

1 AN ACT relating to abandoned infants.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 405.075 is amended to read as follows:

4 (1) As used in this section:

5 (a) "Newborn infant" means an infant who is medically determined to be less  
6 than thirty (30) days old;

7 (b) "Newborn safety device" means a device:

8 1. Designed to permit a parent to anonymously place a newborn infant in  
9 the device with the intent to leave the newborn and for an emergency  
10 medical services provider to remove the newborn from the device and  
11 take custody of the newborn infant;

12 2. Installed with an adequate dual alarm system connected to the physical  
13 location where the device is physically installed. The dual alarm system  
14 shall be:

15 a. Tested at least one (1) time per month to ensure the alarm system  
16 is in working order; and

17 b. Visually checked at least two (2) times per day to ensure the alarm  
18 system is in working order;

19 3. Approved by and physically located inside a participating staffed Class  
20 I, Class II, Class III, or Class IV ground ambulance provider, staffed  
21 police station, staffed fire station, or staffed hospital that:

22 a. Is licensed or otherwise legally operating in this state; and

23 b. Is staffed continuously on a twenty-four (24) hour basis every day  
24 by a licensed emergency medical services provider ***except when***  
25 ***all licensed emergency medical services providers are***  
26 ***temporarily off-site providing emergency medical services as***  
27 ***defined in KRS 311A.010***; and

- 1           4. Located in an area that is conspicuous and visible to Class I, Class II,  
2           Class III, or Class IV ground ambulance provider, police station, fire  
3           station, or hospital staff; and
- 4           (c) "Participating place of worship" means a recognized place of religious  
5           worship that has voluntarily agreed to perform the duty granted in this section  
6           and display signage prominently on its premises regarding its participation in  
7           this section and its operating hours during which staff will be present.
- 8           (2) A parent shall have the right to remain anonymous, shall not be pursued, and shall  
9           not be considered to have abandoned or endangered a newborn infant under KRS  
10          Chapters 508 and 530 if the parent:
- 11          (a) Places a newborn infant:
- 12               1. With an emergency medical services provider;  
13               2. At a staffed police station, fire station, or hospital;  
14               3. At a participating place of worship; or  
15               4. Inside a newborn safety device that meets the requirements of  
16               subsection (1) of this section; and
- 17          (b) Expresses no intent to return for the newborn infant.
- 18          (3) (a) Any emergency medical services provider, police officer, or firefighter who  
19               accepts physical custody of a newborn infant, or who physically retrieves a  
20               newborn infant from a newborn safety device that meets the requirements of  
21               subsection (1) of this section, in accordance with this section shall  
22               immediately arrange for the infant to be taken to the nearest hospital  
23               emergency room and shall have implied consent to any and all appropriate  
24               medical treatment.
- 25          (b) Any staff member at a participating place of worship who accepts physical  
26               custody of a newborn infant in accordance with this section shall immediately  
27               contact the 911 emergency telephone service as set forth in KRS 65.750 to

- 1           65.760, wireless enhanced 911 system as set forth in KRS 65.7621 to  
2           65.7643, or emergency medical services as set forth in KRS Chapter 311A for  
3           transportation to the nearest hospital emergency room.
- 4 (4) By placing a newborn infant in the manner described in this section, the parent:
- 5       (a) Waives the right to notification required by subsequent court proceedings  
6       conducted under KRS Chapter 620 until such time as a claim of parental  
7       rights is made; and
- 8       (b) Waives legal standing to make a claim of action against any person who  
9       accepts physical custody of the newborn infant.
- 10 (5) A staffed police station, fire station, hospital, emergency medical facility, or  
11       participating place of worship may post a sign easily seen by the public stating that:  
12       "This facility is a safe and legal place to surrender a newborn infant who is less than  
13       30 days old. A parent who places a newborn infant at this facility and expresses no  
14       intent to return for the infant shall have the right to remain anonymous and not be  
15       pursued and shall not be considered to have abandoned or endangered their  
16       newborn infant under KRS Chapters 508 and 530."
- 17 (6) Actions taken by an emergency medical services provider, police officer,  
18       firefighter, or staff member at a participating place of worship in conformity with  
19       the duty granted in this section shall be immune from criminal or civil liability.  
20       Nothing in this subsection shall limit liability for negligence.
- 21 (7) The provisions of subsection (2) of this section shall not apply when indicators of  
22       child physical abuse or child neglect are present.
- 23 (8) KRS 211.951, 216B.190, 405.075, 620.350, and 620.355 shall be known as "The  
24       Representative Thomas J. Burch Safe Infants Act."
- 25       ➔Section 2. KRS 156.095 is amended to read as follows:
- 26 (1) The Kentucky Department of Education shall establish, direct, and maintain a  
27       statewide program of professional development to improve instruction in the public

