Legislative Research Commission

Performance-Based Credit In Kentucky

Research Report No. 398

Prepared By

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Foreword

In December 2012, the Education Assessment and Accountability Review Subcommittee approved the 2013 research agenda for the Office of Education Accountability, which included this study of performance-based credit in Kentucky.

Staff would like to thank the students, teachers, and administrators who answered questions and allowed staff to observe performance-based learning and other innovative approaches. Staff would also like to thank the Kentucky Department of Education for program information and data.

Marcia Ford Seiler
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Frankfort, Kentucky
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Summary

This report reviews Kentucky practices regarding performance-based credit, which is academic credit earned as soon as a student demonstrates specified knowledge and skills, regardless of the amount of instructional time required for the student to learn. This option contrasts with the usual, long-standing practice in Kentucky high schools of awarding one academic credit for each 120 instructional hours spent in a classroom—often called a Carnegie unit or "seat time."

Performance-based learning is used for a variety of purposes, ranging from dropout prevention programs in which struggling students recover credits for failed courses to acceleration programs in which gifted students rapidly complete high school requirements and then earn college credits while still in high school. Policy makers hope that performance-based approaches will provide more engaging and relevant activities for all types of students. The approaches often make use of online and software-based courses and are especially well suited to fields that have easily identifiable skill sets, such as vocational education.

Although permitted in Kentucky since 2006, performance-based credit appears to be relatively rare. In 2013, data from the student information system showed 1 percent of courses marked performance-based and 1 percent of students receiving final grades in such courses. However, inconsistent definitions and data inaccuracies make it difficult to determine the precise magnitude and nature of performance-based credit practices in Kentucky.

Compared to time-based courses, courses marked as performance-based in Kentucky's student information system had proportionately

- less teacher-led instruction and more technology-led instruction;
- fewer high school classroom settings and more online and college settings;
- higher enrollments of high school students, females, and gifted and talented students;
- lower enrollments of English learners and special education students; and
- similar enrollments of students who were eligible for subsidized lunches or homeless.

Educators in Kentucky and other states who have experience with performance-based approaches perceive a number of benefits, including enhanced student engagement, parental involvement, and dropout prevention, as well as an earlier start on college-level and career learning. Indeed, when Office of Education Accountability (OEA) staff observed performance-based learning, students expressed excitement about working at their own pace and striving to accomplish as much as their abilities would allow. Some teachers in those classrooms also expressed excitement about the opportunity to try innovative approaches.

On the other hand, some educators face challenges. Initial development and implementation is time-consuming, student information systems are not suited to all needs, and some students and teachers find it difficult to adapt their learning and teaching styles to performance-based approaches. There is some confusion about the definition, rules of implementation, attendance calculations, and funding impact of performance-based credit.

With the data currently available, it is difficult to determine how widespread these perceived challenges and benefits are. More could be learned about performance-based credit if data quality and quantity could be improved. With more consistent definitions and more accurate data, Kentucky could better monitor performance-based credit practices and outcomes and could ensure that attendance rates and funding allocations are correctly calculated.

Recommendations

Because a clear definition of performance-based credit is necessary for correct implementation and monitoring of outcomes, KDE should provide clear definitions and implementation rules and should distribute these widely within KDE, districts, and schools. Care should be taken to consider the impact of definitions and implementation rules on factors such as tracking, funding, and attendance

Recommendation 1
Through regulation and other written guidance, the Kentucky Board of Education and Kentucky Department of Education should provide clear, consistent definitions and implementation rules for performance-based credit, taking into consideration the impact on funding and other key factors.

While the student information system has the capability to indicate which courses award performance-based credit, OEA found that districts are not consistent in the way they use the indicator and related data points about attendance, teaching method, and instructional setting. KDE should provide more guidance to districts to ensure that the indicator and related data points have a uniform meaning across districts.

Recommendation 2
The Kentucky Department of Education should provide more guidance to districts regarding how and when to use the performance-based indicator and related data points in the student information system.

Performance-Based Credit

Background

In 2006, Kentucky school districts were given the option to award performance-based credit, which is earned as soon as a student demonstrates specified knowledge and skills, regardless of instructional time. In contrast, the usual practice is to award one credit for each 120 hours of classroom instruction.

Education policy makers have long expressed concern that traditional approaches to teaching and learning do not meet the needs of all students; for example, some students might be more successful if they were allowed to master content at their own pace. In 2006, the Kentucky Board of Education gave school districts the option to award performance-based credit, which is academic credit earned as soon as a student demonstrates specified knowledge and skills, regardless of the amount of instructional time required for the student to learn.[1] This approach is a departure from the usual, long-standing practice in Kentucky high schools of awarding one academic credit for each 120 instructional hours spent in a classroom—often called a Carnegie unit or "seat time."[2]

Uses of performance-based learning range from dropout prevention and credit recovery programs for struggling students to acceleration programs for gifted students. The approach is also meant to provide engaging and relevant activities.

In practice, performance-based learning may be used for a variety of purposes, ranging from dropout prevention programs in which struggling students recover credits for failed courses to acceleration programs in which gifted students rapidly complete high school requirements and then earn college credits while still in high school. Policy makers hope that performance-based approaches will provide more engaging and relevant activities for all types of students.[3]

Interest has been spurred by education technology and encouragement from the US Department of Education and the Kentucky Department of Education.

Interest in performance-based learning has been growing with the increased availability of technologies for personalizing, customizing, and delivering learning opportunities in any location, at any time. In addition, the US Department of Education and the Kentucky Department of Education are encouraging educators to try innovative approaches for personalizing learning.[4]

Many instructional methods and settings can be adapted to performance-based learning. Often, multiple methods are combined. In Kentucky, many performance-based courses are primarily computer-based. Some are teacher-led and classroom-based. Other methods include portfolios, projects, internships, community volunteer work, artistic or sports performances, or passing a test.

Almost any instructional method and setting used for time-based learning can be adapted to performance-based learning. Often, multiple methods are combined.

- In practice, Kentucky's performance-based credit courses are often computer-based, using self-paced online websites or software programs installed on desktop computers. Examples of these are Barren County's Barren Academy of Virtual and Expanded Learning and Jefferson County's JCPSeSchool.
- Some performance-based courses entail direct instruction—that is, they are teacher-led and classroom-based. Students may use class time primarily for working individually or in small

groups at their own pace, with teachers coaching and supervising.
- Other methods that can be used for performance-based learning include portfolios, projects, internships, community volunteer work, artistic or sports performances, or simply passing a test.

About This Study

Authorization

In December 2012, the Education Assessment and Accountability Review Subcommittee approved the 2013 research agenda for the Office of Education Accountability (OEA), which included this study of performance-based credit.

Objectives

The overall objective of this study was to determine how performance-based credit and related approaches are being used in Kentucky. Specifically, to the extent that data were available, staff sought to determine
- the defining characteristics and implementation rules;
- the number of performance-based credit offerings and number of students receiving credits;
- the impact on funding;
- subjects, settings, and learning approaches;
- types of schools and students; and
- challenges or obstacles, such as policies, staffing, data systems, technology, and curriculum.

Methodology

This study entailed literature reviews; reviews of statutes, regulations, and policies; interviews with Kentucky educators and administrators at the state, district, and school level; analysis of data from Kentucky's student information system; and observations in 10 schools.

Study methods included reviews of the national policy and research literature; reviews of statutes, regulations, and policies; in-person and phone interviews with Kentucky educators and administrators at the state, district, and school level; analysis of course and student data from Kentucky's student information system; and observations of students engaged in performance-based learning and other innovative learning approaches in 10 schools.

Data

Some information about performance-based credit courses is collected and stored in Kentucky's student information system—sometimes called KSIS but usually referred to by the name of its vendor, Infinite Campus or IC.[a] District and school personnel enter data into the system, which is stored on servers that can also be accessed by the Kentucky Department of Education (KDE).

Estimates of Kentucky performance-based practices based on course data should be considered approximate. A systematic audit of course data has not been conducted and may not be feasible for this sizable data set; in 2013 alone, the system contained more than 10 million student-course combinations.

Limitations. Estimates of Kentucky performance-based practices based on course data should be considered approximate. No data system is perfectly accurate. Given the size and complexity of Kentucky's student information system, as well as the many duties of district and school personnel who enter data into the system, it is not surprising that data audits usually find some inaccuracies.

Data points pertaining to courses have not been systematically audited and verified, in part because it would be time-consuming and costly to do so. For 2013 alone, the student information system contains more than 100,000 course records and far more than 10 million student-course records (one record for each course that each student took).

The Kentucky Department of Education (KDE) asked districts to review their own course data for the 2013 school year, but not all inaccuracies were corrected. The Office of Education Accountability (OEA) found some instances of performance-based courses coded as time-based and some credit recovery tracked on paper and never recorded in the student information system.

KDE has asked districts to review their own course data, but not all inaccuracies have been corrected. During the 2013 school year, changes to the student information system prompted KDE to provide additional training and announcements. Districts and schools were asked to review 2013 course data and correct inaccuracies by the end of the school year. In interviews with OEA staff, districts reported that they had made some efforts to review and correct course data. Nevertheless, at least some inaccuracies remain. While making inquiries regarding some apparent anomalies in the 2013 course data provided to OEA, staff found some courses that were performance-based but never coded as such. Interviews with school personnel also revealed some instances of credit recovery courses being tracked on paper and never recorded in the student information system. Estimating the full extent of such issues would require an extensive audit.

Although not all course codes were corrected, KDE's additional training and reminders are likely to have led to better data accuracy for the 2013 school year than for previous years. For this reason, OEA analyzed data only for 2013.[b]

[a] The other major repository for Kentucky's P-12 data is Munis, the financial management and payroll system.
[b] In this report, the school year is referred to by the ending year.

Key Findings And Recommendations Of This Study

Key findings of this study:
- Apparently low usage of performance-based approaches
- Perceived benefits including enhanced student engagement, dropout prevention, college and career readiness, and parental involvement
- Perceived obstacles including time-consuming development and implementation, incompatibility of some student information system features, some struggles in adapting learning and teaching styles, and some confusion about how to define performance-based credit and how it impacts funding
- Data quality issues that sometimes impact attendance rates and impede the monitoring of performance-based practices and outcomes.

- Although permitted in Kentucky since 2006, performance-based credit still appears to be relatively rare. In 2013 data from the student information system, about 1 percent of courses were marked performance-based, and about 1 percent of students received final grades in these courses.
- Educators in Kentucky and other states who are experienced with performance-based approaches perceive a number of benefits, including enhanced student engagement, dropout prevention, college and career readiness, and parental involvement. Indeed, when OEA staff observed performance-based learning, students expressed excitement about working at their own pace and striving to accomplish as much as their abilities would allow.
- On the other hand, these same experienced educators reported a number of challenges. Initial development and implementation is time-consuming, some student information system features are not suited to all needs, and some students and teachers find it difficult to adapt their learning and teaching styles to performance-based approaches. Some Kentucky educators expressed confusion about the definition, rules of implementation, attendance calculations, and funding impact of performance-based credit.
- It is difficult to determine how widespread these perceptions of challenges and benefits are with the data currently available. More could be learned if data quality could be improved. Some inconsistent definitions and data inaccuracies make it difficult to monitor performance-based credit practices and outcomes, and these problems might cause attendance rates and funding allocations to be incorrectly calculated.

To ensure correct implementation and monitoring of outcomes, KDE should provide clear definitions and implementation rules for performance-based credit, and distribute these widely within KDE, districts, and schools. Care should be taken to consider the impact of definitions and implementation rules on factors such as tracking, funding, and attendance.

Recommendation 1

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Through regulation and other written guidance, the Kentucky Board of Education and Kentucky Department of Education should provide clear, consistent definitions and implementation rules for performance-based credit, taking into consideration the impact on funding and other key factors.

While the student information system has the capability to indicate which courses award performance-based credit, OEA found that districts are not consistent in the way they use the indicator and related data points about attendance, teaching method, and instructional setting. KDE should provide more guidance to districts, to ensure that the indicator and related data points have a uniform meaning across districts.

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The Kentucky Department of Education should provide more guidance to districts regarding how and when to use the performance-based indicator and related data points in the student information system.

Definitions

In order to promote a common understanding among educators and ensure that practices are in keeping with legislative intent, statutes and regulations provide definitions, limitations, and other guidelines. Though not mentioned in statutes, performance-based and competency-based approaches are addressed in administrative regulations. These regulations are summarized in this section; for full text of the regulations, see Appendix C.

Implied Definition In Regulation

Performance-based credit is not defined explicitly in statutes or regulations, but the definition is implied in one regulation.

Performance-based credit is not defined explicitly, but the definition is implied in 704 KAR 3:305, the Kentucky administrative regulation that stipulates minimum requirements for high school graduation.[c] Section 4(2) directs boards of education to award credit toward high school graduation based on either a Carnegie unit consisting of at least 120 hours of instructional time or a performance-based credit "regardless of instructional hours." This implies that the defining characteristic of performance-based

[c] Statutes and regulations are silent regarding performance-based credit for fulfilling elementary and middle school requirements.

credit is time flexibility; a student can earn a credit without completing a full academic year or term.

Additional Definitions In Practice

In practice, the "performance-based" indicator is sometimes used even if instructional time is not flexible, simply because attendance is difficult to verify. One example of this is dual-credit courses, which students may take at a college or vocational school.

In practice, the "performance-based" label is sometimes used even if instructional time is not flexible. In particular, some courses are coded as performance-based simply because they take place outside a high school classroom, making attendance difficult to verify. For example, even though most dual-credit courses (those offering college or vocational school credit as well as high school credit) are time-based, some districts have coded all such courses as performance-based, following guidance from one unit at KDE.[d] This guideline was not in regulations or written data standards. As a consequence, it was inconsistently implemented, with some districts coding all dual-credit courses as performance-based regardless of their true nature, while other districts coded dual-credit courses as time-based or virtual.

A Special Type Of Performance-Based Learning: Competency-Based

A special type of performance-based learning called competency-based is a focus of some federal and not-for-profit grants recently awarded in Kentucky.

A special type of performance-based learning called competency-based—also called personalized learning—is important to consider because it is a focus of some federal and not-for-profit grants recently awarded in Kentucky. In 2012, KDE received a grant from the National Governors Association to explore competency-based learning.[5] Also in 2012, Kentucky's Green River Regional Educational Cooperative was one of 16 winners of a federal Race to the Top grant competition that required accelerated and personalized learning.[6] The 2013 Race to the Top competition will make personalized learning a priority and require grantees to move toward competency-based learning.[7]

Although competency-based is often used as a synonym for performance-based, its definition is evolving in Kentucky.

