

CHAPTER 9

(SB 2)

AN ACT relating to school administrators and declaring an emergency.

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

➔Section 1. KRS 157.350 is amended to read as follows:

Each district which meets the following requirements shall be eligible to share in the distribution of funds from the fund to support education excellence in Kentucky:

- (1) Employs and compensates all teachers for not less than one hundred eighty-five (185) days. The Kentucky Board of Education, upon recommendation of the commissioner of education, shall prescribe procedures by which this requirement may be reduced during any year for any district which employs teachers for less than one hundred and eighty-five (185) days, in which case the eligibility of a district for participation in the public school fund shall be in proportion to the length of time teachers actually are employed;
- (2) Operates all schools for a minimum school term as provided in KRS 158.070 and administrative regulations of the Kentucky Board of Education. If the school term is less than one hundred eighty-five (185) days, including not less than one hundred seventy (170) student attendance days as defined in KRS 158.070 or one thousand sixty-two (1,062) hours of instructional time, for any reason not approved by the Kentucky Board of Education on recommendation of the commissioner, the eligibility of a district for participation in the public school fund shall be in proportion to the length of term the schools actually operate;
- (3)
 - (a) Compensates all teachers on the basis of a single salary schedule and in conformity with the provisions of KRS 157.310 to 157.440.~~;~~
 - (b)
 1. *Contracts, renewals, or extensions entered into on or after July 1, 2026, shall not provide any superintendent, as defined in KRS 161.720, a percentage pay increase greater than the percentage pay increase provided to classroom teachers in the district. Upon the expiration of the superintendent's contract, the local board and superintendent may negotiate a salary increase, which shall be set forth in a new contract.*
 2. *An administrator, as defined in KRS 161.720, shall not receive a percentage pay increase greater than the percentage pay increase provided to classroom teachers in the district unless the pay increase is:*
 - a. *In conjunction with a professional advancement that imposes a significant change in job duties and responsibilities; or*
 - b. *The result of local board action to uniformly increase the pay associated with a specific job category.*
 3. *The commissioner of education may grant a waiver of this paragraph if requested by a local board. If the commissioner denies a waiver request from a local board, a waiver of this paragraph may be requested in accordance with KRS 156.161;*
- (4) Includes no nonresident pupils in its average daily attendance, except:
 - (a) ~~1. Until July 1, 2022, pupils listed under a written agreement, which may be for multiple years, with the district of the pupils' legal residence.~~
 - ~~2. If an agreement cannot be reached, either board may appeal to the commissioner for settlement of the dispute.~~
 - ~~3. The commissioner shall have thirty (30) days to resolve the dispute. Either board may appeal the commissioner's decision to the Kentucky Board of Education.~~
 - ~~4. The commissioner and the Kentucky Board of Education shall consider the factors affecting the districts, including but not limited to academic performance and the impact on programs, school facilities, transportation, and staffing of the districts.~~
 - ~~5. The Kentucky Board of Education shall have sixty (60) days to approve or amend the decision of the commissioner;~~

~~(b)~~ Beginning July 1, 2022, those nonresident pupils admitted pursuant to district nonresident pupil policies adopted under KRS 158.120; and

~~(b)(c)~~ A nonresident pupil who attends a district in which a parent of the pupil is employed. All tuition fees required of a nonresident pupil may be waived for a pupil who meets the requirements of this paragraph.

This subsection does not apply to those pupils enrolled in an approved class conducted in a hospital and pupils who have been expelled for behavioral reasons who shall be counted in average daily attendance under KRS 157.320;

- (5) Any secondary school which maintains a basketball team for boys for other than intramural purposes, shall maintain the same program for girls; *and*
- (6) Any school district which fails to comply with subsection (5) of this section shall be prohibited from participating in varsity competition in any sport for one (1) year. Determination of failure to comply shall be made by the Department of Education after a hearing requested by any person within the school district. The hearing shall be conducted in accordance with KRS Chapter 13B. A district under this subsection shall, at the hearing, have an opportunity to show inability to comply.

