

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: 704 KAR 3:550, New Regulation: Minimum Qualifications for Paraprofessionals

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 the promulgation of a new regulation establishing minimum requirements for paraprofessionals pursuant to KRS 161.044.

COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends approval of the proposed new regulation, 704 KAR 3:550, Minimum requirements for paraprofessionals.

APPLICABLE STATUTE OR REGULATION:

KRS 161.044

BACKGROUND:

Existing Policy:

KRS 161.044 requires the Kentucky Board of Education (KBE) to promulgate an administrative regulation governing the qualifications of teachers' aides in the common schools.

The Kentucky Department of Education (KDE) has existing policies related to the qualifications of paraprofessionals. KRS 161.011 defines a "classified employee" and requires the KDE to maintain "job classifications and minimum qualifications for local districts classified employment positions." These minimum requirements can be found in KDE's "Classified Staff Job Codes and Descriptions" document, which is not a regulation. This document outlines a variety of different paraprofessional roles and establishes criteria for each of them individually.

The Elementary and Secondary Education Act of 1965, and its successors, also includes minimum requirements for paraprofessionals working in schools that receive funding under Title I of the act. These requirements were last updated under the No Child Left Behind Act (NCLB) and carried over into the Every Student Succeeds Act (ESSA). These rules are already in place in schools receiving Title I.

Summary of Issue:

This new regulation seeks to comply with that requirement by codifying existing KDE policy into a regulation. Effort has been taken to ensure that the minimum requirements outlined in this regulation do not exceed the minimum requirements in federal law or state law and do not change the existing qualifications of paraprofessionals found in KDE's policy documents.

This regulation defines “paraprofessional”, establishes the minimum criteria for paraprofessionals in all schools, establishes the minimum criteria for paraprofessionals in schools that receive Title I funding, establishes local areas of flexibility, and establishes standards for the KDE’s paraprofessional exam.

Budget Impact:

There is no budgetary impact on the KDE or on local education agencies.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

This proposed regulation was reviewed by the Local Superintendents Advisory Council at their March 26, 2024, meeting.

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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
