



Issues Update

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Issues Update is a report from the Kentucky Association for Career and Technical Education (KACTE) written by Executive Director Michael R. Stone and presented on its website, www.kacteonline.org. 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.

Legislators Look Toward 2017 State, Federal Sessions

Although he was speaking about the incoming 115th U.S. Congress, Kentucky's First District Representative James Comer foreshadowed the consistent message of the speakers at the Kentucky Chamber of Commerce Legislative Preview held at the Marriott Griffin Gate Resort on Monday, Dec. 19, 2016, when he cited a "sense of hope for improvement of the business climate." Whether talking about the U.S. Congress or the Kentucky General Assembly, speaker after speaker suggested action would concentrate on how to make Kentucky more attractive for business, which they said was necessary for job and economic growth.

Career and Technical Education (CTE) will be an issue in the 2017 Kentucky General Assembly session as it relates to workforce development, which is a key issue for employers. It is so important an issue that the Kentucky Chamber of Commerce is establishing a Workforce Center that will be an employer voice in driving workforce policy in the state.

The dominating state educational issue noted at the Legislative Preview was permitting charter schools in Kentucky. It joined repeal of prevailing wage and right-to-work legislation, and tort reform, as the most cited issues that likely will be addressed in the 2017 30-day General Assembly session that begins January 3. Multiple speakers said two significant issues -- tax and pension reform -- will be addressed in a special session held in the fall of 2017.

Senate President Robert Stivers explained the move to implement long-sought Republican legislative goals that had been blocked by a Democratically controlled House of Representatives would come in waves. Some items that are not budget dependent and simple legislative acts, such as the repeals of prevailing wage and right-to-work, can be addressed in the upcoming session. After study and deliberation over the summer, the more complicated issues of tax and pension reform will be addressed in a fall special session. Then the 2018 60-day General Assembly session will enact a budget reflecting the changes.

Leadership Panel

For the first time in 100 years, the Kentucky General Assembly has Republican majorities in both the House and

Senate. President Stivers, Senate Majority Leader Damon Thayer, and House Majority Leader-designate Jonathan Shell echoed a similar refrain that the new members of the legislature are talented and ready to go to work for the citizens of the Commonwealth, but there is a significant job ahead to get organized and educated on how to accomplish goals through the legislative process. Thayer said he was mindful of managing expectations. Stivers said not to overestimate what the House can do because of the amount of organization needed.

The three legislative leaders suggested they are in line with Gov. Matt Bevin's goals for the state, but the legislative process must be considered. Thayer said there will be no discussion of constitutional amendments in the upcoming session. He indicated they will try to "de-clutter" the session. He predicted by the end of March the business community would be very pleased with the results. Shell predicted the tone in Frankfort will completely change.

"The people in Kentucky did not give us a majority to sit on our hands," Shell explained. "We want to change this state for generations to come." Thayer added the legislative agenda will be, "all about reducing (regulations) and economic and job growth."

EDUCATION WAS MENTIONED in their presentations in two contexts. One was education is the best way in the long run to address entitlement reform and justice reform. Two was permitting charter schools to operate in Kentucky. Stivers noted there already are charter schools in Kentucky, citing the Gatton Academy at Western Kentucky University. Shell argued that more than one entity is needed to authorize a charter school. He stressed that public education still will deliver the majority of education in the state.

Asked for their prediction of the headlines that will be written summarizing the 2017 General Assembly session, Shell said, "Jobs. Jobs. Jobs. Promises Made. Promises Kept. After this session, Kentucky will be open for business." Thayer didn't offer a headline, but identified, "tremendous opportunity. We don't have anyone to blame anymore. We have to lead, and we will." Stivers headline was, "I Know of No Other Place I'd Rather Be."