➔Section 2. KRS 160.350 is amended to read as follows:

- (1) After considering the recommendations of a screening committee, as provided in KRS 160.352, each board of education shall appoint a superintendent of schools whose term of office shall begin on July 1, following the individual's appointment. The appointment may be for a term of no more than four (4) years. In the event a vacancy occurs in the office of superintendent prior to the expiration of the term set by the board, the term shall expire on the date the vacancy occurs. Therefore, the board may appoint a superintendent for a new term as provided in this subsection, which shall begin on the date of the superintendent's appointment, except when the vacancy occurs after a school board election and before the newly elected members take office. When a vacancy occurs during this period, the position shall not be filled until the new members take office, but the board may appoint an acting superintendent to serve a term not to exceed six (6) months. This appointment may be renewed once for a period not to exceed three (3) months. If a vacancy occurs, a local board may also appoint an acting superintendent during the period the screening committee pursuant to KRS 160.352 conducts its business and prior to the actual appointment of the new superintendent. No superintendent shall resign during a term and accept a new term from the same board of education prior to the expiration date of the present term. In the case of a vacancy in the office for an unexpired term, the board of education shall make the appointment so that the term will end on June 30. The board shall set the salary of the superintendent to be paid in regular installments.
- (2) *Each board of education shall publish on the district's website and submit to the Kentucky Department of Education, within thirty (30) days of execution, each superintendent's contract, amendment, renewal, extension, or addendum thereto as:*
 - (a) *A scanned copy of the fully executed document; and*
 - (b) *An electronic text version of the document in a format prescribed by the department that accurately sets forth the terms of the executed document and is accessible for publication in compliance with applicable accessibility requirements.*
- (3) *The department shall publish the documents submitted under subsection (2) of this section within thirty (30) days of receipt on the department's website. The department shall not remove information submitted under subsection (2) of this section from its website for at least ten (10) school years.*
- (4) An individual shall not assume the duties of superintendent in a district until he or she provides the board of education with a copy of a certificate for school superintendent issued by the Education Professional Standards Board or its legal predecessor. A superintendent shall hold a valid certificate throughout the period of employment. A superintendent shall successfully complete the training program and assessment center process within two (2) years of assuming the duties of superintendent. A superintendent shall not serve as director or officer of a bank, trust company, or savings or loan association that has the school district's funds on deposit. Following appointment, the superintendent shall establish residency in Kentucky.
- ~~(5)(3)~~ A superintendent of schools may be removed for cause by a vote of four-fifths (4/5) of the membership of a board of education and upon approval by the commissioner of education. However, if the dismissal of the superintendent has been recommended by a highly skilled certified educator pursuant to KRS 158.6455 and the action is approved by the commissioner of education, the board shall terminate the superintendent's

contract. Written notice setting out the charges for removal shall be spread on the minutes of the board and given to the superintendent. The board shall seek approval by the commissioner of education for removing the superintendent. The commissioner of education shall investigate the accuracy of the charges made, evaluate the superintendent's overall performance during the superintendent's appointment, and consider the educational performance of the students in the district. Within thirty (30) days of notification, the commissioner of education shall either approve or reject the board's request.

- ~~(6)~~~~(4)~~ After the completion of a superintendent's first contract or after four (4) years, whichever comes last, the board of education may, no later than June 30, extend the contract of the superintendent for one (1) additional year beyond the current term of employment.

➔Section 3. KRS 160.346 is amended to read as follows:

- (1) *As used in*~~For purposes of~~ this section:

- (a) "Department" means the Kentucky Department of Education;
- (b) "ESSA" means the Every Student Succeeds Act of 2015, Pub. L. No. 114-95, or its successor;
- (c) "Level" means elementary, middle, or high school;
- (d) "Turnaround" means a comprehensive transformation of a school to achieve accelerated, meaningful, and sustainable increases in student achievement through improved school leadership and school district support;
- (e) "Turnaround plan" means a mandatory school plan that is designed to improve student learning and performance with evidence-based interventions as defined in ESSA and that is developed and implemented by the local school district in partnership with stakeholders, including the principal, other school leaders, teachers, and parents; and
- (f) "Turnaround team" means the turnaround training and support team described in subsection ~~(9)~~~~(8)~~(a) of this section.

- (2) (a) The department shall annually identify a school for targeted support and improvement if the school has one (1) or more of the same subgroups, as defined by ESSA, whose performance in the state accountability system by level is at or below that of all students in any of the lowest-performing five percent (5%) of all schools for three (3) consecutive years.

- (b) Beginning with the 2021-2022 school year, and every three (3) years thereafter, the department shall identify a school for additional targeted support and improvement if the school has one (1) or more subgroups, as defined by ESSA, whose performance in the state accountability system by level is at or below the summative performance of all students in any of the lowest-performing five percent (5%) of all schools identified under subsection (3)(a) of this section and the school was identified in the immediately preceding year for targeted support and improvement as described in paragraph (a) of this subsection.

- (3) The department shall annually identify a school for comprehensive support and improvement if the school is:

- (a) In the lowest-performing five percent (5%) of all schools in its level based on the school's performance in the state accountability system;
- (b) A high school with a four (4) year cohort graduation rate that is less than eighty percent (80%); or
- (c) Identified by the department for additional targeted support and improvement under subsection (2)(b) of this section and fails to exit additional targeted support and improvement status based on criteria established under subsection ~~(12)~~~~(11)~~ of this section.

- (4) (a) When a school is identified for targeted support and improvement under subsection (2)(a) of this section, the local school personnel, working with stakeholders, including the principal, other school leaders, teachers, and parents, shall revise its school improvement plan, which shall be subject to review and approval by the local board of education.

- (b) Each revised plan shall be informed by all available indicators, including student performance compared to long-term goals, and shall include:

- 1. Components of turnaround leadership development and support;

2. Identification of critical resource inequities;
 3. Evidence-based interventions; and
 4. Additional actions that address the causes of consistently underperforming subgroups of students.
- (c) If adequate performance progress, as defined by the department, is not made, the local school district shall take additional action to assist and support the school in reaching performance goals.
- (5) When a school is identified for additional targeted support and improvement under subsection (2)(b) of this section, the local school district shall take more rigorous district-determined action to assist and support the school in reaching performance goals.
- (6) (a) When a school is identified for comprehensive support and improvement, an audit shall be performed by the department to diagnose the causes of the school's low performance.
- (b) The audit conducted under this subsection shall be the only comprehensive audit required for a school unless the school fails to exit comprehensive support and improvement status as described in subsection ~~(12)~~~~(11)~~ of this section or exits comprehensive support and improvement status but subsequently repeats as a school identified for comprehensive support and improvement.
- (7) ***When a school is identified for targeted support and improvement or comprehensive support and improvement for two (2) or more consecutive years, the superintendent may remove the principal.***
- (8) (a) The audit conducted by the department under subsection (6) of this section shall include:
1. A diagnosis of the causes of the school's low performance, with an emphasis on underperforming subgroups of students and corresponding critical resource inequities;
 2. An assessment and recommendation to the superintendent regarding the best strategies to address the school's specific needs;
 3. An assessment of the interaction and relationship among the superintendent, central office personnel, and the school principal;
 4. A recommendation of the steps the school may implement to launch and sustain a turnaround process;
 5. A recommendation to the local board of education of the turnaround principles and strategies necessary for the superintendent to assist the school with turnaround; and
 6. An assessment and recommendation to the superintendent regarding the principal's capacity to lead the turnaround effort in the school.
- (b) The report of an audit conducted under this subsection shall be provided to the superintendent, local board of education, school principal, commissioner of education, and the Kentucky Board of Education.
- ~~(9)~~~~(8)~~ After completion of the audit described in subsection ~~(8)~~~~(7)~~ of this section, each school identified for comprehensive support and improvement shall engage in the following turnaround intervention process:
- (a) The superintendent and principal shall collaborate with the department to create a turnaround training and support team for the school identified for comprehensive support and improvement. The local board of education shall approve the turnaround team;
 - (b) The authority of the school council granted under KRS 160.345 shall be transferred to the superintendent;
 - (c) The superintendent shall select a principal for the school if a principal vacancy occurs. The superintendent shall consult with the turnaround team, parents, certified staff, and classified staff before appointing a principal replacement;
 - (d) Upon recommendation of the principal, the superintendent may reassign certified staff members to a comparable position in the school district;
 - (e) The superintendent shall collaborate with the turnaround team to design ongoing turnaround training and support for the principal and a corresponding monitoring system of effectiveness and student achievement results;

