

## KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

**Topic:** Certification of 701 KAR 5:130, Drug Testing of Teachers Involved in Illegal Use of Controlled Substances

**Date:** March 2025

**Action Requested:**  Review  Action/Consent  Action/Discussion

**Held In:**  Full Board  State Schools  United We Learn

### SUMMARY OF ISSUE BEFORE THE BOARD:

To certify administrative regulation 701 KAR 5:130, Drug Testing of Teachers Involved in Illegal Use of Controlled Substances, to avoid expiration.

### COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends certification of 701 KAR 5:130, Drug Testing of Teachers Involved in Illegal Use of Controlled Substances, to avoid expiration.

### APPLICABLE STATUTE OR REGULATION:

KRS 161.175

### BACKGROUND:

#### *Existing Policy:*

KRS 161.175 requires the Kentucky Board of Education to promulgate an administrative regulation related to drug testing as a condition of retaining employment for certified employees determined to have engaged in misconduct involving the illegal use of controlled substances. 701 KAR 5:130 satisfies this requirement.

#### *Summary of Issue:*

Staff reviewed 701 KAR 5:130 in its entirety and determined the regulation should be certified to remain effective.

#### *Budget Impact:*

None.

### GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

Counsel for the Kentucky School Boards Association (KSBA) was consulted regarding any potential amendments to 701 KAR 5:130.

### CONTACT PERSON(S):

Todd G. Allen  
Office of Legal Services

Email: [todd.allen@education.ky.gov](mailto:todd.allen@education.ky.gov)  
(502) 564-4474



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**Commissioner of Education**

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
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