

**156.106 Critical shortage areas -- Definition for section and KRS 161.605 --  
Appointment of retired teachers and administrators.**

- (1) For purposes of this section and KRS 161.605, "critical shortage area" means a lack of certified teachers in particular subject areas, in grade levels, or in geographic locations at the elementary and secondary level, as determined annually by the commissioner of education. The commissioner may use any source considered reliable including, but not limited to, data provided by the Education Professional Standards Board and local education agencies to identify the critical shortage areas.
- (2)
  - (a) The Kentucky Board of Education shall promulgate administrative regulations to establish procedures to be used to appoint retired teachers and administrators to positions in critical shortage areas under this section and KRS 161.605.
  - (b) A retired teacher or administrator appointed to a position in a critical shortage area shall be paid, at a minimum, a salary at Rank II with ten (10) years of experience based on a single salary schedule adopted by the district.
  - (c) The commissioner of education shall report members reemployed under this section to the Kentucky Teachers' Retirement System.
- (3) If a local school district needs a person to fill a critical shortage position after reaching its quota established under KRS 161.605, the commissioner of education with the approval of the executive director of the Kentucky Teachers' Retirement System may allow the district to exceed its quota if the statewide quota has not been met.

**Effective:** June 27, 2025

**History:** Amended 2025 Ky. Acts ch. 144, sec. 2, effective June 27, 2025. -- Created 2000 Ky. Acts ch. 477, sec. 1, effective July 14, 2000; and ch. 498, sec. 3, effective July 1, 2000.

**Legislative Research Commission Note (7/14/2000).** Subsections (1) and (4) of this statute were enacted identically in 2000 Ky. Acts ch. 477, sec. 1, subsecs. (1) and (3), and ch. 498, sec. 3, subsecs.(1) and (3). Subsections (2) and (3) were enacted by the same two Acts but with nonidentical, but very similar, text, subsection (2) coming from Acts ch. 477, sec. 1, subsec. (2), and subsection (3) coming from Acts ch. 498, sec. 3, subsec. (2). Because the two Acts differ in the texts of their second subsections in newly created statutes, both versions have been codified. Cf. KRS 446.250. Acts ch. 477 (House Bill 519) was signed by the President of the Senate on April 11, 2000, at 10:28 a.m.; Acts ch. 498 (House Bill 739) was signed by the President of the Senate on April 11, 2000, at 1:15 p.m. The tables for the 2000 Kentucky Acts show Acts ch. 498 as being codified at KRS 156.497, but, because of the near identity of the sections, it was subsequently decided to merge them into a single KRS section for codification.