

1 AN ACT relating to local school boards.

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

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

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

6 (1)~~[(2)]~~ A person shall only be eligible for membership on a board of education if the  
7 person:

8 (a) Has attained the age of twenty-four (24) years;

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

11 (c) Has completed at least the twelfth grade or has been issued a High School  
12 Equivalency Diploma, as evidenced by:

13 1. An affidavit signed under penalty of perjury certifying completion of the  
14 twelfth grade or the equivalent that has been filed with the nominating  
15 petition required by KRS 118.315; or

16 2. A transcript evidencing completion of the twelfth grade or the results of  
17 a twelfth grade equivalency examination that has been filed with the  
18 nominating petition required by KRS 118.315;

19 (d) Does not hold any elective federal, state, county, or city office;

20 (e) Is not **an employee of the board**~~[,] at the time of his or her election[, directly~~  
21 ~~or indirectly interested in the sale to the board of books, stationery, or any~~  
22 ~~other property, materials, supplies, equipment, or services for which school~~  
23 ~~funds are expended]; **and**~~

24 (f) Has not been removed from membership on a board of education for cause~~;~~  
25 ~~and~~

26 ~~(g) Does not have a relative employed by the school district, in the case of a~~  
27 ~~person elected after July 13, 1990. This shall not apply to a board member~~

1 holding office on July 13, 1990, whose relative was not initially hired by the  
2 district during the tenure of the board member].

3 ~~(2)~~~~(3)~~ (a) A member of a board of education shall be subject to removal from  
4 office pursuant to KRS 415.050 and 415.060 if, after the election the member:

5 1. Becomes interested in any ~~contract with or~~ claims against the board or  
6 becomes an employee thereof, ~~of the kind mentioned in subsection~~  
7 ~~(2)(e) of this section~~;

8 2. Moves his or her residence from the division for which he or she was  
9 chosen;

10 3. Attempts to influence the employment of any school employee, except  
11 the superintendent or school board attorney;

12 4. Is convicted of a felony;

13 5. Performs acts of malfeasance in performance of duties prescribed by  
14 law;

15 6. Willfully misuses, converts, or misappropriates public property or  
16 funds;~~or~~

17 7. Does anything that would render the member ineligible for reelection;

18 8. Fails to abstain from any board votes where the member is directly or  
19 indirectly interested; or

20 9. Violates his or her board code of ethics pursuant to subsection (3) of  
21 Section 2 of this Act.

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

27 ~~(3)~~~~(4)~~ A member of a board of education shall be eligible for reelection unless he or

1 she becomes disqualified.

2 ~~(4)~~~~(5)~~ The annual in-service training requirements for all members of boards of  
3 education in office as of December 31, 2014, shall be as follows:

4 (a) Twelve (12) hours for members with zero to three (3) years of experience;

5 (b) Eight (8) hours for members with four (4) to seven (7) years of experience;  
6 and

7 (c) Four (4) hours for members with eight (8) or more years of experience.

8 The Kentucky Board of Education shall identify the criteria for fulfilling this  
9 requirement.

10 ~~(5)~~~~(6)~~ (a) For all members of boards of education who begin their initial service  
11 on or after January 1, 2015, the in-service training requirements shall be:

12 1. Twelve (12) hours for members with zero to eight (8) years of  
13 experience each year, which shall include a minimum of:

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

15 b. One (1) hour of open meetings and open records training within  
16 the first twelve (12) months of initial service and at least once  
17 every four (4) years thereafter; and

18 2. Eight (8) hours for members with more than eight (8) years of  
19 experience each year, which shall include a minimum of:

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

21 b. One (1) hour of open meetings and open records training at least  
22 once every four (4) years.

23 (b) Training topics for members under this subsection with less than two (2) years  
24 of consecutive service shall include three (3) hours of finance and one (1)  
25 hour of superintendent evaluation within the first two (2) years of service. The  
26 Kentucky Board of Education shall identify criteria for fulfilling this  
27 requirement.

1        ➔Section 2. KRS 160.290 is amended to read as follows:

2        (1) Each board of education shall have general control and management of the public  
3        schools in its district and may establish schools and provide for courses and other  
4        services as it deems necessary for the promotion of education and the general health  
5        and welfare of pupils, consistent with the administrative regulations of the  
6        Kentucky Board of Education. Each board shall have control and management of  
7        all school funds and all public school property of its district and may use its funds  
8        and property to promote public education. Each board shall exercise generally all  
9        powers prescribed by law in the administration of its public school system, appoint  
10       the superintendent of schools, and fix the compensation of employees.

11       (2) Each board shall make and adopt, and may amend or repeal, rules, regulations, and  
12       bylaws for its meetings and proceedings for the management of the schools and  
13       school property of the district, for the transaction of its business, and for the  
14       qualification and duties of employees and the conduct of pupils. The rules,  
15       regulations, and bylaws made by a board of education shall be consistent with the  
16       general school laws of the state and shall be binding on the board of education and  
17       parties dealing with it until amended or repealed by an affirmative vote of a  
18       majority of the members of the board. The rules, regulations, and bylaws shall be  
19       spread on the minutes of the board and be open to the public. The rules, regulations,  
20       and bylaws may include the use of reverse auctions as defined in KRS 45A.070 in  
21       the procurement of goods and leases.

22       **(3) (a) Each board shall make and adopt, and may amend, a board code of ethics**  
23       **that shall apply to all members of the board. The code of ethics shall include**  
24       **but not be limited to provisions which set forth for the members of the**  
25       **board:**

26       **1. Standards of conduct; and**

27       **2. Requirements for the creation and annual filing of financial**

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disclosure statements, which shall be open to public inspection.

(b) A board's code of ethics shall not include any policies that prohibit individuals related to board members from being employed by the school district in which the member serves.

~~(4)~~(3) Local boards of education electing to enter into agreements pursuant to the Interlocal Cooperation Act, KRS 65.210 to 65.300, with other local boards of education to establish consortia to provide services in accordance with the Kentucky Education Reform Act of 1990, 1990 Ky. Acts Ch. 476, may transfer real or personal property to the consortia without receiving fair market value compensation. The joint or cooperative action may employ employees transferred from employment of a local board of education, and the employees shall retain their eligibility for the Kentucky Teachers' Retirement System. The chief state school officer, under administrative regulations of the Kentucky Board of Education, may allot funding to an interlocal cooperative board created by two (2) or more local school districts pursuant to KRS 65.210 to 65.300 to provide educational services for the mutual advantage of the students in the representative districts. All statutes and administrative regulations that apply to the use of these funds in local school districts shall also apply to cooperative boards.