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MEMORANDUM

TO: Joe Cowles,
Personnel Cabinet

FROM: Emily Caudill EC
Regulations Compiler

RE: Acknowledgement of Proposed Administrative Regulation and/or Amendment –101 KAR 2:221

DATE: April 14, 2008

A copy of the administrative regulation listed above is enclosed for your files. This administrative regulation is **tentatively** scheduled for review by the Administrative Regulation Review Subcommittee at its **June 2008**, meeting. We will notify you of the date and time of this meeting when it has been scheduled.

Pursuant to KRS 13A.280, **if** a public hearing is held or you receive written comments on this ordinary administrative regulation, the Statement of Consideration for this ordinary administrative regulation is due by noon on **June 13, 2008**. please reference KRS 13A.270 and 13A.280 for other requirements relating to public hearings and the Statement of Consideration.

If you have any questions, please do not hesitate to contact me at (502) 564-8100.

Enclosures

FILED WITH LRC
TIME: 3pm
APR 14 2008
Emily B Caudill
REGULATIONS COMPILER

1 Personnel Cabinet

2 (New Administrative Regulation)

3 101 KAR 2:221. Employee Educational Assistance Program.

4 RELATES TO: KRS 18A.110(7)(i),164.357

5 STATUTORY AUTHORITY: KRS 18A.030(2) and 18A.110(7)(i)

6 NECESSITY, FUNCTION, AND CONFORMITY: KRS 18A.110(7) (i) requires the Secretary of
7 the Personnel Cabinet to promulgate administrative regulations which govern the development and
8 operation of programs to improve the work effectiveness of employees in the state service,
9 including training, health, welfare, counseling and employee relations. This administrative
10 regulation establishes the requirements for employee participation in and the agency reporting
11 obligations relating to the Employee Educational Assistance Program to ensure that agencies are
12 maintaining and reporting required usage data.

13 Section 1. Definitions.

14 (1) "Educational assistance" means the financial assistance provided to an employee by the
15 employee's cabinet or agency for the purpose of continuing the employee's education or
16 training, based on the educational needs of the workforce, which results in an improved
17 workforce and assists the employee in the achievement of individual career goals.

18 (2) "Employee Educational Assistance Program" means the program described by 101 KAR
19 2:221 and adopted by the Governmental Services Center (GSC) which establishes and
20 sets forth the terms and conditions of the Employee Educational Assistance Program

1 (3) "Educational providers" means accredited public or private degree-granting
2 postsecondary education institutions, educational television, accredited correspondence or
3 online schools, secondary schools, General Educational Development (GED) preparatory
4 programs, Kentucky Virtual Campus (KYVC), or other approved education or training
5 providers.
6 (4) "Satisfactory Grade" means: (a) a grade of "C" or higher for undergraduate or law school
7 courses; (b) a grade of "B" or higher for graduate-level or other professional studies
8 courses; or (c) "Pass" for courses which are graded on a "Pass/Fail" basis.
9 (5) "Service obligation" means the six (6) month minimum period of time that an employee
10 is obligated to work in state government following the receipt of educational assistance,
11 beginning: (a) On the educational provider's published end date of the academic term in
12 which the employee is receiving educational assistance; or (b) If no published end date
13 exists, on the date of the last class activity, such as the final exam, the date a final paper is
14 submitted, or the last scheduled class session; and provided the employee has achieved a
15 satisfactory grade on the current coursework.
16 (6) "Special-Purpose Educational Assistance Program" means coursework or specified
17 training that has been predetermined by a Cabinet or agency to be mandatory or job
18 related that is required to meet accreditation, or certification or professional standards.
19 Section 2. Employee Educational Assistance Program.
20 (1) The Governmental Services Center (GSC) shall be responsible for issuing, administering,
21 and monitoring the Employee Educational Assistance Program.
22 (2) A cabinet or agency may adopt an Educational Assistance Policy to specify the terms and

