

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2026 REGULAR SESSION
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Amend printed copy of **SB 2/GA**

Beginning on page 1, line 3, through page 3, line 3, delete in its entirety and insert the following in lieu thereof:

"➔Section 1. KRS 157.350 is amended to read as follows:

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

- (1) Employs and compensates all teachers for not less than one hundred eighty-five (185) days. The Kentucky Board of Education, upon recommendation of the commissioner of education, shall prescribe procedures by which this requirement may be reduced during any year for any district which employs teachers for less than one hundred and eighty-five (185) days, in which case the eligibility of a district for participation in the public school fund shall be in proportion to the length of time teachers actually are employed;
- (2) Operates all schools for a minimum school term as provided in KRS 158.070 and administrative regulations of the Kentucky Board of Education. If the school term is less than one hundred eighty-five (185) days, including not less than one hundred seventy (170) student attendance days as defined in KRS 158.070 or one thousand sixty-two (1,062) hours of instructional time, for any reason not approved by the Kentucky Board of Education on recommendation of the commissioner, the eligibility of a district for participation in the public school fund shall be in proportion to the length of term the

Amendment No. HFA 1

Rep. Rep. Scott Lewis

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

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schools actually operate;

- (3) **(a)** Compensates all teachers on the basis of a single salary schedule and in conformity with the provisions of KRS 157.310 to 157.440.~~;~~

(b) 1. Contracts, renewals, or extensions entered into on or after July 1, 2026, shall not provide any superintendent, as defined in KRS 161.720, a percentage pay increase greater than the percentage pay increase provided to classroom teachers in the district. Upon the expiration of the superintendent's contract, the local board and superintendent may negotiate a salary increase, which shall be set forth in a new contract.

2. An administrator, as defined in KRS 161.720, shall not receive a percentage pay increase greater than the percentage pay increase provided to classroom teachers in the district unless the pay increase is:

a. In conjunction with a professional advancement that imposes a significant change in job duties and responsibilities; or

b. The result of local board action to uniformly increase the pay associated with a specific job category.

3. The commissioner of education may grant a waiver of this paragraph if requested by a local board. If the commissioner denies a waiver request from a local board, a waiver of this paragraph may be requested in accordance with KRS 156.161;

- (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.~~

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- ~~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){(e)}~~ 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 who shall be counted in average daily attendance under KRS 157.320;

- (5) Any secondary school which maintains a basketball team for boys for other than intramural purposes, shall maintain the same program for girls; ***and***
- (6) Any school district which fails to comply with subsection (5) of this section shall be prohibited from participating in varsity competition in any sport for one (1) year. Determination of failure to comply shall be made by the Department of Education after a hearing requested by any person within the school district. The hearing shall be conducted in accordance with KRS Chapter 13B. A district under this subsection shall, at the hearing, have an opportunity to show inability to comply.

➔Section 2. KRS 160.350 is amended to read as follows:

- (1) After considering the recommendations of a screening committee, as provided in KRS

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

- (2) **Each board of education shall publish on the district's website and submit to the Kentucky Department of Education, within thirty (30) days of execution, each superintendent's contract, amendment, renewal, extension, or addendum thereto as:**
- (a) A scanned copy of the fully executed document; and**
- (b) An electronic text version of the document in a format prescribed by the department that accurately sets forth the terms of the executed document and is accessible for publication in compliance with applicable accessibility requirements.**

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(3) The department shall publish the documents submitted under subsection (2) of this section within thirty (30) days of receipt on the department's website. The department shall not remove information submitted under subsection (2) of this section from its website for at least ten (10) school years.

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

~~**(5)(3)**~~ A superintendent of schools may be removed for cause by a vote of four-fifths (4/5) of the membership of a board of education and upon approval by the commissioner of education. However, if the dismissal of the superintendent has been recommended by a highly skilled certified educator pursuant to KRS 158.6455 and the action is approved by the commissioner of education, the board shall terminate the superintendent's contract. Written notice setting out the charges for removal shall be spread on the minutes of the board and given to the superintendent. The board shall seek approval by the commissioner of education for removing the superintendent. The commissioner of education shall investigate the accuracy of the charges made, evaluate the superintendent's overall performance during the superintendent's appointment, and consider the educational performance of the students in the district. Within thirty (30) days of notification, the commissioner of education shall either approve or reject the board's request.

