

1 AN ACT relating to public school students' communication skills.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 156.160 is amended to read as follows:

4 (1) With the advice of the Local Superintendents Advisory Council, the Kentucky
5 Board of Education shall promulgate administrative regulations establishing
6 standards which school districts shall meet in student, program, service, and
7 operational performance. These regulations shall comply with the expected
8 outcomes for students and schools set forth in KRS 158.6451. Administrative
9 regulations shall be promulgated for the following:

10 (a) Courses of study for the different grades and kinds of common schools
11 identifying the common curriculum content directly tied to the goals,
12 outcomes, and assessment strategies developed under KRS 158.645,
13 158.6451, and 158.6453 and distributed to local school districts and schools.

14 The administrative regulations shall provide that:

15 1. If a school offers American sign language, the course shall be accepted
16 as meeting the foreign language requirements in common schools
17 notwithstanding other provisions of law;

18 2. If a school offers the Reserve Officers Training Corps program, the
19 course shall be accepted as meeting the physical education requirement
20 for high school graduation notwithstanding other provisions of law;{
21 ~~and~~}

22 3. Every public middle and high school's curriculum shall include
23 instruction on the Holocaust and other cases of genocide, as defined by
24 the United Nations Convention on the Prevention and Punishment of the
25 Crime of Genocide, that a court of competent jurisdiction, whether a
26 court in the United States or the International Court of Justice, has
27 determined to have been committed by applying rigorous standards of

1 due process; and

2 4. Beginning in the 2025-2026 school year, cursive writing shall be
3 included as a course of study in all elementary schools and shall be
4 designed to ensure proficiency in cursive writing by the end of grade
5 five (5);

6 (b) Courses of study or educational experiences available to students in all middle
7 and high schools to fulfill the prerequisites for courses in advanced science
8 and mathematics as defined in KRS 158.845;

9 (c) The acquisition and use of educational equipment for the schools as
10 recommended by the Council for Education Technology;

11 (d) The minimum requirements for high school graduation in light of the
12 expected outcomes for students and schools set forth in KRS 158.6451. The
13 minimum requirements shall not include achieving any postsecondary
14 readiness indicator as described in KRS 158.6455 or any minimum score on a
15 statewide assessment administered under KRS 158.6453. Student scores from
16 any assessment administered under KRS 158.6453 that are determined by the
17 department's technical advisory committee to be valid and reliable at the
18 individual level shall be included on the student transcript. The department's
19 technical advisory committee shall submit its determination to the
20 commissioner of education and the Legislative Research Commission;

21 (e) The requirements for an alternative high school diploma for students with
22 disabilities whose individualized education program indicates that, in
23 accordance with 20 U.S.C. sec. 1414(d)(1)(A):

- 24 1. The student cannot participate in the regular statewide assessment; and
- 25 2. An appropriate alternate assessment has been selected for the student
26 based upon a modified curriculum and an individualized course of
27 study;

- 1 (f) Taking and keeping a school census, and the forms, blanks, and software to be
2 used in taking and keeping the census and in compiling the required reports.
3 The board shall create a statewide student identification numbering system
4 based on students' Social Security numbers. The system shall provide a
5 student identification number similar to, but distinct from, the Social Security
6 number, for each student who does not have a Social Security number or
7 whose parents or guardians choose not to disclose the Social Security number
8 for the student;
- 9 (g) Sanitary and protective construction of public school buildings, toilets,
10 physical equipment of school grounds, school buildings, and classrooms. With
11 respect to physical standards of sanitary and protective construction for school
12 buildings, the Kentucky Board of Education shall adopt the Uniform State
13 Building Code;
- 14 (h) Medical inspection, physical and health education and recreation, and other
15 regulations necessary or advisable for the protection of the physical welfare
16 and safety of the public school children. The administrative regulations shall
17 set requirements for student health standards to be met by all students in
18 grades four (4), eight (8), and twelve (12) pursuant to the outcomes described
19 in KRS 158.6451. The administrative regulations shall permit a student who
20 received a physical examination no more than six (6) months prior to his or
21 her initial admission to Head Start to substitute that physical examination for
22 the physical examination required by the Kentucky Board of Education of all
23 students upon initial admission to the public schools, if the physical
24 examination given in the Head Start program meets all the requirements of the
25 physical examinations prescribed by the Kentucky Board of Education;
- 26 (i) A vision examination by an optometrist or ophthalmologist that shall be
27 required by the Kentucky Board of Education. The administrative regulations

