

Education and Workforce Development Cabinet

Kentucky Board of Education

Department of Education

(Amendment)

705 KAR 4:041. Work-based learning [~~Cooperative~~] program standards.

RELATES TO: KRS 156.802 [~~151B.025~~], 156.029(7), 158.810(4).

STATUTORY AUTHORITY: KRS 156.802(5) [~~151B.025(5)~~], 156.029(7), 156.070(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.802(5) [~~151B.025(5)~~] requires the

Kentucky Board of Education to establish program standards for secondary area career and

technical [~~vocational~~] education and technology centers. This administrative regulation establishes

program standards for work-based learning [~~cooperative-vocational education~~] in area [~~vocational~~

~~education and~~] technology centers and local school districts.

Section 1. Definitions. (1) “Career and Technical Education” is defined in KRS 158.810(4).

(2) “Cooperative education” is an educational program consisting of in-school instruction combined

with program related on-the-job paid work experience in a business or industrial establishment.

(3) “Work-Based Learning” is an effective teaching approach used to engage students in real-life

occupational experiences, that incorporates structured, work-based learning activities into the

curriculum, and allows a student to apply knowledge and skills learned in class and connect these

learning experiences in the workplace.

Section 2 [+]. Cooperative [~~vocational~~] education shall meet the following minimum requirements:

(1) To participate in cooperative ~~[vocational]~~ education, a student shall be at least sixteen (16) years of age.

(a) A student who is under eighteen (18) shall secure a verification of age issued by the local superintendent of schools.

(b) A student who is between age eighteen (18) to twenty-one (21) shall have a certificate of age on file with the employer.

(2) A student shall have:

(a) Successfully completed the basic career and technical ~~[vocational]~~ skill[s] prerequisites required by the preparatory program he/she is pursuing; and

(b) Gained sufficient knowledge and skills necessary for success in a cooperative education program.

(3) A student shall be: ~~[enrolled in a related preparatory educational subject within the school year.]~~

(a) enrolled in a course included within their chosen career pathway within the same academic year;

(b) a career pathway completer by the conclusion of the junior year; or

(c) enrolled in an approved pre-apprenticeship program.

(4) The cooperative education program shall be an integral part of the school's program of studies and be described in the school catalog.

(5) A student may receive academic credit on an hour-for-hour-basis equivalent to a Carnegie Unit only for work experience directly related to the student's individual learning ~~[graduation]~~ plan

(ILP) and approvable under the minimum requirements for high school graduation, 704 KAR

3:305 [Program of Studies for Kentucky Schools, 704 KAR 3:303].

(6) A student shall receive a salary for the work experience phase of instruction in accordance with local, state, and federal minimum wage requirements.

(7) The school shall arrange and coordinate with the employer for on-the-job training. A training agreement by the school, student, parent, and employer shall be placed on file with the school.

(8) A student shall be excused from school attendance only for the purpose of participating in an approved cooperative education program activity.

(9) The program shall include an evaluation component to assess the effectiveness of the program in assisting students in the achievement of their educational and career goals.

(10) The student shall spend a minimum of ten (10) clock hours per week in a salaried position which provides work experience directly related to the student's career goals as identified in his individual learning [~~graduation~~] plan (ILP).

(11) The school shall provide work site supervision of the student by a certified teacher-coordinator on a regular basis throughout the period of time a student is participating in the cooperative education program.

Section 3. Other types of work-based learning opportunities for secondary students may include service learning, mentoring, shadowing, entrepreneurship, school-based enterprises, internships, and pre-apprenticeships. Definitions of each type of work-based-learning are located in the Kentucky Work-Based Learning Manual. Local districts and state-operated area technology centers shall have the responsibility of coordinating work-based learning programs and shall comply with the Kentucky Work-Based Learning Manual.

Section 4. Incorporation by Reference. (1) The following is incorporated by reference:

(a) "Kentucky Work-Based Learning Manual" (Edition 2015).

1 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at
2 the Department of Education, Office of Career and Technical Education, 20th Floor, Capital
3 Plaza Tower, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to
4 4:30 p.m.

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)

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 July 24, 2015, 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 July 31, 2015. 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 4:041

Contact Person: Kevin C. Brown

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes program standards for the various forms of work-based learning. It also incorporates the guidance of the Kentucky Work-Based Learning Manual (2015) by reference.

(b) The necessity of this administrative regulation: 705 KAR 4:231 guides the general program standards for secondary career and technical education programs, which mandates that such programs shall provide opportunities for students to participate in high quality work-based learning experiences related to the program in which they are enrolled. The Kentucky Work-Based Learning Manual provides proper guidance on the proper compliance of federal and state child labor laws and other relevant implementation guidelines.

(c) How this administrative regulation conforms to the content of the authorizing statute: This administrative regulation provides policies and guidance to govern work-based learning programs.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation provides policies and guidance to govern work-based learning programs.

(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 broaden the policies and guidance to all forms of work-based learning, rather than just cooperative education. The amendments also extend eligibility requirements for cooperative education and incorporate the Kentucky Work-Based Learning Manual (2015) by reference. A new definitions section also seeks to clarify statutory language and outdated language has been updated.

(b) The necessity of the amendment to this administrative regulation: The amendments broaden the pool of potential pool of eligible cooperative education student enrollments, as well as provides implementation policy and guidance for all other types of work-based learning.

(c) How the amendment conforms to the content of the authorizing statute: This administrative regulation provides policies and guidance to govern work-based learning programs.

(d) How the amendment will assist in the effective administration of the statutes: This administrative regulation provides policies and guidance to govern work-based learning programs.

(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 the area technology centers (ATCs) in Kentucky and supporting staff in the Kentucky Department of Education.

(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 amendment will impact schools and districts and the Kentucky Department of Education by providing the detail necessary to consistently implement work-based learning programs.

(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: The Kentucky Department of Education, schools and districts shall implement the specific requirements of the work-based learning programs.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There will be no additional cost to the schools, districts or the Kentucky Department of Education.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The schools and districts will experience consistent guidance to make continuous improvement of their work-based learning programs. The changes in the eligibility requirements for cooperative education will now provide schools with greater flexibility in who may complete such a program.

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

(a) Initially: Additional costs are not anticipated.

(b) On a continuing basis: Additional costs are not anticipated.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Additional costs are not anticipated. State and federal funds to the extent any additional costs are incurred.

(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? Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all school districts.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 705 KAR 4:041
 Contact Person: Kevin C. Brown
 Phone Number: 502-564-4474

(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? School districts and area technology centers

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 156.802(5); KRS 156.029(7); KRS 158.810 (4); KRS 156.070(1)

(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? None.

(c) How much will it cost to administer this program for the first year? Amendment adds no additional costs.

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

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: Regulation does not generate revenue or establish fees.

Summary Page - Incorporation by Reference

705 KAR 4:041. Work-Based Learning Program Standards

The following documents are incorporated by reference:

"Kentucky Work-Based Learning Manual", 2015. The document incorporated by reference consists of (138) pages. This document is used to define work-based learning programs and provide legal guidance for implementation.