1 schools.

2 (2) Each local school district superintendent shall appoint a certified school employee  
3 to fulfill the role and responsibilities of a professional development coordinator  
4 who shall disseminate professional development information to schools and  
5 personnel. Upon request by a school council or any employees of the district, the  
6 coordinator shall provide technical assistance to the council or the personnel that  
7 may include assisting with needs assessments, analyzing school data, planning and  
8 evaluation assistance, organizing districtwide programs requested by school  
9 councils or groups of teachers, or other coordination activities.

10 (a) The manner of appointment, qualifications, and other duties of the  
11 professional development coordinator shall be established by Kentucky Board  
12 of Education through promulgation of administrative regulations.

13 (b) The local district professional development coordinator shall participate in the  
14 Kentucky Department of Education annual training program for local school  
15 district professional development coordinators. The training program may  
16 include, but not be limited to, the demonstration of various approaches to  
17 needs assessment and planning; strategies for implementing long-term,  
18 school-based professional development; strategies for strengthening teachers'  
19 roles in the planning, development, and evaluation of professional  
20 development; and demonstrations of model professional development  
21 programs. The training shall include information about teacher learning  
22 opportunities relating to the core content standards. The Kentucky Department  
23 of Education shall regularly collect and distribute this information.

24 (3) The Kentucky Department of Education shall provide or facilitate optional,  
25 professional development programs for certified personnel throughout the  
26 Commonwealth that are based on the statewide needs of teachers, administrators,  
27 and other education personnel. Programs may include classified staff and parents

1 when appropriate. Programs offered or facilitated by the department shall be at  
2 locations and times convenient to local school personnel and shall be made  
3 accessible through the use of technology when appropriate. They shall include  
4 programs that: address the goals for Kentucky schools as stated in KRS 158.6451,  
5 including reducing the achievement gaps as determined by an equity analysis of the  
6 disaggregated student performance data from the state assessment program  
7 developed under KRS 158.6453; engage educators in effective learning processes  
8 and foster collegiality and collaboration; and provide support for staff to  
9 incorporate newly acquired skills into their work through practicing the skills,  
10 gathering information about the results, and reflecting on their efforts. Professional  
11 development programs shall be made available to teachers based on their needs  
12 which shall include but not be limited to the following areas:

- 13 (a) Strategies to reduce the achievement gaps among various groups of students  
14 and to provide continuous progress;
- 15 (b) Curriculum content and methods of instruction for each content area,  
16 including differentiated instruction;
- 17 (c) School-based decision making;
- 18 (d) Assessment literacy;
- 19 (e) Integration of performance-based student assessment into daily classroom  
20 instruction;
- 21 (f) Nongraded primary programs;
- 22 (g) Research-based instructional practices;
- 23 (h) Instructional uses of technology;
- 24 (i) Curriculum design to serve the needs of students with diverse learning styles  
25 and skills and of students of diverse cultures;
- 26 (j) Instruction in reading, including phonics, phonemic awareness,  
27 comprehension, fluency, and vocabulary;

