

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: Certification of 704 KAR 3:490, Teachers' Professional Growth Fund

Date: June 4-5, 2025

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 recertification of 704 KAR 3:490, Teachers' Professional Growth Fund.

COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends approval of the recertification of 704 KAR 3:490, Teachers' Professional Growth Fund.

APPLICABLE STATUTE OR REGULATION:

KRS 13A.3102, KRS 13A.3104, KRS 156.553

BACKGROUND:

Existing Policy:

KRS 156.553(6) authorizes the Kentucky Board of Education (KBE) to promulgate an administrative regulation for administration of a Teachers' Professional Growth Fund. This administrative regulation establishes the application and approval process for receipt of funds, the requirements and process for distribution of funds, and the number and kind of approved programs and courses for which applicants may receive funds.

Per KRS 13A.3102(1), "[a]n ordinary administrative regulation with a last effective date on or after March 1, 2013, shall expire seven (7) years after its last effective date, except as provided by the certification process in KRS 13A.3104."

Summary of Issue:

To avoid expiration, KRS 13A.3104(1)(a) requires the KBE to review the regulation in its entirety for compliance with current law governing the subject matter of the administrative regulation. Upon review of 704 KAR 3:490, no amendments were identified. The KBE must approve the recertification of the regulation to avoid expiration.

Budget Impact:

The proposed recertification has no fiscal impact on state funds as the statute governing the regulation has remained unfunded.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

The OTL consulted with the Office of Legal Services (OLS) on the certification of 704 KAR 3:490 as required pursuant to KRS Chapter 13A.

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Commissioner of Education

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