

1 EDUCATION AND LABOR CABINET

2 Kentucky Board of Education

3 Department of Education

4 (Amendment)

5 780 KAR 2:060. Discipline of students.

6 RELATES TO: KRS 156.802(3), 158.150, 158.444

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 technology centers. KRS 156.852 authorizes the Kentucky Board of

12 Education to promulgate administrative regulations to implement career and technical

13 education in Kentucky. KRS 158.150 establishes the grounds and procedures for

14 discipline from the state's common schools. This administrative regulation establishes

15 the procedure for the suspension and expulsion of students from Kentucky TECH

16 schools for disciplinary reasons following the grounds and procedures established in

17 KRS 158.150 for the common schools.

18 Section 1. Definition. "Kentucky TECH" means the system of state-operated secondary

19 career and technical education programs in the area technology centers.

Section 2. Teachers and administrators employed in or assigned to work in a Kentucky TECH school shall be responsible for the supervision and discipline of students during the time the students are in attendance at a Kentucky TECH facility.

Section 3. All students shall comply with the policies of the Kentucky TECH school in which they are enrolled. Students engaging in actions outlined in KRS 158.150 constitute cause for disciplinary suspension or expulsion. Pursuant to KRS 158.150, students shall be provided due process preceding a suspension except as provided for in Section 4(2) of this administrative regulation.~~[The following actions, subject to due process requirements set forth in KAR Title 707, shall constitute cause for disciplinary suspension or expulsion:~~

- ~~(1) Willful disobedience or defiance of the authority of a teacher or administrator;~~
- ~~(2) Assault, battery, or abuse of another student or school personnel;~~
- ~~(3) Threat of force or violence;~~
- ~~(4) Use or possession of illicit drugs or alcohol;~~
- ~~(5) Stealing, destroying, or defacing school or personal property;~~
- ~~(6) Possessing or using a dangerous weapon or instrument; or~~
- ~~(7) Other incorrigible conduct on school property or at school-sponsored activities.]~~

Section 4. (1) Except as provided in subsection (2) of this section, any secondary student subject to disciplinary action shall be referred by the school administrator of a Kentucky TECH school to the principal of the sending school in which the student is enrolled, where pursuant to KRS 158.444, the incident must be recorded within the student information system.

(2) The Kentucky TECH school administrator or his or her designee shall have the authority to immediately suspend secondary students from the Kentucky TECH center without action by the sending school, to:

(a) Protect persons or property; or

(b) Avoid disruption of the ongoing academic programs.

(3) The Kentucky TECH school administrator shall submit in writing to the principal of the sending high school the reason for disciplinary action and recommend any further action.

(4) The principal of the sending high school shall respond to the Kentucky TECH school administrator as to the action to be taken.

(5) The due process procedures outlined in KRS 158.150~~(6)~~~~(5)~~ shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.

Section 5. A secondary student who is suspended from a participating local high school or expelled from a participating local school district shall be suspended or expelled from the Kentucky TECH school in which the student is enrolled.

(17 Ky.R. 719; eff. 10-14-1990; 20 Ky.R. 1694; eff. 2-2-1994; 22 Ky.R. 358; 725; eff. 10-5-1995; 26 Ky.R. 2320; 27 Ky.R. 962; eff. 10-16-2000; 35 Ky.R. 1894; 2223; eff. 5-1-2009; Crt eff. 7-1-2019; 46 Ky.R. 1632, 2481, 2640; eff. 6-30-2020.

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 2:060

Contact Person: Todd Allen

Phone: 502-564-4474

Email: todd.allen@education.ky.gov

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

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the procedure for the suspension and expulsion of students from Kentucky TECH schools for disciplinary reasons following the grounds and procedures established in KRS 158.150 for the common schools.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to establish the procedure for the suspension and expulsion of students from Kentucky TECH schools for disciplinary reasons following the grounds and procedures established in KRS 158.150 for the common schools.

(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 technology centers. KRS 156.852 authorizes the Kentucky Board of Education to promulgate administrative regulations to implement career and technical education in Kentucky. KRS 158.150 establishes the grounds and procedures for student discipline in the state's common schools.