As in many other places, educators in Kentucky have often used the terms competency-based and performance-based synonymously.[8] However, the definition is evolving. In 2013, the Kentucky Board of Education approved a regulation (701 KAR 5:140) that defines competency-based learning as

> a framework for the awarding of credit to students upon mastery of Kentucky's Core Academic Standards in

[d] KDE's guideline seems to have originated several years ago, when most dual-credit courses were taught at a college campus, making it difficult for high schools to verify a student's attendance. However, in 2013, many dual-credit courses were offered in high school classrooms, where attendance could be verified.

> 704 KAR 3:303 or upon mastery of any additional competencies which shall also include explicit, measurable, transferable learning objectives that empower students and that include application and creation of knowledge along with the development of important skills and dispositions.

To some, competency-based learning encompasses more than performance-based learning. A January 2013 report issued by KDE said that competency-based learning is an alternative term for performance-based learning, but the report went on to define competency-based as a special type of performance-based learning, having the following characteristics:

- Students advance upon mastery.
- Competencies include explicit, measurable, transferable learning objectives that empower students.
- Assessment is meaningful and a positive learning experience for students.
- Students receive timely, differentiated support based on their individual learning needs.
- Learning outcomes emphasize competencies that include application and creation of knowledge, along with the development of important skills and dispositions.[9]

Objectives of Time Flexibility In Awarding Credit

Kentucky introduced performance-based credit as a secondary education reform measure to reduce dropouts and accelerate learning. Competency-based learning is associated with efforts to encourage innovative methods for engaging and motivating students and increasing the numbers who are college and career ready.

Performance-based credit was introduced in Kentucky as part of a secondary education reform initiative whose goals range from preventing at-risk students from dropping out to allowing advanced students to complete high school requirements early and begin earning postsecondary credits.[10]

Competency-based learning is associated with Kentucky's efforts to encourage innovative methods for engaging and motivating students and increasing the numbers who are college and career ready. Districts may apply for exemption from certain regulations, statutory provisions, and board policies that they believe are obstacles to the innovations they want to introduce. If the application is accepted, the district becomes a "district of innovation." When a district is granted "district of innovation" status, one condition is that it must develop plans for offering competency-based learning.[11]

In 2013, KDE granted district of innovation status to four districts that applied: Danville Independent, Eminence Independent, Jefferson County, and Taylor County. Twelve other districts that

applied but were not granted district of innovation status were: Cloverport Independent, Fayette County, Gallatin County, Jackson Independent, Jessamine County, Kenton County, McCracken County, Montgomery County, Owensboro Independent, Owsley County, Trigg County, and Woodford County.[12]

Methods For Earning Performance-Based Credit

Performance-based learning is not confined to a specific teaching method; any method can be used.

Performance-based learning is not confined to a specific teaching method or set of methods; any method used for time-based learning can be adapted to performance-based learning. The performance-based learning observed by staff in selected schools included teacher-led classrooms, online courses taken by students sitting in classrooms, online courses taken by home-based students, and hybrid "blended" courses that combined teacher-led and technology-led learning.

The regulation that permits performance-based high school credits lists several methods for earning credits. In addition, credit may be earned in other ways, such as by passing an Advanced Placement exam.

704 KAR 3:305(5) lists a wide variety of methods by which students may earn performance-based credit toward high school graduation[e]:

- course work that constitutes satisfactory demonstration of learning in any high school course;
- course work that constitutes satisfactory demonstration of learning for a course the student previously failed [often called "credit recovery" in Kentucky];
- portfolios, senior year or capstone projects;
- online or other technology-mediated courses;
- dual-credit or other equivalency courses; or
- internship, cooperative learning experience, or other supervised experience in the school or the community.

All of the above methods could be used in either performance-based or time-based courses.

In practice, the above methods are not the only ways in which credits are awarded on the basis of student performance instead of instruction time. For example, if a student passes an Advanced Placement exam, KRS 158.622(3)(b) requires the school to award credit toward high school graduation in the subject of the exam. In most cases, this would happen anyway because most students take a traditional course before taking an exam, but taking a course is not required.

[e] Appendix A provides more detailed explanations of the methods mentioned in 704 KAR 3:305(5).

In practice, performance-based credits are also earned through embedded courses, extracurricular activities, and tests.

Interviews with KDE and selected districts found additional ways in which performance-based credits are awarded. One approach is "embedded" credit, which allows students to meet requirements for one content area while taking courses in other content areas. For example, rather than have students take an arts and humanities course, a district may embed Kentucky's required arts and humanities standards in several other required courses, such as geography, history, and language arts courses. When the student successfully earns credits for those courses, the student is assumed to have met arts and humanities standards and is given an arts and humanities credit.

Some districts occasionally award performance-based credits for extracurricular activities. For example, students who are active in extracurricular team sports may be awarded a physical education credit without taking a course. An arts and humanities credit may be awarded to a concert musician and a world language credit may be awarded to a bilingual immigrant. According to the anecdotes reported to OEA, each credit is decided on an individual basis, taking into account each student's unique circumstances, and the student is required to provide proof of participation in a defined number of extracurricular events.

Some districts allow students to "test out" of a course by passing an exam. Pineville Independent, Somerset Independent, and Taylor County have written policies that permit this.

Attendance and Funding

Attendance is a key determinant of the amount of state funds each district receives.

Attendance is a key input to the Support Education Excellence in Kentucky (SEEK) calculation that allocates state funds to each district. The formula for SEEK is complex, taking into account the number and types of students attending each district, transportation costs, tax rates, and property assessments. The calculation is based in part on each district's end-of-year average daily attendance (ADA) recorded during the previous school year.[f] In addition, a "growth factor" adjustment increases the allocation if a district's

[f] KRS 157.320(1) defines average daily attendance (ADA) as "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 (5) days with the lowest attendance have been deducted." Districts report ADA to the Kentucky Department of Education by June 30 of each year on the Superintendent's Annual Attendance Report.

ADA recorded in the first 2 months of the current year is greater than that recorded at the same time the previous year.[g]

Because students do not necessarily physically attend performance-based courses, attendance is not counted until a final grade is entered into the system. Students who pass performance-based courses are counted as having 100 percent attendance, while those who failed are counted as having 0 percent attendance.

Because students do not necessarily physically attend performance-based and virtual courses, attendance of these courses is defined a different way than attendance of traditional time-based courses.

- For time-based courses, the student information system assumes the student was present unless an unexcused absence is recorded. Absences are recorded once a day in elementary school and once each class period in middle and high schools. The number of students who are physically present is divided by the total count of students to get an attendance rate.
- In contrast, according to 702 KAR 7:125(4)(g), a student's attendance of a performance-based course should be counted only when a final grade is entered into the student information system for that student.[13] At that time, attendance is counted as 100 percent if the student passed the course or 0 percent if the student failed. Attendance of virtual courses is treated in the same way as performance-based courses.

Data Used For Attendance And Funding Allocations

Understanding the impact of performance-based credit on district funding allocations requires a close look at some of the data points that go into the SEEK calculations.

In Kentucky's student information system, performance-based learning can be indicated only for an entire course, so if a student wants to take an existing course on a performance basis, a new course must be set up.

Courses. Measuring student attendance starts with enrolling students in courses. In Kentucky's student information system, the data point indicating performance-based learning can be attached only to an entire course, not to an individual student. If a student wants to take an existing course on a performance basis, a new course must be set up in the system for that student.[h]

A new course is assumed to be time-based unless the person setting up the course remembers to select "performance" or "virtual." If a course is both performance-based and virtual, the person setting up the course must decide which to select; this decision is not made in a consistent manner across all districts.

When a new course is entered, it is assumed to be time-based by default, as indicated by a blank in the "Type" field.[i] To override this default, the person setting up the course must click the drop-down box labeled "Type" and choose either "performance" or "virtual." Some school and district personnel said it is confusing to have a blank represent the default (neither performance-based nor virtual); if they were to forget this, they might believe that there

[g] The allocation is not adjusted downward if the first 2 months' ADA is lower than that of the previous year.
[h] Appendix B of this report provides data standards for setting up courses.
[i] A default is a selection automatically used by a computer program in the absence of a choice made by the user.

are only two valid choices—performance or virtual. In addition, if a course is both virtual and performance-based, each person who enters data is left to decide which to choose, leading to inconsistencies in the data. For example, courses that use the digital provider called JCPSeSchool are coded as performance-based in some districts but virtual in other districts, including Jefferson County, which is the district that provides JCPSeSchool.

Attendance is time-based unless the person setting up the course remembers to uncheck a box marked "Attendance." This was not done for 32 percent of courses marked performance-based. For those courses, unless absences are recorded, attendance will be assumed to be 100 percent whether students passed or failed.

Attendance. When a new course is set up, the system automatically checks a box labeled "Attendance" so that students enrolled in the course are included in the traditional time-based attendance count. For performance-based and virtual courses, this default must be overridden. In keeping with Kentucky regulations, KDE's training and written data standards tell district and school personnel to uncheck the attendance box for performance-based and virtual courses so that students' attendance of the courses will not be counted until final grades are entered.[j]

However, OEA staff found that the attendance box is not always unchecked when it should be; the box was checked for 32 percent of courses marked performance-based and 11 percent of courses marked virtual. For those courses, attendance will not be calculated in keeping with regulation; unless absences are recorded, students will be assumed to have 100 percent attendance whether they passed or failed the course.

Performance-Based Practices In Kentucky

District And School Policies

Districts with performance-based credit systems must have policies regarding development and amendment of the systems; performance descriptors, assessments, and other conditions for granting credits; grading and reporting procedures; content standards; use of state assessments; guidelines for demonstrating proficiency and earning credit for out-of-school and prior learning; and criteria to ensure the quality of work-, community-, and school-based learning experiences.

Policies Required By Regulation. 704 KAR 3:305 Section 4(4) requires districts choosing to implement performance-based credit systems for high school credit to establish policies regarding

- procedures for developing and amending the systems;
- conditions under which schools may grant credits, including performance descriptors and assessments;
- objective grading and reporting procedures;
- content standards in 704 KAR 3:303 and 703 KAR 4:060;
- the extent to which state assessments will be used;
- the ability for students to demonstrate proficiency and earn credit for learning acquired outside of school or prior learning; and

[j] Ideally, the system would automatically uncheck attendance for performance-based and virtual courses, but according to KDE, the system is designed for many states, and it is not feasible to customize it to Kentucky's unique needs.

- criteria to ensure that internships, cooperative learning, and other learning experiences in the school and community are
  - designed to further student progress towards the individual learning plan;
  - supervised by qualified instructors; and
  - aligned with state and local content and performance standards.

Of the 168 districts offering high school courses in 2013, 111 (65 percent) had a written policy that permits performance-based credit. However, not all actually offered such courses.

District Policies In Place. Staff reviewed written policies of the 168 districts that offered high school courses in 2013 and found that 111 (65 percent) make some mention of performance-based credit in one or more written policy documents. Of course, having a written policy in place does not mean that a district actually awards performance-based credit; it only makes the option available if a school should wish to request it. The next section discusses actual implementation of performance-based credit in 2013, based on data from the student information system.

Most districts' performance-based credit policies closely mirror a model curriculum document created by the Kentucky School Boards Association, which gives each school-based decision-making council most of the responsibility for designing performance-based courses.

Most districts' performance-based credit policies closely mirror a model document created by the Kentucky School Boards Association (see Appendix D). According to this policy, performance-based credits are accepted by the local school board only if previously approved by the high school's school-based decision-making council (SBDM). The policy requires the SBDM to determine the appropriateness of content and courses for performance-based credit, including what information must be submitted for this determination. Required information may include but is not limited to the following:

- A description of the proposed course
- Proposed assessment method(s) (e.g., performance tasks, open-response questions, descriptions of expected products)
- How proficiency will be determined
- Sample papers, projects, or other products that would represent work deserving of credit
- Proposed checkpoints to track progress.

The SBDM may also determine whether a teacher must request authorization again if a previously approved course is revised. Thus, the design of performance-based courses is largely determined at the school level, with district approval.

In addition to the form mentioned above, 71 districts (42 percent) have a course and assessment rubric form that must be filled out for each type of performance-based credit (see Appendix E). This form asks for the instructor's fields of certification, progress checkpoints, alignment with standards, academic expectations,

assessment methods, and minimum requirements for demonstration of proficiency.

Overall Incidence Of Performance-Based Credit

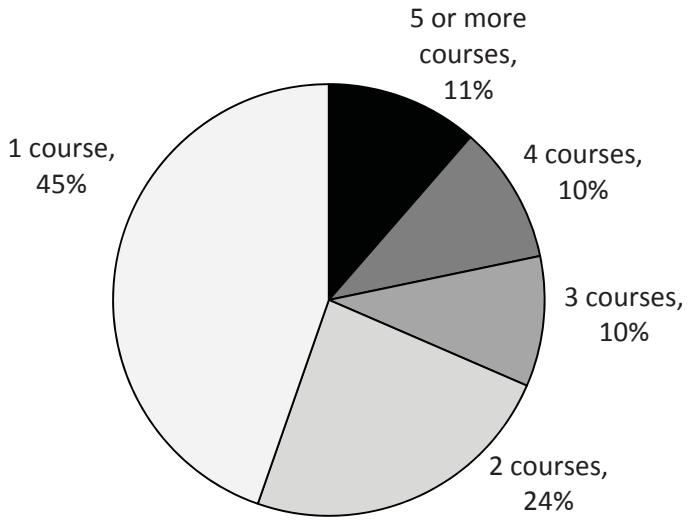
In 2013 data from the student information system, about 1 percent of courses were marked performance-based. These courses accounted for about 1 percent of total enrollment.

In the 2013 student information system data that KDE provided to OEA, 744 (1 percent) of the 81,056 courses offered in Kentucky were marked performance-based.[k] Among all students who received a final grade in a course, performance-based courses accounted for about 1 percent of total enrollment (4,998 out of a total enrollment of 513,591).

In 2013, among students taking performance-based courses, very few took all of their courses on a performance basis. Most took just one or two performance-based courses while taking several traditional, time-based courses.

As Figure A illustrates, among students taking performance-based courses in 2013, very few took all of their courses on a performance basis. Most took just one or two performance-based courses while taking several traditional, time-based courses.

Figure A
Number Of Performance-Based Courses Per Student, Among 4,998 Earning Performance-Based Credits In 2013



Source: Staff compilation of data from the Kentucky student information system, provided by the Kentucky Dept. of Educ.

