

POLICY MEMORANDUM

To: Governor Andy Beshear

From: Katie Brown, Richard Shaw, and Wesley Tudor: NTI Reform Board Members

Subject: Non-Traditional Instruction Program Reform

Date: 28 March 2020

Executive Summary

Education is the foundation of Kentucky's youth and thus implores the state to ensure proper contingency plans are in place for situations like COVID-19 and others to come in the future. The state should use the COVID-19 stimulus package funding to reform Kentucky's Non-Traditional Instruction (NTI) program. Kentucky's NTI program is voluntary, and after the Coronavirus pandemic began, schools without an NTI program submitted applications to fill the gap in virtual learning. These additions have led to minimal oversight for those schools and less than adequate learning levels. Kentucky was at the forefront of education reform in the 1980s, and now is the time they set a new standard for Non-Traditional Instruction. NTI Policy reform will ensure Kentucky students receive an adequate education, no matter the circumstances.

Kentucky's Education History – An Introduction

The state of Kentucky has a long history of education reform. The state's history began in 1792 with the adoption of the state constitution. The ratification of the constitution occurred in 1891, which is currently still in use. The language below puts the onus on the state to provide an efficient system of common schools throughout the state of Kentucky. The state constitution reads:

Section 183 General Assembly to provide for the school system.

The General Assembly shall, by appropriate legislation, provide for an efficient system of common schools throughout the State.

Text as Ratified on: August 3, 1891, and revised September 28, 1891.

History: Not yet amended (Constitution of Kentucky, 1891).

In 1989, the *Rose versus Council for Better Education* lawsuit challenged Section 183 during one of the most notable events in the history of public education. The lawsuit accused the state of not meeting the constitutional requirement to provide an efficient common school system throughout the state. An efficient school system was interpreted as adequate, uniform, and

unitary. The case stated the financing system was both unconstitutional and discriminatory, and that the school system was deficient based on section 183 of the state constitution (Rose, 1989).

The Kentucky Supreme Court held that the General Assembly must protect and advance the rights of education. The state must adequately fund, ensure equality, and design the system with the *minimum* goals to provide every child with the seven specific capacities (See appendix Figure 3). The court ruled that education is a fundamental right to all people in Kentucky. It deemed that all children, rich or poor, must be given equal opportunity and access to an adequate education. To provide an *efficient* system of common schools, it needed to maintain a list of specific essential and minimal characteristics (See appendix Figure 4) (Rose, 1989).

The Rose decision led Kentucky to make vast improvements to its educational system through the Kentucky Education Reform Act (KERA). This act consisted of many principles and elements, some of which are: an assessment and accountability system to measure a schools' progress, increased expectations reflecting high standards, professional development funding, a new system of distributing public funding (SEEK formula), legislative oversight, family resource and youth services centers, major technology investments, and pre-school programs. KERA and the Rose decision led other states to adopt the "Rose Capacities" or produce their version of minimum education requirements.

In 1999, the Kentucky Preschool Program became the foundation of future efforts, which led to the KIDS NOW program. KIDS NOW focused on giving children a strong start to their education. Its primary qualities addressed health care, family assistance, quality education, and community involvement issues. This program was the most comprehensive package of legislation for early childhood development in the nation (Kentucky Chamber of Commerce, 2016).

As is typical with significant changes, the implementation of KERA faced challenges. The primary issues centered on the assessment and accountability system. These challenges prompted the General Assembly to create an improved system, the Commonwealth Accountability Testing System (CATS), that maintained strong accountability elements and replaced the Kentucky Instructional Results Information System (KIRIS). In 2009, CATS superseded a new system based on higher academic standards mandated by the General Assembly. Kentucky joined 47 other states across the nation to develop accountability standards.

These new standards prompted a new assessment and accountability system that has been in place since 2012 (Kentucky Chamber of Commerce, 2016).

2020 Coronavirus Pandemic – The Current Condition

Kentucky has made quantifiable progress in education since the commission of its ambitious reforms and the implementation of the federal government's No Child Left Behind Act, and Every Student Succeeds Acts; however, the education system still has much left to accomplish. As of 2020, Kentucky ranked 38th in the nation for overall education, 43rd in higher education, and 32nd in PreK to 12th grade (Ziegler, n.d.).

As new issues arise in the world, including the current coronavirus pandemic, the state of Kentucky must once again reassess its education system and ensure viability to provide an equitable, efficient common school system for its residents. On March 16th, 2020, Kentucky closed all "172 School Districts, 1,539 state schools, and forced 684,017 K-12 students" to learn from their home, shelter, or temporary dwelling (Peele & Riser-Kositsky, 2020). These schools will stay closed until April 20th, 2020; however, experts estimate schools will remain closed through the rest of the school year. On March 20th, 2020 the Kentucky Department of Education (KDE) received authorization from the Federal Department of Education to cancel all Kentucky State Testing (K-PREP) for the remainder 2019-2020 the school year (Tateman, 2020). The standard testing window for the annual Kentucky Performance Rating for Educational Progress (K-PREP) is within the last 14 instructional days of a school district's calendar.

“K-PREP is a criterion-referenced test developed specifically to measure the Kentucky Academic Standards. Student performance levels (novice, apprentice, proficient and distinguished) are used to describe how students perform to Kentucky-specific standards. K-PREP provides content area assessments such as reading, mathematics, science, social studies and writing at all grade levels or grade bands” (KDE, "Coronavirus (COVID-19) Information", 2020). "Every single state has canceled their state standardized test for the remainder of 2019-2020 school year after the Dept. of Education published they would allow states to bypass requirements due to “extenuating circumstances” (Blad, 2020).

