



KENTUCKY DEPARTMENT OF EDUCATION  
Local Superintendent's Advisory Council (LSAC)  
Summary

November 28, 2023

**MEMBERS PRESENT:** Chair Robbie Fletcher, Vice-Chair David Raleigh, Kirk Biggerstaff, Mike Borchers, Harry Burchett, Thom Cochran, David Cox, Will Hodges, Sheila Mitchell, Karen Solise and Russ Tiflond.

**Agenda Item:** To act on proposed amendments to Kentucky Tech Policy 09.224, Emergency Medical Treatment.

**Presenters:** Beth Hargis, Associate Commissioner

**Summary of Discussion:** Hargis provided an overview of the proposed revisions which include that an Area Technology Center (ATC) may maintain an opioid antagonist for individuals who may be experiencing a life-threatening opioid overdose and epinephrine for students who may experience a life-threatening allergic reaction but have no written health plan. The amended policy directs these medications be administered following the protocols developed by the Kentucky Department of Public Health. Fletcher asked a clarifying question regarding how many staff members needed to be trained in administering the epinephrine medication. Cochran asked if the local district or the Office of Career and Technical Education would be training and who would pay for the medication. Hargis clarified that this policy states they “may” keep the medication in their buildings and not that they “shall” keep the medication on-site.

**Action Taken:** Fletcher asked for a motion to approve the proposed amendments to Kentucky Tech Policy 09.224, Emergency Medical Treatment. The motion was made by Burchett and seconded by Cochran. The motion passed unanimously by a roll call vote.

**Follow-up Required:** Following the Local Superintendents Advisory Council (LSAC) meeting with the Kentucky Department of Education's Interim Commissioner Robin Fields Kinney and staff, Fletcher presented approval of the proposed amendments to the members of the Kentucky Board of Education.

**Agenda Item:** Proposed Amendments to 704 KAR 3:095, The Use of a Response to Intervention in Kindergarten through Grade 3

**Presenters:** Chief Academic Officer Micki Ray and Policy Advisor Sarah Peace, Office of Teaching

and Learning

**Summary of Discussion:** LSAC members heard a discussion on proposed amendments to 704 KAR 3:3095, the Use of a Response to Intervention in Kindergarten through Grade 3. Regulatory amendments were needed due to the passage of Senate Bill 9 (2022), which amended KRS 158.305(2) to require the Kentucky Board of Education (KBE) to promulgate administrative regulation to further define a multi-tiered system of supports (MTSS) with varying levels of intensity and duration. As a result, 704 KAR 3:095 has been amended to remove language associated with response to intervention programs and incorporates new language for a district MTSS that includes a tiered continuum of instruction based on universal screening and diagnostic assessments to determine evidence-based instruction and intervention that best maximize academic and behavioral outcomes for students in grades K-12 in meeting the expectations provided under KRS 158.645 and 158.6451.

**Action Taken:** Fletcher asked for a motion to approve the proposed amendments. The LSAC members voted and unanimously approved the proposed new regulation 704 KAR 3:095.

**Follow-up Required:** Following the LSAC meeting with Kinney and KDE staff, Fletcher presented approval of the proposed amendments to the members of the Kentucky Board of Education.