

OFFICE OF EDUCATION ACCOUNTABILITY
ANNUAL REPORT

Presented to
the

LEGISLATIVE RESEARCH COMMISSION

OCTOBER 2, 1991

"We view this decision as an opportunity for the General Assembly to launch the Commonwealth into a new era of educational opportunity which will ensure a strong economic, cultural and political future." Rose v. Council for Better Education, Inc., Ky., 790 S.W.2d 186 (1989).



Kentucky General Assembly Office of Education Accountability

K. Penney Sanders, Ph.D.
Director

107 Capitol Annex
Frankfort, Kentucky 40601

A Message from Dr. Penney Sanders, Director of the Office of Education Accountability

Every eight seconds of the school day an American child drops out. Twenty-five percent of Kentucky school children do not finish high school in four years. Kentucky is 49th in staying power--the population we educate remains in Kentucky.

I am excited by the education focus sweeping across our country. As a Kentucky educator for over 25 years, I have first-hand experience with our need for education reform. With bold and innovative steps, Kentucky has begun to address the tragic history of neglect of our children and school systems. The 1990 Kentucky General Assembly produced a remarkable reform bill, House Bill 940, the blueprint for Kentucky's education revolution.

I believe the Office of Education Accountability plays an important role in monitoring the implementation of the Kentucky Education Reform Act (KERA). I am excited to see innovative programs like family resource and youth service centers become a reality. The monitoring process is extensive as KERA addresses more than fourteen "strands" that create new programs, additional appropriations, and higher expectations.

We must make a lengthy commitment to encourage success. The pre-kindergarten program, elements pertaining to exceptional children, and the K-3 primary program are three components of House Bill 940 that will need encouragement and support. Our office, opened in January 1991, is striving diligently to foster a spirit of cooperation among Legislators, teachers, school administrators, parents and education advocates working toward a brighter future for Kentucky's children.

As a citizen of this Commonwealth I am excited about the opportunity for success created by KERA. As Director of the Office of Education Accountability I am determined to see that opportunity succeed. The eyes of the nation are upon us.

A handwritten signature in black ink, appearing to read "K. Penney Sanders, Ph.D.", written over a faint, larger version of the same signature.

K. Penney Sanders, Ph.D.
Director
Office of Education Accountability
October, 1991



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Assistant President Pro Tem

Joe Wright
Majority Floor Leader

John D. Rogers
Minority Floor Leader

David K. Karem
Majority Caucus Chairman

Art Schmidt
Minority Caucus Chairman

Greg Higdon
Majority Whip

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Minority Whip

LEGISLATIVE RESEARCH COMMISSION

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Frankfort, Kentucky 40601

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Minority Whip

**A Message from Senator David Karem and Representative Kenny Rapier
Co-Chairmen of the
Special Subcommittee on Education Accountability**

Historically Kentucky comes to mind for excellence in fried chicken, basketball, bourbon, and fast horses but not for an exemplary education system. Kentucky also comes to mind for a citizenry with pioneer spirit and the willingness to accept a challenge.

Our challenge, handed down by the Kentucky Supreme Court in June 1989, was an unconstitutional education system ordered to be rewritten by the Kentucky General Assembly. Today, Kentucky stands on the cutting-edge of education reform. Behind us are hundreds of meetings, countless hours of detailed bill-drafting and--most importantly--a determination to effect true reform.

As co-chairmen of the Special Subcommittee on Education Accountability we intend to examine individual, district, and state school performance with the highest level of professionalism and credibility. Our attitude will continue to be a no-nonsense approach to bottom-line performance and fundamental education issues. This is not business as usual.

The Special Subcommittee on Education Accountability, working in conjunction with the Office of Education Accountability, the Kentucky Department of Education and the State Board for Elementary and Secondary Education, will ensure a systematic review of the key components of House Bill 940, the 1990 Kentucky Education Reform Act.

Working together we have made great strides toward improving our education system. Speaking on behalf of the Special Subcommittee on Education Accountability we applaud these curative efforts resulting in a better educational program for all Kentuckians.

Senator David Karem
Co-Chairman
Special Subcommittee on Education
Accountability
Kentucky General Assembly

Representative Kenny Rapier
Co-Chairman
Special Subcommittee on Education
Accountability
Kentucky General Assembly

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**A Message from Senator Ed Ford,
Chairman of the Senate Education Committee and**

**Representative Roger Noe,
Chairman of the House Education Committee**

"We cannot follow where the path may lead... we must go instead where there is no path -- and leave a trail." Anonymous

On March 28, 1990, the Kentucky General Assembly passed House Bill 940, the 1990 Kentucky Education Reform Act (KERA). This unprecedented piece of legislation created monumental changes in the funding, governance, accountability and performance requirements for our entire education system.

With foresight and a dogged determination to facilitate change, the General Assembly established within House Bill 940 the Office of Education Accountability. The Office of Education Accountability serves as the eyes and ears of the citizens of Kentucky as overseers of our new and evolving education program.

Over the next several years we expect to see all major components of HB 940 incorporated into our education system. The foundation for educational achievement has been constructed. As understanding increases and improvement becomes evident, we believe Kentucky's education reform will become a precedent for nationally recognized excellence in education.

We are honored to have played a role in the creation of this historical legislation. As Kentucky educated children move out into the world and the emerging global economy, may the benchmark of their success be attributed to HB 940 and our concerted commitment for educational improvement.

Senator Ed Ford
Chairman
Senate Education Committee
Kentucky General Assembly

Representative Roger Noe
Chairman
House Education Committee
Kentucky General Assembly

October, 1991

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OFFICE OF EDUCATION ACCOUNTABILITY STAFF OVERVIEW
Dr. K. Penney Sanders, Director

Phil Austin, Assistant Director

Division of Investigations

Responsible for all investigations undertaken by the Office of Education Accountability.

Dolores Everett-Smith

Division of Finance

Staff Auditor

Valerie Forti

Program overview, agency and Legislative liason.

Don Hines

Division of Finance

Legislative Analyst

Kyna Koch, Assistant Director

Responsible for the Division of Finance

Kim Pasley

Legislative Analyst

Issues of governance, site-based decision making and district administrators placement and assessment.

Shelley Purvis

Administrative Assistant

to Dr. Sanders

Katie Robinson

Administrative Secretary

for program overview and research

Darlene Studle

Administrative Secretary

for the Division of Finance

Sara Sutherland

Administrative Assistant

for the Division of Investigations

Doug Terry

Research analyst for primary school programs including pre-kindergarten, the K-3 primary program and Extended School Services.

Rosemary Young

Administrative Secretary

Responsible for toll-free hotline calls and initial response to general inquiries.

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INTRODUCTION

The following report tracks Kentucky Education Reform Act (KERA) programs as the General Assembly begins implementation of their response to Rose v. Council for Better Education, Inc.

Divided into areas of Curriculum, Governance, and Finance, program/agency overviews can be located according to their location in House Bill 940.

A summary of recommendations and issues for consideration from the Office of Education Accountability (OEA) appear near the end of the report, followed by two Appendices: "Higher Education and KERA," and "OEA Investigations."

A more in-depth financial report will be compiled by OEA Division of Finance staff for presentation in November.

CURRICULUM

"A child's right to an adequate education is a fundamental one under our Constitution. The General Assembly must protect and advance that right." Rose v. Council for Better Education, Inc., Ky., 790 S.W.2d 186 (1989).

COUNCIL ON SCHOOL PERFORMANCE STANDARDS

KRS 158.645 and KRS 158.6451 address the framing of the learning goals and capacities for students in the Commonwealth in measurable terms. The twelve-member Council on School Performance Standards has undertaken this task and has been actively involved in the establishment of outcomes pursuant to the goals and capacities set out by the General Assembly. (Table I.)

The Council has solicited the expertise of 125 professionals to give direction in the various curriculum areas by establishing eleven task forces. (Table II.) The task forces have provided a framework of valued learning outcomes and examples of assessment tasks. Task force leaders, with the assistance of Council staff, prepared a draft document for general review. Hearings have been completed and the final report is due from the Council to the State Board for Elementary and Secondary Education by December 1, 1991.

A \$28.5 million, five-year contract for the development of assessment instruments to determine if outcomes have been met has been awarded to Advanced Systems in Measurement and Evaluation, Inc. of New Hampshire.

Performance-based assessment has been mandated as a measurement of applied knowledge by Spring 1992. All schools in Kentucky will sample 4th, 8th, and 12th grade students. These scores will establish the baseline for schools for use in 1994 when grades 4, 8, and 12 are

reassessed. In this manner, the success of each school will be determined. Rewards and sanctions will be implemented on a school-by-school basis applying a formula being devised by the assessment contractor. Successful schools will receive monetary rewards from the state; unsuccessful schools will be required to develop plans for improvement.

Portfolio assessment, paper and pencil achievement tests, and other traditional approaches will continue in all grades until the model curriculum framework is adopted by the State Board for Elementary and Secondary Education in July 1993.

COUNCIL FOR EDUCATION TECHNOLOGY

With the passage of the Education Reform Act in 1990, a Council for Education Technology was established and charged with guiding the educational technology program. After publishing the broad parameters for the program in January 1991, the Council joined with representatives from the State Legislature, State Board for Elementary and Secondary Education, and the new Department of Education to form an inter-agency Steering Committee. This Steering Committee is charged with overseeing the implementation of the education technology system. Day-to-day management is the responsibility of the Department of Education.

TABLE I.

THE COUNCIL ON SCHOOL PERFORMANCE STANDARDS

J.D. Nichols, Chairman
Louisville, Kentucky

Freda Norvell
Louisville, Kentucky

Lawrence Allen
Paducah, Kentucky

Henry E. Pogue
Ft. Thomas, Kentucky

Marjorie Bowers
Florence, Kentucky

Robert E. Ruberg
Ft. Wright, Kentucky

John Brock
Frankfort, Kentucky

Jane Sisk
Murray, Kentucky

Gary Dodd
Lexington, Kentucky

Carol Stumbo
McDowell, Kentucky

Jack D. Foster
Lexington, Kentucky

Barney Tucker
Lexington, Kentucky

COUNCIL STAFF

Roger S. Pankratz
Executive Director

Harry E. Owen
Staff Associate

TABLE II.

