

1 EDUCATION AND LABOR CABINET

2 Kentucky Board of Education

3 Department of Education

4 (Amendment)

5 780 KAR 2:040. Live work projects.

6 RELATES TO: KRS 156.802(3)

7 STATUTORY AUTHORITY: KRS 156.802(3), 156.852

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.802(3) authorizes the

9 Kentucky Department of Education to have responsibility for all administrative functions

10 of the state in relation to the management, control, and operation of state-operated

11 secondary area vocational education and technology centers. KRS 156.852 authorizes

12 the Kentucky Board of Education to promulgate administrative regulations to implement

13 career and technical education in Kentucky. This administrative regulation establishes

14 the procedures for accepting live work projects in a Kentucky TECH facility.

15 Section 1. Definitions. (1) "Kentucky TECH" means the system of state-operated

16 secondary career and technical education programs in area technology centers.

17 (2) "Live work" means a project, which meets a curriculum requirement, completed for

18 an individual or organization.

19 Section 2. A Kentucky TECH school may accept live work projects if the administrative

20 and instructional staff[s] deem them appropriate for training purposes.

1 Section 3. A Kentucky TECH school that accepts live work shall adhere to the
2 requirements established in this section.(1) All services performed shall be documented
3 on a completed Work Order - Agreement form. (2) The school administrator shall be
4 responsible for all unused Work Order - Agreement forms and assigning and recording
5 all services performed in a work order log.

6 (3) An individual or organization requesting live work shall be provided a copy of the
7 school's policy for accepting and performing live work. A person committing live work
8 shall sign the Work Order - Agreement form indicating that he or she understands the
9 policies and agrees with them.

10 (4) A live Work Order - Agreement form shall be approved and initialed by the school
11 administrator and by the instructor of the class. Live work shall not be approved for an
12 instructor in his or her program for his or her own personal use.

13 (5) If a live work project requires more than one (1) hour of labor, the individual or
14 organization requesting the live work shall pay the fee established in 780 KAR 2:140,
15 Section 8.

16 (6) (a) Except as provided in paragraph (b) of this subsection, a person or organizations
17 for whom live work is accepted shall purchase the necessary materials for the job to be
18 completed.

19 (b) With the permission of the person or organization, the school may purchase the
20 materials and recover the costs of the materials plus twenty (20) percent for handling.[:]

21 (7) A payment shall not be handled by an instructor. Live work orders shall not be
22 released until payment for parts, supplies, and other cost items have [~~has~~] been made
23 and documented by authorized personnel in the school.

(8) Students and instructors ~~[Projects of a family member or other individual]~~ shall not
sign the work order agreement to accept a live work project ~~[be accepted in the name of~~
~~a student or the instructor]~~ on behalf of a family member or other individual.

(9) A school employee or student shall not:

(a) Guarantee or be liable for live work; or

(b) Be responsible for the theft or loss of an article related to the live work left in a
school.

Section 4. A Kentucky TECH school shall not be obligated to accept live work projects. A
Kentucky TECH school shall not perform live work of a production nature and in
competition with business or industry or for the purpose of making a profit.

Section 5. Incorporation by Reference. (1) "Work Order - Agreement form,"¹ October
2026 ~~[August 2019]~~, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright
law, at the Kentucky Department of Education, 300 Sower Boulevard, 5th Floor,
Frankfort, Kentucky 40601, Monday through Friday, 8 to 4:30 p.m.

(17 Ky.R. 717; eff. 10-14-1990; 22 Ky.R. 357; 724; eff. 10-5-1995; 26 Ky.R. 2319; 27
Ky.R. 961; eff. 10-16-2000; 35 Ky.R. 1854; 2223; eff. 5-1-2009; Crt eff. 7-1-2019; 46
Ky.R. 1630, 2279; eff. 5-5-2020.

This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Board of Education, as required by KRS 156.070(5).

(Date)

Dr. Robbie Fletcher
Commissioner of Education

(Date)

Dr. Lu Young, Chair
Kentucky Board of Education

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on {Month ##, 2026}, at {time}, in the State Board Room, Fifth Floor, 300 Sower Boulevard, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through {Month ##, 2026}. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Todd G. Allen, General Counsel, Kentucky Department of Education, 200 Sower Boulevard, 5th Floor, Frankfort, Kentucky 40601, phone 502-564-4474, fax 502-564-9321, email regcomments@education.ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

780 KAR 2:040

Contact Person: Todd Allen

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Subject Headings: Education, Education: Career and Technical Education, Education: Secondary

(1) Provide a brief summary of:

(a) What this administrative regulation does: KRS 156.802(3) authorizes the Kentucky Department of Education to have responsibility for all administrative functions of the state in relation to the management, control, and operation of state-operated secondary area vocational education and technology centers. This administrative regulation establishes the procedures for accepting live work projects in a Kentucky TECH facility.