- (f) The principal shall collaborate with the turnaround team to establish an advisory leadership team representing school stakeholders including other school leaders, teachers, and parents;
 - (g)
 1. In consultation with the department, the local school board shall collaborate with the superintendent, principal, turnaround team, and the advisory leadership team to propose a three (3) year turnaround plan.
 2. The turnaround plan shall include requests to the department for exemptions from submitting documentation that are identified by the principal, advisory leadership team, and turnaround team as inhibitors to investing time in innovative instruction and accelerated student achievement of diverse learners including ongoing staff instructional plans, student interventions, formative assessment results, or staff effectiveness processes.
 3. The turnaround plan shall be reviewed for approval by the superintendent and the local board of education and shall be subject to review, approval, monitoring, and periodic review by the department as described in KRS 158.782;
 - (h) The school district may request technical assistance from the department for development and implementation of the turnaround plan, which may include conducting needs assessments, selecting evidence-based interventions, and reviewing and addressing resource inequities;
 - (i) The turnaround plan shall be fully implemented by the first full day of the school year following the school year the school was identified for comprehensive support and improvement; and
 - (j) The superintendent shall periodically report to the local school board, and at least annually to the commissioner of education, on the implementation and results of the turnaround plan.
- ~~(10)(9)~~ The department shall establish required professional learning for teachers of students in schools identified for comprehensive support and improvement. Required professional learning shall be related to evidence-based practices in instruction, instructional materials implementation, and assessment for reading and mathematics and aligned to Kentucky academic standards required by KRS 158.6453.
- ~~(11)(10)~~ Each superintendent or public charter school board of directors shall adopt evidence-based curriculum and select high-quality instructional resources for schools identified for comprehensive support and improvement. High-quality instructional materials selected by the superintendent shall be determined by the department to be reliable, valid, and aligned to Kentucky academic standards required by KRS 158.6453 for reading and mathematics.
- ~~(12)(11)~~ The Kentucky Board of Education shall establish annual statewide exit criteria for schools identified for targeted support and improvement, additional targeted support and improvement, and comprehensive support and improvement.
- ~~(13)(12)~~ If a school enters comprehensive support and improvement status and does not make any annual improvement, as determined by the department, for two (2) consecutive years, or if the school does not exit the status after three (3) years, the school shall enter a school intervention process chosen by the commissioner of education that provides more rigorous support and action by the department to improve the school's performance.
- ~~(14)(13)~~ For school districts that include a significant number of schools, as determined by the department, identified for targeted support and improvement:
- (a) The department shall periodically review a local board's resource allocations to support school improvement and provide technical assistance to the local school board; and
 - (b) The department may provide a recommended list of turnaround or school intervention providers that have demonstrated success implementing evidence-based strategies.
- ~~(15)(14)~~ If, in the course of a school audit, the audit team identifies information suggesting that a violation of KRS 160.345(9)(a) may have occurred, the commissioner of education shall forward the evidence to the Office of Education Accountability for investigation.
- ~~(16)(15)~~ A school's right to establish a council granted under KRS 160.345 may be restored by the local board of education two (2) years after the school exits comprehensive support and improvement status.

➔Section 4. KRS 156.070 is amended to read as follows:

- (1) The Kentucky Board of Education shall have the management and control of the common schools and all programs operated in these schools, including interscholastic athletics, the Kentucky School for the Deaf, the Kentucky School for the Blind, and community education programs and services.
- (2) The Kentucky Board of Education may designate an organization or agency to manage interscholastic athletics in the common schools, provided that the rules, regulations, and bylaws of any organization or agency so designated shall be approved by the board, and provided further that any administrative hearing conducted by the designated managing organization or agency shall be conducted in accordance with KRS Chapter 13B.
 - (a) The state board or its designated agency shall assure through promulgation of administrative regulations that if a secondary school sponsors or intends to sponsor an athletic activity or sport that is similar to a sport for which National Collegiate Athletic Association members offer an athletic scholarship, the school shall sponsor the athletic activity or sport for which a scholarship is offered. The administrative regulations shall specify which athletic activities are similar to sports for which National Collegiate Athletic Association members offer scholarships.
 - (b) ~~Beginning with the 2003-2004 school year,~~ The state board shall require any agency or organization designated by the state board to manage interscholastic athletics to adopt bylaws that establish as members of the agency's or organization's board of control one (1) representative of nonpublic member schools who is elected by the nonpublic school members of the agency or organization from regions one (1) through eight (8) and one (1) representative of nonpublic member schools who is elected by the nonpublic member schools of the agency or organization from regions nine (9) through sixteen (16). The nonpublic school representatives on the board of control shall not be from classification A1 or D1 schools. Following initial election of these nonpublic school representatives to the agency's or organization's board of control, terms of the nonpublic school representatives shall be staggered so that only one (1) nonpublic school member is elected in each even-numbered year.
 - (c) The state board or any agency designated by the state board to manage interscholastic athletics shall not promulgate rules, administrative regulations, or by laws that prohibit pupils in grades seven (7) to eight (8) from participating in any high school sports except for high school varsity soccer, football, and boys or coed lacrosse, or from participating on more than one (1) school-sponsored team at the same time in the same sport. The Kentucky Board of Education, or an agency designated by the board to manage interscholastic athletics, may promulgate administrative regulations restricting, limiting, or prohibiting participation in high school varsity soccer and football for students who have not successfully completed the eighth grade.
 - (d)
 1. The state board or any agency designated by the state board to manage interscholastic athletics shall allow a member school's team or students to play against students of a nonmember at-home private school, or a team of students from nonmember at-home private schools, if the nonmember at-home private schools and students comply with this subsection.
 2. A nonmember at-home private school's team and students shall comply with the rules for student-athletes, including rules concerning:
 - a. Age;
 - b. School semesters;
 - c. Scholarships;
 - d. Physical exams;
 - e. Foreign student eligibility; and
 - f. Amateurs.
 3. A coach of a nonmember at-home private school's team shall comply with the rules concerning certification of member school coaches as required by the state board or any agency designated by the state board to manage interscholastic athletics.
 4. This subsection shall not allow a nonmember at-home private school's team to participate in a sanctioned:
 - a. Conference;
 - b. Conference tournament;

- c. District tournament;
 - d. Regional tournament; or
 - e. State tournament or event.
5. This subsection does not allow eligibility for a recognition, award, or championship sponsored by the state board or any agency designated by the state board to manage interscholastic athletics.
 6. A nonmember at-home private school's team or students may participate in interscholastic athletics permitted, offered, or sponsored by the state board or any agency designated by the state board to manage interscholastic athletics.
- (e)
1. Every local board of education shall require an annual medical examination performed and signed by a physician, physician assistant, advanced practice registered nurse, or chiropractor, if performed within the professional's scope of practice, for each student seeking eligibility to participate in any school athletic activity or sport.
 2. Any interscholastic athletics participation consent form that is adopted by the Kentucky Board of Education or any organization or agency designated by the state board to manage interscholastic athletics shall include the following information:
 - a. A student-athlete may report instances of child dependency, neglect, and abuse to any adult;
 - b. Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall report that information pursuant to KRS 620.030; and
 - c. References to instructions on reporting child dependency, neglect, and abuse, including KRS 620.030.
 3. The Kentucky Board of Education or any organization or agency designated by the state board to manage interscholastic athletics shall include the following information in any training for administrators and coaches under its jurisdiction:
 - a. The duty to report instances of child dependency, neglect, and abuse; and
 - b. Procedures for reporting child dependency, neglect, and abuse under KRS 620.030.
 4. The Kentucky Board of Education or any organization or agency designated by the state board to manage interscholastic athletics shall not promulgate administrative regulations or adopt any policies or bylaws that are contrary to the provisions of this paragraph.
- (f) Any student who turns nineteen (19) years of age prior to August 1 shall not be eligible for high school athletics in Kentucky. Any student who turns nineteen (19) years of age on or after August 1 shall remain eligible for that school year only. An exception to the provisions of this paragraph shall be made, and the student shall be eligible for high school athletics in Kentucky if the student:
1. Qualified for exceptional children services and had an individual education program developed by an admissions and release committee (ARC) while the student was enrolled in the primary school program;
 2. Was retained in the primary school program because of an ARC committee recommendation; and
 3. Has not completed four (4) consecutive years or eight (8) consecutive semesters of eligibility following initial promotion from grade eight (8) to grade nine (9).
- (g) The state board or any agency designated by the state board to manage interscholastic athletics shall promulgate administrative regulations or bylaws that provide that:
1. A member school shall designate all athletic teams, activities, and sports for students in grades six (6) through twelve (12) as one (1) of the following categories:
 - a. "Boys";
 - b. "Coed"; or

