

This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Board of Education, as required by KRS 156.070(5).

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Jason E. Glass, Ed.D.  
Commissioner of Education

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Lu Young, Chair  
Kentucky Board of Education

**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this proposed administrative regulation shall be held on December [REDACTED], 2020 at 10am in the State Board Room, 5th Floor, 300 Sower Blvd., Frankfort, Kentucky. Individuals interested in being heard at this meeting shall notify this agency in writing five (5) working days prior to this hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. 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 December [REDACTED], 2020.

**CONTACT PERSON:** Todd G. Allen, Interim General Counsel, Kentucky Department of Education, 300 Sower Boulevard, 5th Floor, Frankfort, Kentucky, 40601, phone 502-564-4474, fax 502-564-9321; email [regcomments@education.ky.gov](mailto:regcomments@education.ky.gov) .

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 704 KAR 3:325

Contact Person: Todd G. Allen, [Todd.allen@education.ky.gov](mailto:Todd.allen@education.ky.gov)

Phone Number: 502-564-4474

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes criteria for a statewide instructional leader improvement program for employees of public schools holding valid certificates and performing responsibilities in a position for which administration certification is required by the Education Professional Standards Board (EPSB).

(b) The necessity of this administrative regulation: KRS 156.101 requires the Kentucky Board of Education to establish specific criteria for implementing a statewide instructional leader improvement program for employees of public schools holding valid certificates and performing responsibilities in a position for which administration certification is required by the Education Professional Standards Board (EPSB) pursuant to 704 KAR Chapter 20.

(c) How this administrative regulation conforms to the content of the authorizing statutes: This regulation provides the specifics for the submission and approval process for proposals for leadership training programs that are submitted to the Department of Education for approval, and for the process by which instructional leaders may complete the training requirements pursuant to KRS 156.101, the Effective Instructional Leadership Act (EILA).

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation provides the specifics for the submission and approval process for proposals for leadership training program offerings, and for the process by which instructional leaders may complete the requirements of the EILA.

(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: The amendment to the administrative regulation updates language to align instructional leadership training program and provider content to the Professional Standards for Educational Leaders (PSEL). 704 KAR 3:370 incorporates the Professional Standards for Educational Leaders (PSEL) by reference.

(b) The necessity of the amendment to this administrative regulation: Sections 4, 5 and 7 of 704 KAR 3:325 refer to competencies identified in Kentucky's Standards and Indicators for School Improvement established in 703 KAR 5:120, which was repealed by 703 KAR 5:122 as of February 6, 2015. The amendment changes language to reference the PSEL (2015). These national, student-centric standards articulate the knowledge and skills expected of school leaders. The Council of Chief State School Officers (CCSSO) and National Policy Board for Educational Administration guided the two-year development process that involved a thorough review of empirical research and included the input of researchers and school and district leaders. The EPSB adopted the PSEL as the standards of preparation for all advanced educational leaders.

(c) How the amendment conforms to the content of the authorizing statutes: The amendment aligns instructional leadership training program and provider content to the Professional Standards for Educational Leaders (PSEL). Program and provider content alignment to the PSEL is required for program proposal approval by the Department of Education.

(d) How the amendment will assist in the effective administration of the statutes: The amendment to the administrative regulation updates language to align instructional leadership training program and provider content to the Professional Standards for Educational Leaders (PSEL).

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The regulation affects all personnel hired by local school districts to a position for which administrative certification is required by the Education Professional Standards Board.

(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: The regulation applies to local school district instructional leaders. The amendment ensures that local school district instructional leaders receive continuing education aligned to the PSEL.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There are no additional costs associated with the regulation amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The training program content shall consist of specific competencies identified in the Professional Standards for Educational Leaders, which the EPSB adopted as the standards of preparation for all advanced educational leaders.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

(a) Initially: There are no additional costs to implement this administrative regulation.

(b) On a continuing basis: There will be no additional costs to the agency to implement this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Agency general funds and local school district funds.

(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: No increase in fees will be necessary to implement this amendment.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish fees or directly or indirectly increase any fees.

(9) TIERING: Is tiering applied? Tiering was not appropriate for this administrative regulation because the administrative regulations applies equally to all those individuals or entities regulated by it.

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 704 KAR 3:325

Contact Person: Todd G. Allen, [Todd.allen@education.ky.gov](mailto:Todd.allen@education.ky.gov)

Phone Number: 502-564-4474

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? 171 local school districts and all personnel hired by local school districts to a position for which administrative certification is required by the Education Professional Standards Board.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 156.029(7) requires the Board of Education to develop policies and to promulgate administrative regulations by which the Department of Education shall be governed. KRS 156.070 authorizes the Board of Education to promulgate administrative regulations necessary for the efficient management, control, and operation of the schools and programs under its jurisdiction. KRS 156.101 requires the Kentucky Board of Education to establish specific criteria for implementing a statewide instructional leader improvement program for employees of the public schools holding valid certificates and performing responsibilities in a position for which administration certification is required by the Education Professional Standards Board pursuant to 704 KAR Chapter 20. This administrative regulation establishes criteria for the program. 704 KAR 3:370 incorporates the Professional Standards for Educational Leaders (PSEL) by reference.

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? None

(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? None

(c) How much will it cost to administer this program for the first year? There will be no additional costs to the agency.

(d) How much will it cost to administer this program for subsequent years? Amendment adds no additional costs.

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

Revenues (+/-): N/A

Expenditures (+/-): N/A

Other Explanation: N/A



## Summary Page

### 704 KAR 3:325, Effective Instructional Leadership Act

The amendment to the administrative regulation updates language to align instructional leadership training program and provider content to the Professional Standards for Educational Leaders (PSEL). A summary of all proposed changes is listed below:

Sections 2 and 3 include technical changes to remove outdated information.

Sections 4, 5 and 7 of 704 KAR 3:325 refer to competencies identified in Kentucky's Standards and Indicators for School Improvement established in 703 KAR 5:120, which was repealed by 703 KAR 5:122 as of February 6, 2015. The proposed amendments change language to reference the PSEL (2015). These national, student-centric standards articulate the knowledge and skills expected of school leaders. The Council of Chief State School Officers (CCSSO) and National Policy Board for Educational Administration guided the two-year development process that involved a thorough review of empirical research and included the input of researchers and school and district leaders. The EPSB adopted the PSEL as the standards of preparation for all advanced educational leaders. 704 KAR 3:370 incorporates the Professional Standards for Educational Leaders (PSEL) by reference.