

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

704 KAR 7:051, Repeal of 704 KAR 7:050, Student Discipline Guidelines (First Reading)

Rationale:

To eliminate inefficiency and confusion, repeal of this regulation is recommended. The Kentucky Board of Education will be asked to take final action to repeal this regulation during its February 2017 regular meeting.

Applicable Statute or Regulation:

KRS 158.148, KRS 158.150, KRS 156.070, and 704 KAR 7:050

History/Background:

Existing Policy: In 1984 KRS 158.148 originally required the Kentucky Department of Education (KDE) to review and approve each school district's student discipline code. 704 KAR 7:050 was originally promulgated to outline the process and requirements for KDE approval of local student discipline codes. Amendments to KRS 158.148, however, now only require KDE, in collaboration and cooperation with various other agencies and organizations, to "develop or update as needed and distribute to all districts by August 31 of each even-numbered year, beginning August 31, 2008: (a) Statewide student discipline guidelines ..." Since the criteria for KDE to review, revise, and distribute the student discipline guidelines is contained in KRS 158.148, there is no longer any need for an administrative regulation on this topic.

Summary: 704 KAR 7:050 currently incorporates by reference "Student Discipline Guidelines, April 2003." As indicated above, there is no longer any need for an administrative regulation on this topic. Furthermore, any attempt to revisit and update this document currently requires revision of the regulation. Statute requires that KDE update the discipline guidelines as needed at least every two years. Repeal of this regulation eliminates inefficiency and confusion on this topic. Discipline guidelines will continue to come before the KBE and Local Superintendents Advisory Council (LSAC) for review.

Budget Impact: No impact occurs to state funds due to the repeal of the regulation.

Groups Consulted and Brief Summary of Responses:

Local Superintendents Advisory Council (LSAC)

LSAC will review the regulation at its upcoming meeting and comments will be reported at the December KBE meeting.

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 large, stylized "S" and "P".

Commissioner of Education

Date:

December 2016