

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Information Item:

16 KAR 1:020. Professional Code of Ethics for Kentucky School Certified Personnel, Amendment

Rationale:

The proposed amendment is necessary to provide additional clarity and improve efficiency in the Education Professional Standards Board's (EPSB) processes relating to educator cases and appeals within the new statutory updates resulting from House Bill 300 of the 2024 Legislative Session.

Applicable Statute or Regulation:

KRS 161.028, KRS 161.120, KRS 161.175(2), KRS 218A.010, KRS 13B

History/Background:

Existing Policy: KRS 161.028(1)(l) charges the EPSB with developing a professional code of ethics. 16 KAR 1:020 is the regulation that sets the standards for the conduct for Kentucky school certified personnel.

Summary: The proposed amendments to 16 KAR 1:020 include changes to the existing language to comply with the requirements of HB 300 as well as to the formatting and order of sections. A definition section was added to clarify used terms. Additional language was added to provide transparency for the standards regarding sexual contact or sexually related behavior with students as well as non-school approved communication applications used for student communications. In addition, the proposed amendment adds a section regarding correspondence or the failure to respond to the EPSB in a timely manner to ensure staff have the ability to comply with the statutory deadlines set forth in HB 300. A copy of the proposed amendment is included for EPSB review.

Budget Impact: Additional staff are needed to comply with the updated timelines. The registers for a Staff Attorney II and Administrative Assistant III have been issued.

Contact Person:

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