



## Q&A from the Online Informational Session

# 2023 Dual Credit Policy Revision, Annual Reporting and Implications of SB 150

### ***Where can I access the session recording and resources?***

The Dual Credit Policy Updates, Reporting and Senate Bill 150 session recording and resources are available on [CPE's Dual Credit Resources page](#). The recording may also be accessed at this link on [Youtube](#).

Kentucky's Dual Credit Policy (2023) and additional dual credit resources may be accessed on [CPE's Dual Credit webpage](#).

The Kentucky Department of Education's guidance on Senate Bill 150 may be accessed on [KDE's Legislative Guidance webpage](#).

### **DUAL CREDIT ANNUAL REPORT**

#### ***What specific information about dual credit teachers [section 1(f)] is being requested?***

The name of the institution the teacher is from, if they are a high school or postsecondary instructor, and the course they teach is sufficient. The personal information of the teacher (i.e. name) is not needed.

#### ***How/Where will the dual credit annual report be submitted?***

The report may be submitted through CPE's KPEDS DS On-Demand section. CPE requests that institutions email [cpedatarequest@ky.gov](mailto:cpedatarequest@ky.gov) to notify us that the report has been submitted via KPEDS.

If the institution prefers to submit via email or is not familiar with who at their institution has access to KPEDS DS, they may also send their report via email to [cpedatarequest@ky.gov](mailto:cpedatarequest@ky.gov). There is no PII associated with this collection.

**Can classes be added to the upcoming year’s report after the report deadline?**

Yes. If changes need to be made after the report deadline, updates can be provided via email at any time to [cpedatarequest@ky.gov](mailto:cpedatarequest@ky.gov). CPE will update the master list.

**SENATE BILL 150 (2023)**

**Course Content**

***How do we reconcile “no presentation” on gender orientation with the detail that it can be discussed if that discussion is central to the understanding of a text, historical context, etc.?***

Two scenarios apply to this question:

1. If a school district adopted a policy that does not permit students, regardless of grade level, to receive any instruction on gender identity or sexual orientation, educators then cannot "intend" or set a learning target or instructional goal with the purpose of allowing students to explore these topics. However, as an example, if the sexual orientation of an author of a text or that of a person being studied in history is helpful to know to understand the context of the text, historical significance, or lesson objectives aligned to the curriculum, then it may be discussed. Gender identity/expression and sexual orientation just cannot be the purpose or point of the lesson or text or learning experience.
2. If a school district does not have a policy preventing students from exploring gender identity or sexual orientation, instruction/presentation on these topics is permissible.

***If this is a K-12 requirement only, does that mean that faculty/staff employed by colleges are not held to the name/pronoun and overall gender identity standards included in the bill?***

Senate Bill 150 reads: “A local school district shall not *require* school personnel or students to use pronouns for students that do not conform to that particular student's biological sex...” *Emphasis added.* Therefore, college faculty/staff may use name/pronouns as identified by the student in accordance with campus policies.

***Colleges and universities do not have local school district attorneys to consult with as the guidance recommends. To whom should colleges and universities turn for legal advice and context judgments?***

Colleges and universities will need to work with local districts to identify the content of the dual credit courses that may trigger the requirements of the bill so that districts can remain in compliance – subject to parental consent, etc. Since the higher education institutions are responsible for the content, they will need to work with the districts to provide the content for review before offering the course to determine if the bill requirements are triggered. The districts then can determine if the board attorney should be consulted along with the appropriate next steps. If a legal issue or concern arises as part of this process, college and university staff should consult with their respective university legal counsel.

***What about students in programs such as Young Scholars Academy, Craft and Gatton who are fully immersed in college classes? Are colleges responsible for evaluating every single class available on the campus to find out which may involve anything with this bill? It seems impossible to fully know what curriculum may be involved in every class.***

The institution will need to work with the local district(s) to identify the content of the dual credit courses that may trigger the requirements of the bill – parental review and consent, etc. \*Note: this requirement only applies to those dual credit courses a student may take to satisfy his or her high school graduation requirements. However, it is recommended that, after review, these academies remove those courses that are not allowed to be taught in high schools. Academies also should notify the sending districts something to the effect of, “Here are the courses that “X” Academy offers that trigger the requirements of KRS 158.1415. A couple of scenarios exist to satisfy the requirements of SB 150:

1. A parent will need to complete a waiver for his or her student to take the course. If a parent does not waive and the academy does not choose to offer alternative curriculum, the student will be required to return to his or her local district to take the alternative course offered or not attend the academy.
2. Alternatively, before admission to the academy, a notification could be provided to the parent informing him or her of the affected courses and that permission to take the courses will be contingent upon the student attending the academy. In this case, if the parent does not waive, the student will not be eligible to attend the academy.

***So, am I hearing correctly that the colleges will review their dual credit courses that students take off-campus and NOT offer any that would not comply with Senate Bill 150?***

As directed by Senate Bill 150, any dual credit course, regardless of where the course is taught, shall be reviewed for compliance with the law. If a school district adopted a policy that does not permit students, regardless of grade level, to receive any instruction on gender identity or sexual orientation, educators then cannot "intend" or set a learning target or instructional goal with the purpose of allowing students to explore these topics. In this scenario, courses that have this stated goal or purpose shall not be taught as a high school course and therefore cannot be taught as a dual credit course.

