Technical Amendment
November 10, 2022
EDUCATION AND LABOR CABINET
(Technical Amendment)

13 KAR 3:040. GED® Incentives Program.

RELATES TO: KRS 151B.402, 151B.408
STATUTORY AUTHORITY: KRS 151B.402
NECESSITY, FUNCTION, AND CONFORMITY: KRS 151B.402 requires the Office of Adult Education, in conjunction with the Education and Labor Cabinet, to promulgate administrative regulations for an incentive program provided to full-time employees who complete a High School Equivalency Diploma within one (1) year, and their employers. This administrative regulation prescribes the policies, activities, and procedures required for participants in this incentive program.

Section 1. Definitions.

(1) "GED® Diploma" means the High School Equivalency Diploma required by this administrative regulation.

(2) "Kentucky Adult Education" means the adult education program within the Office of Adult Education.

Section 2. Learning Contract Requirement. A learning contract between an eligible employee, the employer, and the Kentucky Adult Education instructor shall be developed, in accordance with KRS 151B.402(2)(a). The local adult education program shall:

(1) Ensure that a learning contract is fully completed and signed by the parties;

(2) Retain the original learning contract for a period of three (3) years after the employee's completion of the program;

(3) No later than ten (10) days after the final signature is obtained on the learning contract, submit a copy to:

(a) The employee;

(b) The employer; and

(c) Kentucky Adult Education.

Section 3. Attendance Reports. A local Kentucky Adult Education program official shall submit monthly attendance reports, to the Office of Adult Education and the employer, in compliance with KRS 151B.402(2)(b). The local Adult Education program shall:

(1) Use sign-in and sign-out sheets to verify the information reported on attendance reports;

(2) Retain copies of sign-in and sign-out sheets for three (3) years following the employee's completion of this program; and

(3) Provide copies of sign-in and sign-out sheets to Office of Adult Education staff upon request.

Section 4. Final Report.

(1) The local Adult Education program shall:

(a) Complete a final report, in compliance with KRS 151B.402(2)(c);

(b) Retain the original final report; and

(c) No later than ten (10) days after the final report is created, submit a copy of the final report to:

1. The employee;
2. The employer;
3. The Kentucky Revenue Cabinet; and
4. The Office of Adult Education.

(2) The employee shall provide the final report to a public postsecondary institution when applying for a tuition discount as provided in KRS 151B.402.

(3) The employer shall provide the final report to the Kentucky Revenue Cabinet when applying for a tax credit as provided in KRS 151B.402.

(27 Ky.R. 3471; Am. 28 Ky.R. 441; 628; eff. 9-5-2001; Recodified from 785 KAR 1:120; eff. 9-13-2013; 48 Ky.R. 846, 2016; eff. 4-5-2022; TAm eff. 11-10-2022.)

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