

EDUCATION AND LABOR CABINET
Kentucky Board of Education
Department of Education
(Amendment)

780 KAR 6:010. Classification plan.

RELATES TO: KRS ~~156.070~~, 156.808

STATUTORY AUTHORITY: KRS 156.808

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.808(1) requires the Kentucky Board of Education~~[executive director]~~ to promulgate administrative regulations to govern ~~[the classification plan for]~~ unclassified service in the Kentucky Department of Education Office of Career and Technical Education. This administrative regulation establishes the classification plan for unclassified staff in the Office of Career and Technical Education.

Section 1. General Provisions.

(1) The Kentucky Department of Education~~[executive director]~~ shall prepare and ~~approve~~~~[recommend through the Secretary of the Education and Labor Cabinet and to the Governor]~~ a classification plan for unclassified staff in the Office of Career and Technical Education~~[adoption]~~.

(2) The plan shall be based upon similarity of duties performed and responsibilities assumed so that the same qualifications and the same schedule of pay apply to all positions in the same class.

(3) Each position shall be allocated to its proper class in the classification plan.

(4) The classification plan shall include for each class of position an appropriate title, description of duties and responsibilities, and the required education, experience, and other qualifications.

Section 2. Interpretation of Class Specifications.

(1) Class specifications shall be descriptive, explanatory, and designed to indicate the kinds of positions to be allocated to the various job classifications as determined by their characteristics, duties, and responsibilities.

(2) Characteristics of a class shall be general statements indicating the level of responsibility and discretion of positions in that job classification.

(3) Examples of duties or responsibilities shall not be construed as describing what the duties or responsibilities of any position shall be and shall not limit the Office of Career and Technical Education Associate Commissioner's~~[executive director's]~~ ability to take, add to, or otherwise alter the duties and responsibilities of a position. The use of an individual expression or illustration as to duties or responsibilities shall not be regarded as excluding assignments of others not mentioned which are of similar kind or quality.

(4) Minimum requirements shall be comprehensive statements of the minimum background as to education, experience, and other qualifications which shall be required in all cases as evidence of an appointee's ability to perform the work properly.

Section 3. Official Copy of Class Specifications.

(1) The Kentucky Department of Education~~[Office of Career and Technical Education]~~ shall maintain a master set for all approved class specifications. These specifications shall constitute the official class specifications for the classification plan. The copies of the specification of each job classification shall indicate the date of adoption or the last revision of the specification.

(2) The Kentucky Department of Education~~[Office of Career and Technical Education]~~ shall provide class specifications for inspection to any employee or the public under

reasonable conditions during regular business hours.

Section 4. Title of Position.

(1) The title of the job classification to which a position has been allocated shall be used to designate that position in all payroll and other official records, documents, vouchers, and communications in connection with all personnel processes.

(2) An office title, abbreviation or code symbol may be used in lieu of the class title for purposes of internal administration or for any other purpose that does not involve personnel processes.

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).

ROBIN FIELDS KINNEY, Interim Commissioner of Education

SHARON PORTER ROBINSON, Chairperson

APPROVED BY AGENCY: April 15, 2024

FILED WITH LRC: April 15, 2024 at 11:15 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on June 26, 2024, at 10 a.m. Eastern Time, in the State Board Room, Fifth Floor, 300 Sower Boulevard, Frankfort, Kentucky 40601. Individuals interested in being heard at this meeting 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 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 want to submit written comments on the proposed administrative regulation. Written comments shall be accepted through June 30, 2024. 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, 300 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

Contact Person: Todd G. Allen

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes the classification plan for unclassified staff in the Kentucky Department of Education Office of Career and Technical Education.

(b) The necessity of this administrative regulation:

KRS 156.808(1) requires the Kentucky Board of Education to promulgate administrative regulations to govern the unclassified service in the in the Office of Career and Technical Education.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

This administrative regulation provides details regarding the process of establishing a classification plan for unclassified staff in the Office of Career and Technical Education required by KRS 156.808.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation establishes details regarding the process of establishing a classification plan for unclassified staff in the Office of Career and Technical Education.

(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 to this administrative regulation changes the existing administrative regulation to reflect the structure of the Office of Career and Technical Education within the Kentucky Department of Education as opposed to the Workforce Development Cabinet where the Office of Career and Technical Education previously existed.

(b) The necessity of the amendment to this administrative regulation:

The amendment to this administrative regulation is necessary to reflect the process of providing a classification plan for unclassified staff within the Office of Career and Technical Education through the Kentucky Department of Education Division of Resource Management to the commissioner of education.

(c) How the amendment conforms to the content of the authorizing statutes:

The amendment provides appropriate details regarding the process of establishing a classification plan for unclassified staff in the Office of Career and Technical Education.

(d) How the amendment will assist in the effective administration of the statutes:

The amendment will assist in the effective administration of the statutes by providing accurate details regarding the process of establishing a classification plan for unclassified staff in the Office of Career and Technical Education.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

The Kentucky Department of Education Office of Career and Technical Education will be affected by this administrative regulation.

(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:

There are no additional actions required of the regulated entities to comply with this amendment.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

There are no additional costs associated with complying with this administrative regulation amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

Compliance with this administrative regulation provides a fair and equitable system for establishing job classifications for the unclassified service pursuant to KRS 156.808.

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

(a) Initially:

(b) On a continuing basis:

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

State generated funds.

(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:

There is no increase in fees or funding to implement this administrative regulation.

(8) 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.

(9) TIERING: Is tiering applied?

Tiering was not appropriate in this administrative regulation because the administration regulation applies equally to all unclassified employees of the Office of Career and Technical Education.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 156.070, KRS 156.808

(2) Identify the promulgating agency and any other affected state units, parts, or divisions:

The Department of Education

(a) Estimate the following for the first year:

Expenditures:\$0.00

Revenues:\$0.00

Cost Savings:\$0.00

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

The amendment to this regulation does not result in any new expenditures, revenues, or cost savings.

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

Secondary state-operated area technology centers

(a) Estimate the following for the first year:

Expenditures:\$0.00

Revenues:\$0.00

Cost Savings:\$0.00

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

The amendment to this regulation does not result in any new expenditures, revenues, or cost savings.

(4) Identify additional regulated entities not listed in questions (2) or (3):

The amendment to this regulation does not impact any additional regulated entities.

(a) Estimate the following for the first year:

Expenditures:\$0.00

Revenues:\$0.00

Cost Savings:\$0.00

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

The amendment to this regulation does not result in any new expenditures, revenues, or cost savings.

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation:

The amendment to this regulation does not result in any new expenditures, revenues, or cost savings.

(b) Methodology and resources used to determine the fiscal impact:

The amendment to this regulation does not result in any new expenditures, revenues, or cost savings.

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate)

The amendment to this regulation will not have an overall negative or adverse economic impact on any identified entities.

(b) The methodology and resources used to reach this conclusion:

The amendment to this regulation will not have an overall negative or adverse economic impact on any identified entities.