

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2019 REGULAR SESSION
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Amend printed copy of **HB 444/GA**

On page 3, after line 18, insert the following:

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

(1) **(a)** 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.

(b) ***Beginning with the effective date of this Act, prior to the transfer of a state-operated secondary vocational education and technology center to the local district, the local district shall have an interlocal agreement with the current feeder schools approved by the commissioner of education. The interlocal agreement shall include a collaborative process for determining the allocation of seats, programming changes, school calendars, transportation, and, if applicable, nutrition program.***

(2) **(a)** ***If a local board of education assumes authority for the management and control of a state-operated secondary vocational education and technology center on or after the effective date of this Act, then the locally operated secondary area center shall***

Amendment No. _____

Rep. Sen. Jimmy Higdon

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: Ellis Jo Carole

Adopted: _____

Date: _____

Rejected: _____

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- be considered a state-operated center for the purpose of determining the distribution of funds. The local district shall not receive any of the funds designated for locally operated secondary area centers under Section 1 of this Act.*
- (b) For the first year the local board of education assumes authority, the locally operated center shall receive an amount equal to the amount allotted to it as a state-operated center in the prior fiscal year. Thereafter, the locally operated center shall receive an amount equal to fifty percent (50%) of the amount allotted to it as a state-operated center if the center maintains a ratio of at least twelve and one-half (12 ½) students to each program teacher. If a program teacher to student ratio falls below twelve and one-half (12 ½) students, the locally operated center's funding shall not receive the portion of funding for the program teacher.*
- (c) Any changes made by the locally operated center to funded career pathways shall be aligned with labor market data for the top five (5) industry sectors for the region and the district where the center is located and shall be approved by the Department of Education.*

~~(3)~~~~(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 district during a contract period.

~~(4)~~~~(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.

~~(5)(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.

~~(6)(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.

~~(7)(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'

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Retirement System shall remain in the Kentucky Teachers' Retirement System.

~~(8)(7)~~ **For a transfer made prior to the effective date of this Act**~~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 pursuant to KRS 157.069. **For any transfer made under this section**~~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."