

1 AN ACT relating to salaries of school administrators.

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

3 ➔Section 1. KRS 160.350 is amended to read as follows:

4 (1) After considering the recommendations of a screening committee, as provided in  
5 KRS 160.352, each board of education shall appoint a superintendent of schools  
6 whose term of office shall begin on July 1, following the individual's appointment.  
7 The appointment may be for a term of no more than four (4) years. In the event a  
8 vacancy occurs in the office of superintendent prior to the expiration of the term set  
9 by the board, the term shall expire on the date the vacancy occurs. Therefore, the  
10 board may appoint a superintendent for a new term as provided in this subsection,  
11 which shall begin on the date of the superintendent's appointment, except when the  
12 vacancy occurs after a school board election and before the newly elected members  
13 take office. When a vacancy occurs during this period, the position shall not be  
14 filled until the new members take office, but the board may appoint an acting  
15 superintendent to serve a term not to exceed six (6) months. This appointment may  
16 be renewed once for a period not to exceed three (3) months. If a vacancy occurs, a  
17 local board may also appoint an acting superintendent during the period the  
18 screening committee pursuant to KRS 160.352 conducts its business and prior to  
19 the actual appointment of the new superintendent. No superintendent shall resign  
20 during a term and accept a new term from the same board of education prior to the  
21 expiration date of the present term. In the case of a vacancy in the office for an  
22 unexpired term, the board of education shall make the appointment so that the term  
23 will end on June 30.

24 (2) The board shall set the salary of the superintendent to be paid in regular  
25 installments. ***Beginning July 1, 2025, any new contract or contract renewal for a***  
26 ***superintendent shall include the requirement that the total salary paid and***  
27 ***benefits provided to the superintendent shall be reviewed and adjusted at the end***

1 of every two (2) contract years and shall:

2 (a) Not be limited if seventy-five percent (75%) or more of the students in the  
3 district are proficient or distinguished as determined by the most recent  
4 Kentucky Summative Assessment;

5 (b) Not exceed three (3) times the median salary on the school district's single  
6 salary schedule for a Rank I teacher in the school district if between fifty  
7 percent (50%) and seventy-five percent (75%) of the students in the district  
8 are proficient or distinguished as determined by the most recent Kentucky  
9 Summative Assessment; and

10 (c) Not exceed two (2) times the median salary on the school district's single  
11 salary schedule for a Rank I teacher in the school district if fifty percent  
12 (50%) or fewer of the students in the district are proficient or distinguished  
13 as determined by the most recent Kentucky Summative Assessment.

14 ~~(3)~~~~(2)~~ An individual shall not assume the duties of superintendent in a district until  
15 he or she provides the board of education with a copy of a certificate for school  
16 superintendent issued by the Education Professional Standards Board or its legal  
17 predecessor. A superintendent shall hold a valid certificate throughout the period of  
18 employment. A superintendent shall successfully complete the training program and  
19 assessment center process within two (2) years of assuming the duties of  
20 superintendent. A superintendent shall not serve as director or officer of a bank,  
21 trust company, or savings or loan association that has the school district's funds on  
22 deposit. Following appointment, the superintendent shall establish residency in  
23 Kentucky.

24 ~~(4)~~~~(3)~~ A superintendent of schools may be removed for cause by a vote of four-fifths  
25 (4/5) of the membership of a board of education and upon approval by the  
26 commissioner of education. However, if the dismissal of the superintendent has  
27 been recommended by a highly skilled certified educator pursuant to KRS 158.6455

1 and the action is approved by the commissioner of education, the board shall  
 2 terminate the superintendent's contract. Written notice setting out the charges for  
 3 removal shall be spread on the minutes of the board and given to the  
 4 superintendent. The board shall seek approval by the commissioner of education for  
 5 removing the superintendent. The commissioner of education shall investigate the  
 6 accuracy of the charges made, evaluate the superintendent's overall performance  
 7 during the superintendent's appointment, and consider the educational performance  
 8 of the students in the district. Within thirty (30) days of notification, the  
 9 commissioner of education shall either approve or reject the board's request.

10 ~~(5)~~~~(4)~~ After the completion of a superintendent's first contract or after four (4) years,  
 11 whichever comes last, the board of education may, no later than June 30, extend the  
 12 contract of the superintendent for one (1) additional year beyond the current term of  
 13 employment.

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

16 **Beginning with school year 2026-2027, the following limitations shall apply to the**  
 17 **salary paid to administrator positions within local school districts:**

18 **(1) An assistant superintendent salary shall:**

19 **(a) Not be limited if seventy-five percent (75%) or more of the students in the**  
 20 **district are proficient or distinguished as determined by the most recent**  
 21 **Kentucky Summative Assessment;**

22 **(b) Not exceed two and one-half (2.5) times the median salary on the school**  
 23 **district's single salary schedule for a Rank I teacher in the school district if**  
 24 **between fifty percent (50%) and seventy-five percent (75%) of the students**  
 25 **in the district are proficient or distinguished as determined by the most**  
 26 **recent Kentucky Summative Assessment; and**

27 **(c) Not exceed two (2) times the median salary on the school district's single**

1           salary schedule for a Rank I teacher in the school district if fifty percent  
2           (50%) or fewer of the students in the district are proficient or distinguished  
3           as determined by the most recent Kentucky Summative Assessment;

4   (2) Any administrator, except superintendent and assistant superintendent, salary  
5   shall:

6           (a) Not be limited if seventy-five percent (75%) or more of the students in the  
7           district are proficient or distinguished as determined by the most recent  
8           Kentucky Summative Assessment;

9           (b) Not exceed two (2) times the median salary on the school district's single  
10          salary schedule for a Rank I teacher in the school district if between fifty  
11          percent (50%) and seventy-five percent (75%) of the students in the district  
12          are proficient or distinguished as determined by the most recent Kentucky  
13          Summative Assessment; and

14          (c) Not exceed one and one-half (1.5) times the median salary on the school  
15          district's single salary schedule for a Rank I teacher in the school district if  
16          fifty percent (50%) or fewer of the students in the district are proficient or  
17          distinguished as determined by the most recent Kentucky Summative  
18          Assessment; and

19   (3) A school-level administrator salary shall:

20          (a) Not be limited if seventy-five percent (75%) or more of the students in the  
21          school are proficient or distinguished as determined by the most recent  
22          Kentucky Summative Assessment;

23          (b) Not exceed two (2) times the median salary on the school district's single  
24          salary schedule for a Rank I teacher in the school district if between fifty  
25          percent (50%) and seventy-five percent (75%) of the students in the school  
26          are proficient or distinguished as determined by the most recent Kentucky  
27          Summative Assessment; and

1        *(c) Not exceed one and one-half (1.5) times the median salary on the school*  
 2        *district's single salary schedule for a Rank I teacher in the school district if*  
 3        *fifty percent (50%) or fewer of the students in the school are proficient or*  
 4        *distinguished as determined by the most recent Kentucky Summative*  
 5        *Assessment.*

6        ➔ Section 3. KRS 157.350 is amended to read as follows:

7        Each district which meets the following requirements shall be eligible to share in the  
 8        distribution of funds from the fund to support education excellence in Kentucky:

9        (1) Employs and compensates all teachers for not less than one hundred eighty-five  
 10        (185) days. The Kentucky Board of Education, upon recommendation of the  
 11        commissioner of education, shall prescribe procedures by which this requirement  
 12        may be reduced during any year for any district which employs teachers for less  
 13        than one hundred and eighty-five (185) days, in which case the eligibility of a  
 14        district for participation in the public school fund shall be in proportion to the  
 15        length of time teachers actually are employed;

16        (2) Operates all schools for a minimum school term as provided in KRS 158.070 and  
 17        administrative regulations of the Kentucky Board of Education. If the school term is  
 18        less than one hundred eighty-five (185) days, including not less than one hundred  
 19        seventy (170) student attendance days as defined in KRS 158.070 or one thousand  
 20        sixty-two (1,062) hours of instructional time, for any reason not approved by the  
 21        Kentucky Board of Education on recommendation of the commissioner, the  
 22        eligibility of a district for participation in the public school fund shall be in  
 23        proportion to the length of term the schools actually operate;

24        (3) Compensates:

25        *(a)* All teachers on the basis of a single salary schedule and in conformity with  
 26        the provisions of KRS 157.310 to 157.440;

27        *(b) The superintendent in accordance with subsection (2) of Section 1 of this*

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Act; and

(c) All administrators, except the superintendent, in accordance with Section 2 of this Act;

(4) Ensures that the annual aggregate administrator salaries, including benefits specific to the superintendent, for the district do not exceed ten (10%) percent of the total school district annual budget;

~~(5)~~~~(4)~~ Includes no nonresident pupils in its average daily attendance, except:

- ~~(a) [1. Until July 1, 2022, pupils listed under a written agreement, which may be for multiple years, with the district of the pupils' legal residence.~~
- ~~2. If an agreement cannot be reached, either board may appeal to the commissioner for settlement of the dispute.~~
- ~~3. The commissioner shall have thirty (30) days to resolve the dispute. Either board may appeal the commissioner's decision to the Kentucky Board of Education.~~
- ~~4. The commissioner and the Kentucky Board of Education shall consider the factors affecting the districts, including but not limited to academic performance and the impact on programs, school facilities, transportation, and staffing of the districts.~~
- ~~5. The Kentucky Board of Education shall have sixty (60) days to approve or amend the decision of the commissioner;~~

~~(b) Beginning July 1, 2022, ]~~Those nonresident pupils admitted pursuant to district nonresident pupil policies adopted under KRS 158.120; and

~~(b)~~~~(c)~~ A nonresident pupil who attends a district in which a parent of the pupil is employed. All tuition fees required of a nonresident pupil may be waived for a pupil who meets the requirements of this paragraph.

This subsection does not apply to those pupils enrolled in an approved class conducted in a hospital and pupils who have been expelled for behavioral reasons

1 who shall be counted in average daily attendance under KRS 157.320;

2 ~~(6)~~~~(5)~~ Any secondary school which maintains a basketball team for boys for other  
3 than intramural purposes, shall maintain the same program for girls;

4 ~~(7)~~~~(6)~~ Any school district which fails to comply with subsection ~~(6)~~~~(5)~~ of this  
5 section shall be prohibited from participating in varsity competition in any sport for  
6 one (1) year. Determination of failure to comply shall be made by the Department  
7 of Education after a hearing requested by any person within the school district. The  
8 hearing shall be conducted in accordance with KRS Chapter 13B. A district under  
9 this subsection shall, at the hearing, have an opportunity to show inability to  
10 comply.

11 ➔Section 4. KRS 156.070 is amended to read as follows:

12 (1) The Kentucky Board of Education shall have the management and control of the  
13 common schools and all programs operated in these schools, including  
14 interscholastic athletics, the Kentucky School for the Deaf, the Kentucky School for  
15 the Blind, and community education programs and services.

16 (2) The Kentucky Board of Education may designate an organization or agency to  
17 manage interscholastic athletics in the common schools, provided that the rules,  
18 regulations, and bylaws of any organization or agency so designated shall be  
19 approved by the board, and provided further that any administrative hearing  
20 conducted by the designated managing organization or agency shall be conducted in  
21 accordance with KRS Chapter 13B.

22 (a) The state board or its designated agency shall assure through promulgation of  
23 administrative regulations that if a secondary school sponsors or intends to  
24 sponsor an athletic activity or sport that is similar to a sport for which  
25 National Collegiate Athletic Association members offer an athletic  
26 scholarship, the school shall sponsor the athletic activity or sport for which a  
27 scholarship is offered. The administrative regulations shall specify which

1 athletic activities are similar to sports for which National Collegiate Athletic  
2 Association members offer scholarships.

3 (b) ~~[Beginning with the 2003-2004 school year,]~~The state board shall require any  
4 agency or organization designated by the state board to manage interscholastic  
5 athletics to adopt bylaws that establish as members of the agency's or  
6 organization's board of control one (1) representative of nonpublic member  
7 schools who is elected by the nonpublic school members of the agency or  
8 organization from regions one (1) through eight (8) and one (1) representative  
9 of nonpublic member schools who is elected by the nonpublic member  
10 schools of the agency or organization from regions nine (9) through sixteen  
11 (16). The nonpublic school representatives on the board of control shall not be  
12 from classification A1 or D1 schools. Following initial election of these  
13 nonpublic school representatives to the agency's or organization's board of  
14 control, terms of the nonpublic school representatives shall be staggered so  
15 that only one (1) nonpublic school member is elected in each even-numbered  
16 year.

17 (c) The state board or any agency designated by the state board to manage  
18 interscholastic athletics shall not promulgate rules, administrative regulations,  
19 or by laws that prohibit pupils in grades seven (7) to eight (8) from  
20 participating in any high school sports except for high school varsity soccer  
21 and football, or from participating on more than one (1) school-sponsored  
22 team at the same time in the same sport. The Kentucky Board of Education, or  
23 an agency designated by the board to manage interscholastic athletics, may  
24 promulgate administrative regulations restricting, limiting, or prohibiting  
25 participation in high school varsity soccer and football for students who have  
26 not successfully completed the eighth grade.

27 (d) 1. The state board or any agency designated by the state board to manage



- 1 interscholastic athletics shall allow a member school's team or students  
2 to play against students of a nonmember at-home private school, or a  
3 team of students from nonmember at-home private schools, if the  
4 nonmember at-home private schools and students comply with this  
5 subsection.
- 6 2. A nonmember at-home private school's team and students shall comply  
7 with the rules for student-athletes, including rules concerning:
- 8 a. Age;
  - 9 b. School semesters;
  - 10 c. Scholarships;
  - 11 d. Physical exams;
  - 12 e. Foreign student eligibility; and
  - 13 f. Amateurs.
- 14 3. A coach of a nonmember at-home private school's team shall comply  
15 with the rules concerning certification of member school coaches as  
16 required by the state board or any agency designated by the state board  
17 to manage interscholastic athletics.
- 18 4. This subsection shall not allow a nonmember at-home private school's  
19 team to participate in a sanctioned:
- 20 a. Conference;
  - 21 b. Conference tournament;
  - 22 c. District tournament;
  - 23 d. Regional tournament; or
  - 24 e. State tournament or event.
- 25 5. This subsection does not allow eligibility for a recognition, award, or  
26 championship sponsored by the state board or any agency designated by  
27 the state board to manage interscholastic athletics.

- 1           6. A nonmember at-home private school's team or students may participate  
2           in interscholastic athletics permitted, offered, or sponsored by the state  
3           board or any agency designated by the state board to manage  
4           interscholastic athletics.
- 5           (e) Every local board of education shall require an annual medical examination  
6           performed and signed by a physician, physician assistant, advanced practice  
7           registered nurse, or chiropractor, if performed within the professional's scope  
8           of practice, for each student seeking eligibility to participate in any school  
9           athletic activity or sport. The Kentucky Board of Education or any  
10          organization or agency designated by the state board to manage interscholastic  
11          athletics shall not promulgate administrative regulations or adopt any policies  
12          or bylaws that are contrary to the provisions of this paragraph.
- 13          (f) Any student who turns nineteen (19) years of age prior to August 1 shall not  
14          be eligible for high school athletics in Kentucky. Any student who turns  
15          nineteen (19) years of age on or after August 1 shall remain eligible for that  
16          school year only. An exception to the provisions of this paragraph shall be  
17          made, and the student shall be eligible for high school athletics in Kentucky if  
18          the student:
- 19                1. Qualified for exceptional children services and had an individual  
20                education program developed by an admissions and release committee  
21                (ARC) while the student was enrolled in the primary school program;
- 22                2. Was retained in the primary school program because of an ARC  
23                committee recommendation; and
- 24                3. Has not completed four (4) consecutive years or eight (8) consecutive  
25                semesters of eligibility following initial promotion from grade eight (8)  
26                to grade nine (9).
- 27          (g) The state board or any agency designated by the state board to manage

1 interscholastic athletics shall promulgate administrative regulations or bylaws  
2 that provide that:

3 1. A member school shall designate all athletic teams, activities, and sports  
4 for students in grades six (6) through twelve (12) as one (1) of the  
5 following categories:

6 a. "Boys";

7 b. "Coed"; or

8 c. "Girls";

9 2. The sex of a student for the purpose of determining eligibility to  
10 participate in an athletic activity or sport shall be determined by:

11 a. A student's biological sex as indicated on the student's original,  
12 unedited birth certificate issued at the time of birth; or

13 b. An affidavit signed and sworn to by the physician, physician  
14 assistant, advanced practice registered nurse, or chiropractor that  
15 conducted the annual medical examination required by paragraph  
16 (e) of this subsection under penalty of perjury establishing the  
17 student's biological sex at the time of birth;

18 3. a. An athletic activity or sport designated as "girls" for students in  
19 grades six (6) through twelve (12) shall not be open to members of  
20 the male sex.

21 b. Nothing in this section shall be construed to restrict the eligibility  
22 of any student to participate in an athletic activity or sport  
23 designated as "boys" or "coed"; and

24 4. Neither the state board, any agency designated by the state board to  
25 manage interscholastic athletics, any school district, nor any member  
26 school shall entertain a complaint, open an investigation, or take any  
27 other adverse action against a school for maintaining separate

1 interscholastic or intramural athletic teams, activities, or sports for  
2 students of the female sex.

- 3 (h) 1. The state board or any agency designated by the state board to manage  
4 interscholastic athletics shall promulgate administrative regulations that  
5 permit a school district to employ or assign nonteaching or noncertified  
6 personnel or personnel without postsecondary education credit hours to  
7 serve in a coaching position. The administrative regulations shall give  
8 preference to the hiring or assignment of certified personnel in coaching  
9 positions.
- 10 2. A person employed in a coaching position shall be a high school  
11 graduate and at least twenty-one (21) years of age and shall submit to a  
12 criminal background check in accordance with KRS 160.380.
- 13 3. The administrative regulations shall specify post-hire requirements for  
14 persons employed in coaching positions.
- 15 4. The regulations shall permit a predetermined number of hours of  
16 professional development training approved by the state board or its  
17 designated agency to be used in lieu of postsecondary education credit  
18 hour requirements.
- 19 5. A local school board may specify post-hire requirements for personnel  
20 employed in coaching positions in addition to those specified in  
21 subparagraph 3. of this paragraph.
- 22 (i) Unless permitted to be eligible for varsity athletics by any transfer rule,  
23 policy, or administrative regulation promulgated by the state board or any  
24 agency designated by the state board to manage interscholastic athletics, any  
25 student who transfers enrollment from a district of residence to a nonresident  
26 district under KRS 157.350(5)(a)~~[157.350(4)(b)]~~ after enrolling in grade nine  
27 (9) and participating in a varsity sport shall be ineligible to participate in

1 interscholastic athletics for one (1) calendar year from the date of the transfer.  
2 The state board or any agency designated by the state board to manage  
3 interscholastic athletics may adopt rules, policies, and bylaws and promulgate  
4 administrative regulations necessary to carry out this paragraph.

5 (j) No member school shall grant a student-athlete the right to use the member  
6 school's intellectual property, such as trademarks, school uniforms, and  
7 copyrights, in the student's earning of compensation through name, image,  
8 and likeness activities. No student-athlete shall use such intellectual property  
9 in earning compensation through name, image, and likeness activities. The  
10 state board or any agency designated by the state board to manage  
11 interscholastic athletics shall promulgate administrative regulations to govern  
12 and enforce this paragraph.

13 (3) (a) The Kentucky Board of Education is hereby authorized to lease from the State  
14 Property and Buildings Commission or others, whether public or private, any  
15 lands, buildings, structures, installations, and facilities suitable for use in  
16 establishing and furthering television and related facilities as an aid or  
17 supplement to classroom instruction throughout the Commonwealth and for  
18 incidental use in any other proper public functions. The lease may be for any  
19 initial term commencing with the date of the lease and ending with the next  
20 ensuing June 30, which is the close of the then-current fiscal biennium of the  
21 Commonwealth, with exclusive options in favor of the board to renew the  
22 same for successive ensuing bienniums, July 1 in each even year to June 30 in  
23 the next ensuing even year; and the rentals may be fixed at the sums in each  
24 biennium, if renewed, sufficient to enable the State Property and Buildings  
25 Commission to pay therefrom the maturing principal of and interest on, and  
26 provide reserves for, any revenue bonds which the State Property and  
27 Buildings Commission may determine to be necessary and sufficient, in

1 agreement with the board, to provide the cost of acquiring the television and  
2 related facilities with appurtenances and costs as may be incident to the  
3 issuance of the bonds.

4 (b) Each option of the Kentucky Board of Education to renew the lease for a  
5 succeeding biennial term may be exercised at any time after the adjournment  
6 of the session of the General Assembly at which appropriations shall have  
7 been made for the operation of the state government for such succeeding  
8 biennial term, by notifying the State Property and Buildings Commission in  
9 writing, signed by the chief state school officer, and delivered to the secretary  
10 of the Finance and Administration Cabinet as a member of the commission.  
11 The option shall be deemed automatically exercised, and the lease  
12 automatically renewed for the succeeding biennium, effective on the first day  
13 thereof, unless a written notice of the board's election not to renew shall have  
14 been delivered in the office of the secretary of the Finance and Administration  
15 Cabinet before the close of business on the last working day in April  
16 immediately preceding the beginning of the succeeding biennium.

17 (c) The Kentucky Board of Education shall not itself operate leased television  
18 facilities, or undertake the preparation of the educational presentations or  
19 films to be transmitted thereby, but may enter into one (1) or more contracts  
20 to provide therefor, with any public agency and instrumentality of the  
21 Commonwealth having, or able to provide, a staff with proper technical  
22 qualifications, upon which agency and instrumentality the board, through the  
23 chief state school officer and the Department of Education, is represented in  
24 such manner as to coordinate matters of curriculum with the curricula  
25 prescribed for the public schools of the Commonwealth. Any contract for the  
26 operation of the leased television or related facilities may permit limited and  
27 special uses of the television or related facilities for other programs in the

1 public interest, subject to the reasonable terms and conditions as the board and  
2 the operating agency and instrumentality may agree upon; but any contract  
3 shall affirmatively forbid the use of the television or related facilities, at any  
4 time or in any manner, in the dissemination of political propaganda or in  
5 furtherance of the interest of any political party or candidate for public office,  
6 or for commercial advertising. No lease between the board and the State  
7 Property and Buildings Commission shall bind the board to pay rentals for  
8 more than one (1) fiscal biennium at a time, subject to the aforesaid renewal  
9 options. The board may receive and may apply to rental payments under any  
10 lease and to the cost of providing for the operation of the television or related  
11 facilities not only appropriations which may be made to it from state funds,  
12 from time to time, but also contributions, gifts, matching funds, devises, and  
13 bequests from any source, whether federal or state, and whether public or  
14 private, so long as the same are not conditioned upon any improper use of the  
15 television or related facilities in a manner inconsistent with the provisions of  
16 this subsection.

17 (4) The state board may, on the recommendation and with the advice of the chief state  
18 school officer, prescribe, print, publish, and distribute at public expense such  
19 administrative regulations, courses of study, curriculums, bulletins, programs,  
20 outlines, reports, and placards as each deems necessary for the efficient  
21 management, control, and operation of the schools and programs under its  
22 jurisdiction. All administrative regulations published or distributed by the board  
23 shall be enclosed in a booklet or binder on which the words "informational copy"  
24 shall be clearly stamped or printed.

25 (5) Upon the recommendation of the chief state school officer or his or her designee,  
26 the state board shall establish policy or act on all matters relating to programs,  
27 services, publications, capital construction and facility renovation, equipment,

1           litigation, contracts, budgets, and all other matters which are the administrative  
2           responsibility of the Department of Education.