

### **157.320 Definitions for KRS 157.310 to 157.440.**

As used in KRS 157.310 to 157.440, unless the context otherwise requires:

- (1) "Administrative regulations of the Kentucky Board of Education" means those regulations which the Kentucky Board of Education may adopt upon the recommendation and with the advice of the commissioner of education. The commissioner of education shall recommend administrative regulations necessary for carrying out the purposes of KRS 157.310 to 157.440;
- (2) "Average daily attendance" means the aggregate days attended by pupils in a public school, adjusted for weather-related low attendance days if applicable, divided by the actual number of days the school is in session, after the five (5) days with the lowest attendance have been deducted.
  - (a) Aggregate days shall include, in addition to the aggregate number of days attended by a pupil who was suspended during a school year, the number of days the pupil was suspended, not to exceed ten (10) days in total for the school year; and
  - (b) Aggregate days shall include, in addition to the aggregate number of days attended by a pupil who was expelled for behavioral problems, the number of days the pupil was expelled up to a total of one hundred seventy-five (175) days. This total may extend into the next school year and shall be counted in the average daily attendance for the next year;
- (3) "Base funding level" means a guaranteed amount of revenue per pupil to be provided for each school district, to be used for regular operating and capital expenditures;
- (4) "Board" means the board of education of any county or independent school district;
- (5) "District" means any school district as defined by law;
- (6) "Elementary school" means a school consisting of the primary school program through grade eight (8) as defined in KRS 158.030, or any appropriate combination of grades within this range, as determined by the plan of organization for schools authorized by the district board;
- (7) "Experience" means employment as a teacher, other than as a substitute or nursery school teacher, for a minimum of one hundred forty (140) days during a school year in a public or nonpublic elementary or secondary school or college or university that is approved by the public accrediting authority in the state in which the teaching duties were performed. A teacher who is employed by a board for at least one hundred forty (140) days of a school year and who performs teaching duties for the equivalent of at least seventy (70) full school days during that school year, regardless of the schedule on which those duties were performed, shall be credited with one (1) year of experience. A teacher who is employed by a board for at least one hundred forty (140) days during each of two (2) school years and who performs teaching duties for the equivalent of at least seventy (70) full school days during those years shall be credited with one (1) year of experience. No more than one (1) year of experience shall be credited for the performance of teaching duties during a single school year;
- (8) "Kindergarten full-time equivalent pupil in average daily attendance" means each

kindergarten pupil counted no more than one-half (1/2) day in the aggregate days attended by kindergarten pupils in a public school divided by the actual number of days school is in session after the five (5) days with the lowest attendance have been deducted. Kindergarten is the entry level of the primary program and shall be provided no less than the equivalent of one-half (1/2) day, five (5) days a week for a full school year for each kindergarten pupil;

- (9) "Middle school" means a school consisting of grades five (5) through eight (8) or any appropriate combination of grades as determined by the plan of organization for schools authorized by the district board;
- (10) "National board certification salary supplement" means an annual supplement added for the life of the certificate to the base salary of a teacher who attains national board certification;
- (11) "Percentage of attendance" means the aggregate days attended by pupils in a public school for the school year divided by the aggregate days' membership of pupils in a public school for the school year;
- (12) "Public school fund" means the fund created by KRS 157.330 for use in financing education in public elementary and secondary schools;
- (13) "Secondary school" means a school consisting of grades seven (7) through twelve (12), or any appropriate combination of grades within this range as determined by the plan of organization for schools authorized by the district board. When grades seven (7) through nine (9) or ten (10) are organized separately as a junior high school, or grades ten (10) through twelve (12) are organized separately as a senior high school and are conducted in separate school plant facilities, each shall be considered a separate secondary school for the purposes of KRS 157.310 to 157.440;
- (14) "Single salary schedule" means a schedule adopted by a local board from which all teachers are paid for one hundred eighty-five (185) days and is based on training, experience, and such other factors as the Kentucky Board of Education may approve and which does not discriminate between salaries paid elementary and secondary teachers. If the budget bill contains a minimum statewide salary schedule, no teacher shall be paid less than the amount specified in the biennial budget salary schedule for the individual teacher's educational qualifications and experience;
- (15) "Support Education Excellence in Kentucky" means the level of educational services and facilities which is to be provided in each district from the public school fund;
- (16) "Teacher" means any regular or special teacher, principal, supervisor, superintendent, assistant superintendent, librarian, director of pupil personnel, or other member of the teaching or professional staff engaged in the service of the public elementary and secondary school for whom certification is required as a condition of employment;
- (17) "Virtual program" means a program offered by a public school district in which all courses in the program are virtual, do not include regular in-person instruction, and are designed as an alternative to traditional in-person school programs; and

- (18) "Weather-related low attendance day" means a school day on which the district's attendance falls below the average daily attendance for the prior year due to inclement weather. The district shall submit a request to substitute the prior year's average daily attendance for its attendance on up to ten (10) designated days, along with documentation that the low attendance was due to inclement weather, for approval by the commissioner of education in accordance with Kentucky Board of Education administrative regulations.

**Effective:** March 27, 2025

**History:** Amended 2025 Ky. Acts ch. 94, sec. 2, effective March 27, 2025. -- Amended 2000 Ky. Acts ch. 257, sec. 7, effective July 14, 2000; and ch. 389, sec. 2, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 6, sec. 1, effective July 15, 1998; ch. 309, sec. 1, effective July 15, 1998; and ch. 591, sec. 2, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 20, sec. 4, effective July 15, 1996; and ch. 362, sec. 6, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 240, sec. 1, effective July 15, 1994; and ch. 254, sec. 1, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 351, sec. 1, effective July 13, 1990; and ch. 476, Pt. III, sec. 94, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 367, sec. 2, effective July 13, 1984. -- Amended 1980 Ky. Acts ch. 182, sec. 1, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 133, sec. 1, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 93, sec. 12, effective July 1, 1977. -- Created 1976 Ky. Acts ch. 93, sec. 22, effective July 1, 1976.

**History for former KRS 157.320:** Repealed 1974 Ky. Acts ch. 363, sec. 18, effective June 30, 1976. -- Amended 1974 Ky. Acts ch. 265, sec. 2, effective June 21, 1974. -- Amended 1972 Ky. Acts ch. 151, sec. 3; and ch. 372, sec. 3. -- Amended 1968 Ky. Acts ch. 208, sec. 1. -- Amended 1960 Ky. Acts ch. 145, sec. 1. -- Created 1954 Ky. Acts ch. 214, sec. 2.

**2024-2026 Budget Reference.** See State/Executive Branch Budget, 2024 Ky. Acts ch. 175, Pt. I, C, 1, (19) at 1830.

**Legislative Research Commission Note (3/27/2025).** Under the authority of KRS 7.136, the reviser of statutes has rearranged the subsections in this statute to place the definitions in alphabetical order. The words in the statute were not changed.