

Compiler's Note: TAM; email address updated while in process; 3-1-2023.

**EDUCATION AND LABOR CABINET**

**Kentucky Board of Education**

**Department of Education**

**(Amendment)**

**704 KAR 3:303. Required academic standards.**

RELATES TO: KRS 156.070, 156.160, ~~158.645~~, 158.6451, 158.6453, 160.290

STATUTORY AUTHORITY: KRS 156.070, 156.160, 158.6453, 160.290

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645, ~~and~~ 158.6451, and 158.6453. KRS 158.6453 requires the revision of academic content standards. KRS 156.070(1) requires the Kentucky Board of Education to manage and control the common schools and all programs operated in the schools. KRS 160.290 authorizes local boards of education to provide for courses and other services for students consistent with the administrative regulations of the Kentucky Board of Education. This administrative regulation incorporates by reference the required academic standards, which contain the general courses of study and academic content standards for use in Kentucky's common schools unless specifically incorporated in another administrative regulation in ~~File 704 KAR~~ Chapter 8.

Section 1. Before graduating from a Kentucky public high school, a student shall meet the minimum content requirements established in the required academic standards.

Section 2. Incorporation by Reference.

(1) The "Kentucky Academic Standards", ~~December 2022~~~~[August 2020]~~, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Division of Program Standards, Department of Education, 300 Sower Boulevard, 5th Floor, Frankfort, Monday through Friday, 8:00 a.m. through 4:30 p.m. ~~This material may be reviewed at: <https://education.ky.gov/districts/legal/Pages/Kentucky-Revised-Statutes.aspx>~~~~[https://education.ky.gov/curriculum/standards/kyacadstand/Documents/Kentucky\\_Academic\\_Standards\\_Arts\\_and\\_Humaniti](https://education.ky.gov/curriculum/standards/kyacadstand/Documents/Kentucky_Academic_Standards_Arts_and_Humaniti)~~  
(18 Ky.R. 3558; eff. 8-1-1992; Am. 19 Ky.R. 2493; eff. 7-1-1993; 24 Ky.R. 1941; 2401; 2681; eff. 6-15-1998; 32 Ky.R. 2153; 33 Ky.R. 137; eff. 8-7-2006; 37 Ky.R. 1050; eff. 2-4-2011; 40 Ky.R. 136; 809; eff. 11-1-2013; 42 Ky.R. 104; eff. 9-14-2015; 45 Ky.R. 1412; eff. 3-8-2019; 45 Ky.R. 2987, 3410; eff. 7-5-2019; 46 Ky.R. 1629; eff. 5-5-2020; 47 Ky.R. 571; eff. 3-2-2021; 49 Ky.R. 1521; eff. 7-5-2023.)

*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).*

*JASON GLASS, Ed.D., Commissioner of Education*

*LU S. YOUNG, Ed.D. Chairperson*

APPROVED BY AGENCY: December 13, 2022

FILED WITH LRC: December 14, 2022 at 12:25 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on February 22, 2023 at 10:00 a.m., in the State Board Room, Fifth Floor, 300 Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by 5 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 cancelled. 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 submit written comments on the proposed administrative regulation. Written comments shall be accepted through February 28, 2023. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to:

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 regulation establishes the minimum content standards for use in Kentucky's common schools.

**(b) The necessity of this administrative regulation:**

KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645, 158.6451, and 158.6453.

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

KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645, 158.6451, and 158.6453. KRS 158.6453 requires the revision of academic content standards. KRS 156.070(1) requires the Kentucky Board of Education to manage and control the common schools and all programs operated in the schools. KRS 160.290 authorizes local boards of education to provide for courses and other services for students consistent with the administrative regulations of the Kentucky Board of Education. This administrative regulation incorporates by reference the required academic standards, which contain the general courses of study and academic content standards for use in Kentucky's common schools unless specifically incorporated in another administrative regulation in Title 704, Chapter 8.

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

This administrative regulation incorporates by reference the Required Academic Standards, which contain the general courses of study and academic content standards for use in Kentucky's common schools. KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645, 158.6451, and 158.6453.

**(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:**

This regulation will amend the document incorporated by reference in 704 KAR 3:303 to remove the standards incorporated by reference in 704 KAR 8:120.

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

This regulation will amend the document incorporated by reference in 704 KAR 3:303 to remove the standards incorporated by reference in 704 KAR 8:120.

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

KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645, 158.6451 and 158.6453. KRS 156.070(1) requires the Kentucky Board of Education to manage and control the common schools and all programs operated in the schools. KRS 160.290 authorizes local boards of education to provide for courses and other services for students consistent with the administrative regulations of the Kentucky Board of Education.

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

This regulation will amend the document incorporated by reference in 704 KAR 3:303 to remove the standards incorporated by reference in 704 KAR 8:120. This will increase the efficiency of the review and revision process.

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

Local schools, districts and school councils.

**(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:**

This amendment will not require any additional action by local schools, districts, or school councils.

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

The changes to this administrative regulation will not result in any additional cost to local schools, districts, or school councils.

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

The compliance of public schools, school districts and school councils ensure that each student will be qualified for graduation as they will have met the minimum content requirements provided in 704 KAR 3:305. Graduation rates are used as part of each school's accountability model and are reported on each school's report card.

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

**(a) Initially:**

Minimal staff time at the Kentucky Department of Education will be required to implement this amendment.

**(b) On a continuing basis:**

Minimal staff time at the Kentucky Department of Education will be required to implement this amendment.

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

State 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:**

No increase in funding will be necessary to implement this amendment.

**(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:**

This regulation does not establish any fees or directly or indirectly increase fees.

**(9) TIERING: Is tiering applied?**

Tiering was not applied. This administrative regulation applies equally to all school districts.

## FISCAL NOTE

**(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?**

Kentucky Department of Education staff time will be impacted to revise the document incorporated by reference.

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

KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645, 158.6451 and 158.6453. KRS 156.070(1) requires the Kentucky Board of Education to manage and control the common schools and all programs operated in the schools. KRS 160.290 authorizes local boards of education to provide for courses and other services for students consistent with the administrative regulations of the Kentucky Board of Education.

**(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.**

This amendment will not have any impact on expenditure or revenue.

**(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?**

No revenue.

**(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?**

No revenue.

**(c) How much will it cost to administer this program for the first year?**

Minimal KDE staff time will be required to implement this amendment.

**(d) How much will it cost to administer this program for subsequent years?**

Minimal staff time at the Kentucky Department of Education will be required to implement this amendment.

**Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.**

**Revenues (+/-):**N/A

**Expenditures (+/-):**N/A

**Other Explanation:**

N/A

**(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.**

**(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?**

This administrative regulation does not generate cost savings.

**(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?**

This administrative regulation does not generate cost savings.

**(c) How much will it cost the regulated entities for the first year?**

Once curriculum documents are revised, implementation costs will decrease.

**(d) How much will it cost the regulated entities for subsequent years?**

Once curriculum documents are revised, implementation costs will decrease.

**Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.**

**Cost Savings (+/-):**N/A

**Expenditures (+/-):**The amendment to this regulation will not result in additional expenditures for the regulated entities.

**Other Explanation:**

N/A

**(5) Explain whether this administrative regulation will have a major economic impact, as defined below.**

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)]. This administrative regulation will not have a major economic impact as defined by KRS 13A.010(13).