1 shall require evidence that a vision examination that meets the criteria
2 prescribed by the Kentucky Board of Education has been performed. This
3 evidence shall be submitted to the school no later than January 1 of the first
4 year that a three (3), four (4), five (5), or six (6) year-old child is enrolled in a
5 public school, public preschool, or Head Start program;

6 (j) 1. Beginning with the 2010-2011 school year, a dental screening or
7 examination by a dentist, dental hygienist, physician, registered nurse,
8 advanced practice registered nurse, or physician assistant that shall be
9 required by the Kentucky Board of Education. The administrative
10 regulations shall require evidence that a dental screening or examination
11 that meets the criteria prescribed by the Kentucky Board of Education
12 has been performed. This evidence shall be submitted to the school no
13 later than January 1 of the first year that a five (5) or six (6) year-old
14 child is enrolled in a public school.

15 2. A child shall be referred to a licensed dentist if a dental screening or
16 examination performed by anyone other than a licensed dentist identifies
17 the possibility of dental disease;

18 (k) The transportation of children to and from school;

19 (l) The fixing of holidays on which schools may be closed and special days to be
20 observed, and the pay of teachers during absence because of sickness or
21 quarantine or when the schools are closed because of quarantine;

22 (m) The preparation of budgets and salary schedules for the several school
23 districts under the management and control of the Kentucky Board of
24 Education;

25 (n) A uniform series of forms and blanks, educational and financial, including
26 forms of contracts, for use in the several school districts;

27 (o) The disposal of real and personal property owned by local boards of

1 education; and

2 (p) The development and implementation of procedures, for all students who are
3 homeless children and youths as defined in 42 U.S.C. sec. 11434a(2), to do
4 the following:

5 1. Awarding and accepting of credit, including partial credit, for all
6 coursework satisfactorily completed by a student while enrolled at
7 another school;

8 2. Allowing a student who was previously enrolled in a course required for
9 graduation the opportunity, to the extent practicable, to complete the
10 course, at no cost to the student, before the beginning of the next school
11 year;

12 3. Awarding a diploma, at the student's request, by a district from which
13 the student transferred, if the student transfers schools at any time after
14 the completion of the student's second year of high school and the
15 student is ineligible to graduate from the district to which the student
16 transfers, but meets the graduation requirements of the district from
17 which the student transferred; and

18 4. Exempting the student from all coursework and other requirements
19 imposed by the local board of education that are in addition to the
20 minimum requirements for high school graduation established by the
21 Kentucky Board of Education pursuant to paragraph (d) of this
22 subsection in the district to which the student transfers, if the student
23 transfers schools at any time after the completion of the student's second
24 year of high school and the student is ineligible to graduate both from
25 the district to which the student transfers and the district from which the
26 student transferred.

27 (2) (a) At the request of a local board of education or a school council, a local school

1 district superintendent shall request that the Kentucky Board of Education
2 waive any administrative regulation promulgated by that board. Beginning in
3 the 1996-97 school year, a request for waiver of any administrative regulation
4 shall be submitted to the Kentucky Board of Education in writing with
5 appropriate justification for the waiver. The Kentucky Board of Education
6 may approve the request when the school district or school has demonstrated
7 circumstances that may include but are not limited to the following:

- 8 1. An alternative approach will achieve the same result required by the
9 administrative regulation;
- 10 2. Implementation of the administrative regulation will cause a hardship on
11 the school district or school or jeopardize the continuation or
12 development of programs; or
- 13 3. There is a finding of good cause for the waiver.