~~(6)(4)~~ After the completion of a superintendent's first contract or after four (4) years, whichever comes last, the board of education may, no later than June 30, extend the contract of the superintendent for one (1) additional year beyond the current term of employment.

➔ Section 3. KRS 160.346 is amended to read as follows:

(1) As used in~~For purposes of~~ this section:

- (a) "Department" means the Kentucky Department of Education;
- (b) "ESSA" means the Every Student Succeeds Act of 2015, Pub. L. No. 114-95, or its successor;
- (c) "Level" means elementary, middle, or high school;
- (d) "Turnaround" means a comprehensive transformation of a school to achieve accelerated, meaningful, and sustainable increases in student achievement through improved school leadership and school district support;
- (e) "Turnaround plan" means a mandatory school plan that is designed to improve student learning and performance with evidence-based interventions as defined in ESSA and that is developed and implemented by the local school district in partnership with stakeholders, including the principal, other school leaders, teachers, and parents; and
- (f) "Turnaround team" means the turnaround training and support team described in subsection ~~(9)(8)~~(a) of this section.

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

- (b) Beginning with the 2021-2022 school year, and every three (3) years thereafter, the department shall identify a school for additional targeted support and improvement if the school has one (1) or more subgroups, as defined by ESSA, whose performance in the state accountability system by level is at or below the summative performance of all students in any of the lowest-performing five percent (5%) of all schools identified under subsection (3)(a) of this section and the school was identified in the immediately preceding year for targeted support and improvement as described in paragraph (a) of this subsection.
- (3) The department shall annually identify a school for comprehensive support and improvement if the school is:
- (a) In the lowest-performing five percent (5%) of all schools in its level based on the school's performance in the state accountability system;
- (b) A high school with a four (4) year cohort graduation rate that is less than eighty percent (80%); or
- (c) Identified by the department for additional targeted support and improvement under subsection (2)(b) of this section and fails to exit additional targeted support and improvement status based on criteria established under subsection (12)~~{(11)}~~ of this section.
- (4) (a) When a school is identified for targeted support and improvement under subsection (2)(a) of this section, the local school personnel, working with stakeholders, including the principal, other school leaders, teachers, and parents, shall revise its school improvement plan, which shall be subject to review and approval by the local board of education.
- (b) Each revised plan shall be informed by all available indicators, including student performance compared to long-term goals, and shall include:

1. Components of turnaround leadership development and support;
 2. Identification of critical resource inequities;
 3. Evidence-based interventions; and
 4. Additional actions that address the causes of consistently underperforming subgroups of students.
- (c) If adequate performance progress, as defined by the department, is not made, the local school district shall take additional action to assist and support the school in reaching performance goals.
- (5) When a school is identified for additional targeted support and improvement under subsection (2)(b) of this section, the local school district shall take more rigorous district-determined action to assist and support the school in reaching performance goals.
- (6) (a) When a school is identified for comprehensive support and improvement, an audit shall be performed by the department to diagnose the causes of the school's low performance.
- (b) The audit conducted under this subsection shall be the only comprehensive audit required for a school unless the school fails to exit comprehensive support and improvement status as described in subsection (12)~~[(11)]~~ of this section or exits comprehensive support and improvement status but subsequently repeats as a school identified for comprehensive support and improvement.
- (7) **When a school is identified for targeted support and improvement or comprehensive support and improvement for two (2) or more consecutive years, the superintendent may remove the principal.**
- (8) (a) The audit conducted by the department under subsection (6) of this section shall include:
1. A diagnosis of the causes of the school's low performance, with an emphasis on

- underperforming subgroups of students and corresponding critical resource inequities;
2. An assessment and recommendation to the superintendent regarding the best strategies to address the school's specific needs;
 3. An assessment of the interaction and relationship among the superintendent, central office personnel, and the school principal;
 4. A recommendation of the steps the school may implement to launch and sustain a turnaround process;
 5. A recommendation to the local board of education of the turnaround principles and strategies necessary for the superintendent to assist the school with turnaround; and
 6. An assessment and recommendation to the superintendent regarding the principal's capacity to lead the turnaround effort in the school.
- (b) The report of an audit conducted under this subsection shall be provided to the superintendent, local board of education, school principal, commissioner of education, and the Kentucky Board of Education.
- ~~(9)~~(8) After completion of the audit described in subsection ~~(8)~~(7) of this section, each school identified for comprehensive support and improvement shall engage in the following turnaround intervention process:
- (a) The superintendent and principal shall collaborate with the department to create a turnaround training and support team for the school identified for comprehensive support and improvement. The local board of education shall approve the turnaround team;
 - (b) The authority of the school council granted under KRS 160.345 shall be transferred to the superintendent;

