

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Department of Education

4 (Amendment)

5 704 KAR 3:305. Minimum requirements for high school graduation.

6 RELATES TO: KRS 156.160(1)(a), (d), 158.140(6), 158.142, 158.645, 158.6451

7 STATUTORY AUTHORITY: KRS 156.070, 156.160(1)(a), (d), 158.140(6), 158.142

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160 requires the Kentucky Board
9 of Education to promulgate administrative regulations relating to the courses of study for the dif-
10 ferent grades and the minimum requirements for high school graduation. KRS 158.142(3)(b) re-
11 quires the board to promulgate administrative regulations establishing requirements for early
12 graduation from high school. The content standards for the courses of study are established in the
13 Kentucky academic standards incorporated by reference in 704 KAR 3:303 and 704 KAR Chap-
14 ter 8. This administrative regulation establishes the minimum requirements necessary for enti-
15 tlement to a high school diploma.

16 Section 1. Definitions. [~~(1) "Early graduation" means meeting the competency-based criteria es-~~
17 ~~tablished in this administrative regulation in three academic years or less.~~]

18 (1) "Early Graduation Program" or "EGP" means an optional program in which a student may
19 receive an Early Graduation Certificate and scholarship award upon proper notification of intent
20 to participate and the successful completion of all program requirements in three (3) academic
21 years or less.

22 (2) "Early Graduation Certificate" means a certificate, awarded by the district and signed by the
23 principal and superintendent, that shall qualify the [make] recipient to be awarded a high school

1 diploma and [eligible for] a scholarship award equal to one-half (1/2) of the state portion of the
2 average statewide per pupil guaranteed base funding level, to be used at a Kentucky public two
3 (2) year community and technical college or a Kentucky four (4) year public or non-profit inde-
4 pendent institution accredited by the Southern Association of Colleges and Schools.

5 (3) "Individual Learning Plan" or "ILP" is defined in 704 KAR 19:002.

6 Section 2. (1) A district shall implement an advising and guidance process throughout the middle
7 and high schools to provide support for the development and implementation of an individual
8 learning plan for each student. The plan shall include career development and awareness and
9 specifically address the content as provided in the Kentucky academic standards for career stud-
10 ies established in 704 KAR Chapter 8. The individual learning plan shall not be a substitute for
11 the statement of transition service needs for students with disabilities as provided in 707 KAR
12 1:320.

13 (2) A district shall develop a method to evaluate the effectiveness and results of the individual
14 learning plan process. The evaluation method shall include input from students, parents, and
15 school staff. As part of the evaluation criteria, the district shall include indicators related to the
16 status of the student in the twelve (12) months following the date of graduation.

17 (3) A feeder middle school and a high school shall work cooperatively to ensure that each stu-
18 dent and parent receives information and advising regarding the relationship between education
19 and career opportunities. Advising and guidance shall include information about financial plan-
20 ning for postsecondary education.

21 (4) A school shall maintain each student's individual learning plan. The individual learning plan
22 shall be readily available to the student and parent and reviewed and approved at least annually
23 by the student, parents, and school officials.

1 (5) Beginning with a student's eighth grade year, the individual learning plan shall set learning
2 goals for the student based on academic and career interests and shall identify required academic
3 courses, electives, and extracurricular opportunities aligned to the student's postsecondary goals.
4 The school shall use information from the individual learning plans about student needs for aca-
5 demic and elective courses to plan academic and elective offerings.

6 (6) The development of the individual learning plan for each student shall be established [~~begin~~
7 ~~by~~] at the beginning [~~end~~] of the sixth grade year and shall be focused on career exploration and
8 related postsecondary education and training needs.

9 Section 3. (1) For students entering grade 9 on or before the first day of the 2018-2019 academic
10 year, each student in a public school shall have a total of at least twenty-two (22) credits for high
11 school graduation.

12 (2) Those credits shall include the content standards as provided in the Kentucky academic
13 standards, established in 704 KAR 3:303 and KAR Chapter 8.

14 (3) Additional standards-based learning experiences shall align to the student's individual learn-
15 ing plan and shall consist of standards-based content.

16 (4) The required credits and demonstrated competencies shall include the following minimum
17 requirements:

18 (a) Language arts - four (4) credits (English I, II, III, and IV) to include the content contained in
19 the Kentucky academic standards for this content area and comply with the following:

- 20 1. Language arts shall be taken each year of high school; and
- 21 2. If a student does not meet the college readiness benchmarks for English and language arts as
22 established by the Council on Postsecondary Education in 13 KAR 2:020, the student shall take

1 an English and language arts transitional course or intervention, which is monitored to address
2 remediation needs, before exiting high school;

3 (b) Social studies - three (3) credits to include the content contained in the Kentucky academic
4 standards for this content area;

5 (c) Mathematics - three (3) credits to include the content contained in the Kentucky academic
6 standards for this content area and include the following minimum requirements:

7 1. Algebra I, Geometry, and Algebra II. An integrated, applied, interdisciplinary, occupational,
8 or technical course that prepares a student for a career path based on the student's individual
9 learning plan may be substituted for a traditional Algebra I, Geometry, or Algebra II course on
10 an individual student basis if the course meets the content standards in the Kentucky academic
11 standards, established in 704 KAR 3:303 and 704 Chapter 8;

12 2. A mathematics course or its equivalent as determined by the district shall be taken each year
13 of high school to ensure readiness for postsecondary education or the workforce;

14 3. Any mathematics course other than Algebra I, Geometry, or Algebra II shall be counted as an
15 elective; and

16 4. If a student does not meet the college readiness benchmarks for mathematics as established by
17 the Council on Postsecondary Education in 13 KAR 2:020, the student shall take a mathematics
18 transitional course or intervention, which is monitored to address remediation needs, before exit-
19 ing high school;

20 (d) Science - three (3) credits that shall incorporate lab-based scientific investigation experiences
21 and include the content contained in the Kentucky academic standards for this content area;

22 (e) Health - one-half (1/2) credit to include the content contained in the Kentucky academic
23 standards for this content area;

- 1 (f) Physical education - one-half (1/2) credit to include the content contained in the Kentucky ac-
- 2 ademic standards for this content area;
- 3 (g) Visual and performing arts - one (1) credit to include the content contained in the Kentucky
- 4 academic standards for this content area or a standards-based specialized arts course based on the
- 5 student's individual learning plan;
- 6 (h) Academic and career interest standards-based learning experiences - seven (7) credits includ-
- 7 ing four (4) standards-based learning experiences in an academic or career interest based on the
- 8 student's individual learning plan; and
- 9 (i) Demonstrated performance-based competency in technology.

10 Section 4. (1) Beginning with students who enter grade 9 on or after the first day of the 2019-

11 2020 academic year, in order to receive a high school diploma, each student in a public school

12 shall ~~e[E]~~earn a total of at least twenty-two (22) credits for high school graduation.

13 (2) The required credits shall include the content standards as provided in the Kentucky academ-

14 ic standards, established in 704 KAR 3:303 and 704 KAR Chapter 8.

15 (3) Additional standards-based learning experiences shall align to the student's individual learn-

16 ing plan and shall consist of standards-based content.

17 (4) Each student shall be required to complete the following foundational credits and demon-

18 strated competencies, consisting of ten (10) credits:

19 (a) English/language arts - two (2) credits (English I and II) to include the content contained in

20 the Kentucky academic standards for this content area;

21 (b) Social studies - two (2) credits to include the content contained in the Kentucky academic

22 standards for this content area;

