

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: Amendments to 780 KAR 3:120

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 3:120, Appeals and hearings.

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) since the Office of Career and Technical Education (OCTE) became an office under the KDE.

APPLICABLE STATUTE OR REGULATION:

KRS 156.808, 156.830

BACKGROUND:

Existing Policy:

Pursuant to KRS 156.808, the Kentucky Board of Education shall promulgate, by administrative regulations the process governing for all full-time and part-time unclassified employees, certified and equivalent staff, including administrative, teaching, and supervisory staff in the OCTE central office and ATCs.

Summary of Issue:

The current version of this administrative regulation aligns with the operation of the state-operated area technology centers prior to the Office of Career and Technical Education (OCTE) transfer from the Workforce Development Cabinet to the KDE. This amendment will update the existing regulation to conform to the statutes and will clarify the specific governing body over policies and procedures relating to the appeals system for employees of the OCTE.

Budget Impact:

The proposed amendments to 780 KAR 3:120 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):

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Robin Fields Kinsey
Commissioner of Education

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