

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)

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

(Date)

Mary Gwen Wheeler, Chairperson
Kentucky Board of Education

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this proposed administrative regulation shall be held on January 3, 2018, at 10:00 a.m. in the State Board Room, Fifth Floor, 300 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 January 31, 2018. 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, 300 Sower Boulevard, 5th Floor, Frankfort, Kentucky, 40601, phone 502-564-4474, fax 502-564-9321; email kevin.brown@education.ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 704 KAR 3:540. Amendment of 704 KAR 3:540
Contact Person: Kevin C. Brown, kevin.brown@education.ky.gov
Phone number: 502-564-4474

(1) Provide a brief summary of:

(a) What this administrative regulation does: Amends administrative regulation 704 KAR 3:540 to improve alignment between academic experiences, quality of courses and uniform academic course codes. KRS 156.160(1) requires that the Kentucky Board of Education promulgate administrative regulations for the courses of study that are administered in the common schools. The administrative regulation establishes a uniform system of coding academic courses in schools and districts through the student information system.

(b) The necessity of this administrative regulation: Amendment of 704 KAR 3:540 accomplishes the following: (1) assists districts in compliance with KRS 161.1221 and 16 KAR 1:050, which require the Education Professional Standards Board (EPSB) to classify and certify teachers; (2) allows districts to have a better understanding of the kinds of courses students have previously encountered when transferring from other districts; (3) assists the Kentucky Department of Education (KDE) in providing accurate data to the Kentucky General Assembly (KGA) for future funding decisions and the KBE as they make policy decisions; and (4) assists with reporting at the federal and state levels.

(c) How this administrative regulation conforms to the content of the authorizing statute: The regulation conforms to the authority given to the Kentucky Board of Education in KRS 156.160 and KRS 156.070.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation supports alignment of Kentucky's Academic Standards with a uniform system of coding academic courses offered in school districts.

(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 amendment will eliminate documents incorporated by reference and allow the commissioner to annually update the Uniform Academic Course Codes.

(b) The necessity of the amendment to this administrative regulation: This amendment updates documents from 2010.

(c) How the amendment conforms to the content of the authorizing statute: The amendment aligns with KRS 156.160, KRS 161.1221 and 16 KAR 1:050.

(d) How the amendment will assist in the effective administration of the statutes: This regulation supports alignment of Kentucky's Academic Standards with a uniform system of coding academic courses offered in school districts.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Those affected by this amendment are: the KDE, all school districts and schools.

(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: This amendment requires the KDE to annually review and update uniform codes in order to expedite services and support to districts and schools

(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: Districts and schools will need to annually align course offerings to the Uniform Academic Course Codes.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): No additional costs to comply with amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Amendment of this regulation supports alignment of course codes to specific academic standards where appropriate, revision of the process for requesting and approving course codes, and updating both the KDE and EPSB systems of course codes.

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

(a) Initially: No additional costs to comply with amendment.

(b) On a continuing basis: No additional costs to comply with amendment.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: N/A

(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 in fees or funding is necessary to implement this amendment.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This regulation does not establish any fees.

(9) TIERING: Is tiering applied? (Explain why or why not) Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all schools and districts.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 704 KAR 3:540. Amendment of 704 KAR 3:540
Contact Person: Kevin C. Brown, kevin.brown@education.ky.gov
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? This regulation impacts the KDE, local school districts and schools.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 156.160 and KRS 156.070.

(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. No effect is anticipated based on this amendment.

(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? No revenue is anticipated based on this amendment.

(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? No revenue is anticipated based on this amendment.

(c) How much will it cost to administer this program for the first year? There will be no cost associated with the amendment.

(d) How much will it cost to administer this program for subsequent years? There will be no cost associated with the amendment.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): N/A

Expenditures (+/-): N/A

Other Explanation: N/A