

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Department of Education

4 (Amendment)

5 702 KAR 7:125. Pupil attendance.

6 RELATES TO: KRS 157.320, 157.350, 158.030, 158.070, 158.100, 158.240, 159.010, 159.030,  
7 159.035, 159.140, 159.170, 161.200

8 STATUTORY AUTHORITY: KRS 156.070, 156.160, 157.320, 157.360, 158.070

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160 requires the Kentucky Board of  
10 Education to promulgate administrative regulations establishing standards which school districts  
11 shall meet in student, program, service, and operational performance. KRS 157.320 defines  
12 average daily attendance of pupils for funding purposes under the Support Education Excellence  
13 in Kentucky (SEEK) Program. KRS 157.360 bases SEEK funding upon average daily attendance.  
14 KRS 158.030, 158.100, and 159.010 establish the age for compulsory school attendance. KRS  
15 158.070 defines the school term. KRS 158.240 defines attendance credit for moral instruction, and  
16 KRS 159.035 defines attendance for 4-H activities, military basic training, page programs of the  
17 General Assembly, attendance at the Kentucky State Fair, educational enhancement opportunities,  
18 and when a parent or custodian is called to active military duty. KRS 161.200 requires attendance  
19 records to be kept by teachers. This administrative regulation establishes a uniform method of  
20 recording pupil attendance.

1 Section 1. Daily Attendance.

2 1) Daily attendance of pupils in elementary schools shall be determined by taking attendance one  
3 (1) time each day prior to the start of instruction and maintaining a pupil entry and exit log at  
4 each school.

5 (2) Daily attendance of pupils in middle and high schools shall be determined by taking  
6 attendance by class period and maintaining a pupil entry and exit log at each school.

7 (3) The pupil entry and exit log shall include the date, pupil name, grade or homeroom, time of  
8 late arrival, time of early departure (with the reason for both listed), and other information  
9 required by the local board of education. For elementary pupils who are signed out, the pupil  
10 entry and exit log shall also include a signature of:

11 (a) A parent;

12 (b) A legal guardian; or

13 (c) An adult with proof of identification and for whom the school has received a written  
14 authorization from the parent or legal guardian.

15 (4) Pupils shall be physically present in the school to be counted in attendance except under the  
16 following conditions:

17 (a) The pupil is a participant in a co-curricular instructional activity that has been authorized by  
18 the local board of education and is a definite part of the instructional program of the school;

19 (b) The pupil is a participant in an activity as provided in either KRS 158.240 or 159.035;

20 (c) The pupil is participating in an off-site virtual high school class or block. A pupil may be  
21 counted in attendance for a virtual high school class or block for the year or semester in which  
22 the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in  
23 accordance with local policies required by 704 KAR 3:305, Section 7;

1 (d) The pupil's mental or physical condition prevents or renders inadvisable attendance in a  
2 school setting, and the pupil meets the requirements of KRS 159.030(2). A pupil being served  
3 in the home/hospital program shall receive, at a minimum, the instruction required pursuant to  
4 KRS 158.033;

5 (e) The pupil has been court ordered to receive educational services in a setting other than the  
6 classroom. A pupil being served through a court order shall receive at a minimum, the  
7 instruction required pursuant to paragraph (d) of this subsection;

8 (f) The pupil has an individual education program (IEP) that requires less than full-time  
9 instructional services;

10 (g) The pupil is participating in standards-based, performance-based credit that is awarded in  
11 accordance with 704 KAR 3:305, Section 7 and that falls within one (1) or more of the  
12 categories of standards-based course work outlined in 704 KAR 3:305. A pupil may be counted  
13 in attendance for performance-based credit for a class or block for the year or semester in which  
14 the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in  
15 accordance with local policies required by 704 KAR 3:305, Section 7;

16 (h) The pupil participates in a school that is authorized by the commissioner to design and  
17 deliver an educational program so that all graduation requirements are based on pupil  
18 proficiency of standards and performance, rather than time and Carnegie units, as authorized in  
19 704 KAR 3:305, Section 7; or

20 (i) The pupil is enrolled and participating in a full-time, online, virtual and remote learning  
21 program pursuant to the requirements of 704 KAR 3:535. A pupil shall be counted in attendance  
22 pursuant to the requirements of 704 KAR 3:535..