K-PREP testing examines how students are progressing *and* evaluates school performance. However, this school year, there will be no K-PREP scores, which negatively

impacts two dependent aspects of the KDE. The first issue is the inability to identify at-risk schools based on the school report card ranking and other data collected. In order for the state and federal governments to identify at-risk schools, the school report card data is updated annually; however, the 2019-2020 school year data will have significant gaps. Without the ability to determine at-risk schools, initial funding proposals suggest maintaining previous year ratings and funding levels. The duplication of ratings and funding could have significant impacts on certain schools. The schools currently trending downward will not receive the necessary funding to assist in combatting their issues. Without the funding and materials to stop the downward trend, districts will continue to decline and be further behind in the next school year.

The pandemic has also impacted teachers, students, and families. Through this time, educators have tried to adapt in-person lessons and assignments to online resources and mail. Online classes without teacher presence require high levels of self-motivation and self-regulation from students, as well as proper organization of online content and materials from educators to maintain positive levels of learning. Students are, at times, teaching themselves certain subjects with the assistance of family members and/or classmates, while only reaching out to educators when necessary by email or phone to discuss concerns or misunderstandings. These problems have compounded the issues of equitable education within the state. Some students do not have internet access, stable homes, or family members to assist and motivate them to complete coursework. A policy reform of the NTI program is the surest way to respond to such problems.

Kentucky's Non-Traditional Instruction (NTI) Program - An Overview

Kentucky's non-traditional instruction program began in 2011. The program *encourages* academic instruction when residential school is not possible. Each school district develops a plan to deliver instruction to students during NTI days. The plan must include and provide student-educator interaction during these days. The ultimate goal of the non-traditional program is to continue school instruction throughout various delays. Only ten NTI days per school year can be waived by the Commissioner of Education to count for school attendance (KDE, *The Non-Traditional Instruction Program*, 2020).

Before the implementation of NTI, the state had an average of eight snow days per year. Kentucky school districts lost many days of instruction, which led to the development of the NTI program. The program went statewide during the 2014-2015 school year. From 2011-2019, the state saved over 1500 instructional days (KDE, *The Non-Traditional Instruction Program*, 2020).

The NTI program allows school districts to determine their participation. Each district that implements the program must submit a plan for review one year before establishing NTI. When the school uses an NTI day during the school year, the districts submit paperwork to the KDE, and the Commissioner grants a waiver for school attendance. Of notable mention, as of the 2019-2020 school year, only 83 of the 172 Kentucky school districts participate in the NTI program (See appendix, Figure1) (KDE, *The Non-Traditional Instruction Program*, 2020).

Non-Traditional Instruction Program Issues

Voluntary Program

The Kentucky NTI program is *entirely* voluntary, and most school districts did not see the need for this type of program. According to the KDE NTI Report from March 2020, before COVID-19, only 48% of school districts participated in the NTI program, and those 83 districts only activated their plan for an average total of 4.8 days throughout the 2018-2019 school year (See appendix, Figure 2). The 89 non-participating districts did not see a need for the program and, thus, thought the cost of prior planning outweighed the benefits the program provided. As the virus spread and schools closed their physical buildings, these 89 districts scrambled to find ways to provide over 450,000 students with a *meaningful* virtual education. Schools not previously enrolled in NTI are struggling to determine how to grade assignments and process grades for courses due to lack of planning and preparation at the district level. Petitions have started to persuade KDE to review a Pass/Fail option for the remainder of the school year.

Districts who were participating in the NTI program enacted their plans and made minor changes to reach students effectively. There are no official KDE reports, yet, comparing NTI districts to non-NTI districts during the COVID-19 pandemic. According to first-hand discussion with teachers from an NTI district revealed that teachers in NTI districts had an easier time transitioning to a virtual or blended system (confidential teachers, personal communication, March 30, 2020). Parents and students received essential messages regarding the school's plans through text messages, emails, and social media (See appendix Figure 5). Though not perfect due to the inequities of computer and internet access, having an NTI plan in place *before* the Coronavirus pandemic seemed to make the transition easier. As seen in recent news, some schools are ending the school year early due to the issues of not having an appropriate NTI plan in place (McLaren, 2020).

The unknowns and chaos occurring throughout the state forced the Kentucky Senate to propose Senate Bill 177, which gave KDE the ability to relax the NTI application process for the districts currently not in the program. The bill passed quickly, and due to its emergency clause, it was effective immediately. Senate Bill 177 allowed temporary application approval into the NTI Program for new districts. This adjustment resulted in *instant* application approval instead of the standard 120-day vetting process. Due to the quick approval process, virtual programs and NTI techniques used did not receive adequate vetting or review. Allowing these unvetted programs hastily, not only hinders the teaching of students but could also cost Kentucky thousands of dollars to revamp educational programs which do not meet the original KDE requirements for NTI.

Non-Unified Program

Districts within NTI were allowed to utilize any program which met Kentucky's basic education standards according to the Kentucky Revised Statute 158.6453, Academic Standards and Assessments (Kentucky Revised Statutes, 2011). There are many *different* programs currently in use across the state and even within individual districts. Though these programs meet the minimum Kentucky standards, the wide variety of programs in use drastically impacts the overall cohesiveness of horizontal and vertical educational standard alignment, which is needed to produce desired and appropriate academic results. The leading downfall to using numerous programs within Kentucky is that KDE is unable to effectively and efficiently provide training, professional development, technological support, and feedback to improve the teaching standards and curriculum for grades K-12.