(b) The necessity of this administrative regulation: This administrative is necessary to establish the procedures for accepting live work projects in a Kentucky TECH facility.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 156.802(3) authorizes the Kentucky Department of Education to have responsibility for all administrative functions of the state in relation to the management, control, and operation of state-operated secondary area vocational education and technology centers.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: KRS 156.802(3) authorizes the Kentucky Department of Education to have responsibility for all administrative functions of the state in relation to the management, control, and operation of state-operated secondary area vocational education and technology centers. This administrative is necessary to establish the procedures for accepting live work projects in a Kentucky TECH facility.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: Technical amendments for clarity and technical amendments to the Work Order - Agreement form incorporated by reference.

(b) The necessity of the amendment to this administrative regulation: The primary purpose of this amendment is technical in nature for clarity.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 156.802(3) authorizes the Kentucky Department of Education to have responsibility for all administrative functions of the state in relation to the management, control, and operation of state-operated secondary area vocational education and technology centers. KRS 156.852 authorizes the Kentucky Board of Education to promulgate administrative regulations to implement career and technical education in Kentucky.

(d) How the amendment will assist in the effective administration of the statutes: KRS 156.802(3) authorizes the Kentucky Department of Education to have responsibility for all administrative functions of the state in relation to the management, control, and operation of state-operated secondary area vocational education and technology centers. This administrative regulation establishes the procedures for accepting live work projects in a Kentucky TECH facility.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: State-operated area technology center students and instructors, and persons or organizations utilizing live work service.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: Students and teachers are required to obtain and individuals or organizations that are seeking live work are required to complete a completed Work Order – Agreement form before engaging in the live work project.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): No anticipated cost for teachers or students. Individuals or organizations seeking the live work will be required to cover the cost of materials, plus 20% if reimbursing the school for materials. If a project takes longer than 1 hour, a fee applies as established in 780 KAR 2:140, Section 8.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): Students will be able to engage in application of knowledge and skills. Individuals or organizations seeking live work will receive a service and will provide students with an opportunity to apply their knowledge and skills.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: No anticipated cost

(b) On a continuing basis: No anticipated cost

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: No anticipated cost

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No anticipated cost

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: A fee will apply to individuals or organizations who receive the live work in the cost of materials, plus 20% if reimbursing an area technology center, and a fee if the live work project takes longer than one hour.

(10) TIERING: Is tiering applied? Tiering was not appropriate as this administrative regulation applies equally.

FISCAL IMPACT STATEMENT

780 KAR 2:040

Contact Person: Todd Allen

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Email: todd.allen@education.ky.gov

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation: KRS 156.802(3) authorizes the Kentucky Department of Education to have responsibility for all administrative functions of the state in relation to the management, control, and operation of state-operated secondary area vocational education and technology centers. This administrative regulation establishes the procedures for accepting live work projects in a Kentucky TECH facility.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: KRS 156.802(3) authorizes the Kentucky Department of Education to have responsibility for all administrative functions of the state in relation to the management, control, and operation of state-operated secondary area vocational education and technology centers. This administrative regulation establishes the procedures for accepting live work projects in a Kentucky TECH facility.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions: Kentucky Department of Education, Office of Career and Technical Education, state-operated area technology centers

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures: No anticipated expenditures

For the first year: No anticipated expenditures

For subsequent years: No anticipated expenditures

2. Revenues:

For the first year: Unknown. Dependent upon how many projects are conducted and the time each takes to complete.

For subsequent years: Unknown. Dependent upon how many projects are conducted and the time each takes to complete.

3. Cost Savings:

For the first year: No anticipated cost savings

For subsequent years: No anticipated cost savings

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): State-operated area technology centers

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year: No anticipated expenditures

For subsequent years: No anticipated expenditures

2. Revenues:

For the first year: Unknown. Dependent upon how many projects are conducted and the time each takes to complete.

For subsequent years: Unknown. Dependent upon how many projects are conducted and the time each takes to complete.

3. Cost Savings:

For the first year: No anticipated cost savings

For subsequent years: No anticipated cost savings

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a): No additional regulated entities.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year: No expenditures

For subsequent years: No expenditures

2. Revenues:

For the first year: No revenues

For subsequent years: No revenues

3. Cost Savings:

For the first year: No cost savings

For subsequent years: No cost savings

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation: State-operated area technology centers will be able to provide a service at no cost to the center and may generate funds of \$15 per 780 KAR 2:140, Section 8, if the service takes more than 1 hour to complete.

(b) Methodology and resources used to reach this conclusion: 780 KAR 2:140 Section 8 provides, "A fifteen (15) dollar fee shall be charged for each live work project requiring more than one (1) hour labor and accepted by the school in accordance with 780 KAR 2:040."

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14): No major economic impact anticipated on state and local regulated entities.

(b) The methodology and resources used to reach this conclusion: This administrative regulation establishes the procedures for accepting live work projects in a Kentucky TECH facility and does not have a major economic impact on state and local regulated entities.