***If a college offers a dual credit college-level health course that discusses human sexuality and the class is taught at a college by a college professor, can the student take this course?***

If the course does not violate the provisions of Senate Bill 150 – if a local district did not adopt a policy that would prohibit a student from receiving instruction that has the purpose of studying or exploring gender identity, gender expression or sexual orientation – the district may offer the course. However, parental notification and consent requirements would still apply (see below).

### **Permission Forms/Documentation**

#### ***Does "parent" include legal guardian, foster parent, etc., in this context?***

Parent, defined by Senate Bill 150, means a person who has legal custody or control of the student such as a mother, father or guardian.

#### ***Does parent/guardian permission need to be received at least two weeks prior to content instruction? Or, must the notification be sent at least two weeks prior to content instruction?***

The written notification must be sent at least two weeks prior to the student's planned participation in the course, curriculum or program.

#### ***Who bears ultimate responsibility for a student's dual credit course documentation/permission related to Senate Bill 150?***

The local school district is responsible for providing written notification and consent to and from a parent. However, the institution will need to work with local district(s) to identify the content of the dual credit courses that may trigger the requirements of the bill regardless of where the class is taught or by whom; this process should be completed before a student takes the class. Institutions also may assist in the delivery of course materials to the parent or guardian to meet the inspection requirements.

#### ***Does parental permission apply ONLY to courses taught in high schools? Or does it also apply to students who go onto college campuses for their classes?***

The parental notification and permission requirements apply to all dual credit courses that contain content triggered by the requirements of Senate Bill 150 regardless of where they are taught.

#### ***Why can't the parent permission sheet allow students to take a questionable course?***

If a college and local school district determine a dual credit's content triggers but it does not violate the requirements of Senate Bill 150, the parental notification and consent form may allow a parent to grant permission for a student to participate in the course.

#### ***If students are over 18, do these rules still apply?***

Yes. If the dual credit student is taking the course to satisfy high school graduation requirements, the requirements of Senate Bill 150 must still be met.

#### ***Does the dual credit teacher's contact information need to be included on the parental permission form?***

Yes. As directed by Senate Bill 150, the parental notification must include the contact information of the teacher or instructor of the course.

**Other**

***When will all of this be implemented? For example, if a college PSY 100 course is being offered THIS FALL at a local high school, will this need to be done before the start of classes in August?***

Senate Bill 150 contained an emergency clause and all requirements of the bill are now in effect.

***For college/university faculty who may be teaching dual credit students, it seems that the release of assessments/exams presents an assessment security risk. It is easy to imagine that some faculty may refuse. Any guidance?***

Any dual credit courses that contain content triggered by the requirements of Senate Bill 150 must be subject to inspection by parents of participating students which allows parents to review assessments/exams. The notification must detail a reasonable process for a parent to review the material(s) and should be determined in consultation with the college/university and the local school district. Assessment security is a valid concern and should be considered when fulfilling this requirement.

***Can the clarification that the high schools are responsible for compliance for dual credit classes be added to the Kentucky Department of Education's (KDE) guidance documents? I would like to see it in writing and published.***

Yes. KDE's guidance document contains the following on page 10: If the applicable policy is selected by districts, they "need to review current courses, programming, instructional resources and learning experiences to ensure compliance including, but not limited to, health education curriculum, Advanced Placement coursework, dual credit," and extracurricular activities. Some of these learning experiences may need to be altered or discontinued to comply with the district's selected policy.

***Many local high school students come to college campuses for dual credit classes, seated in the same classroom as our regularly matriculated students. Do these regulations apply in those situations as well?***

Yes. Senate Bill 150 applies to any dual credit course that contains content triggered by the requirements of the bill regardless of where the class is taught or by whom. The same course taken by a high school student, but only for college credit and not dual credit, would not trigger the requirements of Senate Bill 150.

***Could a university be held to this same standard if dual credit students are in a course? Some universities allow dual credit students to take any course, so it doesn't seem manageable at such a high level when we can't predict what curriculum may exist in every single course.***

The requirements of Senate Bill 150 only apply to students in a dual credit course where the course is being taken to satisfy high school graduation requirements.

***Are institutions of higher education required to provide alternative instruction for high school students in our courses taught on campus if the parent does not give permission?***

No. An institution is not required to provide alternative instruction; however, it may choose to do so. If a parent does not give permission for the student to participate in the dual credit course, an alternative high school course should be offered by the local school district.

### **High Schools**

***Do high schools need a list of classes from the colleges to delineate which courses should be included/excluded?***

Colleges and universities will need to work with local districts to identify the content of the dual credit courses that may trigger the requirements of the bill – subject to parental consent, etc. – before a student takes the course. Since the higher education institutions are responsible for the content, they will need to work with the districts to provide the content for review to determine if the bill requirements are triggered. The districts then can determine if the board attorney should be consulted along with the appropriate next steps.

***If a high school offers dual credit courses to students on a college campus, what is required by the high school? Are these students still required to submit a permission form?***

Yes. The local school district is responsible for providing written notification and consent to and from a parent. However, the institution will need to work with local district(s) to identify the content of the dual credit courses that may trigger the requirements of the bill regardless of where the class is taught or by whom.

***I am a school counselor and also a dual credit coordinator at my school. What do I need to do to ensure the law is followed or will the universities/colleges have everything covered for our high school students?***

The local school district is responsible for providing written notification and consent to and from a parent. However, the institution will need to work with local district(s) to identify the content of the dual credit courses in advance of the course(s) being offered that may trigger the requirements of the bill regardless of where the class is taught or by whom.