

160.370 Superintendent as executive agent of board -- Duties -- Duties of local board of education and superintendent in county with consolidated local government -- Approval of small purchases in county with consolidated local government.

- (1) The superintendent shall be the executive agent of the board that appoints him or her and shall meet with the board, except when his or her own tenure, salary, or the administration of his or her office is under consideration. As executive officer of the board, the superintendent shall see that the laws relating to the schools, the bylaws, rules, and regulations of the Kentucky Board of Education, and the regulations and policies of the district board of education are carried into effect. He or she may administer the oath required by the board of education to any teacher or other person. He or she shall be the professional adviser of the board in all matters. He or she shall prepare, under the direction of the board, all rules, regulations, bylaws, and statements of policy for approval and adoption by the board. He or she shall have general supervision, subject to the control of the board of education, of the general conduct of the schools, the course of instruction, the discipline of pupils, and the management of business affairs. He or she shall be responsible for the hiring and dismissal of all personnel in the district.
- (2) For a county school district in a county with a consolidated local government adopted under KRS Chapter 67C:
 - (a) A local board of education shall:
 1. Delegate authority to the superintendent over the district's day-to-day operations and implementation of the board-approved strategic plan in a manner that promotes the efficient, timely operation of the district, including but not limited to the authority over contracts related to daily operations of the district, pupil transportation, personnel matters, and the organizational structure of administrative staff;
 2. Except as expressly required by statute, including subparagraphs 3. and 5. of this paragraph, not meet more than once every four (4) weeks for the purpose of approving necessary administrative matters;
 3. By December 1 each year, approve a rolling three (3) year strategic plan for the district that outlines student achievement goals, faculty and staff improvement goals, facility and infrastructure improvement, and other key objectives that the superintendent and board believe are in the best interest of student outcomes and the community;
 4. Approve an annual budget for the district, which shall include any budgetary decisions relevant to the district's ability to obtain necessary revenue, including tax revenue, in accordance with the requirements of state law and regulation;
 5. By November 1 each year, oversee:
 - a. An annual audit of the financial dealings of the district and the reporting of key financial performance data in order to ensure fair and accurate reporting to the board; and

- b. An annual review of student performance in the district and the reporting of key student performance data to ensure compliance with state and federal law and accurate reporting to the board;
 6. Recruit and hire the superintendent and negotiate the terms of employment and compensation of a prospective superintendent;
 7. Complete an annual review of the superintendent's performance with regard to the duties assigned in subsection (1) of this section and paragraph (b) of this subsection; and
 8. Be responsible for the dismissal of the superintendent;
- (b) Notwithstanding any provision to the contrary in subsection (1) of this section, the superintendent shall:
1. Provide a quarterly, informational report to the board on the administrative actions taken by the superintendent to carry out the district's daily operations and implementation of the strategic plan as well as a budget to actual financial update;
 2. Prepare all rules, regulations, bylaws, and statements of policy for approval and adoption by the board, with approval not to be withheld without a two-thirds (2/3) vote of the board to deny approval or adoption;
 3. Supervise the general conduct of the schools, the course of instruction, the discipline of pupils, the employment matters of all employees and contractors, and the management of business affairs of the district;
 4. Be responsible for the hiring, employment terms, dismissal, and organizational structure of all personnel in the district in compliance with all laws and in a manner that best serves the students of the district; and
 5. Notwithstanding any law that assigns an administrative duty, responsibility, or authority to a board of education, or other law to the contrary, be responsible for any administrative duty not explicitly granted to the board under paragraph (a) of this subsection; and
- (c) If the county adopts the provisions of the Kentucky Model Procurement Code, the board shall authorize the superintendent to approve purchases, in accordance with small purchase procedures adopted by the board, for any contract for which a determination is made that the aggregate amount of the contract does not exceed two hundred fifty thousand dollars (\$250,000). The board shall authorize the superintendent to approve a line-item transfer within its annual budget as she or he deems necessary, provided that the aggregate amount of any individual transfer does not exceed two hundred fifty thousand dollars (\$250,000). The superintendent shall provide a quarterly report to the board on any purchases made under this subsection.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 196, sec. 3, effective July 14, 2022. -- Amended 2019 Ky. Acts ch. 65, sec. 1, effective June 27, 2019. -- Amended 1996 Ky. Acts ch.

362, sec. 6, effective July 15, 1996. -- Amended 1990 Ky. Acts ch. 476, Pt. II, sec. 89, effective July 13, 1990. -- Amended 1966 Ky. Acts ch. 89, sec. 10. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4399-34.