

## KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

**Topic:** Amendments to 780 KAR 3:035

**Date:** April 2024

**Action Requested:**  Review  Action/Consent  Action/Discussion

**Held In:**  Full Board  State Schools  United We Learn

### SUMMARY OF ISSUE BEFORE THE BOARD:

To take action on proposed amendments to 780 KAR 3:035, Employee Evaluations

### COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends approval of the proposed amendments to the administrative regulation as it is essential for compliance with Kentucky revised statutes and to accurately reflect the role of the Kentucky Department of Education (KDE) in the administration of the state-operated area technology centers (ATCs) and the evaluations of the employees within those centers since the Office of Career and Technical Education became an office under the KDE.

### APPLICABLE STATUTE OR REGULATION:

156.808(3)(j), KRS 156.828, KRS 156.557

### BACKGROUND:

*Existing Policy:*

Pursuant to KRS 156.808, the Kentucky Board of Education shall promulgate, by administrative regulations, procedures for evaluations of all certified and equivalent staff within the state operated ATCs. The Commissioner of Education is required to adopt evaluation procedures for certified employees. This administrative regulation establishes the requirements for employee evaluations for certified and equivalent employees working in the Office of Career and Technical Education (OCTE).

*Summary of Issue:*

The current version of this administrative regulation aligns with the operation of the state-operated area technology centers prior to the OCTE transfer from the Workforce Development Cabinet to the KDE. The proposed amendments align with the current evaluative practices in the ATCs and with applicable KY Tech policies and procedures, which specifies that evaluations of administrators and instructors be conducted in accordance with the Kentucky Tech Certified Evaluation plan. The proposed amendments to this regulation further reinforce applicable statutes and regulations by adding that they shall be conducted in accordance with KRS 156.557 and the requirements of the Kentucky framework for personnel evaluations as set forth by the Education Professional Standards Board.

*Budget Impact:*

The proposed amendments to 780 KAR 3:030 have no fiscal impact on state funds.

**GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:**

Leadership within the KDE OCTE reviewed and approved the proposed amendments, as well as the KDE Office of Legal Services (OLS).

The proposed amendments will also be reviewed by the Local Superintendents Advisory Council (LSAC) at its March 2024 meeting.

**CONTACT PERSON(S):**

Beth Hargis, Associate Commissioner  
Office of Career and Technical Education  
Email: beth.hargis2@education.ky.gov  
(502) 564-4286, ext. 4233

*Robin Fields Kinney*  
**Commissioner of Education**

Category: <input type="checkbox"/> Educator Workforce Diversity <input type="checkbox"/> Portrait of a Graduate Partnerships <input type="checkbox"/> Racial Equity Commitment <input type="checkbox"/> Student-Centered Accountability System <input type="checkbox"/> Early Childhood <input checked="" type="checkbox"/> District Support
---