In 2013, fewer than half of all districts (76) had students enrolled in courses that were marked performance-based. Table 1 provides the number of performance-based courses and total student enrollment in those courses. Thirty-three districts offered only one

[k] Although the data contained 102,447 course records, it appears that these records represent only 81,056 unique courses; some districts set up multiple records per course, for various purposes, while others set up just one record per course. The analysis for this report is based on the 81,056 unique courses.

performance-based course, 20 offered two to five, and 23 offered more than five such courses.

Table 1
Districts With Courses Marked Performance-Based In 2013

Adair (1 course, 13 enrolled)	Hopkins (1 course, 13 enrolled)
Anderson (1 course, 1 enrolled)	Kenton (1 course, 79 enrolled)
Ashland (1 course, 1 enrolled)	Kentucky School for the Deaf (12 courses, 301 enrolled)
Augusta (3 courses, 14 enrolled)	Knox (2 courses, 14 enrolled)
Boone (3 courses, 11 enrolled)	Laurel (22 courses, 39 enrolled)
Bourbon (24 courses, 44 enrolled)	Lee (1 course, 13 enrolled)
Bowling Green (2 courses,16 enrolled)	Leslie (2 courses, 36 enrolled)
Boyd (1 course, 13 enrolled)	Lyon (1 course, 63 enrolled)
Boyle (1 course, 3 enrolled)	Madison (47 courses, 474 enrolled)
Breckinridge (1 course, 14 enrolled)	Marshall (21 courses, 275 enrolled)
Bullitt (108 courses, 339 enrolled)	McCracken (10 courses, 218 enrolled)
Butler (1 course, 1 enrolled)	McLean (1 course, 32 enrolled)
Caldwell (1 course, 55 enrolled)	Meade (1 course, 2 enrolled)
Calloway (1 course, 1 enrolled)	Metcalfe (27 courses, 214 enrolled)
Campbell (1 course, 32 enrolled)	Middlesboro (5 courses, 298 enrolled)
Carroll (1 course, 20 enrolled)	Monroe (47 courses, 93 enrolled)
Christian (24 courses, 156 enrolled)	Montgomery (4 courses, 156 enrolled)
Clark (5 courses, 44 enrolled)	Muhlenberg (1 course, 4 enrolled)
Cloverport (3 courses, 21 enrolled)	Newport (1 course, 10 enrolled)
Covington (4 courses, 46 enrolled)	Oldham (4 courses, 77 enrolled)
Crittenden (11 courses, 20 enrolled)	Owensboro (2 courses, 2 enrolled)
Cumberland (1 course, 8 enrolled)	Owsley (2 courses, 3 enrolled)
Daviess (1 course, 142 enrolled)	Paducah (1 course, 19 enrolled)
Dawson Springs (8 courses, 18 enrolled)	Paintsville (1 course, 13 enrolled)
Edmonson (9 courses, 73 enrolled)	Pike (20 courses, 1,935 enrolled)
Elizabethtown (1 course, 2 enrolled)	Pulaski (9 courses, 518 enrolled)
Elliott (1 course, 1 enrolled)	Rockcastle (1 course, 14 enrolled)
Erlanger-Elsmere (1 course, 79 enrolled)	Rowan (1 course, 26 enrolled)
Estill (4 courses, 320 enrolled)	Russellville (1 course, 1 enrolled)
Fayette (36 courses, 461 enrolled)	Shelby (2 courses, 76 enrolled)
Floyd (15 courses, 94 enrolled)	Simpson (5 courses, 5 enrolled)
Frankfort (1 course, 118 enrolled)	Taylor (28 courses, 140 enrolled)
Grant (2 courses, 54 enrolled)	Trigg (2 courses, 160 enrolled)
Graves (43 courses, 319 enrolled)	Warren (84 courses, 3,573 enrolled)
Green (2 courses, 51 enrolled)	Webster (1 course, 1 enrolled)
Harlan (4 courses, 188 enrolled)	West Point (1 course, 31 enrolled)
Hart (18 courses, 48 enrolled)	Williamstown (6 courses, 157 enrolled)
Henderson (20 courses, 75 enrolled)	Wolfe (1 course, 6 enrolled)

Note: Numbers enrolled are totals of enrollment in all courses; in districts with more than one course, an individual student will be counted more than once if that student takes more than one course marked performance-based. Unduplicated counts of students enrolled in performance-based courses in each district were not available at the time of this report.
Source: Staff analysis of district policies and data from Kentucky student information system, provided by Kentucky Dept. of Educ.

Course Characteristics

This section compares the characteristics of courses that were marked performance-based to those presumed to be time-based (not marked performance-based or virtual). Because some virtual courses may also be performance-based, the characteristics of virtual courses are provided in Appendix F.

Teaching Method. By default, the student information system assumes that a newly created course uses "Direct Instruction," which entails having a teacher lead the class. The system also automatically codes the instructional setting as being a school classroom. When setting up a course that uses other methods or settings, districts should override the system defaults and indicate the method or setting. In discussions with selected districts, OEA staff noticed some instances of incorrectly coded methods or settings, but a full data audit would be needed to gauge the full extent of these inaccuracies.

It should be noted that it is not possible to identify blended approaches in the student information system because only one teaching method and one instructional setting can be indicated for each course. For this reason, the codes in the system should be thought of as the primary method and setting, but not necessarily the only method and setting. Appendix B lists the method and setting codes available in the system.

In 2013, teacher-led instruction was used in about half (48 percent) of performance-based courses, compared to 93 percent of time-based courses. Technology-led instruction was used in 46 percent of performance-based courses but only 1 percent of time-based courses.

As Table 2 shows, direct instruction by a teacher was the primary method in 48 percent of performance-based courses, compared to 93 percent of time-based courses. Almost half (46 percent) of performance-based courses were primarily technology-mediated, compared to just 1 percent of time-based courses. In technology-mediated courses, students spend most of their time interacting with websites or software, although teachers are usually available in person or by phone or by email to answer questions.

Table 2
Primary Teaching Method By Type Of Course, 2013

Teaching Method	Performance-Based	Time-Based
Direct instruction	48%	93%
Technology-mediated (digital/virtual)	46	1
All other	6	6
Total	100%	100%

Source: Staff compilation of data from the Kentucky student information system, provided by the Kentucky Dept. of Educ.

The primary setting for 44 percent of performance-based courses was on a computer outside of a classroom, while 40 percent took place primarily in a classroom. In contrast, only 1 percent of time-based courses were on a computer outside a classroom, and 92 percent took place in a classroom.

Instructional Setting. As Table 3 shows, the primary setting for 44 percent of performance-based courses was on a computer outside of a school classroom (for example, in a school computer lab or at home.) Forty percent were primarily in high school classrooms. In contrast, only 1 percent of time-based courses were online and 92 percent were in a high school classroom. Small percentages of each type of course took place at vocational and technical schools outside of the traditional school.

Table 3
Instructional Setting By Type Of Course, 2013

Instructional Setting	Performance-Based	Time-Based
Online (computer outside classroom)	44%	1%
Onsite classroom	40	92
Offsite college	13	0
Offsite vocational	2	3
All other	1	4
Total	100%	100%

Source: Staff compilation of data from the Kentucky student information system, provided by the Kentucky Dept. of Educ.

Performance-based courses were offered in most content areas, but somewhat more frequently in English/language arts, mathematics, social studies, and sciences.

Content. Districts develop their own approaches for numbering and naming courses, but to facilitate statewide monitoring, they are supposed to also associate each course with a uniform statewide course code. Among other things, this code indicates the content of courses, as shown in Table 4. Performance-based courses were offered in most content areas. Compared to time-based courses, higher proportions were in English/language arts, social studies, mathematics, and sciences.

Table 4
Course Content Area By Type Of Course, 2013

Content Area	Performance-Based	Time-Based
English/language arts	18%	12%
Social studies	18	8
Mathematics	14	11
Science	10	8
Visual and performing arts	8	11
Business	3	3
Family/consumer sciences	2	2
Health-related activities	2	3
Industrial education	2	4
Pathway to careers	2	1
World languages	2	4
Agriculture	1	2
Engineering and technology	1	1
Health science	1	1
Information technology	1	1
Marketing	0	1
ROTC/Jr. Guard	0	1
Special education	0	2
Other	15	24
Total	100%	100%

Source: Staff compilation of data from the Kentucky student information system, provided by the Kentucky Dept. of Educ.

Student Characteristics

Staff analyzed the characteristics of students receiving final grades in each course in 2013. Most students take several courses each year, and most of these are time-based. For this reason, comparisons between performance-based and time-based courses used enrollment instead of student head counts, so that students who took multiple performance-based courses had more weight than those who took only one.

Grade Level. Because performance-based programs allow students to advance at their own pace, a student may be enrolled in courses at several different grade levels. For example, a 12-year-old student classified as a 6th-grader in the student information system could be enrolled in 8th-grade mathematics, high school-level English, and 6th-grade courses in all other subjects. A student's grade level in the system is not determined by the grade levels of courses the student is taking. For classification and assessment purposes, each student's grade

level is based on chronological age unless the student has officially skipped a grade or has been retained.[1]

Performance-based courses are primarily taken by high school students.

As Table 5 shows, performance-based courses are primarily taken by high school students (77 percent).

Table 5
Grade Level Of Students By Type Of Course, 2013

Grade Level of Student In Student Information System	Performance-Based	Time-Based
0 (kindergarten)	1%	3%
1	1	3
2	2	4
3	5	5
4	1	8
5	0	8
6	5	11
7	3	11
8	5	11
9	7	11
10	11	10
11	22	9
12	37	7
Total	100%	100%

Note: When KDE provided course data to OEA, approximately 26 percent of students were inadvertently omitted, and KDE was not able to provide data for the omitted students in time for this report. However, it appears that most of the omitted students were in elementary schools, which rarely offer performance-based courses.
Source: Staff compilation of data from the Kentucky Student Information System, provided by the Kentucky Dept. of Educ.

Performance-based courses tended to have more female students than did time-based courses.

Gender. As Table 6 shows, performance-based courses tended to have more female students than did time-based courses (53 percent compared to 48 percent).

Table 6
Gender Of Students By Type Of Course, 2013

Gender	Performance-Based	Time-Based
Female	53%	48%
Male	47	52
Total	100%	100%

Source: Staff compilation of data from the Kentucky student information system, provided by the Kentucky Dept. of Educ.

[1] Because of the way students are classified by grade in the system, some may take the statewide assessment on content that they covered much earlier. The 14-year-old student in the foregoing example would take the 8th-grade statewide assessment in all content areas.

Free Or Reduced-Price Lunch Eligibility. Table 7 presents the percentages of students eligible for free or reduced-price school lunches in each type of course. Free and reduced-price lunch eligibility is often used as a proxy indicator of student poverty. Students are eligible for free school lunches if their families are at or below 130 percent of the federally defined poverty level. Students are eligible for reduced-price lunches if their families are within 185 percent of the poverty level.

Free and reduced-price lunch eligibility did not differ between performance-based and time-based courses.

As Table 7 shows, free and reduced-price lunch eligibility did not differ between performance-based and time-based courses.

Table 7
Free Or Reduced-Price Lunch Eligibility Of Students By Type Of Course, 2013

Free or Reduced-Price Lunch Eligibility	Performance-Based	Time-Based
Eligible for free or reduced-price lunch	65%	65%
Not eligible	35	35
Total	100%	100%

Source: Staff compilation of data from the Kentucky student information system, provided by the Kentucky Dept. of Educ.

Performance-based courses had lower percentages of special education students than did time-based courses.

Special Education. As Table 8 shows, performance-based courses had lower percentages of special education students than did time-based courses (19 percent compared to 25 percent).

Table 8
Special Education Status Of Students By Type of Course, 2013

Special Education Status	Performance-Based	Time-Based
Special education	8%	11%
Not special education	92	89
Total	100%	100%

Source: Staff compilation of data from the Kentucky student information system, provided by the Kentucky Dept. of Educ.

Performance-based courses were more likely than time-based courses to have students designated as gifted and talented.

Gifted And Talented. Performance-based courses were more likely than time-based courses to have students designated as gifted and talented (7 percent compared to 4 percent), as shown in Table 9.

Table 9
Gifted And Talented Status Of Students By Type Of Course, 2013

Gifted/Talented Status	Performance-Based	Time-Based
Gifted/talented	7%	4%
Not gifted/talented	93	96
Total	100%	100%

Source: Staff compilation of data from the Kentucky student information system, provided by the Kentucky Dept. of Educ.

Kentucky has a small percentage of students with limited English proficiency, and so few of these students earned performance-based credits that the percentage rounded to 0.

Limited English Proficiency. Only a small percentage of Kentucky students have limited English proficiency (these students are also called English learners), and as Table 10 shows, so few earned performance-based credits that the percentage rounded to 0.

Table 10
Limited English Proficiency Of Students By Type Of Course, 2013

English Proficiency	Performance-Based	Time-Based
Limited	0%	2%
Not limited	100	98
Total	100%	100%

Source: Staff compilation of data from the Kentucky student information system, provided by the Kentucky Dept. of Educ.

Performance-based and time-based courses had the same percentage of homeless students.

Homelessness. As Table 11 shows, performance-based and time-based courses had the same percentage of homeless students.

Table 11
Homeless Status Of Students By Type Of Course, 2013

Homeless Status	Performance-Based	Time-Based
Homeless	4%	4%
Not homeless	96	96
Total	100%	100%

Source: Staff compilation of data from the Kentucky student information system, provided by the Kentucky Dept. of Educ.

In sum, compared to time-based courses, performance-based courses were more likely to be online and less likely to be led by a teacher in a classroom. They had higher enrollments of high school students, females, and gifted and talented students; and lower enrollments of students with disabilities, English learners, and special education students.

Summary Of Differences Between Performance-Based And Time-Based Courses In Kentucky In 2013. In summary, compared to time-based courses, performance-based courses had

- less teacher-led instruction and more technology-led instruction;
- fewer high school classroom settings and more online and college settings;
- higher enrollments of high school students, females, and gifted and talented students;
- lower enrollments of English learners and special education students; and
- similar enrollments of students who were eligible for subsidized lunches or homeless.

Continuing Challenges

The underlying concept emerged in the 1930s, was popular in the 1960s, and has subsequently reappeared in varying forms, with such names as competency-, outcomes-, proficiency-, and mastery-based learning. The approach is now common in fields with easily identifiable skill sets, such as vocational and medical education, but it has been difficult to implement in other fields.