(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 technology centers. KRS 156.852 authorizes the Kentucky Board of Education to promulgate administrative regulations to implement career and technical education in Kentucky. KRS 158.150 establishes the grounds and procedures for discipline from the state's common schools. This administrative regulation establishes the procedure for the suspension and expulsion of students from Kentucky TECH schools for disciplinary reasons following the grounds and procedures established in KRS 158.150 for the common schools.

(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: The amendment removes the list of actions that constitute cause for disciplinary action that are already listed in KRS 158.150 and includes language referring to the statute. The amendment also clarifies which section in KRS 158.150 provides the due process procedure for students.

(b) The necessity of the amendment to this administrative regulation: The amendment removes duplicative language already in KRS 158.150 and identifies the proper section of KRS 158.150 for due process.

(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 technology centers. KRS 156.852 authorizes the Kentucky Board of Education to promulgate administrative regulations to implement career and technical education in Kentucky. KRS 158.150 establishes the grounds and procedures for student discipline from the state's common schools.

(d) How the amendment will assist in the effective administration of the statutes: This administrative regulation establishes the procedure for the suspension and expulsion of students from Kentucky TECH schools for disciplinary reasons following the grounds and procedures established in KRS 158.150 for the common schools.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? KRS 158.150 was amended with RS26 SB 101.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: students attending area technology centers, area technology center teachers and administrators, home high school principals.

(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: The amendment does not change the actions constituting cause for disciplinary action or expulsion, rather it removes the language from the regulation and points to the actions already provided for in KRS 158.150. Additionally, Senate Bill 101 from the 2026 legislative session amended KRS 158.150 to include bus stops as a location students shall not unlawfully possess a weapon.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): No additional costs anticipated for any of the entities listed in question (4).

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): Students attending area technology centers, area technology center teachers and administrators, and home high school principals' benefit from the amendments to 780 KAR 2:060 as it added clarifying language which directs the reader to the statute for information regarding actions constituting cause for student disciplinary action or expulsion and directs the reader to the appropriate section of KRS 158.150 relating to due process.

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

(a) Initially: None anticipated.

(b) On a continuing basis: None anticipated.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: N/A

(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 increase in fees or funding anticipated.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation does not establish or increase any fees.

(10) TIERING: Is tiering applied? Tiering was not applied as this administrative regulation applies to all area technology centers equally.

FISCAL IMPACT STATEMENT

780 KAR 2:060

Contact Person: Todd Allen

Phone: 502-564-4474

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), KRS 156.852, KRS 158.150

(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 technology centers. KRS 156.852 authorizes the Kentucky Board of Education to promulgate administrative regulations to implement career and technical education in Kentucky. KRS 158.150 establishes the grounds and procedures for discipline from the state's common schools.

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

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

1. Expenditures: None anticipated

For the first year: None anticipated

For subsequent years: None anticipated

2. Revenues:

For the first year: None anticipated

For subsequent years: None anticipated

3. Cost Savings:

For the first year: None anticipated

For subsequent years: None anticipated

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): local school districts

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

1. Expenditures:

For the first year: None anticipated

For subsequent years: None anticipated

2. Revenues:

For the first year: None anticipated

For subsequent years: None anticipated

3. Cost Savings:

For the first year: None anticipated

For subsequent years: None anticipated

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a): None

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

1. Expenditures:

For the first year: Not applicable

For subsequent years: Not applicable

2. Revenues:

For the first year: Not applicable

For subsequent years: Not applicable

3. Cost Savings:

For the first year: Not applicable

For subsequent years: Not applicable

(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: No anticipated fiscal impact

(b) Methodology and resources used to reach this conclusion: This administrative regulation establishes the procedure for the suspension and expulsion of students from Kentucky TECH schools for disciplinary reasons following the grounds and procedures established in KRS 158.150 for the common schools. No expenditures, revenues, or cost savings are associated with this administrative regulation.

(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 or local regulated entities.

(b) The methodology and resources used to reach this conclusion: This administrative regulation establishes the procedure for the suspension and expulsion of students from Kentucky TECH schools for disciplinary reasons following the grounds and procedures established in KRS 158.150 for the common schools.