

CHAPTER 160**(HB 252)**

AN ACT relating to education and declaring an emergency.

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

Section 1. KRS 161.133 is amended to read as follows:

- (1) There is hereby established a "Teachers' National Certification Incentive Trust Fund" in the State Treasury for the purposes of:
 - (a) Funding stipends for teachers to prepare for certification by the National Board for Professional Teaching Standards;
 - (b) Reimbursing a portion of the certification fee to each teacher who is awarded national board certification;
 - (c) Reimbursing local boards of education for persons who serve as substitute teachers for national board certification candidates; and
 - (d) Funding stipends for national board certified teachers who serve as mentors to other teachers within the school district.
- (2) Appropriations by the General Assembly in each biennial budget for the purpose of supporting national board certification shall be credited to the fund and invested until needed. All money credited to the fund, including interest earned on money in the fund, shall be retained in the fund for reinvestment and used for the purposes of this section. Funds appropriated to the fund shall not lapse at the end of a fiscal year or a biennium.
- (3) The Education Professional Standards Board shall promulgate administrative regulations that establish the procedures for the administration of the funds as described in this section and the requirements for participating teachers and local boards of education. ***The board shall allocate only those funds to teachers or school districts for the purposes in this section for which other sources of funds are not being received. The board may limit the number of participants accepted in any given enrollment or application period due to the lack of available funds.***
- (4) Money in the fund shall be distributed to local boards of education and teachers by the Kentucky Department of Education in compliance with the administrative regulations promulgated by the board.

Section 2. KRS 161.134 is amended to read as follows:

- (1)
 - (a) A teacher pursuing national board certification shall receive from the fund established under KRS 161.133 a stipend of two hundred dollars (\$200) per day for two (2) days beyond the school contract year to prepare for the certification assessments.
 - (b) A local board of education shall provide five (5) days' released time during the school year for a teacher pursuing national board certification. The local board of education shall request reimbursement from the fund established under KRS 161.133 for substitute teacher pay based on the local board of education salary schedule for substitute teachers and for stipends paid to a teacher described in subsection (3) of this section. A local board of education may, at its own expense, provide additional released time for teachers pursuing national board certification.

- (c) If a teacher does not successfully complete all assessments required for national board certification during a school year, the provisions in this subsection may be applied to a second school year.
- (d) *When funds are not available to fully fund the requirements of paragraphs (a), (b), and (c) of this subsection for all national board applicants, the board may prorate the specified reimbursements in paragraphs (a) and (b) and may limit the conditions under which provisions of paragraph (c) shall be applied to second year participants. The board shall establish the procedures for carrying out the provisions of this subsection in an administrative regulation.*
- (2) (a) As of July 14, 2000, a teacher who attains national board certification shall be reimbursed seventy-five percent (75%) of the certification fee for the initial ten (10) year certificate, *except the Education Professional Standards Board may decrease the percentage of reimbursement if a teacher receives payment other than a repayable loan for the same purpose from another source and the cumulative amount would exceed one hundred percent (100%) of the cost of the certification fee.*
- (b) *Fees for retaking one (1) or more entries of the national board assessment for the initial national board certificate and* ~~fees for renewal of the~~ ~~national board~~ certificate shall be at the teacher's expense.
- (c) *Nothing in this subsection shall prohibit the board from reimbursing a percentage of the initial certification fee to a teacher who has received a repayable loan from a local board of education or other agency to offset initial costs.*
- (3) A national board certified teacher may receive a stipend in addition to his or her annual compensation for serving as a mentor to teachers within his or her school or school district. The Education Professional Standards Board shall promulgate administrative regulations ~~by January 1, 2001,~~ under which a local board of education, in cooperation with the school-based decision making council, may establish a mentoring program within a school to utilize national board certified teachers. The administrative regulations shall specify the conditions for the mentoring program as well as the amount of the stipend that will be provided to a teacher serving as a mentor.

SECTION 3. A NEW SECTION OF KRS CHAPTER 161 IS CREATED TO READ AS FOLLOWS:

Any applicant for emergency substitute teaching who possesses a bachelor's degree in any subject area from a regionally or nationally accredited institution of postsecondary education shall be granted a certificate for substitute teaching from the Education Professional Standards Board subject to the provisions of KRS 161.120(1). This certificate shall enable the applicant to apply for substitute teaching in any subject area for any grade level in any local school district.

Section 4. KRS 164.530 is amended to read as follows:

- (1) The Regional Compact of Southern States for Regional Educational Services [the text of which is set forth at length in Chapter 252 of the Acts of the 1950 General Assembly] be and the same is hereby approved and the State of Kentucky is hereby declared to be a party thereto, and the agreements, covenants, and obligations therein are declared to be binding upon the State of Kentucky.

- (2) The Governor shall sign an engrossed copy of the compact and sufficient copies be provided so that every state approving the compact shall have an engrossed copy.
- (3) (a) *The Kentucky members of the Legislative Advisory Council to the Southern Regional Education Board shall be represented by three (3) members of the Kentucky Senate, at least one (1) of whom shall be a member of the minority party, appointed by the President of the Senate; and three (3) members of the Kentucky House of Representatives, at least one (1) of whom shall be a member of the minority party, appointed by the Speaker of the House of Representatives.*
- (b) *The President of the Senate shall appoint five (5) delegates to the Legislative Work Conference and the Speaker of the House of Representatives shall appoint five (5) delegates to the Legislative Work Conference. The delegates shall include the Legislative Advisory Council members from each chamber.*

Section 5. Whereas the current appropriated and available funds are insufficient to provide the national board incentives as described in Sections 1 and 2 of this Act to all teachers who wish to participate, and whereas the Education Professional Standards Board needs statutory guidance on how to proceed under these circumstances, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

Approved March 31, 2003