

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Department of Education

4 (Repealer)

5 780 KAR 4:012. Repeal of 780 KAR 4:010.

6 RELATES TO: KRS 156.802(3), (6), 156.850, 156.852, 20 U.S.C. 2391-2415

7 STATUTORY AUTHORITY: KRS 156.802(3), (6), 156.850, 156.852

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.802 gives the Department of  
9 Education’s Office of Career and Technical Education the responsibility for all administrative  
10 functions of the state in relation to the management, control, and operation of state-operated  
11 secondary area technology centers. KRS 156.850 ensures that the state accepts all federal acts  
12 related to career and technical education. KRS 156.852 authorizes the Kentucky Board of  
13 Education to carry out the purposes of the program of vocational education and the provisions of  
14 the Acts of Congress accepted by KRS 156.850. 780 KAR 4:010 establishes the broad, general  
15 standards for all career and technical education programs to qualify for federal funding. The  
16 need for the regulation is still apparent, however there are two regulations currently addressing  
17 general and program standards for career and technical education. Relative language from 780  
18 KAR 4:010 will be merged into 705 KAR 4:231, to create one comprehensive regulation  
19 governing general and program standards for all of career and technical education in the  
20 Commonwealth. Combining the two regulations will simplify the regulatory scheme, increase  
21 administrative efficiency, and provide clarity to career and technical education programs.

- 1 Section 1. 780 KAR 4:010, General standards, is hereby repealed.

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)

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Stephen L. Pruitt, Ph.D.  
Commissioner of Education

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(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 September 28, 2016, at 10 a.m. in the State Board Room, 5<sup>th</sup> Floor, 300 Building, Sower Boulevard, 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 September 30, 2016. 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: 780 KAR 4:012

Contact Person: Kevin C. Brown

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation repeals 780 KAR 4:010, which establishes the broad, general standards for all career and technical education programs to qualify for federal funding.

(b) The necessity of this administrative regulation: The need for the regulation is still apparent, however, there are two regulations currently addressing general and program standards for career and technical education. The repeal of 780 KAR 4:010 reduces confusion and eliminates redundancies within the agency's regulatory scheme.

(c) How this administrative regulation conforms to the content of the authorizing statute: KRS 156.802 gives the 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. KRS 156.850 ensures that the state accepts all federal acts related to career and technical education. KRS 156.852 authorizes the Kentucky Board of Education to carry out the purposes of the program of vocational education and the provisions of the Acts of Congress accepted by KRS 156.850. Pursuant to these state statutes, the Kentucky Department of Education has the authority to promulgate program standards for Career and Technical Education and such standards are being amended within 705 KAR 4:231.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation simplifies regulatory language, eliminates redundancies and confusion, and increases the efficiency of the agency and career and technical education 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: N/A

(b) The necessity of the amendment to this administrative regulation: N/A

(c) How the amendment conforms to the content of the authorizing statute: N/A

(d) How the amendment will assist in the effective administration of the statutes: N/A

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: State-operated area technology centers in Kentucky, as well as 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 repeal will impact the area technology centers and the Kentucky Department of Education by eliminating confusion caused by having multiple regulations that address the same content and requirements.

(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: N/A

(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 area technology centers will experience a more simplified scheme of regulatory requirements and a reduction of administrative burden for both the schools and teachers.

(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.

(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: 780 KAR 4:012  
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? State-operated 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, KRS 156.850, KRS 156.852, 20 U.S.C. 2391-2415

(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. None.

(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? None.

(d) How much will it cost to administer this program for subsequent years? None.

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.