The lack of uniformity makes it challenging for individual educators and districts to collaborate. When embarking on a new frontier such as this, collaboration between districts is a must to identify successful programs and implement lessons learned by districts quickly. Expectations for students and parents are different throughout the state and even within districts. Non-unified programs frustrate school districts, teachers, and parents. Students are receiving low-quality assignments, causing parents to lose faith in the schools' ability to teach and support the needs of their children during this pandemic. Furthermore, the use of multiple programs and learning applications leads to frustration for both parents and students as they work to complete various assignments and assessments across multiple platforms with or without connectivity.

Technology Issues

Aside from the previous concerns, one of the principal issues is technology. Within NTI, technology inequity impacts students, parents, and educators' experiences. For those students who are below grade level in Mathematics and/or English Language Arts require remediation and will fall further behind due to a lack of personal contact with specialists. "Districts must do all they can to include children with disabilities if they offer virtual learning or other outside-the-classroom options" (Keierleber, 2020). Some districts believed it was not possible to serve these students within their current structure, leading to the creation of the Individuals with Disabilities Education Act (IDEA). Now, it is *vital* to ensure students who meet the requirements for services within IDEA receive support during this virtual environment.

Permanent Virtual Online Charter Schools are seemingly the foremost expert in online teaching and student development. A study conducted by RAND Education Corporation and Ron Zimmer focused around online charter schools in eight different states. The report showed that, on average, "...low-income students have significantly and substantially lower achievement gains while attending virtual charter schools" (Zimmer, 2009). As of 2018, 22% of students in Kentucky did not have internet access within their homes, according to the National Center for Education Statistics (2018). The New York Times article by Dana Goldstein (2020) states, "low-income families are more likely to rely on smartphones for internet access." It is not unusual for siblings to take turns to try and complete schoolwork on a single cell-phone. "Children in low-income households may not be able to use more sophisticated learning software requiring a tablet or computer" (Goldstein, 2020).

Low-income households often rely upon public Wi-Fi connections in order to avoid overcharges to smartphone bills. With many shelter-in-place orders and closing of local libraries and businesses, families are without a connection to educational programs and support. Parents and students are not alone during this pandemic experiencing technological difficulties; educators are also struggling. As some educators live in rural areas, the internet is unreliable; therefore, they often lose connection to teaching programs and must seek connectivity in other ways. Also, educators are often overwhelmed with the multitude of technology platforms that their districts use, including the new methods for holding online classes via the use of other online platforms for communication.

Non-Traditional Policy Reform

Reforming Kentucky's NTI program will assist the state in achieving equity within their delivery of virtual education. We recommend the NTI program become a *mandatory* program for all districts to ensure preparedness across the state. Next, the NTI program should become a virtual blended program that will combine online and paper/pencil methods depending upon the student's household capabilities. The final recommendation encompasses student accessibility for the NTI Program. Districts will assist low-income students by providing internet to these households which are in need, as well as supply paper packets and/or 1:1 devices for students. Our research suggests that districts previously enrolled in NTI have better contact with their students than those enrolled in the program due to the pandemic. Although this may be true, all districts struggle to reach students at times due to computer and/or internet access within residences.

Recommendation 1: Mandatory Program

Kentucky's current NTI Program is voluntary for districts that want to prevent missing school days due to weather emergencies. We recommend program participation become mandatory for *all* districts. Requiring mandatory NTI plans will ensure preparedness and promote consistency, structure, fidelity, and collaboration across the state. These plans will be used during emergencies, like COVID-19, or for non-emergency situations. Districts should implement these policies for weather, military threat, special needs children, extended hospital stays, or for other reasons in which children would need education within a non-traditional setting. If non-emergent NTI days exceed ten days, the district can submit a waiver to the state Commissioner of Education.

Under the new mandatory requirements, districts would submit NTI plans to KDE for review and approval. Once approved, the plans will be filed and posted to the KDE website. Every five years, districts must review the plans and submit any changes to ensure applicability as research for best practices shift. Any decision or instruction that districts find they need, *not* explicitly stated within the program directive, will be left to the districts to include within their plan. An example of this sort of individual need would be how principals communicate with employees during NTI situations.

Recommendation 2: Blended Virtual Program

We recommend Kentucky develop and implement a blended virtual education program. The program combines online and paper/pencil packets within the students' households. Students will be required to log on to the online programs for KDE's recommended number of hours per week. Aside from specified online program hours, students will complete any required assignments as necessary for course completion. Pre-assessments taken by students will determine the lessons needed. The assessment will determine the level at which the student is learning. If the student is at a lower assessment level, they will receive extra support from their teacher to enhance learning. If students are at a higher assessment level, the students can explore more topics or advanced tasks above and beyond the basic knowledge.

The online platform developed by the state will have multiple capabilities to support the needs of students *and* teachers. A panel of teachers will advise and review the platform to ensure it supports and accommodates K-12 student and educator needs. The platform will have a place to upload lesson plans as well as a customizable online classroom environment. According to the current and recommended NTI program, teachers will need to log contact hours. The log system will transition from the current KDE website to the new online teaching platform. The platform will have the capability to track hours completed within the platform and have a location to log any activity outside the program.