- 1 (c) Mathematics - two (2) credits (Algebra I and Geometry) to include the content contained in
2 the Kentucky academic standards for this content area;
- 3 (d) Science - two (2) credits that shall incorporate lab-based scientific investigation experiences
4 and include the content contained in the Kentucky academic standards for this content area;
- 5 (e) Health - one-half (1/2) credit to include the content contained in the Kentucky academic
6 standards for this content area;
- 7 (f) Physical education - one-half (1/2) credit to include the content contained in the Kentucky ac-
8 ademic standards for this content area; and
- 9 (g) Visual and performing arts - one (1) credit to include the content contained in the Kentucky
10 academic standards for this content area or a standards-based specialized arts course based on the
11 student's individual learning plan.
- 12 (5) In addition to the foundational requirements established in subsection (4) of this Section, eve-
13 ry student shall earn a minimum of twelve (12) personalized credits in order to receive a high
14 school diploma. These twelve (12) personalized credits shall include:
- 15 (a) Two (2) additional English/Language Arts credits that include the content contained in the
16 Kentucky academic standards for this content area and are aligned to the student's individual
17 learning plan;
- 18 (b) Two (2) additional mathematics credits that include the content contained in the Kentucky
19 academic standards for this content area and are aligned to the student's individual learning plan;
- 20 (c) One (1) additional science credit that includes the content contained in the Kentucky academ-
21 ic standards for this content area and is aligned to the student's individual learning plan;
- 22 (d) One (1) additional social studies credit that includes the content contained in the Kentucky
23 academic standards for this content area and is aligned to the student's individual learning plan;

- 1 (e) Academic and career interest standards-based learning experiences - six (6) credits including
2 four (4) standards-based learning experiences based on the student's individual learning plan;
- 3 (f) Demonstrate performance-based competency in technology as approved by the Kentucky De-
4 partment of Education;
- 5 (g) Pass a civics test as required by KRS 158.141; and
- 6 (h) Beginning with students entering grade 9 on or after the first day of the 2020-2021 academic
7 year, successfully complete one (1) or more courses or programs that meet the financial literacy
8 requirements pursuant to KRS 158.1411 and standards as established in 704 KAR Chapter 8.
- 9 Section 5. (1) Only students who meet the criteria established in this section shall be eligible for
10 the E[e]arly G[g]raduation Program.
- 11 (a) Those students who meet the criteria and requirements of the program [~~for early graduation~~]
12 shall receive from the school district a diploma and an Early Graduation Certificate;[-]
- 13 (b) Schools and districts shall not prohibit a student from completing the program should the stu-
14 dent meet all of the requirements;[-]
- 15 (c) [(b)] Students wishing to participate in the program [~~graduate early~~] shall indicate that intent
16 to the school principal at the beginning of grade 9 or as soon as the intent is known, but within
17 the first thirty (30) school days of the academic year in which they wish to graduate;[-]
- 18 (d) [(e)] A student's intent to participate in the program [~~graduate early~~] shall be entered into the
19 student information system by the school district by October 15 of the year in which the student
20 makes the declaration;[-]
- 21 ~~[(d) Students working toward early graduation and receipt of a corresponding Early Graduation~~
22 ~~Certificate shall be supported by development and monitoring of an individual learning plan to~~
23 ~~support their efforts.]~~

1 (e) The student shall complete the requirements in place for the year in which the student intends
2 to graduate; and

3 (f) A student who has indicated an intent to complete the program may participate in the state
4 administration of the college entrance exam prior to the junior year, if needed.

5 ~~[(2) To graduate early and earn an Early Graduation Certificate, a student shall:~~

6 ~~(a) Score proficient or higher on the state required assessments required by the Kentucky Board~~
7 ~~of Education in 703 KAR 5:200; and~~

8 ~~(b) Meet the college readiness exam benchmarks established by the Council on Postsecondary~~
9 ~~Education in 13 KAR 2:020 for placement in credit bearing courses without the need for remedi-~~
10 ~~ation.~~

11 ~~(3) A student who has indicated an intent to graduate early may participate in the student's state~~
12 ~~administration of the college readiness exam prior to the junior year, if needed.]~~

