



## **Comments on Kentucky's Every Students Succeeds Act Draft State Plan**

8/16/17 draft of ESSA state plan

<https://education.ky.gov/comm/Documents/Master%20ESEA%20Template%20m%208%2016%2017%20with%20letter%20for%20public%20review1.pdf>

KY is violating the ESSA statute by not providing at least 30 days for public comment. They are closing public comments **on September 5**. The plan is due for submission to the US Department of Education by September 18, but waiting this long to release the draft and then giving public comment short shrift is inexcusable. **Comments should be sent to [KyEdListens@education.ky.gov](mailto:KyEdListens@education.ky.gov).**

### **Goals**

KY is using 2030 as its goal date, beginning with 2019— 12 years (the entire school career of most students) is a very long period for a long-term goal. They are also aiming to close the achievement gap for each subgroup by 50%, which means the gap gets smaller but the furthest behind will still be very far behind in 12 years.

### **Graduation rate**

KY says it will be counting students who take alternate assessments and earn an alternate diploma in the graduation rate. This is only permissible if the alternate diploma meets the requirements in ESSA:  
This diploma must be standards-based, aligned with the state requirements for the regular high school diploma, and obtained within the time period for which the state ensures the availability of a free appropriate public education.

**Indicators:** It is not clear whether the indicators, which are used to determine the school rating and whether the school needs targeted or comprehensive support and improvement, are tied to the goals and whether subgroup performance are factored in.

**Summative rating:** KY proposes to get rid of summative rating for schools that compare them to each other. A summative rating was required in the federal accountability regulations that were repealed in March 2017. The rationale in support of summative ratings is that a single score or rating for each school, compiled based on the data, helps families understand where their school fits in the

system and which are the lowest performing. It's very unclear how much subgroup performance will weigh in the overall system that KY proposes.

**Subgroups/N size:** On page 40 the N size is described as 10 students per grade/subject area, which equals an N size of 30 for schools like ES and MS where 3 grades are tested. The chart KY provides on page 41 of the plan looks like it was done with an N size of 10 for a school, not 10 for a grade because many more schools would be excluded from accountability for the disability subgroup if it represented 10 per grade--- unless almost all schools in KY have more than 30 students with disabilities in the assessed grades combined. That would be highly unusual compared to data in other states. It is important to determine the true N size KY will be using (at the school level) in order to understand the data on school exclusion. This information is critical because it determines the schools that will be subject to targeted support and improvement.

Also, KY wants to use a non-duplicated consolidated student group (a super subgroup, which hides how individual groups are doing) that would include student groups whose populations are too small to otherwise be reported and included in school rating. The performance of this group would provide little information that could help improve performance since so many groups are aggregated together. KY wouldn't need to combine subgroups if they lower their N size, preferably to 10 at the school level.

**Participation Rate Requirement:** An administrative rule is described which will impact how students who do not take the assessments (and do not have an exemption) will be calculated in the achievement measurement (they get the lowest score but what is that score?). Also, how big a loophole will be created by the exemption process? Their description of students whose physical, mental or emotional wellbeing might be jeopardized by taking the assessment is very subjective and easily subject to abuse. In addition to an impact on the achievement measure, ESSA requires states to factor a school's failure to meet the participation rate rule into the annual meaningful differentiation of schools process (used to determine which schools get targeted or comprehensive support and improvement). KY does not seem to do that. Consequences for schools that fail to assess at least 95% of all students, and each subgroup, are important to prevent many SwDs from being left out of the assessments.

### **Targeted support or improvement**

Defines consistently underperforming subgroups as one or more student groups performing as poorly as all students in any of the lowest performing 10% of Title I schools or non-Title I schools for two consecutive years. This is a very low standard. We recommend that the definition be any subgroup that is not meeting or on track to meet state long-term goals or interim measures of progress for two years.

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