THE COUNCIL ON SCHOOL PERFORMANCE STANDARDS TASK FORCES

Primary/Elementary School
Middle School
High School
Language Arts
Social Studies
Arts and Humanities
Mathematics
Science and Technology
Practical Living Studies
Vocational Studies
Computers and Other Applied Technology

Since its formation in July 1991, the Steering Committee has managed to streamline coordination among the major state agencies, and involve higher education, workforce development (vocational and adult education), and the Commonwealth's educational television (KET) program in the planning.

The Steering Committee prepared and published the request for proposals from private sector technology companies. Seven firms submitted proposals, from which three were selected for contract awards. The three contractors are Anderson Consulting, Digital Equipment Corporation, and Deloitte and Touche.

KDE decided to award three contracts for the first phase of the work, which must be completed by December 31, 1991. These three contractors will work competitively, each attempting to develop a system design and implementation plan which is the most cost effective in terms of total system cost (estimated to be at least \$200 million), implementation timelines, and scope of instructional and administrative features.

The resulting plans will be evaluated by a team of technical experts, with one contractor then selected to begin implementation in January 1992. Total cost of the competitive planning effort is \$525,000, which is less than three-tenths of one percent of the total estimated cost of the statewide educational technology system.

By June 30, 1992, initial components of the administrative system will be installed in 176 school district offices, and approximately 20,000 student computers will be distributed to schools across the Commonwealth. The exact formula for distributing student computers to schools has not yet been decided. Activities including public meetings, focus groups, educational research, and general debate will be employed over the next three months, so that a firm decision is reached by December 15, 1991.

SCHOOL-BASED DECISION MAKING

KRS 160.345 stipulates that each local board of education is to adopt a policy on school-based decision making (SBDM) in their district. Each participating school is to form a council composed of two parents, three teachers, and the principal. Schools may submit alternative models for implementing SBDM to the State Board for Elementary and Secondary Education for approval. As of June 30, 1991, each local board is to submit to the Commissioner of Education the name of at least one school which will implement SBDM in the 1991-92 school year. All schools will implement SBDM by July 1, 1996. Districts with only one school are exempt from this provision.

Each local board of education has adopted a policy for implementing SBDM. Based on KDE and KEA surveys, 168 of 176 districts have initiated SBDM; 8 districts are exempt; and, 40 local boards designated a school to comply with the June 30, 1991, deadline. Approximately 350

schools will be conducting SBDM in 1991-92. Seven schools are operating under approved alternative models.

Two administrative regulations, 702 KAR 3:240 (School council funding formula - eff. 7/1/91) and 701 KAR 5:100 (Guidelines for alternative models for school-based decision making), have been developed as per KRS 160.345.

FAMILY RESOURCE/YOUTH SERVICE CENTERS

KRS 156.497 is the blueprint for schools to create a holistic education/social service program for students. Any school where 20% or more of the student population is eligible for federal free lunch may apply for either a family resource center or youth service center (FRYSC), the difference being the age of the student population they serve. While the original projection for total eligible schools was 500, in reality over 1,000 schools were eligible. The plan developed for the family resource centers by the FRYSC Interagency Task Force shall promote identification and coordination of existing resources and shall include, but not be limited to, the following components for each site:

- a. Full-time preschool child care for children two (2) and three (3) years of age;

- b. After school child care for children ages four (4) through twelve (12), with the child care being full-time during the summer and on other days when school is not in session;
- c. Families in training, which shall consist of an integrated approach to home visits, group meetings, and monitoring child development for new and expectant parents;
- d. Parent and child education (PACE) as described in KRS 158.360;
- e. Support and training for child day care providers; and
- f. Health services or referral to health services, or both.

The plan developed for the youth service centers by the task force shall promote identification and coordination of existing resources and include the following components for each site:

- a. Referrals to health and social services;
- b. Employment counseling, training, and placement;
- c. Summer and part-time job development;
- d. Drug and alcohol abuse counseling; and
- e. Family crisis and mental health counseling.

On June 19, 1991, 134 grants were awarded, (74 family resource centers, 35 youth service centers, 25 combined family resource and youth service centers) affecting 232 schools. Grants were awarded to 30 schools (16%) with school-based decision making. The total 1991-92 allocation of funds was \$9,055,800 with the average grant awarded being \$76,600. The grant range was \$10,800 to \$90,000 (the maximum allowed). A total of 245 grant applications were submitted to the Cabinet for Human Resources (CHR).

By June 30, 1992, family resource centers and youth services centers will be established in or adjacent to at least one-fourth of the eligible schools, with expansion of one-fourth by June 30 of each year thereafter until the centers have been established in or adjacent to all eligible schools.

The recipient schools represent a diverse population and a geographic distribution across the Commonwealth. Local Advisory Councils or application committees developed their centers' organizational plan, hired center staff and are assisting with the implementation of the program. Two extensive trainings were conducted by the CHR for 277 people on August 7 and 8, and August 14 and 15, 1991.

While staff of the resource centers are employed by their local district, the funding is allocated quarterly by the CHR. Centers will be monitored by CHR resource center staff and evaluations are required from centers quarterly and at year end.

AT RISK FOUR-YEAR-OLD PROGRAM

KRS 157.3175 requires school districts to provide a half-day developmentally appropriate preschool education program for four-year-old children considered at-risk of educational failure. "Children who are at risk shall be identified based on the federal

school lunch program eligibility criteria for free lunch." [KRS 157.3175(3)] Program implementation was optional in 1990-91, but is mandatory for all school districts in 1991-92.

The vision of KERA preschool programs is that of a comprehensive early childhood educational delivery system which provides developmentally appropriate practices to children, integrated services to families, and interdisciplinary and interagency collaboration among organizations serving young children in Kentucky.

Lawmakers, school district administrators, early childhood staff, parents and policy groups have concentrated their focus on early intervention as the key to reducing educational failure.

During 1990-91, 130 school districts administered a program, serving 5,659 children. Approximately 15% of the children served had identified disabilities. 120 districts provided transportation and 52 districts contracted with outside agencies for placement of children.

KDE's recently released Final Report - Kentucky Education Reform Act - Preschool Programs, 1990-91 reveals that there are approximately 54,000 four-year-olds in Kentucky, 39 percent of whom are estimated to be at-risk of educational failure. During 1990-91, 13,470 (64%) of the eligible children were served in preschool programs including KERA, Headstart, and PACE. During 1991-92, 17,375 (83%) of the eligible children are expected to be served.

During 1990-91, \$18 million was allocated with approximately \$14.6 million actually expended. Approximately \$3.4 million has been reallocated for the 1991-92 school year adding to the \$36 million allocation.

The KDE has initiated a study that will provide a more detailed analysis in the areas of cost effectiveness, student outcomes and programmatic components. Data from these studies should be available early next year and provide baseline data for a longitudinal study to chronicle the long-term effectiveness of a quality early education experience.

KRS 157.226 requires districts to provide preschool education services to three- and four-year-old children with identified disabilities, reflecting the federal mandate for preschool handicapped services under P.L. 99-457. Mandatory implementation for services to the handicapped begins in the 1991-92 school year. The previously mentioned KDE Final Report states the following:

- ° Approximately 10,800 children reside in Kentucky between the ages of three and four who qualify for these services at no charge to families regardless of income level.
- ° In 1990-91, 3,259 children were served with identified disabilities among all providers.
- ° In 1991-92 all providers expect to serve 6,500 children in Kentucky or 60 percent of the total target group.

Staff of the Office of Education Accountability have been actively involved with the KDE staff in program monitoring and on-site evaluations. The tandem effort has yielded an ongoing analysis of problem areas of collaboration, contracting, and transportation issues.

KRS 176.317 requires the appointment of an Early Childhood Advisory Council to advise the chief state school officer on preschool programs. The Council held its organizational meeting in February 1991. The law requires a broad spectrum of representation from educators and administrators in the early childhood field as well as the social and health care agencies and colleges. The Office of Education Accountability maintains continual representation at the meetings of the Early Childhood Advisory Council.

The Council has set out its values and mission priorities in its 1991-92 workplan which includes the recognition of "early childhood" as that period from prenatal through infant, toddler, and preschool into ungraded primary.

Priorities include strategies to foster early childhood interagency collaboration and service comprehensiveness as well as issues regarding eligibility, finance, qualification of personnel, and transportation. The long-range mission illustrates a strong corollary to the National Education Goal #1: that all children in America will start school ready to learn by the the year 2000.

PRIMARY SCHOOL IMPLEMENTATION

The primary school program as defined by KRS 158.030 is that part of the elementary school in which children are enrolled from the time they begin school until they are ready to enter the fourth grade. Successful completion of the primary school program shall be a prerequisite for a child's entrance into the fourth grade. Performance outcomes to determine eligibility for this transition will be established by the Council on School Performance Standards. By December 1991, recommendations from the Council will be presented to the State Board for Elementary and Secondary Education.

Staff of the Office of Education Accountability have been participants in interpretative sessions on the concept of the primary program, also called non-graded primary or ungraded primary. Several on-site evaluations have been conducted to give our office indicators of the attitude toward and affirmation of the concept within school districts. A sampling of districts will be analyzed during the 1991-92 school year for status and trends.

In 1990-91, sixteen pilot resource schools were funded. Mini-grants from the Kentucky Department of Education were awarded to model the critical attributes of the ungraded primary classroom. In 1991-92, the year of orientation, fourteen pilot schools have been identified to model the primary school component of KERA.

1992-93 is the year of mandated implementation. Realizing that implementation is a process, the primary school program will be phased in as per an action plan. During Spring 1992, each school must develop an action plan to implement a primary school program. The action plan may cover a period of several years with full implementation in place by the 1995-96 school year.

KRS 156.095(4)(d) requires staff development for the concept of non-graded primary. The KDE staff have conducted two "primary institutes" to orient teachers and administrators to the pedagogy of non-graded primary. In addition, several technical assistance papers have been disseminated.

EXTENDED SCHOOL SERVICES

KRS 158.070 stipulates that all school districts will provide additional instructional time and related services in an attempt to close the achievement gap for low performing students who may need additional time to achieve expected outcomes.