14 (b) The following shall not be subject to waiver:

- 15 1. Administrative regulations relating to health and safety;
- 16 2. Administrative regulations relating to civil rights;
- 17 3. Administrative regulations required by federal law; and
- 18 4. Administrative regulations promulgated in accordance with KRS
19 158.6451, 158.6453, 158.6455, and this section, relating to measurement
20 of performance outcomes and determination of successful districts or
21 schools, except upon issues relating to the grade configuration of
22 schools.

23 (c) Any waiver granted under this subsection shall be subject to revocation upon
24 a determination by the Kentucky Board of Education that the school district or
25 school holding the waiver has subsequently failed to meet the intent of the
26 waiver.

27 (3) Any private, parochial, or church school may voluntarily comply with curriculum,

1 certification, and textbook standards established by the Kentucky Board of
2 Education and be certified upon application to the board by such schools.

3 (4) Any public school that violates the provisions of KRS 158.854 shall be subject to a
4 penalty to be assessed by the commissioner of education as follows:

5 (a) The first violation shall result in a fine of no less than one (1) week's revenue
6 from the sale of the competitive food;

7 (b) Subsequent violations shall result in a fine of no less than one (1) month's
8 revenue from the sale of the competitive food;

9 (c) "Habitual violations," which means five (5) or more violations within a six (6)
10 month period, shall result in a six (6) month ban on competitive food sales for
11 the violating school; and

12 (d) Revenue collected as a result of the fines in this subsection shall be
13 transferred to the food service fund of the local school district.

14 ➔Section 2. KRS 158.6453 is amended to read as follows:

15 (1) As used in this section:

16 (a) "Accelerated learning" means an organized way of helping students meet
17 individual academic goals by providing direct instruction to eliminate student
18 performance deficiencies or enable students to move more quickly through
19 course requirements and pursue higher level skill development;

20 (b) "Constructed-response items" or "performance-based items" means individual
21 test items that require the student to create an answer rather than select a
22 response and may include fill-in-the-blank, short-answer, extended-answer,
23 open-response, and writing-on-demand formats;

24 (c) "Criterion-referenced test" means a test that is aligned with defined academic
25 content standards and measures an individual student's level of performance
26 against the standards;

27 (d) "End-of-course examination" means the same as defined in KRS 158.860;

- 1 (e) "Formative assessment" means a process used by teachers and students during
2 instruction to adjust ongoing teaching and learning to improve students'
3 achievement of intended instructional outcomes. Formative assessments may
4 include the use of commercial assessments, classroom observations, teacher-
5 designed classroom tests and assessments, and other processes and
6 assignments to gain information about individual student learning;
- 7 (f) "Interim assessments" means assessments that are given periodically
8 throughout the year to provide diagnostic information and to show individual
9 student performance against content standards;
- 10 (g) "Summative assessment" means an assessment given at the end of the school
11 year, semester, or other period of time to evaluate students' performance
12 against content standards within a unit of instruction or a course; and
- 13 (h) "Writing" means a purposeful act of thinking and expression that uses
14 language to explore ideas and communicate meaning to others. Writing is a
15 complex, multifaceted act of communication and is distinct from basic
16 handwriting or penmanship.
- 17 (2) (a) Beginning in fiscal year 2017-2018, and every six (6) years thereafter, the
18 Kentucky Department of Education shall implement a process for reviewing
19 Kentucky's academic standards and the alignment of corresponding
20 assessments for possible revision or replacement to ensure alignment with
21 transition readiness standards necessary for global competitiveness, state
22 career and technical education standards, and KRS 158.196.
- 23 (b) The revisions to the content standards shall:
- 24 1. Focus on critical knowledge, skills, and capacities needed for success in
25 the global economy;
- 26 2. Result in fewer but more in-depth standards to facilitate mastery
27 learning;