1 (5) Even if a pupil's absence or tardy is due to factors beyond the pupil's control, including  
2 inclement weather or failure of the transportation system to operate, the pupil shall be counted  
3 absent or tardy. However, a pupil being transported to school on a district school bus or district  
4 vehicle shall not be considered tardy if the cause of the lateness is due to the bus or vehicle  
5 arriving after the beginning of the school day.

6 (6) The local board of education shall determine by local board policy what constitutes an  
7 excused and an unexcused absence.

8 (7) A pupil shall not be allowed to make up absences for the purpose of including make-up  
9 activities in the calculation of average daily attendance.

10 Section 2. Calculation of Attendance. The guidelines in this section shall be used to calculate pupil  
11 attendance for state funding purposes.

12 (1) A full day of attendance shall be recorded for a pupil who is in attendance at least sixty-five  
13 (65) percent of the regularly-scheduled school day for the pupil's grade level.

14 (2) A tardy shall be recorded for a pupil who is absent thirty-five (35) percent or less of the  
15 regularly-scheduled school day for the pupil's grade level.

16 (3) A half day absence shall be recorded for a pupil who is absent thirty-six (36) percent to eighty-  
17 four (84) percent of the regularly-scheduled school day for the pupil's grade level.

18 (4) A full day absence shall be recorded for a pupil who is absent more than eighty-four (84)  
19 percent of the regularly-scheduled school day for the pupil's grade level.

20 Section 3. Shortened School Day. A local board of education may permit an arrangement whereby  
21 a pupil has a shortened school day in accordance with KRS 158.060 or local board of education  
22 policy. The time a pupil is in attendance shall be included in calculating the district's average daily  
23 attendance.

1 Section 4. Dual Enrollment. A local board of education may permit an arrangement in which a  
2 pupil pursues part of the pupil's education under the direction and control of one (1) public school  
3 and part of the pupil's education under the direction and control of another public or nonpublic  
4 school. The time a pupil is served by each public school shall be included when calculating the  
5 district's average daily attendance.

6 Section 5. Private School Placement. If a local school district, under the provisions of KRS  
7 157.360(7), enrolls a child with a disability in a private school or agency, the private school or  
8 agency shall certify the attendance of the child to the local school district at the close of each school  
9 month.

10 Section 6. Age of Pupil.

11 (1) If a local school district enrolls in the entry level program a pupil who will not be five (5)  
12 years of age on or before August 1 of the year of enrollment, the total aggregate days attendance  
13 for the pupil shall not be included in calculating the district's average daily attendance except  
14 under the conditions established in subsection (3) of this section.

15 (2) If a local school district enrolls in the second level of the primary program a pupil who will  
16 not be six (6) years of age on or before August 1 of the year of enrollment, the total aggregate  
17 days attendance for the pupil shall not be included in calculating the district's average daily  
18 attendance except under the conditions established in subsection (3) of this section.

19 (3)

20 (a) The local board of education shall have determined that the pupil is eligible for enrollment  
21 in the appropriate level of the primary program after academic, social, and developmental  
22 progress records from multiple data sources are reviewed by a team and determined to support  
23 accelerated placement. These sources shall include:

- 1 1. Anecdotal records;
- 2 2. A variety of pupil work samples, including evidence of pupil self-reflection; and
- 3 3. Standardized test results.

4 (b) The team shall be comprised of three (3) members who have knowledge of the pupil's  
5 developmental skills and abilities. Team members shall be chosen from these categories:

- 6 1. Teachers;
- 7 2. Parents;
- 8 3. Psychologists;
- 9 4. Principals; or
- 10 5. District specialists.

11 (c) At least one (1) team member shall represent the district office and have an understanding  
12 of early childhood development and knowledge of developmentally-appropriate practices.

