

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2016 REGULAR SESSION
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Amend printed copy of HB 29/SCS 1

On page 2, following line 9, insert the following:

"➔Section 2. KRS 156.844 is amended to read as follows:

- (1) A local board of education may submit a request to the commissioner of education to assume authority for the management and control of a state-operated secondary vocational education and technology center. Upon agreement between the commissioner of education and the local board of education for the transfer of a state-operated secondary vocational education and technology center, all personnel, equipment, and supplies shall be transferred to the local board of education and shall be utilized for the operation of the locally operated vocational center.
- (2) A certified employee who is affected by a transfer to the local board of education under subsection (1) of this section shall be granted a one (1) year limited contract by the local board of education and shall be employed on the local district salary schedule. A classified employee shall be guaranteed employment equal to his or her present status for at least one (1) complete school term. A transferred employee shall be provided the benefits of comparable employees in the district and shall be subject to all rules and policies of the local board of education, including but not limited to disciplinary and personnel actions that are the same as those that may be exercised by the district for any other employee in the

Amendment No. SFA 2

Sponsor: Sen. Jimmy Higdon

Committee Amendment: _____

Signed: _____

Floor Amendment: _____

LRC Drafter: Boggs, Ben

Adopted: _____

Date: _____

Rejected: _____

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- district during a contract period.
- (3) A transferred employee who has accrued annual leave and compensatory time shall be paid a lump sum for the accrued time at the effective date of the transfer by the Department of Education. The employee shall be granted credit for accrued sick leave up to the maximum allowed for transfers of teachers between school districts. Sick leave credit shall be awarded to a classified employee based on the local board policy. Any excess sick leave that a classified or certified employee has earned that the district will not accept in the transfer may be requested to be held in escrow by the appropriate state personnel system under KRS Chapter 18A or KRS 156.800 to 156.860, and the sick leave balance shall be restored to the employee if the employee returns to a state government position.
 - (4) An employee who is to be transferred to a local board of education under provisions of this section but who chooses not to accept a one (1) year limited contract with the board shall be separated from the state system and the employee's position shall be abolished. The employee may apply for any state position for which the employee is qualified but shall not be granted priority over other applicants for a position because the employee's position was abolished due to a transfer of the vocational education and technology center. An employee who refuses a contract with the local board shall be provided a lump-sum payment for accrued annual leave and compensatory time, and the employee's sick leave balance shall be placed in escrow by the appropriate state personnel system under KRS Chapter 18A or KRS 156.800 to 156.860. The sick leave balance shall be restored to the employee if the employee returns to a state government position.
 - (5) A certified employee, other than a principal, who has earned continuing status in the state certified personnel system under KRS 156.800 to 156.860 may be granted tenure under the provisions of KRS 161.740(1)(c). A principal may be granted tenure as a teacher, but the provisions relating to demotion of the principal under KRS 161.765 shall apply.

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- (6) An employee of the Office of Career and Technical Education who is transferred to the local school district and who occupies a position covered by the Kentucky Teachers' Retirement System shall remain in the Kentucky Teachers' Retirement System.
- (7) After the effective date of the transfer, the local board of education shall receive funding for the support of the local board of education center operations as follows:
- (a) 1. If the transfer occurs after June 30, 2016, and the secondary vocational education and technology center is located in a county with fewer than twenty-one thousand (21,000) residents and more than three thousand (3,000) manufacturing jobs, the secondary vocational education and technology center shall continue to receive funding as if it were a state-operated center for as long as the local board of education continues to operate the center. The Department of Education shall transfer to the local school district all funds appropriated to the department and allotted for the secondary vocational education and technology center. These funds shall be transferred to the local school district at the same time and in the same manner that other funds are transferred from the Kentucky Department of Education to the school district under the Support Education Excellence in Kentucky (SEEK) program; and
2. For any district other than those described in paragraph (a) of this subsection, the local board of education shall receive funding pursuant to KRS 157.069; and
- (b) In addition, the local board of education shall receive one hundred percent (100%) of the Support Education Excellence in Kentucky program funds from the Department of Education that are generated from students enrolled in the center."