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Education Panel

Charter schools began the discussion of the Education Panel, which consisted of newly named Kentucky House of Representatives Education Committee Chair John (Bam) Carney, Senate Education Committee member Steve West, and Brad Montell, Deputy Secretary, Education and Workforce Development Cabinet. Later, both Carney and Montell mentioned CTE issues that need to be addressed. Both West and Carney suggested some version of Senate Bill 1 that passed the Senate in 2016 but was not addressed in the House, would be introduced in the 2017 session.

Montell defined charter schools, which exist in 43 states and are thus governed by 43 different laws, as public schools funded with public money. They are granted autonomy and flexibility but have higher standards of accountability. They are subject to the same accountability measures as public schools. They are open by choice and attended by choice. They are not designed to replace existing schools but to address or fill missing pieces or gaps. They are an additional tool to improve education that has been successful in other states.

Carney stressed he was talking about public charter schools. He added that public schools always will be the number one source of education in Kentucky. He wants the same accountability measures applied to both charter and public schools so he can compare apples to apples. Students must take the same assessments. They must be operationally transparent.

West focused on who will be authorizing the charter schools and who will pay for it? He said there needs to be more than one authorizing body.

SENATE BILL 1 from the 2016 General Assembly session will return in some form in 2017 both Carney and West predicted. Carney's watch word for the presentation, which he said at least three times, was "deliberate." A former member of the House Republican leadership and a veteran legislator, he is a former high school teacher and current local administrator. He is a member of the CTE Advisory Committee to the Office of Career and Technical Education. "We need to be very deliberate and careful about what we do." He wants to guard against unintended consequences.

West said SB1 was dubbed the "Let Teachers Teach Act." He wanted to see fewer tests and less time spent teaching to tests. Carney said he wanted to see something on essential skills but questioned how it could be incorporated. "Students compete in a global economy, so standards have to reflect that." West added there would be a bill to do away with site-based decision making for principals. Carney wants to see a reduction in paperwork imposed on teachers and administrators. West noted, "We require teachers to be professional. Let's let them be professional."

Here is the summary of SB1 the Kentucky Association for Career and Technical Education posted on its website in February 2016: "The bill amends several sections

of the Kentucky Revised Statutes (KRS) related to education, including redesign of the Professional Growth and Effectiveness System (PGES) as a state-guided but district developed requirement, with teachers evaluated at least every three years, and the results cannot be used for district accountability; Permit a CTE, a foreign language, or a computer technology or programming course to count as arts and humanities graduation requirement; Review standards and assessments; Delete program reviews and audits from statewide assessment system; Prohibit norm-referenced exams to be used as an academic growth measurement; Delete WorkKeys provisions; Include English proficiency, school safety, graduation rates, and postsecondary readiness in accountability system; Require the Kentucky Community and Technical College System (KCTCS) to compile an annual list of recognized industry certifications; and Includes several provisions related to school and state administration. Amended to include integration of standards for social studies, arts and humanities, practical living and career studies, and effective writing into curriculum; delete changes to arts and humanities."

CTE EQUITY was cited by Carney. He explained there was inequity in the provision of CTE across the state, from center to center. He said that has to be addressed. Montell took the discussion of CTE further. He said 60 percent of Kentucky's graduating seniors went to postsecondary education. Of the other 40 percent, 2 percent had a recognized industry credential. He said the other 38 percent has little chance to earn a living. "We've stigmatized the CTE pathway," he explained. He said one of the Cabinet's goals is a requirement of high school graduation that every student has some postsecondary level or credential.

West suggested there would be additional workforce development legislation in the 2017 session. "If we as a state educate our workforce and make them technologically sound, we will attract business to this state," he explained. He hinted that another \$100 million grant program for workforce development may be forthcoming. Applications for the current \$100 million grant program are approaching \$1 billion in requests.

State Board Sets Legislative Agenda

At its meeting in Frankfort on Dec. 7, 2016, the Kentucky State Board of Education adopted its policy priorities for the 2017 Kentucky General Assembly session. As presented in a summary document, "The Kentucky Department of Education's (KDE) primary focus in the upcoming session will be on aligning Kentucky's accountability system with the new requirements in the (federal) Every Student Succeeds Act (ESSA) and advancing the best policies and practices as the General Assembly considers establishing charter schools."