- 1 3. Communicate expectations more clearly and concisely to teachers,
2 parents, students, and citizens;
- 3 4. Be based on evidence-based research;
- 4 5. Consider international benchmarks; and
- 5 6. Ensure that the standards are aligned from elementary to high school to
6 postsecondary education so that students can be successful at each
7 education level.
- 8 (c) 1. The department shall establish four (4) standards and assessments
9 review committees, with each committee composed of a minimum of six
10 (6) Kentucky public school teachers and a minimum of two (2)
11 representatives from Kentucky institutions of higher education,
12 including at least one (1) representative from a public institution of
13 higher education. Each committee member shall teach in the subject
14 area that his or her committee is assigned to review and have no prior or
15 current affiliation with a curriculum or assessment resources vendor.
- 16 2. One (1) of the four (4) committees shall be assigned to focus on the
17 review of language arts and writing academic standards and
18 assessments, one (1) on the review of mathematics academic standards
19 and assessments, one (1) on the review of science academic standards
20 and assessments, and one (1) on the review of social studies academic
21 standards and assessments.
- 22 (d) 1. The department shall establish twelve (12) advisory panels to advise and
23 assist each of the four (4) standards and assessments review committees.
- 24 2. Three (3) advisory panels shall be assigned to each standards and
25 assessments review committee. One (1) panel shall review the standards
26 and assessments for kindergarten through grade five (5), one (1) shall
27 review the standards and assessments for grades six (6) through eight

1 (8), and one (1) shall review the standards and assessments for grades
2 nine (9) through twelve (12).

3 3. Each advisory panel shall be composed of at least one (1) representative
4 from a Kentucky institution of higher education and a minimum of six
5 (6) Kentucky public school teachers who teach in the grade level and
6 subject reviewed by the advisory panel to which they are assigned and
7 have no prior or current affiliation with a curriculum or assessment
8 resources vendor.

9 (e) The commissioner of education and the president of the Council on
10 Postsecondary Education shall also provide consultants for the standards and
11 assessments review committees and the advisory panels who are business and
12 industry professionals actively engaged in career fields that depend on the
13 various content areas.

14 (f) 1. The standards and assessments process review committee is hereby
15 established and shall be composed of the commissioner of education or
16 designee as a nonvoting member and nine (9) voting representatives of
17 public schools, of whom at least two (2) shall be parents of public
18 school students, appointed by the Governor and confirmed by the Senate
19 in accordance with KRS 11.160 as follows:

- 20 a. One (1) language arts teacher;
- 21 b. One (1) math teacher;
- 22 c. One (1) science teacher;
- 23 d. One (1) social studies teacher;
- 24 e. Two (2) school principals;
- 25 f. Two (2) school superintendents; and
- 26 g. One (1) school board member.

27 2. On making appointments to the committee, the Governor shall ensure

1 broad geographical urban and rural representation and representation of
2 elementary, middle, and high school levels; ensure equal representation
3 of the two (2) sexes, inasmuch as possible; and ensure that appointments
4 reflect the minority racial composition of the Commonwealth.

5 3. The review of the committee shall be limited to the procedural aspects
6 of the review process undertaken prior to its consideration.

7 4. Notwithstanding KRS 12.028, the committee shall not be subject to
8 reorganization by the Governor.

9 (g) 1. The review process implemented under this subsection shall be an open,
10 transparent process that allows all Kentuckians an opportunity to
11 participate. The department shall ensure the public's assistance in
12 reviewing and suggesting changes to the standards and alignment
13 adjustments to corresponding state assessments by establishing a Web
14 site dedicated to collecting comments by the public and educators. An
15 independent third party, which has no prior or current affiliation with a
16 curriculum or assessment resources vendor, shall be selected by the
17 department to collect and transmit the comments to the department for
18 dissemination to the appropriate advisory panel for review and
19 consideration.

20 2. Each advisory panel shall review the standards and assessments for its
21 assigned subject matter and grade level and the suggestions made by the
22 public and educators. After completing its review, each advisory panel
23 shall make recommendations for changes to the standards and alignment
24 adjustments for assessments to the appropriate standards and
25 assessments review committee.

26 3. Each standards and assessments review committee shall review the
27 findings and make recommendations to revise or replace existing

1 standards and to adjust alignment of assessments.

2 4. The recommendations shall be published on the Web site established in
3 this subsection for the purpose of gathering additional feedback from the
4 public. The commissioner shall subsequently present the
5 recommendations and the public feedback to the Interim Joint
6 Committee on Education.