The total funding during 1990-91 was \$21.4 million with the individual Extended School Services grants to districts ranging from \$15,000 to \$2,509,000. The 1991-92 total funding is \$53 million. The grants allocated to the districts are based 50% on average daily attendance (ADA) and 50% on weights assigned to economic deprivation, drop-out rate, and test scores.

Approximately 76,000 students were referred to Extended School Services during the 1990-91 school year with approximately 67,000 students actually participating due to a variety of reasons including after-school employment, intramural sports and lack of transportation. There were various models of service delivery with 90% being after school, 6% before school, 3% Saturday programs, and 1% evening programs. Summer school was conducted in 165 districts with 18 districts providing summer-only E.S.S. programs. Sessions were conducted from 2 to 8 weeks. Transportation was provided by 95 of the participating districts.

Preliminary results of the Extended School Services program have been tabulated by the Office of Education Accountability and the Kentucky Department of Education. The University of Kentucky has been awarded a \$100,000 contract for a third party evaluation to be completed by January 1992.

Qualitative data gleaned by the OEA and the University of Kentucky preliminary report was very positive in terms of teacher and administrator optimism and student involvement. The low teacher/student ratio appears to have generated higher levels of student self-esteem. Many teachers and administrators have attributed increased graduation and decreased retention rates to the Extended School Services program.

Pursuant to concerns regarding the lack of accountability inherent in the regulations regarding Extended School Services, staff of the OEA made on-site evaluation visits to several summer programs this year. The consensus of those visits reinforced concerns that accountability is lacking and districts have not been required to produce academic results commensurate with grant amounts.

OEA research staff have begun an in-depth tracking of 25 school districts and their activities in Extended School Services. The focus will be to analyze costs versus outcomes and make recommendations to the Kentucky Department of Education regarding policy implementation.

GOVERNANCE

"Any system of common schools must be created and maintained with the premise that education is absolutely vital to the present and to the future of our Commonwealth." Rose v. Council for Better Education, Inc., Ky., 790 S.W.2d 186 (1989).

STATE BOARD FOR ELEMENTARY AND SECONDARY EDUCATION

In accordance with KRS 156.029, the eleven new members of the State Board for Elementary and Secondary Education were appointed by the Governor and confirmed by the House and Senate during the 1991 Special Session. Dr. Gary Cox, Executive Director of the Council on Higher Education, serves as an ex-officio non-voting member.

Seven of the members represent each of the Supreme Court districts, with the remaining four representing the state at large. (Table III.) Terms for the initial appointments of those representing the seven Supreme Court districts expire April 14, 1994; terms of the four at-large members expire April 14, 1992. Subsequent appointments will be confirmed by the Senate and House by February 1 in each year that a Regular Session is convened, and will take office on April 15.

TABLE III.

State Board for Elementary and Secondary Education

<u>Member</u>	<u>Representing</u>
Ms. Jane Joplin Evans	District 3
Mr. Thomas Gish	District 7
Ms. Audrey Haynes	At Large
Mr. Joseph Kelly	District 5
Ms. Deborah Morrow	At Large
Ms. Helen Mountjoy	District 2
Mr. Wade Mountz	At Large
Dr. Samuel Robinson	At Large
Mr. Gary Stewart	District 4
Mr. Craig True	District 6
Mr. John Williams	District 1

The State Board held its first organizational meeting on February 26, 1991. Mr. Joseph W. Kelly, representing District 5, was elected as Chairman; Mr. Gary Stewart, District 4, serves as Vice Chairman. The membership has organized into committees with the following responsibilities: Management Support Committee--administration, technology, facilities; Learning Support Committee--curriculum, school-based decision making; Governance Committee--legislation, policy, regulations; Public Outreach Committee--public relations liaison. The State Board also formed an ad-hoc committee to address alternative models of school-based decision making.

EDUCATION MANAGEMENT SELECTION COMMISSION

The Commission--composed of six members appointed by the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives--held its first organizational meeting on June 20, 1990, to begin conducting a national search to identify the best qualified individual for the State Board for Elementary and Secondary Education to appoint as the first Commissioner of Education. The membership included Jack Foster, Sandra Gubser, William McAnulty, Burns Mercer, Wade Mountz, and Stephen Wilborn.

The Commission held four public hearings during June and July 1990 in Highland Heights, Gilbertsville, Prestonsburg, and Louisville. In addition, proposals were sought from executive search firms for facilitating their task.

COMMISSIONER OF EDUCATION

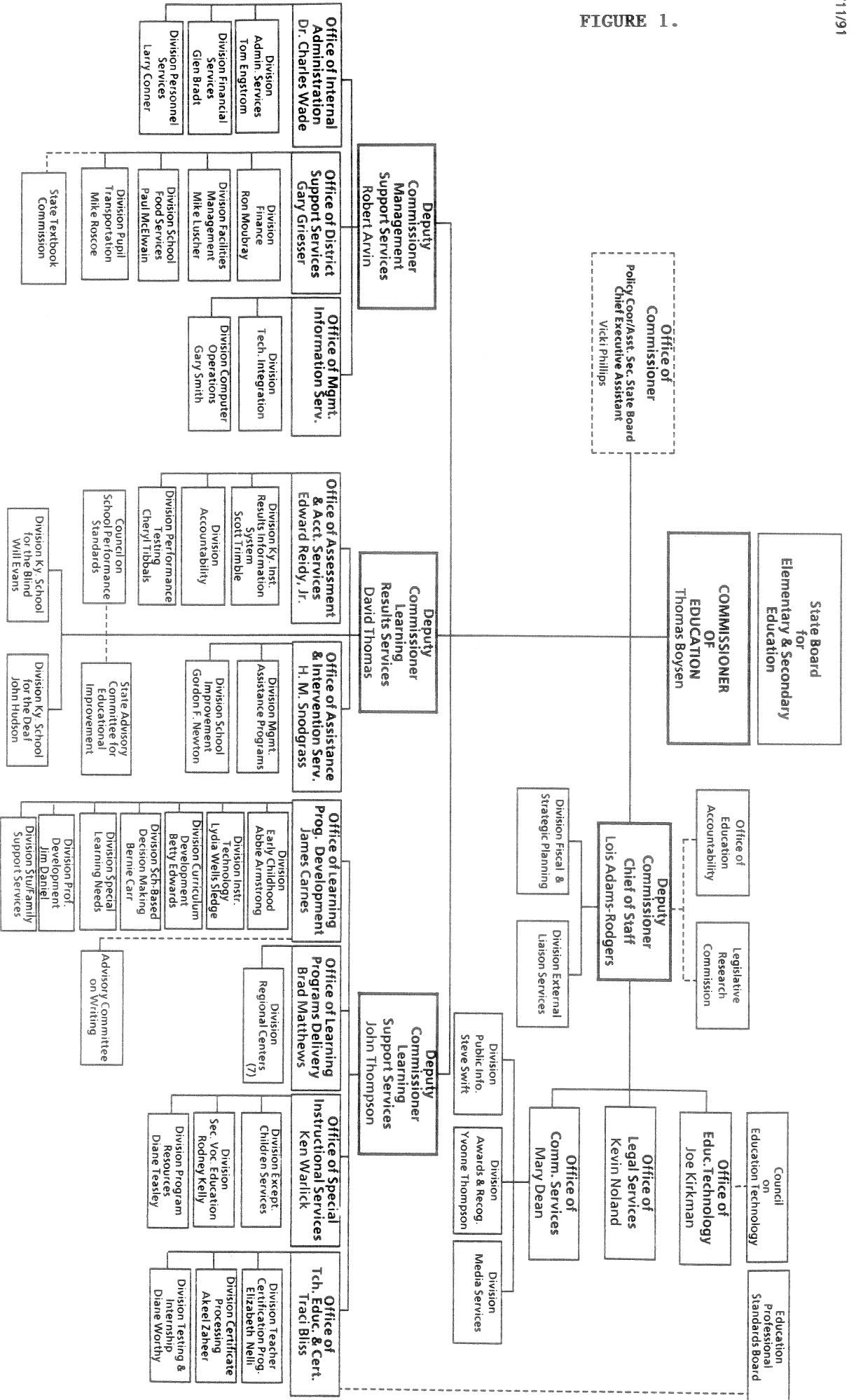
On January 1, 1991, Dr. Thomas C. Boysen of San Diego, California, assumed the duties of the Commissioner of Education following his unanimous selection by the Education Management Selection Commission and appointment by the State Board for Elementary and Secondary Education. Concurrently, as provided for by KRS 156.120, the duties of the Superintendent of Public Instruction were shifted to Dr. Boysen in his role as the new Chief State School Officer.

The Superintendent of Public Instruction retains the following responsibilities: member of the State Child Sexual Abuse and Exploitation Prevention Board, the Communications Advisory Council to the Kentucky Information Systems Commission, the Commission on Fire Protection Personnel Standards and Education, and may be called upon as a voting member of a citizen council required for federal programs; approves school district leases if they exceed \$100,000; receives notification of missing children; certifies residency of certain junior college students; and, develops and implements the statewide plan to serve developmentally disabled persons.

KENTUCKY DEPARTMENT OF EDUCATION REORGANIZATION

In response to Rose v. Council for Better Education, Inc., KRS 156.016 directs the Commissioner of Education to reorganize the Kentucky Department of Education (KDE) and is designed for a one-time

FIGURE 1.



use only. The reorganization of the KDE was to incorporate a strong orientation toward providing technical assistance to local school districts.

After a process including the review of other state organizational structures, consideration of alternative designs, and the assistance of a personnel consultant, the reorganization resulted in 19 of 227 support staff terminated, 38 of 192 professional personnel terminated or resigned, and 80 assigned to a lower classification. Of the top 80 managers, 12 resigned or retired, 6 were terminated, and 38 were demoted. Under the new reorganization, 10 of the 12 associate commissioners, and 31 of the 41 division directors will be new to their positions. (Figure 1.)

Two Attorney General Opinions were requested and have been issued regarding the KDE reorganization. OAG 91-64 states that KRS 156.016 giving the Commissioner of Education the power to reorganize the KDE supersedes KRS 12.028 which indicates that only the Governor or an elected state official may file executive orders. In addition, KDE merit employees who are terminated due to the Department's reorganization may not appeal their termination to the Personnel Board. KDE merit employees do have a statutorily created property right in their position which can be terminated by the Legislature. Seniority is not a vested property right under KRS Chapter 18A. Seniority for purposes of terminating or rehiring in the Department of Education is not provided. However, seniority will apply in all other agencies. Furthermore, OAG 91-64 states that the Legislature's mandate

to reorganize the Department of Education is not arbitrary even though the tenure rights of only a specific class are affected.