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In addition to these two items, the State Board also noted the continued unfunded liability facing the Kentucky Teachers Retirement System and the Kentucky Retirement System that covers classified school district employees. The speakers at the Kentucky Chamber of Commerce Legislative Preview Conference indicated addressing pension reform could be addressed in a fall 2017 special session, but not in the 2017 30-day session. David Eager, Executive Director, Kentucky Retirement Systems, told the Conference attendees there are five ways to address the retirement systems' problems, but only two make a real difference: additional funding and benefit reduction. The speakers intimated both of these options will be considered if the General Assembly addresses pension reform.

CTE IS A FOURTH PRIORITY for the State Board. "Since regional technology centers were brought under KDE in 2013, the department has worked to streamline operations, hire certified instructors, upgrade equipment and align personnel and retirement systems," a summary of the priorities issued by KDE read. "Continued work is needed in these areas as well as to align programs and expand career and technical education opportunities throughout the state."

Regarding charter schools, the State Board presented an outline of elements that should be considered in adopting charter school legislation. They include authorization, accountability, application process, enrollment, and finances and governance. The outline is available on the KDE website, www.education.ky.gov. It recommends the State Board of Education be the final arbiter of any questions regarding charter schools, and would require charter schools to meet the state's accountability standards.

Federal Priorities in 2017

As Rep. Comer opened the Kentucky Chamber of Commerce Legislative Preview Conference with his prediction for 2017 federal legislative activity and its focus on improving the economy, jobs and business prospects, Sixth District Rep. Andy Barr closed the Conference with a similar message. Neither mentioned educational policy initiatives.

Comer cited repeal and replacement of the Affordable Care Act (Obamacare) as the first issue. He said Congress must get serious about balancing the federal budget, which includes "tackling entitlement reform." He also predicted a major infrastructure bill, saying he believes in limited government, but there are certain things the government must do for the benefit of all its citizens. Infrastructure is one of those items.

Barr suggested two issues may dominate the agenda and be driven by the incoming Trump Administration: border security and filling the Supreme Court vacancy. He thought the latter would consume much of the Senate's time. He cited three other priority areas: regulatory relief, repeal and replace the Affordable Care Act, and tax reform. He

explained how Congress can implement regulatory reform and address tax and spending provisions through the Continuing Resolution (CR) budget reconciliation process. There will be two opportunities. Funding for the current fiscal year will expire on April 25. A CR will be required, and reconciliation instructions will be attached. He alluded to a second CR to fund Fiscal Year 2018 (which begins Oct. 1, 2017) would be adopted providing a second opportunity for reconciliation. He pointed to the "Better Way Tax Plan" advocated by Speaker of the House Paul Ryan as tax reform that will "make profound change" and benefit the business community.

FUNDING FOR THE CARL D. PERKINS Career and Technical Education Act is included in the CR. The current CR contained a slight cut to overall spending, which impacted Perkins funding for 30 states. Kentucky was not affected by the cut. Congress frequently restores the funding in the final appropriations bill, but that is not a guarantee. CTE advocates are urged to continue contacting their members of Congress urging adequate funding for Perkins Act programs.

Whether the Perkins Act is reauthorized also will come before the 115th Congress. The House passed HR5587 in the 114th Congress (Rep. Barr voted for it, as well as Kentucky Third District Rep. John Yarmuth and Fifth District Rep. Hal Rogers), but reauthorization only was discussed in the Senate. The Association for Career and Technical Education (ACTE) reports there still is interest among many in Congress to reauthorize and modernize the Perkins Act, including incoming House Education and the Workforce Committee Chair Virginia Foxx, but there is no commitment to specific action at this time. The House simply could re-pass the bill adopted last year and await Senate action. Senate Education Committee Chair Lamar Alexander has not indicated his priorities. Other issues before the Committee are reauthorization of the Higher Education Act as well as healthcare and labor issues.