This section discusses some of the challenges involved in implementing programs in Kentucky and in other states. Approaches similar to performance-based credit have been tried before, with mixed results. The research and policy literature traces the underlying concept back to the 1930s "objectives-based instruction" movement; the concept is said to have had its heyday in the 1960s teacher education reform movement.[14] Variations of the approach—with such names as competency-based, outcomes-based, proficiency-based, or mastery-based learning—have emerged and then faded several times over the ensuing decades.[15] Currently, these approaches are fairly common in fields that have easily identifiable skill sets, such as vocational and medical education; however, critics and proponents alike say it has been difficult to implement—or even to clearly define—in other fields.[16]

Studies find that performance-based programs often lead to redesign of many interconnected components of the education system. Development and implementation often require more time than expected.

The national literature indicates that performance-based programs often eventually lead to redesign of many interconnected components of the education system, including assessment, schedules, curriculum, instruction, leadership, advising, student data systems, and technology.

Some Kentucky teachers and administrators who have tried performance-based approaches reported that development and implementation required more time than expected; teachers sometimes worked summers, evenings, and weekends to prepare materials and overcome obstacles.

Performance-based credit programs face challenges with respect to defining concepts, recording data, setting academic expectations, planning lessons and assessments, tracking student progress, developing curriculum, modifying instructional styles, monitoring attendance for funding purposes, and evaluating the effectiveness of programs.

Below are discussions of some of the key challenges involved in implementing programs in Kentucky and in other states.

Inconsistent Definitions And Data Recording

Monitoring and evaluating performance-based practices is difficult because Kentucky educators use multiple definitions of performance-based credit and because district and school personnel do not always understand how to accurately record course characteristics in the student information system.

Because a clear definition of performance-based credit is necessary for correct implementation and monitoring of outcomes, KDE should provide clear definitions and implementation rules, and distribute these widely within KDE, districts, and schools. Care should be taken to consider the impact of definitions and implementation rules on factors such as tracking, funding, and attendance

Recommendation 1

Recommendation 1

Through regulation and other written guidance, the Kentucky Board of Education and Kentucky Department of Education should provide clear, consistent definitions and implementation rules for performance-based credit, taking into consideration the impact on funding and other key factors.

While the student information system has the capability to indicate which courses award performance-based credit, OEA found that districts are not consistent in the way they use the indicator and related data points about attendance, teaching method, and instructional setting. KDE should provide more guidance to districts, to ensure that the indicator and related data points have a uniform meaning across districts.

Recommendation 2

Recommendation 2

The Kentucky Department of Education should provide more guidance to districts regarding how and when to use the performance-based indicator and related data points in the student information system.

Tracking Student Progress

The Kentucky Student Information System is not well suited to tracking the progress of students who are each working at a different pace. As a consequence, teachers primarily relied on paper grade books and files, Excel spreadsheets, and wall charts.

The student information system is not well suited to the essential task of tracking each individual student's progress in a self-paced environment. Below are examples of problems that Kentucky educators reported.

- The electronic grade book in IC allows teachers to enter grades only in 9-week blocks, leaving no means of recording grades for students who are ahead of or behind the 9-week block. As a consequence, teachers must rely on manual record-keeping.
- The performance-based indicator in the system is attached to courses, not students; hence, if just one student wishes to take an existing course on a self-paced basis, personnel must go through the arduous task of creating a new course in the system so that it can be coded appropriately.
- Although the system has fields for recording when each student starts and ends each course—information that would be useful for research—these fields are not updated on a real-time basis because it is too time-consuming to log into the system for each individual student.

Some Kentucky educators who had been using IC for time-based courses reported that, for performance-based courses, they had to go back to paper grade books and files, Excel spreadsheets, and wall charts.

Curriculum And Instruction

One of the greatest challenges is the need for extensive and time-consuming changes to curricula and methods of instruction.

According to the national research and policy literature and interviews with Kentucky educators, one of the greatest challenges to implementing performance-based credit is the need for extensive changes to curricula and methods of instruction.

The self-paced nature of performance-based instruction requires more written and recorded materials than traditional instruction.

The self-paced nature of performance-based instruction requires more written and recorded materials than traditional instruction. In traditional instruction, a teacher communicates many concepts orally during class time. Also, while the teacher will have a general outline of what the class will cover each week, the teacher need not prepare detailed materials more than a few weeks ahead of time. In contrast, when students can move at their own pace, all materials must be ready in advance of the student who is progressing at the fastest pace. Moreover, because teachers cannot provide verbal instructions and clarifications to the whole class simultaneously, detailed written instructions are needed.

To manage classroom time, teachers use pacing documents that specify standards to be covered each week and lesson plans that specify how standards will be taught and assessed. In performance-based courses, this information must be shared with students and parents because students have more responsibility for their own learning.

Direct Instruction. For teacher-led courses, teachers create and refer to a number of documents for managing time in the classroom, including pacing documents that specify the standards that will be covered each week and lesson plans that specify in more detail how the standards will be taught and assessed. When teacher-led courses are time-based, with all students moving at the same pace, it would suffice for only the teacher to know this information, although teachers may choose to share it with students and parents. However, because performance-based courses give students greater responsibility for their own learning, students and their parents must know much more about what students are expected to learn and how the learning will be assessed.

Teachers must be organized and prepare far in advance for performance-based courses. Teachers must prerecord video explanations of concepts and create assessments early enough for the fastest student in the class. Higher grades must be ready to receive students from lower grades as students progress at their own pace.

Some teachers said that they must be more organized and must prepare farther in advance for performance-based courses than for time-based courses. Because students progress at their own pace, teachers must prerecord video explanations of concepts and create assessments early enough for the fastest student in the class.

Higher grade levels must be ready to receive students from the lower grade levels as they progress at their own pace. This might seem obvious, but teachers and administrators said they were sometimes caught off guard by how quickly some students progressed, and the higher grade levels were not quite ready to receive these students.

It takes time to develop and fine-tune instructional materials, such as PowerPoint presentations, video lessons, and detailed unit guides and checklists that allow students to work at their own pace. With “anytime, anywhere” technology, teachers often respond to students’ emails in the evenings and on weekends.

When performance-based courses are completely digital, a student may have little or no interaction with a teacher. When performance-based courses are teacher-led, teachers spend more time advising and coaching and less time lecturing and calling on students in class. Some teachers find this difficult.

The role of the teacher is also different. When performance-based courses are completely technology-mediated, a student may have little or no interaction with a teacher. When performance-based courses are teacher-led, teachers spend more time advising and coaching in performance-based courses and less time lecturing and calling on students in class. Teachers may prerecord video lessons; the advantage is that students can listen to the explanations as many times as they want. However, new teachers may find it harder to gauge how well they have explained concepts. One new teacher, who was still honing his skills at explaining concepts, said that he prefers live lectures because he can watch for confused looks and ask students questions as he goes along.

At their best, technology-enabled courses let students work at their own pace and choose the time and place of learning. Less teacher time is required. However, some courses may be inflexible, not cover all Kentucky standards, not test certain types of skills and knowledge, or not be suitable for some types of students. For this reason, performance-based courses may blend technology-enabled learning with direct instruction.

Technology-Mediated Courses. One way to reduce the amount of teacher time required for redesigning instructional materials and teaching students is to let students learn from a software program or website. As discussed earlier, a substantial portion of performance-based courses in Kentucky are technology-led. At their best, such courses give students the freedom to work at their own pace, at any time and place of their choosing.

However, some technology-mediated courses may offer little flexibility, not cover all Kentucky content and standards, not test all types of skills and knowledge, or not be suited for all types of students. For this reason, performance-based courses may blend technology-mediated learning with direct instruction.

Not Suited To All Students And Teachers

Not all students are comfortable and successful with the greater responsibility of managing their own time.

Not all students are comfortable and successful with the greater responsibility of managing their own time. If a student falls behind the pacing document or is not doing well on summative assessments, the teacher works one-on-one with that student while other students are working individually or in groups. If that is not sufficient, the student can be transferred to a traditional (time-based and teacher-led) classroom in the same school.

Some teachers struggle with the challenges of performance-based courses. These teachers may ask to be assigned to traditional classrooms.

Some teachers may find performance-based courses difficult for a number of reasons, such as the challenges of preparing far in advance, using unfamiliar technologies, and managing a classroom in which every student may be doing something different. These teachers may ask to be assigned to traditional classrooms.

Attendance And Funding Issues

Confusion about interactions with attendance and funding may discourage some districts from coding performance-based courses correctly or even offering such courses.

There is some evidence of confusion about the way performance-based courses interact with attendance and funding calculations. This confusion may discourage districts from coding courses as performance-based in the student information system, or discourage them from offering the courses altogether.

Kentucky's attendance policies can cause districts to receive less state funding for students taking performance-based courses.

One impact of performance-based credit on attendance may be perceived to have at least two disadvantages and one advantage for districts. The first disadvantage is that, to be included in the growth factor adjustment, a student in a performance-based or virtual course would need to complete the course within the first 2 months of the school year, which is unlikely for most students. Thus, a district forgoes any growth factor funds it would have received if the student had attended a time-based course. Second, when a

student fails a performance-based course, the district receives no funds for the student's attendance, whereas if the student had failed a traditional course, the district would receive funds for every day the student was present.

On the other hand, performance-based courses can lessen the negative impact of chronically absent students on districts' attendance rates and funding.

One possible advantage for districts is that, whereas chronically absent students would have a negative impact on a district's average daily attendance rate in traditional classes, they would contribute 100 percent attendance to the district's ADA if they successfully passed performance-based or virtual courses.

As a result of improper coding, attendance may be incorrectly counted for 27 percent of performance-based courses.

Attendance Counted Incorrectly. Staff analysis determined that the attendance box is improperly checked for 27 percent of performance-based and 10 percent of virtual courses. As a consequence, students in these courses may be improperly included in periodic attendance counts during the year instead of being counted only after a final grade is entered.

It should be noted that a mismatch between type of course (performance-based, virtual, or traditional) and attendance could indicate either of two types of error:

- Someone set up a performance-based or virtual course and forgot to uncheck the attendance box or
- Someone set up a traditional course and mistakenly indicated that it was performance-based or virtual.

Need For Scientific Evidence

No robust scientific studies compare the effectiveness of performance-based and time-based learning. Studies should have valid and reliable measures, randomized assignment, low attrition, minimal confounding factors, and correct and consistent implementation during the study.

Despite the long history of performance-based learning, its effectiveness has never been established by well-designed and well-implemented studies. This may be due, in part, to the relatively short duration and unclear definitions of performance-based initiatives. Some of the characteristics of a well-designed and well-implemented study are summarized below[17]:

- **Valid And Reliable Measures.** A well-designed study uses measures that are clearly defined, valid (measure what they are intended to measure), and reliable (stable and consistent). Ideally, the design would include multiple measures of outcomes, such as effectiveness.
- **Randomization.** Assigning students and teachers randomly to intervention (performance-based) and comparison (time-based) groups makes it more likely that both groups are similar in terms of observable and unobservable characteristics. The same measures of proficiency should be used for both groups, both before and after they take courses, so that student growth can be compared.

- **Low Attrition.** If many students leave their assigned groups before outcomes are measured, the similarities of the groups may be compromised.
- **Avoidance Of Confounding Factors.** A well-designed study attempts to control for other factors that might influence the outcome. For example, other interventions should not be combined with performance-based approaches unless a rigorous experimental design makes it possible to measure the separate contribution of each intervention on the outcome.
- **Correct And Consistent Implementation.** If, while a study is being conducted, the actual implementation of an initiative varies substantially from the initial design, it is difficult to determine whether the outcome is due to the initiative or other factors. For example, if each district or teacher chooses how to implement performance-based courses, the outcomes may reflect individual district or teacher factors instead of performance-based approaches.

Perceived Benefits

Some Kentucky educators who are implementing performance-based credit programs see a number of benefits, including enhanced student engagement, dropout prevention, college and career readiness, and parental involvement.

When speaking with OEA, teachers and administrators who are pioneering the implementation of performance-based credit in Kentucky spoke candidly about their own missteps and the numerous challenges they encountered. However, some teachers and administrators expressed excitement about having opportunities to try innovative approaches, and perceived many benefits for students, such as those discussed below. A greater quantity and quality of data would be required to determine how widespread these benefits are.

Enhanced Student Engagement

Kentucky educators said that students who move at their own pace are more engaged and productive.

Kentucky educators said that students who move at their own pace are more engaged and productive. When OEA staff observed performance-based learning, students expressed excitement about working at their own pace and striving to accomplish as much as their abilities would allow. The faster students do not have to wait and listen to repeated explanations of concepts until the slowest students are ready to progress. Slower-moving students benefited because teachers had more time to work one-on-one with them while other students worked independently. In addition, because there were more reminders of their progress, students were more eager to know their test scores and move forward to the next challenge.

When developing performance-based courses, Kentucky educators chose to explore many technology-based methods, and the technology itself appealed to students. Tablets were often used for such purposes as watching recorded explanations of concepts, taking interactive quizzes, preparing student presentations to the class, emailing questions to teachers, and looking up information online. Students liked being able to replay a teacher's explanation of a concept as many times as needed.

More Opportunities For Parental Involvement

Parents can be more engaged when they watch prerecorded video lessons with their children.

Similarly, some performance-based approaches can boost parental involvement. Parents told some teachers that watching the teachers' prerecorded video explanations and instructions made it easier to help their children with homework. Some teachers contact parents at several points during the year to involve them in decisions, such as whether a student should be moved from a performance-based course to a time-based one, or vice versa, or whether a middle school student is ready to start attending high school for a given content area.

More Opportunities For Dropout Prevention

Although the quality of credit recovery courses is sometimes questioned, this special type of performance-based course makes it easier for students who have fallen behind to catch up with other students their age. This may keep them from dropping out.

Students who have failed courses and fallen behind their fellow students are often tempted to drop out. Rather than require students to retake failed courses, self-paced credit recovery programs assess which parts of the course the student needs to relearn and then offers instruction and testing in just those parts. Thus, students earn credits more quickly, catch up with other students their age, and are more motivated to stay in school. It should be said, however, that policy makers have questioned the quality of some credit recovery programs.

Early Start On College-Level And Career Learning

Students can use performance-based courses to complete high school graduation requirements more quickly, allowing them to get an early start on postsecondary education and career training.

Performance-based approaches make it possible for students to complete the minimum requirements for high school graduation early. They can then graduate early and start college or careers. Alternatively, they can stay enrolled in high school and take dual-credit or dual-enrollment courses to earn college credits, often at a cost that is lower than what they would pay if they enrolled in college.

Performance-based learning can also prepare students for careers and skilled trades, through internships, mentoring, job shadowing, entrepreneurial projects, and vocational school classes.

