

1 AN ACT relating to local boards of education.

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

3 ➔Section 1. KRS 160.180 is amended to read as follows:

4 (1) As used in this section, "relative" means father, mother, brother, sister, husband,
5 wife, son, and daughter.

6 (2) ~~A~~~~No~~ person shall ***only*** be eligible for membership on a board of education ***if the***
7 ***person:***

8 (a) ~~{Unless he }~~Has attained the age of twenty-four (24) years;~~{and}~~

9 (b) ~~{Unless he }~~Has been a citizen of Kentucky for at least three (3) years
10 preceding ~~the~~~~his~~ election and is a voter of the district for which he ***or she*** is
11 elected;~~{and}~~

12 (c) ~~{Unless he }~~Has completed at least the twelfth grade or has been issued a High
13 School Equivalency Diploma, ***as evidenced by:***~~{and}~~

14 ***1.*** ~~{(d) Unless }~~An affidavit signed under penalty of perjury certifying
15 completion of the twelfth grade or the equivalent ~~that~~~~as determined by~~
16 ~~passage of the twelfth grade equivalency examination held under~~
17 ~~regulations adopted by the Kentucky Board of Education}~~ has been filed
18 with the nominating petition required by KRS 118.315; ***or***~~{and}~~

19 ***2.*** ~~{(e) For a candidate who files a nominating petition as required by~~
20 ~~KRS 118.315 on or after April 4, 2018, unless }~~A transcript evidencing
21 completion of the twelfth grade or ***the*** results of a twelfth grade
22 equivalency examination ***that*** has been filed with the nominating
23 petition ***required by KRS 118.315;***~~{or}~~

24 ~~{(f)}~~ ***Does not hold***~~{Who holds}~~ any elective federal, state, county, or city
25 office;~~{or}~~

26 ~~{(g)}~~ ~~{Who, at the time of his election, }~~Is ***not, at the time of his or her***
27 ***election,*** directly or indirectly interested in the sale to the board of books,

1 stationery, or any other property, materials, supplies, equipment, or services
 2 for which school funds are expended;~~or~~

3 ~~(f)(h)~~ ~~Who~~ Has **not** been removed from membership on a board of education
 4 for cause; ~~and~~~~or~~

5 ~~(g)(i)~~ **Does not have** ~~Who has~~ a relative ~~as defined in subsection (1) of this~~
 6 ~~section~~ employed by the school district, **in the case of a person** ~~and is~~
 7 elected after July 13, 1990. ~~However,~~ This shall not apply to a board
 8 member holding office on July 13, 1990, whose relative was not initially hired
 9 by the district during the tenure of the board member.

10 (3) **(a) A member of a board of education shall be subject to removal from office**
 11 **pursuant to KRS 415.050 and 415.060** if, after the election ~~the~~~~of any~~
 12 member: ~~of the board, he~~

13 **1.** Becomes interested in any contract with or claims against the board, of
 14 the kind mentioned in ~~paragraph (g) of~~ subsection (2)~~(e)~~ of this
 15 section; ~~or if he~~

16 **2.** Moves his **or her** residence from the **division** ~~district~~ for which he **or**
 17 **she** was chosen; ~~or if he~~

18 **3.** Attempts to influence the **employment** ~~hiring~~ of any school employee,
 19 except the superintendent ~~of schools~~ or school board attorney; ~~or if~~
 20 ~~he~~

21 **4. Is convicted of a felony;**

22 **5. Performs acts of malfeasance in performance of duties prescribed by**
 23 **law;**

24 **6. Willfully misuses, converts, or misappropriates public property or**
 25 **funds; or**

26 **7.** Does anything that would render **the member** ~~him~~ ineligible for
 27 reelection~~, he shall be subject to removal from office pursuant to KRS~~

1 415.050 and 415.060}.

2 **(b) In accordance with KRS 7.410, the Office of Education Accountability shall**
 3 **have the duty and responsibility to investigate current local board of**
 4 **education members for allegations of conduct prohibited by paragraph (a)**
 5 **of this subsection. After review and investigation, the Office of Education**
 6 **Accountability shall refer appropriate matters to the Attorney General.**

7 (4) A ~~board~~ member **of a board of education** shall be eligible for reelection unless he
 8 **or she** becomes disqualified.

9 (5) The annual in-service training requirements for all ~~school board~~ members **of**
 10 **boards of education** in office as of December 31, 2014, shall be as follows:

11 (a) Twelve (12) hours for ~~school board~~ members with zero to three (3) years of
 12 experience;

13 (b) Eight (8) hours for ~~school board~~ members with four (4) to seven (7) years of
 14 experience; and

15 (c) Four (4) hours for ~~school board~~ members with eight (8) or more years of
 16 experience.