7 5. The commissioner shall subsequently provide a report to the standards
8 and assessments process review committee summarizing the process
9 conducted under this subsection and the resulting recommendations. The
10 report shall include but not be limited to the timeline of the review
11 process, public feedback, and responses from the Interim Joint
12 Committee on Education.

13 6. After receiving the commissioner's report, the standards and assessments
14 process review committee shall either concur that stakeholders have had
15 adequate opportunity to provide input on standards and the
16 corresponding alignment of state assessments or find the input process
17 deficient. If the process is found deficient, the recommendations may be
18 returned to the appropriate standards and assessments review committee
19 for review as described in subparagraph 3. of this paragraph. If the
20 process is found sufficient, the recommendations shall be forwarded
21 without amendment to the Kentucky Board of Education.

22 (h) The Kentucky Board of Education shall promulgate administrative regulations
23 in accordance with KRS Chapter 13A as may be needed for the administration
24 of the review process, including staggering the timing and sequence of the
25 review process by subject area and remuneration of the review committees
26 and advisory panels described in paragraphs (c) and (d) of this subsection.

27 (i) 1. The Kentucky Board of Education shall consider for approval the

1 revisions to academic standards for a content area and the alignment of
2 the corresponding state assessment once recommendations are received
3 from the standards and assessments process review committee. Existing
4 state academic standards shall remain in place until the board approves
5 new standards.

6 2. Any revision to, or replacement of, the academic standards and
7 assessments as a result of the review process conducted under this
8 subsection shall be implemented in Kentucky public schools no later
9 than the second academic year following the review process. Existing
10 academic standards shall be used until new standards are implemented.

11 3. The Department of Education shall disseminate the academic content
12 standards to the schools and teacher preparation programs.

13 (j) The Department of Education shall provide or facilitate statewide training
14 sessions for existing teachers and administrators on how to:

- 15 1. Integrate the revised content standards into classroom instruction;
- 16 2. Better integrate performance assessment of students within their
17 instructional practices; and
- 18 3. Help all students use higher-order thinking and communication skills.

19 (k) The Education Professional Standards Board in cooperation with the
20 Kentucky Board of Education and the Council on Postsecondary Education
21 shall coordinate information and training sessions for faculty and staff in all of
22 the teacher preparation programs in the use of the revised academic content
23 standards. The Education Professional Standards Board shall ensure that each
24 teacher preparation program includes use of the academic standards in the
25 pre-service education programs and that all teacher interns will have
26 experience planning classroom instruction based on the revised standards.

27 (l) The Council on Postsecondary Education in cooperation with the Kentucky

1 Department of Education and the postsecondary education institutions in the
2 state shall coordinate information sessions regarding the academic content
3 standards for faculty who teach in the various content areas.

4 (3) (a) The Kentucky Board of Education shall be responsible for creating and
5 implementing a balanced statewide assessment program that measures the
6 students', schools', and districts' achievement of the goals set forth in KRS
7 158.645 and 158.6451, to ensure compliance with the federal Every Student
8 Succeeds Act of 2015, Pub. L. No. 114-95, or its successor, and to ensure
9 school accountability.

10 (b) The board shall revise the annual statewide assessment program as needed in
11 accordance with revised academic standards and corresponding assessment
12 alignment adjustments approved by the board under subsection (2) of this
13 section.

14 (c) The statewide assessments shall not include any academic standards not
15 approved by the board under subsection (2) of this section.

16 (d) The board shall seek the advice of the Office of Education Accountability; the
17 School Curriculum, Assessment, and Accountability Council; the Education
18 Assessment and Accountability Review Subcommittee, and the department's
19 technical advisory committee in the development of the assessment program.
20 The statewide assessment program shall not include measurement of a
21 student's ability to become a self-sufficient individual or to become a
22 responsible member of a family, work group, or community.

23 (4) (a) The academic components of the statewide assessment program shall be
24 composed of annual student summative tests, which may include a
25 combination of multiple competency-based assessment and performance
26 measures approved by the Kentucky Board of Education.

