

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Department of Education

4 (New Administrative Regulation)

5 702 KAR 1:115. Annual in-service training of district board members.

6 RELATES TO: KRS 160.180

7 STATUTORY AUTHORITY: KRS 156.070, 160.180

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.070 authorizes the Kentucky Board

9 of Education to manage and control the common schools, including prescribing administrative

10 regulations the Kentucky Board of Education deems necessary for the efficient management,

11 control, and operation of public schools. KRS 160.180 requires that all local school board

12 members complete an established number of hours of in-service training annually, based on

13 number of years of experience, and requires that the Kentucky Board of Education identify the

14 criteria for fulfilling such requirements. This administrative regulation establishes standards for the

15 annual in-service training of district board members.

16 Section 1. Content of training. (1) The in-service training requirements for all district school board

17 members established in KRS 160.180 shall include:

18 (a) Three (3) hours of school finance training annually, one (1) hour of ethics training annually,

19 and one (1) hour of superintendent evaluation training annually for school board members with

20 zero to three (3) years of experience. School board members with zero to three (3) years of

1 experience may acquire the remainder of their hours in these topics or topics listed in Section
2 2(1)(b) of this administrative regulation;

3 (b) Two (2) hours of school finance training annually, one (1) hour of ethics training annually, and
4 one (1) hour of superintendent evaluation training annually for school board members with four (4)
5 to seven (7) years of experience; or

6 (c) One (1) hour of school finance training annually, one (1) hour of ethics training annually, and
7 one (1) hour of superintendent evaluation training biennially for school board members with eight
8 (8) or more years of experience.

9 (2) For board members with four (4) or more years of experience, the remaining hours of required
10 training may include but not be limited to the following subjects:

- 11 (a) The basic role and responsibility of the district school board and its members;
- 12 (b) Curriculum and instruction;
- 13 (c) Relations with superintendent and staff;
- 14 (d) School law; and
- 15 (e) Community relations.

16 (3) To qualify toward meeting the in-service board member training requirements of KRS 160.180
17 and this administrative regulation, the required training activity shall not be:

- 18 (a) The regular work of the school board, such as the attendance of meetings or the conduct of
19 hearings;
- 20 (b) Irrelevant to the pertinent knowledge and skills of school board membership; or
- 21 (c) A public relations or social activity, such as graduation or other student events.

22 Section 2. Providers of Training. (1)(a) The Kentucky School Boards Association (KSBA) shall be
23 the provider of eight (8) hours of district board member in-service training for school board

1 members who are required to obtain twelve (12) hours of in-service training annually. Board
2 members may acquire remaining hours of training required by KRS 160.180 from either the KSBA
3 or other providers as described in subsection (2) of this section.

4 (b) The KSBA shall offer training on eight (8) of the eleven (11) following topics annually and
5 shall offer training on all eleven (11) topics at least once during every twenty-four (24) month
6 period:

7 1. School law;

8 2. School finance;

9 3. Community relations;

10 4. Policy development;

11 5. Personnel relations;

12 6. Curriculum and instruction;

13 7. Superintendent/board relations;

14 8. Goal setting/decision making;

15 9. Employment and evaluation of the superintendent;

16 10. Educational services provided for the exceptional, gifted and other special population children;

17 and

18 11. Ethics.

19 (c) The KSBA shall coordinate with the chief state school officer annually to develop an in-service
20 training plan for approval by the Kentucky Board of Education on or before November 1 of each
21 year for use in the following calendar year.

22 (2) Training providers, other than the KSBA, shall only provide training through courses that are:

23 (a) Customized for school board members;

1 (b) Approved by the department; and

2 (c) In compliance with the requirements of this administrative regulation.

3 (3)(a) If board members opt to get all of their training hours through the KSBA, then they shall

4 have KSBA credit them for these hours. If they obtain hours from any provider other than the

5 KSBA, a copy of proof of attendance including a recitation of the time, date, location, and

6 description of the in-service training shall be sent by the course provider to KSBA within two (2)

7 weeks of completion of the training so that proper credit can be given.

8 (b) The KSBA shall combine such hours with hours of in-service training received through KSBA

9 training activities. These records shall be submitted annually by the KSBA to the Kentucky Board

10 of Education.

