

157.069 Definitions -- Distribution of general funds for converted career and technical education centers -- Career and technical education innovation and support fund -- Distribution of funds to state-operated area technology centers and locally operated career and technical education in certain fiscal years -- Oversight by the Office of Career and Technical Education -- Administrative regulations -- Publication of information on Kentucky Department of Education website.

(1) As used in this section:

- (a) "Administrative operations costs" means costs associated with the operations and staffing of a state-operated area technology center, including but not limited to personnel, facility costs, building utilities and maintenance, and custodial and office supplies;
- (b) "Approved career and technical education dual credit" means earning a grade of "C" or higher for a Kentucky Department of Education-approved career and technical education dual credit course equivalent to three (3) hours of college credit;
- (c) "Approved career and technical education pathway" means a four (4) course career and technical education pathway approved by the Kentucky Department of Education that provides a coherent, articulated sequence of rigorous academic and career-related courses within a career and technical education program area, and leads to an associate degree, an industry-recognized certificate or license, or a baccalaureate or higher degree;
- (d) "Concentrator" means a student who has earned at least two (2) credits for no less than two (2) courses in a single career and technical education pathway;
- (e) "Converted career and technical education center" means a center providing locally operated career and technical education for which a local district assumed authority from the state for the management and control of the center during the 2020-2021, 2021-2022, or 2022-2023 academic years;
- (f) "General-cost career and technical education program" means a career and technical education program or pathway in which high-cost technical equipment, materials, or facilities are not required;
- (g) "General-cost full-time equivalents" means the total number of secondary students enrolled in general-cost career and technical education programs, multiplied by the number of hours those students are enrolled, and divided by six (6) hours;
- (h) "High-cost career and technical education program" means a career and technical education program or pathway in which high-cost equipment, materials, or facilities are required;
- (i) "Locally operated career and technical education" means a district program that provides secondary students with one (1) or more approved career and technical education pathways;
- (j) "State-operated area technology center" means a state-operated secondary school facility with the primary purpose of offering approved career and technical education pathways;

- (k) "Supplemental funding" or "supplemental funds" means moneys appropriated by the General Assembly to support qualifying locally operated career and technical education centers and programs and state-operated area technology centers and programs based on enrollment and incentive criteria;
 - (l) "Technical skill attainment" means earning an industry-recognized certification, licensure, or credential as identified by the Kentucky Workforce Innovation Board pursuant to KRS 158.6455(1)(e) or passing an end-of-program assessment for articulated postsecondary credit as designated by the Kentucky Department of Education Office of Career and Technical Education;
 - (m) "Weighted high-cost full-time equivalents" means the total number of secondary students enrolled in high-cost career and technical education programs, multiplied by the number of credit hours in which those students are enrolled, divided by six (6) hours, and multiplied by one and one-half (1.5); and
 - (n) "Work-based learning program" means a cooperative education program, internship, or registered apprenticeship within the student's chosen approved career and technical education pathway.
- (2) The Kentucky Department of Education shall provide funds from the department's annual general fund appropriation to support the administrative operations costs of state-operated area technology centers and converted career and technical education centers.
- (3) For converted career and technical education centers, beginning with fiscal year 2024-2025, the Kentucky Department of Education shall deduct from funds designated for the state-operated area technology centers an amount equal to the administrative operations costs of each converted career and technical education center in the amount received by the center in the most recent fiscal year that the center was under state management and control. The funds for each converted career and technical education center shall be divided as follows:
- (a) Seventy-five percent (75%) of the funds shall be sent to the local district that has assumed management and control of the center; and
 - (b) Twenty-five percent (25%) of the funds shall be sent to the career and technical education innovation and support fund established in subsection (4) of this section.
- (4) (a) There is hereby established in the State Treasury a restricted fund to be known as the career and technical education innovation and support fund to receive the funds allocated under subsection (3)(b) of this section. The fund shall consist of moneys received from state appropriations, gifts, grants, and federal funds. The fund shall be administered by the Office of Career and Technical Education. Amounts deposited in the fund shall be used for:
- 1. Supporting innovation in new or emerging career fields;
 - 2. Supporting state-operated area technology centers that may experience hardship or natural disasters;
 - 3. Personnel costs to provide technical assistance to local districts

providing locally operated career and technical education, including technical assistance relating to the monitoring and oversight on the use of supplemental career and technical education funding; and

4. Any other purposes reasonably related to improving student outcomes in career and technical education.
- (b) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal year shall not lapse but shall be carried forward into the next fiscal year.
- (5) Beginning with the 2024-2025 fiscal year and for each fiscal year thereafter, the Kentucky Department of Education shall distribute to local districts providing locally operated career and technical education and to state-operated area technology centers all general funds designated as supplemental funds to career and technical education programs, subject to the following:
 - (a) A local district providing locally operated career and technical education or a state-operated area technology center shall maintain eligibility for receipt of federal funding pursuant to the Strengthening Career and Technical Education for the 21st Century Act, Pub. L. No. 115-224, to be eligible to receive supplemental funding pursuant to this subsection;
 - (b) All supplemental funds distributed pursuant to this subsection shall be used to improve student outcomes in career and technical education pathways for students in grades nine (9) through twelve (12), including but not limited to student supplies, resources, materials, and equipment that is designed for enhanced quality of instruction in a career and technical education pathway, the purchase and maintenance of industry standard equipment, assisting students with achieving technical skill attainment, and supporting career and technical student organization participation;
 - (c)
 1. Supplemental funds for career and technical education shall be divided and allocated to each local district providing locally operated career and technical education and to each state-operated area technology center, with sixty percent (60%) dedicated for enrollment-based funding and forty percent (40%) for incentive-based funding.
 2. The sixty percent (60%) enrollment-based funding shall be based on a statewide full-time equivalent calculation of the total weighted high-cost full-time equivalents and general-cost full-time equivalents during the prior school year, subject to the following:
 - a. The department shall then distribute the enrollment-based funds for each state-operated area technology center or local district providing locally operated career and technical education based on the center's or district's proportional share of the combined weighted high-cost full-time equivalents and general-cost full-time equivalents of the prior year;
 - b. The department shall distribute the state-operated area technology center fund portion to the respective state-operated area technology centers and the local district fund portion to the respective local districts; and

- c. The department shall classify qualifying programs as either a high-cost career and technical education program or a general-cost career and technical education program.
3. The forty percent (40%) incentives-based funding shall be based on an annual statewide calculation of the total number of qualifying student incentives. The calculation shall only use students that are in grade twelve (12) and use the total incentives earned by those students during secondary education at a state-operated area technology center or within a local district. Once a student has been included in a year's calculation, that student shall not be included in any subsequent year's calculation, subject to the following:
 - a. Qualifying student incentives for students in their grade twelve (12) year shall include:
 - i. Reaching the designation of a concentrator;
 - ii. Technical skill attainment;
 - iii. Completing a required number of hours or achieving a benchmark within a work-based learning program; and
 - iv. Earning an approved career and technical education dual credit;
 - b. The incentives in subdivision a. of this subparagraph shall be allotted to the state-operated area technology center or local district in which it was earned. Each type of incentive shall only be counted once per student at state-operated area technology centers and once per student at local districts for a maximum of four (4) incentives per student at state-operated area technology centers and four (4) incentives at local districts throughout their secondary career and technical education. For incentive criteria that is achieved more than once at state-operated area technology centers, the incentive shall be counted for the state-operated area technology center where it was first achieved. For incentive criteria that is achieved more than once at local districts, the incentive shall be counted for the local district where it was first achieved;
 - c. The department shall distribute incentives-based funds for each state-operated area technology center or local district based on the center's or district's proportional share of the combined number of qualifying student incentives achieved by students in grade twelve (12) at a state-operated area technology center or within a local district throughout their secondary career and technical education. The incentives-based funds shall be distributed to the state-operated area technology center or local district in which the incentive was achieved; and
 - d. The department shall distribute the state-operated area technology center fund portion to the respective state-operated area technology centers and the local district fund portion to the

respective local districts;

- (d) There shall be no mid-year adjustment to the allocation of career and technical education supplemental funding for a center or local district; and
- (e) Notwithstanding the restriction in paragraph (b) of this subsection, a district may submit a waiver request to the Office of Career and Technical Education to use a portion of its allocation of supplemental funds for career and technical education programming for students in grades (5) through eight (8). The district shall submit a request which details the district's plan for career and technical education programming for students in grades five (5) through eight (8). In reviewing the request, the Office of Career and Technical Education shall consider whether:
 - 1. The district details a plan for orientation and exploration of broad-based industries by giving students knowledge and experience regarding careers within these industries and exploratory or hands-on skills used in the industry;
 - 2. There is direct alignment between middle and secondary career and technical education pathways within the requesting district; and
 - 3. Such designation of supplemental funding for programming for students in grades five (5) through eight (8) does not have a significant detrimental impact on the programming available for students in secondary grades.
- (6) The Office of Career and Technical Education shall monitor and provide oversight of state funds distributed pursuant to this section to ensure that the use of funding by eligible recipients meets the approved criteria as described in this section.
- (7) The Kentucky Board of Education shall promulgate administrative regulations in accordance with KRS Chapter 13A as may be needed in the administration of this section and for disbursement of moneys.
- (8) The Kentucky Department of Education shall publish on the department's website:
 - (a) The list of all career and technical education programs available to students and the program's designation as a high-cost career and technical education program or as a general-cost career and technical education program;
 - (b) A report of the supplemental funding amounts provided to each local district and to each state-operated area technology center, including an explanation of the amount designated as enrollment-based funding and as incentives-based funding; and
 - (c) A report of the administrative operations costs provided to each state-operated area technology center and to each converted career and technical education center, as well as the amount contributed toward the career and technical education innovation and support fund.

Effective: July 1, 2024

History: Repealed and reenacted 2024 Ky. Acts ch. 210, sec. 1, effective July 1, 2024. -
- 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.

2024-2026 Budget Reference. See State/Executive Branch Budget, 2024 Ky. Acts ch. 175, Pt. I, C, 3, (8) at 1834.

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."