- 1 (k) Educational leadership; and
- 2 (l) Strategies to incorporate character education throughout the curriculum.
- 3 (4) The department shall assist school personnel in assessing the impact of professional  
4 development on their instructional practices and student learning.
- 5 (5) The department shall assist districts and school councils with the development of  
6 long-term school and district improvement plans that include multiple strategies for  
7 professional development based on the assessment of needs at the school level.
- 8 (a) Professional development strategies may include but are not limited to  
9 participation in subject matter academies, teacher networks, training institutes,  
10 workshops, seminars, and study groups; collegial planning; action research;  
11 mentoring programs; appropriate university courses; and other forms of  
12 professional development.
- 13 (b) In planning the use of the four (4) days for professional development under  
14 KRS 158.070, school councils and districts shall give priority to programs that  
15 increase teachers' understanding of curriculum content and methods of  
16 instruction appropriate for each content area based on individual school plans.  
17 The district may use up to one (1) day to provide district-wide training and  
18 training that is mandated by state or federal law. Only those employees  
19 identified in the mandate or affected by the mandate shall be required to  
20 attend the training.
- 21 (c) State funds allocated for professional development shall be used to support  
22 professional development initiatives that are consistent with local school  
23 improvement and professional development plans and teachers' individual  
24 growth plans. The funds may be used throughout the year for all staff,  
25 including classified and certified staff and parents on school councils or  
26 committees. A portion of the funds allocated to each school council under  
27 KRS 160.345 may be used to prepare or enhance the teachers' knowledge and

1 teaching practices related to the content and subject matter that are required  
2 for their specific classroom assignments.

3 (6) (a) ~~By August 1, 2010,~~ the Kentucky Cabinet for Health and Family Services  
4 shall post on its web page suicide prevention awareness information, to  
5 include recognizing the warning signs of a suicide crisis. The web page shall  
6 include information related to suicide prevention training opportunities  
7 offered by the cabinet or an agency recognized by the cabinet as a training  
8 provider.

9 (b) By September 15 of each year, every public school shall provide suicide  
10 prevention awareness information in person, by live streaming, or via a video  
11 recording to all students in grades six (6) through twelve (12). The  
12 information may be obtained from the Cabinet for Health and Family Services  
13 or from a commercially developed suicide prevention training program.

14 (c) 1. Beginning with the 2018-2019 school year, and every year thereafter, a  
15 minimum of one (1) hour of high-quality suicide prevention training,  
16 including the recognition of signs and symptoms of possible mental  
17 illness, shall be required for all school district employees with job duties  
18 requiring direct contact with students in grades six (6) through twelve  
19 (12). The training shall be provided either in person, by live streaming,  
20 or via a video recording and may be included in the four (4) days of  
21 professional development under KRS 158.070.

22 2. When a staff member subject to the training under subparagraph 1. of  
23 this paragraph is initially hired during a school year in which the  
24 training is not required, the local district shall provide suicide prevention  
25 materials to the staff member for review.

26 (d) The requirements of paragraphs (b) and (c) of this subsection shall apply to  
27 public charter schools as a health and safety requirement under KRS

1           160.1592(1).

2       (7) (a) By November 1, 2019, and November 1 of each year thereafter, a minimum of  
3           one (1) hour of training on how to respond to an active shooter situation shall  
4           be required for all school district employees with job duties requiring direct  
5           contact with students. The training shall be provided either in person, by live  
6           streaming, or via a video recording prepared by the Kentucky Department of  
7           Criminal Justice Training in collaboration with the Kentucky Law  
8           Enforcement Council, the Kentucky Department of Education, and the Center  
9           for School Safety and may be included in the four (4) days of professional  
10          development under KRS 158.070.

11       (b) When a staff member subject to the training requirements of this subsection is  
12          initially hired after the training has been provided for the school year, the  
13          local district shall provide materials on how to respond to an active shooter  
14          situation.

15       (c) The requirements of this subsection shall also apply to public charter schools  
16          as a health and safety requirement under KRS 160.1592(1).

