



# Issues Update

March 30, 2017

*Issues Update* is a report from the Kentucky Association for Career and Technical Education (KACTE) written by Executive Director Michael R. Stone and presented on its website, [www.kacteonline.org](http://www.kacteonline.org). As needed, *Issues Update* will report on state and federal Career and Technical Education (CTE) policy and legislative developments. KACTE and Stone can be reached at [kmstone1951@gmail.com](mailto:kmstone1951@gmail.com) or 502-223-1823.

## Kentucky General Assembly Passes Education Bills

March 30, 2017, marks the end of the 2017 Kentucky General Assembly session, the 30-day, non-budget session designed to focus on policy issues. Significant legislation impacting education in Kentucky passed the General Assembly this year.

Attaining the highest profile was **HB520**, introduced by House Education Committee Chair John "Bam" Carney to permit charter schools in the state. Kentucky joins 44 other states allowing charter schools, which use public funds managed by private contractors to provide education for targeted populations or programs. Proponents say charter schools promote innovation and bring opportunity to hard to serve areas or populations. Opponents cite mixed results nationally for charter schools, claiming public funds often are mismanaged or wasted, diluting public school funding.

**HB520** was signed into law by Gov. Matt Bevin following 56-29 approval by the House and 23-15 approval by the Senate, largely along party lines supported by Republican majorities in both chambers.

Legislators supporting the bill stressed that Kentucky charter schools would be public schools primarily authorized by local boards of education. The exception to the authorization is the mayors on Louisville metro government and Lexington/Fayette County urban government also may authorize charter schools in Jefferson and Fayette Counties. The details of the legislation can be viewed at <http://www.lrc.ky.gov/record/17rs/hb520.htm>.

**PERHAPS MORE SIGNIFICANT** for education generally is final passage of **SB1**, which cleared both chambers with unanimous votes. Introduced by Senate Education Committee Chair Mike Wilson, **SB1** conforms Kentucky elementary and secondary education with the federal *Every Student Succeeds Act*.

As previously reported in *Issues Updates*, the main goal is to return control of education to the local level according to Sen. Wilson in response to a question from the Kentucky Association for Career and Technical Education (KACTE). Current standards will remain in place until local boards impose new standards, which will be rolled out "in a staggered fashion." Eventually, the Common Core State Standards will be repealed, he said.

It establishes "postsecondary readiness" as a single accountability goal replacing college and career readiness.

Many of the criteria contained in the dual measures of college and career readiness comprise the criteria for postsecondary readiness. The controversial proposal to allow a Career and Technical Education (CTE) class (or two other classes) to count for the high school arts and humanities graduation requirement was eliminated. **SB1** requires completion of two courses in sequence before the Kentucky Department of Education can pay for the industry certification test in that pathway.

Local control will determine which industry certifications will be recognized for meeting postsecondary readiness. That includes whether the Kentucky Occupational Skill Standards Assessments (KOSSA) will be part of the process. Because **SB1** contained no mention of KOSSA, some observers expressed concern KOSSA was being eliminated. KOSSA is being maintained by the Kentucky Department of Education, Associate Commissioner Laura Arnold advised KACTE Legislative Liaison Dexter Knight. As several teachers pointed out, in some pathways there are no or minimal recognized industry certifications. KOSSA is all that exist for students to prove their skills.

Wilson said it will be up to the local Workforce Innovations Board to survey its employers and determine what are the appropriate assessments for the skills students need in their industry. Whether that is a recognized industry certification or KOSSA exam, the local Workforce Innovations Board will make the recommendation for inclusion on the state-approved list.

Governor Bevin is expected to sign the legislation into law. The final legislation can be viewed at <http://www.lrc.ky.gov/record/17rs/sb1.htm>.

**TWO ADDITIONAL BILLS** that can impact Career and Technical Education (CTE) both were signed into law by Gov. Bevin, **SB153** and **HB195**.

**SB153** passed the Senate 36-1 and the House 65-29. It establishes a new funding process for postsecondary education. It will be phased in, eventually basing 35 percent of funding on degree production and progression toward a degree or credential, 35 percent on the number of credit hours attained, and 30 percent for campus overhead.

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# Educational Accountability, Federal Legislation Looms

**HB195** directs Kentucky adult education to establish programs aligned with college and career readiness standards. On completion of coursework, students will receive a high school equivalency diploma. It passed unanimously in both chambers.

