

157.069 Distribution of general funds for locally operated secondary area technology centers and vocational departments -- Management and control of state-operated secondary vocational education and technology center by local board in certain fiscal years.

- (1) As used in this section:
 - (a) "Secondary area technology center" or "secondary area center" means a school facility dedicated to the primary purpose of offering five (5) or more technical preparation programs that lead to skill development focused on specific occupational areas. An area center may be called a "magnet technology center" or "career center" or may be assigned another working title by the parent agency. An area center may be either state or locally operated; and
 - (b) "Vocational department" means a portion of a school facility that has five (5) or more technical preparation programs that lead to skill development focused on specific occupational areas.
- (2)
 - (a) Except as described in subsection (5) of this section, the Kentucky Department of Education shall distribute all general funds designated for locally operated secondary area centers and vocational departments which received state supplemental funds in fiscal year 2020-2021 by a weighted formula specified in an administrative regulation promulgated by the Kentucky Board of Education. The formula shall take into account the differences in cost of operating specific programs. The commissioner of education shall determine programs to be assigned to categories based on the descriptions found in paragraphs (b) to (d) of this subsection. Programs in Categories III and II shall be eligible for funding.
 - (b) Category III--High-cost technical programs: Programs in which students develop highly technical skills in specific occupational areas and that require high-cost equipment, materials, and facilities. This category may include selected industrial technology Level III programs as defined by the Department of Education and programs in other occupational areas as deemed appropriate.
 - (c) Category II--Technical skill programs: Programs in which students develop technical skills focused in occupational areas and that require technical equipment but high-cost equipment, facilities, or materials are not necessary to operate the programs. This category may include selected industrial technology Level III programs as defined by the Department of Education and programs in other occupational areas as deemed appropriate.
 - (d) Category I--Orientation and career exploration programs: Programs that provide orientation and exploration of broad-based industries by giving students knowledge and experience regarding careers within these industries and develop some exploratory or hands-on skills used in the industry.
 - (e) Notwithstanding subsection (1)(a) and (b) of this section, the Department of Education shall approve the combining of eligible secondary vocational programs into a single vocational department for purposes of funding for a school district that has been receiving state supplemental funds and has

distributed its vocational programs, previously located in area centers, among magnet career academies.

- (3) For calculation purposes and after categorizing the programs as described in subsection (2) of this section, a weight shall be applied as a percentage of the base guarantee per pupil in average daily attendance as defined by KRS 157.320 under the Support Education Excellence in Kentucky Program, which shall be applied to full-time equivalent students in Categories II and III. Category I programs shall receive no weight. The full-time equivalent students shall be calculated on the basis of the total program enrollment multiplied by the length of the class period divided by six (6).
- (4)
 - (a) If a school district has a locally operated secondary area center that has been receiving state supplemental funds, and the district moves the center as part of a collaborative project agreement between two (2) or more school districts, then the Kentucky Department of Education may, subject to approval by the commissioner of education, distribute the general funds designated for the district's locally operated secondary area center to the district for the purpose of supporting the collaborative project for the district's full-time equivalent students in Category II and III programs.
 - (b) If the commissioner of education approves the distribution of funds under paragraph (a) of this subsection:
 1. For the first year of the collaborative project agreement, the department shall distribute an amount equal to the final allotted amount of general funds from the prior fiscal year designated for the district's locally operated secondary area center; and
 2. For any successive year of the collaborative project agreement, the department shall calculate the amount of general funds to distribute pursuant to subsections (2) and (3) of this section. The amount distributed shall not exceed the amount distributed under subparagraph 1. of this paragraph.
- (5) If a local board of education assumes authority for the management and control of a state-operated secondary vocational education and technology center for the 2020-2021, 2021-2022, or 2022-2023 academic year and notifies the Kentucky Department of Education of the planned transfer on or before December 31, 2021:
 - (a) For the first year under the management and control of the local board of education, the locally operated center shall receive funding in an amount equal to one hundred percent (100%) of the annual state general fund appropriation allocated to the center for on-site direct costs for the most recent fiscal year under state management and control, including any amount allocated directly to the local district for use of district-owned facilities;
 - (b) For each fiscal year thereafter, the center shall receive seventy-five percent (75%) of the amount allocated to it under paragraph (a) of this subsection;
 - (c) The remaining twenty-five percent (25%) of funds previously allocated to a center as described in paragraph (b) of this subsection shall annually be

allocated, in accordance with the formula described in subsection (2) of this section, to locally operated secondary area centers and vocational departments that did not receive state supplemental funds under subsection (2) of this section and were not otherwise appropriated funds by the General Assembly for the current fiscal year;

- (d) If no locally operated secondary area centers and vocational departments are eligible for funding under paragraph (c) of this subsection, the remaining twenty-five percent (25%) of funds shall be allocated, in accordance with the formula described in subsection (2) of this section, to all locally operated secondary area centers and vocational departments that received funds for the current fiscal year; and
- (e) Locally operated centers described in paragraph (a) or (b) of this subsection shall not receive additional funds under paragraph (d) of this subsection.

Effective: March 18, 2021

History: Amended 2021 Ky. Acts ch. 40, sec. 1, effective March 18, 2021. -- Amended 2019 Ky. Acts ch. 133, sec. 1, effective June 27, 2019. -- Amended 2013 Ky. Acts ch. 59, sec. 39, effective June 25, 2013. -- Amended 2006 Ky. Acts ch. 211, sec. 81, effective July 12, 2006. -- Created 2001 Ky. Acts ch. 123, sec. 5, effective June 21, 2001.

2020-2022 Budget Reference. See State/Executive Branch Budget, 2020 Ky. Acts ch. 92, Pt. I, C, 3, (8) at 871.

2020-2022 Budget Reference. See State/Executive Branch Budget, 2020 Ky. Acts ch. 92, Pt. I, C, 3, (13) at 872.

Legislative Research Commission Note (3/18/2021). Under the authority of KRS 7.136(1), the Reviser of Statutes has altered the format of the text and corresponding internal references in subsection (2) of this statute during codification. The words in the text were not changed.

Legislative Research Commission Note (3/18/2021). 2021 Ky. Acts ch. 40, sec. 3 provides: "Whereas Section 1(5) of this Act [subsection (5) of this statute] codifies previously non-codified actions of the General Assembly set forth in [2020] Ky. Acts ch. 92, Section 1(5) of this Act [subsection (5) of this statute] shall be retroactive to April 15, 2020."