13 (d) If ~~[a pupil is recommended by]~~ the local board of education determines the pupil is eligible  
14 for accelerated placement into the entry or second level of the primary program, the district  
15 shall document~~[forward that]~~ the determination~~[recommendation to the department for~~  
16 ~~approval]~~ with:

- 17 1. A list of data sources used in making the decision;
- 18 2. A list of all individuals who submitted the data sources;
- 19 3. A list of team members; and
- 20 4. The data needed to create a pupil attendance record.

21 (4) A local school district shall enroll any resident pupil, not holding a high school diploma,  
22 under the age of twenty-one (21) years who wishes to enroll. The days attended after the pupil's  
23 21st birthday shall not be included in the calculation of the district's average daily attendance.

1 Section 7. Due Dates for Certain Reports.

2 (1) The Growth Factor Report for the first two (2) school months of the school year created  
3 pursuant to KRS 157.360(9) shall be submitted to the department through the statewide student  
4 information system within ten (10) business days following the last day of the second school  
5 month or by November 1 of each year, whichever occurs first.

6 (2) Pursuant to KRS 157.360(2), the Superintendents Annual Attendance Report (SAAR) for the  
7 school year shall be submitted to the department through the statewide student information  
8 system by June 30 of each year.

9 Section 8. Nonresident Pupils.

10 (1) The district of attendance shall provide a list of all enrolled nonresident students to the district  
11 of residence not later than November 1 of each school year.

12 (2) The district of attendance shall provide to the district of residence a list of the names of all  
13 nonresident pupils whose parent is an employee of the district as provided by KRS 157.350(4)(c)  
14 not later than November 1 of each school year.

15 Section 9. Weather-related Low Attendance Days.

16 (1) The SAAR may:

17 (a) Substitute the prior year's average daily attendance for up to ten (10) designated weather-  
18 related low attendance days; and

19 (b) Shall constitute certification that the low attendance was due to inclement weather, in  
20 accordance with KRS 157.320(17).

21 (2) Documentation that the low attendance was due to inclement weather shall be retained at the  
22 central office.

1 Section 10. Nontraditional Instruction Program Health and Safety Closings.

2 (1) The SAAR may:

3 (a) Substitute the prior year's average daily attendance for up to ten (10) designated instructional  
4 days, in accordance with KRS 158.070(8); and

5 (b) Shall constitute certification that the low attendance was due to health and safety reasons.

6 (2) Documentation that the low attendance was due to health and safety reasons shall be retained  
7 at the central office.

8 (3) Days granted in this section shall be in addition to any days granted under Section 9 of this  
9 administrative regulation.

10 Section 11. Original Source of Attendance Data.

11 (1) The school's records of daily attendance and teacher's monthly attendance reports, daily and  
12 class period absentee lists, pupil entry and exit logs, and the Home/Hospital Program Form, shall  
13 be the original source of attendance data for all pupils enrolled in the public common schools and  
14 shall be verified at the end of each school month.

15 (2) The school's records of daily attendance and teachers' monthly attendance reports shall be  
16 signed by a designated certified person within the elementary or secondary school who shall be  
17 responsible for verifying and certifying the state attendance documents for accuracy.

18 (3) The school's records of daily attendance and tenth month teacher's monthly attendance reports  
19 shall be retained at least twenty (20) years. The daily and class period absentee lists, and pupil  
20 entry and exit logs shall be retained at least two (2) full school years after the current school year.

21 Section 12. Enrollment Codes. The following entry, reentry, and withdrawal codes shall be used  
22 to indicate the enrollment status of pupils:



