

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2019 REGULAR SESSION
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Amend printed copy of **SB 116/SCS 1**

On page 24, delete lines 11 and 12 in their entirety and replace the following in lieu thereof:

"and talented students. The commissioner of education and the executive ~~director~~~~[secretary]~~ for the Education Professional Standards Board shall submit proposed"; and

On page 27, beginning with line 9 and continuing through page 28, line 11, delete Section 7. in its entirety and replace the following in lieu thereof:

"Section 7. KRS 161.017 is repealed, reenacted, and amended to read as follows:

(1) The Education Professional Standards Board, established in KRS 161.028, shall be headed by an executive director, **and the board shall be attached to the Kentucky Department of Education for administrative purposes only. The executive director shall be an employee of the Kentucky Department of Education for administrative purposes but shall report to the board and all employment decisions regarding the executive director shall be made by the board. The executive director**~~[who]~~ shall be responsible for the day to day operations of the board~~[including the following:~~

- ~~(a) Setting up appropriate organizational structures and personnel policies for approval by the board;~~
- ~~(b) Appointing all staff, including the deputy executive director;~~
- ~~(c) Preparing annual reports on the board's program of work;~~

Amendment No. _____

Rep. Sen. Gerald A. Neal

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: Ellis, Jo Carole

Adopted: _____

Date: _____

Rejected: _____

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- ~~(d) Carrying out policy and program directives of the board;~~
- ~~(e) Preparing and submitting to the board for its approval a proposed biennial budget;~~
and
- ~~(f) Performing all other duties and responsibilities assigned by state law].~~
- (2) When it is necessary to fill the position of executive director, the board shall conduct a comprehensive search for candidates and may employ a search firm if the board deems it necessary. The executive director shall possess broad-based experience in education and teacher development, and have demonstrated leadership skills in addition to other qualifications to be established by the board as authorized in KRS 161.028.
- (3) With approval of the board, the executive director may enter into agreements with any state agency or political subdivision of the state, any postsecondary education institution, or any other person or entity to enlist assistance to implement the duties and responsibilities of the board.
- (4) The executive director shall have access to the papers, books, and records of education personnel as part of an inquiry or investigation relating to disciplinary actions against a certified employee.
- (5) Pursuant to KRS 161.120, the executive director, on behalf of the board, may issue administrative subpoenas for the attendance of witnesses and the production of documents relevant to disciplinary cases under consideration. Compliance with the subpoenas shall be enforceable by the Circuit Court in Franklin County."; and

On page 30, beginning with line 16 and continuing through page 32, line 9, delete all lines in their entirety and replace the following in lieu thereof:

- "(m) Set the qualifications and salary for the positions of executive director ~~and deputy executive director~~ to the board, notwithstanding the provisions of KRS 64.640;
- (n) Recruit, select,~~employ~~ and evaluate the executive director to the board;

- (o) ~~[Approve employment procedures for the employment of policy level staff, subject to the provisions of KRS 12.050;~~
- (p) ~~Approve the biennial budget request;~~
- (q) ~~Charge reasonable fees for the issuance, reissuance, and renewal of certificates that are established by administrative regulation. The proceeds shall be used to meet a portion of the costs of the issuance, reissuance, and renewal of certificates, and the costs associated with disciplinary action against a certificate holder under KRS 161.120;~~
- (p)~~(r)~~ Waive a requirement that may be established in an administrative regulation promulgated by the board. A request for a waiver shall be submitted to the board, in writing, by an applicant for certification, a postsecondary institution, or a superintendent of a local school district, with appropriate justification for the waiver. The board may approve the request if the person or institution seeking the waiver has demonstrated extraordinary circumstances justifying the waiver. Any waiver granted under this subsection shall be subject to revocation if the person or institution falsifies information or subsequently fails to meet the intent of the waiver;
- (q)~~(s)~~ Promote the development of one (1) or more innovative, nontraditional or alternative administrator or teacher preparation programs through public or private colleges or universities, private contractors, the Department of Education, or the Kentucky Commonwealth Virtual University and waive administrative regulations if needed in order to implement the program;
- (r)~~(t)~~ Grant approval, if appropriate, of a university's request for an alternative program that enrolls an administrator candidate in a postbaccalaureate administrator preparation program concurrently with employment as an assistant principal, principal, assistant superintendent, or superintendent in a local school district. An

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administrator candidate in the alternative program shall be granted a temporary provisional certificate and shall be a candidate in the Kentucky Principal Internship Program, notwithstanding provisions of KRS 161.030, or the Superintendent's Assessment process, notwithstanding provisions of KRS 156.111, as appropriate. The temporary certificate shall be valid for a maximum of two (2) years, and shall be contingent upon the candidate's continued enrollment in the preparation program and compliance with all requirements established by the board. A professional certificate shall be issued upon the candidate's successful completion of the program, internship requirements, and assessments as required by the board;

~~(s)~~~~(u)~~ Employ consultants as needed;

~~(t)~~~~(v)~~ Enter into contracts. Disbursements to professional educators who receive less than one thousand dollars (\$1,000) in compensation per fiscal year from the board for serving on an assessment validation panel or as a test scorer or proctor shall not be subject to KRS 45A.690 to 45A.725;

~~(u)~~~~(w)~~ Sponsor studies, conduct research, conduct conferences, and publish information as appropriate; and

~~(v)~~~~(x)~~ Issue orders as necessary in any administrative action before the board."; and

On page 34, line 10, remove the opening bracket before the word "The", and remove the closing bracket after "proceedings.", and delete the intervening strikethroughs; and

On page 34, delete lines 16 through 18 in their entirety; and

On page 34, line 19, delete "~~(i)~~" and replace with "~~(h)~~"; and

On page 65, delete lines 20 through 21 in their entirety and replace the following in lieu thereof:

"Educational Television and the executive director~~[and deputy executive director]~~ of the Education Professional Standards Board;" and

On page 70, delete lines 16 through 21 in their entirety and replace with the following in lieu thereof:

- "(b) The executive director of the Education Professional Standards Board or designee;
- (c) The president of the Council on Postsecondary Education or designee;
- (d) The secretary of the Education and Workforce Development Cabinet or designee; and
- (e) The executive director of the Kentucky Higher Education Assistance"; and

On page 84, line 24, bracket and strikethrough "twenty-five (25)" and insert "twenty-six (26) in lieu thereof"; and

On page 85, delete lines 4 and 5 in their entirety and replace with the following in lieu thereof:

- "(d) The executive director of the Education Professional Standards Board or his or her designee"; and

On page 85, line 19, bracket and strikethrough "and"; and

On page 85, delete line 23 in its entirety and replace with the following in lieu thereof:

"from their respective local superintendents of schools; and

- (j) The executive director of the Center for Mathematics created under KRS 164.525."; and

On page 88, delete lines 22 and 23 in their entirety and replace with the following in lieu thereof:

"Professional Standards Board under the direction of the executive director, in accordance with administrative regulations approved by"; and

On page 88, delete lines 26 and 27 in their entirety and replace with the following in lieu thereof:

- "(1) The "designated state official" for this state shall be the executive director of the Education Professional Standards Board. The"; and

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On page 89, delete line 1 in its entirety and replace with the following in lieu thereof:

"executive director shall enter into contracts pursuant"; and

On page 89, delete lines 6 and 7 in their entirety and replace with the following in lieu thereof:

"in the office of the Secretary of State. The executive director of the board shall publish all contracts in convenient form."