## On to the Future

The Kentucky State Board of Education (BoE) will continue review of a new accountability system to replace *Unbridled Learning: College/Career Readiness for All*. A Kentucky Department of Education (KDE) staff note prepared for the April 11-12 BoE meeting cites steady improvement in the graduation rate and preparation for college and career, but indicates concerns over complexity and unintended consequences. The system must align with the new federal *Every Student Succeeds Act*.

Following a series of town hall meetings across the state held last year by Commissioner of Education Stephen L. Pruitt, Ph.D., a number of work groups worked on the new system's design. The Commissioner's goal is to collaborate with all shareholders to create a system fair, reliable, valid, and simpler. The proposed system centers on students and includes, according to the staff note:

- personalized options for students to be transition ready with content knowledge and critical essential skills;
- a focus on instruction with student proficiency and growth;
- opportunities and access measures that go beyond tested subjects to allow for a well-rounded education and a broader picture of school performance;
- data requirements that shine a light on closing the achievement gap; and
- an innovative pilot for a competency-based model.

There will be measures for rating a school and for reporting information. The overall rating will be determined on student and school performance on five indicators: proficiency, growth, achievement gap closure, transition readiness, and opportunity and access. Schools and districts will earn one of six labels: outstanding, excellent, good, fair, concern, or intervention. A dashboard is being developed for reporting.

The BoE will start planning for the 2018-20 biennial budget cycle at the April 11-12 meeting, as well.

**ALSO ON THE AGENDA** will be consideration of the Fiscal Year 2017 (July 1-June 30) *Carl D. Perkins Career and Technical Education Act* state plan. The plan supports distribution and use of federal appropriations for CTE programs in Kentucky. The state will receive \$17.9 million in federal funds, with 85 percent distributed to local education (54 percent secondary, 46 percent postsecondary). Ten percent will be used for state leadership, and 5 percent will be used for state administration.

Two administration changes are noteworthy. *Perkins Act* funds only may be used for students that meet the

requirements for technical skills attainment. A new 24-month program to instruct occupational-based teachers will be in place focusing on classroom management, instructional strategies, creating lesson plans, and developing instructional activities.

To be negotiated with the federal Office of Career, Technical and Adult Education are accountability measures -- at the secondary level for academic attainment in reading and math, technical skills attainment, schools completion, graduation rates, placement, nontraditional participation, and nontraditional completion; and at the postsecondary level for technical skill attainment, credential/certificate/degree, student retention or transfer, student placement, nontraditional participation, and nontraditional completion. The latest data available showed Kentucky met all of its accountability measures except secondary placement and nontraditional completion.

## Federal Developments

KACTE officials met with Representatives James Comer (District 1), Brett Guthrie (District 2), John Yarmuth (District 3), and the education staff for the other five Kentucky federal legislators on March 13-14 while participating in the Association for Career and Technical Education (ACTE) National Policy Seminar. The legislators and their staff expressed support for CTE and workforce development. KACTE urged passage of *Perkins Act* reauthorization and adequate appropriations for *Perkins Act* programs. Generally, the requests were favorably received.

Work is beginning in both the House and Senate on *Perkins Act* reauthorization. The House is basing its effort on the legislation that passed the 114th Congress with a near-unanimous vote.

Of more immediate concern is *Perkins Act* appropriations. A continuing resolution (CR) for Fiscal Year 2017 appropriations will expire in April. The current CR cut the *Perkins Act* slightly, but small states like Kentucky were unaffected. It is hoped the cuts will be restored when the final continuing resolution for FY17 is adopted.

The President's Fiscal Year 2018 budget proposal includes the outline of a 13 percent, or \$9 billion, cut to federal education programs. The proposal contained no details whether the *Perkins Act* will be part of those cuts. The full budget details are expected to be available in May.

KACTE and ACTE have been reaching out to legislators asking that *Perkins Act* funding be a priority. Representatives responding to the KACTE request have given positive feedback.

Interestingly, both President Donald Trump and Secretary of Education Betsy DeVos have voiced support for workforce development programs in speeches given over the past three months. As CTE is the primary educational program for workforce development, it is hoped there will be Trump administration support for *Perkins Act* funding.