

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

704 KAR 8:060

Contact Person: Todd G. Allen

Phone: 502-564-4474

Email: todd.allen@education.ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This regulation fulfills the requirements of KRS 158.6453 and sets forth the minimum content requirements to be met by a student per the *Kentucky Academic Standards for Social Studies*.

(b) The necessity of this administrative regulation: KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645, 158.6451, and 158.6453.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645 and 158.6451, and 158.6453. KRS 158.6453 requires the revision of academic content standards. KRS 156.070(1) requires the Kentucky Board of Education to manage and control the common schools and all programs operated in the schools. KRS 160.290 authorizes local boards of education to provide for courses and other services for students consistent with the administrative regulations of the Kentucky Board of Education. This administrative regulation incorporates by reference the required academic standards for social studies, which contain the general courses of study and academic content standards for use in Kentucky's common schools unless specifically incorporated in another administrative regulation in Title 704, Chapter 8.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation incorporates by reference the Kentucky Academic Standards for Social Studies, which contain the general courses of study and academic content standards for use in Kentucky's common schools. KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645 and 158.6451, and 158.6453. This regulation conforms to the requirements provided in KRS 158.196 entitled, Instructional materials standards and concepts – Documents and speeches to be included.

(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 document incorporated by reference under 704 KAR 8:060 has been amended to conform to the requirements of KRS 158.196.

(b) The necessity of the amendment to this administrative regulation: The amendments to the regulation are necessary in order to conform to the July 1, 2023 deadline provided in KRS 158.196.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645, 158.6451 and 158.6453. KRS 156.070(1) requires

the Kentucky Board of Education to manage and control the common schools and all programs operated in the schools. KRS 160.290 authorizes local boards of education to provide for courses and other services for students consistent with the administrative regulations of the Kentucky Board of Education. This amendment incorporates the required foundational documents and speeches per KRS 158.196 into the *Kentucky Academic Standards for Social Studies*.

(d) How the amendment will assist in the effective administration of the statutes: The amended document incorporated by reference will allow for the effective administration of KRS 158.196 by embedding twenty-two foundational documents and speeches into the middle and high school social studies standards.

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

(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 will have to take to comply with this administrative regulation or amendment: The standards outlined in 704 KAR 8:060 are the standards for social studies. The regulated entities must use these outlined standards when making local choices regarding curriculum and instruction.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): A 2008 study published by LRC called *The Costs of College and High School Textbooks in Kentucky* indicated an average text cost of \$50 per textbook. While textbooks contain teacher materials, this cost does not account for additional expenses related to teacher training and/or local efforts to align curricula. An estimated cost per class for instructional materials: \$50 x 100 students per grade level. There also will be costs associated for local curricula development and teacher professional learning to support implementation of new curricula. Estimated teacher time for curriculum development/alignment (in a school with only 1 teacher per grade): \$4,000 (5 days for alignment work x 4 teachers x \$200/day). Estimated costs related to professional learning: \$25,000 x # grades = \$X per year.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The compliance of public schools, school districts and school councils will ensure that each student will be qualified for graduation as they will have met the minimum content requirements for social studies as provided in 704 KAR 3:305. Graduation rates are used as part of each school's accountability model and are reported on each school's report card.

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

(a) Initially: The Department spent \$150,000 administrative costs for the revision to the social studies standards that are incorporated by reference in 704 KAR 8:060 to be compliant with KRS 158.6453 and KRS 158.196, as well as staff time to oversee its administration.

(b) On a continuing basis: Additional staff time will be needed to support schools and districts in the implementation of the revised *Kentucky Academic Standards (KAS) for Social Studies* as it relates to the requirements of KRS 158.196.

(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: The Kentucky Department of Education will not be able to use the research-based model of leadership networks to provide support to districts as they implement new standards without an increase in funding.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This regulation does not establish any fees or directly or indirectly increase fees.

(9) TIERING: Is tiering applied? (Explain why or why not) Tiering was not applied. This administrative regulation applies equally to all school districts.

FISCAL NOTE

704 KAR 8:120

Contact Person: Todd G. Allen

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(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? Public schools, school districts, school councils and the Kentucky Department of Education (KDE).