The blended virtual education program will allow schools and districts to work in unison, increasing collaborative opportunities for educators across the state. Teachers will be able to analyze best teaching practices for times when the NTI format is needed. The program will also increase student engagement by limiting the amount of school time students miss. By implementing this program, districts can smoothly transition to the online format with little to no prior notice. Not only will this program reach students during weather and health emergencies, but also when a student has to have a prolonged time away from the residential classroom. Students will remain fully engaged and be able to develop their critical thinking skills, keeping up with classmates within their online classrooms.

Recommendation 3: Student Accessibility

There are many options available for the delivery of NTI. We recommend the state standardize *how* students receive instruction across the state. This standardization will ensure all

students are engaged, and that funding is being utilized *appropriately* for this program. The majority of our students' households already have internet capabilities; however, there are still many who do not. As of 2018, only 77.8% of households have internet access in their homes (National Center for Education Statistics, 2018). The options to reach the remaining 22.2% of households are as follows:

1. Provide internet service to low-income households. The internet options include Wi-Fi buses, internet switches, mobile Wi-Fi, or through agreements with local internet providers. The state should allow KDE to negotiate an agreement with an internet service provider to supply internet to those without access. Though this may impose a cost to the state, the tax benefits to the internet service providers may incentivize them to reduce the cost. Another concerning factor some may have is that the state may be subsidizing internet service for the entire family and would not be able to regulate access to non-educational websites.
2. Provide paper packets through mail delivery service, school pickup, or bus route delivery. Currently, there are still 142,000 people in Kentucky that do not have an available internet provider where they live (BroadBand Now, 2020). In cases where an agreement is not feasible, and the options provided above are not available, teachers will create paper-based instruction packets for students. The instruction packets can be multiple assignments or a larger long-term project depending on age appropriateness for students and instructor decision. With this option, teachers will reach out a minimum of twice a week to ensure students *and* parents are engaged, as well as to mitigate any issues which may arise. We recommend the state contact large delivery services, like FedEx or UPS, to negotiate an agreement for these paper-based packets. An incentive to lower costs to the state for these businesses is the tax incentive. If a partnership with delivery services is not viable, then paper packets can be delivered through the district bus routes or picked up at the most convenient locations for caregivers *and* district staff.
3. Provide 1:1 devices to students. 1:1 devices, such as tablets or laptops, are devices that students could take home to work online and complete assignments. Generally, these types of devices require internet access; however, if given advance notice of NTI days, activities and assignments could be pre-loaded for students *without* internet access. Another mitigating factor for direct internet access is that tablets can operate on a

wireless cellular signal. Also, the devices can be programmed only to allow students to go to certain web pages that are *approved* by the school district, limiting screen time and inappropriate use of the technology. This option could pose a risk with devices not being returned once the NTI period concludes.

Strategic Plan

Initial Funding Plan

Kentucky's federal stimulus amount is \$237M. The state estimates up to \$193.2M is for elementary and secondary school emergency relief, while \$43.8M is associated with the Governor's emergency education relief fund based on reviews from the state's current spending plan (Wheatley, 2020). Local school districts should receive approximately 85% of the \$193.2M through the state's Title I funding formula. The KDE plans to retain approximately 15% for grants and other statewide emergency needs. KDE should use the 15% to begin the reform process. The U.S. Department of Education will accept applications and approve them within 30 days of submission. Officials are encouraging a fast pace turnover for these funds; therefore, districts should receive funding *within* 60 days (Wheatley, 2020). State officials *encourage* superintendents to focus spending on one-time expenses related to NTI or COVID-19 response rather than recurring costs. *It is imperative that the state of Kentucky not reduce the current education budget upon receipt of the stimulus funding.* Reductions to the education budget will hinder districts' response to COVID-19 *and* preparations for the upcoming school year.

Summer 2020 to Spring 2021

Our proposal for the Fall 2020 to Spring 2021 school year is to build plans for both a blended program and an online program. By building the plans, educators will become more familiar with the systems and become proficient in this type of learning environment. In the fall, if schools are in session normally, teachers should assign homework through the online program once per week to rehearse this new style of learning. This homework will allow teachers, parents, and students to practice *away* from the brick-and-mortar setting. Teaching our youth is a team sport and must not only include teachers and students but parents as well. Everyone's involvement builds a stronger educational foundation for our youth. These rehearsals build proficiency and enable system effectiveness for the future. Currently, districts can switch to an online school day through text messages and email; however, doing so results in students

receiving five days after the NTI period to return schoolwork to teachers. The steps outlined within this policy allow districts to transition to NTI quickly and with ease.

No later than June 15, 2020, the state should convene a collaboration event online with a team of educators from Kentucky. This meeting will enable the state to understand the hardship of online teaching practices and allow educators the opportunity to provide advice on how the state can assist moving forward. Educators have first-hand knowledge from the current COVID-19 issues and will have ideas to make the system better. After the state understands the needs of educators, they can begin to build the appropriate platform.

Before the 2020-2021 school year, the state should:

1. Mandate the NTI program as a requirement for all districts. Districts will build and submit plans to KDE for approval.
2. Change the current NTI website to include available programs for all grades K-12. The website should provide links to resources to help build and evaluate virtual lesson plans, digital training for teachers and students. After the state and educator collaboration, the state will have approximately one month to add resources to the website to begin the next school year.
3. Recommend districts use the COVID-19 stimulus funding to build partnerships with current specialists such as Google, Zoom, Skype, FedEx, or UPS, and internet providers to advance recommended NTI teaching strategies within the next three months.
4. Recommend districts use the COVID-19 stimulus funding to assist low-income households remedy internet issues or provide 1:1 devices. If this is not practical, districts will use paper-based instructional packets to continue student learning.

