

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

703 KAR 5:080. Administration Code for Kentucky's Educational Assessment Program.

RELATES TO: KRS 158.6453, 158.6455

STATUTORY AUTHORITY: KRS 156.070, 158.6453, 158.6455

NECESSITY, FUNCTION, AND CONFORMITY: KRS 158.6453 requires the Kentucky Board of Education to promulgate administrative regulations that minimize the number of days of testing and outline the procedures to be used during the testing process to ensure test security, including procedures for testing makeup days, and to comply with federal assessment requirements. This administrative regulation establishes an Administration Code for Kentucky's Educational Assessment Program for appropriate testing practices for state required tests.

Section 1. Incorporation by Reference.

(1) The "Administration Code for Kentucky's Educational Assessment Program", August 2024, is incorporated by reference.

(2) This document may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Education, Office of Assessment and Accountability, 5th Floor, 300 Sower Boulevard, Frankfort, Kentucky, Monday through Friday, 8 a.m. through 4:30 p.m. This material may be viewed at: https://www.education.ky.gov/AA/distsupp/Documents/703_KAR_5080.pdf.

(26 Ky.R. 667; eff. 11-1-1999; 35 Ky.R. 638; 2051; eff. 2-12-2009; 36 Ky.R. 159; 1024; eff. 9-14-2009; 40 Ky.R. 1439; 2186; eff. 5-2-2014; Cert eff. 10-23-2020; TAm eff. 3-8-2023; 51 Ky.R. 557; eff. 12-10-2024.)

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).

ROBBIE FLETCHER, Ed.D., Commissioner

SHARON PORTER ROBINSON, Chairperson

APPROVED BY AGENCY: August 8, 2024

FILED WITH LRC: August 9, 2024 at 3:05 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on October 23, 2024 at 10 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 five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. 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 October 31, 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.