1 conditions of the agency or cabinet's participation in the Educational Assistance
2 Program.
3 (a) A cabinet or agency's Education Assistance Policy shall not conflict
4 with the Employee Educational Assistance Program.
5 (b) A cabinet or agency's Educational Assistance Policy shall be subject to
6 the approval of the Executive Director of GSC or the Executive Director's
7 designated agent.
8 (c) A copy of the cabinet or agency's current Educational Assistance Policy
9 shall be filed with the GSC upon approval by the Executive Director of
10 GSC or the Executive Director's designated agent.
11 (d) A cabinet or agency shall utilize 101 KAR 2:221 if no other Educational
12 assistance policy is filed with the GSC for that cabinet or agency.
13 (3) Eligibility Requirements.
14 (a) The following employees shall be eligible for the Employee Education Assistance
15 Program permanent, full-time classified employees who:
16 1. Are in full-time active work status; and
17 2. Have satisfactorily completed the initial probationary period.
18 (b) These requirements may be waived by a cabinet or agency on an individual
19 basis when the nature of the work justifies providing educational assistance.
20 1. If a cabinet or agency waives any requirement for an employee, the
21 agency shall maintain justification documentation.
22 2. Documentation shall include:
23 a. The employee's application for educational assistance;

1 b. The specific education or training requested; and

2 c. The written determination by the cabinet or agency that waiver of

3 one or more requirements is justified based on the nature of the

4 employee's work.

5 3. Documentation shall be maintained in the cabinet or agency's Educational

6 Assistance Policy file and made available during periodic audits

7 conducted by the GSC.

8 4. An employee who has an outstanding reimbursement obligation shall not

9 receive further educational assistance until the outstanding obligation is

10 satisfied.

11 5. The cabinet's or agency's Education Assistance Policy shall not apply to

12 programs providing scholarships or other educational assistance to

13 individuals who are not qualifying employees of the executive branch of

14 Kentucky state government.

15 (4) Employee Educational Assistance Program.

16 (a) Funding.

17 1. Funding for educational assistance shall come from a cabinet or agency's

18 budget.

19 2. Cabinet or agency participation in the Employee Educational Assistance

20 Program is based on the availability of cabinet or agency funds.

21 (b) Approved educational assistance funds.

22 1. Educational assistance may be granted to pay for tuition and

23 other related expenses, such as:

a. Laboratory fees;

b. Basic and normal costs charged by the institution for course registration;

c. Computer usage fees;

d. Required texts and other required course supplies;

e. Examination fees; or

f. Records and transcript fees required by the institution.

2. Educational assistance may be granted for educational testing for credit, such as General Educational Development (GED), College Level Examination Program (CLEP), and Defense Activity for Non-Traditional Education Support (DANTES).

3. Educational assistance may be available for educational testing which is an entry requirement by an educational provider, such as ACT, SAT, GRE, GMAT, or LSAT.

4. A cabinet or agency may elect to cover additional or other types of educational expenses.

a. Additional or other types of educational expenses by a cabinet or agency shall not require pre-approval from the GSC.

b. Documentation of a cabinet or agency's approval of expenses shall be maintained in the cabinet or agency's Educational Assistance Policy file and made available during periodic audits conducted by the GSC.

1 (c) Limits of funding.

2 1. Educational assistance provided for coursework at an accredited in-state
3 private college, out-of-state college, or out-of-state university shall be
4 limited by the then-current costs at the four (4) year state university
5 located in Kentucky nearest to the employee's county of employment.

6 a. The educational assistance provided per semester hour of credit
7 shall not exceed the then-current cost per semester hour at the four
8 (4) year state university located in Kentucky nearest the
9 employee's county of employment.

10 b. The educational assistance provided when based on semester
11 quarter-hours of credit shall not exceed two-thirds (2/3) of the
12 then-current cost per semester hour at the four (4) year state
13 university located in Kentucky nearest the employee's county of
14 employment.

15 2. Educational assistance provided per semester hour of credit for an online
16 course or program shall be limited to the higher of:

17 a. the then-current costs per semester hour for an online course or
18 program offered by a Kentucky public post-secondary educational
19 institution which is delivered directly by that institution; or

20 b. the then-current costs per semester hour for an online course or
21 program offered by a Kentucky public post-secondary educational
22 institution which is delivered through KYVC.

