

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

701 KAR 5:140, Districts of innovation (First Reading)

Rationale:

The amendment of this regulation provides clarification on and imbeds more flexibility in the process a public school district follows when applying to the Kentucky Board of Education (KBE) to be approved as a District of Innovation.

Applicable Statute or Regulation:

KRS 156.108, KRS 156.160(1), KRS 160.107

History/Background:

Existing Policy: KRS 156.108 and KRS 160.107 were enacted in 2012 to provide Kentucky public school districts the opportunity to apply to the KBE to be exempt from certain administrative regulations and statutory provisions in an effort to create new approaches to teaching and learning with the intent of improving student learning and increasing college and career readiness.

As required by KRS 156.108(3), the KBE promulgated 701 KAR 5:140 in 2013 in order to “prescribe the conditions and procedures to be used by a local board of education to be approved as a district of innovation.” Thereafter, the first Districts of Innovation were approved beginning with the 2013-2014 school year, and there are currently 10 Districts of Innovation statewide.

Summary: Since 701 KAR 5:140 was adopted in 2013, feedback has been received from current and prospective Districts of Innovation about various aspects of the program, including the application process, and much has been learned from administering the Districts of Innovation program over the past five years. Taking into consideration the feedback and learning that has occurred and striving for a model of continuous improvement, amendments to 701 KAR 5:140 are being proposed to address recurring areas of confusion and, most importantly, to permit new and existing Districts of Innovation to have greater flexibility when applying for KBE approval in the future.

The clarity provided through the amendment of this administrative regulation should provide for a more streamlined, efficient District of Innovation Application process. And, the expanded flexibility offered under 701 KAR 5:140, as proposed, is intended to foster

even more innovation in Kentucky public school districts as intended by the legislature when it enacted KRS 156.108 and KRS 160.107 in 2012.

Budget Impact: There is no anticipated budget impact related to the amendment of 701 KAR 5:140.

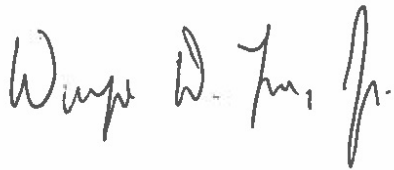
Groups Consulted and Brief Summary of Responses:

Pursuant to KRS 156.007(2), the Local Superintendents Advisory Council (LSAC) exists to “advise the chief state school officer and the Kentucky Board of Education concerning the development of administrative regulations,” and the Commissioner of Education is required to submit proposed regulations to LSAC prior to seeking KBE approval. As required by statute, LSAC reviewed this regulation at its meeting on May 29, 2018.

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