterion who has been offered employment by a school district and has a qualifying postsecondary background can receive a one-year provisional teaching certificate. After completion of the yearlong internship period, they receive a regular teaching certificate. Additionally, individuals with a master’s or doctoral degree in the field they want to teach and at least five years teaching experience at a higher education institution may receive a one-year provisional certificate if offered employment by a school district. As specified in [16 KAR 9:030](#), the candidate retains their certificate for another four years after completing the internship period.

Recommendations: Encouraging teachers with varied lived experiences and backgrounds to enter public schools can lead to a richer education for students. These alternate avenues present classroom opportunities for those who have valuable experience that qualifies them to teach but who do not already have a professional license. Expanding public awareness of these programs while providing support to these alternatively certified teachers will ensure quality learning experiences for students. Additionally, this method of teacher certification based on competency is an exemplar of the values of the state to award credit for mastery for learners at all levels.

Next Steps:

Kentucky has a number of existing policy structures and guidance documents that support competency-based, personalized and innovative learning opportunities for students across the state. Leveraging the policy areas discussed in the memo to support innovation can enable more equitable and efficient education experiences. Providing additional resources and guidance to accompany these policies, such as the forthcoming Innovation Guide, can help disseminate practical advice and methods for leveraging policy areas for the purpose of innovation.