1 3. Educational assistance provided when based on semester quarter-hours of
2 credit for an online course or program shall not exceed two-thirds (2/3) of
3 the higher of:
4 a. the then-current costs per semester hour for an online course or
5 program offered by a Kentucky public post-secondary educational
6 institution which is delivered directly by that institution; or
7 b. the then-current costs per semester hour for an online course or
8 program offered by a Kentucky public post-secondary educational
9 institution which is delivered through KYVC.
10 4. Each cabinet or agency shall verify that the selected University or College
11 has:
12 a. conducted regular assessments to accredit each academic,
13 academic support, and non-academic programs;
14 b. assessment results which substantiate that the academic activities
15 are aligned with institutional mission and goals; and
16 c. provided information specifying the source of the accreditation
17 information on the Education Assistance Request Form.
18 (5) Payments of funds to Educational providers.
19 (a) The cabinet or agency shall pay educational assistance funds directly to the
20 Educational Provider if:
21 1. The employee's application for educational assistance was timely filed;
22 2. It meets cabinet or agency approval; and
23 3. GSC exception request is approved if necessary.

1 (b) Financial assistance from any other financial aid program shall not be duplicated
2 under this program.
3 1. If eligible for Tuition Waiver or Student Fee Waiver, the employee must
4 apply these programs first.
5 2. Educational Assistance Program may seek reimbursement if additional
6 allowable costs remain after the utilization of the Tuition Waiver or
7 Student Fee Waiver.
8 (6) Approved courses.
9 (a) Each course, program, or degree for which educational assistance is provided
10 shall have a clear and direct relationship to:
11 1. The work of the cabinet or agency;
12 2. Improving the employee's effectiveness in his or her present
13 position;
14 3. Preparing the employee for a position to which the employee
15 can reasonably aspire; or
16 4. Must be a requirement for a degree or program on the cabinet or agency's
17 Approved List of courses, programs, and degrees.
18 (b) Approved Lists of courses, programs and degrees.
19 1. A cabinet or agency shall establish Approved Lists of courses, programs,
20 and degrees for which educational assistance may be granted.
21 a. A cabinet or agency's Approved List of courses, programs and
22 degrees shall be based on the recognized educational needs of the
23 workforce in the agency.

1 b. A cabinet or agency may establish different Approved Lists for
2 work units or job classifications.
3 c. A cabinet or agency may grant educational assistance for courses
4 that may not qualify an individual to meet the minimum
5 requirements for a job outlined on the official Class Specification.
6 2. Each Approved List shall be made available for review by cabinet or
7 agency employees.
8 3. A copy of a cabinet or agency's current Approved List shall be provided
9 to the GSC.
10 4. The cabinet or agency shall periodically review the Approved List and
11 make revisions as necessary and appropriate.
12 5. Request(s) by an employee for exception or addition to the Approved List
13 shall be made in writing to the cabinet or agency's designated agent.
14 (c) Courses taken through the Employee Educational Assistance Program shall not be
15 applied toward an Educational Achievement Award.
16 (7) Maximum Courses Allowed.
17 (a) Educational assistance provided for undergraduate and post-graduate studies shall
18 not exceed the following:
19 1. For undergraduate studies, a maximum of eight (8) courses per year, with
20 a limit of:
21 a. Three (3) courses in any regular semester session;
22 b. Two (2) courses in any regular quarter session; and
23 c. One (1) course in any summer session or inter-session,

1 2. For post-graduate studies (including graduate level professional studies),
2 a maximum of six (6) courses per year, with a limit of:
3 a. Two (2) courses in any regular semester session;
4 b. One (1) course in any regular quarter session; and
5 c. One (1) course in any summer session or inter-session.
6 (b) An appointing authority or designated agent may make an exception to the
7 maximum course load if:
8 1. The exception is necessary for an employee to complete the
9 approved program; and
10 2. The exception will not adversely affect the cabinet or agency's
11 service or the employee's performance.
12 (c) Documentation of a cabinet or agency's exception to the maximum course load
13 shall be maintained in the cabinet or agency's Educational Assistance Program
14 file and made available during periodic audits conducted by the GSC.
15 (8) Kentucky State University Requirement pursuant to KRS 164.357.
16 (a) The following employees shall receive educational assistance only for
17 classroom, online or independent study courses at Kentucky State
18 University (KSU), unless the course, program or degree required is not
19 available or offered at KSU:
20 1. Employees who live in Franklin County or an adjoining county; or
21 2. Employees whose work station is in Franklin County or an adjoining
22 county.

