

CHAPTER 9**(HB 427)**

AN ACT relating to schools and declaring an emergency.

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

➔Section 1. KRS 161.185 is amended to read as follows:

- (1) Except as provided in subsection (2), boards of education shall require a ***certified or classified staff*** member ***who is at least twenty-one (21) years of age***~~[of the school faculty or a member of the administrative staff]~~ to accompany students on all school-sponsored or school-endorsed trips. ***Local boards of education may adopt a policy that specifies the job classifications of staff members who may accompany students on trips under this section.***
- (2) Boards of education may permit a nonfaculty coach or nonfaculty assistant, as defined by administrative regulation promulgated by the Kentucky Board of Education under KRS 156.070(2), to accompany students on all school-sponsored or school-endorsed athletic trips. A nonfaculty coach or nonfaculty assistant shall be at least twenty-one (21) years of age, shall not be a violent offender or convicted of a sex crime as defined by KRS 17.165 which is classified as a felony, and shall submit to a criminal record check under KRS 160.380.
- (3) Prior to assuming his or her duties, a nonfaculty coach or nonfaculty assistant shall successfully complete training provided by the local school district. The training shall include, but not be limited to, information on the physical and emotional development of students of the age with whom the nonfaculty coach and nonfaculty assistant will be working, the district's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.

➔Section 2. Notwithstanding any other statute to the contrary, the commissioner of education may grant up to the equivalent of ten instructional days for school years 2010-2011 and 2011-2012 for school districts that have missed an average of 20 or more days in the previous three years and use alternative methods of instruction, including virtual learning, on days when the school district is closed for health or safety reasons, on nontraditional days, or during nontraditional time. Average daily attendance for purposes of support education excellence in Kentucky funding during the instructional time granted shall be calculated in compliance with administrative regulations promulgated by the Kentucky Board of Education.

➔Section 3. If the days in the approved calendar designated as makeup days are used the commissioner of education shall grant a request made by a local board of education to waive the makeup of all remaining instructional days scheduled to occur on or after June 21.

➔Section 4. Notwithstanding KRS 158.070 or any other statute or regulation to the contrary, a local board of education may amend its 2010-2011 school calendar by adding not less than 30 minutes to any remaining instructional day in order to make up time missed due to weather or illness. All instructional time added pursuant to this section shall be fully credited toward the calculation of the equivalent of 177 six hour instructional days, and no school calendar amended pursuant to this section shall be deemed an innovative calendar during the 2010-2011 school year.

➔Section 5. Whereas school districts must adjust the school schedule for the remaining part of the school year, 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.

Signed by Governor March 9, 2011.