- 1 (1) E01 - A pupil enrolled for the first time during the current year in either a public or nonpublic  
2 school in the United States;
- 3 (2) E02 - A pupil previously enrolled during the current school year in either a public or nonpublic  
4 school in another state who has not previously enrolled in Kentucky during the current school  
5 year;
- 6 (3) E03 - A pupil enrolling for the first time during the current school year in either a public or  
7 nonpublic school, who withdrew as a W07, W24 or W25 for previous school years;
- 8 (4) R01 - A pupil received from another grade or grade level in the same school year, or having  
9 a change in schedule structure or enrollment service type;
- 10 (5) R02 - A pupil received from another public school in the same public school district;
- 11 (6) R06 - A pupil reentering the school after dropping out, discharge, or expulsion from a school  
12 district in Kentucky during the current school year, who has not entered any other school during  
13 the intervening period;
- 14 (7) R20 - A pupil previously enrolled in a home school in Kentucky during the current school  
15 year;
- 16 (8) R21 - A pupil previously enrolled in any public or nonpublic school (excluding home schools  
17 and charter schools) in Kentucky during the current school year;
- 18 (9) R22 – A pupil previously enrolled in a charter school in Kentucky during the current school  
19 year;
- 20 (10) W01 - A pupil transferred to another grade in the same school or with grade level changes  
21 in the same school mid-year, or with a change in schedule structure or enrollment service type.  
22 The reentry code to use with W01 shall be R01;

- 1 (11) W02 - A pupil transferred to another public school in the same public school district. The  
2 reentry code to use with W02 shall be R02;
- 3 (12) W07 - A pupil withdrawn due to those communicable medical conditions that pose a threat  
4 in school environments listed in 902 KAR 2:020, Section 2(1), accompanied by a doctor's  
5 statement certifying the condition, or any other health-related condition for which the pupil is too  
6 ill to participate in regular school attendance, local homebound instructional services or hospital  
7 setting instructional services, or if the pupil has obtained a doctor's statement certifying the  
8 condition. The reentry code to use with W07 shall be R06;
- 9 (13) W08 - A pupil withdrawn due to death;
- 10 (14) W12 - A pupil under the jurisdiction of the court. For purposes of the W12 code, a pupil  
11 may be considered under the jurisdiction of the court on the day the petition is filed with the  
12 court. The reentry code to use with W12 shall be R06. For accountability purposes, a W12 shall  
13 be considered a dropout if the district cannot substantiate enrollment in the proper educational  
14 setting as designated by the court;
- 15 (15) W17 - An entry level pupil in the primary program, withdrawn during the first two (2)  
16 months enrolled due to immaturity or mutual agreement by the parent, guardian, or other  
17 custodian and the school in accordance with 704 KAR 5:060;
- 18 (16) W20 - A pupil transferred to a home school. The reentry code to use with W20 shall be R20;
- 19 (17) W21 - A pupil transferred to a nonpublic school (excluding home school). The reentry code  
20 to use with W21 shall be R21;
- 21 (18) W22 - A pupil who has transferred to another Kentucky public school district and for whom  
22 a request for pupil records has been received or enrollment has been substantiated;

- 1 (19) W23 - A pupil withdrawn for a second or subsequent time who initially withdrew as a W24  
2 or W25 during the current school year;
- 3 (20) W24 - A pupil who has moved out of this public school district for whom enrollment  
4 elsewhere has not been substantiated or failed to attend on the first day of school in a district but  
5 thereafter enrolled in the district;
- 6 (21) W25 – A pupil who is at least eighteen (18) years of age and has withdrawn from public  
7 school;
- 8 (22) W26 - A pupil who has withdrawn from school after completing a secondary GED program  
9 and receiving a GED certificate;
- 10 (23) W27 – A pupil who has withdrawn from school and subsequently received a GED;
- 11 (24) W28 - A pupil who has reached the maximum age for education services without receiving  
12 a diploma or an alternative high school diploma;
- 13 (25) ) W29 - A pupil who has moved out of state or out of the United States;
- 14 (26) W30 - A pupil with an IEP enrolled in Grade 14 who has previously received an alternative  
15 high school diploma, re-enrolled, and withdrew in the middle of the reporting school year;
- 16 (27) W31 - A pupil in the preschool program, withdrawn due to immaturity or mutual agreement  
17 by the parent, guardian, or other custodian and the school;
- 18 (28) W32 - A pupil transferred to a charter school. The reentry code to use with W32 shall be  
19 R22;
- 20 (29) C01 - A pupil who completes the school year in the school of the most current enrollment;
- 21 (30) G01 - A pupil who graduates in less than four (4) years;
- 22 (31) G02 - A pupil who graduates in four (4) years;
- 23 (32) G03 - A pupil who graduates in five (5) or more years;

1 (33) G04 - A pupil who graduates in six (6) or more years; and

2 (34) NS - A pupil who completed the prior year with a C01 and was expected to enroll in the  
3 district but did not enroll by October 1 of the current year whose enrollment elsewhere cannot be  
4 substantiated.