13 (2) By July 1, 2023, the district shall provide each school with a policy as established by the lo-
14 cal board of education for students wishing to participate in the Early Graduation Program and
15 earn an Early Graduation Certificate and scholarship. The district policy shall provide support in
16 the development and monitoring of an individual learning plan that shall include:

17 (a) Goal planning related to the attainment of established district essential workplace ethics pro-
18 grams as provided in KRS 158.1413;

19 (b) Completion of a professional resume; and

20 (c) Completion of one postsecondary admissions application that may be used at a Kentucky
21 public two (2) year community and technical college or a Kentucky four (4) year public or non-
22 profit independent institution accredited by the Southern Association of Colleges and Schools in
23 which the student is interested in applying.

1 (3) Beginning in the 2023-2024 academic year and beyond, each Early Graduation Program par-
2 ticipant, with the support of the comprehensive school counselor, or designee, shall:

3 (a) Identify all Early Graduation Program requirements and develop a strategy within the indi-
4 vidual learning plan for meeting those requirements, including the district's established work-
5 place ethics program provided in KRS 158.1413; and

6 (b) Complete an entrance interview with the principal, or designee, to discuss postsecondary
7 goals and career aspirations.

8 (4) For students who intend to graduate during the 2023-2024 academic year and beyond, to suc-
9 cessfully complete the Early Graduation Program and earn an Early Graduation Certificate and
10 scholarship, the student shall:

11 (a) Communicate intent to the principal within the appropriate timeframe as provided in subsec-
12 tion (1) of this section;

13 (b) Meet the college entrance exam benchmarks established by the Council on Postsecondary
14 Education in 13 KAR 2:020 for placement in credit-bearing courses without the need for remedi-
15 ation;

16 (c) Earn ten (10) foundational credits that shall include the content standards as provided in the
17 Kentucky academic standards, established in 704 KAR 3:303 and 704 KAR Chapter 8;

18 (d) Complete the essential workplace ethics program requirements established by the school dis-
19 trict pursuant to KRS 158.1413; and

20 (e) Complete one (1) or more courses or programs that meet the financial literacy requirements
21 pursuant to KRS 158.1411.

22 (5) By July 1, 2024, the board of education shall establish a policy so that schools may determine
23 performance descriptors and evaluation procedures for an Early Graduation Program perfor-

1 mance-based project, portfolio or capstone required for those students who intend to complete
2 the program during the 2024-2025 academic year and beyond. Performance descriptors and
3 evaluation procedures shall provide an opportunity for the student to demonstrate attainment of
4 the following critical skills required for postsecondary and career success:

5 (a) Attainment of essential workplace ethics program components as established by the board of
6 education pursuant to KRS 158.1413;

7 (b) Demonstration of an ability to apply the Kentucky academic standards, established in 704
8 KAR 3:303 and KAR Chapter 8, as a life-long learner and contributing member of society;

9 (c) Demonstration of written and verbal communication skills needed for postsecondary success;
10 and

11 (d) Demonstration of an ability to think critically, synthesize information and draw conclusions.

12 (6) By July 1, 2024, the performance-based project, portfolio or capstone shall be required for
13 those students who intend to complete the Early Graduation Program during the 2024-2025 aca-
14 demic year and beyond.

15 (7) A school shall maintain and make readily available to the Kentucky Department of Education
16 the Early Graduation Program participant’s performance-based project, portfolio or capstone for
17 a minimum of five years.

18 Section 6. (1) A local board of education may substitute an integrated, applied, interdisciplinary,
19 occupational, technical, or higher level course for a required course if the alternative course pro-
20 vides rigorous content.

21 (2) For students with disabilities, a local board of education may substitute a functional, integrat-
22 ed, applied, interdisciplinary, occupational, technical, or higher level course for a required course
23 if the alternative course provides rigorous content. These shall be based on grade-level content

1 standards and may be modified to allow for a narrower breadth, depth, or complexity of the gen-
2 eral grade-level content standards.

