FILED WITH LRC
TIME: NOON
AUG 12 2016
Donna Little
REGULATIONS COMPILER

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Department of Education

4 (Repealer)

5 702 KAR 3:171. Repeal of 702 KAR 3:170.

6 RELATES TO: KRS 156.031, 156.074, 168.100

7 STATUTORY AUTHORITY: KRS 156.070, 156.160

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.074 gives the Kentucky Board of
9 Education the general authority, through the Finance and Administration Cabinet, to secure state
10 price contracts for supplies and equipment to be purchased by district boards of education; and
11 KRS 168.100 gives the Kentucky Authority for Educational Television the specific authority to
12 prescribe standards for television receiving units to be used in the public schools. 702 KAR 3:170
13 established the terms and means by which school districts could purchase television receivers,
14 stands, and related equipment. This administrative regulation repeals 702 KAR 3:170, Educational
15 television equipment purchases, because there is no longer a need to establish statewide minimum
16 specifications for educational television receivers and stands. Further, state price contracts are not
17 utilized by local school districts for the purchase of educational television receivers, stands, or
18 related equipment.

19 Section 1. 702 KAR 3:170, Educational television equipment purchases, is hereby repealed.

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).

8/12/16
(Date)

Stephen L. Pruitt, Ph.D.
Commissioner of Education

8-12-16
(Date)

William Twyman, Chairperson
Kentucky Board of Education

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this proposed administrative regulation shall be held on September 28, 2016, at 10 a.m. in the State Board Room, 5th Floor, 300 Building, Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this meeting shall notify this agency in writing five working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. 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 September 30, 2016. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to:

CONTACT PERSON: Kevin C. Brown, Associate Commissioner and General Counsel, Kentucky Department of Education, 500 Mero Street, First Floor, Capital Plaza Tower, Frankfort, Kentucky, 40601, phone 502-564-4474, fax 502-564-9321, email kevin.brown@education.ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Administrative Regulation: 702 KAR 3:171

Agency Contact Person: Kevin C. Brown, 502-564-4474, kevin.brown@education.ky.gov

(1) Provide a brief summary of:
(a) What this administrative regulation does: Repeals administrative regulation 702 KAR 3:170, which required the creation of statewide minimum specifications for the purchase of educational televisions, stands, and related equipment by school districts.

(b) The necessity of this administrative regulation: This regulation will repeal the antiquated requirement that the Kentucky Board of Education (KBE), in conjunction with the Kentucky Authority for Education Television (KET), create minimum specifications for the purchase of educational televisions and stands. KRS 168.100 permits KET to prescribe standards for the purchase of televisions and stands. Neither KET nor KBE currently prescribe television equipment standards for local school district purchase.

(c) How this administrative regulation conforms to the content of the authorizing statute: The administrative regulation conforms to the authority given to the agency in KRS 156.060 and KRS 156.070.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation would repeal the outdated and disused regulation requiring the establishment of minimum specifications for the purchase of televisions and stands.

(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: Not Applicable.

(b) The necessity of the amendment to this administrative regulation: Not Applicable.

(c) How the amendment conforms to the content of the authorizing statute: Not Applicable.

(d) How the amendment will assist in the effective administration of the statutes: Not Applicable.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Local school districts, Kentucky Authority for Educational Television, and the agency.

(4) Provide an analysis of how the entities identified in question (3) 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 (3) will have to take to comply with this administrative regulation or amendment: No actions are required, because there are currently no minimum television and stand purchase requirements.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): No cost is associated with the repeal of this administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The repeal of this administrative regulation will cleanup and modernize the agency's regulations. The existing administrative regulation is outdated and does not reflect the current realities of school technology purchases.

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

(a) Initially: No cost

(b) On a continuing basis: No cost

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

(7) 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: N/A

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: N/A

(9) TIERING: Is tiering applied? (Explain why or why not) Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all schools and districts.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 702 KAR 3:171
Contact Person: Kevin C. Brown kevin.brown@education.ky.gov
Phone number: 502-564-4474

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? This regulation will repeal the regulation requiring the establishment of minimum specifications for the purchase of televisions and stands by local school districts. It will impact local districts, the Kentucky Department of Education and the Kentucky Authority for Educational Television (Authority). KRS 168.100 permits the Authority to establish minimum specifications. However, the Authority no longer prescribes minimum specifications. 702 KAR 3:170 was promulgated in 1975 and last updated in 1990. The regulation no longer reflects the current realities of school television purchases.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 156.060 and KRS 156.070.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. No effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? No revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? No revenue.

(c) How much will it cost to administer this program for the first year? The program is being repealed- there will be no cost associated with the repeal.

(d) How much will it cost to administer this program for subsequent years? The program is being repealed- there will be no cost associated with the repeal.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): N/A
Expenditures (+/-):N/A
Other Explanation: N/A