5 Section 13. Suspension.

6 (1) For a pupil who has been suspended, a code of S shall be used to indicate the days suspended.

7 (2) Suspension shall be considered an unexcused absence.

8 Section 14. Ethnicity. The ethnicity of each pupil shall be designated as either Hispanic/Latino or  
9 not Hispanic/Latino. The designation shall be "Hispanic/Latino" if the person is of Mexican,  
10 Puerto Rican, Cuban, Central or South American, or other Spanish culture of origin regardless of  
11 race. The term "Spanish origin" may be used in addition to "Hispanic/Latino".

12 Section 15. Racial Category Codes. One (1) or more of the following racial codes shall be used to  
13 indicate the racial category of pupils:

14 (1) White - A person having origins in any of the original peoples of Europe, North Africa, or  
15 the Middle East;

16 (2) Black or African American - A person having origins in any of the black racial groups of  
17 Africa;

18 (3) Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia,  
19 or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea,  
20 Malaysia, Pakistan, the Philippine Islands, Thailand, or Vietnam;

1 (4) American Indian or Alaskan Native - A person, having origins in any of the original peoples  
2 of North America and South America (including Central America), who maintains cultural  
3 identification through tribal affiliation or community attachment; and

4 (5) Native Hawaiian or other Pacific Islander - A person having origins in any of the original  
5 peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

6 Section 16. Withdrawal and Transfer Records. The request for records and other information  
7 involving the withdrawal and transfer of pupils shall be processed by the local superintendent or  
8 his or her designee pursuant to KRS 159.170, and shall be maintained in the pupil's permanent file.

9 Section 17. Incorporation by Reference.

10 (1) "Home/Hospital Program Form", July 2023~~[October 2019]~~, is incorporated by reference.

11 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at  
12 the Department of Education, 300 Sower Boulevard, 5th Floor, Frankfort, Kentucky 40601,  
13 Monday through Friday, 8 a.m. to 4:30 p.m. This material may be viewed at  
14 <https://education.ky.gov/districts/enrol/Documents/HomeHospitalProgramForm.pdf>.

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 administrative regulation shall be held on XXXX at 10:00 am, in the State Board Room, Fifth Floor, 300 Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by 5 workdays 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 cancelled. 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 through XXX. 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](mailto:regcomments@education.ky.gov).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

702 KAR 7:125

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:

The proposed regulation is an amendment to 702 KAR 7:125, Pupil attendance.

(b) The necessity of this administrative regulation:

The proposed regulatory amendment is necessary to streamline the early enrollment process for eligible students and lessen the administrative burden on local school districts pursuant to KRS 158.031.

Additionally, “The Home/Hospital Program Form” July 2023, is incorporated by reference. It is a one page form for the recording of attendance for students receiving home or hospital instruction pursuant to KRS 158.033 and 702 KAR 7:150. The changes to the “The Home/Hospital Program Form”, October 2019, only impact the layout to make the form more user friendly. There are no substantive changes.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 158.031 requires the Kentucky Board of Education (KBE) to establish a process for the early entry of students into the primary program.

KRS 158.033 requires the KBE to promulgate administrative regulations establishing the components of home or hospital instruction.

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

The proposed administrative regulation will lessen the administrative burden on school districts by removing an unnecessary approval layer while maintaining the statutorily mandated process for the early entrance and advancement of students into the primary program. In addition, the amendment to the document incorporated by reference will make the form easier for districts to use to record student attendance. Student attendance in the home/hospital program is necessary for school district funding.

(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 proposed amendment streamlines the process for approving a student for early entry into and advancement in the primary program. Under the current regulation, the district makes the determination whether a student has attained an appropriate level of academic, social and development progress that supports an accelerated placement. That determination is subject to review and approval by the Kentucky Department of Education (KDE). The proposed amendment removes the KDE from the approval process. Districts will still follow the same process laid out in the existing regulation and continue to document the sources used and the determination made. KDE will review early age entrance eligibility determinations as part of school district attendance audits.