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- (c) The superintendent shall select a principal for the school if a principal vacancy occurs. The superintendent shall consult with the turnaround team, parents, certified staff, and classified staff before appointing a principal replacement;
 - (d) Upon recommendation of the principal, the superintendent may reassign certified staff members to a comparable position in the school district;
 - (e) The superintendent shall collaborate with the turnaround team to design ongoing turnaround training and support for the principal and a corresponding monitoring system of effectiveness and student achievement results;
 - (f) The principal shall collaborate with the turnaround team to establish an advisory leadership team representing school stakeholders including other school leaders, teachers, and parents;
 - (g)
 1. In consultation with the department, the local school board shall collaborate with the superintendent, principal, turnaround team, and the advisory leadership team to propose a three (3) year turnaround plan.
 2. The turnaround plan shall include requests to the department for exemptions from submitting documentation that are identified by the principal, advisory leadership team, and turnaround team as inhibitors to investing time in innovative instruction and accelerated student achievement of diverse learners including ongoing staff instructional plans, student interventions, formative assessment results, or staff effectiveness processes.
 3. The turnaround plan shall be reviewed for approval by the superintendent and the local board of education and shall be subject to review, approval, monitoring, and periodic review by the department as described in KRS 158.782;
 - (h) The school district may request technical assistance from the department for

development and implementation of the turnaround plan, which may include conducting needs assessments, selecting evidence-based interventions, and reviewing and addressing resource inequities;

- (i) The turnaround plan shall be fully implemented by the first full day of the school year following the school year the school was identified for comprehensive support and improvement; and
- (j) The superintendent shall periodically report to the local school board, and at least annually to the commissioner of education, on the implementation and results of the turnaround plan.

~~(10)~~~~(9)~~ The department shall establish required professional learning for teachers of students in schools identified for comprehensive support and improvement. Required professional learning shall be related to evidence-based practices in instruction, instructional materials implementation, and assessment for reading and mathematics and aligned to Kentucky academic standards required by KRS 158.6453.

~~(11)~~~~(10)~~ Each superintendent or public charter school board of directors shall adopt evidence-based curriculum and select high-quality instructional resources for schools identified for comprehensive support and improvement. High-quality instructional materials selected by the superintendent shall be determined by the department to be reliable, valid, and aligned to Kentucky academic standards required by KRS 158.6453 for reading and mathematics.

~~(12)~~~~(11)~~ The Kentucky Board of Education shall establish annual statewide exit criteria for schools identified for targeted support and improvement, additional targeted support and improvement, and comprehensive support and improvement.

~~(13)~~~~(12)~~ If a school enters comprehensive support and improvement status and does not make any annual improvement, as determined by the department, for two (2) consecutive years, or if the school does not exit the status after three (3) years, the school shall enter a school

intervention process chosen by the commissioner of education that provides more rigorous support and action by the department to improve the school's performance.

~~(14)~~~~(13)~~ For school districts that include a significant number of schools, as determined by the department, identified for targeted support and improvement:

- (a) The department shall periodically review a local board's resource allocations to support school improvement and provide technical assistance to the local school board; and
- (b) The department may provide a recommended list of turnaround or school intervention providers that have demonstrated success implementing evidence-based strategies.

~~(15)~~~~(14)~~ If, in the course of a school audit, the audit team identifies information suggesting that a violation of KRS 160.345(9)(a) may have occurred, the commissioner of education shall forward the evidence to the Office of Education Accountability for investigation.

~~(16)~~~~(15)~~ A school's right to establish a council granted under KRS 160.345 may be restored by the local board of education two (2) years after the school exits comprehensive support and improvement status."; and

Renumber the subsequent section accordingly; and

On page 12, after line 19 insert the following:

"➔Section 5. Whereas it is paramount that schools in the Commonwealth have the best leadership possible, an emergency is declared to exist, and Section 3 of this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law."