

Proposed

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**KRIS W. KOBACH
SECRETARY OF STATE**

KANSAS STATE BOARD OF EDUCATION

Notice of Public Hearing on Proposed Administrative Regulations

Feb. 13, 2017

The Kansas State Board of Education will conduct a public hearing at 1:30 p.m., or as soon thereafter as possible, on Tuesday, May 9th, 2017, in the Board Room of the Landon State Office Building, 900 SW Jackson Ave., Suite 102, Topeka, Kansas, to consider the adoption of proposed rules and regulations of the Kansas State Board of Education on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the Secretary of the Kansas State Board of Education at the below addresses or by email to plhill@ksde.org. The address for the Kansas State Board of Education is Landon State Office Building, 900 SW Jackson Ave., Suite 102, Topeka, Kansas 66612. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulation during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. The hearing shall be conducted in compliance with the public hearing procedures of the Kansas State Board of Education.

Any individual with a disability may request an accommodation in order to participate in the public hearing, and may request the proposed regulation and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Wendy Fritz at (785) 296-5363 (or TDD 785-296-8172) or by e-mail to wfritz@ksde.org. The north entrance to the Landon State Office Building is accessible. Handicapped parking is located at the south end of the Landon State Office Building, across the street from the north entrance to the building, and on Ninth Street, just around the corner from the north entrance to the building.

A summary of the proposed regulation and its economic impact follows.

A copy of the proposed regulation and its economic impact statement may be obtained by contacting the Office of General Counsel at the address above prior to the date of the hearing or by email to ogc@ksde.org.

K.A.R. 91-1-70a

This regulation adopts by reference the National Council on the Accreditation of Teacher Education (NCATE) standards and procedures for accrediting of teacher education units in Kansas. The two national accrediting entities, NCATE and Teacher Education Accreditation Council (TEAC) combined to form one new entity called the Council for the Accreditation of Educator Preparation (CAEP). The regulation amendments accommodate this change from NCATE to CAEP standards. Adoption of this amendment will have minimal if no economic impact on teacher preparation institutions, school districts or individuals.

Proposed

K.A.R. 91-1-208

An amendment requires license application forms to include a completed Child Abuse and Neglect Central Registry release. According to Kansas law a substantiated finding of abuse and/or neglect prohibits any person listed on the Child Abuse and Neglect Registry from working, residing, or volunteering in a child care home or facility regulated by Kansas Dept. of Health and Environment. This amendment will allow KSDE to search the Child Abuse and Neglect Registry to find out if the Kansas State Department for Children and Families (DCF) has substantiated any such claim against a licensee. Adoption of this amendment will have no economic impact on teacher preparation institutions, school districts or individuals. License applications will include a release statement.

K.A.R. 91-1-221

Revoked due to lack of need and usage.

K.A.R. 91-1-235

An amendment formalizes a program completion requirement that has been in practice since 2008 to require a pre-service candidate work sample to be completed during the initial teacher preparation program. Adoption of this amendment will have minimal if no economic impact on teacher preparation institutions, school districts or individuals as this is a current practice during pre-service.

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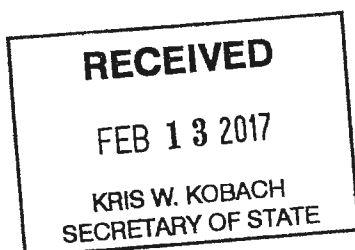
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91-1-70a. Accreditation. The "~~professional standards for the accreditation of schools, colleges, and departments of education,~~" as published by the national council on the accreditation of teacher education (NCATE) in January 2001, including the "~~glossary of NCATE terms,~~" are adopted by reference following portions of the document titled "CAEP accreditation standards," as approved by the council for the accreditation of educator preparation (CAEP) board of directors on August 29, 2013, are hereby adopted by reference:

(a) Standard 1 on pages 2 and 3 and the related glossary on page 3;
(b) standard 2 and the related glossary on page 6;
(c) standard 3 on pages 8 and 9 and the related glossary on page 10, except for the following text in 3.2:

- (1) The second and third bulleted items; and
- (2) the three paragraphs immediately following the bulleted list;
- (d) standard 4 on page 13; and
- (e) standard 5 on pages 14 and 15 and the related glossary on page 15.

(Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective July 1, 1997; amended Jan. 4, 2002; amended P-_____.)



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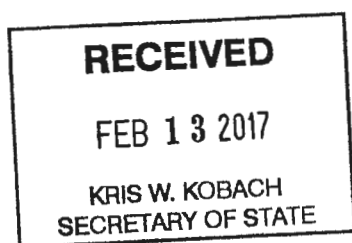
91-1-208. General requirements. (a) Application procedures. Application for each license, renewal, or duplicate license shall be made by the person seeking the license. Each application shall be ~~made~~ submitted on a form provided by the state department of education. The form shall be filled out completely, including all names under which the applicant has been known. The application shall be submitted by mail or in person, with the correct fee and, when required, official documentation to the certification section; of the state department of education.

(b) Child abuse and neglect central registry. Each application shall include a completed child abuse and neglect central registry release.

(c) Renewal period. A Any license may be renewed up to six months before its expiration date.

~~(e)~~ (d) License registration. Each teacher or other licensed person employed in a public school shall file a valid license in the office of the superintendent of the district in which the person is employed.

~~(d) This regulation shall be effective on and after July 1, 2003.~~ (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective July 1, 2003; amended P-_____.)



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91-1-221. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective Aug. 5, 2005; amended July 18, 2008; revoked P-_____.)



ATTORNEY GENERAL

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91-1-235. Procedures for initial approval of teacher education programs. (a) Application.

(1) Each teacher education institution that desires to have any new program approved by the state board shall submit an application for program approval to the commissioner. The application shall be submitted at least 12 months before the date of implementation.

(2) Each institution shall submit with its application a program report containing a detailed description of each proposed program, including program coursework based on standards approved by the state board, and the performance-based assessment system that will be utilized to collect performance data on candidates' knowledge and skills. Each program report shall be in the form and shall contain the information prescribed by the commissioner. The program report shall include confirmation that the candidates in the program will be required to complete the following successfully:

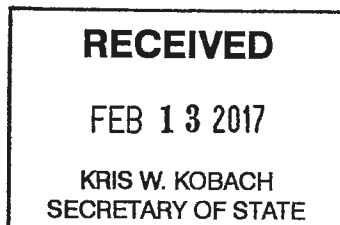
(A) Coursework that constitutes a major in the subject at the institution or that is equivalent to a major; ~~and~~

(B) at least 12 weeks of student teaching; and

(C) a validated preservice candidate work sample.

(b) Review team. Upon receipt of a program report, a review team shall be appointed by the commissioner to analyze the program report. The chairperson of the review team shall be designated by the commissioner. The number of review team members shall be determined by the commissioner, based upon the scope of the program to be reviewed.

~~An~~ Any institution may challenge the appointment of a review team member. The institution's challenge shall be submitted in writing and received by the commissioner no later



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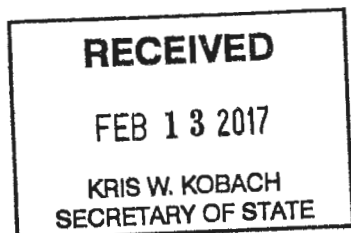
than 30 days after the notification of review team appointments is sent to the institution. Each challenge to the appointment of a review team member shall be only on the basis of a conflict of interest.

(c) Program review process.

(1) In accordance with procedures adopted by the state board, a review team shall examine and analyze the proposed program report and shall prepare a report expressing the findings and conclusions of the review team. The review team's report shall be submitted to the commissioner. The report shall be forwarded by the commissioner to an appropriate representative of designated by the teacher education institution.

(2) ~~Any~~ Any institution may prepare a response to the review team's report. This response shall be prepared and submitted to the commissioner no later than 45 days of receipt of the review team's report. Receipt of the review team's report shall be presumed to occur three days after mailing. The review team's report, any response by the institution, and any other supporting documentation shall be forwarded to the evaluation review committee by the commissioner.