OAG 91-87 states that KDE employees who are terminated pursuant to House Bill 940's mandate that the Department reorganize have no priority status for reemployment in the KDE. However, those employees have the rights of career employees which give them priority on reemployment registers in other agencies.

The reorganization was also challenged in Franklin Circuit Court in Slaughter, et al. v. Boysen and the Department of Education. Filed June 11, 1991, this action was a challenge by 18 employees to KRS 156.016 requiring the reorganization. By agreement of all parties involved, Judge William Graham dismissed the case on August 13, 1991.

Arnett v. Boysen, Department of Education, Rose, and Blandford, filed June 28, 1991, is a challenge by one employee to KRS 156.016. The case is still pending in Franklin Circuit Court.

KENTUCKY EDUCATION PROFESSIONAL STANDARDS BOARD

Created by KRS 161.028, the Kentucky Education Professional Standards Board (KEPSB) is composed of fifteen members--thirteen are appointed by the Governor while the Chief State School Officer and Executive Director of the Council on Higher Education serve as ex officio voting members. (Table IV.)

TABLE IV.

KENTUCKY EDUCATION PROFESSIONAL
STANDARDS BOARD

Chair: Janice F. Weaver, Dean College of Education Murray State University	Vice-Chair: Daniel Greene, Teacher Alternative Education The David School
Members: Sara Jean Akin, Teacher Middle Grades Ascension School	Barbara Bentley, Member Madison Co. Board of Education
Lydia Coffey, Teacher Casey Co. Middle School	Phil Eason, Principal Larue Co. High School
Paula Loraye Jones, Teacher Special Education Dunbar High School	Bess Marshall, Teacher Vocational Education Boyle Co. High School
Carl Martray, Dean College of Education Western Kentucky University	Rosa Middleton, Teacher Julius Marks Elementary School
Linda Twyman, Teacher Boone Co. High School	Reeva Whitaker, Teacher Magoffin Co. High School
James R. Young, Jr., Supt. Russellville Ind. Schools	
Ex-Officio Members:	
Thomas C. Boysen Commissioner of Education Kentucky Department of Education	Gary Cox Executive Director Council on Higher Education
Executive Secretary:	
Traci Bliss Division of Teacher Education and Certification 18th Floor, Capital Plaza Tower 500 Mero Street Frankfort, Kentucky 40601 (502) 564-4606	

The KEPSB has the authority and responsibility to establish standards and requirements for obtaining and maintaining a teaching certificate; set standards for, approve, and evaluate college, university, and school district programs for the preparation of teachers and other professional school personnel; issue, renew, suspend, and revoke teaching certificates; study the problem of the declining pool of minority teachers and submit recommendations to the 1992 Regular Session of the General Assembly; reduce and streamline the credential system to allow districts greater flexibility in staffing; and, develop a professional code of ethics.

The KEPSB "Code of Ethics for Kentucky School Personnel" has been completed and addresses the professional educator in relation to students, parents and community, and the education profession. A "Conflict of Interest Declaration Policy" has also been developed for the Board members.

Currently under review by the Legislative Research Commission (LRC) are regulations relating to School District Alternative Certification for Secondary and Middle School Teachers, while language is being prepared for School District Alternative Primary Certification. Regulations for the revocation of certificates have been developed and implemented. The first revocation hearings were held August 1 and 2, 1991.

According to OAG 91-37, the KEPSB must conduct all revocation hearings and cannot delegate its authority to a hearing officer.

Significant delays were encountered while the Board awaited indemnification prior to proceeding with the hearings. Many of the cases awaiting a hearing are five or more years old, in part because individuals have a right to exhaust all court appeals and previous state boards and hearing officers were not aggressively prosecuting revocations. From 1987 to 1990, only ten certificates were revoked.

The KEPSB is developing a final draft of a proposal for recruiting minority teachers which will draw upon collaboration with the Council on Higher Education, colleges and universities, and community colleges. The Board is considering a request for funds for scholarships for minorities, especially for the district alternative certification programs which prepare minority teachers and teachers in shortage areas, and is awaiting legal research on designating scholarships for minorities. The final draft of the plan should be prepared by October 1991.

The KEPSB has identified at least six certificates which might be dropped and is awaiting research by legal staff on school personnel law, pension rights, and other personnel policy impacting professional school employees without certificates.

Regional Service Centers

KRS 156.017 incorporates the concept of staff development and professional training into KERA, as Regional Service Centers.

Regional Service Centers (RSC) will function as technical/research cooperatives to enhance and support the pedagogy of KERA.

The KDE has developed a draft proposal for seven regional service centers, one located in each of the seven Supreme Court judicial districts, to be directed by the Learning Programs Delivery Office within the KDE. Local advisory panels, appointed by Dr. Boysen, will administer the individual RSC's. Center organization and personnel for each RSC will be determined by the advisory panels.

The RSC will develop a professional development coordination plan that ensures professional development in each KERA program strand and in research-validated teaching practices. RSC professionals will be directly involved in review of KERA program design and district implementation.

Each RSC will be evaluated annually on general student performance, student well being, and student attitudes of good citizenship. Individual schools and the districts will be surveyed for evaluative feedback.

The Office of Education Accountability will review staffing structure and center operations as part of an ongoing review of all KERA strands.

SUPERINTENDENT SCREENING COMMITTEES

In accordance with KRS 160.352, each board of education is to appoint a superintendent of schools after receiving recommendations from a screening committee (established within thirty days of a determination by a board that a vacancy has occurred or will occur in the office of superintendent).

The screening committee is composed of two teachers, one board of education member, one principal, and one parent. Prior to appointing a new superintendent, the board is to consider the committee's recommendations but is not bound by them.

The Office of Education Accountability (OEA) has surveyed eighteen school districts affected by KRS 160.352. Of the seventeen districts responding, fourteen districts established screening committees within 30 days; one within 40 days; one within 60 days; and, one within ninety days. The vast majority of the districts have chosen a person recommended by the screening committee. It is noted that in instances where there has been public perception of the screening committee being influenced by the administration, oftentimes the interim superintendent was a candidate for the vacancy. The data does not lead the OEA to conclude nor suggest that because the public perceives this to be a problem that there actually is a problem. It is merely noted that the perception is there and that it does lead to strained relations.

OAG 91-3 states that the screening committee must be composed only of those individuals expressly mentioned in KRS 160.352.

NEPOTISM

KRS 160.380 addresses the issue of nepotism in the local school districts, utilizing the following definition of "relative": father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law, and daughter-in-law. This statute was intended to substantially curb nepotism in the local school districts as it relates to superintendents, school board members, and principals.

OAG 90-68 states that an aunt of a board member by marriage is not prohibited from employment in the school district. In addition, OAG 90-94 re-emphasizes that a spouse of a superintendent must have twenty years of service in the school system to remain in the current position they hold, even if it is a non-certified position.

OAG 90-109 clarified KRS 160.180 and KRS 160.380(2)(f) in that an incumbent school board member who is ineligible to take office because he has a relative employed by the school district may run for election but will not be able to take the oath of office unless his relative resigns from the position.

In an attempt to clarify the term "initially hired," OAG 90-126 stated that a person who moves from one job in the school system to

another was initially hired when he began work in his first job, provided the employment was continuous and without interruption. This applies to classified or certified positions, part time, temporary, or full time. The Opinion continued by saying that a board member's relative who is hired during the tenure of a board member was initially hired at the time he began continuous, uninterrupted employment, even if he was not related to the board member at the time of the hiring.

OAG 90-130 and OAG 91-64 simply reinforce the stipulations of KRS 160.380(2)(e) regarding the prohibition of a superintendent hiring his spouse and the exceptions contained within that same section. Likewise, OAG 91-10 complements the definition of "initially hired" set forth in OAG 90-126.

OAG 91-13 clarified KRS 160.380(2)(g) in that the employment of an assistant principal's spouse is not prohibited under the statute prohibiting the principal and his spouse from working in the same school. OAG 91-28, referring to the same statute and section, states that such prohibition regarding the principal and his spouse applies to both certified and classified employees. Furthermore, if there is no appropriate vacancy in another school in the district, but an appropriate position exists, then the applicable transfers must be made to accommodate the transfer of the principal's spouse.

Chapman v. Cowan, a constitutional challenge to the nepotism provisions of KERA, was filed in Franklin Circuit Court on January 4, 1991. On June 27, 1991, Judge William Graham upheld the anti-nepotism

provisions prohibiting school board members from serving in a district where their relatives were employed. All parties are asking that the case be transferred directly to the state's Supreme Court.

Burke and Burke v. Cowan, LRC, Blandford, Rose, Boysen, and Kelly was filed in Franklin Circuit Court on June 26, 1991, challenging the constitutionality of KRS 160.380(2)(e). On June 26, 1991, Judge Graham entered a temporary restraining order prohibiting Attorney General Cowan and Commissioner Boysen from instituting action against Superintendent Burke due to the continued employment of his spouse.

POSTING OF LOCAL SCHOOL DISTRICT VACANCIES

KRS 160.380(2)(b), and (c), and (d) stipulate the posting of all certified vacancies occurring in local school districts with the KDE thirty days prior to filling the position. In addition, local districts are required to post the openings in the local board office. In the event that a thirty-day delay would disrupt instruction, the KDE may approve a waiver. The KDE must also approve the person who will fill the position prior to his appointment. The local superintendent is to conduct a search for minority teachers to fill the position.

Various interpretations of the posting requirement surfaced at the state and local levels, resulting in a request from the KDE for an Attorney General's Opinion.

OAG 91-149, issued September 4, 1991, states that paid extra-duty or extra curricular assignments do not have to be posted when they are merely additional assignments. However, if these extra assignments are attached to a full-time, new or vacant position, then they would be posted as a part of that position.

In addition, OAG 91-149 states that a superintendent may change assignments of personnel prior to July 16 without creating "vacancies" as defined by KRS 160.380(1)(b). After July 15, when certified position openings occur, those openings constitute "vacancies" even in the event of concurrent transfers.

POLITICAL ACTIVITIES OF SCHOOL DISTRICT EMPLOYEES

KRS 161.164(1) and (2) prohibited school district employees from taking part in school board campaigns.

Howard v. State Board for Elementary and Secondary Education, filed July 18, 1990, in Franklin Circuit Court, challenged the restrictions set forth in KRS 161.164(1) and (2). On June 27, 1991, Judge William Graham struck down those restrictions holding that the statutes are so broad that school employees would not be able to ascertain those activities forbidden. Motion has been filed to have the case transferred directly to the State's Supreme Court.

OFFICE OF EDUCATION ACCOUNTABILITY

The Office of Education Accountability (OEA) is charged with the responsibility of reviewing the state's system of school finance; verifying the accuracy of school district and state performance; and, investigating unresolved allegations of wrongdoing at the state, regional, or district level.

The OEA is comprised of three division: The Division of Finance, the Division of Research, and the Division of Investigations. Many of the inquiries received are forwarded directly to the KDE for appropriate action, with follow-up by OEA staff. Staff meets and confers continually with other state agencies and educational support organization and also with school administrators, parents, and legislators to feel the pulse of change and concern.

While the Divisions of Finance, Research, and Investigations have clearly distinct and seemingly separate missions, they are interdependent entities that form the Office of Education Accountability to assure comprehensive attention to the assessment of each KERA component.

In addition, the three basic divisions of the OEA are supplemented by public perceptions and suggested improvements from teachers, parents, administrators, and citizens who voice their concerns via the Education Hotline. By maintaining a high level of confidentiality, the OEA is truly able to monitor change across the Commonwealth.

FINANCE

"No tax proceeds have a more important position or purpose than those for education in the grand scheme of our government."
Rose v. Council for Better Education, Inc., Ky., 790 S.W.2d 186 (1989).

SUPPORT EDUCATIONAL EXCELLENCE IN KENTUCKY (SEEK)

Pursuant to KRS 7.410, the Office of Education Accountability Division of Finance is to conduct an ongoing review of the finance system including an analysis of the equity of Kentucky's system and whether adequate funds are available to districts. Preliminary work has begun on this study with the assistance of Dr. John Augenblick. A report is expected to be delivered to the General Assembly early in November.

Input of the study of equity has been sought from various groups of Kentucky educators, including KASA, KEA and KEDC. A questionnaire, developed to seek input, addresses the value judgments and decisions involved in determining the parameters of the analysis. Response to the questionnaire clearly indicates that equity means many things to many people. For this reason, the equity analysis will essentially build a framework for further study and set some guidelines for how we examine the performance of the funding system. For example, per pupil spending for a particular program may not be an appropriate measure given that our funding system (SEEK) is designed to permit differences in per pupil spending. Adjustments are made in the base level for at-risk, handicapped and transportation. Additionally, flexibility is permitted in local effort through Tier I and Tier II.

The Division of Finance is also charged with making recommendations on program weights, base per pupil funding for SEEK, and a statewide salary schedule. Each of these mandates will be discussed in the

November report, but actual recommendations on program weights and a statewide salary schedule may be delayed until the 1994 Regular Session of the General Assembly. Table V. shows current minimum, maximum, and average teacher and administrator salaries by district. Preliminary findings on a study of the transportation funding formula will also be presented.

A report for the Department of Education recently completed by John Augenblick indicated that SEEK performed as anticipated the first year. The formula is addressing disparities in revenues available to local school districts with the state funding being sensitive to the wealth of the districts. The local tax requirements of the base and the tax rate incentive of Tier I have increased local revenues to the districts by 25% in 1990-91. The response to Tier I by 169 school districts is a very positive indicator.

SCHOOL FACILITIES

KRS 157.420 provides that capital outlay funding from both the public school fund and local sources may only be used on projects approved by the chief state school officer in accordance with requirements of law and "based on a survey made in accordance with administrative regulations of the State Board for Elementary and Secondary Education."

TABLE V.

DISTRICT	Minimum		Percent Increase	Maximum		Percent Increase	Average Teacher		Percent Increase	Average Admin		Percent Increase
	1989-90	1990-91		1989-90	1990-91		1989-90	1990-91		1989-90	1990-91	
Adair	17,555	19,311	10.00%	28,675	31,543	10.00%	25,779	27,714	7.51%	36,016	40,354	12.04%
Allen	17,538	19,258	9.81%	29,412	32,252	9.66%	25,480	27,825	9.20%	39,765	41,969	5.54%
Anderson	17,200	19,000	10.47%	28,900	31,950	10.55%	24,692	27,390	10.93%	42,682	47,555	11.42%
Ballard	17,457	19,212	10.05%	28,703	31,725	10.53%	25,795	28,074	8.84%	35,820	40,581	13.29%
Barren	17,487	19,235	10.00%	28,675	31,600	10.20%	25,032	28,179	12.57%	39,362	42,002	6.71%
Caverna	17,299	19,000	9.83%	28,822	31,700	9.99%	24,529	26,919	9.74%	37,686	43,322	14.96%
Glasgow	17,640	19,360	9.75%	30,560	34,000	11.26%	26,656	29,587	11.00%	41,532	45,983	10.72%
Bath	17,425	19,388	11.27%	28,675	31,543	10.00%	25,768	28,081	8.98%	41,217	45,894	11.35%
Bell	17,485	18,960	8.44%	28,675	33,836	18.00%	25,183	29,650	17.74%	34,176	41,634	21.82%
Middlesboro	17,510	20,300	15.93%	29,315	33,740	15.09%	26,429	30,218	14.34%	44,710	50,495	12.94%
Pineville	17,555	20,188	15.00%	28,675	32,976	15.00%	25,090	28,776	14.69%	36,535	45,345	24.11%
Boone	18,070	19,555	8.22%	35,570	38,980	9.59%	27,141	29,687	9.38%	48,721	53,462	9.73%
Walton-Vero	17,935	19,000	5.94%	34,185	37,001	8.24%	26,881	29,694	10.46%	47,147	51,862	10.00%
Bourbon	17,552	19,307	10.00%	30,635	33,699	10.00%	26,198	28,852	10.13%	43,141	45,380	5.19%
Paris	17,555	19,680	12.10%	29,295	33,720	15.10%	24,559	27,975	13.91%	44,390	50,877	14.61%
Boyd	17,295	19,438	12.39%	30,388	34,473	13.44%	26,338	29,671	12.65%	39,919	45,240	13.33%
Ashtland	17,782	19,660	10.56%	32,166	36,281	12.79%	27,422	30,155	9.97%	44,457	49,885	12.21%
Fairview	18,321	20,253	10.55%	30,180	33,699	11.66%	25,692	28,306	10.17%	45,415	46,411	2.19%
Boyle	17,555	19,230	9.54%	30,500	33,440	9.64%	25,540	28,246	10.60%	44,851	49,357	10.05%
Danville	17,230	19,300	12.01%	33,230	36,235	9.04%	27,022	30,280	12.06%	46,374	50,841	9.63%
Bracken	17,555	19,310	10.00%	29,298	32,230	10.01%	26,408	28,845	9.23%	44,577	49,559	11.18%
Augusta	17,555	18,960	8.00%	28,675	31,200	8.81%	24,111	27,017	12.05%	32,017	38,167	19.21%
Breathitt	17,555	19,826	12.94%	28,675	32,614	13.74%	24,965	28,680	14.88%	41,044	46,316	12.84%
Jackson	17,555	18,960	8.00%	28,675	31,200	8.81%	24,177	26,660	10.27%	37,409	41,368	10.58%
Breckinridge	17,300	18,960	9.60%	30,030	33,033	10.00%	25,732	28,017	8.88%	40,211	44,328	10.24%
Cloverport	17,555	18,960	8.00%	28,675	31,200	8.81%	23,735	26,608	12.10%	39,688	46,952	18.30%
Bullitt	17,208	18,960	10.18%	31,971	35,168	10.00%	25,783	28,649	11.12%	43,546	48,459	11.28%
Butler	17,400	20,010	15.00%	28,675	32,976	15.00%	23,868	27,699	16.05%	37,427	43,073	15.09%
Caldwell	17,560	19,320	10.02%	28,682	31,550	10.00%	25,941	28,311	9.14%	41,476	41,418	-0.14%
Calloway	17,610	19,899	13.00%	29,075	32,855	13.00%	25,843	28,981	12.14%	40,112	45,707	13.95%
Murray	17,439	19,183	10.00%	29,381	32,319	10.00%	26,380	29,280	10.99%	44,012	50,784	15.39%