Endnotes

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Appendix A

Descriptions Of Methods For Earning Either Performance-Based Or Time-Based Credit

Direct Instruction

Direct instruction is the most common method in Kentucky and the nation. Learning is led by a teacher, usually in a classroom at a specified time each day. In both time-based and performance-based courses, the teacher may use time in a variety of ways; at times, the entire class engages in the same activity (listening to the teacher explain concepts, engaging in a question-and-answer session, or taking a short quiz about the previous day's content). At other times, students work individually or in small groups. Performance-based courses tend to devote less time to activities involving the entire class and more time to individual and group activities. In addition, the activities taking place at any given time tend to be more varied because students are progressing through the course at their own pace.

Taylor County Example

The following is a brief description of a performance-based class that staff observed in Taylor County, Kentucky.

> A day might start with a review and quiz question to find out what students remember from material that was previously covered. After this brief all-student interaction, students each go to the materials they were working on at their own pace. Each unit has a guide that students follow and check off, such as materials to read, videos to watch, and exercises to work through. Students check the accuracy of their own work, using computer-based programs and answer keys. When they have completed the entire unit, they show the teacher their work and ask to take the test. The teacher grades the test. If the student met the proficiency standard (such as 80 or 85 percent correct), the student advances to the next unit. If not, the student goes back to redo the unit.
>
> Formative assessments are often self-assessed; that is, as students progress through each unit at their own pace, they check their own answers to exercises and quizzes. Technology-mediated methods tell students immediately which questions they answered incorrectly tell them which topics to review, and let them correct their answers or retake the quiz. For paper-and-pencil exercises and quizzes, students compare their work to a teacher-provided answer key.
>
> Students may work independently, but often they prefer to work with one or a few friends; students who are ahead may volunteer to help others who are falling behind. Only the summative assessments are done individually, with teacher supervision.

A chart posted on the classroom wall lists students by number (not name) and the student places a sticker under each unit completed so that the teacher and student can track progress.

If a student's next scheduled class will be at a different school, the student leaves class a few minutes early to leave time to get to the other school. In Taylor County, the middle and high schools are separated by a few minutes' walk. The elementary school requires a 5- to 10-minute bus ride from the middle or high school. Taylor County employs one full-time bus driver to make hourly trips between the elementary school and the middle and high schools.

Several types of assessments are used for determining whether a student is ready to advance to the next grade in a given subject. In addition to formative quizzes and tests that teachers develop and share on the Continuous Instructional Improvement Technology System, teachers may also have students learn and take assessments offered by Khan Academy, AIMS Web, and other online providers. Another source of information about students' progress is the standardized diagnostic test called Measuring Academic Progress (MAP), which Taylor County schools administer three times a year. Annual statewide assessments are not administered frequently enough to help make decisions about advancing students during the school year, but the scores serve as another validation of whether decisions about students' advancement were correct. As soon as a student has successfully completed the requirements for a given grade level in a subject, the student can move to the next grade in that subject. When starting that new class, the student starts with the first unit, regardless of where the rest of the class is. Students who move up a grade in a subject during the school year but do not finish the course by the end of the school year simply return to that same course at the beginning of the next school year and continue where they left off.

Technology-Mediated Approaches

Approaches that are technology-mediated—sometimes called technology-enabled, virtual or digital—use electronic devices such as desktop computers, laptops, tablets, or smartphones. Learning on these devices may use installed software or a connection to a website via the Internet. A common technology-mediated approach is online learning, which is structured learning that takes place over the Internet using Web-based software. A synchronous online class is one in which the teacher and students log on at the same time, allowing real-time interaction by voice and/or video. In an asynchronous class, everyone logs on whenever they like, and most communication is by text.[1] Students often use desktop computers to access online learning, but staff learned in interviews that an increasing number are using portable devices—not only laptops but also tablets and smartphones.

An alternative to online learning is self-contained software package installed on a desktop or laptop computer that can run independently of the Internet. Many districts use this type of software for credit recovery; examples include Plato, Apex, and Novastar.

Blended learning combines technology-mediated approaches with some traditional techniques in the classroom. For example, one approach is called a flipped classroom because students watch (prerecorded) teacher lectures at home and then spend class time doing exercises that would have been assigned as homework in a traditional classroom. Two advantages are that students can replay the teacher's lecture as many times as they want if they did not understand it the first time, and they can get help with the in-class exercises from the teacher and other students.

KDE-Approved Providers

In 2012, after 12 years of operation, KDE's Kentucky Virtual High School was closed and KDE transitioned from a provider to an advisory role.[2] In 2013, KDE had approved three providers as having programs sufficiently aligned with Kentucky's standards. The providers are the Barren Academy of Virtual and Expanded Learning (BAVEL), JCPSeSchool, and KET Distance Learning. All permit students to work at their own pace online, with teachers and staff available to help them by phone or email.

BAVEL. The Barren Academy of Virtual and Expanded Learning, operated by the Barren County public school district, uses curriculum primarily from Florida Virtual Global Schools and Kentucky Education Television. There are two enrollment models: With BAVEL PLUS, the student or outside district pays tuition for each course the student takes, and receives limited support. BAVEL Enhanced provides full support and is funded by SEEK based on average daily attendance. More than 80 high school courses are offered, in language arts, math, science, social studies, health and physical education, humanities, world languages, and various electives. Fifteen middle school courses are offered in language arts, math, science, social studies, health and physical education, and electives. Courses range from remediation and credit recovery to dual credit and Advanced Placement courses.[3]

JCPSeSchool. Operated by the Jefferson County public school district, JCPSeSchool allows students to enroll in its asynchronous online courses at any time of the year. Each student is given a 12-month window to complete a semester course. Middle school courses are credit recovery units in math, writing, and reading. At the high school level, 65 courses are offered in business, English, humanities, math, science, social studies, Spanish, and "skillbuilders" (math and reading remediation). The website for JCPSeSchool says that it is a branch of Jefferson County High School and therefore shares that high school's accreditation by the Southern Association of Colleges and School Council on Accreditation and School Improvement. However, the website also says that the National Collegiate Athletic Association has ruled that JCPSeSchool courses do not meet their nontraditional core-course standards, and therefore these courses may not be used for determining student athletes' eligibility. Courses range from remediation and credit recovery to Advanced Placement courses [4]

KET Distance Learning. Offered by Kentucky Educational Television, KET Distance Learning has 14 online courses in Latin, German, Chinese, physics, and arts and humanities. [5]

Credit Recovery

Credit recovery differs from other performance-based courses in that students have already taken a course in the subject, and although they failed, their grades were not so low that they were required to retake the entire course. In most cases, students take a preassessment and review only the parts of the course that they did not understand. When they demonstrate proficiency in just those areas, they are given credit for the course.

According to KDE, technology-mediated instruction has largely replaced direct instruction for most credit recovery in Kentucky. Many software programs automatically adapt the content based on a student's answers to questions, presenting more detailed content on topics that the student did not understand.

The national policy and research literature praises credit recovery practices for boosting graduation rates but also points to instances of abuse, in which students receive credit for doing very little work.

Data Inconsistencies Found

Staff analysis of course data from the student information system and interviews with KDE and district and school personnel determined that credit recovery activities may not be coded as performance-based. In fact, some may not be recorded as courses at all.

- At one school, the student's credit recovery plan was recorded on paper, but not in the system. The student used a self-paced software program. After demonstrating proficiency, the student was given a final passing grade for a regular (non-performance-based) course in the system.
- At another school, the student was registered for one general credit recovery course and used the hour to make up credits in multiple subjects. After demonstrating proficiency in each subject, the student was given a final passing grade in the system for a regular (non-performance-based) course for each subject.

Dual Credit/Enrollment College Courses

According to the KDE Interagency Dual Credit Task Force, dual credit refers to secondary school students taking college-level course work to earn credit at both the secondary and postsecondary levels simultaneously. Dual Enrollment refers to secondary students taking college-level course work for credit at the postsecondary level only. In both cases, courses may be direct instruction or virtual. If direct instruction, they may be taught on the college campus or the high school campus, by either college faculty or high school faculty.[6]

Data Inconsistencies Found

When visually inspecting randomly selected course data from the student information system and calling districts to verify its accuracy, staff found that some dual credit courses had the teaching

method coded as direct instruction instead of dual credit. In addition, some courses that were taken off campus had the instructional setting coded as onsite classroom.

Work-Based And Community-Based Learning

Work-based and community-based learning includes

- cooperative education, a paid (usually yearlong) program consisting of in-school instruction and work at a business or industrial employer, supervised by the school and the employer;
- internship, a paid or unpaid work-based program that is longer than shadowing but shorter than cooperative education;.
- shadowing, an opportunity for a student to spend a limited amount of time with an individual in a chosen occupation, to observe that occupation's duties, setting, and compatibility with the student's career goals;
- entrepreneurship, a Career and Technical Education course in which students develop individual entrepreneurship projects and assume all risks in expectation of gaining a profit or furthering their knowledge;
- mentoring, a relatively informal opportunity for students to learn from a volunteer mentor from the business and industrial community about career opportunities and work ethics;
- school-based enterprise, a simulated or actual business conducted within a school to help students gain work experience (examples in Kentucky include banks, stores, sign-makers, and greenhouses); and
- service learning, a program that combines instruction and volunteer community service, to help students learn skills and civic responsibility while strengthening communities.[7]

Portfolios And Senior Or Capstone Projects

After completing the minimum requirements for high school graduation, some high school seniors opt to take a course that involves individual work on a portfolio or capstone project. The topic and approach is unique to each student's interests, with a teacher providing advice, guidance, and some specific parameters about final written or oral presentations.

[1] Open Education Solutions. *Digital Learning 2020: A Policy Report for Kentucky's Digital Future*. Frankfort: KDE, Dec. 2011.
[2] Kentucky. Dept. of Educ. KDE Revamps Virtual Learning System.
News Release No. 12-057. Aug. 27, 2012; Katayama, Devin. "Kentucky Virtual High School Decides to End Classes." WKMS. Feb. 16, 2012. Web. Aug. 16, 2013.
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[4] Kentucky. Jefferson County Public Schools. JCPSeSchool Home Page. Web. Aug. 28, 2013.
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[6] Kentucky. Dept. of Educ. *KDE Interagency Dual Credit Taskforce Definitions*. Frankfort: Kentucky Council on Postsecondary Education. Web. Aug. 28, 2013.
[7] Kentucky. Dept. of Educ. *Work-Based Learning Manual*. Frankfort: KDE, Feb. 25, 2013. Web. Aug. 28, 2013.

Appendix B

Course Data Standards For Kentucky Student Information System

When setting up courses in the student information system, school and district personnel are supposed to indicate the type of course (performance-based, virtual, or time-based), as described below. Personnel are also asked to indicate other course characteristics, including the teaching method, instructional setting, grading scale (such as pass/fail or A through F); and a check mark indicating whether the course requires the student to take an end-of-course assessment for the state accountability system.[1] The school or district may use any course numbering and naming conventions it chooses for local use, but it must also assign a uniform statewide course code to each course.[2]

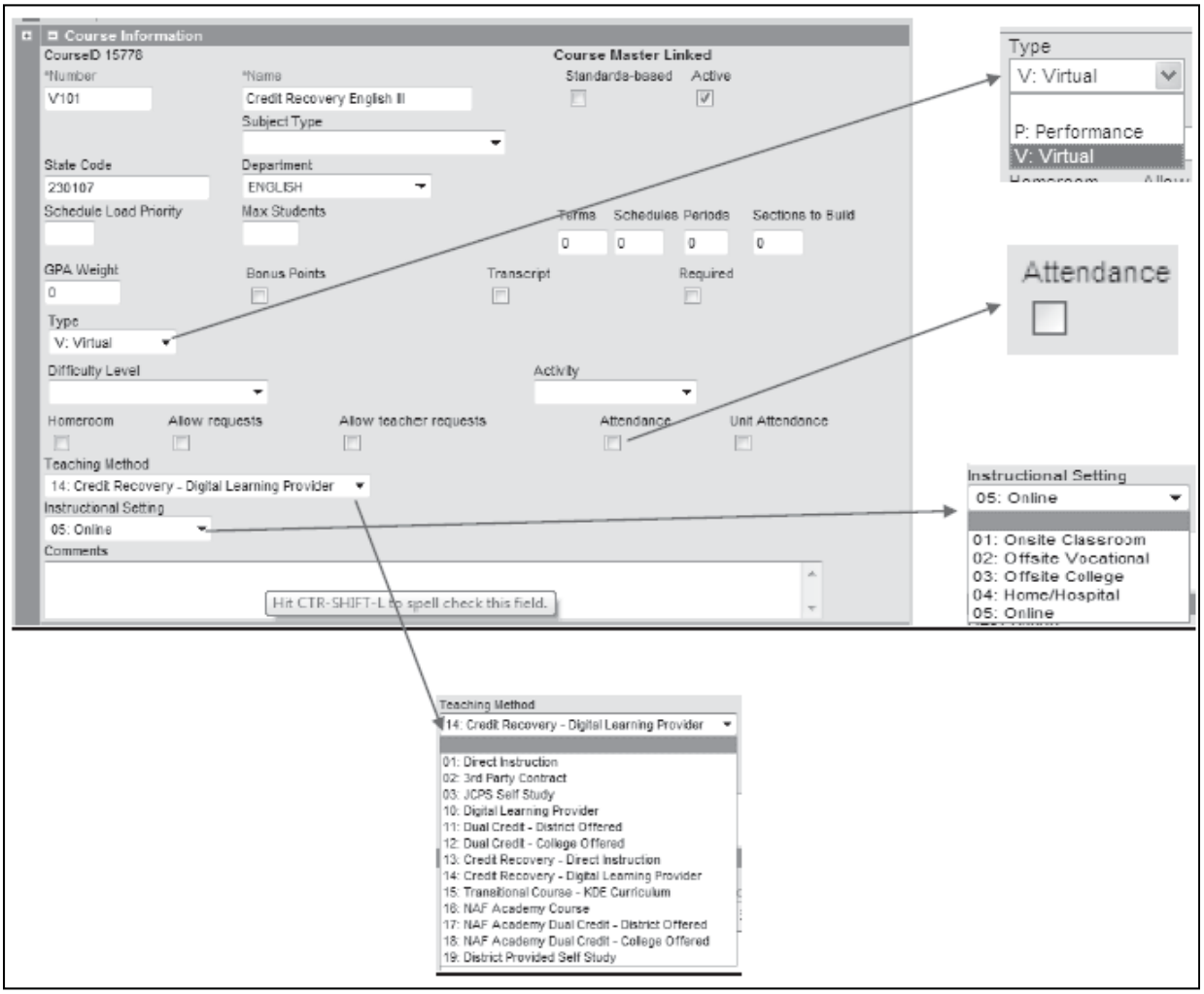
KDE's written data standards provide the following guidelines to district and school personnel who enter performance-based and virtual course information into the student information system.

