

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: Amendment to 704 KAR 3:535, Full-time enrolled online, virtual and remote learning programs.

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:

To take action to approve amendments to administrative regulation 704 KAR 3:535, Full-time enrolled online, virtual and remote learning programs.

COMMISSIONER'S RECOMMENDATION:

The Commissioner of Education recommends approval of amendments to 704 KAR 3:535, Full-time enrolled online, virtual and remote learning programs.

APPLICABLE STATUTE OR REGULATION:

KRS 156.070, 156.160, 158.070, 158.1413, 158.4416, 158.6451, 160.345, 160.380, 703 KAR 5:240, 704 KAR 3:535, 702 KAR 7:125

BACKGROUND:

Existing Policy:

KRS 156.070 authorizes the Kentucky Board of Education to have management and control of programs operated in the common schools.

704 KAR 3:535 establishes minimum requirements and the attendance-based funding model for the operation of full-time enrolled online, virtual and remote learning programs in school districts for grades K-12. This regulation works in conjunction with 702 KAR 7:125 providing the needed funding mechanism to implement the program standards. The amendments to this regulation also work in conjunction with 703 KAR 5:240, Accountability administrative procedures and guidelines.

Summary of Issue:

With collaboration and feedback from all offices of the KDE, the Office of Education Technology, Office of Teaching and Learning, Office of Assessment and Accountability have prepared suggested amendments to 704 KAR 3:535:

- To ensure students in these programs and through this specific funding mechanism are appropriately included in the accountability system,
- To provide clarifications around teachers and administrators of full-time enrolled online, virtual and remote learning programs,
- To provide a point of emphasis regarding the adoption and annual review of policies and procedures regarding periodic monitoring by the district, and
- To make technical corrections.

Budget Impact:

Approval of the suggested amendments to this administrative regulation has no expected, additional budget impact on KDE or local school districts.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

The amendments to 704 KAR 3:535 were reviewed by the Local Superintendents Advisory Council (LSAC) and a presentation regarding the proposed regulation amendments is scheduled to go before the School Curriculum Assessment and Accountability Council (SCAAC) prior to the August 2024 regular KBE meeting.

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Commissioner of Education

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