

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: Amendments to 704 KAR 19:002, Alternative education programs.

Date: December 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 the amendments to 704 KAR 19:002, Alternative education programs, in order to update existing language and establish new requirements that promote equity within alternative education programs.

COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends approval of the amendments to 704 KAR 19:002, Alternative education programs, in order to update existing language and establish new requirements that promote equity within alternative education programs.

APPLICABLE STATUTE OR REGULATION:

KRS 156.070, 156.160, 160.380

BACKGROUND:

Existing Policy:

KRS 160.380 defines an alternative education program as “a program that exists to meet the needs of students that cannot be addressed in a traditional classroom setting but through the assignment of students to alternative classrooms, centers, or campuses that are designed to remediate academic performance, improvement behavior, or provide an enhanced learning experience.”

Kentucky currently has 286 alternative programs designed to serve students who require a different learning environment. Alternative programs are categorized as either A5 (district operated programs that offer remediation, acceleration, or alternative learning environments) or A6 (programs for State Agency Children such as juvenile justice centers, treatment facilities, or residential group homes). Programs can also be designated as blended A5 and A6 programs.

Summary of Issue:

In response to frequent concerns identified during the Kentucky Department of Education's (KDE) consolidated monitoring processes, 703 KAR 19:002 has been amended to provide greater clarity to districts running alternative education programs.

Section one of this regulation has been amended to strengthen the requirements of the Individual Education Plan Addendum (ILPA). It also clarifies the definition of an “on-site” versus “off-site” program to allow KDE to more accurately track program participation. Finally, it standardizes the definition of a long term placement as ten school days. This change promotes equity as it ensures that all students enrolled in alternative education programs more than ten days receive the opportunity to have a customized learning plan crafted for their needs.

Updates to section two are primarily language updates designed to align the regulation with current regulatory or statutory language. Additionally, it requires districts to create two new policies to govern their alternative programs. The first is a policy outlining the procedures for regular, periodic monitoring of the program by the district. The second policy outlines the procedures for selecting, implementing, and monitoring the impact of professional learning for staff assigned to alternative programs.

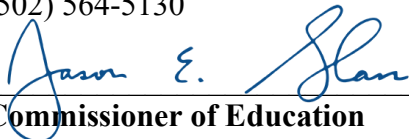
Finally, section five has been amended to include a requirement that districts ensure that appropriate student records are maintained within the student information system for each student regardless of whether services are provided by district staff or non-district staff.

Budget Impact:

These regulatory amendments will not have a budgetary impact on the Kentucky Department of Education or on schools or districts.

CONTACT PERSON(S):

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Commissioner of Education

Category: <input type="checkbox"/> Educator Workforce Diversity Commitment	<input type="checkbox"/> Portrait of a Graduate Partnerships	<input type="checkbox"/> Racial Equity
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