

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: Waiver of Section 5(1) of 705 KAR 2:140, Equalization of funding for locally-operated area vocational centers and vocational departments.

Date: June 2021

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 a request to waive section 5(1) of administrative regulation 705 KAR 2:140, in light of COVID-19 and the potential funding impact on local school districts. Pursuant to KRS 156.852, the Kentucky Board of Education (KBE) is vested with the authority to carry out all purposes of Career and Technical Education (CTE) programs and the provisions of the Acts of Congress related thereto.

COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends approval of this waiver, in light of the continued impact of the COVID-19 pandemic.

APPLICABLE STATUTE OR REGULATION:

KRS 156.852, 157.069

BACKGROUND:

Existing Policy:

Beginning in 2001, KRS 157.069 established a general fund appropriation, funding formula and eligibility criteria for locally-operated area vocational centers (LAVECs) or vocational departments in Kentucky. 705 KAR 2:140 was then promulgated by the KBE to further define the funding formula and the process for distribution of appropriated funds to local school districts. Currently, there are 43 LAVECs that receive state supplemental funding pursuant to this statute and administrative regulation.

Summary of Issue:

Provisions within Section 5 of this administrative regulation require the Kentucky Department of Education (KDE) to notify a local school district of its tentative LAVEC allocation for the following school year by June 30 of each year, based upon the previous year's data. Pursuant to this requirement, the KDE is requesting to provide all 43 of the currently-funded LAVECs with their 2021-22 tentative allocations based upon the fall 2019 pre-COVID enrollment data. The regulation then requires that final allocations shall be determined by January 1, based on current year full-time equivalent (FTE) enrollments with adjustments made for new programs. Due to the continued impact of COVID-19, the KDE Office of Career and Technical Education believes that this waiver provides necessary support to districts during this continued time of crisis and

uncertainty.

Budget Impact:

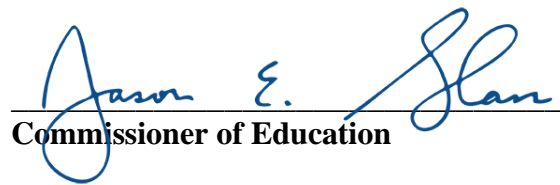
The proposed waiver of Section 5(1) of 705 KAR 2:140 has no fiscal impact on state funds and removes budget uncertainties for the local school districts impacted during the 2021-2022 academic year.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

The waiver proposal will be presented to State CTE Advisory Committee at its May 14 meeting. Comments and feedback from this group shall be shared during the June KBE meeting.

CONTACT PERSON(S):

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Commissioner of Education

Category: <input type="checkbox"/> Educator Workforce Diversity <input checked="" type="checkbox"/> Portrait of a Graduate Partnerships <input type="checkbox"/> Racial Equity Commitment <input type="checkbox"/> Student-Centered Accountability System <input type="checkbox"/> Early Childhood <input checked="" type="checkbox"/> District Support
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