DISTRICT	Minimum		Percent Increase	Maximum		Percent Increase	Average Teacher		Percent Increase	Average Admin		Percent Increase
	1989-90	1990-91		1989-90	1990-91		1989-90	1990-91		1989-90	1990-91	
Campbell	18,085	18,960	4.84%	32,394	35,633	10.00%	26,785	29,289	9.35%	42,567	47,120	10.70%
Bellevue	18,100	19,500	7.73%	34,000	36,950	8.68%	26,827	28,784	7.29%	49,521	51,493	3.98%
Dayton	17,445	19,190	10.00%	28,940	34,730	20.01%	24,920	27,665	11.02%	44,264	49,803	12.51%
Ft Thomas	16,375	19,270	17.68%	36,729	40,625	10.61%	28,680	30,836	7.52%	54,357	59,732	9.89%
Newport	16,734	19,050	13.84%	31,349	34,986	11.60%	26,258	29,097	10.81%	43,442	47,767	9.96%
Silver Grove	17,330	18,960	9.41%	28,675	31,220	8.88%	24,035	24,868	3.47%	41,727	41,342	-0.92%
Southgate	17,555	18,960	8.00%	29,600	31,970	8.01%	25,036	25,656	2.48%	34,750	38,519	10.85%
Carlisle	17,500	18,960	8.34%	28,750	31,200	8.52%	25,699	28,354	10.33%	43,837	46,699	6.53%
Carroll	17,700	20,005	13.02%	33,789	37,398	10.68%	26,329	30,095	14.30%	44,053	50,731	15.16%
Carter	16,800	19,100	13.69%	28,677	32,250	12.46%	24,258	27,719	14.27%	36,217	40,874	12.86%
Casey	17,555	19,310	10.00%	28,675	31,540	9.99%	24,158	26,058	7.86%	35,099	37,577	7.06%
Christian	17,952	19,748	10.00%	29,412	32,354	10.00%	26,174	28,776	9.94%	44,223	49,667	12.31%
Clark	17,260	18,986	10.00%	30,480	33,528	10.00%	25,379	28,004	10.34%	44,191	47,024	6.41%
Clay	17,530	20,190	15.17%	28,700	33,150	15.51%	25,341	29,100	14.83%	38,539	43,694	13.38%
Clinton	17,485	20,108	15.00%	28,675	32,976	15.00%	24,749	28,488	15.11%	38,078	38,872	2.09%
Crittenden	17,435	19,180	10.01%	28,675	31,540	9.99%	24,034	26,748	11.29%	40,910	45,375	10.91%
Cumberland	17,555	19,307	9.98%	28,675	31,547	10.02%	24,743	26,646	7.69%	37,360	41,226	10.35%
Davies	17,650	19,370	9.75%	32,575	35,702	9.60%	27,905	30,584	9.60%	45,355	49,149	8.37%
Owensboro	17,732	19,377	9.28%	31,777	34,320	8.00%	28,359	30,472	7.45%	47,092	52,575	11.64%
Edmonson	17,315	19,100	10.31%	28,675	31,575	10.11%	24,386	26,752	9.70%	38,117	43,021	12.87%
Elliott	17,502	19,253	10.00%	28,675	31,543	10.00%	23,417	25,924	10.71%	38,971	43,500	11.62%
Estill	17,500	18,960	8.34%	28,917	31,995	10.64%	24,141	26,288	8.89%	38,428	42,569	10.78%
Fayette	20,091	21,811	8.56%	37,736	40,576	7.53%	30,379	33,404	9.96%	54,676	58,438	6.88%
Fleming	17,600	19,712	12.00%	30,000	33,600	12.00%	25,641	28,974	13.00%	42,165	46,253	9.70%
Floyd	17,555	20,498	16.76%	28,715	33,453	16.50%	24,121	28,309	17.36%	43,096	48,974	13.64%
Franklin	18,320	19,770	7.91%	31,210	34,331	10.00%	25,876	28,206	9.00%	45,907	50,194	9.34%
Frankfort	17,314	19,045	10.00%	30,051	33,056	10.00%	26,053	28,955	11.14%	47,584	52,579	10.50%
Fulton	17,555	18,960	8.00%	28,675	31,200	8.81%	25,621	28,054	9.50%	38,529	38,060	-1.22%
Fulton	17,555	18,960	8.00%	28,675	31,200	8.81%	25,194	27,232	8.09%	40,100	45,276	12.91%
Gallatin	17,500	18,990	8.51%	28,900	31,800	10.03%	23,302	25,480	9.35%	41,889	44,961	7.33%
Garrard	17,555	19,311	10.00%	28,675	31,543	10.00%	25,154	26,979	7.26%	36,571	37,118	1.50%
Grant	17,330	19,063	10.00%	31,658	35,604	12.46%	24,156	26,778	10.85%	42,064	49,840	18.49%
Williamstown	17,546	19,651	12.00%	29,065	33,053	13.72%	24,483	26,630	8.77%	45,939	46,513	1.25%

DISTRICT	Minimum		Percent Increase	Maximum		Percent Increase	Average Teacher		Percent Increase	Average Admin		Percent Increase
	1989-90	1990-91		1989-90	1990-91		1989-90	1990-91		1989-90	1990-91	
Graves	17,555	19,311	10.00%	28,675	31,543	10.00%	25,895	28,326	9.39%	41,346	45,641	10.39%
Mayfield	17,555	19,310	10.00%	28,675	31,550	10.03%	26,842	29,526	10.00%	43,527	48,942	12.44%
Grayson	17,204	18,960	10.21%	28,828	31,770	10.21%	24,971	27,610	10.57%	39,641	43,278	9.17%
Green	17,555	19,310	10.00%	28,675	31,550	10.03%	25,304	28,214	11.50%	36,939	41,353	11.95%
Greenup	17,156	19,215	12.00%	29,462	33,000	12.01%	24,765	27,527	11.15%	40,195	44,423	10.52%
Raceland	18,496	20,346	10.00%	30,850	33,935	10.00%	27,634	29,996	8.55%	44,385	45,542	2.61%
Russell	19,210	21,323	11.00%	33,543	37,233	11.00%	29,310	32,284	10.15%	47,347	50,939	7.59%
Hancock	17,855	19,575	9.63%	31,900	34,960	9.59%	26,999	29,519	9.33%	42,391	46,951	10.76%
Hardin	17,718	19,490	10.00%	32,439	35,683	10.00%	25,750	28,325	10.00%	43,241	48,479	12.11%
Elizabethlow	17,905	19,700	10.03%	32,655	36,000	10.24%	27,064	29,389	8.59%	47,225	49,645	5.12%
West Point	17,870	19,657	10.00%	30,099	35,155	16.80%	24,890	27,325	9.78%	40,133	46,578	16.06%
Harlan	17,695	19,820	12.01%	31,000	34,720	12.00%	24,868	27,935	12.33%	40,577	45,742	12.73%
Harlan	17,555	20,200	15.07%	29,175	33,800	15.85%	23,874	27,292	14.32%	37,898	44,568	17.60%
Harrison	17,240	18,964	10.00%	28,675	31,543	10.00%	24,360	27,006	10.86%	40,471	45,361	12.08%
Hart	17,300	19,150	10.69%	28,700	33,100	15.33%	24,670	27,131	9.98%	37,971	43,549	14.69%
Henderson	17,621	18,960	7.60%	30,867	31,200	1.08%	26,464	29,076	9.87%	43,342	47,245	9.01%
Henry	17,443	19,150	9.79%	28,802	31,512	9.41%	24,487	27,065	10.53%	38,264	42,425	10.87%
Eminence	17,550	19,305	10.00%	29,450	32,395	10.00%	26,158	27,782	6.21%	41,217	45,540	10.49%
Hickman	17,555	18,960	8.00%	28,675	31,200	8.81%	24,700	26,891	8.87%	40,647	43,042	5.89%
Hopkins	17,162	18,960	10.48%	31,680	38,448	21.36%	25,739	28,656	11.33%	42,096	47,035	11.73%
Dawson Spri	17,695	19,380	9.52%	29,115	33,000	13.34%	25,466	27,260	7.04%	42,402	48,739	14.95%
Jackson	17,480	20,626	18.00%	28,675	33,837	18.00%	23,511	27,043	15.02%	34,681	42,661	23.01%
Jefferson	17,293	19,022	10.00%	35,640	39,205	10.00%	29,267	31,971	9.24%	52,785	58,483	10.79%
Anchorage	17,476	18,960	8.49%	36,001	39,607	10.02%	28,736	31,003	7.89%	56,691	70,419	24.22%
Jessamine	16,950	19,100	12.68%	30,375	33,905	11.62%	24,407	27,706	13.52%	43,494	47,572	9.38%
Johnson	17,546	19,652	12.00%	28,665	32,105	12.00%	24,442	27,386	12.04%	40,802	46,510	13.99%
Paintsville	18,153	19,968	10.00%	29,968	32,965	10.00%	26,368	29,143	10.52%	45,465	50,514	11.11%
Kenton	17,500	20,000	14.29%	32,549	35,804	10.00%	26,109	28,707	9.95%	45,965	50,373	9.59%
Beechwood	17,000	18,960	11.53%	33,090	35,187	6.34%	26,675	28,433	6.59%	54,947	52,639	-4.20%
Covington	17,200	19,000	10.47%	31,500	35,700	13.33%	24,627	27,803	12.90%	47,150	49,810	5.64%
Erlanger	17,300	19,300	11.56%	31,200	33,500	7.37%	24,740	26,537	7.26%	44,234	48,053	8.63%
Ludlow	17,760	19,550	10.08%	32,710	35,980	10.00%	25,931	29,403	13.39%	44,867	49,370	10.04%
Knott	17,510	20,138	15.01%	28,676	32,978	15.00%	24,029	27,927	16.22%	37,520	43,389	15.64%