1 (b) This KSU requirement shall apply uniformly unless the Executive Director of the
2 GSC or designee waives the requirement for a particular employee or
3 course by written approval to an exception request.
4 (9) Employee Obligations.
5 (a) The employee shall be required at a minimum to comply with requirements
6 established in this paragraph in order to qualify for and maintain educational
7 assistance funds:
8 1. The employee shall continue to work on a full-time basis;
9 2. The employee shall sign the Employee Educational Assistance
10 Program Form and comply with the terms of the form;
11 3. The employee shall provide the agency within thirty (30) calendar
12 days upon completion of a course evidence of a Satisfactory
13 Grade; and
14 4. The employee shall complete the minimum six (6) month service
15 obligation.
16 (b) A cabinet or agency shall recover from an employee the full amount of
17 educational assistance funds expended on that employee's
18 behalf if:
19 1. The employee's application form contains any material falsification;
20 2. The employee fails to provide the agency, within thirty (30)calendar days
21 upon completion of a course, evidence of a satisfactory grade;
22 3. The employee drops a course, regardless of cause, without prior
23 approval of the appointing authority or designated agent; or

4. The employee receives duplicate payment for the same course from any other source, such as a scholarship, Veteran's Educational Payments, or an Educational Achievement Award.

(c) A cabinet or agency shall recover from an employee the educational assistance funds expended on that employee's behalf if the employee resigns, retires or is dismissed for cause prior to completion of the six (6) month minimum service obligation.

1. Any amount of educational assistance funds a cabinet or agency seeks to recover pursuant to an employee's failure to complete the six (6) month minimum service obligation shall be pro-rated according to the portion of the service obligation the employee has fulfilled.

2. The six (6) month minimum service obligation shall not apply to an employee who is laid-off.

(d) If an employee for whom a cabinet or agency has paid educational assistance transfers from one cabinet or agency to another through the Internal Mobility Program while enrolled in the course or prior to completion of the employee's six (6) month minimum service obligation, the employee shall not be required to repay Educational assistance funds, unless previously agreed to by other contract.

1. A cabinet or agency may seek exception and petition to recover Educational assistance funds expended on behalf of an employee who has transferred from one cabinet or agency to another through the Internal Mobility Program while enrolled in the course or prior to completion of the employee's six (6) month minimum service obligation.

2. A cabinet or agency's petition shall be forwarded to the Executive Director of the GSC or designated agent and include the reasons why the exception is justified.

3. If the exception is granted by the Executive Director of the GSC or designated agent, any amount to be recovered shall be pro-rated according to the portion of the employee's six (6) month minimum service obligation the employee has fulfilled as of the effective date of the transfer.

(e) An approved course should be taken on the employee's own time. If a course is only offered only during working hours, eligible employees must request an Exception for Benefit of the Public Interest as set forth in Section 4.

(10) Records and Forms.

(a) The cabinet or agency shall maintain complete and accurate records relating to its Employee Educational Assistance Program and Special-Purpose Educational Assistance Program if applicable.

(b) A cabinet or agency's appointing authority or designated agent shall be responsible for maintenance and accuracy of all records relating to a cabinet or agency's Employee Educational Assistance Program or Special-Purpose Educational Assistance Program.

(c) A cabinet or agency shall utilize the Employee Educational Assistance Authorization Form as the key record for the Employee Educational Assistance Program.

(d) A cabinet or agency's Educational Assistance Policy or Special-Purpose Educational Assistance Program records shall be made available for GSC periodic audits or upon request.

(e) The cabinet or agency shall maintain all records and forms associated with this program in the agency personnel file of the employee and shall forward the records to the receiving cabinet or agency if the employee transfers.

(f) Administration in the GSC is responsible for retaining comprehensive statewide records, on a fiscal year basis, of Educational Assistance Program activity.

1. This information shall be reported annually to the Secretary of the Personnel Cabinet or as needed upon request and shall include the following:

a. Number employees participating in the program,

b. Amount (tuition and fees) reimbursed;

c. Number employees granted Educational Leave;

d. Number employees taking courses at cabinet's or agency's request;

e. Number of employees taking courses for required certification; and

f. A summary of the annual reporting data described in Section 5 (3) (a – h).

2. GSC shall request additional information from cabinets or agencies as needed.

Section 3. Special-Purpose Educational Assistance Program.

1 (1) A cabinet or agency may create a Special-Purpose Educational Assistance Program
2 which provides educational assistance for an employee to obtain a specific degree or
3 certification that is in the interest of the cabinet or agency.
4 (2) A cabinet or agency and employee may set different terms and obligations other than
5 those established in the Educational Assistance Program.
6 (a) A Special-Purpose Educational Assistance Program may grant the employee
7 the opportunity to use paid work hours to attend class or to complete coursework.
8 (b) A cabinet or agency shall not waive the pro-ration requirement for recovery of
9 educational assistance funds if an employee fails to complete the six (6) month
10 minimum service obligation.
11 (3) Approval of a cabinet or agency's Special-Purpose Educational Assistance Program shall
12 be subject to the written approval of the Executive Director of the GSC or designee.
13 Section 4. Exceptions for Benefit of the Public Interest.
14 (1) The Executive Director of the GSC or designee may grant exception upon request by the
15 cabinet or agency to any portion of the Educational Assistance Program in which the
16 power of exception is not expressly granted to the cabinet or agency.
17 (2) A request for exception from the cabinet or agency shall, at a minimum, meet the
18 following guidelines and include the following information:
19 (a) The request from the cabinet or agency's appointing authority or designated agent
20 shall be in writing;
21 (b) The request shall include the completed Educational Assistance Authorization
22 Form from the cabinet or agency's appointing authority or designated agent;

1 (c) The request shall include the specific nature of the exception, the reason for the
2 exception, and an explanation as to why the exception would be in the cabinet or
3 agency's interest or in the public interest.
4 (3) The request for exception shall be mailed or electronic mailed to the Executive Director
5 of the GSC.
6 (4) Requests for exception must be received by the GSC:
7 (a) prior to the start of the educational course for which the exception is requested; or
8 (b) prior to the date by which the cabinet or agency seeks to take any action subject to
9 the exception requested.
10 (5) An agency is not required to file requests for exception when proposing a Special-
11 Purpose Educational Assistance Program for approval by the GSC.
12 (a) Upon the approval of a cabinet or agency's Special-Purpose Educational
13 Assistance Program, any exceptions contained within the Special-Purpose
14 Program, which establish terms and obligations different than those terms and
15 obligations established in the Employee Educational Assistance Program, are
16 deemed approved.
17 (b) Exceptions within a cabinet or agency's Special-Purpose Educational Assistance
18 Program shall be approved for the remainder of the respective fiscal year.
19 Section 5. Program Audits.
20 (1) The GSC shall conduct annual audits of cabinet or agency compliance with the Employee
21 Educational Assistance Program from a representative sample selected by GSC.
22 (2) In the course of the audits, the GSC shall review a cabinet or agency's Educational
23 Assistance Program and Special-Purpose Educational Assistance Program documents and

1 records.

2 (3) Cabinets and agencies shall maintain the following data and reports in the cabinet or
3 agency Educational Assistance Program and Special-Purpose Educational Assistance
4 Program file:

5 (a) Total dollar expenditures for educational assistance;

6 (b) Total number of employees utilizing educational assistance provided by the
7 agency;

8 (c) Total dollar expenditures by educational provider by the cabinet or agency;

9 (d) Approved Lists of course titles, degrees, or programs;

10 (e) A list of all course titles, degrees, programs, certification or Special-Purpose
11 Educational Assistance Program for which educational assistance is provided on a
12 fiscal year basis;

13 (f) Completed Educational Assistance Authorization Form required for approval
14 provided to the GSC if an exception to the Employee Educational Assistance
15 Program is requested or required;

16 (g) A list of all outstanding reimbursement obligations; and

17 (h) A list of all employees that have completed degree requirements during the
18 current year.

19 Section 6. Equal Opportunity.

20 (1) All decisions regarding educational assistance shall be made without regard to race,
21 color, religion, national origin, gender, disability, or age.

22 (2) Each participating cabinet or agency shall ensure that its Employee Educational
23 Assistance Policy is administered fairly, consistently, and equitably for all employees.

1 Section 7. Incorporation by Reference.

2 (1) The following material is incorporated by reference: Employee Educational

3 Assistance Authorization Form.

4 (2) This material may be inspected, copied, or obtained, subject to applicable

5 copyright law, at the Personnel Cabinet, 501 High Street, 3rd Floor, Frankfort,

6 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

4/14/08 Date	Nikki R. Jackson, Secretary Personnel Cabinet

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Friday, May 23, 2008 at 10:00 a.m. at 501 High Street, 3rd Floor, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing within five (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 until June 2, 2008. 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: Daniel F. Egbers, Office of Legal Services, 501 High Street, 3rd Floor, Frankfort, Kentucky 40601, phone: (502) 564-7430, fax: (502) 564-0224.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Administrative Regulation: 101 KAR 2:221
Contact person: Dan Egbers

(1) Provide a brief summary of:

a. What this administrative regulation does:

This regulation establishes the requirements, guidelines and procedures for the Employee Educational Assistance Program.

b. The necessity of this administrative regulation:

This administrative regulation describes the requirements of the Employee Educational Assistance Program which is available to permanent, full-time classified Commonwealth employees. More specifically, this regulation describes the requirements to receive educational, tuition and financial assistance from respective cabinets or agencies. The Governmental Services Center is responsible for administering the Employee Educational Assistance Program. This regulation also empowers the Office of Governmental Services Center's to request cabinet or agency documentation as it relates to employee educational assistance, which includes special purpose requests.

c. How this administrative regulation conforms to the content of the authorizing statues:

KRS 18A.110 allows the Secretary of Personnel to promulgate comprehensive administrative regulations which govern the development operation and enforcement of the Employee Educational Assistance Program. Pursuant to KRS 164.357 the Governmental Services Center shall be responsible for the development, coordination, content, approval, and implementation of all training, employee development, and related programs conducted for and on behalf of all program cabinets, departments, administrative bodies, and program managers of the state government. This specifically includes the Employee Educational Assistance Program.

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

This regulation specifies the requirements for educational assistance and for requesting employee educational, tuition and financial assistance.

(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:

N/A

b. The necessity of the amendment to this administrative regulation:

N/A

c. How the amendment conforms to the content of the authorizing statues:

N/A

d. How the amendment will assist in the effective administration of the statutes:

N/A

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

See (5) below.

The following chart depicts the numbers of affected entities below:

Entity	Total
Individuals	35,000 state merit employees
Businesses	0 – the policy does not apply to organizations serviced by GSC
Organizations	1 – Kentucky State University
State Government	1 – Kentucky state government employees
Local Government	0 – the policy does not apply to local government

(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:

To comply with this regulation, Commonwealth employees will be required to adhere to the guidelines for education and tuition and financial assistance. A cabinet or agency must adopt an Educational Assistance Policy that is contains certain minimum requirements set forth in the regulation.

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

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

The Employee Educational Assistance Program is a benefit to Commonwealth employees and the Commonwealth of Kentucky. The program provides tuition and financial assistance to employees to continue their formal education, which results in an improved workforce and further assists the employee in achieving individual goals. Additionally, Kentucky State University may benefit by an increase in the number of state employees who are enrolled at the institution.

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

a. Initially:

The costs of monitoring data reports and responding to Cabinet and other Cabinet and Agency policy exception requests can be calculated by adding one-half time of one Performance Consultant staff person's salary and benefits, along with the costs of printing Employee Educational Assistance Program status reports for the agency's Authority Board as well as for other business purposes.

b. On a continuing basis:

The costs on a continuing basis can be calculated by adding the annual merit employment salary increase to the amount calculated in item (5)(a).

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

The source of funds to supply the costs of items (5)(a) and (5)(b) is the GSC's budget. The GSC budget is restricted based on the source coming from agencies that are assessed an annual fee. The annual assessment fee is based on a formula that accounts for the number of staff in a cabinet or agency. The funds must be used for GSC training and training-related operations.

(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:

The establishment of the regulation will not necessitate an increase in fees or funding for the cabinet or agency.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees:

No. This regulation does not directly or indirectly increase or establish any fees.

(9) Tiering: Is tiering applied?

Tiering is not applicable as employees are treated equally.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No.: 101 KAR 2:221 Contact Person: Daniel F. Egbers

1. Does this administrative regulation relate to any program, service or requirements of a state or local government (including cities, counties, fire departments, or school districts)?

Yes __X__ No ____
If yes, complete questions 2-4.

2. 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?

All state cabinets or agencies with permanent, full-time classified Commonwealth employees covered under KRS Chapter 18A.

3. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 18A.30 (2), KRS 18A.110 and KRS 164.357.

4. 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.

(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 will be generated.

(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 will be generated.

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

The costs of monitoring data reports and responding to policy exception requests can be calculated by adding one-half time of one Performance Consultant staff person's salary and benefits, along with the costs of printing data / status reports on as needed basis.

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

The costs on a continuing basis can be calculated by adding the annual employment salary increase to the amount indicated above.

EMPLOYEE EDUCATIONAL ASSISTANCE FORM

Date_____

1. NAME (Please type or print)	Last	First	MI	Maiden (or other surname previously used)	2. SOCIAL SECURITY NUMBER
3. TITLE (Class Title Code)	Personnel Classification	4. CABINET	Department		5. OFFICE PHONE NUMBER

6. EQUAL OPPORTUNITY INFORMATION (Information in this item is to be used for statistical purposes only. Completion of it is voluntary.)

ETHNIC ORIGIN

Black or African American ____ White____ American Indian or Alaskan Native _____ Two or more Races ____

Hispanic or Latino ____ Asian____ Native Hawaiian or Other Pacific Islander ____ Other ____

SEX

Female ____

Male ____

7. INSTITUTION offering course. Use separate form for each different school.

Name:_____ Address:_____

Course Title	Course Number	Credit Hours	Day(s)	Time(s)	Graduate or Undergraduate	Start date	End date	Cost	Agency Approved Degree Requirement Yes No

8. PAYROLL DEDUCTION and GRADE RELEASE AUTHORIZATION (To be signed by employee.)

THIS IS TO CERTIFY THAT I AUTHORIZE my employing agency, to deduct from my pay any or all sums paid on my behalf if: my application contains any material falsification; I fail to provide the agency within thirty (30) calendar days of the scheduled completion of the courses(s) evidence of a satisfactory grade ("C" or "pass" in undergraduate studies and "B" in graduate studies; a grade of "I" (incomplete) is not considered a satisfactory grade); my employment with the agency is voluntarily or involuntarily terminated for cause (a) prior to completion of a minimum six (6) months employment with State Government after scheduled completion of the course(s) specified above, or (b) during such training; I drop the course(s) regardless of cause, without prior approval of the appointing authority of my agency; or, if I have received duplicate payment for the same course(s) from any other source. I FURTHER AUTHORIZE my educational institution to provide my employing agency OR the Personnel Cabinet with a copy of my grade report for the course(s) listed above.

_____

EMPLOYEE'S SIGNATURE DATE

9. AGENCY APPROVAL

I hereby verify that this classified employee has completed their initial probationary period or this unclassified employee has completed six (6) months of continuous service and will take approved course(s) on the employee's time.

_____

FIRST LINE SUPERVISOR'S SIGNATURE DATE

_____

AGENCY'S APPOINTING AUTHORITY (or authorized agent) DATE

_____

SECOND LINE SUPERVISOR'S SIGNATURE DATE
(if applicable)

10. BILLING AUTHORIZATION (if required)

Invoices from educational institution or training vendor must be addressed to:

_____

_____

_____

_____

_____

Phone No.:

BILLING CODE:

Cost Center Number _____ Program Code _____

AND may cover the following amounts:

Tuition (registration) _____ $ _____

Other fees (specify) _____

_____

_____

_____

Total $ _____

This agency approves the enrollment of the named employee in the course(s) listed above. You are authorized to bill the Agency for the tuition (registration) and necessary course fees as specified. Expenses other than those listed are not authorized for payment without the prior approval of this Agency.

The Commonwealth of Kentucky does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or provision of services. This form is available in an accessible format upon request.