- c. "Girls";
 - 2. The sex of a student for the purpose of determining eligibility to participate in an athletic activity or sport shall be determined by:
 - a. A student's biological sex as indicated on the student's original, unedited birth certificate issued at the time of birth; or
 - b. An affidavit signed and sworn to by the physician, physician assistant, advanced practice registered nurse, or chiropractor that conducted the annual medical examination required by paragraph (e) of this subsection under penalty of perjury establishing the student's biological sex at the time of birth;
 - 3.
 - a. An athletic activity or sport designated as "girls" for students in grades six (6) through twelve (12) shall not be open to members of the male sex.
 - b. ~~Nothing in~~ This section shall **not** be construed to restrict the eligibility of any student to participate in an athletic activity or sport designated as "boys" or "coed"; and
 - 4. Neither the state board, any agency designated by the state board to manage interscholastic athletics, any school district, nor any member school shall entertain a complaint, open an investigation, or take any other adverse action against a school for maintaining separate interscholastic or intramural athletic teams, activities, or sports for students of the female sex.
- (h)
- 1. The state board or any agency designated by the state board to manage interscholastic athletics shall promulgate administrative regulations that permit a school district to employ or assign nonteaching or noncertified personnel or personnel without postsecondary education credit hours to serve in a coaching position. The administrative regulations shall give preference to the hiring or assignment of certified personnel in coaching positions.
 - 2. A person employed in a coaching position shall be a high school graduate and at least twenty-one (21) years of age and shall submit to a criminal background check in accordance with KRS 160.380.
 - 3. The administrative regulations shall specify post-hire requirements for persons employed in coaching positions.
 - 4. The regulations shall permit a predetermined number of hours of professional development training approved by the state board or its designated agency to be used in lieu of postsecondary education credit hour requirements.
 - 5. A local school board may specify post-hire requirements for personnel employed in coaching positions in addition to those specified in subparagraph 3. of this paragraph.
- (i)
- Unless permitted to be eligible for varsity athletics by any transfer rule, policy, or administrative regulation promulgated by the state board or any agency designated by the state board to manage interscholastic athletics, any student who transfers enrollment from a district of residence to a nonresident district under KRS 157.350(4)(a)~~(b)~~ after enrolling in grade nine (9) and participating in a varsity sport shall be ineligible to participate in interscholastic athletics for one (1) calendar year from the date of the transfer. The state board or any agency designated by the state board to manage interscholastic athletics may adopt rules, policies, and bylaws and promulgate administrative regulations necessary to carry out this paragraph.
- (j)
- No member school shall grant a student-athlete the right to use the member school's property, or intellectual property, such as trademarks, school uniforms, and copyrights, in the student's earning of compensation through name, image, and likeness activities. No student-athlete shall use school property or such intellectual property in earning compensation through name, image, and likeness activities. The state board or any agency designated by the state board to manage interscholastic athletics shall promulgate administrative regulations to govern and enforce this paragraph.
- (3) (a) The Kentucky Board of Education is hereby authorized to lease from the State Property and Buildings Commission or others, whether public or private, any lands, buildings, structures, installations, and facilities suitable for use in establishing and furthering television and related facilities as an aid or supplement to classroom instruction throughout the Commonwealth and for incidental use in any other proper public functions. The lease may be for any initial term commencing with the date of the lease and ending with the next ensuing June 30, which is the close of the then-current fiscal biennium of the