Long Term Plan

The goal of this proposal is to build a statewide platform for the blended virtual learning program. The state developed program will have various capabilities needed by students and teachers. A panel of educators, ranging from grades K-12, will advise the design of the platform to ensure compatibility for their needs, as well as the students which they support. We recommend a contractual process with fair bidding that ends with a well-developed contract that includes training and technology assistance. Our goal is to have a statewide NTI program for emergent and non-emergent situations. The virtual program will come at a cost to the state;

however, the benefits out way the cost. Additional research is needed to assess the actual costs of the project.

Long Term Funding

School finance funding has shown challenges to reform in other states. This step will be no different for Kentucky. The state will need long-term funding to *ensure* system maintenance in the future. The state has multiple avenues to raise funding for the virtual platform:

1. The first approach researched is an adjustment to the lottery disbursements for education. Currently, 65% of lottery revenues go to higher education, and only 35% go to K-12 education (Kentucky Lottery Corporation, 2020). With a minimal adjustment, the state could alter this payout ratio to fund the maintenance of the virtual platform.
2. A second approach is to draw on existing property taxes by increasing the required minimum tax rate above the current rate charged by some schools. Though this formula places some burden on poor districts, it is necessary to bring equity to the funding formula. This option presents political challenges, although it is reasonable because students, educators, and parents are sharing the burden. Parents are more likely to accept a minimal increase to their tax liability if it benefits their children's education.
3. A third approach is to increase the state sales tax with the prerequisite that the increase is set aside for NTI virtual platform. Kentucky could increase its sales tax from 6% to 6.5% to fund the maintenance costs of this platform (Sales Tax Calculator of Kentucky for 2020, 2020). This option presents political challenges; however, this proposal equally distributes the burden of paying for education across all taxpayers throughout the state.

We recommend the state perform further analysis to find the *best* long-term funding mechanism.

Conclusion

The state should use the COVID-19 stimulus package funding to *reform* Kentucky's non-traditional instruction program. This reform includes mandatory enrollment for districts throughout the state to use during emergencies, weather delays, and other times when students and teachers cannot meet in-person. Legislators must take into account circumstances similar to the current global pandemic when implementing future policy. This policy reform is needed to address Kentucky's non-traditional instruction program issues and is the *right* choice for the education of our youth.

Annotated Bibliography

Blad, E. (2020, March 20). <http://blogs.edweek.org/edweek/campaign-k-12/2020/03/devos-testing-waiver-states-coronavirus.html>

This article discusses the U.S. Department of Education announcement of a broad waiver process that allowed states to bypass all testing requirements included in the Every Student Succeeds Act for the current academic year. This is a highly reputable source of education information. Education Week is published by a non-profit corporation and serves the public interest by providing independent, non-partisan reporting and analysis on American precollegiate education for school leaders, other educators, policymakers, and members of the general public. This publisher takes no editorial positions and has no advocacy agenda, but is guided by the conviction that the goal of ensuring a high-quality education for all children is advanced by a reliable flow of first-rate news, information, and analysis and a robust yet civil exchange of views on education issues.

BroadBand Now. (2020, February 6). Kentucky Internet Service Providers: Availability & Coverage. Retrieved March 31, 2020, from <https://broadbandnow.com/Kentucky>

This website provides statistics of internet service across the state of Kentucky. Although it is not a scholarly website, BroadbandNow is a website that helps consumers find and compare Internet service providers in their area. To make sure their data is up-to-date, they compute millions of rows of data every year from public and private datasets and manually collect tens of thousands of data points from providers. All this data allows them to build the most accurate public Internet service database online.

Constitution of Kentucky. (1891, September 28). Retrieved April 20, 2020, from Kentucky General Assembly: <https://apps.legislature.ky.gov/Law/Constitution/Constitution/ViewConstitution?rsn=213>

This source is the constitution of the state of Kentucky. It highlights the task of the General Assembly to provide for an efficient system of common schools throughout the state.

Coronavirus (COVID-19) Information. (n.d.). <https://education.ky.gov/school/innov/Pages/Non-Traditional-Instruction.aspx>

This article explains Kentucky's Non-Traditional Instruction Program (NTI). It highlights an overview of the program, the application process, history, and instructions of how the program works. This source is credible for Kentucky's NTI program because the information is from an official website of the Commonwealth of Kentucky.

Duncombe, W., Lukemeyer, A. and Yinger, J. (2004). Education Finance Reform in New York: Calculating the Cost of a 'Sound Basic Education' in New York City. SSRN Electronic Journal, 17 pp.1-3. https://www.maxwell.syr.edu/uploadedFiles/cpr/publications/cpr_policy_briefs/pb28.pdf

This article is a policy brief conducted by researchers in the field of education finance. It focuses on defining a sound basic education and applying various cost estimation methods for determining how much a state should spend per pupil. The authors identify that once an educational performance standard has been selected, lawmakers face the task of determining how much it would cost to reach this standard in every district. This article was published by the Center for Policy Research at Syracuse University.

Goldstein, D. (2020, March 13). Coronavirus Is Shutting Schools. Is America Ready for Virtual Learning? *New York Times*. <https://www.nytimes.com/2020/03/13/us/virtual-learning-challenges.html>

This article highlights that low-income families are more likely to rely on smartphones for internet access, and children in those households may not be able to use more sophisticated learning software that requires a tablet or computer. The article shares that it is not unusual, educators say, for siblings to try to complete their schoolwork on a single cell phone. The New York Times is a reputable source for news information during the coronavirus pandemic.