(d) Initial recommendation. The evaluation review committee, in accordance with procedures adopted by the state board, shall prepare a written initial recommendation regarding the appropriate status to be assigned to the proposed program, which shall include a statement of the findings and conclusions of the evaluation review committee. The recommendation shall be submitted to an appropriate representative of designated by the teacher education institution and to the commissioner.



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(e) Request for hearing.

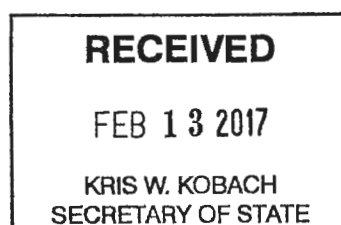
(1) Within 30 days of receipt of an initial recommendation of the evaluation review committee, the teacher education institution may submit a written request by certified mail to the evaluation review committee for a hearing before the committee to appeal the initial recommendation. Receipt of the initial recommendation of the evaluation review committee shall be presumed to occur three days after mailing. This request shall specify, in detail, the basis for the appeal, including an identification of each item disputed by the institution.

(2) If a request for a hearing is submitted, the evaluation review committee shall conduct a hearing. The committee shall then prepare a written final recommendation regarding the appropriate status to be assigned to the proposed program, which shall include a statement of the findings and conclusions of the evaluation review committee. The final recommendation shall be submitted to an appropriate representative of designated by the teacher education institution and to the commissioner. The final recommendation shall be submitted by the commissioner to the state board for its consideration and determination.

(3) If a request for a hearing is not submitted by certified mail within the time allowed under paragraph (1) ~~of this subsection~~ (e)(1), the initial recommendation of the evaluation review committee shall become the final recommendation of the review committee. The committee's final recommendation shall be submitted by the commissioner to the state board for its consideration and determination.

(f) Approval status. Each new program shall be approved with stipulation or not approved.

(g) Annual report.



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(1) If a new program is approved with stipulation, the institution shall submit a progress report to the commissioner within 60 days after completion of the second semester of operation of the program, and thereafter in each of the institution's annual reports that are due on or before July 30.

(2) Each progress report shall be submitted by the commissioner to the evaluation review committee for its examination and analysis. Following review of the progress report, the evaluation review committee may remove any areas for improvement and change the status to approved until the institution's next program review.

(h) Change of approval status.

(1) At any time, the approval status of a teacher education program may be changed by the state board if, after providing an opportunity for a hearing, the state board finds that the institution either has failed to meet substantially the program standards or has materially changed the program. For just cause, the duration of the approval status of a program may be extended by the state board. The duration of the current approval status of a program shall be extended automatically if the program is in the process of being reevaluated by the state board. This extension shall be counted as part of any subsequent approval period of a program.

(2) At the time of an institution's next on-site visit, the new program shall be reviewed pursuant to K.A.R. 91-1-236.

(3) For licensure purposes, each teacher education program that is approved with stipulation shall be considered to be approved. (Authorized by and implementing Article 6, Section 2(a) of

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91-1-235

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the Kansas Constitution; effective Aug. 6, 2004; amended Aug. 12, 2011; amended P-

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Proposed

IMPACT STATEMENT FOR PROPOSED
RULE AND REGULATION NUMBER 91-1-70a

1. Summary of proposed regulation, including its purpose.

This regulation establishes the professional standards for the accreditation of educator preparation units in Kansas.

2. Reason or reasons the proposed regulation is required, including whether the regulation is mandated by federal law.

This regulation adopted by reference the National Council on the Accreditation of Teacher Education (NCATE) standards and procedures for accrediting of teacher education units in Kansas. NCATE was dissolved due to the combining of the two national accrediting entities NCATE and Teacher Education Accreditation Council (TEAC) into one new entity called the Council for the Accreditation of Educator Preparation (CAEP). The regulation is being amended to accommodate this change from NCATE to CAEP standards.

