

Summary of Changes to 701 KAR 8:020 – Evaluation of charter school authorizers.

Change	Reason
Section 1: Revises the definition of “at risk of academic failure” (P. 2, lines 2-3).	Corrects the reference to schools identified for Targeted Support and Improvement pursuant to KRS 160.346 and the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act.
Section 3: Amends the training requirements for charter school authorizer (P. 10, lines 9-20 and P.11, lines 13-17).	This change is intended to alleviate hardships on school districts and local board of education members as well as to align with Senate Bill 158 (2020), which amended KRS 160.1594 to state: “(10) When an authorizer that is a local school board or a collaborative of local school boards receives a charter school application, any member of the board or boards who has not received charter authorization training within twelve (12) months immediately preceding the date the application was received shall receive six (6) hours of in-service training prior to evaluating the charter application. Except for training provided prior to the effective date of this Act, the training shall in addition to the annual in-service training required under KRS 160.180, and each board shall select the trainer to deliver the training to its members. Charter authorizer training shall not be required of any local school board member until a charter application is submitted to the board or boards.”
Section 4: Removes the requirement for the department to develop a charter application scoring rubric (P. 14, lines 9-11) and rennumbers throughout (P. 15 lines 2, 5, and 7).	KRS 160.1594(1)(i) requires authorizers to “establish and maintain policies and procedures,” and 701 KAR 8:030, Section 2(1) requires those policies include, among other items, “a rubric for its evaluation of a charter application.” Accordingly, regardless of whether the Kentucky Department of Education develops a rubric, authorizers are required to possess a mechanism by which to evaluate charter school applications that aligns with and fulfills the totality of the authorizer’s adopted policies and procedures.
Section 11: Deletes the entire section (P. 36, lines 13-21 and P. 37, lines 1-17).	This section is being deleted because the reporting requirements articulated therein go beyond what is required in KRS 160.1596(5) and are unnecessary in light of the limited charter school activity that has occurred in the state since 2017, which is when charter schools were first authorized under state law.
Section 12: Rennumbers as “Section 11” and makes technical changes therein (P. 37, lines 18-21 and P. 38, lines 1-4).	Changes to this section are purely technical in nature and do not impact the substance of the regulation.