Course Setup
Recommendation: Put letter 'v' in front of course number for Virtual classes to make them easy to recognize in searching your courses. This is not required.

Course Tab
Click on the Course in the Index, select the Course tab

- **Type:** Select Virtual or Performance
- **Attendance:** Course should not be marked for Attendance. There is no seat time for the course. Attendance will be reflected in the SAAR [Superintendent's Annual Attendance Report] based on whether or not the student passed the course.
- **Teaching Method:** Choose the appropriate Teaching Method. For this virtual course [example shown on next page] the Teaching Method should be 14: Credit Recovery – Digital Learning Provider
- **Instructional Setting:** Choose the appropriate setting. For Virtual type classes select Online.

Course Setup Example From KDE Data Standards



KDE's written data standards provide this additional information to district and school personnel who enter any course information into the student information system**.**

Teaching Method: (The methods used for instruction) Choose from the drop down menu the appropriate teaching method for this course section

01: Direct Instruction (default setting) – traditional course taught by a teacher employed by the district.

02: 3rd Party Contract – course taught by a 3rd party contractor other than virtual, dual credit, or National Academy Foundation (NAF) (e.g., auto mechanic, golf instructor, Head Start provider).

03: JCPS Self Study – do not use.

10: Digital Learning Provider – virtual course that uses a digital platform other than credit recovery (e.g., JCPS eSchool, KET, BAVEL).

11: Dual Credit – District Offered – dual credit course taught by a teacher employed by the district, and students are not enrolled in the NAF Academy.

12: Dual Credit – College Offered - dual credit course taught by a teacher employed by a postsecondary institution, and students are not enrolled in the NAF Academy.
13: Credit Recovery – Direct Instruction – course taught by a teacher employed by the district that allows students to earn credit for a course they previously failed.
14: Credit Recovery – Digital Learning Provider – computer-based course that allows students to earn credit for a course they previously failed (e.g., PLATO, APEX, Odyssey, NOVEL/STARS).
15: Transitional Course – KDE Curriculum – course that uses the transitional curriculum framework
16: NAF Academy Course – National Academy Foundation (NAF) curriculum course (see http://naf.org/) that is not dual credit.
17: NAF Academy Dual Credit – District Offered – dual credit course taught by a teacher employed by the district, and students are enrolled in the NAF Academy.
18: NAF Academy Dual Credit – College Offered – dual credit course taught by a teacher employed by a postsecondary institution, and students are enrolled in the NAF Academy.
19: District Provided Self Study –independent self-study course.

Instructional Setting: (The location where instruction takes place) Choose from the drop down menu the appropriate instructional setting for this course section
01: Onsite Classroom – course taught primarily in the school building.
02: Offsite Vocational – course taught at a vocational school away from the school building.
03: Offsite College – course taught at a postsecondary institution.
04: Home/Hospital –course taught in a home/hospital setting.
05: Online – course taught online with no seat time.

Attendance: Select if attendance is required to be taken in this course for ADA funding purposes (Do not select attendance if virtual or performance based)

Source: Kentucky. Dept. of Educ. KSIS Data Standards. Frankfort: KDE, Aug. 21, 2013. Web. Aug. 26, 2013.

[1] Kentucky. Dept. of Educ. KSIS Data Standards. Frankfort: KDE, Aug. 21, 2013. Web. Aug. 26, 2013.
[2] Kentucky. Dept. of Educ. Kentucky Uniform Academic Course Codes. July 25, 2013. Web. Aug. 26, 2013.

Appendix C

Kentucky Administrative Regulations

704 KAR 3:305. Minimum Requirements For High School Graduation

RELATES TO: KRS 156.160(1)(a), (d), 158.645, 158.6451

STATUTORY AUTHORITY: KRS 156.070, 156.160(1)(a), (d)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160 requires the Kentucky Board of Education to promulgate administrative regulations relating to the courses of study for the different grades and the minimum requirements for high school graduation. The content standards for the courses of study are established in the Kentucky core academic standards incorporated by reference in 704 KAR 3:303. This administrative regulation establishes the minimum requirements necessary for entitlement to a high school diploma.

Section 1. Each student in a common school shall have a total of at least twenty-two (22) credits for high school graduation. Those credits shall include the content standards as provided in the Kentucky core academic standards, incorporated by reference in 704 KAR 3:303. Additional standards-based learning experiences shall align to the student's individual learning plan and shall consist of standards-based content. The required credits and demonstrated competencies shall include the following minimum requirements:

(1) Language arts - four (4) credits (English I, II, III, and IV) to include the content contained in the Kentucky core academic standards for English and language arts.

(a) Language arts shall be taken each year of high school.

(b) If a student does not meet the college readiness benchmarks for English and language arts as established by the Council on Postsecondary Education in 13 KAR 2:020, the student shall take an English and language arts transitional course or intervention, which is monitored to address remediation needs, before exiting high school;

(2) Social studies - three (3) credits to include the content contained in the Kentucky core academic standards for social studies;

(3) Mathematics - three (3) credits to include the content contained in the Kentucky core academic standards for mathematics and include the following minimum requirements:

(a) Algebra I, Geometry, and Algebra II. An integrated, applied, interdisciplinary, occupational, or technical course that prepares a student for a career path based on the student's individual learning plan may be substituted for a traditional Algebra I, Geometry, or Algebra II course on an individual student basis if the course meets the content standards in the Kentucky core academic standards, incorporated by reference in 704 KAR 3:303;

(b) A mathematics course or its equivalent as determined by the district shall be taken each year of high school to ensure readiness for postsecondary education or the workforce;

(c) Any mathematics course other than Algebra I, Geometry, or Algebra II shall be counted as an elective; and

(d) If a student does not meet the college readiness benchmarks for mathematics as established by the Council on Postsecondary Education in 13 KAR 2:020, the student shall take a mathematics transitional course or intervention, which is monitored to address remediation needs, before exiting high school;;

(4) Science - three (3) credits that shall incorporate lab-based scientific investigation experiences and include the content contained in the Kentucky core academic standards for science;

(5) Health - one-half (1/2) credit to include the content contained in the Kentucky core academic standards for health;

(6) Physical education - one-half (1/2) credit to include the content contained in the Kentucky core academic standards for physical education;

(7) History and appreciation of visual and performing arts (or another arts course which incorporates this content) - one (1) credit to include the content contained in the Kentucky core academic standards for arts and humanities or a standards-based specialized arts course based on the student's individual learning plan;

(8) Academic and career interest standards-based learning experiences - seven (7) credits including four (4) standards-based learning experiences in an academic or career interest based on the student's individual learning plan; and

(9) Demonstrated performance-based competency in technology.

Section 2.

(1) A local board of education may substitute an integrated, applied, interdisciplinary, occupational, technical, or higher level course for a required course if the alternative course provides rigorous content and addresses the same applicable components of 703 KAR 4:060.

(2) For students with disabilities, a local board of education may substitute a functional, integrated, applied, interdisciplinary, occupational, technical, or higher level course for a required course if the alternative course provides rigorous content and addresses the same applicable components of 703 KAR 4:060. These shall be based on grade-level content standards and may be modified to allow for a narrower breadth, depth, or complexity of the general grade-level content standards.

Section 3.

(1) A district shall implement an advising and guidance process throughout the middle and high schools to provide support for the development and implementation of an individual learning plan for each student. The plan shall include career development and awareness and specifically address Vocational Studies Academic Expectations 2.36-2.38 as established in Academic expectations, 703 KAR 4:060.

(2) A district shall develop a method to evaluate the effectiveness and results of the individual learning plan process. The evaluation method shall include input from students, parents, and school staff. As part of the evaluation criteria, the district shall include indicators related to the status of the student in the twelve (12) months following the date of graduation.

(3) A feeder middle school and a high school shall work cooperatively to ensure that each student and parent receives information and advising regarding the relationship between education and career opportunities. Advising and guidance shall include information about financial planning for postsecondary education.
(4) A school shall maintain each student's individual learning plan. The individual learning plan shall be readily available to the student and parent and reviewed and approved at least annually by the student, parents, and school officials.
(5) Beginning with a student's eighth grade year, the individual learning plan shall set learning goals for the student based on academic and career interests and shall identify required academic courses, electives, and extracurricular opportunities aligned to the student's postsecondary goals. The school shall use information from the individual learning plans about student needs for academic and elective courses to plan academic and elective offerings.
(6) Beginning with the graduating class of 2013, the development of the individual learning plan for each student shall begin by the end of the sixth grade year and shall be focused on career exploration and related postsecondary education and training needs.

Section 4.
(1) A board of education may award credit toward high school graduation for satisfactory demonstration of learning based on content standards described in the Kentucky core academic standards, incorporated by reference in 704 KAR 3:303, and a rigorous performance standards policy established by the board of education. A school shall establish performance descriptors and evaluation procedures to determine if the content and performance standards have been met.
(2) A board of education shall award credit toward high school graduation based on:
(a) A standards-based Carnegie unit credit that shall consist of at least 120 hours of instructional time in one (1) subject; or
(b) A standards-based performance-based credit, regardless of the number of instructional hours in one (1) subject.
(3) A local board of education which has chosen to award standards-based performance-based credit shall award a standards-based credit earned by a student enrolled in grade 5, 6, 7, or 8 if:
(a) The content of the course is the same that is established in the Kentucky core academic standards, incorporated by reference in 704 KAR 3:303; and
(b) The district has criteria in place to make a reasonable determination that the middle level student is capable of success in the high school course.
(4) A board of education which has chosen to award standards-based performance-based credit shall establish a policy for a performance-based credit system that includes:
(a) The procedures for developing performance-based credit systems and for amending the system;
(b) The conditions under which each high school may grant performance-based credits and the related performance descriptors and assessments;
(c) Objective grading and reporting procedures;
(d) Content standards as addressed in 704 KAR 3:303, Required core academic standards, and 703 KAR 4:060, Academic expectations;

(e) The extent to which state-provided assessments will be used in the local performance-based credit system;
(f) The ability for students to demonstrate proficiency and earn credit for learning acquired outside of school or in prior learning; and
(g) Criteria to ensure that internships, cooperative learning experiences, and other learning experiences in the school and community are:
1. Designed to further student progress towards the individual learning plan;
2. Supervised by qualified instructors; and
3. Aligned with state and local content and performance standards.

(5) A board of education may award standards-based, performance-based credit toward high school graduation for:
(a) Standards-based course work that constitutes satisfactory demonstration of learning in any high school course, consistent with Section 1 of this administrative regulation;
(b) Standards-based course work that constitutes satisfactory demonstration of learning in a course for which the student failed to earn credit when the course was taken previously;
(c) Standards-based portfolios, senior year, or capstone projects;
(d) Standards-based online or other technology mediated courses;
(e) Standards-based dual credit or other equivalency courses; or
(f) Standards-based internship, cooperative learning experience, or other supervised experience in the school or the community.

(6) Each local board of education shall maintain a copy of its policy on high school graduation requirements. This policy shall include a description of how the requirements address KRS 158.6451(1)(b) and 703 KAR 4:060.

Section 5.
(1) A student who satisfactorily completes the requirements of this administrative regulation and additional requirements as may be imposed by a local board of education shall be awarded a graduation diploma.
(2) The local board of education shall award the diploma.

Section 6. This administrative regulation shall not be interpreted as prohibiting a local governing board, superintendent, principal, or teacher from awarding special recognition to a student.

Section 7. Beginning with the graduating class of 2013, if the severity of an exceptional student's disability precludes a course of study that meets the high school graduation requirements established in Section 1 of this administrative regulation leading to receipt of a high school diploma, an alternative course of study shall be offered.
(1) This course of study shall be based upon student needs and the provisions specified in 704 KAR 3:303, Required core academic standards, and shall be reviewed at least annually.
(2) A student who completes this course of study shall receive an alternative high school diploma to be awarded by the local board of education consistent with the graduation practices for all students.

(3) A local board of education may establish policies to award an alternative high school diploma to a former student who has received a certificate or certificate of attainment. (5 Ky.R. 633; Am. 6 Ky.R. 53; eff. 7-17-79; 6 Ky.R. 238; 526; eff. 4-1-80; 9 Ky.R. 1027; 1208; eff. 8-3-83; 11 Ky.R. 1076; eff. 3-12-85; 17 Ky.R. 113; eff. 9-13-90; 23 Ky.R. 3419; 3827; 24 Ky.R. 82; eff. 7-2-97; 32 Ky.R. 1779; 2028; 33 Ky.R. 766; eff. 10-6-2006; 37 Ky.R. 138; 1644; eff. 2-4-2011; 39 Ky.R. 612; 1115; eff. 1-4-13.)

702 KAR 7:125. Pupil Attendance

RELATES TO: KRS 157.320, 157.350, 157.360, 158.030, 158.070, 158.100, 158.240, 159.010, 159.030, 159.035, 159.140, 159.170, 161.200

STATUTORY AUTHORITY: KRS 156.070, 156.160, 157.320, 158.070

NECESSITY, FUNCTION, AND CONFORMITY: KRS 157.320 defines average daily attendance of pupils for funding purposes under the Support Education Excellence in Kentucky (SEEK) Program. KRS 157.360 bases SEEK funding upon average daily attendance. KRS 158.030, 158.100, and 159.030 establish the age for compulsory school attendance. KRS 158.070 defines the school term. KRS 158.240 and 159.035 define attendance credit for moral instruction and 4-H activities. KRS 161.200 requires attendance records to be kept by teachers. This administrative regulation establishes a uniform method of recording pupil attendance.

Section 1.

(1) Daily attendance of pupils in elementary schools shall be determined by taking attendance one (1) time each day prior to the start of instruction and maintaining a student entry and exit log at each school.

(2) Daily attendance of pupils in middle and high school shall be determined by taking attendance by class period and maintaining a student entry and exit log at each school.

(3) The student entry and exit log shall include the date, student name, grade or homeroom, time of late arrival, time of early departure (with the reason for both listed) and other information required by the local board of education. For elementary students who are signed out, the student entry and exit log shall also include a signature of:

(a) A parent;

(b) A legal guardian; or

(c) An adult with proof of identification and for whom the school has received a written authorization from the parent or legal guardian.

