

## KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

**Topic:** Amended Regulation: 704 KAR 3:365, Complaint procedures for programs under the Elementary and Secondary Education Act of 1965.

**Date:** October, 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 proposed amendments to 704 KAR 3:365, Complaint procedures for programs under the Elementary and Secondary Education Act of 1965.

### COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends that the Kentucky Board of Education (KBE) adopt the amendments to 704 KAR 3:365, Complaint procedures for programs under the Elementary and Secondary Education Act of 1965.

### APPLICABLE STATUTE OR REGULATION:

KRS 165.010, 156.035, 20 U.S.C. 6320, 20 U.S.C. 7844. 20 U.S.C. 7883

### BACKGROUND:

#### *Existing Policy:*

The Elementary and Secondary Education Act of 1965 and its successors require the Kentucky Department of Education to adopt written procedures for the receipt and resolution of complaints alleging violations of law in the administration of programs under the ESEA.

#### *Summary of Issue:*

704 KAR 3:365 is being amended to conform with changes to federal regulation. The amendment provides greater clarity on the required elements of complaints and determination reports.

#### *Budget Impact:*

This regulation has no budget implications for the KDE, KBE, or local education agencies.

### GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

The regulation will go before the Local Superintendents Advisory Council (LSAC) at its September 24, 2024 meeting.

### CONTACT PERSON(S):

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**Commissioner of Education**

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