27 (b) The annual student summative tests shall:

- 1 1. Measure individual student achievement in language, reading, English,
2 mathematics, science, and social studies at designated grades;
- 3 2. Provide teachers and parents a valid and reliable comprehensive analysis
4 of skills mastered by individual students;
- 5 3. Provide diagnostic information that identifies strengths and academic
6 deficiencies of individual students in the content areas;
- 7 4. Provide information to teachers that can enable them to improve
8 instruction for current and future students;
- 9 5. Provide longitudinal profiles for students; and
- 10 6. Ensure school and district accountability for student achievement of the
11 goals set forth in KRS 158.645 and 158.6451, except the statewide
12 assessment program shall not include measurement of a student's ability
13 to become a self-sufficient individual or to become a responsible
14 member of a family, work group, or community.
- 15 (5) The state student assessments shall include the following components:
- 16 (a) Elementary and middle grades requirements are:
 - 17 1. A criterion-referenced test each in mathematics and reading in grades
18 three (3) through eight (8) that is valid and reliable for an individual
19 student and that measures the depth and breadth of Kentucky's academic
20 content standards;
 - 21 2. A criterion-referenced test each in science and social studies that is valid
22 and reliable for an individual student as necessary to measure the depth
23 and breadth of Kentucky's academic content standards to be
24 administered one (1) time within the elementary and middle grades,
25 respectively;
 - 26 3. An on-demand assessment of student writing to be administered one (1)
27 time within the elementary grades and one (1) time within the middle

1 grades; and

2 4. An editing and mechanics test relating to writing, using multiple choice
3 and constructed response items, to be administered one (1) time within
4 the elementary and the middle grades, respectively;

5 (b) High school requirements are:

6 1. A criterion-referenced test in mathematics, reading, and science that is
7 valid and reliable for an individual student and that measures the depth
8 and breadth of Kentucky's academic content standards to be
9 administered one (1) time within the high school grades;

10 2. A criterion-referenced test in social studies that is valid and reliable for
11 an individual student as necessary to measure the depth and breadth of
12 Kentucky's academic content standards to be administered one (1) time
13 within the high school grades;

14 3. An on-demand assessment of student writing to be administered one (1)
15 time within the high school grades;

16 4. An editing and mechanics test relating to writing, using multiple choice
17 and constructed response items, to be administered one (1) time within
18 the high school grades; and

19 5. A college admissions examination to assess English, reading,
20 mathematics, and science in the spring of grade eleven (11);

21 (c) The Kentucky Board of Education shall add any other component necessary
22 to comply with the Every Student Succeeds Act of 2015, Pub. L. No. 114-95,
23 or its successor, as determined by the United States Department of Education;

24 (d) The criterion-referenced components required in this subsection shall be
25 composed of constructed response items and multiple choice items;

26 (e) The Kentucky Board of Education may incorporate end-of-course
27 examinations into the assessment program to be used in lieu of requirements

1 for criterion-referenced tests required under paragraph (b) of this subsection;
2 and

3 (f) The results of the assessment program developed under this subsection shall
4 be used by schools and districts to determine appropriate instructional
5 modifications for all students in order for students to make continuous
6 progress, including that needed by advanced learners.

7 (6) Each school district shall administer the statewide student assessment during the
8 last fourteen (14) days of school in the district's instructional calendar. The
9 Kentucky Board of Education may change the testing window to allow for
10 innovative assessment systems or other online test administration and shall
11 promulgate administrative regulations that minimize the number of days of testing
12 and outline the procedures to be used during the testing process to ensure test
13 security, including procedures for testing makeup days, and to comply with federal
14 assessment requirements.

15 (7) A student enrolled in a district-operated or district-contracted alternative program
16 shall participate in the appropriate assessments required by this section.

17 (8) A local school district may select and use commercial interim or formative
18 assessments or develop and use its own formative assessments to provide data on
19 how well its students are growing toward mastery of Kentucky academic standards,
20 so long as the district's local school board develops a policy minimizing the
21 reduction in instructional time related to the administration of the interim
22 assessments. Nothing in this section precludes teachers from using ongoing teacher-
23 developed formative processes.