Keierleber, M. (2020, March 17). 'Absolutely, I'm Worried': For Children With Special Needs, Unprecedented Coronavirus School Closures Bring Confusion, Uncertainty. Retrieved from <https://www.the74million.org/article/absolutely-im-worried-for-children-with-special-needs-unprecedented-coronavirus-school-closures-bring-confusion-uncertainty/>

Though this is not a scholarly article, the 74 is a non-profit, non-partisan news site covering education in America. Their mission is to lead an honest, fact-based conversation about how to give America's 74 million children under the age of 18 the education they deserve. Their stories are backed by investigation, expertise, and experience.

Kentucky Chamber of Commerce. (2016, June). A Citizen's Guide to Kentucky Education Reform, Progress, Continuing Challenges. Prichard Committee for Academic Excellence Annual Published Report. <http://prichardcommittee.org/wp-content/uploads/2016/06/A-CitizensGuide-to-Kentucky-Education.pdf>

This document serves as a comprehensive guide of Kentucky's history of education reform and the passage of KERA after the Rose decision. It was published by the Kentucky Chamber of Commerce, and research was conducted by the Prichard Committee for Academic Excellence. This committee is an independent, non-partisan, non-profit citizen's advocacy group. This guide provides a chronological analysis of Kentucky's education policies relating to KERA, and details per-pupil spending resulting from the reform.

Kentucky Department of Education (KDE). March 27, 2020. Coronavirus (COVID-19) Information. Retrieved March 27, 2020.

<https://education.ky.gov/AA/Assessments/Pages/K-PREP.aspx>

This article focuses on the K-PREP criterion-referenced test developed specifically to measure the Kentucky Academic Standards. Student performance levels (novice, apprentice, proficient and distinguished) are used to describe how well students perform to Kentucky-specific standards. K-PREP provides content area assessments such as reading, mathematics, science, social studies and writing at all grade levels or grade bands. This source is credible because the article is from an official website of the Commonwealth of Kentucky.

Kentucky Department of Education (KDE). Assessment Support: School Report Cards. December 5, 2019. Retrieved March 29, 2020.

<https://education.ky.gov/AA/distsupp/Pages/SRC.aspx>

This article highlights Kentucky's use of School Report Cards. School and District Report Cards provide information about each school and district, including test performance, teacher qualifications, student safety, awards, parent involvement, and much more. This source is credible because the article is from an official website of the Commonwealth of Kentucky.

Kentucky Department of Education (KDE). (2020). *The Non-Traditional Instruction Program*. Louisville, KY: Kentucky Department of Education.

The Non-Traditional Instruction Program (NTI) is a program that encourages the continuation of academic instruction on days when school would otherwise be cancelled. School districts create plans to deliver instruction to every student in the district and provide for student and teacher interaction on NTI days, with the ultimate goal of continuing instruction. The Commissioner of Education can waive up to 10 NTI days to count towards student attendance days in the school districts' calendars.

Kentucky Lottery Corporation. (2020). Where the Money Goes. Retrieved April 20, 2020, from https://www.kylottery.com/apps/about_us/where_the_money_goes.html

This webpage provides a breakdown of the Kentucky Lottery proceeds. Information regarding scholarships, programs, and grants funded is available for public use. The Kentucky Lottery website has up to date information and provides the annual report financial data establishing its credibility.

Kentucky Revised Statutes. (2011). Chapter 158 Conduct of Schools & Special Programs 158.6453, <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=47262>

Revision of Kentucky's State Statutes that review academic standards and assessments, content standards, committees, advisory panels, standards and assessments process review committee, administrative regulations, information and training, statewide assessment program, academic components, and student assessments. This is a state source that provides copies of state documents without any opinion or adjustments.

McLaren, M. (2020, April 17). Could Kentucky be next to end school year? Here's how it could happen. <https://www.courier-journal.com/story/news/education/2020/04/14/coronavirus-kentucky-how-jcps-could-end-school-year-early/2981406001/>

As part of the USA Today Network, Courier Journal delivers news worldwide via their online platform. This article, published through the free online platform, discusses why Kentucky Governor Andy Beshear could potentially end the school year early due to the many issues non-NTI schools are having with technology and support of student learning during the Coronavirus pandemic.

National Center for Education Statistics. (2018, March). Digest of Education Statistics, 2017.

Retrieved March 31, 2020, from

https://nces.ed.gov/programs/digest/d17/tables/dt17_702.60.asp

This website is for the National Center for Education Statistics. It provides a table with data on the number and percentage of households with computer and internet access by state, in 2016. The National Center for Education Statistics (NCES) is a reputable source. “It is the primary federal entity for collecting and analyzing data related to education in the U.S. and other nations. NCES is located within the U.S. Department of Education and the Institute of Education Sciences and it fulfills a Congressional mandate to collect, collate, analyze, and report complete statistics on the condition of American education; conduct and publish reports; and review and report on education activities internationally.”

Peele, H., & Riser-Kositsky, M. (2020, March 26). Map: Coronavirus and School Closures.

<https://www.edweek.org/ew/section/multimedia/map-coronavirus-and-school-closures.html>

This article is from education week. The article highlights a map of the coronavirus and the school closures that have been caused by the virus. This is a highly reputable source in education information. Education Week is published by a non-profit corporation and serves the public interest by providing independent, non-partisan reporting and analysis on American precollegiate education for school leaders, other educators, policymakers, and members of the general public. This publisher takes no editorial positions and has no advocacy agenda, but is guided by the conviction that the goal of ensuring a high-quality education for all children is advanced by a reliable flow of first-rate news, information, and analysis and a robust yet civil exchange of views on education issues.