DISTRICT	Minimum	Minimum	Percent Increase	Maximum	Maximum	Percent Increase	Average	Average	Percent Increase	Average	Average	Percent Increase
	1989-90	1990-91		1989-90	1990-91		Teacher 1989-90	Teacher 1990-91		Admin 1989-90	Admin 1990-91	
Knox	17,450	18,960	8.65%	28,675	32,976	15.00%	25,523	29,410	15.23%	35,353	43,579	23.27%
Barbourville	17,530	19,285	10.01%	29,340	32,275	10.00%	23,219	25,851	11.34%	39,406	42,300	7.34%
Larue	17,514	19,265	10.00%	30,800	33,880	10.00%	26,364	29,191	10.72%	44,113	49,039	11.17%
Laurel	17,240	19,311	12.01%	28,360	31,543	11.22%	24,607	27,086	10.07%	36,549	41,385	13.23%
E Bernstadt	17,555	20,188	15.00%	28,675	32,976	15.00%	24,465	27,631	12.94%	44,261	50,901	15.00%
Lawrence	17,455	19,724	13.00%	28,675	32,403	13.00%	23,834	26,888	12.81%	36,888	42,160	14.29%
Lee	17,555	19,310	10.00%	28,825	32,257	11.91%	23,934	27,496	14.88%	41,290	42,779	3.61%
Leslie	17,555	20,188	15.00%	28,675	32,976	15.00%	24,504	27,963	14.12%	38,362	43,841	14.28%
Letcher	18,090	21,193	17.15%	28,795	33,900	17.73%	24,681	28,486	15.42%	37,183	44,788	20.45%
Jenkins	18,140	21,406	18.00%	29,206	34,463	18.00%	23,805	27,899	17.20%	40,275	47,994	19.17%
Lewis	17,215	18,960	10.14%	28,675	31,942	11.39%	24,670	27,659	12.12%	38,222	43,081	12.71%
Lincoln	17,233	19,302	12.01%	28,366	31,549	11.22%	25,203	27,499	9.11%	37,495	41,408	10.44%
Livingston	17,555	19,311	10.00%	28,675	31,543	10.00%	24,233	26,989	11.37%	38,488	38,951	1.20%
Logan	17,220	19,000	10.34%	28,675	31,900	11.25%	24,765	27,265	10.09%	41,239	45,540	10.43%
Russellville	17,400	19,000	9.20%	28,900	32,000	10.73%	25,152	28,545	13.49%	39,591	42,306	6.86%
Lyon	17,780	19,558	10.00%	28,900	31,790	10.00%	25,110	27,998	11.50%	44,348	49,473	11.56%
Madison	17,369	19,150	10.25%	29,614	32,576	10.00%	25,699	27,937	8.71%	41,083	43,634	6.21%
Berea	17,500	19,250	10.00%	28,675	31,443	9.65%	25,777	27,930	8.35%	40,714	46,091	13.21%
Magoffin	17,555	18,960	8.00%	28,675	31,200	8.81%	24,209	26,302	8.65%	36,038	41,561	15.33%
Marion	17,575	19,332	10.00%	29,255	32,180	10.00%	25,208	27,889	10.64%	41,142	46,363	12.69%
Marshall	17,855	19,610	9.83%	29,475	32,450	10.09%	26,015	28,579	9.86%	40,513	44,353	9.48%
Martin	17,549	20,303	15.69%	28,665	33,088	15.43%	23,393	27,030	15.55%	36,461	42,566	16.74%
Mason	17,900	19,700	10.06%	31,000	34,100	10.00%	27,243	29,812	9.43%	45,133	49,654	10.02%
Maysville	17,457		-100.00%	30,406		-100.00%	26,032		-100.00%	42,325		-100.00%
McCraicken	18,821	18,821	0.00%	32,029	32,029	0.00%	28,726	31,564	9.88%	42,762	47,034	9.99%
Paducah	19,180	21,100	10.01%	31,730	34,900	9.99%	27,992	30,744	9.83%	46,149	49,598	7.47%
McCreary	17,255	19,400	12.43%	28,775	32,300	12.25%	24,587	27,498	11.84%	38,057	40,936	7.56%
McLean	17,420	19,040	9.30%	28,685	31,555	10.01%	25,028	27,813	11.13%	37,793	38,906	2.94%
Meade	17,483	19,233	10.01%	31,313	34,544	10.32%	26,724	29,004	8.53%	43,254	47,227	9.19%
Menifee	16,929	18,754	10.78%	28,675	31,543	10.00%	23,055	25,210	9.35%	36,881	40,372	9.47%
Mercer	17,564	19,320	10.00%	28,844	31,728	10.00%	24,298	26,796	10.28%	38,488	41,458	7.72%
Burgin	17,555	18,960	8.00%	28,675	31,200	8.81%	24,439	26,727	9.36%	41,731	46,173	10.64%
Harrodsburg	17,555	19,000	8.23%	29,500	32,100	8.81%	25,953	27,794	7.09%	40,507	44,225	9.18%

<u>DISTRICT</u>	<u>Minimum</u>		<u>Percent Increase</u>	<u>Maximum</u>		<u>Percent Increase</u>	<u>Average Teacher</u>		<u>Percent Increase</u>	<u>Average Admin</u>		<u>Percent Increase</u>
	<u>1989-90</u>	<u>1990-91</u>		<u>1989-90</u>	<u>1990-91</u>		<u>1989-90</u>	<u>1990-91</u>		<u>1989-90</u>	<u>1990-91</u>	
Metcalfe	17,475	19,223	10.00%	28,675	31,543	10.00%	24,712	27,583	11.62%	35,961	43,043	19.69%
Monroe	17,455	19,121	9.54%	28,980	31,880	10.01%	25,117	27,437	9.24%	34,060	41,578	22.07%
Montgomery	17,148	19,377	13.00%	28,775	32,516	13.00%	25,408	28,718	13.03%	42,268	48,808	15.47%
Morgan	17,315	18,960	9.50%	28,675	31,542	10.00%	25,576	27,870	8.97%	37,367	41,506	11.08%
Muhlenberg	18,505	20,540	11.00%	30,745	34,126	11.00%	26,908	29,947	11.29%	41,563	47,252	13.69%
Nelson	17,700	19,720	11.41%	30,445	33,581	10.30%	25,519	28,338	11.05%	42,467	46,894	10.42%
Bardstown	17,700	19,470	10.00%	32,223	35,705	10.81%	26,715	29,315	9.73%	46,523	51,133	9.91%
Nicholas	17,909	19,700	10.00%	29,267	32,194	10.00%	25,684	27,462	6.92%	39,347	41,768	6.15%
Ohio	17,430	19,173	10.00%	29,024	31,926	10.00%	25,072	27,312	8.93%	39,343	44,154	12.23%
Oldham	17,350	19,085	10.00%	32,065	35,932	12.06%	25,952	28,815	11.03%	44,982	49,758	10.62%
Owen	17,247	18,972	10.00%	29,611	32,572	10.00%	23,121	25,527	10.41%	41,090	45,292	10.23%
Owsley	17,555	20,188	15.00%	28,675	32,796	14.37%	25,949	29,964	15.47%	34,085	39,277	15.23%
Pendleton	17,555	19,311	10.00%	28,900	35,180	21.73%	23,978	27,223	13.53%	43,981	45,389	3.20%
Perry	17,550	19,726	12.40%	28,675	32,615	13.74%	23,479	26,819	14.23%	36,714	43,968	19.76%
Hazard	17,500	19,800	13.14%	28,700	32,200	12.20%	23,597	26,864	13.84%	35,380	39,532	11.74%
Pike	17,655	21,205	20.11%	29,175	34,885	19.57%	24,536	29,292	19.38%	39,982	48,517	21.35%
Pikeville	19,737	22,105	12.00%	32,321	36,200	12.00%	27,536	30,602	11.13%	43,125	47,041	9.08%
Powell	17,555	19,311	10.00%	28,675	31,543	10.00%	24,537	26,300	7.19%	43,554	44,799	2.86%
Pulaski	17,555	19,311	10.00%	28,675	31,543	10.00%	24,447	27,001	10.45%	36,932	41,349	11.96%
Science Hill	17,555	19,529	11.24%	28,675	32,136	12.07%	21,718	25,527	17.54%	39,818	43,746	9.86%
Somerset	17,555	19,662	12.00%	28,675	32,116	12.00%	25,541	28,668	12.24%	38,559	42,051	9.06%
Robertson	17,555	18,960	8.00%	28,675	31,200	8.81%	26,316	28,626	8.78%	42,273	38,609	-8.67%
Rockcastle	17,555	19,311	10.00%	28,675	31,543	10.00%	24,161	26,797	10.91%	36,926	39,303	6.44%
Rowan	17,300	19,500	12.72%	28,675	32,500	13.34%	25,333	27,784	9.68%	35,194	36,223	2.92%
Russell	17,510	19,311	10.29%	28,675	31,543	10.00%	24,788	27,371	10.42%	37,862	43,589	15.13%
Scott	17,800	19,580	10.00%	30,076	34,584	14.99%	25,330	28,241	11.49%	43,450	48,110	10.72%
Shelby	17,666	19,521	10.50%	29,474	33,069	12.20%	25,165	27,910	10.91%	40,733	48,065	18.00%
Simpson	17,650	19,300	9.35%	28,990	32,000	10.38%	25,487	27,959	9.70%	43,193	47,317	9.55%
Spencer	17,661	19,430	10.02%	29,498	34,620	17.36%	24,997	27,834	11.35%	42,336	51,646	21.99%
Taylor	17,555	19,310	10.00%	28,750	31,630	10.02%	25,388	27,695	9.09%	38,384	41,226	7.40%
Campbellsvil	17,555	19,310	10.00%	28,750	31,630	10.02%	24,523	26,959	9.93%	44,376	47,737	7.57%
Todd	17,260	18,960	9.85%	28,675	31,542	10.00%	24,912	27,142	8.95%	36,993	40,973	10.76%
Trigg	17,710	19,690	11.18%	29,230	32,472	11.09%	26,651	29,197	9.55%	39,464	44,166	11.91%

DISTRICT	Minimum	Minimum	Percent	Maximum	Maximum	Percent	Average	Average	Percent	Average	Average	Percent
	1989-90	1990-91	Increase	1989-90	1990-91	Increase	Teacher 1989-90	Teacher 1990-91	Increase	Admin 1989-90	Admin 1990-91	Increase
Trimble	17,350	19,085	10.00%	29,500	33,500	13.56%	24,011	26,645	10.97%	41,664	47,205	13.30%
Union	17,400	18,960	8.97%	31,250	34,060	8.99%	26,622	29,646	11.36%	42,045	47,685	13.41%
Warren	17,500	19,250	10.00%	28,720	31,592	10.00%	24,836	27,271	9.80%	41,831	45,240	8.15%
Bowling Gre	17,512	19,263	10.00%	29,761	32,737	10.00%	26,626	29,470	10.68%	43,620	48,221	10.55%
Washington	17,852	20,088	12.53%	29,330	33,327	13.63%	25,542	29,548	15.68%	40,550	46,248	14.05%
Wayne	17,505	19,255	10.00%	28,675	31,543	10.00%	24,916	27,100	8.77%	40,959	43,574	6.38%
Monticello	17,555	19,311	10.00%	28,675	31,543	10.00%	24,225	26,824	10.73%	50,063	50,041	-0.04%
Webster	17,604	19,639	11.56%	29,705	32,951	10.93%	25,641	28,546	11.33%	39,452	44,096	11.77%
Providence	17,409	19,179	10.17%	28,675	31,543	10.00%	24,687	26,423	7.03%	37,316	41,112	10.17%
Whitley	17,555	20,188	15.00%	28,675	32,976	15.00%	24,780	28,364	14.46%	38,705	44,336	14.55%
Corbin	17,564	20,199	15.00%	28,875	33,206	15.00%	25,407	28,976	14.05%	40,465	44,383	9.68%
Williamsburg	17,290	20,200	16.83%	28,700	33,210	15.71%	24,550	28,318	15.35%	43,079	47,385	10.00%
Wolfe	17,555	19,662	12.00%	28,675	32,116	12.00%	25,299	27,977	10.59%	36,605	41,079	12.22%
Woodford	17,590	19,350	10.01%	30,155	33,170	10.00%	25,450	27,883	9.56%	44,126	49,175	11.44%
							26,292	29,115	10.74%	43,142	47,791	10.78%

KRS 157.420(6) states that the KDE will designate each school facility as a permanent, functional, or transitional center. 702 KAR 1:001 defines these as follows:

Permanent Center--a facility meeting criteria established for a new school. The center qualifies for additions and/or alterations when such needs are a part of the facility plan approved by the State Board for Elementary and Secondary Education.

