

KENTUCKY DEPARTMENT OF EDUCATION (KDE) STAFF NOTE

Topic: Amendment to 702 KAR 3:220, Guidelines for waiver of school fees

Date: April 2026

Action Requested: Review Action/Consent Action/Discussion

Held In: Full Board State Schools United We Learn

SYNOPSIS OF WHAT YOU WILL BE SHARING:

To act on the proposed amendment to 702 KAR 3:220, Guidelines for waiver of school fees.

COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends the Kentucky Board of Education (KBE) approve the proposed amendments to 702 KAR 3:220.

APPLICABLE STATUTE OR REGULATION:

KRS 156.160 and KRS 160.330

BACKGROUND:

Existing Policy:

KRS 156.160 authorizes the Kentucky Board of Education to promulgate administrative regulations establishing standards which school districts shall meet in student, program, service, and operational performance. KRS 160.330 provides that local school districts shall establish, pursuant to Kentucky Board of Education administrative regulations, a process to waive fees for qualifying students and a procedure for notice of such. This administrative regulation provides guidelines for the waiver of school fees by local districts.

Summary of Issue:

The proposed regulation amendment updates the statutory authority and changes the reference from the State Board for Elementary and Secondary to the Kentucky Board of Education. The proposed amendment also defines "student attendance day" and adds language regarding Income Eligibility Guidelines and participation in the Community Eligibility Provision of the National School Lunch or School Breakfast Program to provide that a student enrolled in a school district that participates in the Community Eligibility Provision is not automatically eligible for the waiver of fees and must be determined eligible under the applicable Income Eligibility Guidelines established by the United States Department of Agriculture. In addition, the proposed amendment updates language regarding providing notice to students of the fee waiver process, deletes language regarding school districts using a form to request the waiver, deletes requirements regarding school districts having to maintain records, updates language regarding fees that must be waived, and updates language to require school districts to meet with students and their parents or guardians if a fee waiver is denied.

Budget Impact:

There will be minimal cost to the Kentucky Department of Education to implement this administrative regulation.

Groups Consulted and a Brief Summary of Responses:

This item will be presented for review by the Local Superintendents Advisory Council on March 31, 2026.

CONTACT PERSON(S):

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Commissioner of Education

GOALS/PRIORITIES: Indicate all applicable options.

<input type="checkbox"/>	Foster Educational Innovation Through Vibrant Learning Experiences
<input type="checkbox"/>	Advance Educational Excellence Through Continuous Professional Improvement
<input type="checkbox"/>	Cultivate Collaborative Partnerships
<input type="checkbox"/>	Legislation
<input checked="" type="checkbox"/>	Commissioner's Management