

CHAPTER 65**(HB 397)**

AN ACT relating to disaster days for schools impacted by the western Kentucky tornadoes and declaring an emergency.

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

→Section 1. Notwithstanding the requirement in KRS 158.070 that the student instructional year include 170 student attendance days and any other statute or administrative regulation to the contrary, for school year 2021-2022, the Commissioner of Education shall waive up to 15 student attendance days for days missed by school districts located in counties in which a major disaster was declared by the President of the United States as a result of the western Kentucky tornado outbreak that occurred on December 10 and 11, 2021.

→Section 2. Notwithstanding any other statute or regulation to the contrary, student attendance days waived under this Act due to the tornado disaster shall be applied on a district-wide basis, except the commissioner of education shall waive additional days on a per school basis for schools that were closed on days that the closure was not district-wide. Student attendance days waived under this Act shall have occurred during the period of December 13, 2021, through January 14, 2022.

→Section 3. Notwithstanding any other statute, administrative regulation, or local board of education policy to the contrary, each classified and certified employee of a school district who did not perform his or her employment contract work duties on one or more student instructional days waived under the provisions of this Act shall be considered to have completed one day of his or her employment contract for each day waived.

→Section 4. Student attendance days waived under this Act shall not be counted against student attendance days authorized under a school district's approved nontraditional instruction plan.

→Section 5. Whereas the provisions of this Act apply to the 2021-2022 school year and provide needed relief to school districts for days missed due to the historic western Kentucky tornado outbreak, 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 31, 2022.