

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: Amendments to 704 KAR 3:305, Minimum requirements for high school graduation

Date: August 2024

Action Requested: Review Action/Consent Action/Discussion

Held In: Full Board State Schools United We Learn

SUMMARY OF ISSUE BEFORE THE BOARD:

The issue before the board is to take action on proposed amendments to 704 KAR 3:305, minimum requirements for high school graduation. Regulatory amendments are required to conform to HB 535 (2024), which modified the civics requirement for high school graduation provided under KRS 158.141.

Additional technical amendments have been made throughout the regulation to remove outdated language, improve readability, provide greater clarity, and conform to regulatory drafting requirements provided under KRS Chapter 13A, including the addition of the Early Graduation Program (EGP) intent form as a material incorporated by reference as provided under KRS 158.142(2).

COMMISSIONER'S RECOMMENDATION:

The commissioner recommends the board adopt proposed amendments to 704 KAR 3:305, minimum requirements for high school graduation for approval.

APPLICABLE STATUTE OR REGULATION:

KRS 156.160, KRS 158.141, KRS 158.1411 and KRS 158.142

BACKGROUND:

Existing Policy:

KRS 156.160 requires the Kentucky Board of Education (KBE) to promulgate administrative regulations relating to the courses of study for the different grades and the minimum requirements for high school graduation. 704 KAR 3:305 outlines the minimum requirements for high school graduation in Kentucky. The content standards for the courses of study are established in the Kentucky academic standards provided in 704 KAR 3:303 and 704 KAR Chapter 8. KRS 158.142(3) requires the KBE to promulgate administrative regulations establishing requirements for early graduation from high school. Students must meet both the requirements provided in regulation, in addition to locally established requirements, in order to be awarded a high school diploma by the local school district.

Summary of Issue:

The amendments to 704 KAR 3:305 serve three purposes.

First, the amendments conform to HB 535 (2024) which modifies the requirements for high school graduation as it relates to civics, as established under KRS 158.141 to require, beginning with students entering grade 9 in the 2025-2026 academic year, a one-half credit course in civic literacy or a civics test composed of 100 questions drawn from those that are set forth within the civics test administered by the United States Citizenship and Immigration Services to persons seeking to become naturalized citizens.

HB 535 (2024) provides districts with the authority to choose between requiring the half-credit civics course or to continue administering the civics test. Districts that choose to utilize the civics test must administer the test under modified conditions. While students may still take the test as many times as needed, the passing score has increased from 60% to 70% and students are no longer allowed to use instructional aids during the test.

Second, the amendments conform to drafting requirements provided under KAR Chapter 13A by incorporating by reference the intent form required for students participating in the Early Graduation Program (EGP) pursuant to KRS 158.142(2).

Third, the amendments provide clean-up language needed throughout the regulation for clarity and consistency.

Budget Impact:

The Kentucky Department of Education (KDE) has staffing, materials and resources in place to support schools and districts in implementing the proposed amendments to 704 KAR 3:305. Therefore, the Office of Teaching and Learning (OTL) does not anticipate additional costs to the KDE.

Should a local district choose to implement the one-half credit option for civics, staffing adjustments may be needed depending on the size, needs, and course options in place at the school. However, local districts are not required to offer the half-credit option. Districts that continue using the civics test will not have increased costs.

There is no budgetary impact as a result of the addition of the EGP intent form as a material incorporated by reference.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

The regulation will be heard by the School Curriculum, Assessment, and Accountability Council (SCAAC) at its July 16, 2024, meeting.

The Local Superintendents Advisory Council (LSAC) will hear the proposed amendments to the regulation at its July 30, 2024, meeting. A summary of the feedback received by the council will be provided to the KBE prior to its August 2024 meeting.

CONTACT PERSON(S):

Dr. Thomas Tucker, Deputy Commissioner
Office of Teaching and Learning
Email: Thomas.woods-tucker@education.ky.gov
(502) 564-2106

Micki Ray, Chief Academic Officer
Office of Teaching and Learning
Email: Micki.ray@education.ky.gov
(502) 564-9850

Sarah Peace, Policy Advisor
Office of Teaching and Learning
Email: Sarah.peace@education.ky.gov
(502) 892-6550



Commissioner of Education

Category: Educator Workforce Diversity Portrait of a Graduate Partnerships Racial Equity
Commitment Student-Centered Accountability System Early Childhood District Support