

1 EDUCATION AND LABOR CABINET

2 Kentucky Board of Education

3 Department of Education

4 (Repealer)

5 704 KAR 3:313. Repeal of 704 KAR 3:303.

6 RELATES TO: KRS 156.070, 156.160, 158.645, 158.6451, 158.6453, 160.290

7 STATUTORY AUTHORITY: KRS 156.070, 156.160, 158.6453, 160.290

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160 requires the Kentucky Board of

9 Education to establish courses of study for the different grades and kinds of common schools, with the

10 courses of study to comply with the expected goals, outcomes, and assessment strategies developed

11 under KRS 158.645, 158.6451, and 158.6453. KRS 158.6453 requires the revision of academic content

12 standards. KRS 156.070(1) requires the Kentucky Board of Education to manage and control the

13 common schools and all programs operated in the schools. KRS 160.290 authorizes local boards of

14 education to provide for courses and other services for students consistent with the administrative

15 regulations of the Kentucky Board of Education. This administrative regulation repeals the required

16 academic standards, which contain the general courses of study and academic content standards for use

17 in Kentucky's common schools. This repeal is necessary as the content standards have been incorporated

18 in administrative regulations in 704 KAR Chapter 8. This repeal is necessary to change the remaining

19 required academic standards for visual and performing arts and relocate them to a new regulation in 704

20 KAR Chapter 8.

21 Section 1. 704 KAR 3:303, Required academic standards, is hereby repealed.

1 (18 Ky.R. 3558; eff. 8-1-1992; Am. 19 Ky.R. 2493; eff. 7-1-1993; 24 Ky.R. 1941; 2401; 2681; eff. 6-15-
2 1998; 32 Ky.R. 2153; 33 Ky.R. 137; eff. 8-7-2006; 37 Ky.R. 1050; eff. 2-4-2011; 40 Ky.R. 136; 809; eff.
3 11-1-2013; 42 Ky.R. 104; eff. 9-14-2015; 45 Ky.R. 1412; eff. 3-8-2019; 45 Ky.R. 2987, 3410; eff. 7-5-
4 2019; 46 Ky.R. 1629; eff. 5-5-2020; 47 Ky.R. 571; eff. 3-2-2021; 49 Ky.R. 1521; eff. 7-5-2023.)

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).

APPROVED:

Robin Fields Kinney
Interim Commissioner of Education

Date

Sharon Porter Robinson, Ed.D., Chairperson
Kentucky Board of Education

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this proposed administrative regulation shall be held 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 five 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 XXXX. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

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 3:313

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 administrative regulation repeals 704 KAR 3:303, Required academic standards, as the required academic standards for all content areas are now provided under 704 KAR Chapter 8.

(b) The necessity of this administrative regulation: The repeal of 704 KAR 3:303 is necessary as the content standards that were once incorporated have been established under 704 KAR Chapter 8. This repeal is necessary to change the remaining required academic standards for visual and performing arts and relocate them to a new regulation, 704 KAR 8:130.

(c) How this administrative regulation conforms to the content of the authorizing statute: 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 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 repeals 704 KAR 3:303 as the required academic standards have been incorporated into other administrative regulations under 704 KAR Chapter 8.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: The repeal of 704 KAR 3:303 is necessary as the document incorporated by reference is no longer needed due to the content area standards being established in separate regulations under 704 KAR Chapter 8.

(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: Not applicable.

(b) The necessity of the amendment to this administrative regulation: Not applicable.

(c) How the amendment conforms to the content of the authorizing statute: Not applicable.

(d) How the amendment will assist in the effective administration of the statutes: Not applicable.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Local school 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 (3) will have to take to comply with this administrative regulation or amendment: The repeal of 704 KAR 3:303 does not require action of the entities identified.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): No cost is associated with the repeal of 704 KAR 3:303.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): This is a repeal of 704 KAR 3:303. Regulated entities can access each content area under 704 KAR Chapter 8 and will no longer need to reference 704 KAR 3:303.

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

(a) Initially: No cost associated with the repeal of this administrative regulation.

(b) On a continuing basis: No cost associated with the repeal of this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: This is a repeal of 704 KAR 3:303.

(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 funding is not necessary for the repeal of 704 KAR 3:303.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: The repeal of this administrative 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 appropriate as the repeal of 704 KAR 3:303 applies equally to all schools and districts.

FISCAL IMPACT STATEMENT

704 KAR 3:313

Contact Person: Todd G. Allen

Phone: 502-564-4474

Email: todd.allen@education.ky.gov

(1) Identify each state statute, 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 158.6453 requires the revision of academic content standards. 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.

(2) Identify the promulgating agency and any other affected state units, parts, or divisions: Kentucky Board of Education is the promulgating agency. Kentucky Department of Education will provide guidance to local school districts as needed.

(a) Estimate the following for the first year:

Expenditures: No expenditures associated with the repeal of 704 KAR 3:303.

Revenues: No revenue.

Cost Savings: The repeal of 704 KAR 3:303 will not generate cost savings in the first year.

(b) How will expenditures, revenues, or cost savings differ in subsequent years? The repeal of 704 KAR 3:303 will not create expenditures, revenues, or cost savings in subsequent years.

(3) Identify affected local entities (for example: cities, counties, fire departments, school districts): Local schools and districts.

(a) Estimate the following for the first year:

Expenditures: No expenditures associated with the repeal of 704 KAR 3:303.

Revenues: No revenue associated with the repeal of 704 KAR 3:303.

Cost Savings: No cost savings associated with the repeal of 704 KAR 3:303.

(b) How will expenditures, revenues, or cost savings differ in subsequent years? There are no expenditures, revenues, or cost savings in subsequent years.

(4) Identify additional regulated entities not listed in questions (2) or (3): No additional regulated entities.

(a) Estimate the following for the first year:

Expenditures: Not applicable as no additional regulated entities have been identified.

Revenues: Not applicable as no additional regulated entities have been identified.

Cost Savings: Not applicable as no additional regulated entities have been identified.

(b) How will expenditures, revenues, or cost savings differ in subsequent years?
Not applicable as no additional regulated entities have been identified.

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation: There is no fiscal impact associated with the repeal of 704 KAR 3:303.

(b) Methodology and resources used to determine the fiscal impact: This is a repeal of 704 KAR 3:303. The required academic standards are provided under 704 KAR Chapter 8. A new regulation, 704 KAR 8:130, is being simultaneously promulgated for the academic standards for visual and performing arts.

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate) The repeal of 704 KAR 3:303 does not have an overall negative or adverse major economic impact.

(b) The methodology and resources used to reach this conclusion: This is a repeal of 704 KAR 3:303. The required academic standards are provided under 704 KAR Chapter 8. A new regulation, 704 KAR 8:130, is being simultaneously promulgated for the academic standards for visual and performing arts.