Ramsdell, M., & Kennedy, L. (2020, March 30). <https://www.ncsl.org/ncsl-in-dc/publications-and-resources/coronavirus-stimulus-bill-states.aspx>

This article from the national conference of state legislators focuses on the COVID 19 stimulus bill and what that information means for the states. It highlights the amount of funding that will be provided for the states and discusses what the funds could be used to accomplish. This is considered a reputable source within the field of legislature information.

Rose v. Council for Better Education, , 790 S.W.2d 186, 60 Ed. Law Rep. 1289 (1989) (Supreme Court of Kentucky June 8, 1989).

This court case was a major decision for the state of Kentucky's education reform. It determined the capacities necessary for the state to provide an adequate education and provided steps the state must do to ensure the intent was met. As a result of the Rose decision, Kentucky passed the Kentucky Education Reform Act (KERA) and began its task of providing an adequate education to all people in Kentucky.

Sales Tax Calculator of Kentucky for 2020. (2020). <http://www.salestaxstates.com/sales-tax-calculator-kentucky>

This website provides state tax calculators for the United States. Calculators are available for the current year and prior years. A reverse sales tax calculator is also available. A researcher can search by zip code, state or city name to find the current sales tax rate. Unbiased data site for all United States sales tax rates.

Tateman, T. (2020, March 24). KDE cancels K-PREP testing for 2019-2020 school year.

Kentucky Board of Education.

<https://content.govdelivery.com/accounts/KYDE/bulletins/282fc1f>

This article discusses the Kentucky Department of Education's (KDE) notification to all Kentucky public school superintendents on March 24 that K-PREP testing for the 2019-2020 school year was canceled. This source is credible for this information because it is a news release from an official website of the Commonwealth of Kentucky.

Wheatley, K. (2020, March 19). K.Y. General Assembly passes school relief bill for districts closed during coronavirus pandemic. *WDRB Kentucky.*

https://www.wdrb.com/in-depth/ky-general-assembly-passes-school-relief-bill-for-districts-closed/article_9d41620e-687f-11ea-a2a3-2b9e080c69ca.html

This article highlights that Kentucky's General Assembly approved an emergency measure to allow school districts to request an unlimited number of non-traditional instruction days for remote learning as they close for at least two weeks, and possibly longer, during the global COVID-19 pandemic. Kentucky's NTI program days were capped at 10 days, but now districts are allowed to request as many as necessary from the Kentucky Department of Education. Districts are also allowed to continue serving free lunches to needy children during the extended closures and use attendance data from the 2018-19 school year to determine their average daily attendance for state funding under SB 177. WDRB is a reputable local news source in Louisville providing news from a strong journalism team. They cover Louisville Weather, News, Kentucky and Indiana news, headlines, weather, traffic, and sports.

Yinger, J. (2004). *Helping Children Left Behind: State Aid and the Pursuit of Education Equity*. Cambridge, Mass: The MIT Press. Retrieved from <http://web.b.ebscohost.com.libezproxy2.syr.edu/ehost/detail/detail?vid=0&sid=c8966239-cb15-40fe-81ec-c1d70feb294e%40pdc-v-sessmgr05&bdata=JnNpdGU9ZWhvc3QtGjI2ZQ%3d%3d#AN=122563&db=e000xna>

This book is a scholarly book that provides an overview and five case studies of school finance reform. This is a credible resource for scholars, public officials, and others interested in education finance reform. It explores both the general issues in education finance reform and the experiences of five states to understand why these disparities persist and to design policies that address them.

Ziegler, B. (n.d.). These U.S. States Have the Best Education Systems. Retrieved April 14, 2020, from <https://www.usnews.com/news/best-states/rankings/education>

This webpage ranks all schools within the United States. The states were ranked on performance in higher education as well as primary and secondary schooling and pre-K education. Schools were compared using pre-school enrollment, national testing scores, and graduation rates. U.S. News has a history of proper sourcing and proper fact checking.

Zimmer, R. W. (2009). *Charter schools in eight states: effects on achievement, attainment, integration, and competition*. Santa Monica, CA: Rand. https://books.google.com/books?hl=en&lr=&id=Ff_LseEOFNQC&oi=fnd&pg=PP1&dq=fully+virtual+charter+schools+perform+worse+on+tests&ots=PEczLmlAK&sig=E7l7eZp-higHKYWYX27bIByj-aU#v=onepage&q&f=false

This book highlights virtual education practice in charter schools. It discusses the benefits, challenges, and effectiveness of education in the virtual environment. This book is a highly reputable source. The report used in this book was conducted by RAND Corporation, a non-profit research organization providing objective analysis and effective solutions that address the challenges facing the public and private sectors around the world.