3 Section 7. (1) A local board of education may award credit toward high school graduation for
4 satisfactory demonstration of learning based on content standards described in the Kentucky aca-
5 demic standards, established in 704 KAR 3:303 and 704 KAR Chapter 8, and a rigorous perfor-
6 mance standards policy established by the local board of education. A school shall establish per-
7 formance descriptors and evaluation procedures to determine if the content and performance
8 standards have been met.

9 (2) A local board of education shall award credit toward high school graduation based on:

10 (a) A standards-based Carnegie unit credit that shall consist of at least 120 hours of instructional
11 time in one (1) subject; or

12 (b) A performance-based credit based on standards, regardless of the number of instructional
13 hours in one (1) subject.

14 (3) A local board of education which has chosen to award performance-based credit shall award
15 a standards-based credit earned by a student enrolled in grade 5, 6, 7, or 8 if:

16 (a) The content of the course is the same as that described in the Kentucky academic standards,
17 established in 704 KAR 3:303 and 704 KAR Chapter 8; and

18 (b) The district has criteria in place to make a reasonable determination that the middle level stu-
19 dent is capable of success in the high school course.

20 (4) A local board of education which has chosen to award performance-based credit shall estab-
21 lish a policy for a performance-based credit system that includes:

22 (a) The procedures for developing performance-based credit systems and for amending the sys-
23 tem;

- 1 (b) The conditions under which each high school may grant performance-based credits and the
2 related performance descriptors and assessments;
- 3 (c) Objective grading and reporting procedures;
- 4 (d) Content standards established in 704 KAR 3:303 and 704 KAR Chapter 8;
- 5 (e) The extent to which state-provided assessments will be used in the local performance-based
6 credit system;
- 7 (f) The ability for students to demonstrate proficiency and earn credit for learning acquired out-
8 side of school or in prior learning; and
- 9 (g) Criteria to ensure that internships, cooperative learning experiences, and other learning expe-
10 riences in the school and community are:
 - 11 1. Designed to further student progress towards the individual learning plan;
 - 12 2. Supervised by qualified instructors; and
 - 13 3. Aligned with state and local content and performance standards.
- 14 (5) A board of education may award standards-based, performance-based credit toward high
15 school graduation for:
 - 16 (a) Standards-based course work that constitutes satisfactory demonstration of learning in any
17 high school course, consistent with Sections 3 and 4 of this administrative regulation;
 - 18 (b) Standards-based course work that constitutes satisfactory demonstration of learning in a
19 course for which the student failed to earn credit when the course was taken previously;
 - 20 (c) Standards-based portfolios, senior year, or capstone projects;
 - 21 (d) Standards-based online or other technology mediated courses;
 - 22 (e) Standards-based dual credit or other equivalency courses; or

1 (f) Standards-based internship, cooperative learning experience, or other supervised experience
2 in the school or the community.

3 (6) Each local board of education shall maintain a copy of its policy on high school graduation
4 requirements. This policy shall include a description of how the requirements address KRS
5 158.6451(1)(b) [~~and 703 KAR 4:060~~].

6 Section 8. (1) A student who satisfactorily completes the requirements of this administrative reg-
7 ulation and additional requirements as may be imposed by a local board of education or meets
8 the requirements for the [e]Early [g]Graduation Program established in Section 5 of this adminis-
9 trative regulation shall be awarded a graduation diploma.

10 (2) A local board shall not adopt any high school graduation requirements that include achieving
11 a minimum score on a statewide assessment as established in KRS 158.140.

12 (3) The local board of education shall award the diploma.

13 Section 9. This administrative regulation shall not be interpreted as prohibiting a local governing
14 board, superintendent, principal, or teacher from awarding special recognition to a student.

15 Section 10. (1) If the severity of an exceptional student’s disability precludes a course of study
16 that meets the high school graduation requirements established in Sections 3 and 4 of this admin-
17 istrative regulation leading to receipt of a high school diploma, an alternative course of study
18 shall be offered.

