

CHAPTER 151**(SB 57)**

AN ACT relating to reorganization.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 151B.025 is amended to read as follows:

- (1) The Department for Technical Education is hereby created and shall be attached to the Cabinet for Workforce Development. The department shall consist of a commissioner and those administrative bodies and employees provided or appointed pursuant to law.
- (2) The chief executive officer of the department shall be the commissioner of the Department for Technical Education. The commissioner shall be appointed to the unclassified service by the secretary of the Cabinet for Workforce Development with the approval of the Governor pursuant to KRS 12.050. The commissioner shall have general supervision and direction over all functions of the department and its employees, and shall be responsible for carrying out the programs and policies of the department. The commissioner may delegate authority to deputies who may then act on his or her behalf in performing the duties assigned in this subsection.
- (3) The department shall have the responsibility for all administrative functions of the state in relation to the management, control, and operation of state-operated secondary area vocational education and technology centers. When appropriate, the department shall provide education training programs through contracts with private business and industries. These programs may be on a shared cost basis or on a total cost recovery basis.
- (4) The commissioner of the Department for Technical Education shall have the authority to enter into agreements or contracts with other government or education agencies, including local school districts, in order to carry out services under the department's jurisdiction.
- (5) Secondary area vocational education and technology centers shall be operated in compliance with program standards established by the Kentucky Board of Education. Principals, counselors, and teaching staff shall meet the qualifications and certification standards for all secondary vocational personnel as established by the Educational Professional Standards Board. In addition to direct appropriations, funds appropriated to support the cost of operating area vocational education and technology centers shall be transferred annually from the secondary funds administered by the Kentucky Department of Education for that purpose.
- (6) The Department for Technical Education, in the operation and management of its schools and the programs at those schools, shall meet all required federal and state standards relating to facilities and personnel qualification; provided, however, that no license or license fee shall be required for any school or program operated by the Department for Technical Education.
- (7) ***In accordance with 20 U.S.C. sec. 2302(9), the Kentucky Workforce Investment Board is hereby designated to be the "eligible agency" that is the sole state agency responsible for the administration of vocational and technical education and the supervision of the administration of vocational and technical education.***~~The Department for Technical Education shall be the education agency solely designated for the purpose of developing and approving state plans required by state or federal laws and regulations as prerequisites to receiving federal funds for vocational technical or technology education. The department shall involve representatives from all eligible recipient categories in the development of the required plans.~~
- (8) ***Except for the duties that the Workforce Investment Board must retain pursuant to 20 U.S.C. sec. 2341, the Kentucky Workforce Investment Board shall be authorized to delegate all of the other duties and responsibilities of the eligible agency to the Department for Technical Education within the Education, Arts, and Humanities Cabinet, including but not limited to the administration, operation, and supervision of the Perkins program and the authority to receive, hold, and disburse funds awarded under the state plan.***
- (9) The department shall be permitted to enter into memorandums of agreement with individuals on a year to year basis to fill positions in hard-to-find teaching specialties. The agreements and compensation for hard-to-find teaching specialties shall be approved by the commissioner and shall not be subject to the provisions of KRS Chapter 45A. All agreements shall be filed with the secretary of the Finance and Administration Cabinet.

~~(10)(9)~~ The commissioner of the Department for Technical Education shall, from time to time, prepare or cause to be prepared any bulletins, programs, outlines of courses, placards, and courses of study deemed useful in the promotion of the interests of technical and vocational education.

~~(11)(10)~~ The commissioner of the department shall be responsible for the preparation of a biennial budget request, which shall be forwarded to the secretary of the Cabinet for Workforce Development for review and modification.

Section 2. The General Assembly confirms the Governor's Executive Order 2005-327 dated April 6, 2005.

Section 3. In order to reflect the reorganization effectuated by this Act, the reviser of statutes shall replace references in the Kentucky Revised Statutes to the agencies, subagencies, and officers affected by this Act with references to the appropriate successor agencies, subagencies, and officers. The reviser of statutes shall base these actions on the functions assigned to the new entities and may consult with officers of the affected agencies to accomplish this purpose.

Approved April 5, 2006.