

**SUGGESTED SUBSTITUTE - EAARS**

**EDUCATION AND WORKFORCE DEVELOPMENT CABINET  
Kentucky Board of Education  
Department of Education**

**703 KAR 5:070. Procedures for the inclusion of special populations in the state-required assessment and accountability programs.**

RELATES TO: KRS 158.6451, 158.6453, 158.6455, **Pub. L. 114-95**

STATUTORY AUTHORITY: KRS 156.029, 156.070, 158.6453, 158.6455

NECESSITY, FUNCTION, AND CONFORMITY: KRS 158.6453 requires the Kentucky Board of Education to create and implement a statewide assessment program that measures the achievement of students, schools, and districts;~~it~~ complies with the federal Every Student Succeeds Act of 2015, Pub. L. ~~114-95~~; and ensures accountability. KRS 158.6455 **requires**~~provides~~ the Kentucky Board of Education ~~[with the authority]~~ to promulgate administrative regulations to establish a system of determining successful schools and a system of rewards and assistance for certified staff in schools and districts. This administrative regulation establishes procedures for the inclusion of special student populations in the state-required assessment and accountability programs.

Section 1. **Kentucky public schools shall comply with Procedures for Inclusion of Special Populations in the State-Required Assessment and Accountability Programs when administering any state-required assessment.**

**Section 2.** Incorporation by Reference. (1) "Procedures for Inclusion of Special Populations in the State-Required Assessment and Accountability Programs", April 2021 ~~[December 2016]~~, is incorporated by reference.

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

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).

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