

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Department of Education

4 Office of District Support Services

5 (Amendment)

6 702 KAR 4:090. Property disposal.

7 RELATES TO: KRS 156.031, 156.160

8 STATUTORY AUTHORITY: KRS 156.160

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.031 requires that  
10 administrative regulations relating to statutes amended by the 1990 Kentucky Education  
11 Reform Act be reviewed, amended if necessary and resubmitted to the Legislative  
12 Research Commission prior to December 30, 1990; and KRS 156.160 requires the State  
13 Board for Elementary and Secondary Education to promulgate administrative regulations  
14 dealing with the disposal of real and personal property owned by local boards of education.  
15 This administrative regulation is necessary to provide for property disposal, leases and  
16 easements in accordance with an approved educational program.

17 Section 1. School property proposed for disposal shall be surplus to the need for the  
18 educational program of the district as determined by the effective facility plan. Request for  
19 approval shall be submitted in writing to the chief state school officer. Disposal may be  
20 implemented upon approval.

21 Section 2. Prior to the execution of the proposed lease agreement for, or easement

1 upon, public school property shall be submitted to the local board of education for its  
2 consideration and written recommendation forwarded to the chief state school officer for  
3 his review, approval and assurance that disposal will not affect the integrity or usefulness  
4 of property crucial to the educational needs of the district

APPROVED:

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NAME, Title

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Date

**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on **Month ##, 20##**, at **time**, at **location of the meeting**. Individuals interested in being heard at this hearing shall notify this agency in writing by 5 workdays 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 cancelled. 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 **Month ##, 20## {Insert last day of the month}**. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

**CONTACT PERSON:** **Name, title, agency name, full address, phone (###) ###-####, fax (###) ###-####, email {Insert contact person's email address}.**

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

### KAR ##:###

Contact Person: \_\_\_\_\_, phone \_\_\_\_\_, email \_\_\_\_\_

- (1) Provide a brief summary of:
  - (a) What this administrative regulation does:
  - (b) The necessity of this administrative regulation:
  - (c) How this administrative regulation conforms to the content of the authorizing statutes:
  - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:
  
- (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:
  - (b) The necessity of the amendment to this administrative regulation:
  - (c) How the amendment conforms to the content of the authorizing statutes:
  - (d) How the amendment will assist in the effective administration of the statutes:
  
- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:
  - (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:
    - (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:
    - (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):
    - (c) As a result of compliance, what benefits will accrue to the entities identified in question (3):
  
- (5) Provide an estimate of how much it will cost to implement this administrative regulation:
  - (a) Initially:
  - (b) On a continuing basis:
  
- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:
  
- (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:
  
- (8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees:
  
- (9) TIERING: Is tiering applied? **Explain why tiering was or was not used.**

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

### KAR #:###

Contact Person: \_\_\_\_\_, phone \_\_\_\_\_, email \_\_\_\_\_

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?

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

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.

(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?

(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?

(c) How much will it cost to administer this program for the first year?

(d) How much will it cost to administer this program for subsequent years?

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: