

1 AN ACT relating to schools identified for comprehensive support and improvement
2 in schools.

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

4 ➔Section 1. KRS 160.346 is amended to read as follows:

5 (1) For purposes of this section:

6 (a) ~~["Approved turnaround vendor list" means a list of at least three (3) vendors~~
7 ~~pre-approved by the Kentucky Board of Education for the purposes of~~
8 ~~subsection (8) of this section that have documented success at providing~~
9 ~~turnaround diagnosis, training, and improved performance of organizations;~~

10 ~~(b)—~~"Department" means the Kentucky Department of Education;

11 ~~(b)~~~~(c)~~ "ESSA" means the Every Student Succeeds Act of 2015, Pub. L. No.
12 114-95, or its successor;

13 ~~(c)~~~~(d)~~ "Level" means elementary, middle, or high school;

14 ~~(d)~~~~(e)~~ "Turnaround" means a comprehensive transformation of a school to
15 achieve accelerated, meaningful, and sustainable increases in student
16 achievement through improved school leadership and school district support;

17 ~~(e)~~~~(f)~~ "Turnaround plan" means a mandatory school plan that is designed to
18 improve student learning and performance with evidence-based interventions
19 as defined in ESSA and that is developed and implemented by the local
20 school district in partnership with stakeholders, including the principal, other
21 school leaders, teachers, and parents; ~~and~~

22 ~~(f)~~~~(g)~~ "Turnaround team" means the turnaround training and support team
23 described in subsection (8)(a) of this section; **and**

24 **(g) "Turnaround vendor" means an organization that has documented success**
25 **at providing turnaround diagnosis, training, and improved performance of**
26 **educational organizations.**

27 (2) (a) ~~[Beginning with the 2020-2021 school year, and annually thereafter,]~~The

1 department shall annually identify a school for targeted support and
 2 improvement if the school has one (1) or more of the same subgroups, as
 3 defined by ESSA, whose performance in the state accountability system by
 4 level is at or below that of all students in any of the lowest-performing five
 5 percent (5%) of all schools for three (3) consecutive years.

6 (b) Beginning with the 2021-2022 school year, and every three (3) years
 7 thereafter, the department shall identify a school for additional targeted
 8 support and improvement if the school has one (1) or more subgroups, as
 9 defined by ESSA, whose performance in the state accountability system by
 10 level is at or below the summative performance of all students in any of the
 11 lowest-performing five percent (5%) of all schools identified under subsection
 12 (3)(a) of this section and the school was identified in the immediately
 13 preceding year for targeted support and improvement as described in
 14 paragraph (a) of this subsection.

15 (3) **The department shall annually identify a school**~~Beginning with the 2021-2022~~
 16 ~~school year, and every three (3) years thereafter, a school shall be identified by the~~
 17 ~~department~~ for comprehensive support and improvement if the school is:

18 (a) In the lowest-performing five percent (5%) of all schools in its level based on
 19 the school's performance in the state accountability system;

20 (b) A high school with a four (4) year cohort graduation rate that is less than
 21 eighty percent (80%); or

22 (c) Identified by the department for additional targeted support and improvement
 23 under subsection (2)(b) of this section and fails to exit additional targeted
 24 support and improvement status based on criteria established under subsection
 25 (11) of this section.

26 (4) (a) When a school is identified for targeted support and improvement under
 27 subsection (2)(a) of this section, the local school personnel, working with

- 1 stakeholders, including the principal, other school leaders, teachers, and
2 parents, shall revise its school improvement plan, which shall be subject to
3 review and approval by the local board of education.
- 4 (b) Each revised plan shall be informed by all available indicators, including
5 student performance compared to long-term goals, and shall include:
- 6 1. Components of turnaround leadership development and support;
 - 7 2. Identification of critical resource inequities;
 - 8 3. Evidence-based interventions; and
 - 9 4. Additional actions that address the causes of consistently
10 underperforming subgroups of students.
- 11 (c) If adequate performance progress, as defined by the department, is not made,
12 the local school district shall take additional action to assist and support the
13 school in reaching performance goals.
- 14 (5) When a school is identified for additional targeted support and improvement under
15 subsection (2)(b) of this section, the local school district shall take more rigorous
16 district-determined action to assist and support the school in reaching performance
17 goals.
- 18 (6) (a) When a school is identified for comprehensive support and improvement, an
19 audit shall be performed by the department to diagnose the causes of the
20 school's low performance.
- 21 (b) The audit conducted under this subsection shall be the only comprehensive
22 audit required for a school unless the school fails to exit comprehensive
23 support and improvement status as described in subsection (11) of this section
24 or exits comprehensive support and improvement status but subsequently
25 repeats as a school identified for comprehensive support and improvement.
- 26 (7) (a) The audit conducted by the department under subsection (6) of this section
27 shall include:

- 1 1. A diagnosis of the causes of the school's low performance, with an
2 emphasis on underperforming subgroups of students and corresponding
3 critical resource inequities;
- 4 2. An assessment and recommendation to the superintendent regarding the
5 best strategies to address the school's specific needs;
- 6 3. An assessment of the interaction and relationship among the
7 superintendent, central office personnel, and the school principal;
- 8 4. A recommendation of the steps the school may implement to launch and
9 sustain a turnaround process;~~and~~
- 10 5. A recommendation to the local board of education of the turnaround
11 principles and strategies necessary for the superintendent to assist the
12 school with turnaround; **and**
- 13 **6. An assessment and recommendation to the superintendent regarding**
14 **the principal's capacity to lead the turnaround effort in the school.**
- 15 (b) The report of an audit conducted under this subsection shall be provided to the
16 superintendent, local board of education, school principal, commissioner of
17 education, and the Kentucky Board of Education.
- 18 (8) After completion of the audit described in subsection (7) of this section, each school
19 identified for comprehensive support and improvement shall engage in the
20 following turnaround intervention process:
- 21 (a) **1. If a local school district has a school identified for comprehensive**
22 **support and improvement, the superintendent and principal shall**
23 **collaborate with the department to create**~~The local board of education~~
24 ~~shall select a vendor from the approved turnaround vendor list to~~
25 ~~provide~~ a turnaround training and support team **for**~~to~~ the school
26 identified for comprehensive support and improvement. The local board
27 of education shall **approve the turnaround team**~~negotiate the scope and~~

1 ~~duration of the vendor's services~~; or

2 **2. If a local school district has more than one (1) school identified for**
3 **comprehensive support and improvement, the district may contract**
4 **with a turnaround vendor, subject to approval of the commissioner of**
5 **education, to provide a turnaround team for the schools identified for**
6 **comprehensive support and improvement. The local board of**
7 **education shall coordinate the work of the outside turnaround vendor**
8 **with the department to ensure compliance with all state and federal**
9 **laws;**

10 (b) The authority of the school council granted under KRS 160.345 shall be
11 transferred to the superintendent;

12 (c) The superintendent shall select a principal for the school if a principal
13 vacancy occurs. The superintendent shall consult with the turnaround team,
14 parents, certified staff, and classified staff before appointing a principal
15 replacement;

16 (d) Upon recommendation of the principal, the superintendent may reassign
17 certified staff members to a comparable position in the school district;

18 (e) The superintendent shall collaborate with the turnaround team to design
19 ongoing turnaround training and support for the principal and a corresponding
20 monitoring system of effectiveness and student achievement results;

21 (f) The principal shall collaborate with the turnaround team to establish an
22 advisory leadership team representing school stakeholders including other
23 school leaders, teachers, and parents;

24 (g) 1. In consultation with the department, the local school board shall
25 collaborate with the superintendent, principal, turnaround team, and the
26 advisory leadership team to propose a three (3) year turnaround plan.

27 2. The turnaround plan shall include requests to the department for

1 exemptions from submitting documentation that are identified by the
 2 principal, advisory leadership team, and turnaround team as inhibitors to
 3 investing time in innovative instruction and accelerated student
 4 achievement of diverse learners including ongoing staff instructional
 5 plans, student interventions, formative assessment results, or staff
 6 effectiveness processes.

7 3. The turnaround plan shall be reviewed for approval by the
 8 superintendent and the local board of education and shall be subject to
 9 review, approval, monitoring, and periodic review by the department as
 10 described in KRS 158.782;

11 (h) The school district may request technical assistance from the department for
 12 development and implementation of the turnaround plan, which may include
 13 conducting needs assessments, selecting evidence-based interventions, and
 14 reviewing and addressing resource inequities;

15 (i) The turnaround plan shall be fully implemented by the first full day of the
 16 school year following the school year the school was identified for
 17 comprehensive support and improvement; and

18 (j) The superintendent shall periodically report to the local school board, and at
 19 least annually to the commissioner of education, on the implementation and
 20 results of the turnaround plan.

21 (9) **The department shall establish required professional learning for teachers of**
 22 **students in schools identified for comprehensive support and improvement.**
 23 **Required professional learning shall be related to evidence-based practices in**
 24 **instruction, instructional materials implementation, and assessment for reading**
 25 **and mathematics and aligned to Kentucky academic standards required by KRS**
 26 **158.6453**~~The department shall annually disburse funds to a school district, for a~~
 27 ~~maximum of three (3) years, to assist with funding the turnaround vendor costs~~

1 ~~incurred by the district under subsection (8) of this section. The Kentucky Board of~~
2 ~~Education shall promulgate administrative regulations on how the disbursement~~
3 ~~amounts shall be determined, which shall be based on the department's past practice~~
4 ~~for determining allocations for school improvement].~~

5 (10) **Each superintendent or public charter school board of directors shall adopt**
6 **evidence-based curriculum and select high-quality instructional resources for**
7 **schools identified for comprehensive support and improvement. High-quality**
8 **instructional materials selected by the superintendent shall be determined by the**
9 **department to be reliable, valid, and aligned to Kentucky academic standards**
10 **required by KRS 158.6453 for reading and mathematics**~~[Beginning in 2023, the~~
11 ~~department shall submit an annual report no later than November 30 to the Interim~~
12 ~~Joint Committee on Education relating to the turnaround vendor selected by each~~
13 ~~school under subsection (8) of this section. The report shall include but not be~~
14 ~~limited to each school's accountability system performance since utilizing the~~
15 ~~services of the turnaround vendor, the cost of using the vendor, and any other~~
16 ~~information helpful in evaluating the performance of the turnaround vendor].~~

17 (11) The Kentucky Board of Education shall establish annual statewide exit criteria for
18 schools identified for targeted support and improvement, additional targeted support
19 and improvement, and comprehensive support and improvement.

20 (12) If a school enters comprehensive support and improvement status and does not
21 make any annual improvement, as determined by the department, for two (2)
22 consecutive years, or if the school does not exit the status after three (3) years, the
23 school shall enter a school intervention process chosen by the commissioner of
24 education that provides more rigorous support and action by the department to
25 improve the school's performance.

26 (13) For school districts that include a significant number of schools, as determined by
27 the department, identified for targeted support and improvement:

1 (a) The department shall periodically review a local board's resource allocations
 2 to support school improvement and provide technical assistance to the local
 3 school board; and

4 (b) The department may provide a recommended list of turnaround or school
 5 intervention providers that have demonstrated success implementing
 6 evidence-based strategies.

7 (14) If, in the course of a school audit, the audit team identifies information suggesting
 8 that a violation of KRS 160.345(9)(a) may have occurred, the commissioner of
 9 education shall forward the evidence to the Office of Education Accountability for
 10 investigation.

11 (15) A school's right to establish a council granted under KRS 160.345 may be restored
 12 by the local board of education two (2) years after the school exits comprehensive
 13 support and improvement status.

14 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 160 IS CREATED TO
 15 READ AS FOLLOWS:

16 **A public school district or public charter school shall not enter into a nondisclosure**
 17 **agreement relating to misconduct involving a minor or student, including abusive**
 18 **conduct as defined in Section 3 of this Act.**

19 ➔Section 3. KRS 160.380 is amended to read as follows:

20 (1) As used in this section:

21 (a) **"Abusive conduct" means sexual misconduct and conduct subject to**
 22 **mandatory reporting under KRS 620.030 that involves a minor or student;**

23 (b) "Administrative finding of child abuse or neglect" means a substantiated
 24 finding of child abuse or neglect issued by the Cabinet for Health and Family
 25 Services that is:

26 1. Not appealed through an administrative hearing conducted in
 27 accordance with KRS Chapter 13B;

1 2. Upheld at an administrative hearing conducted in accordance with KRS
2 Chapter 13B and not appealed to a Circuit Court; or

3 3. Upheld by a Circuit Court in an appeal of the results of an
4 administrative hearing conducted in accordance with KRS Chapter 13B;

5 ~~(c)~~~~(b)~~ "Alternative education program" means a program that exists to meet
6 the needs of students that cannot be addressed in a traditional classroom
7 setting but through the assignment of students to alternative classrooms,
8 centers, or campuses that are designed to remediate academic performance,
9 improve behavior, or provide an enhanced learning experience. Alternative
10 education programs do not include career or technical centers or departments;

11 ~~(d)~~~~(e)~~ "Clear CA/N check" means a letter from the Cabinet for Health and
12 Family Services indicating that there are no administrative findings of child
13 abuse or neglect relating to a specific individual;

14 ~~(e)~~~~(d)~~ "Relative" means father, mother, brother, sister, husband, wife, son, and
15 daughter; and

16 ~~(f)~~~~(e)~~ "Vacancy" means any certified position opening created by the
17 resignation, dismissal, nonrenewal of contract, transfer, or death of a certified
18 staff member of a local school district, or a new position created in a local
19 school district for which certification is required. However, if an employer-
20 employee bargained contract contains procedures for filling certified position
21 openings created by the resignation, dismissal, nonrenewal of contract,
22 transfer, or death of a certified staff member, or creation of a new position for
23 which certification is required, a vacancy shall not exist, unless certified
24 positions remain open after compliance with those procedures.

25 (2) Except as provided in KRS 160.346, the school district personnel actions identified
26 in this section shall be carried out as follows:

27 (a) All appointments, promotions, and transfers of principals, supervisors,

1 teachers, and other public school employees shall be made only by the
2 superintendent of schools, who shall notify the board of the action taken. All
3 employees of the local district shall have the qualifications prescribed by law
4 and by the administrative regulations of the Kentucky Board of Education and
5 of the employing board. Supervisors, principals, teachers, and other
6 employees may be appointed by the superintendent for any school year at any
7 time after February 1 preceding the beginning of the school year. No
8 superintendent of schools shall appoint or transfer himself or herself to
9 another position within the school district;

10 (b) When a vacancy occurs in a local school district, the superintendent shall
11 submit the job posting to the statewide job posting system described in KRS
12 160.152 fifteen (15) days before the position shall be filled. The local school
13 district shall post position openings in the local board office for public
14 viewing;

15 (c) When a vacancy needs to be filled in less than fifteen (15) days' time to
16 prevent disruption of necessary instructional or support services of the school
17 district, the superintendent may seek a waiver from the chief state school
18 officer. If the waiver is approved, the appointment shall not be made until the
19 person recommended for the position has been approved by the chief state
20 school officer. The chief state school officer shall respond to a district's
21 request for waiver or for approval of an appointment within two (2) working
22 days; and

23 (d) When a vacancy occurs in a local district, the superintendent shall conduct a
24 search to locate minority teachers to be considered for the position. The
25 superintendent shall, pursuant to administrative regulations of the Kentucky
26 Board of Education, report annually the district's recruitment process and the
27 activities used to increase the percentage of minority teachers in the district.

- 1 (3) Restrictions on employment of relatives shall be as follows:
- 2 (a) No relative of a superintendent of schools shall be an employee of the school
3 district. However, this shall not apply to a relative who is a classified or
4 certified employee of the school district for at least thirty-six (36) months
5 prior to the superintendent assuming office and who is qualified for the
6 position the employee holds. A superintendent's spouse who has previously
7 been employed in a school system may be an employee of the school district.
8 A superintendent's spouse who is employed under this provision shall not hold
9 a position in which the spouse supervises certified or classified employees. A
10 superintendent's spouse may supervise teacher aides and student teachers.
11 However, the superintendent shall not promote a relative who continues
12 employment under an exception of this subsection;
- 13 (b) No superintendent shall employ a relative of a school board member of the
14 district;
- 15 (c) No principal's relative shall be employed in the principal's school; and
- 16 (d) A relative that is ineligible for employment under paragraph (a), (b), or (c) of
17 this subsection may be employed as a substitute for a certified or classified
18 employee if the relative is not:
- 19 1. A regular full-time or part-time employee of the district;
- 20 2. Accruing continuing contract status or any other right to continuous
21 employment;
- 22 3. Receiving fringe benefits other than those provided other substitutes; or
- 23 4. Receiving preference in employment or assignment over other
24 substitutes.
- 25 (4) No superintendent shall assign a certified or classified staff person to an alternative
26 education program as part of any disciplinary action taken pursuant to KRS 161.011
27 or 161.790 as part of a corrective action plan established pursuant to the local

1 district evaluation plan.

2 (5) No superintendent shall employ in any position in the district any person who:

3 (a) Has been convicted of an offense that would classify a person as a violent
4 offender under KRS 439.3401;

5 (b) Has been convicted of a sex crime as defined by KRS 17.500 or a
6 misdemeanor offense under KRS Chapter 510;

7 (c) Is required to register as a sex offender under KRS 17.500 to 17.580; or

8 (d) Has an administrative finding of child abuse or neglect in records maintained
9 by the Cabinet for Health and Family Services.

10 (6) **(a) Each application for a school district position shall require the applicant to:**

11 **1. Disclose:**

12 **a Being the subject of any disciplinary action within the past**
13 **twelve (12) months; and**

14 **b. Any resulting resignation or termination related to abusive**
15 **conduct while employed by any school or school district; and**

16 **2. Consent to a reference check under paragraph (b) of this subsection**
17 **and a request for information under paragraph (c) of this subsection.**

18 **(b) 1. A school district considering an applicant for employment shall**
19 **contact each school district, public school, or nonpublic school that**
20 **employs or previously employed the applicant for a reference check**
21 **before extending an offer of employment.**

22 **2. A school district, public school, or nonpublic school that employs or**
23 **previously employed the applicant shall disclose any disciplinary**
24 **action, and any resulting resignation or termination, related to abusive**
25 **conduct while the applicant was employed by the school or school**
26 **district.**

27 **3. A school district, public school, or nonpublic school located in a**

- 1 member state of the Interstate Teacher Mobility Compact that employs
2 or previously employed the applicant shall disclose any disciplinary
3 action, and any resulting resignation or termination, related to abusive
4 conduct while the applicant was employed by the school or school
5 district.
- 6 4. Any school district, public school, nonpublic school, or any school
7 employees making a disclosure pursuant to this paragraph of any
8 disciplinary action and any resulting resignation or termination shall
9 be immune from any civil or criminal liability that might otherwise be
10 incurred or imposed as a result of:
- 11 a. Making the disclosure; or
12 b. Participating in any judicial proceeding that may result from
13 making the disclosure.
- 14 (c) Upon disclosure of disciplinary action involving abusive conduct by an
15 applicant under paragraph (a) of this subsection, or a current or previous
16 employer under paragraph (b) of this subsection, the school district
17 considering the applicant for employment shall:
- 18 1. Request all related information and records from the school district,
19 public school, or nonpublic school that previously employed or
20 currently employs the applicant; and
- 21 2. If the application is for a certified position, request information from
22 the Education Professional Standards Board related to pending
23 disciplinary action against the applicant involving abusive conduct.
- 24 (d) Upon request from a school district under paragraph (c) of this subsection,
25 the school district, public school, or nonpublic school of previous or current
26 employment or the Educational Professional Standards Board shall provide
27 the requested information, if applicable, within ten (10) working days.

1 (e) Any failure to disclose under paragraph (a)1. of this subsection by an
 2 applicant shall result in the applicant being:

3 1. Ineligible for hire by the school district; and

4 2. Subject to dismissal or termination if the applicant is hired by the
 5 school district or is a current employee of the school district.

6 (f) The Education Professional Standards Board shall create and implement
 7 procedures for responding to a school district upon receiving an inquiry
 8 described in paragraphs (c) and (d) of this subsection.

9 (Z) Requirements for background checks shall be as follows:

10 (a) A superintendent shall require the following individuals to submit to a
 11 national and state criminal background check by the Department of Kentucky
 12 State Police and the Federal Bureau of Investigation and have a clear CA/N
 13 check, provided by the individual:

- 14 1. Each new certified or classified hire;
- 15 2. A nonfaculty coach or nonfaculty assistant as defined under KRS
 16 161.185;
- 17 3. A student teacher;
- 18 4. A school-based decision making council parent member; and
- 19 5. Any adult who is permitted access to school grounds on a regularly
 20 scheduled and continuing basis pursuant to a written agreement for the
 21 purpose of providing services directly to a student or students as part of
 22 a school-sponsored program or activity;

23 (b) 1. The requirements of paragraph (a) of this subsection shall not apply to:
 24 a. Classified and certified individuals employed by the school district
 25 prior to June 27, 2019;

26 b. Certified individuals who were employed in another certified
 27 position in a Kentucky school district within six (6) months of the

- 1 date of hire and who had previously submitted to a national and
2 state criminal background check and who have a clear CA/N check
3 for the previous employment; or
- 4 c. Student teachers who have submitted to and provide a copy of a
5 national and state criminal background check by the Department
6 of Kentucky State Police and the Federal Bureau of Investigation
7 through an accredited teacher education institution in which the
8 student teacher is enrolled and who have a clear CA/N check.
- 9 2. The Education Professional Standards Board may promulgate
10 administrative regulations to impose additional qualifications to meet
11 the requirements of Pub. L. No. 92-544;
- 12 (c) A parent member may serve prior to the receipt of the criminal history
13 background check and clear CA/N check~~letter~~ required by paragraph (a) of
14 this subsection but shall be removed from the council on receipt by the school
15 district of a report documenting a record of abuse or neglect, or a sex crime or
16 criminal offense against a victim who is a minor as defined in KRS 17.500, or
17 as a violent offender as defined in KRS 17.165, and no further procedures
18 shall be required;
- 19 (d) A superintendent may require a volunteer or a visitor to submit to a national
20 and state criminal history background check by the Department of Kentucky
21 State Police and the Federal Bureau of Investigation and have a clear CA/N
22 check, provided by the individual; and
- 23 (e) The superintendent of a school district operating under an alternative
24 transportation plan approved by the Kentucky Department of Education in
25 accordance with KRS 156.153(3) shall require the driver of any non-school
26 bus passenger vehicle authorized to transport students to and from school
27 pursuant to the alternative transportation plan who does not have a valid

1 commercial driver's license issued in accordance with KRS Chapter 281A
2 with an "S" endorsement to:

- 3 1. Submit to a national and state criminal background check by the
4 Department of Kentucky State Police and the Federal Bureau of
5 Investigation at least once every three (3) years and a criminal records
6 check conducted in accordance with KRS 27A.090 in all other years;
- 7 2. Submit to drug testing consistent with the requirements of 49 C.F.R. pt.
8 40;
- 9 3. Provide a biannual driving history record check performed by the
10 Transportation Cabinet;
- 11 4. Provide an annual clear CA/N check;
- 12 5. Immediately notify the superintendent of any conviction for a violation
13 under KRS Chapter 189 for which penalty points are assessed; and
- 14 6. Immediately notify the superintendent of any citation or arrest for a
15 violation of any provision of KRS Chapter 189A. The superintendent
16 shall inform the Kentucky Department of Education of the notification.

17 ~~(8)~~~~(7)~~ (a) If a certified or classified position remains unfilled after July 31 or if a
18 vacancy occurs during a school term, a superintendent may employ an
19 individual, who will have supervisory or disciplinary authority over minors,
20 on probationary status pending receipt of the criminal history background
21 check and a clear CA/N check, provided by the individual. Application for the
22 criminal record and a request for a clear CA/N check of a probationary
23 employee shall be made no later than the date probationary employment
24 begins.

25 (b) Employment shall be contingent on the receipt of the criminal history
26 background check documenting that the probationary employee has no record
27 of a sex crime nor as a violent offender as defined in KRS 17.165 and receipt

1 of a letter, provided by the individual, from the Cabinet for Health and Family
2 Services stating the employee is clear to hire based on no administrative
3 findings of child abuse or neglect found through a background check of child
4 abuse and neglect records maintained by the Cabinet for Health and Family
5 Services.

6 (c) Notwithstanding KRS 161.720 to 161.800 or any other statute to the contrary,
7 probationary employment under this section shall terminate on receipt by the
8 school district of a criminal history background check documenting a record
9 of a sex crime or as a violent offender as defined in KRS 17.165 and no
10 further procedures shall be required.

11 ~~(9)~~⁽⁸⁾ The provisions of KRS 161.790 shall apply to terminate employment of a
12 certified employee on the basis of a criminal record other than a record of a sex
13 crime or as a violent offender as defined in KRS 17.165, or on the basis of a CA/N
14 check showing an administrative finding of child abuse or neglect.

15 ~~(10)~~⁽⁹⁾ (a) All fingerprints requested under this section shall be on an applicant
16 fingerprint card provided by the Department of Kentucky State Police. The
17 fingerprint cards shall be forwarded to the Federal Bureau of Investigation
18 from the Department of Kentucky State Police after a state criminal
19 background check is conducted. The results of the state and federal criminal
20 background check shall be sent to the hiring superintendent. Any fee charged
21 by the Department of Kentucky State Police, the Federal Bureau of
22 Investigation, and the Cabinet for Health and Family Services shall be an
23 amount no greater than the actual cost of processing the request and
24 conducting the search.

25 (b) Each application form, provided by the employer to an applicant for a
26 certified or classified position, shall conspicuously state the following: "FOR
27 THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL

1 AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND A
2 LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET
3 FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT
4 HAS NO ADMINISTRATIVE FINDINGS OF CHILD ABUSE OR
5 NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD
6 ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET
7 FOR HEALTH AND FAMILY SERVICES."

- 8 (c) Each application form for a district position shall require the applicant to:
- 9 1. Identify the states in which he or she has maintained residency,
10 including the dates of residency;~~and~~
 - 11 2. Provide picture identification; and
 - 12 3. List each school district and nonpublic school in which the applicant
13 has been employed, including the dates of employment.

14 (11) (a) When an allegation of abusive conduct is made against a school district
15 employee, the school district employee in receipt of the allegation, whether
16 communicated in writing, electronically, or orally, shall report the
17 allegation to the school principal in accordance with KRS 620.030. The
18 principal shall document the allegation in writing and notify the
19 superintendent or designee. An investigation of the allegation shall be
20 conducted by the school district until it is completed and shall not end prior
21 to completion due to the employee transferring positions within the school
22 district or leaving the school district.

23 (b) Notwithstanding Section 7 of this Act, all records and references relating to
24 an allegation of abusive conduct by a school district employee with a
25 student or minor shall be included and remain in an employee's personnel
26 file until completion of an investigation. If, after completion of an
27 investigation, the allegation is determined to be false or unsubstantiated, all

1 *records and references relating to the allegation shall be removed from the*
2 *employee's personnel file.*

3 (12)~~(10)~~ Notwithstanding any provision of the Kentucky Revised Statutes to the
4 contrary, *any certified or classified employee of the school district shall notify the*
5 *superintendent within seven (7) calendar days of being*~~when an employee of the~~
6 ~~school district is~~ charged with any offense which is classified as a felony.~~;~~ The
7 superintendent may transfer the employee to a second position until such time as
8 the employee is found not guilty, the charges are dismissed, the employee is
9 terminated, or the superintendent determines that further personnel action is not
10 required. The employee shall continue to be paid at the same rate of pay he or she
11 received prior to the transfer. If an employee is charged with an offense outside of
12 the Commonwealth, this provision may also be applied if the charge would have
13 been treated as a felony if committed within the Commonwealth. Transfers shall be
14 made to prevent disruption of the educational process and district operations and in
15 the interest of students and staff and shall not be construed as evidence of
16 misconduct.

17 (13)~~(11)~~ Notwithstanding any law to the contrary, each certified and classified
18 employee of the school district shall notify the superintendent if he or she has been
19 found by the Cabinet for Health and Family Services to have abused or neglected a
20 child, and if he or she has waived the right to appeal a substantiated finding of child
21 abuse or neglect or if the substantiated incident was upheld upon appeal. Any
22 failure to report this finding shall result in the certified or classified employee being
23 subject to dismissal or termination.

24 (14) *The superintendent shall annually notify school district employees of the self-*
25 *reporting requirements of subsections (12) and (13) of this section.*

26 (15)~~(12)~~ The form for requesting a CA/N check shall be made available on the Cabinet
27 for Health and Family Services website.

1 **(16) Subsections (1) and (5) to (14) of this section shall apply to public charter schools**
2 **as a health and safety requirement under KRS 160.1592(1).**

3 ➔Section 4. KRS 156.160 is amended to read as follows:

4 (1) With the advice of the Local Superintendents Advisory Council, the Kentucky
5 Board of Education shall promulgate administrative regulations establishing
6 standards which school districts shall meet in student, program, service, and
7 operational performance. These regulations shall comply with the expected
8 outcomes for students and schools set forth in KRS 158.6451. Administrative
9 regulations shall be promulgated for the following:

10 (a) Courses of study for the different grades and kinds of common schools
11 identifying the common curriculum content directly tied to the goals,
12 outcomes, and assessment strategies developed under KRS 158.645,
13 158.6451, and 158.6453 and distributed to local school districts and schools.

14 The administrative regulations shall provide that:

- 15 1. If a school offers American sign language, the course shall be accepted
16 as meeting the foreign language requirements in common schools
17 notwithstanding other provisions of law;
- 18 2. If a school offers the Reserve Officers Training Corps program, the
19 course shall be accepted as meeting the physical education requirement
20 for high school graduation notwithstanding other provisions of law;
- 21 3. Every public middle and high school's curriculum shall include
22 instruction on the Holocaust and other cases of genocide, as defined by
23 the United Nations Convention on the Prevention and Punishment of the
24 Crime of Genocide, that a court of competent jurisdiction, whether a
25 court in the United States or the International Court of Justice, has
26 determined to have been committed by applying rigorous standards of
27 due process; and

- 1 4. Beginning in the 2025-2026 school year, cursive writing shall be
2 included as a course of study in all elementary schools and shall be
3 designed to ensure proficiency in cursive writing by the end of grade
4 five (5);
- 5 (b) Courses of study or educational experiences available to students in all middle
6 and high schools to fulfill the prerequisites for courses in advanced science
7 and mathematics as defined in KRS 158.845;
- 8 (c) The acquisition and use of educational equipment for the schools as
9 recommended by the Council for Education Technology;
- 10 (d) The minimum requirements for high school graduation in light of the
11 expected outcomes for students and schools set forth in KRS 158.6451. The
12 minimum requirements shall not include achieving any postsecondary
13 readiness indicator as described in KRS 158.6455 or any minimum score on a
14 statewide assessment administered under KRS 158.6453. Student scores from
15 any assessment administered under KRS 158.6453 that are determined by the
16 department's technical advisory committee to be valid and reliable at the
17 individual level shall be included on the student transcript. The department's
18 technical advisory committee shall submit its determination to the
19 commissioner of education and the Legislative Research Commission;
- 20 (e) The requirements for an alternative high school diploma for students with
21 disabilities whose individualized education program indicates that, in
22 accordance with 20 U.S.C. sec. 1414(d)(1)(A):
- 23 1. The student cannot participate in the regular statewide assessment; and
24 2. An appropriate alternate assessment has been selected for the student
25 based upon a modified curriculum and an individualized course of
26 study;
- 27 (f) Taking and keeping a school census, and the forms, blanks, and software to be

1 used in taking and keeping the census and in compiling the required reports.
2 The board shall create a statewide student identification numbering system
3 based on students' Social Security numbers. The system shall provide a
4 student identification number similar to, but distinct from, the Social Security
5 number, for each student who does not have a Social Security number or
6 whose parents or guardians choose not to disclose the Social Security number
7 for the student;

8 (g) Sanitary and protective construction of public school buildings, toilets,
9 physical equipment of school grounds, school buildings, and classrooms. With
10 respect to physical standards of sanitary and protective construction for school
11 buildings, the Kentucky Board of Education shall adopt the Uniform State
12 Building Code;

13 (h) Medical inspection, physical and health education and recreation, and other
14 regulations necessary or advisable for the protection of the physical welfare
15 and safety of the public school children. The administrative regulations shall
16 set requirements for student health standards to be met by all students in
17 grades four (4), eight (8), and twelve (12) pursuant to the outcomes described
18 in KRS 158.6451. The administrative regulations shall permit a student who
19 received a physical examination no more than six (6) months prior to his or
20 her initial admission to Head Start to substitute that physical examination for
21 the physical examination required by the Kentucky Board of Education of all
22 students upon initial admission to the public schools, if the physical
23 examination given in the Head Start program meets all the requirements of the
24 physical examinations prescribed by the Kentucky Board of Education;

25 (i) A vision examination by an optometrist or ophthalmologist that shall be
26 required by the Kentucky Board of Education. The administrative regulations
27 shall require evidence that a vision examination that meets the criteria

1 prescribed by the Kentucky Board of Education has been performed. This
2 evidence shall be submitted to the school no later than January 1 of the first
3 year that a three (3), four (4), five (5), or six (6) year-old child is enrolled in a
4 public school, public preschool, or Head Start program;

5 (j) 1. ~~{Beginning with the 2010-2011 school year, }~~A dental screening or
6 examination by a dentist, dental hygienist, physician, registered nurse,
7 advanced practice registered nurse, or physician assistant that shall be
8 required by the Kentucky Board of Education. The administrative
9 regulations shall require evidence that a dental screening or examination
10 that meets the criteria prescribed by the Kentucky Board of Education
11 has been performed. This evidence shall be submitted to the school no
12 later than January 1 of the first year that a five (5) or six (6) year-old
13 child is enrolled in a public school.

14 2. A child shall be referred to a licensed dentist if a dental screening or
15 examination performed by anyone other than a licensed dentist identifies
16 the possibility of dental disease;

17 (k) The transportation of children to and from school;

18 (l) The fixing of holidays on which schools may be closed and special days to be
19 observed, and the pay of teachers during absence because of sickness or
20 quarantine or when the schools are closed because of quarantine;

21 (m) The preparation of budgets and salary schedules for the several school
22 districts under the management and control of the Kentucky Board of
23 Education;

24 (n) A uniform series of forms and blanks, educational and financial, including
25 forms of contracts, for use in the several school districts;

26 (o) The disposal of real and personal property owned by local boards of
27 education; and

- 1 (p) The development and implementation of procedures, for all students who are
2 homeless children and youths as defined in 42 U.S.C. sec. 11434a(2), to do
3 the following:
- 4 1. Awarding and accepting of credit, including partial credit, for all
5 coursework satisfactorily completed by a student while enrolled at
6 another school;
 - 7 2. Allowing a student who was previously enrolled in a course required for
8 graduation the opportunity, to the extent practicable, to complete the
9 course, at no cost to the student, before the beginning of the next school
10 year;
 - 11 3. Awarding a diploma, at the student's request, by a district from which
12 the student transferred, if the student transfers schools at any time after
13 the completion of the student's second year of high school and the
14 student is ineligible to graduate from the district to which the student
15 transfers, but meets the graduation requirements of the district from
16 which the student transferred; and
 - 17 4. Exempting the student from all coursework and other requirements
18 imposed by the local board of education that are in addition to the
19 minimum requirements for high school graduation established by the
20 Kentucky Board of Education pursuant to paragraph (d) of this
21 subsection in the district to which the student transfers, if the student
22 transfers schools at any time after the completion of the student's second
23 year of high school and the student is ineligible to graduate both from
24 the district to which the student transfers and the district from which the
25 student transferred.
- 26 (2) (a) At the request of a local board of education or a school council, a local school
27 district superintendent shall request that the Kentucky Board of Education

1 waive any administrative regulation promulgated by that board. ~~Beginning in~~
2 ~~the 1996-97 school year,~~ A request for waiver of any administrative
3 regulation shall be submitted to the Kentucky Board of Education in writing
4 with appropriate justification for the waiver. The Kentucky Board of
5 Education may approve the request when the school district or school has
6 demonstrated circumstances that may include but are not limited to the
7 following:

- 8 1. An alternative approach will achieve the same result required by the
9 administrative regulation;
- 10 2. Implementation of the administrative regulation will cause a hardship on
11 the school district or school or jeopardize the continuation or
12 development of programs; or
- 13 3. There is a finding of good cause for the waiver.

14 (b) The following shall not be subject to waiver:

- 15 1. Administrative regulations relating to health and safety;
- 16 2. Administrative regulations relating to civil rights;
- 17 3. Administrative regulations required by federal law; and
- 18 4. Administrative regulations promulgated in accordance with KRS
19 158.6451, 158.6453, 158.6455, and this section, relating to measurement
20 of performance outcomes and determination of successful districts or
21 schools, except upon issues relating to the grade configuration of
22 schools.

23 (c) Any waiver granted under this subsection shall be subject to revocation upon
24 a determination by the Kentucky Board of Education that the school district or
25 school holding the waiver has subsequently failed to meet the intent of the
26 waiver.

27 (3) Any private, parochial, or church school may voluntarily comply with:

1 2. Certified individuals who were employed in another certified position in
 2 a Kentucky school within six (6) months of the date of the hire and who
 3 had previously submitted to a national and state criminal background
 4 check and were required to have a clear CA/N check for previous
 5 employment may be excluded from the initial national or state criminal
 6 background checks.

7 (b) The national criminal history background check shall be conducted by the
 8 Federal Bureau of Investigation. The state criminal history background check
 9 shall be conducted by the Department of Kentucky State Police or the
 10 Administrative Office of the Courts.

11 (c) All fingerprints requested under this section shall be on an applicant
 12 fingerprint card provided by the Department of Kentucky State Police. The
 13 fingerprint cards shall be forwarded to the Federal Bureau of Investigation by
 14 the Department of Kentucky State Police after a state criminal background
 15 check has been conducted. Any fee charged by the Department of Kentucky
 16 State Police, the Administrative Office of the Courts, or the Federal Bureau of
 17 Investigation shall be an amount no greater than the actual cost of processing
 18 the request and conducting the search.

19 ~~(3)~~~~(2)~~ (a) **When a certified nonpublic**~~if a~~ school requires a criminal background
 20 check or requires a clear CA/N check **under this section**~~for a new hire~~, the
 21 school shall conspicuously include the following disclosure statement on each
 22 application or renewal form provided by the employer to an applicant for a
 23 certified position: "STATE LAW AUTHORIZES THIS SCHOOL TO
 24 REQUIRE A CRIMINAL HISTORY BACKGROUND CHECK AND A
 25 LETTER, **PROVIDED BY THE INDIVIDUAL**, FROM THE CABINET
 26 FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT
 27 **HAS NO ADMINISTRATIVE FINDINGS OF**~~IS CLEAR TO HIRE~~

1 ~~BASED ON NO FINDINGS OF SUBSTANTIATED~~ CHILD ABUSE OR
2 NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD
3 ABUSE AND NEGLECT RECORDS **MAINTAINED BY THE CABINET**
4 **FOR HEALTH AND FAMILY SERVICES**~~[AS A CONDITION OF~~
5 ~~EMPLOYMENT FOR THIS TYPE OF POSITION]."~~

6 (b) The school or school board may require an adult who is permitted access to
7 school grounds on a regularly scheduled and continuing basis pursuant to a
8 written agreement for the purpose of providing services directly to a student
9 or students as part of a school-sponsored program or activity, a volunteer, or a
10 visitor to submit to a national criminal history check by the Federal Bureau of
11 Investigation and state criminal history background check by the Department
12 of Kentucky State Police or Administrative Office of the Courts and require a
13 clear CA/N check.

14 (c) Any request for records from the Department of Kentucky State Police under
15 this section shall be on an applicant fingerprint card provided by the
16 Department of Kentucky State Police if required. The results of the state
17 criminal background check and the results of the national criminal history
18 background check~~[, if requested,]~~ shall be sent to the hiring superintendent.
19 **When**~~[if]~~ a background check of child abuse and neglect records is requested,
20 the person seeking employment shall provide to the hiring superintendent a
21 clear CA/N check.

22 (d) Any fee charged by the Department of Kentucky State Police shall be an
23 amount no greater than the actual cost of processing the request and
24 conducting the search.

25 **(e) Every five (5) years from the year an individual was required to submit to a**
26 **national and state criminal records check under subsection (2) of this**
27 **section, a certified nonpublic school shall require the individual to submit to**

1 *a state records check.*

2 ~~(4)~~(3) (a) A *certified* nonpublic school *shall*~~[voluntarily implementing the~~
3 ~~provisions of this chapter may choose]~~ not~~[to]~~ employ any person who is a
4 violent offender as defined by KRS 17.165(2), has been convicted of a sex
5 crime which is classified as a felony as defined by KRS 17.165(1), or has
6 committed a violent crime as defined in KRS 17.165(3) or persons with a
7 substantiated finding of child abuse or neglect in records maintained by the
8 Cabinet for Health and Family Services. A *certified* nonpublic school may
9 employ, at its discretion, persons convicted of sex crimes classified as a
10 misdemeanor.

11 (b) If a school term has begun and a certified position remains unfilled or if a
12 vacancy occurs during a school term, a *certified* nonpublic school
13 ~~[implementing this chapter]~~ may employ an individual who will have
14 supervisory or disciplinary authority over minors on probationary status
15 pending receipt of a criminal history background check or the receipt of a
16 clear CA/N check, provided by the individual.

17 (c) Employment, *including probationary employment,* at a *certified* nonpublic
18 school *shall*~~[implementing this chapter may]~~ be contingent on the receipt of a
19 criminal history background check documenting *that the employee has no*~~[a]~~
20 record as a violent offender, of a sex crime, or of a violent crime as defined in
21 KRS 17.165 *and*~~[or]~~ the receipt of a clear CA/N check, provided by the
22 individual.}

23 ~~(d) Nonpublic schools implementing this chapter may terminate probationary~~
24 ~~employment under this section upon receipt of a criminal history background~~
25 ~~check documenting a record as a violent offender, of a sex crime, or of a~~
26 ~~violent crime as defined in KRS 17.165 or the receipt of a clear CA/N check.]~~

27 ~~(5)~~(4) The form for requesting a ~~[clear]~~CA/N check shall be made available on the

1 Cabinet for Health and Family Services website~~[Web site]~~.

2 **(6) A certified nonpublic school considering an applicant for employment shall**
 3 **contact each nonpublic school or school district that currently employs or**
 4 **previously employed the applicant for a reference check in accordance with**
 5 **standards established by the Kentucky Board of Education.**

6 **(7) A certified nonpublic school shall not enter into a nondisclosure agreement**
 7 **relating to misconduct involving a minor or student, including abusive conduct as**
 8 **defined in Section 3 of this Act.**

9 ➔Section 6. KRS 156.095 is amended to read as follows:

10 (1) The Kentucky Department of Education shall establish, direct, and maintain a
 11 statewide program of professional development to improve instruction in the public
 12 schools.

13 (2) **(a)** Each local school district superintendent shall appoint a certified school
 14 employee to fulfill the role and responsibilities of a professional development
 15 coordinator who shall disseminate professional development information to
 16 schools and personnel. Upon request by a school council or any employees of
 17 the district, the coordinator shall provide technical assistance to the council or
 18 the personnel that may include assisting with needs assessments, analyzing
 19 school data, planning and evaluation assistance, organizing districtwide
 20 programs requested by school councils or groups of teachers, or other
 21 coordination activities.

22 **(b)**~~(a)~~ The manner of appointment, qualifications, and other duties of the
 23 professional development coordinator shall be established by Kentucky Board
 24 of Education through promulgation of administrative regulations.

25 **(c)**~~(b)~~ The local district professional development coordinator shall participate
 26 in the Kentucky Department of Education annual training program for local
 27 school district professional development coordinators. The training program

1 may include~~[,]~~ but is not~~[be]~~ limited to~~[,]~~ the demonstration of various
2 approaches to needs assessment and planning; strategies for implementing
3 long-term, school-based professional development; strategies for
4 strengthening teachers' roles in the planning, development, and evaluation of
5 professional development; and demonstrations of model professional
6 development programs. The training shall include information about teacher
7 learning opportunities relating to the core content standards. The Kentucky
8 Department of Education shall regularly collect and distribute this
9 information.

10 (3) The Kentucky Department of Education shall provide or facilitate optional,
11 professional development programs for certified personnel throughout the
12 Commonwealth that are based on the statewide needs of teachers, administrators,
13 and other education personnel. Programs may include classified staff and parents
14 when appropriate. Programs offered or facilitated by the department shall be at
15 locations and times convenient to local school personnel and shall be made
16 accessible through the use of technology when appropriate. They shall include
17 programs that: address the goals for Kentucky schools as stated in KRS 158.6451,
18 including reducing the achievement gaps as determined by an equity analysis of the
19 disaggregated student performance data from the state assessment program
20 developed under KRS 158.6453; engage educators in effective learning processes
21 and foster collegiality and collaboration; and provide support for staff to
22 incorporate newly acquired skills into their work through practicing the skills,
23 gathering information about the results, and reflecting on their efforts. Professional
24 development programs shall be made available to teachers based on their needs
25 which shall include but not be limited to the following areas:

26 (a) Strategies to reduce the achievement gaps among various groups of students
27 and to provide continuous progress;

- 1 (b) Curriculum content and methods of instruction for each content area,
 2 including differentiated instruction;
- 3 (c) School-based decision making;
- 4 (d) Assessment literacy;
- 5 (e) Integration of performance-based student assessment into daily classroom
 6 instruction;
- 7 (f) Nongraded primary programs;
- 8 (g) Research-based instructional practices;
- 9 (h) Instructional uses of technology;
- 10 (i) Curriculum design to serve the needs of students with diverse learning styles
 11 and skills and of students of diverse cultures;
- 12 (j) Instruction in reading, including phonics, phonemic awareness,
 13 comprehension, fluency, and vocabulary;
- 14 (k) Educational leadership; and
- 15 (l) Strategies to incorporate character education throughout the curriculum.
- 16 (4) The department shall assist school personnel in assessing the impact of professional
 17 development on their instructional practices and student learning.
- 18 (5) (a) The department shall assist districts and school councils with the development
 19 of long-term school and district improvement plans that include multiple
 20 strategies for professional development based on the assessment of needs at
 21 the school level.
- 22 ~~(b)~~(a) Professional development strategies may include but are not limited to
 23 participation in subject matter academies, teacher networks, training institutes,
 24 workshops, seminars, and study groups; collegial planning; action research;
 25 mentoring programs; appropriate university courses; and other forms of
 26 professional development.
- 27 ~~(c)~~(b) In planning the use of the four (4) days for professional development

1 under KRS 158.070, school councils and districts shall give priority to
2 programs that increase teachers' understanding of curriculum content and
3 methods of instruction appropriate for each content area based on individual
4 school plans. The district may use up to one (1) day to provide district-wide
5 training and training that is mandated by state or federal law. Only those
6 employees identified in the mandate or affected by the mandate shall be
7 required to attend the training.

8 ~~(d)(e)~~ State funds allocated for professional development shall be used to
9 support professional development initiatives that are consistent with local
10 school improvement and professional development plans and teachers'
11 individual growth plans. The funds may be used throughout the year for all
12 staff, including classified and certified staff and parents on school councils or
13 committees. A portion of the funds allocated to each school council under
14 KRS 160.345 may be used to prepare or enhance the teachers' knowledge and
15 teaching practices related to the content and subject matter that are required
16 for their specific classroom assignments.

17 (6) (a) The Kentucky Cabinet for Health and Family Services shall post on its web
18 page evidence-based suicide prevention awareness information, to include
19 recognizing the warning signs of a suicide crisis. The web page shall include
20 information related to suicide prevention training opportunities offered by the
21 cabinet or an agency recognized by the cabinet as a training provider.

22 (b) Every public school and public charter school shall provide two (2) evidence-
23 based suicide prevention awareness lessons each school year, the first by
24 September 15 and the second by January 15, either in person, by live
25 streaming, or via a video recording to all students in grades six (6) through
26 twelve (12). Every public school shall provide an opportunity for any student
27 absent on the day the evidence-based suicide prevention awareness lesson was

1 initially presented to receive the lesson at a later time. The information may
2 be obtained from the Cabinet for Health and Family Services or from a
3 commercially developed suicide prevention training program.

4 (c) 1. Each school year, a minimum of one (1) hour of high-quality evidence-
5 based suicide prevention training, including risk factors, warning signs,
6 protective factors, response procedures, referral, postvention, and the
7 recognition of signs and symptoms of possible mental illness, shall be
8 required for all school district employees with job duties requiring direct
9 contact with students in grades four (4) through twelve (12). The
10 training shall be provided either in person, by live streaming, or via a
11 video recording and may be included in the four (4) days of professional
12 development under KRS 158.070. As used in this subparagraph,
13 "postvention" means a series of planned supports and interventions with
14 persons affected by a suicide for the purpose of facilitating the grieving
15 or adjustment process, stabilizing the environment, reducing the risk of
16 negative behaviors, and limiting the risk of further suicides through
17 contagion.

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

22 (d) The requirements of paragraphs (b) and (c) of this subsection shall apply to
23 public charter schools as a health and safety requirement under KRS
24 160.1592(1).

25 (7) (a) By November 1 of each year, a minimum of one (1) hour of training on how
26 to respond to an active shooter situation shall be required for all school district
27 employees with job duties requiring direct contact with students. The training

1 shall be provided either in person, by live streaming, or via a video recording
2 prepared by the Kentucky Department of Criminal Justice Training in
3 collaboration with the Kentucky Law Enforcement Council, the Kentucky
4 Department of Education, and the Center for School Safety and may be
5 included in the four (4) days of professional development under KRS
6 158.070.

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

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

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

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

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

24 (c) The trainings shall include a questionnaire or other basic assessment tool upon
25 completion to document basic knowledge of training components.

26 (d) Each local board of education shall adopt one (1) or more trainings from the
27 list approved by the Department of Education to be implemented by schools.

- 1 (e) All school administrators, certified personnel, office staff, instructional
2 assistants, and coaches and extracurricular sponsors who are employed by the
3 school district shall complete the implemented training or trainings within
4 ninety (90) days of being hired and then every two (2) years after.
- 5 (f) Every public school shall prominently display the statewide child abuse
6 hotline number administered by the Cabinet for Health and Family Services,
7 the National Human Trafficking Reporting Hotline number administered by
8 the United States Department for Health and Human Services, and the Safe
9 Haven Baby Boxes Crisis Line number administered by the Safe Haven Baby
10 Boxes national organization or any equivalent successor entity.
- 11 (g) The requirements of this subsection shall also apply to public charter schools
12 as a health and safety requirement under KRS 160.1592(1).
- 13 (9) **(a) By May 1, 2026, the Kentucky Department of Education, in collaboration**
14 **with the Education Professional Standards Board, shall develop a training**
15 **for school district employees, to be provided via video recording, related to**
16 **appropriate relationships and communication with students, inappropriate**
17 **relationships and communication with students, sexual grooming, and**
18 **sexual misconduct.**
- 19 **(b) Beginning with the 2026-2027 school year, and every five (5) years**
20 **thereafter, every local school district shall require all employees to undergo**
21 **the training described in paragraph (a) of this subsection.**
- 22 **(c) When an employee is hired by a district during a school year in which the**
23 **training is not required, the school district shall require the employee to**
24 **complete the training within ninety (90) days of hiring.**
- 25 **(d) The requirements of this subsection shall apply to public charter schools as**
26 **a health and safety requirement under KRS 160.1592(1).**
- 27 **(10)** The Department of Education shall establish an electronic consumer bulletin board

1 that posts information regarding professional development providers and programs
2 as a service to school district central office personnel, school councils, teachers, and
3 administrators. Participation on the electronic consumer bulletin board shall be
4 voluntary for professional development providers or vendors, but shall include all
5 programs sponsored by the department. Participants shall provide the following
6 information: program title; name of provider or vendor; qualifications of the
7 presenters or instructors; objectives of the program; program length; services
8 provided, including follow-up support; costs for participation and costs of
9 materials; names of previous users of the program, addresses, and telephone
10 numbers; and arrangements required. Posting information on the bulletin board by
11 the department shall not be viewed as an endorsement of the quality of any specific
12 provider or program.

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

- 19 (a) Identify at-risk students early in elementary schools as well as at-risk and
20 potential dropouts in the middle and high schools;
- 21 (b) Plan specific instructional strategies to teach at-risk students;
- 22 (c) Improve the academic achievement of students at risk of school failure by
23 providing individualized and extra instructional support to increase
24 expectations for targeted students;
- 25 (d) Involve parents as partners in ways to help their children and to improve their
26 children's academic progress; and
- 27 (e) Significantly reduce the dropout rate of all students.

1 ~~(12)~~~~(11)~~ The department shall establish teacher academies to the extent funding is
2 available in cooperation with postsecondary education institutions for elementary,
3 middle school, and high school faculty in core disciplines, utilizing facilities and
4 faculty from universities and colleges, local school districts, and other appropriate
5 agencies throughout the state. Priority for participation shall be given to those
6 teachers who are teaching core discipline courses for which they do not have a
7 major or minor or the equivalent. Participation of teachers shall be voluntary.

8 ~~(13)~~~~(12)~~ The department shall annually provide to the oversight council established in
9 KRS 15A.063, the information received from local schools pursuant to KRS
10 158.449.

11 ➔Section 7. KRS 161.151 is amended to read as follows:

12 (1) **Except as provided in Section 3 of this Act,** all records and references relating to an
13 allegation of a criminal offense committed by a school employee that did not lead to
14 formal charges and all records relating to a criminal proceeding in which a school
15 employee was found not guilty or the charges were dismissed shall be removed
16 from the school employee's personnel file by the superintendent or the
17 superintendent's designee in the local school district.

18 (2) The provisions of subsection (1) of this section shall not preclude a school district
19 from separately investigating, taking action upon, and creating and maintaining
20 records on the same or a similar fact situation upon which the allegations of a
21 criminal offense was based.

22 ➔Section 8. KRS 158.4431 is amended to read as follows:

23 (1) As used in this section, a "Kentucky guardian" or "guardian" means an employee of
24 a local board of education who is employed for the purpose of providing school
25 safety and security to students and staff on a school site. A person providing
26 services as a guardian may only include honorably discharged veterans, retired
27 Kentucky state troopers, retired special and sworn law enforcement officers, and

1 former federal law enforcement officers. A guardian certified by the Center for
2 School Safety as having met all requirements of this section is deemed to be an
3 authorized individual under KRS 527.070(3)(f) and may be armed with a firearm on
4 school property.

5 (2) Local boards of education may employ as many guardians as the board considers
6 necessary for the safety and security of its schools.

7 (3) Prior to hiring a guardian, the local board of education shall require the applicant to
8 provide certification from the Center for School Safety that he or she meets all of
9 the following minimum requirements:

10 (a) Is a citizen of the United States and the Commonwealth of Kentucky;

11 (b) Has received a high school diploma or a High School Equivalency Diploma;

12 (c) Is currently licensed under KRS 237.110 to carry a concealed weapon;

13 (d) Has completed and passed background checks as required pursuant to KRS
14 160.380~~(7)(6)~~(a), and has not been convicted of any felony, any
15 misdemeanor under KRS 510.120, 510.130, 510.140, or 510.148, or a
16 criminal attempt, conspiracy, facilitation, or solicitation to commit any degree
17 of rape, sodomy, sexual abuse, or sexual misconduct under KRS Chapter 510,
18 or have had any offense listed in this paragraph expunged;

19 (e) Has passed a medical examination completed by a licensed physician,
20 physician assistant, or advanced practice registered nurse to determine if he or
21 she can perform the duties of a guardian;

22 (f) Has passed a drug screening test administered or approved by the Kentucky
23 Law Enforcement Council. A person shall be deemed to have passed a drug
24 screening test if the results of the test are negative for the use of an illegal
25 controlled substance or prescription drug abuse;

26 (g) Has passed the following examinations administered by the Kentucky Law
27 Enforcement Council:

- 1 1. A background investigation to determine the person's suitability for the
- 2 position of guardian;
- 3 2. A psychological suitability screening to determine the person's
- 4 suitability to perform guardian duties; and
- 5 3. A polygraph examination to determine the person's suitability to
- 6 perform guardian duties;
- 7 (h) Has passed the following courses provided by the Department of Criminal
- 8 Justice Training:
- 9 1. Active Shooter Response;
- 10 2. Enhanced Handgun Performance; and
- 11 3. Patrol Rifle;
- 12 (i) Has passed the marksmanship qualification requirement for a retired peace
- 13 officer as specified in KRS 237.140;
- 14 (j) Has been honorably discharged from the Armed Forces of the United States
- 15 within the five (5) years immediately preceding an initial contract to be a
- 16 guardian as evidenced by a Department of Defense form DD 214, or is a
- 17 retired Kentucky state trooper, retired special or sworn law enforcement
- 18 officer, or former federal law enforcement officer. Each agency that employed
- 19 a retired Kentucky state trooper, retired special law enforcement officer, or
- 20 sworn law enforcement officer shall provide to the retired individual proof of
- 21 prior employment in a prompt and efficient manner, without charge to the
- 22 individual; and
- 23 (k) Has met any other requirements imposed by the local board of education,
- 24 which may include but are not limited to a preemployment written
- 25 examination.
- 26 (4) Each guardian shall be required to complete annual firearm proficiency testing and
- 27 shall meet the standard in the same manner as set forth in KRS 237.140(4)(a) to (c).

- 1 (5) Each guardian shall be required to complete the course requirements for School
2 Resource Officer Training I (SRO I) as set forth in KRS 158.4414(8).
- 3 (6) The employing local board of education may require the completion of any
4 additional courses and training as determined to be necessary by the board.
- 5 (7) Any cost associated with subsections (3) to (6) of this section shall be the
6 responsibility of the guardian unless otherwise agreed to by the employing local
7 board of education. The Kentucky Law Enforcement Council shall not charge more
8 to guardians for tests, assessments, or training completed than what is customarily
9 charged to any other type of applicant tested, assessed, or trained by the council.
- 10 (8) A local board of education employing a guardian shall collaborate with the local
11 police department, local sheriff, area post of the Department of Kentucky State
12 Police, and the state school security marshal in order to adopt school district policy
13 regarding:
- 14 (a) The job description of the guardian, including but not limited to the scope of
15 duties, responsibilities, and direct supervisor of the guardian;
- 16 (b) The uniform to be worn by guardians that would best suit the needs of the
17 schools while also allowing outside agencies to easily identify guardians;
- 18 (c) The procedures, processes, and chain of command to be used during an
19 emergency in which law enforcement agencies are called to the school; and
- 20 (d) The type of firearm and ammunition to be used by the guardian, if any.
- 21 (9) A local board of education shall be immune from civil or criminal liability in all
22 claims arising out of any action of a guardian.
- 23 (10) Guardians shall possess all the immunities and defenses now available or hereafter
24 made available under state law to sheriffs, constables granted peace officer powers,
25 and police officers in any suit brought against them in consequence of acts done in
26 the course of their employment.
- 27 (11) Nothing in this section requires a local board of education to hire or provide

1 guardians. Participation by a local board of education in the use of a guardian is
2 voluntary and subject to the availability of local school district funds. Any local
3 board of education that opts to participate shall do so at its own expense.

4 ➔Section 9. KRS 156.492 is amended to read as follows:

5 (1) The Kentucky Department of Education may enter into an agreement with any
6 building and construction trade organization to develop a training program for
7 school counselors providing services to students in the Commonwealth. The
8 purpose of the training program shall be to promote building and construction
9 trades and training facilities available to students by making school counselors
10 aware of what is available to students participating in the building and construction
11 trade. The training program shall include information relating to:

12 (a) The pay and benefits available to people who work in the building and
13 construction trades; and

14 (b) Job opportunities, pre-apprenticeships, apprenticeships, and pathways within
15 the building and construction trade industry.

16 (2) The participating trade organization shall ensure ample opportunities for school
17 counselors that serve grades seven (7) through twelve (12) to complete the training
18 created under subsection (1) of this section annually and shall bear all costs
19 associated with the training. The participating trade organization may choose to
20 offer professional development opportunities to teachers who serve students in
21 grades seven (7) through twelve (12), if resources are available for this purpose.

22 (3) The department shall include the training program created in this section on the
23 electronic consumer bulletin board created pursuant to KRS 156.095~~[(9)]~~ if
24 requested by the training program.

25 (4) A school counselor serving students in grades seven (7) through twelve (12) may
26 complete four (4) hours of training developed under this section which shall count
27 towards the twenty-one (21) hours required annually pursuant to KRS

1 156.101(4)(b)2.

2 (5) Local boards of education or school-based decision making councils may
3 incorporate this training as part of the four (4) days of professional development
4 required pursuant to KRS 158.070(3)(a) for teachers who serve students in grades
5 seven (7) through twelve (12) if offered by the participating trade organization.