24 (9) Each school that enrolls primary students shall use diagnostic assessments and
25 prompts that measure readiness in reading and mathematics for its primary students
26 as determined by the school to be developmentally appropriate. The schools may
27 use commercial products, use products and procedures developed by the district, or

1 develop their own diagnostic procedures. The results shall be used to inform the
2 teachers and parents or guardians of each student's skill level.

3 (10) The state board shall ensure that a technically sound longitudinal comparison of the
4 assessment results for the same students shall be made available.

5 (11) The following provisions shall apply to the college admissions examination
6 described in subsection (5)(b)5. of this section:

7 (a) The cost of the college admissions examination administered to students in
8 high school shall be paid for by the Kentucky Department of Education. The
9 costs of additional college admissions examinations shall be the responsibility
10 of the student;

11 (b) If funds are available, the Kentucky Department of Education shall provide a
12 college admissions examination preparation program to all public high school
13 juniors. The department may contract for necessary services; and

14 (c) Accommodations provided to a student with a disability taking the college
15 admissions assessment under this subsection shall consist of:

16 1. Accommodations provided in a manner allowed by the college
17 admissions assessment provider when results in test scores are
18 reportable to a postsecondary institution for admissions and placement
19 purposes, except as provided in subparagraph 2. of this paragraph; or

20 2. Accommodations provided in a manner allowed by a student's
21 individualized education program as defined in KRS 158.281 for a
22 student whose disability precludes valid assessment of his or her
23 academic abilities using the accommodations provided under
24 subparagraph 1. of this paragraph when the student's scores are not
25 reportable to a postsecondary institution for admissions and placement
26 purposes.

27 (12) Kentucky teachers shall have a significant role in providing feedback about the

1 design of the assessments, except for the college admissions exam described in
2 subsection (5)(b)5. of this section. The assessments shall be designed to:

- 3 (a) Measure grade appropriate core academic content, basic skills, and higher-
4 order thinking skills and their application;
- 5 (b) Provide valid and reliable scores for schools. If scores are reported for
6 students individually, they shall be valid and reliable;
- 7 (c) Minimize the time spent by teachers and students on assessment; and
- 8 (d) Assess Kentucky academic standards only.

9 (13) The results from assessment under subsections (3) and (5) of this section shall be
10 reported to the school districts and schools no later than seventy-five (75) days
11 following the last day the assessment can be administered. Assessment reports
12 provided to the school districts and schools shall include an electronic copy of an
13 operational subset of test items from each assessment administered to their students
14 and the results for each of those test items by student and by school.

15 (14) The Department of Education shall gather information to establish the validity of
16 the assessment and accountability program. It shall develop a biennial plan for
17 validation studies that shall include but not be limited to the consistency of student
18 results across multiple measures, the congruence of school scores with documented
19 improvements in instructional practice and the school learning environment, and the
20 potential for all scores to yield fair, consistent, and accurate student performance
21 level and school accountability decisions. Validation activities shall take place in a
22 timely manner and shall include a review of the accuracy of scores assigned to
23 students and schools, as well as of the testing materials. The plan shall be submitted
24 to the Commission by July 1 of the first year of each biennium. A summary of the
25 findings shall be submitted to the Legislative Research Commission by September
26 1 of the second year of the biennium.

27 (15) The Department of Education and the state board shall offer optional assistance to

1 local school districts and schools in developing and using continuous assessment
2 strategies needed to ensure student progress. The continuous assessment shall
3 provide diagnostic information to improve instruction to meet the needs of
4 individual students.

5 (16) The Administration Code for Kentucky's Assessment Program shall include
6 prohibitions of inappropriate test preparation activities by school district employees
7 charged with test administration and oversight, including but not limited to the issue
8 of teachers being required to do test practice in lieu of regular classroom instruction
9 and test practice outside the normal work day. The code shall include disciplinary
10 sanctions that may be taken toward a school or individuals.

