

**KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE**

**Topic:** Approval of the Amendment to 702 KAR 5:080, Bus Drivers' Qualifications, Responsibilities and Training  
**Date:** December 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 administrative regulation amendment to 702 KAR 5:080, Bus drivers' qualifications, responsibilities and training. KRS 189.540 requires the Kentucky Board of Education (KBE) to promulgate administrative regulations governing the design and operation of all Kentucky school buses.

**COMMISSIONER'S RECOMMENDATION:**

The Commissioner recommends approval of the amendment to 702 KAR 5:080, Bus Drivers' Qualifications, Responsibilities and Training to amend provisions related to the termination of drivers found under the influence and correct technical errors.

**APPLICABLE STATUTE OR REGULATION:**

KRS 189.540, 156.160, 702 KAR 5:080

**BACKGROUND:**

*Existing Policy:*

KRS 189.540 requires the KBE to promulgate administrative regulations governing the design and operation of all Kentucky school buses. 702 KAR 5:080 establishes Kentucky's requirements for school bus drivers. The regulation incorporates by reference the Driver Trainer Instructor Manual. This regulation was last updated by the KBE in December 2019.

*Summary of Issue:*

The recent amendment contained a drafting error that substantively changed the requirements for termination for an on-duty bus driver found under the influence of drugs or alcohol. Because of this error, it is necessary to amend 702 KAR 5:080 to correct the mistake. Additionally, a few technical errors and missing training guidance were identified in the regulation and the training manual, incorporated by reference into the regulation. This amendment will correct those errors as well.

A summary of the recommended changes to the regulation are provided in an attachment.

*Budget Impact:*

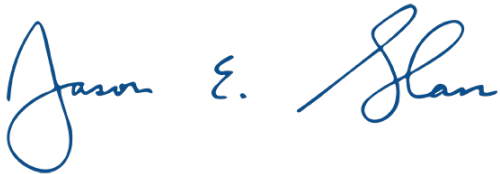
There is no impact to KDE's budget related to the amendment of the regulation.

**GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:**

This amendment was reviewed and approved by the Local Superintendents Advisory Committee at their November 24, 2020 meeting. Comments from this group should be received prior to the December KBE meeting. Furthermore, the necessary amendments to the driver trainer manual resulted from the input of local school district driver trainers.

**CONTACT PERSON(S):**

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**Commissioner of Education**

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