

Education and Workforce Development Cabinet

Kentucky Board of Education

Department of Education

(Amendment)

702 KAR 7:125. Pupil attendance.

RELATES TO: KRS 157.320, 157.350, 157.360, 158.030, 158.070, 158.100, 158.240, 159.010, 159.030, 159.035, 159.140, 159.170, 161.200

STATUTORY AUTHORITY: KRS 156.070, 156.160, 157.320, 158.070

NECESSITY, FUNCTION, AND CONFORMITY: KRS 157.320 defines average daily attendance of pupils for funding purposes under the Support Education Excellence in Kentucky (SEEK) Program. KRS 157.360 bases SEEK funding upon average daily attendance. KRS 158.030, 158.100, and 159.010 [~~159.030~~] establish the age for compulsory school attendance. KRS 158.070 defines the school term. KRS 158.240 and 159.035 define attendance credit for moral instruction and 4-H activities. KRS 161.200 requires attendance records to be kept by teachers. This administrative regulation establishes a uniform method of recording pupil attendance.

Section 1. Daily attendance. (1) Daily attendance of pupils in elementary schools shall be determined by taking attendance one (1) time each day prior to the start of instruction and maintaining a pupil [~~student~~] entry and exit log at each school.

(2) Daily attendance of pupils in middle and high schools shall be determined by taking attendance by class period and maintaining a pupil [~~student~~] entry and exit log at each school.

(3) The pupil [~~student~~] entry and exit log shall include the date, pupil [~~student~~] name, grade or homeroom, time of late arrival, time of early departure (with the reason for both listed), and

other information required by the local board of education. For elementary pupils ~~[students]~~ who are signed out, the pupil ~~[student]~~ entry and exit log shall also include a signature of:

(a) A parent;

(b) A legal guardian; or

(c) An adult with proof of identification and for whom the school has received a written authorization from the parent or legal guardian.

(4) Pupils shall be physically present in the school to be counted in attendance except under the following conditions:

(a) The pupil is a participant in a co-curricular instructional activity that has been authorized by the local board of education and is a definite part of the instructional program of the school;

(b) The pupil is a participant in an activity as provided in either KRS 158.240 or 159.035;

(c) The pupil is participating in an off-site virtual high school class or block. A pupil ~~[student]~~ may be counted in attendance for a virtual high school class or block for the year or semester in which the pupil ~~[student]~~ initially enrolled in the class or block if the pupil ~~[student]~~ demonstrates proficiency in accordance with local policies required by 704 KAR 3:305, Section 4(2)(b) or (3) ~~[5(2)(b) or (3)]~~;

(d) The pupil's mental or physical condition prevents or renders inadvisable attendance in a school setting, and the pupil meets the requirements of KRS 159.030(2). A pupil being served in the home/hospital program shall receive a minimum of one (1) hour of instruction two (2) times per five (5) instructional days;

(e) The pupil ~~[student]~~ has been court ordered to receive educational services in a setting other than the classroom. A pupil being served through a court order shall receive a minimum of one (1) hour of instruction two (2) times per five (5) instructional days;

(f) The pupil ~~[student]~~ has an individual education plan (IEP) that requires less than full-time instructional services;

(g) The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, Section 4(2)(b) ~~[5(2)(b)]~~ and that falls within one (1) or more of the categories of standards-based course work outlined in 704 KAR 3:305, Section 1 ~~[2]~~. A pupil ~~[student]~~ may be counted in attendance for performance-based credit for a class or block for the year or semester in which the pupil ~~[student]~~ initially enrolled in the class or block if the pupil ~~[student]~~ demonstrates proficiency in accordance with local policies required by 704 KAR 3:305, Section 4(3) ~~[5(3)]~~; or

(h) The pupil participates in a school that is authorized by the Commissioner ~~[of Education]~~ to design and deliver an educational program so that all graduation requirements are based on pupil ~~[student]~~ proficiency of standards and performance, rather than time and Carnegie units, as authorized in 704 KAR 3:305, Section 4 ~~[5]~~.