11 (c) Each provider of training hours shall conduct an evaluation of each training course, which is

12 offered by the provider during a calendar year and submitted by a local board member for training

13 hours credit under this administrative regulation, and compile responses to be submitted to the

14 KSBA within sixty (60) days of completion of the training.

15 Section 3. Failure to Acquire Training. Subject to extensions granted under Section 4 of this

16 administrative regulation, the names of all district school board members who fail to complete the

17 required in-service training set forth in KRS 160.180 and this administrative regulation shall be

18 transmitted by the department to the Attorney General.

19 Section 4. Extension of Time. (1) The Kentucky Board of Education may grant newly appointed or

20 elected school board members who take office after June 30th of a particular year an extension of

21 time within which to acquire a maximum number of unacquired hours equal to the difference

22 between the required number of hours and one (1) hour per month for each full month actually

1 served during the year, and such extensions shall extend no longer than through the remainder of
2 the term being served or the next two (2) calendar years, whichever is longer.

3 (2) The Kentucky Board of Education may grant newly appointed or elected members who take
4 office prior to July 1, but on or after March 1, of a particular year an extension of time, for an
5 appropriate period of time not to exceed two (2) calendar years, within which to obtain the balance
6 of any required, but unacquired in-service hours for the initial year of new service. Any such
7 extension to acquire hours shall not exceed the difference between the required number of hours
8 and one (1) hour per month for each full month actually served during the year.

9 (3) The Kentucky Board of Education, in cases of emergency as demonstrated by the district board
10 member, may grant an extension of time within which a local board member shall complete the
11 required hours of in-service training. Serving as a district board member less than a full year shall
12 not constitute an emergency for which an extension may be granted pursuant to this subsection.

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 S. Young, Ed.D., Chairperson
Kentucky Board of Education

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this proposed administrative regulation shall be held on February **XX**, 2022 at 10:00 am in the State Board Room, 5th Floor, Kentucky Department of Education, 300 Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this meeting shall notify this agency in writing five working days 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 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 until **February 28, 2022**. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to:

CONTACT PERSON: Todd G. Allen, General Counsel, Kentucky Department of Education, 300 Sower Boulevard, 5th Floor, Frankfort, KY 40601, phone 502-564-4474, fax 502-564-9321, email regcomments@education.ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Administrative Regulation: 702 KAR 1:115

Agency Contact Person: Todd G. Allen

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the criteria for fulfilling the training requirements of KRS 160.180 for school district board of education members.

(b) The necessity of this administrative regulation: KRS 160.180 requires school district board of education members to fulfill its requirements for the number of hours of annual in-service training and directs the agency to provide criteria for that training. This administrative regulation details the criteria for training content, course standards, the consequences for failure to meet the training requirements, and the avenue for extension of time to meet the training requirements.

(c) How this administrative regulation conforms to the content of the authorizing statute: KRS 160.180 establishes the number of hours of in-service district board member training required annually and directs the agency to provide the criteria for that training in an administrative regulation. This administrative regulation conforms to the content of the authorizing statute by providing the criteria for that training.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: The administrative regulation outlines the criteria for the training required of district board members and the reporting mechanism for ensuring district board members meet the training requirement of KRS 160.180.

(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: N/A

(b) The necessity of the amendment to this administrative regulation: N/A

(c) How the amendment conforms to the content of the authorizing statute: N/A

(d) How the amendment will assist in the effective administration of the statutes: N/A

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 171 public school districts and their governing boards.

(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: School district board of education members will be required to complete annual training as provided in KRS 160.180 and this administrative regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): School districts already bear the cost of the training required of district board members in KRS 160.180. There would be no additional cost to continue to meet the training requirements of that statute and this administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The regulation establishes minimum training requirements to increase the district boards' efficacy in the areas of ethics, school finance, and superintendent evaluation, which should result in better management of school districts.

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

(a) Initially: No additional cost

(b) On a continuing basis: No additional cost

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: General 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 or funding will be necessary to implement this change.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: There will be no increase in fees with this administrative regulation.

(9) TIERING: Is tiering applied? (Explain why or why not) Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all schools and districts.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 702 KAR 1:115

Contact Person: Todd G. Allen

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? School districts.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 160.180.

(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. School districts already bear the cost of the training required of district board members in KRS 160.180. There would be no additional cost to continue to meet the training requirements of that statute and this administrative regulation.

(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? No additional revenue will be generated by this regulation.

(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? No additional revenue will be generated by this change.

(c) How much will it cost to administer this program for the first year? No additional cost.

(d) How much will it cost to administer this program for subsequent years? No additional cost.

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

Revenues (+/-): None

Expenditures (+/-): No additional expenditures

Other Explanation: