

CHAPTER 159**(HB 224)**

AN ACT relating to education and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 159.140 is amended to read as follows:

(1) The director of pupil personnel shall:

(a)~~{(1)}~~ Devote his entire time to the duties of his office *except as provided in subsection (2) of this section*;

(b)~~{(2)}~~ Enforce the compulsory attendance and census laws in the attendance district he serves;

(c)~~{(3)}~~ Acquaint the school with the home conditions of the student, and the home with the work and advantages of the school;

(d)~~{(4)}~~ Ascertain the causes of irregular attendance and truancy, and seek the elimination of these causes;

(e)~~{(5)}~~ Secure the enrollment in school of all students who should be enrolled and keep all enrolled students in reasonably regular attendance;

(f)~~{(6)}~~ Visit the homes of students who are absent from school or who are reported to be in need of books, clothing, or parental care;

(g)~~{(7)}~~ Provide for the interviewing of students and the parents of those students who quit school to determine the reasons for the decision. The interviews shall be conducted in a location that is nonthreatening for the students and parents and according to procedures and interview questions established by an administrative regulation promulgated by the Kentucky Board of Education. The questions shall be designed to provide data that can be used for local district and statewide research and decision-making. Data shall be reported annually to the local board of education and the Department of Education.

(h)~~{(8)}~~ Report to the superintendent of schools in the district in which the student resides the number and cost of books and school supplies needed by any student whose parent, guardian, or custodian does not have sufficient income to furnish the child with the necessary books and school supplies;

(i)~~{(9)}~~ Keep the records and make the reports that are required by law, by regulation of the Kentucky Board of Education, and by the superintendent and board of education.

(2) *A local school district superintendent may waive the requirement that a director of pupil personnel devote his or her entire time to his or her duties. The superintendent shall report the decision to the commissioner of education.*

Section 2. KRS 630.060 is amended to read as follows:

(1) Information supplied by the child to a court designated worker during any process prior to the filing of the petition shall be deemed confidential and shall not be subject to subpoena or to disclosure without the written consent of the child.

- (2) No complaint shall be received by the court designated worker alleging habitual truancy unless an adequate assessment of the child has been performed pursuant to KRS 159.140(1)(c), (d), and (f) ~~[(3), (4) and (6)]~~, unless it can be shown that the assessment could not be performed due to the child's failure to participate.

Section 3. Notwithstanding any other statute to the contrary, if a school district or school lengthens its school days during the 2002-2003 school year to make up instructional time missed because of weather, illness, or other emergency, for the purposes of fulfilling certified and classified personnel contracts the additional time shall be calculated as equivalent time to be applied toward the one hundred seventy-five (175) instructional days as required in KRS 158.070. The additional time shall also be considered as equivalent time to be applied toward the calculation of service credit for retirement under KRS 161.500 for certified personnel and for classified personnel under KRS 78.615.

Section 4. Whereas numerous school districts have been forced to lengthen school days during the current school year in order for students to make up instructional time lost due to inclement weather and weather-related emergencies, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming law.

Approved March 31, 2003