11 (17) The Kentucky Board of Education, after the Department of Education has received
12 advice from the Office of Education Accountability; the School Curriculum,
13 Assessment, and Accountability Council; and the department's technical advisory
14 committee, shall promulgate an administrative regulation under KRS Chapter 13A
15 to establish the components of a reporting structure for assessments administered
16 under this section. The reporting structure shall include the following components:

17 (a) A school report card that clearly communicates with parents and the public
18 about school performance. The school report card shall be sent to the parents
19 of the students of the districts, and information on electronic access to a
20 summary of the results for the district shall be published in the newspaper
21 with the largest circulation in the county. It shall include but not be limited to
22 the following components reported by race, gender, and disability when
23 appropriate:

- 24 1. Student academic achievement, including the results from each of the
25 assessments administered under this section;
- 26 2. For Advanced Placement, Cambridge Advanced International, and
27 International Baccalaureate, the courses offered, the number of students

- 1 enrolled, completing, and taking the examination for each course, and
2 the percentage of examinees receiving a score of three (3) or better on
3 AP examinations, a score of "e" or better on Cambridge Advanced
4 International examinations, or a score of four (4) or better on IB
5 examinations. The data shall be disaggregated by gender, race, students
6 with disabilities, and economic status;
- 7 3. Nonacademic achievement, including the school's attendance, retention,
8 graduation rates, and student transition to postsecondary;
- 9 4. School learning environment, including measures of parental
10 involvement; and
- 11 5. Any other school performance data required by the Every Student
12 Succeeds Act of 2015, Pub. L. No. 114-95, or its successor;
- 13 (b) An individual student report to parents for each student in grades three (3)
14 through eight (8) summarizing the student's skills in reading, science, social
15 studies, and mathematics. The school's staff shall develop a plan for
16 accelerated learning for any student with identified deficiencies or strengths;
17 and
- 18 (c) A student's score on the college admissions assessment administered under
19 subsection (5)(b)5. of this section.
- 20 (18) (a) Beginning in fiscal year 2017-2018, and every six (6) years thereafter, the
21 Kentucky Department of Education shall implement a comprehensive process
22 for reviewing and revising the academic standards in visual and performing
23 arts and practical living skills and career studies for all levels and in foreign
24 language for middle and high schools. The department shall develop review
25 committees for the standards for each of the content areas that include
26 representation from certified specialist public school teachers and
27 postsecondary teachers in those subject areas.

- 1 (b) The academic standards in practical living skills for elementary, middle, and
2 high school levels shall include a focus on drug abuse prevention, with an
3 emphasis on the prescription drug epidemic and the connection between
4 prescription opioid abuse and addiction to other drugs, such as heroin and
5 synthetic drugs.
- 6 (c) The department shall provide to all schools guidelines for programs that
7 incorporate the adopted academic standards in visual and performing arts and
8 practical living and career studies. The department shall provide to middle and
9 high schools guidelines for including a foreign language program. The
10 guidelines shall address program length and time, courses offered, staffing,
11 resources, and facilities.
- 12 (d) The Kentucky Department of Education, in consultation with certified public
13 school teachers of visual and performing arts, may develop program standards
14 for the visual and performing arts.
- 15 (19) The Kentucky Department of Education shall provide to all school districts
16 guidelines for including an effective writing program within the curriculum.
- 17 (20) (a) The Kentucky Department of Education, in consultation with the review
18 committees described in subsection (18) of this section, shall develop a school
19 profile report to be used by all schools to document how they will address the
20 adopted academic standards in their implementation of the programs as
21 described in subsection (18) of this section, which may include student
22 opportunities and experiences in extracurricular activities. The department
23 shall include the essential workplace ethics program on the school profile
24 report.
- 25 (b) By October 1 of each year, each school principal shall complete the school
26 profile report, which shall be signed by the members of the school council, or
27 the principal if no school council exists, and the superintendent. The report

1 shall be electronically transmitted to the Kentucky Department of Education,
2 and the original shall be maintained on file at the local board office and made
3 available to the public upon request. The department shall include a link to
4 each school's profile report on its Web site.

5 (c) If a school staff member, student, or a student's parent has concerns regarding
6 deficiencies in a school's implementation of the programs described in
7 subsection (18) of this section, he or she may submit a written inquiry to the
8 school council.