(2) 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 establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645, 158.6451 and 158.6453. KRS 156.070(1) requires the Kentucky Board of Education to manage and control the common schools and all programs operated in the schools. KRS 160.290 authorizes local boards of education to provide for courses and other services for students consistent with the administrative regulations of the Kentucky Board of Education. The revisions conform to the requirements provided in KRS 158.196.

(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. A 2008 study published by the Legislative Research Commission called *The Costs of College and High School Textbooks in Kentucky* indicated an average text cost of \$50 per textbook. While textbooks contain teacher materials, this cost does not account for additional expenses related to teacher training and/or local efforts to align curricula. An estimated cost per class for instructional materials: \$50 x 100 students per grade level. There also will be costs associated for local curricula development and teacher professional learning to support implementation of new curricula. Estimated teacher time for curriculum development/alignment (in a school with only 1 teacher per grade): \$4,000 (5 days for alignment work x 4 teachers x \$200/day). Estimated costs related to professional learning: \$25,000 x # grades = \$X per year.

(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? A 2008 study published by LRC called *The Costs of College and High School Textbooks in Kentucky* indicated an average text cost of \$50 per textbook. While textbooks contain teacher materials, this cost does not account for additional expenses related to teacher training and/or local efforts to align curricula. An estimated cost per class for instructional materials: \$50 x 100 students per grade level. There also will be costs associated for local curricula development and teacher professional learning to support implementation of new curricula. Estimated teacher time for curriculum development/alignment (in a school with only 1 teacher per grade): \$4,000 (5 days for alignment work x 4 teachers x \$200/day). Estimated costs related to

professional learning: \$25,000 x # grades = \$X per year. Additional staff time will be impacted through implementation.

(d) How much will it cost to administer this program for subsequent years? Once curriculum documents are revised, implementation cost will decrease.

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 (+/-): A 2008 study published by the Legislative Research Commission called *The Costs of College and High School Textbooks in Kentucky* indicated an average text cost of \$50 per textbook. While textbooks contain teacher materials, this cost does not account for additional expenses related to teacher training and/or local efforts to align curricula. An estimated cost per class for instructional materials: \$50 x 100 students per grade level. There also will be costs associated for local curricula development and teacher professional learning to support implementation of new curricula. Estimated teacher time for curriculum development/alignment (in a school with only 1 teacher per grade): \$4,000 (5 days for alignment work x 4 teachers x \$200/day). Estimated costs related to professional learning: \$25,000 x # grades = \$X per year.

Other Explanation: N/A

(4) 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.

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

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

(c) How much will it cost the regulated entities for the first year? A 2008 study published by LRC called *The Costs of College and High School Textbooks in Kentucky* indicated an average text cost of \$50 per textbook. While textbooks contain teacher materials, this cost does not account for additional expenses related to teacher training and/or local efforts to align curricula. An estimated cost per class for instructional materials: \$50 x 100 students per grade level. There also will be costs associated for local curricula development and teacher professional learning to support implementation of new curricula. Estimated teacher time for curriculum development/alignment (in a school with only 1 teacher per grade): \$4,000 (5 days for alignment work x 4 teachers x \$200/day). Estimated costs related to professional learning: \$25,000 x # grades = \$X per year.

(d) How much will it cost the regulated entities for subsequent years? Once curriculum documents are revised, implementation costs will decrease.

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 (+/-): A 2008 study published by LRC called *The Costs of College and High School Textbooks in Kentucky* indicated an average text cost of \$50 per textbook. While textbooks contain teacher materials, this cost does not account for additional expenses related to teacher training and/or local efforts to align curricula. An estimated cost per class for instructional materials: \$50 x 100 students per grade level. There also will be costs associated for local curricula development and teacher professional learning to support implementation of new curricula. Estimated teacher time for curriculum development/alignment (in a school with only 1 teacher per grade): \$4,000 (5 days for alignment work x 4 teachers x \$200/day). Estimated costs related to professional learning: \$25,000 x # grades = \$X per year.

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

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

704 KAR 8:060 “Kentucky Academic Standards for Social Studies” provided as the document incorporated by reference contains a total of 284 pages on the required academic standards for social studies. KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645, 158.6451, and 158.6453.

SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

“Kentucky Academic Standards for Social Studies” was amended to incorporate the foundational documents and speeches required under KRS 158.196. KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645, 158.6451, and 158.6453.