

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Action/Consent Item:**

Request from the Fort Thomas Independent School District for Waiver of 702 KAR 5:060, Section 6(2)

#### **Commissioner's Recommendation:**

It is recommended that the Kentucky Board of Education (KBE) approve the request from the Fort Thomas Independent School District to waive the requirements of 702 KAR 5:060, Section 6(2) to allow a one-time approval of certificated common carriers for the 2016-2017 school year.

#### **Rationale:**

The approval of this waiver will allow the school district to more efficiently use certificated common carriers during the fiscal year. This efficiency will result in increased time, energy and resources to focus on instructional activities.

#### **Action Question:**

Should the Kentucky Board of Education (KBE) approve the request from the Fort Thomas Independent School District to waive the requirements of 702 KAR 5:060, Section 6(2) to allow a one-time approval of certificated common carriers for the 2016-2017 school year?

#### **Applicable Statute or Regulation:**

KRS 156.160, 702 KAR 5:060, Section 6(2)

#### **History/Background:**

**Existing Policy:** School districts may utilize appropriately certificated common carriers to transport students to or from school-related events. The use of common carrier service shall be approved by the local board of education and the justification cited in the board minutes.

**Summary:** Fort Thomas Independent School District makes an annual request to the KBE to waive 702 KAR 5:060, Section 6(2). This is the seventh annual waiver the district has requested. This allows the school board to have a one-time annual approval of all certificated common carriers to be used by the board for the entire school year. Fort Thomas Independent School District only owns three smaller school buses for use in transporting special needs students and for small trips, if available. It relies on procuring charter bus services for field trips and extra-curricular activities. The board of the Fort Thomas Independent School District approved making the request to the state board at the December 14, 2015 meeting. The district has requested a continuing waiver for the 2016-2017 school year and for each subsequent year;

however, department staff recommend only the one-time approval for the 2016-2017 school year upon advice from legal counsel. A copy of the letter of request is attached. The KBE previously approved a waiver for the 2015-2016 at the April 1, 2015 meeting.

***Budget Impact:*** There is no budget impact on state funds.

**Contact Person:**

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A handwritten signature in blue ink that reads "Stephen L. Pruitt". The signature is written in a cursive style with a horizontal line extending from the end of the name.

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**Commissioner of Education**

**Date:**

April 2016