Commonwealth, with exclusive options in favor of the board to renew the same for successive ensuing bienniums, July 1 in each even year to June 30 in the next ensuing even year; and the rentals may be fixed at the sums in each biennium, if renewed, sufficient to enable the State Property and Buildings Commission to pay therefrom the maturing principal of and interest on, and provide reserves for, any revenue bonds which the State Property and Buildings Commission may determine to be necessary and sufficient, in agreement with the board, to provide the cost of acquiring the television and related facilities with appurtenances and costs as may be incident to the issuance of the bonds.

- (b) Each option of the Kentucky Board of Education to renew the lease for a succeeding biennial term may be exercised at any time after the adjournment of the session of the General Assembly at which appropriations shall have been made for the operation of the state government for such succeeding biennial term, by notifying the State Property and Buildings Commission in writing, signed by the chief state school officer, and delivered to the secretary of the Finance and Administration Cabinet as a member of the commission. The option shall be deemed automatically exercised, and the lease automatically renewed for the succeeding biennium, effective on the first day thereof, unless a written notice of the board's election not to renew shall have been delivered in the office of the secretary of the Finance and Administration Cabinet before the close of business on the last working day in April immediately preceding the beginning of the succeeding biennium.
 - (c) The Kentucky Board of Education shall not itself operate leased television facilities, or undertake the preparation of the educational presentations or films to be transmitted thereby, but may enter into one (1) or more contracts to provide therefor, with any public agency and instrumentality of the Commonwealth having, or able to provide, a staff with proper technical qualifications, upon which agency and instrumentality the board, through the chief state school officer and the Department of Education, is represented in such manner as to coordinate matters of curriculum with the curricula prescribed for the public schools of the Commonwealth. Any contract for the operation of the leased television or related facilities may permit limited and special uses of the television or related facilities for other programs in the public interest, subject to the reasonable terms and conditions as the board and the operating agency and instrumentality may agree upon; but any contract shall affirmatively forbid the use of the television or related facilities, at any time or in any manner, in the dissemination of political propaganda or in furtherance of the interest of any political party or candidate for public office, or for commercial advertising. No lease between the board and the State Property and Buildings Commission shall bind the board to pay rentals for more than one (1) fiscal biennium at a time, subject to the aforesaid renewal options. The board may receive and may apply to rental payments under any lease and to the cost of providing for the operation of the television or related facilities not only appropriations which may be made to it from state funds, from time to time, but also contributions, gifts, matching funds, devises, and bequests from any source, whether federal or state, and whether public or private, so long as the same are not conditioned upon any improper use of the television or related facilities in a manner inconsistent with the provisions of this subsection.
- (4) The state board may, on the recommendation and with the advice of the chief state school officer, prescribe, print, publish, and distribute at public expense such administrative regulations, courses of study, curriculums, bulletins, programs, outlines, reports, and placards as each deems necessary for the efficient management, control, and operation of the schools and programs under its jurisdiction. All administrative regulations published or distributed by the board shall be enclosed in a booklet or binder on which the words "informational copy" shall be clearly stamped or printed.
 - (5) Upon the recommendation of the chief state school officer or his or her designee, the state board shall establish policy or act on all matters relating to programs, services, publications, capital construction and facility renovation, equipment, litigation, contracts, budgets, and all other matters which are the administrative responsibility of the Department of Education.
 - (6) On or after June 27, 2025, the state board shall not impose any new reporting requirement upon public schools or public school districts that is not expressly authorized by state statute or federal law.

➔Section 5. Whereas it is paramount that schools in the Commonwealth have the best leadership possible, an emergency is declared to exist, and Section 3 of this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

Signed by Governor March 27, 2026.