17 The Kentucky Board of Education shall identify the criteria for fulfilling this
 18 requirement.

19 (6) (a) For all ~~board~~ members **of boards of education** who begin their initial service
 20 on or after January 1, 2015, the ~~annual~~ in-service training requirements shall
 21 be:

22 **1.** Twelve (12) hours for ~~school board~~ members with zero to eight (8)
 23 years of experience **each year, which shall include a minimum of:**

24 **a. One (1) hour of ethics training each year; and**

25 **b. One (1) hour of open meetings and open records training within**
 26 **the first twelve (12) months of initial service and at least once**

27 **every four (4) years thereafter; and**

1 **2.** Eight (8) hours for~~[school board]~~ members with more than eight (8)
 2 years of experience *each year, which shall include a minimum of:*
 3 **a. One (1) hour of ethics training each year; and**
 4 **b. One (1) hour of open meetings and open records training at least**
 5 **once every four (4) years.**

6 (b) Training topics for~~[school board]~~ members *under this subsection with less*
 7 *than two (2) years of consecutive service* shall include~~[-~~

8 ~~1. Three (3) hours of finance, one (1) hour of ethics,~~ and one (1) hour of
 9 superintendent evaluation *within the first two (2) years of service*~~[annually for~~
 10 ~~members with zero to three (3) years' experience;~~

11 ~~2. Two (2) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent~~
 12 ~~evaluation annually for members with four (4) to seven (7) years' experience; and~~

13 ~~3. One (1) hour of finance, one (1) hour of ethics, and one (1) hour of superintendent~~
 14 ~~evaluation biennially for members with eight (8) or more years' experience].~~

15 The Kentucky Board of Education shall identify criteria for fulfilling this
 16 requirement.

17 ➔Section 2. KRS 160.170 is amended to read as follows:

18 Every person elected to a board of education shall, before assuming the duties of ~~the~~~~[his]~~
 19 office, take the following oath, in addition to the constitutional oath:

20 "State of Kentucky,

21 "County of _____

22 " _____, being duly sworn, says that he *or she* is eligible under the law
 23 to serve as a member of the board of education, and that he *or she* will~~[not]~~, while
 24 serving as a member of such board, *carry out all duties prescribed by law and remain*
 25 *eligible for membership on the board of education*~~[become interested, directly or~~
 26 ~~indirectly, in any contract with or claim against the board, and that he will not in any way~~
 27 ~~influence the hiring or appointment of district employees, except the hiring of the~~

1 ~~superintendent of schools or school board attorney}.~~

2 " _____

3 "Subscribed and sworn to before me this _____ day of _____

4 " _____ "

5 The oath shall be kept on record by the board.

6 ➔Section 3. KRS 160.570 is amended to read as follows:

7 (1) Each board of education shall appoint a bank, trust company, or savings and loan
8 association to serve as its depository, and if its annual receipts from all sources
9 exceed one hundred thousand dollars (\$100,000), it may designate **additional**~~three~~
10 ~~(3)~~ depositories~~[, except boards of education of school districts in counties~~
11 ~~containing cities of the first class may designate up to six (6) depositories].~~ The
12 depository may be designated for a period not to exceed two (2) years, and before
13 entering upon its duties shall agree with the board as to the rate of interest to be
14 paid on average daily or monthly balances.

15 (2) The depository selected shall, before entering upon its duties, provide collateral in
16 accordance with KRS 41.240, to be approved by the local board of education in
17 accordance with Kentucky Board of Education administrative regulations, and to be
18 approved by the commissioner of education. A board of education may enter into an
19 agreement with its depository whereby the premium on collateral guaranteed by a
20 surety company may be paid either by the board or by the depository. If the board
21 pays the premium, the depository shall allow the board not less than two percent
22 (2%) interest on its average daily or average monthly balances.

23 (3) The depository shall hold for the board all funds deposited by the treasurer of the
24 board or its tax collector or duly authorized agent, subject to withdrawal by the
25 board at any time, and shall pay all funds so deposited to such person and in such
26 manner as the board directs. The depository shall keep full and complete accounts
27 of all of the board's funds, and make reports to the board or its authorized agents

1 upon request. The depository shall keep all records relating to the transactions and
2 duties of the office and turn them over to the successor of its office along with all
3 school funds in hand. The board of education may at any time require a due and
4 proper audit of the depository's records of the funds of the board by a competent
5 outside agent.