Figure 2: List of District Participants in NTI

2019-2020 Non-Traditional Instruction Program

Participating Districts (83 Total)

New Districts (3)

Floyd County
Letcher County
Magoffin County

Returning Districts (80)

Allen County
Augusta Independent
Barbourville Independent
Barren County
Berea Independent
Boyd County
Boyle County
Breckinridge County
Burgin Independent
Carroll County
Casey County
Christian County
Clay County
Clinton County
Cloverport Independent
Corbin Independent

Crittenden County
Cumberland County
Edmonson County
Elliott County
Franklin County
Gallatin County
Garrard County
Grant County
Graves County
Green County
Hancock County
Harlan County
Harlan Independent
Harrison County
Hart County
Hopkins County
Jackson County
Jackson Independent
Jenkins Independent
Jessamine County
Johnson County
Knott County

Knox County
Lawrence County
Lee County
Leslie County
Lewis County
Lincoln County
Livingston County
Logan County
Madison County
Marion County
Martin County
Mason County
McCreary County
McLean County
Meade County
Mercer County
Metcalfe County
Middlesboro
Independent
Monroe County
Montgomery County
Nelson County

Nicholas County
Owsley County
Pike County
Powell County
Pulaski County
Russell County
Russell Independent
Scott County
Shelby County
Taylor County
Todd County
Trigg County
Trimble County
Union County
Washington County
Wayne County
Webster County
West Point Independent
Williamsburg
Independent
Wolfe County
Woodford County

Figure 3: The essential and minimal characteristics of an "efficient" system of common schools

- 1) The establishment, maintenance and funding of common schools in Kentucky is the sole responsibility of the General Assembly.
- 2) Common schools shall be free to all.
- 3) Common schools shall be available to all Kentucky children.
- 4) Common schools shall be substantially uniform throughout the state.
- 5) Common schools shall provide equal educational opportunities to all Kentucky children, regardless of place of residence or economic circumstances.
- 6) Common schools shall be monitored by the General Assembly to assure that they are operated with no waste, no duplication, no mismanagement, and with no political influence.
- 7) The premise for the existence of common schools is that all children in Kentucky have a constitutional right to an adequate education.
- 8) The General Assembly shall provide funding which is sufficient to provide each child in Kentucky an adequate education.
- 9) An adequate education is one which has as its goal the development of the seven capacities recited previously.

Figure 4: Seven capacities of the minimum education system

- 1) Sufficient oral and written communication skills to enable students to function in a complex and rapidly changing civilization;
- 2) Sufficient knowledge of economic, social, and political systems to enable the students to make informed choices;
- 3) Sufficient understanding of governmental processes to enable the students to understand the issues that affect his or her community, state, and nation;
- 4) Sufficient self-knowledge and knowledge of his or her mental and physical wellness;
- 5) Sufficient grounding in the arts to enable each student to appreciate his or her cultural and historical heritage;
- 6) Sufficient training or preparation for advanced training in either academic or vocational fields so as to enable each child to choose and pursue life work intelligently; and
- 7) Sufficient levels of academic or vocational skills to enable public school students to compete favorably with their counterparts in surrounding states, in academics or in the job market. (Rose vs CBE Kentucky)

Figure 5: NTI Text Message and Social Media

Tue, Dec 17, 5:00 AM

There will be no school in Elliott County today, Tuesday, December 17, due to flooded roadways.

Wed, Dec 18, 5:00 AM

There will be no school in Elliott County today, Wednesday, December 18, due to icy roadways. The District spelling bee and the Sandy Hook Elementary Christmas play scheduled for this evening will not be affected by this closure.

Wed, Feb 6, 1:32 PM

School will be cancelled in Elliott County on Thursday, February 6 and Friday, February 7 due to widespread illness. During this time, all extracurricular activities will also be cancelled in order to give custodians the time they need to thoroughly clean the

Elliott County High School
March 14 · 🌐

Attn. Elliott Co. parents/students: Starting Monday, Mar. 16th, schools will be closed to AT LEAST to Friday, Mar. 27th. These will be NTI days & will not have to be made up, provided student participation is high Google Classroom assignments have been uploaded and are ready for student use. Packets were given out today for those students that need them. Please complete all ten days worth of assignments. If you need help, please email or message your teacher.

Lunches will be available to students at a drive thru at the back/kitchen door of SHE between the hours of 11 a.m.-1 p.m. Delivery will also be available. Please notify the board office with student names so they will know how many meals need to be prepared. Board office phone number is 738-8002.

Please share!

Elliott County High School
March 24 · 🌐

As recommended by the governor, Elliott County Schools will be closed through April 20th. New NTI work is being assembled by teachers. This work will be available for pick-up on Monday and Tuesday (March 30-31) from 12:00-2:00 at your school. When you pick up your new assignments, please drop off your completed packets. If you do not need a packet and have access to the internet, you do not need to come to the school. On Monday, ALL assignments will be available through a link or posted on our district webpage. We will be sending out more information on Friday of this week. Please stay in contact with your child's teacher and we hope everyone stays well!

Elliott County High School
March 27 at 10:59 AM · 🌐

Elliott County Schools will continue operating through Non Traditional Instruction until at least April 20th. Student assignments for March 30 through April 10 will be available Monday, March 30. If you have internet, you may get assignments by visiting the District web page, clicking on menu, then NTI Assignments. If you need a paper copy of assignments, you may visit your child's school on March 30 or March 31 between noon and 2 p.m. Also any assignments that need to be turned in should be dropped off at that time. Be sure that the teacher's name and the student's name are on those assignments. Parents may check their children's grades by visiting the Infinite Campus portal. Also, there will be a limited number of 4-H Grab & Go bags with fun craft activities available for pickup at each elementary school.

If you are unable to access the internet or to pick up assignments on Monday or Tuesday, please call the school so that we can mail assignments to you.

We appreciate your patience as we go through this unprecedented time and look forward to the time when we can return to school and life as normal.

👤 Karen Markweil DeHart and 9 others 16 Shares