(5) Even if a pupil's absence or tardy is due to factors beyond the pupil's control, including inclement weather or failure of the transportation system to operate, the pupil shall be counted absent or tardy.

(6) The local board of education shall determine by local board policy what constitutes an excused and an unexcused absence.

(7) A pupil shall not be allowed to make up absences for the purpose of including make-up activities in the calculation of average daily attendance.

~~[Section 2. The guidelines in this section shall be used to calculate student attendance for state funding purposes through June 30, 2010.]~~

~~(1) A full day of attendance shall be recorded for a pupil who is in attendance 100 percent of the regularly scheduled school day for the pupil's grade level.~~

~~(2) A tardy shall be recorded for a pupil who is absent sixty (60) minutes or less of the regularly scheduled school day for the pupil's grade level.~~

~~(3) The actual percentage of the school day shall be recorded for attendance of a pupil absent for more than sixty (60) minutes of the regularly scheduled school day for the pupil's grade level.~~

~~(4) A full day absence shall be recorded for a pupil who is absent 100 percent of the regularly scheduled school day for the pupil's grade level.~~

~~(5) The percentages described in this section shall apply to the regularly scheduled school day approved by the local board of education and shall be applicable to entry level through grade level twelve (12).]~~

Section 2. Calculation of attendance. [3-] The guidelines in this section shall be used to calculate pupil [student] attendance for state funding purposes [after June 30, 2010].

(1) A full day of attendance shall be recorded for a pupil who is in attendance at least sixty-five (65) percent of the regularly-scheduled school day for the pupil's grade level.

(2) A tardy shall be recorded for a pupil who is absent thirty-five (35) percent or less of the regularly-scheduled school day for the pupil's grade level.

(3) A half day absence shall be recorded for a pupil who is absent thirty-six (36) percent to eighty-four (84) percent of the regularly-scheduled school day for the pupil's grade level.

(4) A full day absence shall be recorded for a pupil who is absent more than eighty-four (84) percent of the regularly-scheduled school day for the pupil's grade level.

Section 3. Shortened school day. [4-] A local board of education may permit an arrangement whereby a pupil has a shortened school day in accordance with KRS 158.060, or local board of

education policy. The time a pupil ~~[student]~~ is in attendance shall be included in calculating the district's average daily attendance.

Section 4. Dual enrollment. ~~[5.]~~ A local board of education may permit an arrangement in which a pupil pursues part of the pupil's ~~[student's]~~ education under the direction and control of one (1) public school and part of the pupil's ~~[student's]~~ education under the direction and control of another public or nonpublic school. The time a pupil ~~[student]~~ is served by each public school shall be included when calculating the district's average daily attendance.

Section 5. Private school placement. ~~[6.]~~ If a local school district, under the provisions of KRS 157.360(7) ~~[157.360(6)]~~, enrolls a child with a disability in a private school or agency, the private school or agency shall certify the attendance of the child to the local school district at the close of each school month.

Section 6. Age of pupil. ~~[7.]~~ (1) Prior to the 2017-18 school year, if [H] a local school district enrolls in the entry level program a pupil [in the entry level program] who will not be five (5) years of age on or before October 1 of the year of enrollment, the total aggregate days attendance for the pupil shall not be included in calculating the district's average daily attendance.
Beginning with the 2017-18 school year, if a local school district enrolls in the entry level program a pupil who will not be five (5) years of age on or before August 1 of the year of enrollment, the total aggregate days attendance for the pupil shall not be included in calculating the district's average daily attendance.

(2) Prior to the 2017-18 school year, if [H] a local school district enrolls in the second level of the primary program a pupil [in the second level of the primary program] who will not be six (6) years of age on or before October 1 of the year of enrollment, the total aggregate days attendance for the pupil shall not be included in calculating the district's average daily attendance except

under the conditions established in this subsection. Beginning with the 2017-18 school year, if a local school district enrolls in the second level of the primary program a pupil who will not be six (6) years of age on or before August 1 of the year of enrollment, the total aggregate days attendance for the pupil shall not be included in calculating the district's average daily attendance except under the conditions established in this subsection.

