



Issues Update

April 5, 2021

Issues Update is a report from the Kentucky Association for Career and Technical Education (KACTE) written by Executive Director Michael R. Stone and shared with members. As needed, *Issues Update* will report on state and federal Career and Technical Education (CTE) policy and legislative developments. KACTE and Stone can be reached at kmstone1951@gmail.com or 502-223-1823.

General Assembly Session Ends in Flurry of Action

The Kentucky General Assembly concluded its 2021 30-day session on March 30 with a full schedule of gubernatorial veto overrides and passage of several bills. It was an unusual odd-year session. Originally conceived to consider substantive issues without the pressure of crafting a budget, the legislature was forced to develop a one-year budget for Fiscal Year 2022 (July 1, 2021-June 30, 2022) because the COVID-19 pandemic caused the legislature to decide to adopt a one-year budget in the last session.

The adopted budget for Fiscal Year 2022 essentially was the same as the current fiscal year. With the on-going uncertainty of the pandemic and questions about federal COVID relief funds, the General Assembly chose to adopt a conservative, largely continuation budget. Governor Andy Beshear used line-item vetoes on several budget elements, but his vetoes were overridden on the final legislative days.

The governor had proposed a \$40 per pupil increase in SEEK funding, but it was held at the current \$4,000 per pupil level. The governor proposed \$5.2 billion for K-12 education (\$142 million increase) and almost \$851 million (\$5 million increase) for the Kentucky Community and Technical College System (KCTCS), but those requests were not included in the adopted budget.

He proposed increasing overall CTE spending by \$500,000 to \$64 million. **The General Assembly increased CTE funding by \$633,000 over the current year.** But funding for locally operated CTE centers remained flat at \$12 million. Vocational transportation remained flat at \$2.4 million. The increase proposed by Gov. Beshear for a \$1,000 raise in teacher and school employee salaries was not adopted. Teacher retirement and health insurance met required contributions.

SOME LEGISLATORS NOTED to the Kentucky Association for Career and Technical Education (KACTE) Legislative Agent that the General Assembly would return in nine months and draft a biennial budget. They suggested the possibility of surplus funds available that could be invested in CTE. KACTE will continue its efforts to seek increased funding for CTE equity, access, equipment and supplies.

On the last day of the session, the General Assembly passed **HB382**, which was amended to include distribution of some COVID-19 relief funds. Since it was passed just

This Fall: In-Person School Attendance Likely in State

Two bills passed by the Kentucky General Assembly, a gubernatorial order, and new Centers for Disease Control (CDC) guidelines make it likely the 2021-22 school year will begin with in-person instruction.

House Bill 208 requires in-person instruction of at least 80 percent and provides ameliorating steps in the face of a continuing COVID-19 pandemic. **House Bill 128** allows students to repeat their previous year without penalty or stigma, including graduating seniors. Both bills passed with wide margins in both the House and Senate and were signed into law by Gov. Andy Beshear.

The governor issued a Feb. 23 executive order encouraging in-person school attendance at public schools. The order outlined ways to mitigate the pandemic's effects, including mandatory wearing of face masks and adherence to social-distancing protocols.

In March, the CDC revised its guidelines for safe school attendance. It called for wearing of face masks, hygiene practices, and social distancing lowered to three feet if masks are worn. Proper school ventilation is suggested. Middle and high school attendance can be impacted by community virus transmission rates. Teacher vaccination is not a prerequisite. The guidelines apply to any school, public or private.

prior to adjournment, the governor could veto the bill and there could be no override. Included was authorization to spend \$140 million of federal funds on full-day kindergarten and \$127 million of federal funds on replacement or renovation of public school facilities.

House Bill 563 perhaps was the most controversial legislation passed, vetoed and overridden by the General

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Assembly. It allows individuals to receive a tax credit for contributing to an Educational Opportunity Account. They can receive a credit of up to 97 percent of tax liability. The total fund is limited to \$25 million. The program becomes effective July 1, 2022, and can be used by disadvantaged students for tuition, equipment, supplies, and learning aids. Eligible public school students in any district can participate, and private school students in the state's eight largest counties also can use the account. Critics claimed the tax deduction will divert public money from schools.

In a less controversial section of the bill, per pupil funding will follow the student should he or she enroll in an out-of-district school.

Senate Bill 101 codifies language in the current budget allowing Area Technology Centers (ATCs) moving from state to local control to keep 100 percent of funding in the first year and 75 percent of funding in subsequent years. The 25 percent remaining with the state after the first year is to support local Career and Technical Centers (CTCs) that did not previously receive funding. This transfer and funding provision must be used by the 2022-2023 fiscal year. **Another provision in the bill requires**

ATC staff to retain tenure status if they shift from ATC to CTC employment.

TEACHER PENSION legislation, **HB258**, will become law following the General Assembly override of the governor's veto. The bill creates a hybrid defined benefit/defined contribution system for all new hires after July 1, 2022. Current teachers, administrators and retirees pension regulations and benefits remain unchanged. Many education and business groups accepted the changes; however, some felt the changes will hamper the recruitment and retention of teachers.

Five bills affecting the pension system passed in the session. In addition to **HB258**, **HB69** made technical changes to actuarial reporting, **HB87** amended death benefit calculations, **HB113** clarified benefit credits and beneficiaries, and **HB261** imposed penalties for fraud against the Kentucky Public Pension Authority.

Two Senate bills passed and signed into law by Gov. Beshear were **SB109**, which authorizes a Kentucky Department of Education (KDE) Technical Advisory Committee to support schools and students concerning student finances, postsecondary education and workforce development; and **SB168**, which confirmed KDE reorganization.

Three bills regarding education passed on the last day, which means they could be vetoed without the possibility of being overridden. **HB162** permits the Educational Professional Standards Board (EPSB) to reissue a lapsed teaching certificate to masters degree holders who are not otherwise subject to denial. **HB178** details the make-up of appointments to the Kentucky State Board of Education (KBE) and allows for participation by non-voting teacher and student members. **SB270** allows establishing teacher education programs at colleges and universities with regional or national accreditation recognized by the U.S. Department of Education. It is hoped this can spur more diversity among teachers and administrators.

A bill to use the Armed Services Vocational Aptitude Battery as a test of postsecondary readiness, **HB90**, passed the House but was not acted on by the Senate.

State Board of Education Action on State Accountability System

The Kentucky State Board of Education (KBE) at its February meeting approved changes to the state's accountability system recommended by the Kentucky Department of Education (KDE). The changes, pending a 60-day comment period, according to a WTVQ report, include "an annual differentiation of all public schools in the state using multiple measures that describe each district's overall performance, along with performances of individual schools and student demographic groups."

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Our Mission: Student Success

*2021 Career and Technical Education Summer Program
July 20-23, Galt House Hotel, Louisville, Kentucky*

CTE Summer Program Set for July 20-23 in Louisville

With vaccination of teachers and administrators available and enforcement of pandemic safety protocols for meetings, the 2021 Career and Technical Education (CTE) Summer Program will be held July 20-23 at the Galt House Hotel, Louisville. More than 200 professional development sessions covering every CTE pathway and teaching discipline are planned.

On April 5, registrations are almost 800, with about 90 percent choosing in-person attendance. Registration and housing reservations can be completed at www.kyacte.org. A limited, virtual registration is available. With more than 200 presentations, it is not financially or logistically feasible to provide every session virtually. Select sessions dealing with program area updates and critical programmatic issues will be provided through a secure website.

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The changes follow the direction set by the Kentucky General Assembly with passage of **SB158** in the 2020 legislative session, which required districts be evaluated on status and change of state indicators. The indicators include student assessment results, progress toward English proficiency by English learners, quality of school climate and safety, high school graduation rates, and postsecondary readiness. Each indicator has a color-coded, five levels of status and change. The color-coded system replaces the current star rating system.

The recommended high school weights:

- 45 percent to assessment results in reading and math;
- 20 percent to assessment results in science;
- 5 percent to English learner progress;
- 4 percent to quality of school climate and safety;
- 20 percent to postsecondary readiness; and
- 6 percent to graduation rate.

Commissioner Listening Tour

Kentucky Commissioner of Education and Chief Learning Officer Jason Glass, Ed.D., will begin a statewide virtual listening tour beginning on April 6. The month-long project targeting nine areas of the state hopes to create a dialog informing the KDE continuous improvement efforts.

Pre-registration for the site most appropriate or available to individuals is available through the KDE website, www.education.ky.gov. All sessions are scheduled for 6-7:30 p.m. local time. The date and geographic areas are:

- April 6, Greater Louisville Educational Cooperative (Louisville)
- April 8, West Kentucky Educational Cooperative (Murray)
- April 15, Green River Regional Educational Cooperative (Bowling Green)
- April 20, Southeast/South-Central Educational Cooperative (Richmond)
- April 22, Central Kentucky Educational Cooperative (Lexington)
- April 27, Northern Kentucky Cooperative for Educational Services (Cold Springs)
- April 29, Ohio Valley Educational Cooperative (Shelbyville)
- May 4, Kentucky Valley Educational Cooperative (Hazard)
- May 6, Kentucky Educational Development Cooperative (Ashland)

State Forms Partnership: Kentucky Academy for Equity in Teaching

Announced in March was the restart of the Kentucky Academy for Equity in Teaching, which is hoped will spur recruitment and retention of a diverse education workforce.

The state Board of Education, Department of Education, Council on Postsecondary Education and Education and Workforce Development Cabinet are partners in the project. Among its objectives are to focus on mentoring and training of future teachers and working to expand pathways to certification.

Grants will be provided to develop a pipeline of future educators, create mentor and assessment coaching opportunities, and expand programs supporting alternative certification pathways.

Adding to the call to address the shortage of educators, the Council on Postsecondary Education (CPE) issued a March report indicating that by 2030 the number of education job openings will exceed new, qualified graduates by 2,200. Significant findings noted in the report:

- education sector employment is projected to grow by 7 percent over the next decade, but that is below the national average;
- most job increases are in the state's central region;
- the need to increase diversity is supported by data that 13 percent of all Kentucky adults 25 and older are people of color, but college education degree graduates are typically white females under age 35; 10 percent of new education graduates are people of color; and
- Kentucky education wages have increased since 2010, but that increase is less than the increases provided in neighboring states.

CPE Receives Communication Grant; Addresses Enrollment Decline

The Kentucky Student Success Collaborative is a new statewide initiative from the Council on Postsecondary Education (CPE) funded by a \$2.1 million grant from the James Graham Brown Foundation. It is the first statewide center in the United States linking two- and four-year colleges with business leaders and state policymakers.

CPE detailed in a March media advisory the collaborative will have three objectives: information sharing, professional development, and assistance with research and analysis. The goal is to help campuses develop innovative approaches to improve graduation rates, close equity gaps enhance workforce development, and increase opportunities for emerging leaders in higher education.

This effort follows announcement in February that undergraduate enrollment at four-year public universities declined 2.1 percent in fall 2020, and down by 7.3 percent compared to 2015. The decline is greater at the two-year Kentucky Community and Technical College System (KCTCS), down 10.5 percent last semester. The decline was 12.3 percent compared to five years ago. Kentucky's decline places it about midway between the declines in its bordering states.