Permanent Special Center--a facility approved by the State Board for Elementary and Secondary Education for a specific use such as handicapped programs, remedial programs, fine arts programs, etc. Classrooms may be larger or smaller than basic classrooms in order to accommodate the specialized instructional needs of public school children. Permanent Special Centers will become transitional upon the special programs termination.

Permanent Isolated Center--a center serving pockets of students located in isolated and/or remote areas too small to meet criteria for a permanent center but too far from all proposed permanent centers. Student exchange arrangements with a neighboring district have been sought and are inappropriate. If substantially destroyed, the status of the permanent isolated center shall be re-evaluated.

Functional Center--a center not meeting the criteria of the permanent center which has been requested to be functional by the local board of education. To be considered, the following must be provided:

1. Evidence that current enrollment can be maintained without major redistricting; and

2. Facility review by KDE indicates no substantial academic or building space deficiency for either instructional or non-instructional programs; and

3. Comparative cost per student to deliver services does not exceed by 20% the same costs of the district for permanent centers housing same grades and providing equal education opportunity.

Functional centers may qualify for additions and/or alterations at the discretion of the local board; however, no long-term financing arrangements (i.e. school revenue bonds) shall be approved which exceed a five-year payout. The center generates no School Facilities Construction Commission (SFCC) funds. If substantially destroyed, the status of a functional center shall be re-evaluated.

Transitional Center--A center which the State Board for Elementary and Secondary Education and the local board of education have determined does not meet the criteria established for permanent centers. The center is not eligible for additions or renovations. Portable buildings shall not be acquired to perpetuate the center without the Department's approval. Only projects required to maintain the building in a safe condition and to present a healthy environment are permissible. The center generates no SFCC funds and may not be replaced if destroyed.

SUMMARY

The implementation of the Kentucky Education Reform Act (KERA) during the 1990-91 school year exceeded expectations in many areas and has set a firm foundation for the years ahead. While the majority of programs do not require any fine tuning, others do need some minor adjustments to achieve complete success for the program and for KERA.

The Office of Education Accountability sets forth the following recommendations and considerations for the 1992 General Assembly:

Superintendent of Public Instruction. The Superintendent still retains as one of his duties the approval of district leases in excess of \$100,000. The OEA recommends this be transferred to the Commissioner of Education.

School-based Decision Making. Statutes affected by school-based councils, such as the textbook statutes, require further review and recommendations to allow for the input from professional staff. In addition, OEA staff recommends clarification of 160.345 regarding the term "consultation" as used in relation to hiring of personnel. Councils should be clear on their rights in this process and how their decisions affect transfers in to and out of the school, especially those believed to be arbitrary in nature. In light of the recent litigation, the OEA further recommends in-depth review of the statutes regarding local boards of education, superintendents, and councils to determine where lines of responsibility begin and end.

Superintendent Screening Committees. The OEA suggests that consideration be given to making the selection of the board final based upon three recommendations forwarded by the screening committee. Also, the parent representative elections need to make allowance for those schools that do not have a formal parent/teacher organization.

KERA Programs/Curriculum. All KERA programs require stricter accountability measures built into the system, especially extended school services and preschool programs.

Nepotism. Further review should be given to KRS 160.380 regarding nepotistic relationships. Currently, language permits some new incidences of nepotism to occur in local districts. The OEA recommends that such language be clarified along with a broader definition of "relative."

APPENDIX A

Higher Education and Kentucky Education Reform Act

House Joint Resolution 54 is a joint resolution directing the Council on Higher Education, in conjunction with the university presidents, to prepare and present to the Interim Joint Committee on Education a plan of action for their involvement in, and support of, the improvement of the public schools.

In an April 1991 Interim Report, the House Joint Resolution 54 Steering Committee states: "Inherent in the enactment and implementation of the 1990 Kentucky Education Reform Act (KERA) has been recognition of the need for support from the state's public universities: internally as it relates to revising teacher/administrator preservice and inservice training; externally in terms of service both to local school districts and to statewide initiatives."

The Interim Report is a detailed document of the programs undertaken by Kentucky's universities to support the Kentucky Education Reform Act. Council chairman, Joe Campbell, explains: "The House Joint Resolution 54 Steering Committee is addressing a number of issues that will set statewide directions and priorities to guide higher education's assistance in the implementation of the Kentucky Education Reform Act. Within this framework, each institution is developing a plan of action delineating the role it will play in supporting education reform in the future."

The higher education community has organized itself to provide a variety of support services to districts and agencies implementing education reform. The Interim Report states "All eight universities describe some means by which faculty members are or could be providing service to the statewide reform effort. Faculty serve on statewide committees, task forces, and boards. Three universities list the conferences and workshops they have hosted which drew participants from across the state. Other efforts include inter-university grants and special projects, programming in cooperation with Kentucky Educational Television, and participation in developing and field-testing Kentucky Department of Education programs (e.g., superintendent assessment)."

Professional development is a critical component of KERA. The universities are prepared to assist in teacher preparation and program development. The Council on Higher Education and the universities are poised to lend professional personnel and training assistance to Regional Service Centers. To date their level of involvement has yet to be determined. Our universities house a wealth of information and expertise which needs to be tapped by the Kentucky Department of Education and local school districts.

Program assessment is an essential element to the success of education reform. Kentucky's institutions of higher education should be key players in all aspects of program assessment.

The Council on Higher Education should strive to ensure full participation by all universities to derive the full benefit of the expertise available within our statewide university system.

The Council on Higher Education authored a Strategic Plan for Higher Education in Kentucky, 1991-1996 VISION-FOCUS-ACTION. This report, adopted May 20, 1991, by the Council on Higher Education, is an upbeat synopsis of current involvement and the future plans for cooperation for Kentucky's institutes of higher education.

The report notes that "Kentucky's long-term economic development depends on the success of reform's along with continued quality instruction, service and research by higher education."

The Council on Higher Education and the state universities clearly recognize the need for their participation and involvement. The challenge remaining is to bring their vision to fruition while working systematically and cooperatively among themselves.

APPENDIX B

OFFICE OF EDUCATION ACCOUNTABILITY

Division of Investigations

As of October 1, 1991, the Division of Investigations of the Office of Education Accountability (OEA) has approximately fourteen (14) active investigative matters under review. Three inquiries involving two districts have been resolved by actions taken at the superintendent and/or school board level. Resolutions involved the adoption or modification of board policies and the application of improved accounting procedures for travel funds and tax reporting.

Two cases involving abuse of students have been reviewed by the OEA staff and it is the belief of the OEA that both cases have been inappropriately addressed at the district level. Explanations of the disposition in these cases and further action have been requested from the superintendents. In the event that these explanations and/or actions are deemed to be inadequate, these matters will be referred to the Kentucky Department of Education (KDE) for action or further referral to the Kentucky Education Professional Standards Board (KEPSB). There is currently no statutory provision for the OEA to report abusive action by certified staff toward students to the KEPSB. In addition, a gratuitous report to the KEPSB from the OEA presents significant legal questions. It is suggested that consideration be given to amending KRS 161.120 (2)(a) to place a duty on the OEA to report to the KEPSB.

The OEA Division of Investigations staff participated in an investigation involving multiple allegations in a school district

conducted in conjunction with the Cabinet for Human Resources, Kentucky State Police, Office of the Attorney General, and the Kentucky Department of Education. The OEA's participation in this investigation resulted in a request that the superintendent and the Board of Education take note of approximately ten irregularities and proceed with immediate corrections to be reviewed for adequacy in the near future. It is contemplated that certain administrative or possible criminal charges will be forthcoming from the Attorney General's Office regarding one aspect of the investigation.

Research and preliminary inquiries are being conducted in two districts regarding a wide-range of allegations. After evaluation of the information obtained, these matters will be appropriately addressed by active investigation or referral to the KDE.

A major investigation of a school district was conducted during August 1991, including audits of vendor files, review of bidding procedures, conflicts of board members, and other issues. This investigation is seventy percent complete at this time. The OEA is conferring with the appropriate officials at the KDE regarding completion of the investigation and determination of appropriate action by the KDE and the OEA.

During September 1991, OEA investigators (acting in an advisory capacity) participated with the KDE staff in reviewing allegations

directed toward the Boyd County School District. This review has resulted in charges being brought by the Chief State School Officer against Delmis Donta, Superintendent, before the State Board for Elementary and Secondary Education. These charges were presented to the Board on September 19, 1991 and resulted in a hearing date for Superintendent Donta on October 1, 1991.

A joint effort between the KDE and the OEA staff is being considered in another district. The OEA is already in possession of a large amount of investigative and information regarding this district and is of the opinion that major action by the KDE is needed to resolve the numerous problems in the district. It is contemplated that the KDE and the OEA will take action in the district within the next 30-60 days.

The OEA maintains regular contact with key people in all districts having strike and/or boycott problems in an effort to be of assistance to the district or to any agency or department that has administrative and regulatory duties in these areas.

Information regarding irregularities and possible violations of Kentucky Revised Statutes, particularly those related to KERA continue to flow into this office via the Education Hot line, letters, personal visits, newspaper articles, and liaison with other departments and agencies. These irregularities include, but are not limited to, bidding procedures, governance issues, conflicts of interest by board

members, mishandling of funds, overstaffing at the district level, frustration of school-based decision making provisions, inadequacy of educational programs, etc. Policies and procedures have been developed to evaluate and handle this flow of information in the most efficient and expeditious manner. The options available, based on the evaluation of specific information, include referral to the appropriate governance structure; referral to law enforcement agencies; advising the provider of information regarding a proper course of action; and research, preliminary inquiry, or investigation of the matter by the Office of Education Accountability.

