



KENTUCKY DEPARTMENT OF EDUCATION ADVISORY GROUP TOPIC SUMMARY

ADVISORY GROUP: Local Superintendents Advisory Council (LSAC)

MEETING DATE: January 28, 2020

Agenda Item: Amendment to 701 KAR 8:020, Evaluation of Charter School Authorizers
(*First Reading*)

Presenter: Whitney Crowe

Summary of Discussion:

The presenter shared proposed amendments to 701 KAR 8:020, which are primarily located in Section 3(4) and amend the training requirements for charter school authorizers, which currently are the 172 local boards of education in Kentucky. The proposed amendments are intended to alleviate hardships on school districts and local board of education members as well as to align with the KBE's budget and policy priorities for the 2020 Regular Session of the Kentucky General Assembly.

Members thanked the presenter for this proposed changes and shared no concerns or otherwise offered feedback on the amended regulation.

Action Taken: None.

Follow-up Required: None.

Agenda Item: 780 KAR 1:011, Repeal of 780 KAR 1:010, Kentucky State Plan for Career and Technical Education (*First Reading*)

Presenters: David Horseman, Karla Tipton and Kiley Whitaker

Summary of Discussion:

KDE OCTEST Associate Commissioner presented an overview of the regulation proposed for repeal and provided the relevant justifications. No questions were brought forth by committee on this agenda item.

Action Taken:

N/A – This item is a review item and it will have a second reading at the April LSAC and Kentucky Board of Education (KBE) meetings.

Follow-up Required: N/A

Agenda Item: 702 KAR 1:180, School Security Risk Assessment Tool (*First Reading*)

Presenters: Whitney Crowe (OCIS), Donna Duncan (OFO), Jon Akers (KCSS), and Ben Wilcox (DOCJT)

Summary of Discussion:

The presenters shared 702 KAR 1:180, which complies with KRS 158.443(9) requiring the board of directors for the KCSS “approve a school security risk assessment tool and updates as necessary in accordance with KRS 158.4410 to be incorporated by reference within an administrative regulation promulgated in accordance with KRS Chapter 13A.” This regulation is promulgated by the Kentucky Board of Education in accordance with KRS 158.442 and 158.444.

Superintendent Tilford from Lyon County expressed concerns about components of the tool that, in his opinion, were not required by Senate Bill 1 (2019). He specifically noted concerns about portions referencing metal detectors and backpack screenings, but he requested the assessment be comprehensively re-evaluated for strict compliance with the School Safety and Resiliency Act of 2019. Marshal Wilcox reinforced that, from his perspective, every portion of the tool is necessary and that the tool had been drafted in a way that distinguishes between required components and “current trends” in school safety.

Several superintendents expressed an interest in having a central repository where costs associated with complying with safety requirements as well as moving towards meeting expectations on best/current practices could be tracked and readily accessed. KDE staff noted that the Marshal’s Office would not be well situated to know, when conducting the assessment tool for compliance purposes, how much a noted compliance issue could cost the district to rectify. For example, noting that not all classroom doors have locks is very different from knowing what the cost to the district is to install said locks. In response to questions about existing KDE tools (e.g. KFICS), KDE staff indicated KDE did not currently have the capacity to collect this type of data and, instead, looked at current facilities projections rather than future needs. Mr. Akers noted a survey conducted by KSBA in 2019, which had 25% response rates, and expressed a willingness to conduct a new survey, if needed.

Action Taken: None; however, KDE staff asked Marshal Wilcox and Mr. Akers to consider the feedback received related to the tool, which the KBE is putting into reg but which is developed by DOCJT and adopted by KCSS.

Follow-up Required: None; however, KDE staff asked Marshal Wilcox and Mr. Akers to continue to collaborate with KDE and keep the lines of communication open as the regulation progressed through the process. This was a step the legislature felt necessary for the tool, and we should all be committed to honoring the regulatory process, which allows for stakeholder feedback.

Agenda Item: 702 KAR 6:046, Repeal of 702 KAR 6:045, Personnel; School Nutrition Employee Qualifications (*First Reading*)

Presenter: Lauren Moore

Summary of Discussion:

An explanation of the necessity for the repeal of 702 KAR 6:046 was provided as follows:

KRS 156.160 authorizes the Kentucky Board of Education (KBE) to promulgate administrative regulations deemed necessary or advisable for the protection of the physical welfare and safety of public school children. Pursuant to that grant of authority, the KBE promulgated 702 KAR 6:045 establishing training requirements for school district nutrition employees. Subsequently, the federal government enacted 7 CFR 210.31 which created a different training regime for entities participating in federal nutrition programs. Both training requirements are in addition to local health department food training, safety and inspection rules.

Under current law, the food service staff for school district's participating in federal child nutrition programs are subject to local, state and federal training requirements. These training requirements are duplicative and burdensome. Repeal of the state rules would alleviate some of the administrative burden on school districts while preserving the safety of school nutrition programs. School district nutrition employees would remain subject to the federal annual hourly training requirements in areas such as: nutrition, operations, administration, communications and marketing, management, human resources and staff training, and facilities and equipment planning. Additionally, districts and employees would remain subject to local health department training requisites and periodic inspections.

Action Taken: None.

Follow-up Required: None.

Agenda Item: 702 KAR 6:040, Personnel Policies and Procedures (*First Reading*)

Presenter: Lauren Moore

Summary of Discussion:

An explanation of the required amendment of 702 KAR 6:040 was provided as follows: the proposed amendment to 702 KAR 6:040 is a companion to the repeal of 702 KAR 6:045. KDE's Office of Finance and Operations, Division of School and Community Nutrition is seeking the repeal of 702 KAR 6:045 which sets forth state training requirements for school nutrition personnel. The repeal will alleviate unnecessary and duplicative training requirements for school nutrition employees. District food employees are still subject to federal rules and local health department requirements. 702 KAR 6:040 states, "Each school district shall employ school nutrition personnel in a procedure consistent with KRS 160.380 and 702 KAR 6:045." Because KDE is repealing 702 KAR 6:045 it is necessary to amend 702 KAR 6:040 to strike the reference to the regulation being repealed.

Action Taken: None.

Follow-up Required: None.

Agenda Item: Approval of the Strengthening Career and Technical Education for the 21st Century Act (Perkins V) State Plan

Presenters: David Horseman and Kiley Whitaker

Summary of Discussion:

KDE OCTEST Associate Commissioner David Horseman and KDE Assistant Director Kiley Whitaker presented on the draft plan. Specifics of the presentation focused on the development process, the stakeholders involved, highlights of the state's draft plan and the timeline for final approval. Associate Commissioner Horseman highlighted recent feedback received from the field regarding the program quality indicators for secondary programs and he discussed some potential amendments to the plan that were being proposed to remedy the concerns.

The only question received from LSAC members dealt with the definition of program "scope", which includes work-based learning as an indicator. The question from related to virtual internships and whether such student experiences would be considered acceptable under the current definition. Associate Commissioner Horseman explained that internships were already addressed in Kentucky's Work-Based Learning Manual and that virtual internships were an acceptable and innovative solution to work-based learning, particularly in rural areas of the state.

Action Taken:

A motion was made and approved to support the draft plan.

Follow-up Required:

N/A