(4) Pupils shall be physically present in the school to be counted in attendance except under the following conditions:

(a) The pupil is a participant in a co-curricular instructional activity that has been authorized by the local board of education and is a definite part of the instructional program of the school;

(b) The pupil is a participant in an activity as provided in either KRS 158.240 or 159.035;

(c) The pupil is participating in an off-site virtual high school class or block. A student may be counted in attendance for a virtual high school class or block for

the year or semester in which the student initially enrolled in the class or block if the student demonstrates proficiency in accordance with local policies required by 704 KAR 3:305, Section 5(2)(b) or (3);

(d) The pupil's mental or physical condition prevents or renders inadvisable attendance in a school setting, and the pupil meets the requirements of KRS 159.030(2). A pupil being served in the home/hospital program shall receive a minimum of one (1) hour of instruction two (2) times per five (5) instructional days;

(e) The student has been court ordered to receive educational services in a setting other than the classroom. A pupil being served through a court order shall receive a minimum of one (1) hour of instruction two (2) times per five (5) instructional days;

(f) The student has an individual education plan (IEP) that requires less than full-time instructional services;

(g) The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, Section 5(2)(b) and that falls within one (1) or more of the categories of standards-based course work outlined in 704 KAR 3:305, Section 2. A student may be counted in attendance for performance-based credit for a class or block for the year or semester in which the student initially enrolled in the class or block if the student demonstrates proficiency in accordance with local policies required by 704 KAR 3:305, Section 5(3); or

(h) The pupil participates in a school that is authorized by the Commissioner of Education to design and deliver an educational program so that all graduation requirements are based on student proficiency of standards and performance, rather than time and Carnegie units, as authorized in 704 KAR 3:305, Section 5.

(5) Even if a pupil's absence or tardy is due to factors beyond the pupil's control, including inclement weather or failure of the transportation system to operate, the pupil shall be counted absent or tardy.

(6) The local board of education shall determine by local board policy what constitutes an excused and an unexcused absence.

(7) A pupil shall not be allowed to make up absences for the purpose of including make-up activities in the calculation of average daily attendance.

Section 2. The guidelines in this section shall be used to calculate student attendance for state funding purposes through June 30, 2010.

(1) A full day of attendance shall be recorded for a pupil who is in attendance 100 percent of the regularly-scheduled school day for the pupil's grade level.

(2) A tardy shall be recorded for a pupil who is absent sixty (60) minutes or less of the regularly-scheduled school day for the pupil's grade level.

(3) The actual percentage of the school day shall be recorded for attendance of a pupil absent for more than sixty (60) minutes of the regularly-scheduled school day for the pupil's grade level.

(4) A full day absence shall be recorded for a pupil who is absent 100 percent of the regularly-scheduled school day for the pupil's grade level.

(5) The percentages described in this section shall apply to the regularly-scheduled school day approved by the local board of education and shall be applicable to entry level through grade level twelve (12).

Section 3. The guidelines in this section shall be used to calculate student attendance for state funding purposes after June 30, 2010.

(1) A full day of attendance shall be recorded for a pupil who is in attendance at least sixty-five (65) percent of the regularly-scheduled school day for the pupil's grade level.
(2) A tardy shall be recorded for a pupil who is absent 35 percent or less of the regularly-scheduled school day for the pupil's grade level.
(3) A half day absence shall be recorded for a pupil who is absent 36 percent to 84 percent of the regularly-scheduled school day for the pupil's grade level.
(4) A full day absence shall be recorded for a pupil who is absent more than 84 percent of the regularly-scheduled school day for the pupil's grade level.

Section 4. A local board of education may permit an arrangement whereby a pupil has a shortened school day in accordance with KRS 158.060, or local board of education policy. The time a student is in attendance shall be included in calculating the district's average daily attendance.

Section 5. A local board of education may permit an arrangement in which a pupil pursues part of the student's education under the direction and control of one (1) public school and part of the student's education under the direction and control of another public or nonpublic school. The time a student is served by each public school shall be included when calculating the district’s average daily attendance.

Section 6. If a local school district, under the provisions of KRS 157.360(6), enrolls a child with a disability in a private school or agency, the private school or agency shall certify the attendance of the child to the local school district at the close of each school month.

Section 7.

(1) If a local school district enrolls a pupil in the entry level program who will not be five (5) years of age on or before October 1 of the year of enrollment, the total aggregate days attendance for the pupil shall not be included in calculating the district's average daily attendance.
(2) If a local school district enrolls a pupil in the second level of the primary program who will not be six (6) years of age on or before October 1 of the year of enrollment, the total aggregate days attendance for the pupil shall not be included in calculating the district's average daily attendance except under the conditions established in this subsection.

(a) The local board of education shall have determined that the student is eligible for enrollment into the second level of the primary program after academic, social, and developmental progress records from multiple data sources are reviewed by a team and determined to support accelerated placement. These sources shall include:

1. Anecdotal records;

2. A variety of student work samples, including evidence of student self-reflection; and
3. Standardized test results.

(b) The team shall be comprised of three (3) members who have knowledge of the student's developmental skills and abilities. Team members shall be chosen from these categories:

1. Teachers;
2. Parents;
3. Psychologists;
4. Principals; or
5. District specialists.

(c) At least one (1) team member shall represent the district office and have an understanding of early childhood development and knowledge of developmentally-appropriate practices.

(d) If a student is recommended by the local board of education for accelerated placement into the second level of the primary program, the district shall forward that recommendation to the department for approval with:

1. A list of data sources used in making the decision;
2. A list of all individuals who submitted the data sources;
3. A list of team members; and
4. The data needed to create a pupil attendance record.

(3) A local school district shall enroll any resident pupil, not holding a high school diploma, under the age of twenty-one (21) years of age who wishes to enroll. The days attended after the student's 21st birthday shall not be included in the calculation of the district's average daily attendance.

Section 8. The Growth Factor Report for the first two (2) school months of the school year pursuant to KRS 157.360(8) shall be submitted to the Department of Education within ten (10) business days following the last day of the second school month or by November 1 of each year, whichever occurs first.

Section 9.

(1)

(a) A written agreement local boards of education execute for enrollment of nonresident pupils as provided by KRS 157.350(4) shall be filed in both the attending district and the resident district no later than February 1 of the year prior to the school year to which it will apply.

(b) The written agreement shall include the specific terms to which the districts have agreed.

(c) A list of the names of all nonresident pupils enrolled in the attending district covered by the agreement shall be filed in both the attending district and the resident district not later than November 1 of the school year covered by the agreement.

(2) A change may be made to the original nonresident pupil agreement up to the close of the school year to include the nonresident pupils enrolling after the close of the second

school month. The amendment shall be filed in both the attending district and the resident district no later than June 30 of each year.

Section 10. The Superintendent's Annual Attendance Report (SAAR) shall be considered the request to substitute prior year's average daily attendance for up to ten (10) designated weather-related low attendance days, and certification that the low attendance was due to inclement weather in accordance with KRS 157.320(17). Documentation that the low attendance was due to inclement weather shall be retained at the central office.

Section 11.

(1) The school's records of daily attendance and teacher's monthly attendance reports, daily and class period absentee lists, student entry and exit logs, and the Home/Hospital Program Form, shall be the original source of attendance data for all pupils enrolled in the public common schools and shall be verified at the end of each school month.
(2) The school's records of daily attendance and teachers' monthly attendance reports shall be signed by a designated certified person within the elementary or secondary school who shall be responsible for verifying and certifying the state attendance documents for accuracy.
(3) The school's records of daily attendance and tenth month teacher's monthly attendance reports shall be retained at least twenty (20) years. The daily and class period absentee lists, and student entry and exit logs shall be retained at least two (2) full school years after the current school year.

Section 12. The following entry, reentry and withdrawal codes shall be used to indicate the enrollment status of pupils:

(1) E01 - A pupil enrolled for the first time during the current year in either a public or nonpublic school in the United States;
(2) E02 - A pupil previously enrolled during the current school year in either a public or nonpublic school in another state who has not previously enrolled in Kentucky during the current school year;
(3) E03 - A pupil enrolling for the first time during the current school year in either a public or nonpublic school, who withdrew as a W06, W07, W13, W16 or W18 during the 2004-2005 school year or as a W24 or W25 for previous school years;
(4) R01 - A pupil received from another grade in the same school;
(5) R02 - A pupil received from another public school in the same public school district;
(6) R06 - A pupil reentering the school after dropping out, discharge or expulsion from a school district in Kentucky during the current school year, who has not entered any other school during the intervening period;
(7) R20 - A pupil previously enrolled in a home school in Kentucky during the current school year;
(8) R21 - A pupil previously enrolled in any public or nonpublic school (excluding home schools) in Kentucky during the current school year;
(9) W01 - A pupil transferred to another grade in the same school. The reentry code to use with W01 shall be R01;
(10) W02 - A pupil transferred to another public school in the same public school district. The reentry code to use with W02 shall be R02;

(11) W07 - A pupil withdrawn due to those communicable medical conditions that pose a threat in school environments listed in 902 KAR 2:020, Section 1(1), accompanied by a doctor's statement certifying the condition, or any other health-related condition for which the student is too ill to participate in regular school attendance or local homebound instructional services, or if the student has obtained a doctor's statement certifying the condition. The reentry code to use with W07 shall be R06;
(12) W08 - A pupil withdrawn due to death;
(13) W12 - A pupil under the jurisdiction of the court. For purposes of the W12 code, a pupil may be considered under the jurisdiction of the court on the day the petition is filed with the court. The reentry code to use with W12 shall be R06. For accountability purposes, a W12 shall be considered a dropout if the district cannot substantiate enrollment in the proper educational setting as designated by the court;
(14) W17 - An entry level student in the primary program, withdrawn during the first two (2) months enrolled due to immaturity or mutual agreement by the parent, guardian or other custodian and the school in accordance with 704 KAR 5:060;
(15) W20 - A pupil transferred to a home school. The reentry code to use with W20 shall be R20;
(16) W21 - A pupil transferred to a nonpublic school (excluding home school). The reentry code to use with W21 shall be R21;
(17) W22 - A pupil who has transferred to another public school district and for whom a request for student records has been received or enrollment has been substantiated, or a pupil who is known to have moved out of the United States;
(18) W23 - A pupil withdrawn for a second or subsequent time who initially withdrew as a W24 or W25 during the current school year;
(19) W24 - A pupil who has moved out of this public school district for whom enrollment elsewhere has not been substantiated;
(20) W25 - A pupil who is at least sixteen (16) years of age and has dropped out of public school;
(21) W26 - A pupil who has withdrawn from school after completing a secondary GED program and receiving a GED certificate;
(22) W27 - a pupil who has withdrawn from school and subsequently received a GED;
(23) W28 - a pupil who has reached the maximum age for education services without receiving a diploma or certificate of attainment;
(24) C01 - a pupil who completes the school year in the school of the most current enrollment;
(25) G01 - a pupil who graduates in less than four (4) years;
(26) G02 - a pupil who graduates in four (4) years;
(27) G03 - a pupil who graduates in five (5) or more years;
(28) G04 - a pupil who graduates in six (6) or more years; and
(29) NS - a pupil who completed the prior year with a C01 and was expected to enroll in the district but did not enroll by October 1 of the current year whose enrollment elsewhere cannot be substantiated.

Section 13.

(1) For a student who has been suspended, a code of S shall be used to indicate the days suspended.

(2) Suspension shall be considered an unexcused absence.

Section 14. The ethnicity of each student shall be designated as either Hispanic/Latino or not Hispanic/Latino. The designation shall be "Hispanic/Latino" if the person is of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture of origin regardless of race. The term "Spanish origin" may be used in addition to "Hispanic/Latino ".

Section 15. One (1) or more of the following racial codes shall be used to indicate the racial category of pupils:

(1) White - A person having origins in any of the original peoples of Europe, North Africa or the Middle East;

(2) Black or African American - A person having origins in any of the black racial groups of Africa;

(3) Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, or Vietnam;

(4) American Indian or Alaskan Native - A person having origins in any of the original peoples of North America and South America (including Central America), and who maintains cultural identification through tribal affiliation or community attachment; and

(5) Native Hawaiian or other Pacific Islander - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Section 16.

(1) The Student Dropout Questionnaire shall be completed during the one (1) hour counseling session mandated in accordance with KRS 159.010. Dropout data shall be reported to the Department of Education on the Nonacademic Report that is submitted to the Department each year.

(2) The request for records and other information involving the withdrawal and transfer of pupils shall be processed by the local superintendent or his or her designee pursuant to KRS 159.170, and shall be maintained in the student's permanent file.

Section 17. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Home/Hospital Program Form", 2008-2009;

(b) "Student Dropout Questionnaire", December 2000;

(c) "Growth Factor Report", November 2009;

(d) "Superintendent's Annual Attendance Report (SAAR)", November 2009; and

(e) "Nonacademic Report", October 2008.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Education, Division of Finance, 15th Floor, Capital Plaza Tower, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (23 Ky.R. 2352; Am. 2722; eff. 1-9-1997; 25 Ky.R. 1137; 1597; eff. 1-19-1999; 27 Ky.R. 1871; 2439; eff. 3-19-2001; 29 Ky.R. 2349; 29 Ky.R. 2349; 2685; eff. 4-15-2003; 30 Ky.R. 2380; 31 Ky.R. 76; eff. 8-6-2004; 32 Ky.R. 1771; 2009; eff. 6-2-2006; 36 Ky.R. 466; 1212; eff. 1-4-2010; 37 Ky.R. 2291; 2572; eff. 6-3-2011.)

701 KAR 5:140. Districts of Innovation

RELATES TO: KRS 156.108, 156.160(1)(g), 160.107

STATUTORY AUTHORITY: KRS 156.108, 156.160

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160(1)(g) gives the Kentucky Board of Education the authority to promulgate administrative regulations and KRS 156.108 requires the Kentucky Board of Education to promulgate administrative regulations to prescribe the conditions and procedures to be used by a local board of education to be approved as a district of innovation by the Kentucky Board of Education. This administrative regulation establishes the requirements and approval process for districts of innovation.

Section 1. Definitions.

(1) "Competency based learning" means a framework for the awarding of credit to students upon mastery of Kentucky's Core Academic Standards in 704 KAR 3:303 or upon mastery of any additional competencies which shall also include explicit, measurable, transferable learning objectives that empower students and that include application and creation of knowledge along with the development of important skills and dispositions.

(2) "District of Innovation" is defined in KRS 156.108(1)(a).

(3) "Eligible employees" is defined in KRS 160.107(3)(b).

(4) "Expanded learning opportunities" means initiatives that provide students additional opportunities for enrichment, personal growth, and engagement outside the traditional school day, and that may include extended day or year initiatives, before- and after-school programs, Saturday, weekend, and summer programs, distance learning, and early childhood education initiatives.