19 (2) This course of study shall be based upon student needs and the provisions established in 704
20 KAR 3:303 and 704 KAR Chapter 8, and shall be reviewed at least annually.

21 (3) A student who completes this course of study shall receive an alternative high school diploma
22 to be awarded by the local board of education consistent with the graduation practices for all stu-
23 dents.

1 (4) A local board of education may establish policies to award an alternative high school diploma
2 to a former student who has received a certificate or certificate of attainment.

3 (5 Ky.R. 633; 6 Ky.R. 53; eff. 7-17-1979; 6 Ky.R. 238; 526; eff. 4-1-1980; 9 Ky.R. 1027; 1208;
4 eff. 8-3-1983; 11 Ky.R. 1076; eff. 3-12-1985; 17 Ky.R. 113; eff. 9-13-1990; 23 Ky.R. 3419;
5 3827; 24 Ky.R. 82; eff. 7-2-1997; 32 Ky.R. 1779; 2028; 33 Ky.R. 766; eff. 10-6-2006; 37 Ky.R.
6 138; 1644; eff. 2-4-2011; 39 Ky.R. 612; 1115; eff. 1-4-2013; 40 Ky.R. 1138; 1406; eff. 3-7-
7 2014; 45 Ky.R. 1414, 2111, 2342; eff. 4-5-2019; 47 Ky.R. 1068, 1559; eff. 5-4-2021.)

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 XXXXXXXX, 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 XXXXXXXX, 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

Regulation Number: 704 KAR 3:305

Contact Person: Todd G. Allen, Todd.Allen@education.ky.gov

Phone Number: 502-564-4474

(1) Provide a brief summary of:

(a) What this administrative regulation does:

704 KAR 3:305 establishes the minimum requirements for entitlement to a high school diploma in Kentucky, including those who are eligible to participate in the Early Graduation Program provided in KRS 158.142.

(b) The necessity of this administrative regulation:

KRS 156.160 requires the Kentucky Board of Education to promulgate administrative regulations relating to the courses of study for the different grades and the minimum requirements for high school graduation. KRS 158.142 requires the board to promulgate administrative regulations establishing requirements for early graduation from high school. The content standards for the courses of study are established in the Kentucky Academic Standards incorporated by reference in 704 KAR 3:303 and 704 KAR Chapter 8. This administrative regulation establishes the minimum requirements necessary for entitlement to a high school diploma.

(c) How this administrative regulation conforms to the content of the authorizing statute:

KRS 156.160 requires the Kentucky Board of Education to promulgate administrative regulations relating to the courses of study for the different grades and the minimum requirements for high school graduation. KRS 158.142 requires the board to promulgate administrative regulations establishing requirements for early graduation from high school. The content standards for the courses of study are established in the Kentucky core academic standards incorporated by reference in 704 KAR 3:303 and 704 KAR Chapter 8. This administrative regulation establishes the minimum requirements necessary for entitlement to a high school diploma.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This regulation outlines the minimum requirements for high school graduation for all Kentucky students.

(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 amendments to 704 KAR 3:305 serve two purposes. First, to provide clean-up language needed throughout the regulation. Second, the amendments are needed to ensure alignment to the statute while also providing greater clarification for schools and districts as they implement the requirements for the Early Graduation Program resulting in an Early Graduation Certificate and scholarship to be used at a Kentucky public two (2) year community and technical college or a Kentucky four (4) year public or non-profit independent institution accredited by the Southern Association of Colleges and Schools.

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

These amendments are needed to ensure alignment to the statute while also providing greater clarification for schools and districts as they implement the requirements for the Early Graduation Program.

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

KRS 156.160 requires the Kentucky Board of Education to promulgate administrative regulations relating to the courses of study for the different grades, the minimum requirements for high school graduation and the requirements for the Early Graduation Program.