The amendment additionally makes changes to the “The Home/Hospital Program Form” incorporated by reference. It is a one page form for the recording of attendance for students receiving home or hospital instruction pursuant to KRS 158.033 and 702 KAR 7:150. The changes to the “The Home/Hospital Program Form”, October 2019, only impact the layout to make the form more user friendly. There are no substantive changes. Home/hospital program attendance impacts school



district funding.

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

The amendment is necessary to remove an unnecessary and duplicative approval process that will lessen the administrative burden on local school districts. The amendment to the “Home/Hospital Program Form” will make the form more user friendly for school districts.

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

KRS 158.031 requires the KBE to establish a process for the early entry of students into the primary program. The proposed regulation amends that process to remove KDE from the approval process while maintaining the overall process but lessening the administrative burden on school districts.

KRS 158.033 requires the KBE to promulgate administrative regulations establishing the components of home or hospital instruction.

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

KDE has determined that the regulatory requirement that the department approve a district’s determination that enrollment of an underage student into or advancement in the primary program is not necessary. Rather, districts will follow the same process in deciding whether early enrollment is appropriate for a student. KDE will review those determinations during attendance audits.

In addition, changes to the “Home/Hospital Program Form” are only cosmetic but will make the form easier to use for school districts.

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

School districts and the Kentucky Department of Education.

(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 districts will no longer have to get KDE approval when a district determines an underage student is eligible for enrollment into or advancement in the primary education program.

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

There is no expected additional cost to school districts or KDE in implementing this amendment.

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

School districts will no longer have to obtain KDE approval when the district determines an underage student is suitable for enrollment into or advancement in the primary education program. This will lessen the administrative burden on the district while maintaining the appropriate level of scrutiny of such decisions.

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

(a) Initially:

Costs are expected to be minimal.

(b) On a continuing basis:

Ongoing costs are expected to be minimal.

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

administrative regulation:

General 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:

There will be no increase in fees and no additional funding is necessary.

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

No fees are established or indirectly impacted.

(9) TIERING: Is tiering applied? **(Explain why or why not)**

Tiering is not applied. The regulation applies uniformly to all school districts.

FISCAL NOTE

702 KAR 7:125

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

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?

Local school districts and the Kentucky Department of Education.

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

The amendment is limited to the section 6 of the administrative regulation related to the enrollment of underage students into or advancement in the primary education program per KRS 158.031.

(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) 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?

The proposed amendment is not expected to generate 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?

The proposed amendment is not expected to generate revenue.

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

Unknown. The proposed amendment seeks to remove an approval step from an existing process. All other aspects of the process will remain the same.

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

Unknown. The proposed amendment seeks to remove an approval step from an existing process. All other aspects of the process will remain the same.

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

The proposed amendment seeks to lessen the administrative burden on school districts in removing the required approval by KDE for the early entrance or advancement of underage students in the primary education program. The amount of savings across school districts due to the reduced administrative burden is unknown.

(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?

The amount of savings across school districts is unknown.

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

The amount of savings across school districts is unknown.

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

No new costs are expected.

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

No new costs are expected.

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

Cost Savings (+/-):

Expenditures (+/-):

Other Explanation:

The proposed amendment seeks to lessen the administrative burden on school districts in removing the required approval by KDE for the early entrance or advancement of underage students in the primary education program. The amount of savings across school districts due to the reduced administrative burden is unknown.

(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)]*

The proposed amendment is not expected to have a major economic impact to the department or to local school districts.

## SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

1) List a summary of each item amended in the material incorporated by reference. [KRS 13A.224-13A.2261]

2) Continue listing items until summary is complete.

3) Include total number of pages incorporated.

“The Home/Hospital Program Form” July 2023, is a one page form for the recording of attendance for students receiving home or hospital instruction pursuant to KRS 158.033 and 702 KAR 7:150. The changes to the “The Home/Hospital Program Form”, October 2019, only impact the layout to make the form more user friendly. There are no substantive changes.