(5) "Innovation" is defined in KRS 156.108(1)(b).

(6) "Innovative strategies" means strategies that provide non-traditional approaches to all areas of curriculum, instruction, assessment, governance, and school operation.

(7) "School of Innovation" is defined in KRS 156.108(1)(c).

Section 2. Conditions and Areas of Emphasis for Innovation.

(1) Any public school district may submit an application for approval as a district of innovation in accordance with the application process established in Section 3 of this administrative regulation. An individual school shall not submit an application except as part of a district application.

(2) A district may incorporate in its application any innovative strategies and models that have been shown to be effective in other districts or states or new innovative strategies or models created by the district or school. Innovative strategies may include:

(a) Moving to a competency based learning system, including development of alternate methods for delivering curriculum or for measuring mastery of standards and skills;

(b) Creating multiple pathways to graduation, including rigorous career and technical pathways, apprenticeships, early college high schools, early graduation options, or digital learning opportunities;

(c) Rethinking the times and places that learning occurs, including lengthening or flexing the school day or school year, moving learning beyond the traditional school building, or incorporating expanded learning opportunities;
(d) Implementing alternative forms of school governance that include the engagement of teachers, parents, and community members and that does not meet the requirements of KRS 160.345;
(e) Designing learning environments that include the student in the design of learning pathways; or
(f) Creating additional job classifications for certified or classified staff beyond the traditional roles of teacher and instructional assistants and compensating staff on schedules other than single salary schedules.

Section 3. Application Process.

(1) A district may submit an original or renewal District of Innovation Application to the department at any time within the calendar year. Each implementation of an approved application shall begin at the start of a school term and at least 180 days from the date of submission of the application.
(2) Pursuant to KRS 160.107(3), a district shall identify and include in its application those schools that have voluntarily chosen to be schools of innovation, any persistently low-achieving schools that the district chooses to make schools of innovation, and any district operated schools per KRS 160.345(1)(b) the district plans to create in its application.
(3) The department shall provide technical assistance to districts prior to application submission.
(4) The application shall include the following components:
(a) An individual school level plan for each school included in the district's innovation plan and for any district-operated school the district plans to create under the application;
(b) A description of how the district's innovation plan will provide greater improvement in student outcomes, particularly among low-achieving students, than the outcomes the district would expect using its existing instructional programs. The plan shall specifically address how it more effectively improves the multiple measures required under the accountability system, including targets for student achievement, student growth, achievement gap reduction, graduation rate, and college and career readiness;
(c) A description of the district's plan to ensure that capacity exists in both human and fiscal resources to implement the changes needed in the district to ensure a successful implementation of the district's innovation plan;
(d) A description of the district's attendance policy for non-traditional settings and the district's plan to ensure that all students meet attendance requirements;
(e) A plan for developing alternate assessment options and measuring student performance outcomes in non-traditional settings including extended learning opportunities, apprenticeships, private instruction, work-study, study in a foreign country, awarding of competency based learning credit, community service, independent study, or on-line learning opportunities;

(f) A description and rationale for the innovative strategies and models chosen to be implemented;
(g) A list of the statutes, administrative regulations, and local board policies from which the local district is seeking a waiver or exemption in order to implement innovative strategies and an explanation of how the requirements of those authorities are a barrier to that implementation;
(h) Documentation of broad support for innovations including educators, parents, local institutions of higher education, and business and community partners. This documentation shall include:

1. Minutes of local board of education meetings at which the District of Innovation Application was discussed;
2. Transcripts or minutes from stakeholder meetings designed specifically to develop or support the District of Innovation Application;
3. Minutes of school-based decision making (SBDM) councils that include information showing an affirmative vote of at least seventy (70) percent of the eligible employees to participate in the application as well as discussion of the application itself. The vote of the eligible employees shall be conducted based on school council policy related to council elections per KRS 160.345;
4. Letters of support and commitment to adhere to the innovation plan from a variety of local stakeholder groups including parent, community, and business groups; and
5. If the application contains a request for waiver of sections of KRS 160.345, evidence of the two (2) votes required by KRS 160.107(4)(b) for each school requesting the waiver, specifying the vote from the school-based decision making council and the vote from the teachers and staff in the school;

(i) A detailed budget indicating how the local board of education shall support implementation of the innovation plan over the course of the initial five (5) year innovation period;
(j) Signatures of the superintendent and board chair along with official board minutes documenting the vote to approve submission of the application;
(k) Signatures of the chair of the SBDM council for each school participating in the application;
(l) A description of how the district shall support job-embedded professional learning; and
(m) For each school in the plan that is requesting a waiver of the school council structure outlined in KRS 160.345, a description of the governance model to be used in the school. The new governance model shall ensure that teachers, parents, and staff continue to share leadership responsibilities as outlined in KRS 160.107(4)(d).

(5)

(a) A committee designated by the commissioner shall review and recommend approval or denial of a completed application to the Kentucky Board of Education within sixty (60) days from receipt of the completed application based on use of the District of Innovation Application Scoring Rubric.

(b) An incomplete or denied application shall be returned to the district and, if re-submitted, the committee shall review and recommend approval or denial to the Kentucky Board of Education within sixty (60) days of receipt of the re-submitted application.

(6)

(a) The Kentucky Board of Education shall make the final decision on approval or denial of the application at its first regularly scheduled meeting following the committee's review of the application and recommendations based on the District of Innovation Application Scoring Rubric.
(b) A successful application shall be given an initial approval for five (5) years.
(c) A district that is approved and whose application is still active after five (5) years may submit a renewal application using the application process established in this administrative regulation. Each renewal of a district of innovation shall not exceed five (5) years.

(7)

(a) A district approved as a District of Innovation may amend its plan as needed at any time by submitting a written amendment request to the department.
(b) The amendment request shall contain the following:

1. The description of the amendment and a justification for the request;
2. How the proposed amendment improves the application's opportunities to be successful; and
3. All appropriate evidence that the amendment affecting an individual school of innovation was supported in a manner similar to that established in subsection (4)(h) of this section.

(c) The amended plan shall be referred to the committee designated pursuant to subsection (5) of this section. The committee shall review the amendment request and make a determination for approval within sixty (60) days of the amendment submission.

Section 4. Monitoring of Plan Implementation.

(1) District and school innovation plans shall:
(a) Be incorporated within the overall district comprehensive plan; or
(b) Replace the district comprehensive plan.

(2) At the completion of the second year after plan approval and each year thereafter for the term of the approval status, a district approved as a District of Innovation shall annually provide data to the commissioner that shall include the following:
(a) Number of students served by the innovation plan, total number and by socio-economic status, race or ethnicity, gender, disability, and grade level;
(b) Number of students served by the innovation plan not on track to graduate from high school, total number and by socio-economic status, race or ethnicity, gender, disability, and grade level;
(c) Documentation of student progress toward graduation and college and career readiness;
(d) Total number of certified teachers participating in the innovation plan and their roles and responsibilities;

(e) Documentation of certified and classified staff operating in a non-traditional school environment;
(f) Documentation of any extended learning opportunities in which students in the school of innovation participate for the purposes of earning or recovering credit, including qualifications of instructors, time spent, and student outcomes; and
(g) Other measurable outcomes specific to the district's innovation plan as described in the initial application or through modification of the original plan.

(3) At the end of the second year after plan approval and each year thereafter for the term of the approval status, a district approved as a District of Innovation shall receive an annual site visit from a review team selected and trained by the department. The purpose of the visit shall be to monitor progress and interview staff and students to collect qualitative data on the effect of the innovation plan and for future research needs.

Section 5. Probation, Revocation, and Appeal Procedures.

(1) After its annual review of a district's implementation report and the report of the site visit team, the Kentucky Board of Education may, on the anniversary of the application approval, determine that a district shall be placed on probation and shall provide the district with a corrective action plan.
(2) Upon the subsequent year's review of the reports, if the Kentucky Board of Education does not believe the district has met the expectations of the corrective action plan, it may revoke a district's approval as a District of Innovation.
(3) Upon notification of probation or revocation of District of Innovation status, the Kentucky Board of Education shall give the district thirty (30) days to appeal the decision in writing and shall rule on the appeal at its next regularly scheduled meeting following the submission of the appeal.
(4) Any district that has had its status as a District of Innovation revoked shall wait one (1) calendar year before re-applying to be a District of Innovation.

Section 6. Incorporation by Reference.

(1) The following material is incorporated by reference:
(a) "District of Innovation Application", March 2013; and
(b) " District of Innovation Application Scoring Rubric", March 2013.
(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Education, Division of Innovation and Partner Engagement, 1st floor, Capital Plaza Tower, 500 Mero Street, Frankfort, Kentucky, Monday through Friday, 8 a.m. to 4:30 p.m.

This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Board of Education, as required by KRS 156.070(4). (39 Ky.R. 1345; 1889; 2023; eff. 5-3-2013.)

Appendix D

Kentucky School Boards Association's Model Performance-Based Credit Policy

CURRICULUM AND INSTRUCTION **08.1131 AP.1**

Performance-Based Credit

The District shall award standards-based, performance-based credits for high school subjects to be applied toward graduation. Credit shall be awarded for:

- Standards-based course work that constitutes satisfactory demonstration of learning in any high school course approved for performance-based credit, consistent with Kentucky Administrative Regulation;
- Standards-based course work that constitutes satisfactory demonstration of learning in a course for which the student failed to earn credit when the course was taken previously;
- Standards-based portfolios, senior year or capstone projects;
- Standards-based online or other technology mediated courses;
- Standards-based dual credit or other equivalency courses; and
- Standards-based internship, cooperative learning experience, or other supervised experience in the school and the community.

Students requesting performance-based credit to apply toward graduation shall make application to the Principal/designee.

COURSE DESCRIPTION AND ASSESSMENT

Performance-based course descriptions shall be developed by teachers in areas for which they are certified and reflect needs indicated in the student's Individual Learning Plan (ILP). The content standards of performance-based courses shall be documented to align with the Kentucky Performance Rating for Educational Progress (K-PREP), Kentucky's Core Academic Standards, and Kentucky's Academic Expectations.

WORK-BASED LEARNING

Work-based learning experiences provided by the District shall be conducted consistent with provisions of the Kentucky Department of Education's Work-Based Learning Manual. Prior to a student being assigned to a work-based learning experience, a Work-Based Learning Agreement/Plan shall be completed for the student. Site supervisors are considered volunteers subject to Policy 03.6.

COUNCIL RESPONSIBILITY

Performance-based credits will only be accepted by the Board if previously approved by the high school SBDM Council. It is also the responsibility of the high school SBDM Council to determine the appropriateness of content and courses for performance-based credit. The council shall determine what information must be submitted. Required information may include, but is not limited to the following:

- A description of the proposed course;
- Proposed assessment method(s) (e.g., performance tasks, open-response questions, descriptions of expected products);
- How proficiency will be determined;
- Sample papers, projects or other products that would represent work deserving of credit;
- Proposed check points to track progress.

COUNCIL RESPONSIBILITY

The Council may determine whether the teacher must request additional authorization when a previously approved course must be revised (description, assessment, proficiency determination, checkpoints, etc.).

Appendix E

Kentucky School Boards Association's Model Performance-Based Credit Course And Assessment Rubric

CURRICULUM AND INSTRUCTION 08.1131AP.21

Course and Assessment Rubric

Course Name: _____ **Course Designer**: _____

Field(s) of Certification: _____ **Course Code**: _____

Course Description: _____

_____

Proposed Progress Check Points: _____

Alignment: This course is aligned with the standards and instruments noted below:

Academic Expectations	Kentucky Core Academic Standards		K-PREP
	Enduring Understandings	Key Skills & Concepts	
1._			
2._			
3._			
4._			
5._			
6._			

Assessment Method(s): _____

Minimum Requirements for Demonstration of Proficiency: _____

Appendix F

Characteristics Of Courses Marked Virtual In Student Information System, And Characteristics Of Students Enrolled In These Courses

Table F.1
Course Characteristics Of Virtual Courses Compared To Other Course Types, 2013

	Virtual	Performance-Based	Blank (Time-Based)
Teaching Method			
Technology-mediated (digital/virtual)	91%	46%	1%
Direct instruction	3	48	93
All other	6	6	6
Total	100%	100%	100%
Instructional Setting			
Online (computer outside classroom)	88%	44%	1%
Onsite classroom	12	40	92
Offsite college	0	13	0
Offsite vocational	0	2	3
All other	0	1	4
Total	100%	100%	100%
Content Area			
Social studies	20%	18%	8%
English/language arts	19	18	12
Mathematics	16	14	11
Science	16	10	8
World languages	8	2	4
Visual and performing arts	6	8	11
Business	5	3	3
Health-related activities	4	2	3
Pathway to careers	2	2	1
Family/consumer sciences	1	2	2
Agriculture	0	1	2
Engineering and technology	0	1	1
Health science	0	1	1
Industrial education	0	2	4
Information technology	0	1	1
Marketing	0	0	1
ROTC/Jr. Guard	0	0	1
Special education	0	0	2
Other	3	15	24
Total	100%	100%	100%

Source: Staff compilation of data from the Kentucky Student Information System, provided by the Kentucky Department of Education.

Table F.2
Student Characteristics Of Virtual Courses Compared To Other Course Types, 2013

	Virtual	Performance-Based	Blank (Time-Based)
Student's Grade In Student Information System			
0 (kindergarten)	0%	1%	3%
1	0	1	3
2	0	2	4
3	0	5	5
4	0	1	8
5	0	0	8
6	2	5	11
7	3	3	11
8	3	5	11
9	10	7	11
10	15	11	10
11	24	22	9
12	44	37	7
Total	100%	100%	100%
Gender			
Female	61%	53%	48%
Male	39	47	52
Total	100%	100%	100%
Free or Reduced-Price Lunch Eligibility			
Free lunch	51%	57%	57%
Reduced-price lunch	3	8	8
Full price lunch	47	35	35
Total	100%	100%	100%
Special Education Status			
Special education	4%	8%	11%
Not special education	96	92	89
Total	100%	100%	100%
Gifted/Talented Status			
Gifted/talented	4%	7%	4%
Not gifted/talented	96	93	96
Total	100%	100%	100%
English Proficiency			
Limited	0%	0%	2%
Not limited	100	100	98
Total	100%	100%	100%
Homeless Status			
Homeless	1%	4%	4%
Not homeless	99	96	96
Total	100%	100%	100%

Source: Staff compilation of data from the Kentucky Student Information System, provided by the Kentucky Department of Education.