

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: 780 KAR 1:011, Repeal of 780 KAR 1:010, Kentucky State Plan for Career and Technical Education (Second Reading)

Date: April 2020

Action Requested: ☐ Review ☐ Action/Consent ☒ Action/Discussion

Held In: ☒ Full Board ☐ Curriculum, Instruction and Assessment ☐ Operations

SUMMARY OF ISSUE BEFORE THE BOARD:

To take action on the proposed repeal of 780 KAR 1:010, Kentucky State Plan for Career and Technical Education, which is no longer in alignment with federal law.

COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends repeal of administrative regulation 780 KAR 1:010, Kentucky State Plan for Career and Technical Education.

APPLICABLE STATUTE OR REGULATION:

KRS 156.802(3) 156.850, 156.852 and 20 U.S.C. 2302(12)

BACKGROUND:

Existing Policy:

KRS 156.802(3) gives the Kentucky Department of Education (KDE) the responsibility for all administrative functions of the state in relation to the management, control and operation of state-operated secondary area vocational education and technology centers. KRS 156.850 acknowledges the state's agreement to carry out and comply with all provisions of the Acts of Congress of the United States related to Career and Technical Education (CTE), which includes the federal Carl D. Perkins legislation, referred to as 20 U.S.C. 2302. KRS 156.852 authorizes the Kentucky Board of Education (KBE) to carry out all purposes and provisions of such federal acts thereto, including the authority to promulgate administrative regulations and administer such programs.

This administrative regulation formally recognizes the development and approval of the Kentucky State Plan for CTE, pursuant to 20 U.S.C. 2301 through 2415, the Carl D. Perkins Vocational and Technical Education Act of 1998. It also incorporates by reference the *Kentucky State Plan for Career and Technical Education, December 2008*.

Summary of Issue:

The contents of this regulation, as well as the document incorporated by reference, are outdated and no longer align to the federal "Strengthening Career and Technical Education for the 21st Century Act" (2018). Additionally, this regulation is found within Title 780 of Kentucky's

Administrative Regulations; thus, implying that its provisions are only applicable to the state-operated area technology centers, or the Kentucky TECH system. It should be clarified that Kentucky's State Plan for CTE is required for all secondary and postsecondary programs that receive federal Carl D. Perkins funding, making its incorporation into Title 780 only partially aligned to the overall governance structure of the state's CTE system.

Budget Impact:

The repeal of 780 KAR 1:010 has no fiscal impact on state or federal funds.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

The regulation will be reviewed a second time by the Local Superintendents Advisory Council (LSAC) at its March 26 meeting. Comments from this group should be received prior to the April KBE meeting.

CONTACT PERSON(S):

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Interim Commissioner of Education

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