

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: 702 KAR 6:046, Repeal of 702 KAR 6:045, Personnel; School Nutrition Employee Qualifications (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 discuss and approve 702 KAR 6:046, the repeal of 702 KAR 6:045, Personnel; school nutrition employee qualifications.

COMMISSIONERS RECOMMENDATION:

The Commissioner recommends approval of 702 KAR 6:046, the repeal of 702 KAR 6:045, Personnel; policies and procedures.

APPLICABLE STATUTE OR REGULATION:

KRS 156.160

BACKGROUND:

Existing Policy:

KRS 156.160 authorizes the Kentucky Board of Education (KBE) to promulgate administrative regulations deemed necessary or advisable for the protection of the physical welfare and safety of public school children. Pursuant to that grant of authority, the KBE promulgated 702 KAR 6:045 establishing training requirements for school district nutrition employees. Subsequently, the federal government enacted 7 CFR 210.31 which created a different training regime for entities participating in federal nutrition programs. Both training requirements are in addition to local health department food training, safety and inspection rules.

Summary of Issue:

Under current law, the food service staff for school district's participating in federal child nutrition programs are subject to local, state and federal training requirements. These training requirements are often duplicative and burdensome. Repeal of the state rules would alleviate some of the administrative burden on school districts while preserving the safety of school nutrition programs. School district nutrition employees would remain subject to the federal annual hourly training requirements in areas such as: nutrition, operations, administration, communications and marketing, management, human resources and staff training, and facilities

and equipment planning. Additionally, districts and employees would remain subject to local health department training requisites and periodic inspections.

Budget Impact:

There is no budget impact to the Kentucky Department of Education. School districts may see some minimal economic benefit in complying with only the federal requirements.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

The Division of School and Community Nutrition provides training and oversight of school nutrition programs. Local school districts have indicated to School and Community Nutrition staff that the disparate training regimes are challenging from a personnel and recordkeeping standpoint and repeal would help ease districts' administrative burden.

CONTACT PERSON(S):

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Interim Commissioner of Education

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