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

KRS 156.160 requires the Kentucky Board of Education to promulgate administrative regulations relating to the courses of study for the different grades and the minimum requirements for high school graduation. The amendment to this administrative regulation establishes greater clarity on the expectations and competencies needed of students in order to qualify for, and successfully complete, the Early Graduation Program.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

Those affected by this regulation include: all public schools, school districts, and the Kentucky Department of Education as it is tasked with providing guidance, support, and technical assistance, and monitoring of the implementation of new minimum high school graduation requirements.

(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:

Specifically, the entities identified above will need to take the following actions to comply with the amendments proposed in the regulation:

Local boards of education will need to develop policies that provide a framework for the Early Graduation Program, including performance descriptors and evaluation procedures. Local schools and districts will need to align to the Early Graduation Program requirements. The Kentucky Department of Education will need to provide implementation guidance to districts and schools.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

There should be little to no additional costs as a result of this amendment. The Kentucky Department of Education will be impacted by staff time to answer questions and provide guidance.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

With a more comprehensive approach to the Early Graduation Program, students are the primary beneficiaries of the revisions. The updated program guidelines focus on both the academic and essential skills needed for success beyond high school.

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

(a) Initially:

The Kentucky Department of Education will dedicate staff time to develop guidance to support schools and districts as they implement the Early Graduation Program. Staffing patterns at the local district may need to be adjusted in order to support schools in implementing program requirements.

(b) On a continuing basis:

The Kentucky Department of Education has mechanisms in place to support ongoing costs related to staff time and resources needed to support schools and districts.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

State 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 amendment.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This administrative regulation does not establish fees or directly or indirectly increase any fees.

(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

704 KAR 3:305

Contact Person: Todd Allen, phone: 502-564-4474, email: todd.allen@education.ky.gov

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?

Local education agencies; the Kentucky Department of Education, specifically the Office of Assessment and Accountability and the Office of Teaching and Learning; Council on Postsecondary Education; and the Kentucky Higher Education Assistance Authority may be impacted.

- (1) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 156.160 requires the Kentucky Board of Education to promulgate administrative regulations relating to the courses of study for the different grades and the minimum requirements for high school graduation. KRS 158.142 requires the board to promulgate administrative regulations establishing requirements for early graduation from high school. The content standards for the courses of study are established in the Kentucky core academic standards incorporated by reference in 704 KAR 3:303 and 704 KAR Chapter 8. This administrative regulation establishes the minimum requirements necessary for entitlement to a high school diploma.

- (2) 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.

The amendment will have little to no impact on expenditures. The Office of Teaching and Learning, specifically, may incur initial costs in staff time to develop guidance and technical training to schools and districts.

- (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 revenue.

- (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 revenue.

(c) How much will it cost to administer this program for the first year?

While the exact cost is unknown, little to no expenses are expected. Staffing patterns at the local district may need to be adjusted in light of minimum requirements and student needs. Local district budgets may be impacted by the need for resources to support interventions for students who need them. Kentucky Department of Education staff time will be impacted by the need for implementation guidance and answering questions from the field. This impact should decrease each year of implementation.

(d) How much will it cost to administer this program for subsequent years?

In subsequent years, the Kentucky Department of Education will remain available to schools and districts to provide ongoing support. Staffing patterns at the local school and district and staff time may need to be adjusted depending upon their needs as it relates to the implementation of the Early Graduation Program performance-based portfolio, project or capstone.

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

(3) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

Little to no expenses or cost savings are expected for the first full year. Staffing patterns at the local district may need to be adjusted in light of minimum requirements and student needs. Local district budgets may be impacted by the need for resources to support interventions for students who need them. Kentucky Department of Education staff time will be impacted by the need for implementation guidance and answering questions from the field. This impact should decrease each year of implementation.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year? Unknown

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years? Unknown

(c) How much will it cost the regulated entities for the first year? Unknown

(d) How much will it cost the regulated entities for subsequent years? Unknown

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

Cost Savings(+/-): N/A
Expenditures (+/-): N/A
Other Explanation: N/A

(5) Explain whether this administrative regulation will have a major economic impact, as defined below. *"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)]*

N/A