3. Anticipated financial impact upon the State Board of Education.
(Additional staff, travel, printing, capital outlay, other resources)

None

4. Anticipated economic impact upon school districts after consultation with the Kansas Association of School Boards.

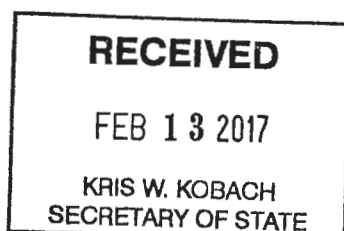
None

5. Anticipated financial impact upon other governmental agencies, and upon private business or individuals.

None

6. Less costly or intrusive methods that were considered, but rejected, and the reason for rejection.

Not applicable



Proposed

IMPACT STATEMENT FOR PROPOSED
RULE AND REGULATION NUMBER 91-1-208

1. Summary of proposed regulation, including its purpose.

This regulation establishes the professional standards for the accreditation of educator preparation units in Kansas.

2. Reason or reasons the proposed regulation is required, including whether the regulation is mandated by federal law.

An amendment requires license application forms to include a completed Child Abuse and Neglect Central Registry release. According to Kansas law a substantiated finding of abuse and/or neglect prohibits any person listed on the Child Abuse and Neglect Registry from working, residing, or volunteering in a child care home or facility regulated by Kansas Dept. of Health and Environment. This amendment will allow KSDE to search the Child Abuse and Neglect Registry to find out if the Kansas State Department for Children and Families (DCF) has substantiated any such claim against a licensee. Adoption of this amendment will have no economic impact on teacher preparation institutions, school districts or individuals. License applications will include a release statement.

3. Anticipated financial impact upon the State Board of Education.
(Additional staff, travel, printing, capital outlay, other resources)

None

4. Anticipated economic impact upon school districts after consultation with the Kansas Association of School Boards.

None

5. Anticipated financial impact upon other governmental agencies, and upon private business or individuals.

The Department for Children and Families already maintains the Child Abuse and Neglect Registry. The cost of searching this electronic registry should be negligible.

6. Less costly or intrusive methods that were considered, but rejected, and the reason for rejection.

Not applicable

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IMPACT STATEMENT FOR PROPOSED
RULE AND REGULATION NUMBER 91-1-221

1. Summary of proposed regulation, including its purpose.

Revoked due to lack of need and usage.

2. Reason or reasons the proposed regulation is required, including whether the regulation is mandated by federal law.

The State Board of Education no longer issues Technical education special needs certificates.

3. Anticipated financial impact upon the State Board of Education.
(Additional staff, travel, printing, capital outlay, other resources)

None

4. Anticipated economic impact upon school districts after consultation with the Kansas Association of School Boards.

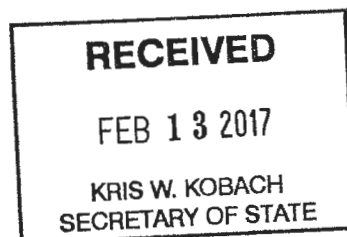
None

5. Anticipated financial impact upon other governmental agencies, and upon private business or individuals.

None

6. Less costly or intrusive methods that were considered, but rejected, and the reason for rejection.

Not applicable



IMPACT STATEMENT FOR PROPOSED
RULE AND REGULATION NUMBER 91-1-235

Proposed

1. Summary of proposed regulation, including its purpose.

The amendment to this regulation formalizes a program completion requirement that has been in practice since 2008 to require a pre-service candidate work sample to be completed during the initial teacher preparation program.

2. Reason or reasons the proposed regulation is required, including whether the regulation is mandated by federal law.

The amendment serves to codify what has been a practice of teacher preparation programs for several years.

3. Anticipated financial impact upon the State Board of Education.
(Additional staff, travel, printing, capital outlay, other resources)

Adoption of this amendment will have minimal if no economic impact on teacher preparation institutions, school districts or individuals as this is a current practice during pre-service.

4. Anticipated economic impact upon school districts after consultation with the Kansas Association of School Boards.

None

5. Anticipated financial impact upon other governmental agencies, and upon private business or individuals.

None

6. Less costly or intrusive methods that were considered, but rejected, and the reason for rejection.

Not applicable