(a) The local board of education shall have determined that the pupil ~~[student]~~ is eligible for enrollment in ~~[into]~~ the second level of the primary program after academic, social, and developmental progress records from multiple data sources are reviewed by a team and determined to support accelerated placement. These sources shall include:

1. Anecdotal records;
2. A variety of pupil ~~[student]~~ work samples, including evidence of pupil ~~[student]~~ self-reflection; and
3. Standardized test results.

(b) The team shall be comprised of three (3) members who have knowledge of the pupil's ~~[student's]~~ developmental skills and abilities. Team members shall be chosen from these categories:

1. Teachers;
2. Parents;
3. Psychologists;
4. Principals; or
5. District specialists.

(c) At least one (1) team member shall represent the district office and have an understanding of early childhood development and knowledge of developmentally-appropriate practices.

(d) If a pupil [~~student~~] is recommended by the local board of education for accelerated placement into the second level of the primary program, the district shall forward that recommendation to the department for approval with:

1. A list of data sources used in making the decision;
2. A list of all individuals who submitted the data sources;
3. A list of team members; and
4. The data needed to create a pupil attendance record.

(3) A local school district shall enroll any resident pupil, not holding a high school diploma, under the age of twenty-one (21) years of age who wishes to enroll. The days attended after the pupil's [~~student's~~] twenty-first (21st) birthday shall not be included in the calculation of the district's average daily attendance.

Section 7. Due Dates for Certain Reports. [~~8.~~] (1) The Growth Factor Report for the first two (2) school months of the school year created pursuant to KRS 157.360(9) [~~157.360(8)~~] shall be submitted to the department [~~Department of Education~~] within ten (10) business days following the last day of the second school month or by November 1 of each year, whichever occurs first.

(2) Pursuant to KRS 157.360(2), the Superintendents Annual Attendance Report (SAAR) for the school year shall be submitted to the department by June 30 of each year.

Section 8. Nonresident pupils. [~~9.~~] (1)(a) A written agreement executed by local boards of education [~~execute~~] for enrollment of nonresident pupils as provided by KRS 157.350(4)(a) shall be filed in both the attending district and the resident district no later than February 1 of the year prior to the school year to which it will apply.

(b) The written agreement shall include the specific terms to which the districts have agreed.

(c) A list of the names of all nonresident pupils enrolled in the attending district covered by the agreement shall be filed in both the attending district and the resident district not later than November 1 of the school year covered by the agreement.

(d) [(2)] A change may be made to the original nonresident pupil agreement up to the close of the school year to include the nonresident pupils enrolling after the close of the second school month. The amendment shall be filed in both the attending district and the resident district no later than June 30 of each year.

(2) A list of the names of all nonresident pupils whose parent is an employee of the district as provided by KRS 157.350(4)(b) and who are not covered by the nonresident agreement shall be filed in both the attending district and the resident district not later than November 1 of the school year.

Section 9. Weather-related low attendance days. ~~[(10)]~~ The ~~[Superintendent's Annual Attendance Report (SAAR)]~~ shall be considered the request to substitute prior year's average daily attendance for up to ten (10) designated weather-related low attendance days, and certification that the low attendance was due to inclement weather in accordance with KRS 157.320(17). Documentation that the low attendance was due to inclement weather shall be retained at the central office.

Section 10. Health and safety closings. ~~[(11)]~~ The SAAR shall be considered the request to substitute prior year's average daily attendance for up to ten (10) designated instructional days for school districts that have missed an average of twenty (20) or more days in the previous three (3) years on days a school district is closed for health and safety reasons, and certification that the low attendance was due to health and safety reasons in accordance with KRS 158.070(10). Documentation that the low attendance was due to health and safety reasons shall be retained at

1 the central office. Days granted in this section shall be in addition to any days granted under
2 Section 9 of this administrative regulation.

3 Section 11. Original source of attendance data. (1) The school's records of daily attendance and
4 teacher's monthly attendance reports, daily and class period absentee lists, pupil [~~student~~] entry
5 and exit logs, and the Home/Hospital Program Form, shall be the original source of attendance
6 data for all pupils enrolled in the public common schools and shall be verified at the end of each
7 school month.

8 (2) The school's records of daily attendance and teachers' monthly attendance reports shall be
9 signed by a designated certified person within the elementary or secondary school who shall be
10 responsible for verifying and certifying the state attendance documents for accuracy.

11 (3) The school's records of daily attendance and tenth month teacher's monthly attendance
12 reports shall be retained at least twenty (20) years. The daily and class period absentee lists, and
13 pupil [~~student~~] entry and exit logs shall be retained at least two (2) full school years after the
14 current school year.

15 Section 12. Enrollment codes. The following entry, reentry and withdrawal codes shall be used to
16 indicate the enrollment status of pupils:

17 (1) E01 - A pupil enrolled for the first time during the current year in either a public or nonpublic
18 school in the United States;

19 (2) E02 - A pupil previously enrolled during the current school year in either a public or
20 nonpublic school in another state who has not previously enrolled in Kentucky during the current
21 school year;

(3) E03 - A pupil enrolling for the first time during the current school year in either a public or nonpublic school, who withdrew as a W06, W07, W13, W16, or W18 during the 2004-2005 school year or as a W24 or W25 for previous school years;

(4) R01 - A pupil received from another grade or grade level in the same school year, or having a change in schedule structure or enrollment service type.

(5) R02 - A pupil received from another public school in the same public school district;

(6) R06 - A pupil reentering the school after dropping out, discharge or expulsion from a school district in Kentucky during the current school year, who has not entered any other school during the intervening period;

(7) R20 - A pupil previously enrolled in a home school in Kentucky during the current school year;

(8) R21 - A pupil previously enrolled in any public or nonpublic school (excluding home schools) in Kentucky during the current school year;

(9) W01 - A pupil transferred to another grade in the same school or with grade level changes in the same school mid-year, or with a change in schedule structure or enrollment service type. The reentry code to use with W01 shall be R01;

(10) W02 - A pupil transferred to another public school in the same public school district. The reentry code to use with W02 shall be R02;

(11) W07 - A pupil withdrawn due to those communicable medical conditions that pose a threat in school environments listed in 902 KAR 2:020, Section 2(1) [~~1(1)~~], accompanied by a doctor's statement certifying the condition, or any other health-related condition for which the pupil [~~student~~] is too ill to participate in regular school attendance or local homebound instructional

services, or if the pupil ~~[student]~~ has obtained a doctor's statement certifying the condition. The reentry code to use with W07 shall be R06;

(12) W08 - A pupil withdrawn due to death;

(13) W12 - A pupil under the jurisdiction of the court. For purposes of the W12 code, a pupil may be considered under the jurisdiction of the court on the day the petition is filed with the court. The reentry code to use with W12 shall be R06. For accountability purposes, a W12 shall be considered a dropout if the district cannot substantiate enrollment in the proper educational setting as designated by the court;

(14) W17 - An entry level pupil ~~[student]~~ in the primary program, withdrawn during the first two (2) months enrolled due to immaturity or mutual agreement by the parent, guardian or other custodian and the school in accordance with 704 KAR 5:060;

(15) W20 - A pupil transferred to a home school. The reentry code to use with W20 shall be R20;

(16) W21 - A pupil transferred to a nonpublic school (excluding home school). The reentry code to use with W21 shall be R21;

(17) W22 - A pupil who has transferred to another Kentucky public school district and for whom a request for pupil ~~[student]~~ records has been received or enrollment has been substantiated;~~[-or a pupil who is known to have moved out of the United States;]~~

(18) W23 - A pupil withdrawn for a second or subsequent time who initially withdrew as a W24 or W25 during the current school year;

(19) W24 - A pupil who has moved out of this public school district for whom enrollment elsewhere has not been substantiated;

(20) W25 – Prior to the 2017-18 school year, a [A] pupil who is at least the local board policy's minimum age for withdrawal and [sixteen (16) years of age] has withdrawn from public school;

beginning with the 2017-18 school year, a pupil who is at least eighteen (18) years of age and
has withdrawn from ~~[dropped-out-of]~~ public school;

(21) W26 - A pupil who has withdrawn from school after completing a secondary GED program
 and receiving a GED certificate;

(22) W27 - A [a] pupil who has withdrawn from school and subsequently received a GED;

(23) W28 - A [a] pupil who has reached the maximum age for education services without
 receiving a diploma or an alternative high school diploma ~~[certificate of attainment]~~;

(24) W29 - A pupil who has moved out of state or out of the United States;

(25) W30- A pupil with an IEP enrolled in Grade 14 who has previously received an alternative
high school diploma, re-enrolled and withdrew in the middle of the reporting school year;

(26) ~~[(24)]~~ C01 - A [a] pupil who completes the school year in the school of the most current
 enrollment;

(27) ~~[(25)]~~ G01 - A [a] pupil who graduates in less than four (4) years;

(28) ~~[(26)]~~ G02 - A [a] pupil who graduates in four (4) years;

(29) ~~[(27)]~~ G03 - A [a] pupil who graduates in five (5) or more years;

(30) ~~[(28)]~~ G04 - A [a] pupil who graduates in six (6) or more years; and

(31) ~~[(29)]~~ NS - A [a] pupil who completed the prior year with a C01 and was expected to enroll
 in the district but did not enroll by October 1 of the current year whose enrollment elsewhere
 cannot be substantiated.

Section 13. Suspension. (1) For a pupil ~~[student]~~ who has been suspended, a code of S shall be
 used to indicate the days suspended.

(2) Suspension shall be considered an unexcused absence.

Section 14. Ethnicity. The ethnicity of each pupil ~~[student]~~ shall be designated as either Hispanic/Latino or not Hispanic/Latino. The designation shall be “Hispanic/Latino” if the person is of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture of origin regardless of race. The term “Spanish origin” may be used in addition to “Hispanic/Latino”.

Section 15. Racial category codes. One (1) or more of the following racial codes shall be used to indicate the racial category of pupils:

(1) White - A person having origins in any of the original peoples of Europe, North Africa, or the Middle East;

(2) Black or African American - A person having origins in any of the black racial groups of Africa;

(3) Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, or Vietnam;

(4) American Indian or Alaskan Native - A person, having origins in any of the original peoples of North America and South America (including Central America), ~~[and]~~ who maintains cultural identification through tribal affiliation or community attachment; and

(5) Native Hawaiian or other Pacific Islander - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Section 16. Withdrawal and transfer records. (1) The Student Dropout Questionnaire shall be completed during the one (1) hour counseling session mandated in accordance with KRS 159.010. ~~[Dropout data shall be reported to the Department of Education on the Nonacademic Report that is submitted to the Department each year].~~

(2) The request for records and other information involving the withdrawal and transfer of pupils shall be processed by the local superintendent or his or her designee pursuant to KRS 159.170, and shall be maintained in the pupil's ~~[student's]~~ permanent file.

Section 17. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Home/Hospital Program Form", June 2013; ~~[2008-2009;]~~

(b) "Student Dropout Questionnaire", June 2013; ~~[December 2000;]~~

(c) "Growth Factor Report", November 2009; and

(d) "Superintendent's Annual Attendance Report (SAAR)", November 2009; ~~[; and]~~

~~[(e) "Nonacademic Report", October 2008;]~~

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Education, ~~[Division of Finance]~~, 15th Floor, Capital Plaza Tower, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (23 Ky.R. 2352; Am. 2722; eff. 1-9-1997; 25 Ky.R. 1137; 1597; eff. 1-19-1999; 27 Ky.R. 1871; 2439; eff. 3-19-2001; 29 Ky.R. 2349; 29 Ky.R. 2349; 2685; eff. 4-15-2003; 30 Ky.R. 2380; 31 Ky.R. 76; eff. 8-6-2004; 32 Ky.R. 1771; 2009; eff. 6-2-2006; 36 Ky.R. 466; 1212; eff. 1-4-2010; 37 Ky.R. 2291; 2572; eff. 6-3-2011.)