17       (8) (a) The Kentucky Department of Education shall develop and maintain a list of  
18          approved comprehensive evidence-informed trainings on child abuse and  
19          neglect prevention, recognition, and reporting that encompass child physical,  
20          sexual, and emotional abuse and neglect.

21       (b) The trainings shall be web-based or in-person and cover, at a minimum, the  
22          following topics:

- 23           1. Recognizing child physical, sexual, and emotional abuse and neglect;
- 24           2. Reporting suspected child abuse and neglect in Kentucky as required by  
25           KRS 620.030 and the appropriate documentation;
- 26           3. Responding to the child; and
- 27           4. Understanding the response of child protective services.



- 1 (c) The trainings shall include a questionnaire or other basic assessment tool upon  
2 completion to document basic knowledge of training components.
- 3 (d) Each local board of education shall adopt one (1) or more trainings from the  
4 list approved by the Department of Education to be implemented by schools.
- 5 (e) All current school administrators, certified personnel, office staff,  
6 instructional assistants, and coaches and extracurricular sponsors who are  
7 employed by the school district shall complete the implemented training or  
8 trainings by January 31, 2017, and then every two (2) years after.
- 9 (f) All school administrators, certified personnel, office staff, instructional  
10 assistants, and coaches and extracurricular sponsors who are employed by the  
11 school district hired after January 31, 2017, shall complete the implemented  
12 training or trainings within ninety (90) days of being hired and then every two  
13 (2) years after.
- 14 (g) Every public school shall prominently display the statewide child abuse  
15 hotline number administered by the Cabinet for Health and Family Services,  
16 ~~and~~ the National Human Trafficking Reporting Hotline number  
17 administered by the United States Department for Health and Human  
18 Services, **and the Safe Haven Baby Boxes Crisis Line number administered**  
19 **by the Safe Haven Baby Boxes national organization or any equivalent**  
20 **successor entity.**
- 21 (9) The Department of Education shall establish an electronic consumer bulletin board  
22 that posts information regarding professional development providers and programs  
23 as a service to school district central office personnel, school councils, teachers, and  
24 administrators. Participation on the electronic consumer bulletin board shall be  
25 voluntary for professional development providers or vendors, but shall include all  
26 programs sponsored by the department. Participants shall provide the following  
27 information: program title; name of provider or vendor; qualifications of the

1 presenters or instructors; objectives of the program; program length; services  
2 provided, including follow-up support; costs for participation and costs of  
3 materials; names of previous users of the program, addresses, and telephone  
4 numbers; and arrangements required. Posting information on the bulletin board by  
5 the department shall not be viewed as an endorsement of the quality of any specific  
6 provider or program.

7 (10) The Department of Education shall provide training to address the characteristics  
8 and instructional needs of students at risk of school failure and most likely to drop  
9 out of school. The training shall be developed to meet the specific needs of all  
10 certified and classified personnel depending on their relationship with these  
11 students. The training for instructional personnel shall be designed to provide and  
12 enhance skills of personnel to:

13 (a) Identify at-risk students early in elementary schools as well as at-risk and  
14 potential dropouts in the middle and high schools;

15 (b) Plan specific instructional strategies to teach at-risk students;

16 (c) Improve the academic achievement of students at risk of school failure by  
17 providing individualized and extra instructional support to increase  
18 expectations for targeted students;

19 (d) Involve parents as partners in ways to help their children and to improve their  
20 children's academic progress; and

21 (e) Significantly reduce the dropout rate of all students.

22 (11) The department shall establish teacher academies to the extent funding is available  
23 in cooperation with postsecondary education institutions for elementary, middle  
24 school, and high school faculty in core disciplines, utilizing facilities and faculty  
25 from universities and colleges, local school districts, and other appropriate agencies  
26 throughout the state. Priority for participation shall be given to those teachers who  
27 are teaching core discipline courses for which they do not have a major or minor or

- 1 the equivalent. Participation of teachers shall be voluntary.
- 2 (12) The department shall annually provide to the oversight council established in KRS
- 3 15A.063, the information received from local schools pursuant to KRS 158.449.