

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

780 KAR 4:031, Repeal of 780 KAR 4:030, Standards for Secondary Programs (*First Reading*)

780 KAR 7:071, Repeal of 780 KAR 7:070, Equipment Insurance (*First Reading*)

Commissioner's Recommendation:

The Commissioner recommends review and repeal of these regulations in April. No action will be taken at this meeting.

Rationale:

As a result of the Commissioner's request for the review of all regulations pertaining to career and technical education, the Kentucky Board of Education will be asked to repeal 780 KAR 4:030 and 780 KAR 7:070 to eliminate redundancies in Title 780.

Applicable Statute or Regulation:

KRS 156.802, 56.070-185, 156.852

History/Background:

Existing Policy: 780 KAR 4:030 - KRS 156.802 gives the Kentucky Department of Education's Office of Career and Technical Education the responsibility for all administrative functions of the state in relation to the management, control, and operation of state-operated secondary area technology centers. Title 780 provides administrative regulations for the state-operated area technology centers, also known as the Kentucky Tech System. 780 KAR 4:030 states that Kentucky Tech schools shall operate in compliance with 705 KAR 4:231, which provides program standards.

780 KAR 7:070 - KRS 56.070 requires the Finance and Administration Cabinet to determine state property to be insured through the state fire and tornado insurance fund. KRS 156.852 gives the Kentucky Board of Education the authorization to carry out the purposes of the program of career and technical education. Title 780 provides administrative regulations for the state-operated area technology centers, also known as the Kentucky Tech System. 780 KAR 7:070 establishes operating procedures relative to equipment insurance for state-operated secondary area technology centers.

Summary: Since the merger of Kentucky's two secondary career and technical education (CTE) systems in 2013 through HB 207, the Office of Career and Technical Education has worked to identify statutes and administrative regulations that could be amended or repealed in an effort to simplify the regulatory scheme and eliminate redundancies.

780 KAR 4:030 states that Kentucky Tech schools "shall operate in compliance with the program standards established in 705 KAR 4:231." KRS 156.802 says that "secondary area vocational centers shall be operated in compliance with program standards established by the Kentucky Board of Education." The program standards for middle/high schools, local career and technical education centers, and area technology centers are set out in 705 KAR 4:231, making the language in 780 KAR 4:030 redundant and unnecessary.

780 KAR 7:070 establishes operating procedures relative to equipment insurance for state-operated secondary area technology centers. 780 KAR 7:060 addresses a similar topic by providing administrative guidance surrounding equipment inventories. It is being recommended that all sections of 780 KAR 7:070 be merged into 780 KAR 7:060, Equipment Inventory. 780 KAR 7:060 and 780 KAR 7:070 both address equipment for state-operated career and technical education. Combining the language simplifies the regulatory scheme and provides an opportunity to update outdated language. Thus, 780 KAR 7:070 is no longer needed.

Budget Impact: The repeal of these administrative regulations has no fiscal impact on the Kentucky Department of Education.

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Commissioner of Education

Date:

February 2016

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET
2 Kentucky Board of Education
3 Department of Education
4 (Repealer)
5 780 KAR 4:031. Repeal of 780 KAR 4:030.
6 RELATES TO: KRS 156.802
7 STATUTORY AUTHORITY: KRS 156.802
8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.802(3) requires the Kentucky
9 Board of Education to establish program standards for secondary area vocational education and
10 technology centers. Program standards for middle/high schools, local career and technical
11 education centers, and area technology centers are set out in 705 KAR 4:231, Area center or
12 public high school, standards for vocational department. Because the program standards are set
13 out in 705 KAR 4:231, the existence of 780 KAR 4:030 is redundant and unnecessary.
14 Section 1. 780 KAR 4:030, Standards for secondary programs, is hereby repealed.

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Department of Education

4 (Repealer)

5 780 KAR 4:030. Standards for secondary programs.

6 RELATES TO: KRS 151B.025

7 STATUTORY AUTHORITY: KRS 151B.025

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 151B.025 establishes responsibilities

9 for career and technical education secondary vocational-technical program standards. This

10 administrative regulation cites those standards to be used.

11 Section 1. Kentucky TECH schools with secondary programs shall operate in compliance with

12 program standards established by the State Board for Elementary and Secondary Education in

13 705 KAR 4:231. (22 Ky.R. 447; Am. 733; eff. 10-5-95; 35 Ky.R. 1881; eff. 5-1-2009.)

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET
2 Kentucky Board of Education
3 Department of Education
4 (Repealer)
5 780 KAR 7:071. Repeal of 780 KAR 7:070.
6 RELATES TO: KRS 56.070-56.180, 156.852
7 STATUTORY AUTHORITY: KRS 156.852
8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.852 authorizes the Kentucky
9 Board of Education to carry out the purposes of the program of vocational education and the
10 provisions of the Acts of Congress accepted by KRS 156.850. 780 KAR 7:070 established
11 operating procedures relative to equipment insurance. The need for the regulation is still
12 apparent, however there are two regulations currently addressing equipment for vocational
13 education. The language from 780 KAR 7:070 will be merged into 780 KAR 7:060, to create
14 one comprehensive regulation governing operating procedures relative to equipment for
15 vocational education in the Commonwealth. Combining the two regulations will simplify the
16 regulatory scheme, increase administrative efficiency, and provide clarity to career and technical
17 education programs.
18 Section 1. 780 KAR 7:070, Equipment insurance, is hereby repealed.

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET
2 Kentucky Board of Education
3 Department of Education
4 (Repealer)
5 780 KAR 7:070. Equipment insurance.
6 RELATES TO: KRS 56.070-56.180
7 STATUTORY AUTHORITY: KRS 151B.150
8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 151B.150 authorizes the executive
9 director of the Office of Career and Technical Education to promulgate administrative
10 regulations to carry out the purposes of vocational education. This administrative regulation
11 establishes operating procedures relative to equipment insurance.
12 Section 1. All career and technical education equipment in the Kentucky TECH schools shall be
13 covered by the State Fire and Tornado Insurance Fund regular policy underwritten by the
14 Commonwealth of Kentucky except:
15 (1) Equipment insured for full coverage under the state computer insurance policy.
16 (2) Equipment normally utilized and stationed at remote locations shall be insured under the
17 floater clause in the Fire and Tornado Insurance Fund.
18 (3) Equipment on loan from industry requiring insurance shall be insured under the Inland
19 Marine policy underwritten by the Commonwealth of Kentucky. (17 Ky.R. 764; eff. 10-14-90;
20 Am. 22 Ky.R. 382; 740; eff. 10-5-95; 35 Ky.R. 1908; 2252; eff. 5-1-2009.)