This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Board of Education, as required by KRS 156.070(5).

(Date)

Terry Holliday, Ph.D.
Commissioner of Education

(Date)

David Karem, Chairperson
Kentucky Board of Education

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this proposed administrative regulation shall be held on <insert date>, 2013, at 2:00 p.m. in the State Board Room, First Floor, Capital Plaza Tower, 500 Mero Street, Frankfort, Kentucky.

Individuals interested in being heard at this meeting shall notify this agency in writing five working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until April 30, 2013. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to:

CONTACT PERSON: Kevin C. Brown, Associate Commissioner and General Counsel, Kentucky Department of Education, 500 Mero Street, First Floor, Capital Plaza Tower, Frankfort, Kentucky, 40601, phone 502-564-4474, fax 502-564-9321.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Administrative Regulation: 702 KAR 1:125

Agency Contact Person: Kevin C. Brown

(1) Provide a brief summary of:

(a) What this administrative regulation does: Defines average daily attendance for pupils for funding purposes on the SEEK program through a uniform method of recording pupil attendance.

(b) The necessity of this administrative regulation: KRS 157.320 defines average daily attendance of pupils for funding purposes under the Support Education Excellence in Kentucky (SEEK) Program. KRS 157.360 bases SEEK funding upon average daily attendance. KRS 158.030, 158.100, and 159.030 establish the age for compulsory school attendance. KRS 158.070 defines the school term. KRS 158.240 and 159.035 define attendance credit for moral instruction and 4-H activities. KRS 161.200 requires attendance records to be kept by teachers. This administrative regulation establishes a uniform method of recording pupil attendance.

(c) How this administrative regulation conforms to the content of the authorizing statute: This administrative regulation establishes a uniform method of recording pupil attendance.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation sets out the required guidelines for the uniform recording of and accounting for pupil attendance.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: Updates the regulation to conform to changes in state statute and regulations including the stepped increase in compulsory attendance age from 16-18 and adds more detailed description to pupil withdrawal codes to align with the graduation cohort model promulgated by the KBE.

(b) The necessity of the amendment to this administrative regulation: updates were necessary to align with changes to KBE regulations regarding the new accountability model for high school graduation and updates to Kentucky law including the stepped increase in compulsory attendance age from 16-18.

(c) How the amendment conforms to the content of the authorizing statute: The amendment conforms to KRS 156.035 and 156.070 that require the KBE to promulgate a regulation to ensure the proper accounting of pupil attendance for school district budgeting purposes.

(d) How the amendment will assist in the effective administration of the statutes: The amendment is updated to conform to new requirements in KRS 158.030, 158.100, and 159.030 that establish the age for compulsory school attendance.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: All public school districts in Kentucky

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including: The proposed regulation will impact all schools and districts due to the impact of pupil attendance on SEEK funding.

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: School districts must provide training and resources to school and district personnel to ensure a correct accounting of pupil attendance.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): No additional costs to current operations

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): State funding (SEEK) is tied directly to pupil attendance. School districts must mark attendance accurately to receive their share of the funding and no more.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation: No costs

(b) On a continuing basis: No costs

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: General Fund.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase will be necessary.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation does not establish fees or directly or indirectly increase any fees.

(9) TIERING: Is tiering applied? (Explain why or why not) Yes, tiering is applied per the SEEK laws and regulations that help to equalize funding for poorer school districts with lower local tax bases and/or higher numbers of students on Free or Reduced price lunches.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number:

Contact Person:

Phone number:

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? **All KY public school districts**

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. **KRS 157.320, KRS 157.360, KRS 158.030, KRS 158.100, 159.030, KRS 158.070, KRS 158.240, KRS 159.035, KRS 161.200**

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? **None**

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? **This regulation provides the means to determine the Average Daily Attendance for calculating each district's annual SEEK allocation. To the extent that this regulation allows for tracking student attendance, any change in student ADA will directly impact the SEEK calculation**

(c) How much will it cost to administer this program for the first year? **No additional cost**

(d) How much will it cost to administer this program for subsequent years? **No additional cost**

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: