

1 Education and Workforce Development Cabinet

2 Kentucky Board of Education

3 Department of Education

4 (Amendment)

5 705 KAR 4:250. Energy Technology Engineering Career Pathway.

6 RELATES TO: KRS 158.808, 158.810

7 STATUTORY AUTHORITY: KRS 156.070, 158.808

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 158.808 requires the [Kentucky]

9 Department of Education (department) to establish and administer an energy technology

10 engineering career pathway, approve grant recipients, and distribute funds to local school

11 districts. The Kentucky Board of Education is authorized by KRS 158.808 to promulgate

12 administrative regulations for the administration of that program. This administrative regulation

13 establishes a process for the department [~~Kentucky Board of Education~~] to administer the energy

14 technology engineering career track program, approve grant recipients, and distribute funds to

15 local school districts.

16 Section 1. Definitions [~~Definition~~]. (1) “Career pathway” is defined in KRS 158.810(6) [~~means a~~

17 ~~coherent, articulated sequence of rigorous academic and career and technical courses, including~~

18 ~~dual credit opportunities, leading to a postsecondary degree or industry recognized certification~~

19 ~~or licensure, that is developed, implemented, and maintained in partnership with secondary and~~

20 ~~postsecondary institutions, businesses, and employers~~].

21 (2) “Secondary area center” is defined in KRS 158.810(11).

22 Section 2. Application Process. (1) A Kentucky public school district shall be eligible to apply

23 for a grant through a request for proposal process.

(2) A local school district superintendent shall submit the application and have the approval of participating schools' school-based decision making councils and local board of education.

(3) A grant application shall indicate the fiscal agent as:

(a) a local board of education for all district comprehensive secondary schools and locally-operated secondary area centers;

(b) the department's Office of Career and Technical Education for all state-operated secondary area centers ~~[a local board of education]~~.

(4) To be eligible for funding, an applicant school shall provide an energy career pathway which includes the following components:

(a) Energy-related applications, including but not limited to, energy and power technology, engineering design and development, and energy-related research and applications as developed by the department in consultation with representatives from the energy technology industry, the University of Kentucky Center for Applied Energy Research, the Council on Postsecondary Education, the Kentucky Community and Technical College System, the Kentucky Department for Energy Development and Independence, and local school districts ~~[The Project Lead the Way middle school program Gateway to Technology, with content to include energy related activities and the following Project Lead the Way pre engineering courses at the high school level:~~

~~1. Introduction to Engineering Design;~~

~~2. Principles of Engineering;~~

~~3. Digital Electronics;~~

~~4. A specialized course in Energy and Power Technology, or integration of energy related content and applications in each of the Project Lead the way courses. The content shall include energy related applications as developed by the Kentucky Department of Education, in~~

~~consultation with representatives from the energy technology industry, the University of Kentucky Center for Applied Energy Research, the Council on Postsecondary Education, the Kentucky Community and Technical College System, Governor's Office of Energy Policy, local school districts, and Project Lead the Way; and~~

~~5. Engineering Design and Development, with content to include energy related research and applications];~~

(b) The opportunity for students to participate in energy related internships or cooperative education with energy-related industries or postsecondary education;

(c) Matching funds that shall be allocated to directly support the implementation of the program, which may include other state, federal, local, or nonpublic sources, within the uses and conditions set forth by the source of those funds. Previously awarded energy and engineering initiative ~~[Project Lead the Way]~~ state grants and local matches shall not be considered as matching funds for this program; and

~~(d) [Status as a registered Project Lead The Way site prior to disbursement of funds; and~~

~~(e)]~~ Submission of seven (7) complete copies of the application plus an electronic copy.

Section 3. Selection of Grants. (1) The criteria for selection of applications for funding shall be based on the appropriateness and quality of the following:

(a) Process for identifying potential students and estimated enrollment in the Energy Technology Engineering Career Pathway;

(b) An implementation plan, which includes:

1. Computer availability, including hardware and software commonly used in related fields;
2. Teacher availability and certification;
3. Elementary school integration;

4. Middle school and high school program;
5. Measures of student progress to be utilized;
6. Instructional space;
7. Student Recruitment Plan, including recruitment of traditionally underserved populations;
8. Business and postsecondary partners and other education partnerships; and
9. Narrative of budget and timeline, including the efficient and effective use of proposed grant funds and matching funds;

(c) Program evaluation to include annual graduate follow-up surveys; and

(d) Level of individual school and district commitment for teacher professional development [; and

~~(e) Narrative of budget and timeline, including the efficient and effective use of proposed grant funds and matching funds].~~

(2) An application shall be reviewed as follows:

(a) A team of evaluators shall review the application; and

(b) ~~[1.]~~ The department ~~[Kentucky Department of Education]~~ shall approve funding based upon the results of the review.

~~(3)~~ ~~[2.]~~ Consideration may be given to provide for geographic diversity and the number of students to be served in order to maximize the benefits of the program.

Section 4. Grant Allocations and Requirements. (1) The award size or range of grants shall be determined by the department ~~[Kentucky Department of Education]~~.

(2) Allowable expenditures include:

(a) Laboratory equipment and instructional materials necessary for ~~[Project Lead the Way]~~ instruction;

- 1 (b) Computers and computer upgrades;
- 2 (c) Computer software required by the curriculum [~~Project Lead the Way~~];
- 3 (d) A laptop computer for the instructor;
- 4 (e) Travel expenses and registration fees for teachers and school administrators, including school
- 5 counselors, to attend [~~the~~] required conferences and trainings [~~Project Lead the Way counselors~~
- 6 ~~conference~~];
- 7 (f) [~~Travel expenses and registration fees for teachers to attend the required Project Lead the~~
- 8 ~~Way summer teacher institutes~~;
- 9 (g) Resources and professional learning [~~development~~] for integrating energy activities in the
- 10 curriculum; and
- 11 (g) [~~h~~] Energy related instructional materials and equipment.
- 12 (3) State grant funds shall not be used to maintain, renovate, or build facilities or pay teacher
- 13 salaries, but local district expenditures for these purposes may be included as matching funds.
- 14 (4) Monitoring of awarded grants shall include the following:
- 15 (a) Fiscal reports submitted semi-annually [~~quarterly~~] to the department [~~of Education~~]; and
- 16 (b) Annual program evaluation report on the implementation plan that outlines the project
- 17 accomplishments related to the project need, objectives, and outcomes.

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)

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Roger L. Marcum, Chairperson  
Kentucky Board of Education

**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this proposed administrative regulation shall be held on November 21, 2014, at 10 a.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 through close of business, December 1, 2014. 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: 705 KAR 4:250

Agency Contact Person: Kevin C. Brown

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the processes to be followed by the agency when administering the energy technology engineering career track program, approving grant recipients, and distributing the funds to local districts.

(b) The necessity of this administrative regulation: This administrative regulation was necessary to implement provisions of KRS 158.808 that required the agency to establish an energy and engineering technology career track program and distribute funds to local school districts that wish to implement such career pathways.

(c) How this administrative regulation conforms to the content of the authorizing statute: This administrative regulation provides criteria for the grant application process, as well as guidance surrounding proper implementation plans and data reporting procedures.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation provides specifics on how to apply for the implementation and sustainability funds outlined in KRS 158.808 that are available to districts that offer these pathways at the middle and high school levels.

(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: The amendments would ensure equitable access to the grant funds, regardless of the district's chosen pathway curriculum. Vendor-specific language within the original form of the administrative regulation has been removed, as this decision should be made based upon the needs of the specific school and the local industry.

(b) The necessity of the amendment to this administrative regulation: As new and emerging secondary programs are developed around the STEM (Science, Technology, Engineer and Technology) fields, and these programs continue to grow in popularity and demand, the need has become evident to provide greater accessibility to these grant funds.

(c) How the amendment conforms to the content of the authorizing statute: The amendments maintain the integrity of the grant application process, as well as the implementation and data reporting procedures.

(d) How the amendment will assist in the effective administration of the statutes: The amendments seek to promote and increase participation in these career pathways through the financial support of the grant funds.



(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: All public school districts and state-operated area technology centers in Kentucky that offer energy and engineering technology career pathways.

(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 administrative regulation will impact identified schools and districts by providing the detail necessary to apply for the grant funding outlined in KRS 158.808.

(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 wishing to apply for such funds must submit a formal application that adheres to the requirements outlined in the administrative regulation. They must also comply with the implementation and sustainability plans, as well as accurate and timely data reporting requirements.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): The chosen school districts to be awarded the grant funds are required to find matching funds, allocated directly to support the implementation of the program. The number of awardees and the award amounts are determined each year by the agency.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): This administrative regulation will benefit school districts by ensuring that all who desire to offer such pathways have the same access and opportunity to apply for these implementation and sustainability funds, regardless of what program or curriculum vendor they choose.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: No additional costs

(b) On a continuing basis: No additional costs

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

(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) Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all school districts that offer these pathways.

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 705 KAR 4:250

Contact Person: Kevin C. Brown

Phone number: 564-4474

(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 Kentucky school districts

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 158.808, KRS 158.810

(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? N/A

(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? N/A

(c) How much will it cost to administer this program for the first year? No additional costs from previous years.

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

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: