

1 AN ACT relating to education.

2 WHEREAS, the Commonwealth has a compelling interest in ensuring that all
3 students receive access to safe, reliable, and effective public education systems that meet
4 student needs, protect student well-being, and responsibly steward public funds; and

5 WHEREAS, certain school districts within the Commonwealth operate at a scale
6 and level of complexity that is fundamentally different from the operational, governance,
7 and management demands faced by other local school districts; and

8 WHEREAS, Jefferson County Public Schools (JCPS) serves approximately 95,000
9 students across 168 schools, educates students speaking more than 139 languages, and
10 employs thousands of instructional and noninstructional staff, creating a large and
11 complex public educational system unlike any other district in Kentucky; and

12 WHEREAS, JCPS operates one of the largest public-sector budgets in the
13 Commonwealth, managing an annual district budget of approximately \$1,900,000,000,
14 which constitutes the largest public school district budget in Kentucky, exceeds the
15 operating budget of Louisville Metro Government, is more than twice the size of the
16 Commonwealth's second-largest public school district budget, and is nearly six times
17 larger than the next-largest district, thereby magnifying the statewide fiscal risk
18 associated with governance, management, and financial decision-making within the
19 district; and

20 WHEREAS, JCPS operates a daily student transportation system serving
21 approximately 60,000 riders, an operational footprint exceeding the total population of
22 most Kentucky counties and requiring sophisticated logistical planning, real-time
23 coordination, and cross-departmental management comparable to a municipal transit
24 system rather than a typical school district; and

25 WHEREAS, JCPS employs a districtwide student assignment and choice model
26 involving magnet programs, specialized academic pathways, and cross-attendance-zone
27 enrollment that materially increases routing complexity, operational risk, and

1 coordination demands beyond those faced by other Kentucky school districts; and

2 WHEREAS, repeated transportation failures within JCPS have resulted in students,
3 particularly those attending magnet and choice schools, arriving home late into the
4 evening hours, missing instructional time, and in some cases being unable to attend
5 school at all, demonstrating systemic breakdowns in planning, execution, and executive
6 accountability that directly undermine student safety, attendance, and educational access;
7 and

8 WHEREAS, JCPS serves a student population with elevated needs, including
9 higher concentrations of students living in poverty, students requiring special education
10 services, English language learners, and students impacted by trauma, behavioral
11 challenges, and chronic absenteeism, all of which necessitate integrated academic,
12 transportation, safety, and support systems; and

13 WHEREAS, JCPS elementary, middle, and high schools overall earned a
14 performance rating in the "orange" category for the 2024-2025 school year, the second-
15 lowest tier in the state's accountability system, reflecting persistent and systemwide
16 academic underperformance relative to statewide expectations; and

17 WHEREAS, JCPS state assessment results show that proficiency rates in reading
18 remain unacceptably low across grade levels, with approximately 24 percent of
19 elementary students, 22 percent of middle school students, and 23 percent of high school
20 students achieving proficiency in reading, demonstrating long-standing deficiencies in
21 literacy outcomes; and

22 WHEREAS, JCPS assessment data further indicates persistently low proficiency in
23 mathematics, with approximately 23 percent of elementary students, 20 percent of middle
24 school students, and 19 percent of high school students scoring at the proficient level,
25 underscoring chronic challenges in foundational numeracy essential to postsecondary
26 readiness and workforce participation; and

27 WHEREAS, JCPS continues to experience significant and persistent deficiencies in

1 literacy outcomes, especially in reading achievement among middle and high school
2 students, which district leadership has publicly acknowledged cannot be addressed
3 without sustained, systemwide intervention; and

4 WHEREAS, the number of JCPS schools identified for Comprehensive Support
5 and Improvement (CSI) status increased from 34 schools in 2022 to 41 schools in 2025,
6 demonstrating a growing concentration of the Commonwealth's lowest-performing
7 schools within a single district and accounting for approximately 77 percent of all CSI-
8 designated schools statewide; and

9 WHEREAS, JCPS continues to experience wide achievement gaps and inconsistent
10 academic proficiency across schools, with district leadership publicly acknowledging that
11 graduation and postsecondary readiness metrics mask persistent failures to ensure
12 mastery of core academic subjects; and

13 WHEREAS, JCPS assessment reporting over the past decade reflects only
14 incremental academic gains in reading, math, and science, with periods of stagnation that
15 indicate structural limitations in the district's ability to drive sustained improvement at
16 scale; and

17 WHEREAS, statewide and local reporting further demonstrate that chronic
18 absenteeism within JCPS approaches one-third of enrolled students, a rate that materially
19 undermines learning, exacerbates achievement gaps, and reflects systemic failures in
20 attendance, transportation reliability, and student engagement; and

21 WHEREAS, public reporting and district documentation reflect ongoing safety
22 concerns within JCPS, including weapons incidents and the deployment of districtwide
23 security technologies, requiring rapid operational decision-making and consistent
24 systemwide execution to protect students and staff; and

25 WHEREAS, JCPS manages a nearly \$2,000,000,000 complex public system and
26 has publicly reported significant budget deficits and ongoing fiscal pressures, creating
27 heightened statewide risk exposure due to the district's size and its large share of

1 Kentucky's total public school enrollment; and

2 WHEREAS, JCPS has publicly disclosed a substantial and growing budget
3 shortfall, driven in part by undisciplined spending practices, reliance on temporary
4 federal funds, and delayed corrective action, creating significant fiscal risk to a district
5 heavily supported by statewide taxpayer dollars and highlighting the inability of existing
6 governance structures to ensure timely financial oversight and corrective management;
7 and

8 WHEREAS, JCPS' senior financial leadership has publicly acknowledged
9 substantive financial and operational deficiencies within the district, including
10 undisciplined budgeting practices enabled by temporary federal relief funds, materially
11 flawed deficit projections, looming cash-flow insolvency risks, constrained revenue
12 growth that fails to keep pace with inflation, and internal decision-making that limited the
13 disclosure of pertinent financial data, collectively demonstrating systemic weaknesses in
14 fiscal management, transparency, and long-term financial planning; and

15 WHEREAS, independent audits and public analyses of JCPS transportation
16 operations have identified failures that are systemic rather than isolated, involving
17 breakdowns in coordination among central office leadership, transportation planning,
18 human resources, and operational decision-making; and

19 WHEREAS, such audits and reporting indicate that diffuse authority and unclear
20 executive accountability materially contributed to service delivery failures affecting
21 student safety, attendance, and public confidence in the district; and

22 WHEREAS, in 2018, concerns regarding JCPS governance and management
23 capacity resulted in a corrective action plan and settlement with state education
24 authorities to avert a full state takeover, demonstrating longstanding and unresolved
25 statewide concern regarding the district's ability to address its challenges under existing
26 governance structures; and

27 WHEREAS, recurring operational crises, including transportation failures, safety

1 incidents, fiscal instability, and persistent academic underperformance, reflect not merely
2 programmatic shortcomings but structural governance deficiencies that impede timely,
3 coordinated executive action; and

4 WHEREAS, districts operating at such a large scale and high level of complexity
5 require governance structures that clearly distinguish between strategic oversight, policy-
6 setting, and accountability on one hand, and day-to-day operational management and
7 execution on the other; and

8 WHEREAS, large districts need clear operational authority and responsibility in a
9 single chief executive officer, subject to defined reporting requirements, performance
10 metrics, and board oversight, to create clearer accountability, faster decision-making, and
11 more effective systemwide coordination; and

12 WHEREAS, restructuring board responsibilities to emphasize strategic planning,
13 fiscal oversight, monitoring of academic and operational outcomes, and evaluation of
14 executive performance aligns governance practices with those required to manage
15 complex public institutions responsibly; and

16 WHEREAS, the governance structure established in subsection (2) of Section 1 of
17 this Act is intended to serve as a targeted and proportionate alternative to state takeover,
18 preserving local control while addressing structural deficiencies that have repeatedly
19 resulted in systemwide failures; and

20 WHEREAS, JCPS operates at a scale that is not merely larger, but qualitatively and
21 quantitatively distinct from every other public school district in the Commonwealth, such
22 that differences between JCPS and other districts are not incremental but exponential in
23 student population, workforce size, operational scope, and fiscal exposure; and

24 WHEREAS, the gap between JCPS and the second-largest school district in
25 Kentucky is itself greater than the gap between all remaining districts statewide, such that
26 JCPS constitutes a natural and objectively identifiable class based on scale, complexity,
27 and statewide impact; and

1 WHEREAS, districts of this magnitude present governance, operational, and fiscal
2 challenges that are categorically different from those faced by small and mid-sized
3 districts, and uniform governance structures designed for substantially smaller systems
4 cannot reasonably be expected to perform effectively at this scale; and

5 WHEREAS, the concentration of academic, operational, transportation, safety,
6 fiscal, and labor-management functions within a single district of this size requires
7 continuous, coordinated executive decision-making that cannot be achieved when
8 strategic oversight and day-to-day administration are commingled; and

9 WHEREAS, governance structures which require boards of education to
10 simultaneously function as legislative bodies, executive managers, and operational
11 supervisors become increasingly ineffective and unworkable as district scale and
12 complexity increase; and

13 WHEREAS, repeated systemwide failures within JCPS demonstrate that existing
14 governance structures are not merely underperforming, but structurally mismatched to the
15 operational demands placed upon the district; and

16 WHEREAS, when operational failures deprive students of reliable transportation
17 and instructional access while fiscal mismanagement threatens the solvency of the state's
18 largest school district, such failures cannot reasonably be attributed to isolated errors but
19 instead reflect structural deficiencies in governance, executive authority, and
20 accountability that demand corrective action; and

21 WHEREAS, Section 183 of the Kentucky Constitution imposes upon the General
22 Assembly an affirmative duty to provide for an efficient system of common schools
23 throughout the Commonwealth, and that duty necessarily includes ensuring that
24 governance structures are capable of delivering educational services effectively at the
25 scale at which they are required to operate; and

26 WHEREAS, efficiency within the meaning of Section 183 encompasses not only
27 academic outcomes, but also fiscal stewardship, student safety, transportation reliability,

1 workforce management, and the capacity for timely executive decision-making; and

2 WHEREAS, in districts operating at significant scale and complexity, effective
3 governance requires a clear separation between strategic oversight and operational
4 execution, such that boards of education are focused on policy, long-term planning, fiscal
5 oversight, and performance accountability; and

6 WHEREAS, vesting day-to-day operational authority in a single chief executive
7 officer, subject to defined performance metrics and board oversight, promotes clarity of
8 responsibility, accelerates decision-making, and strengthens accountability for results;
9 and

10 WHEREAS, this governance structure aligns with best practices used to manage
11 large public institutions and is reasonably tailored to address the unique challenges
12 presented by districts of this size, while preserving local control and democratic
13 accountability; and

14 WHEREAS, the distinctive characteristics of JCPS, when considered in
15 combination, provide a rational, substantial, and constitutionally sufficient basis for
16 differentiated governance treatment, and such treatment is reasonably related to the
17 General Assembly's duty to ensure an efficient system of common schools; and

18 WHEREAS, JCPS is supported in substantial part by state education dollars
19 contributed by taxpayers throughout the Commonwealth, and the scale of this investment
20 creates a legitimate and compelling statewide interest in ensuring that the district is
21 governed and managed in a manner that maximizes educational outcomes, protects public
22 funds, and fulfills constitutional obligations to all Kentucky students; and

23 WHEREAS, school districts meeting defined objective criteria of certain scale,
24 operational complexity, and statewide impact may be subject to alternative governance
25 structures; and

26 WHEREAS, such governance structures are reasonably and naturally related to the
27 distinctive challenges faced by these districts; and

1 WHEREAS, the purpose of subsection (2) of Section 1 of this Act is to improve
2 student outcomes, safeguard student wellbeing, ensure public safety, restore public
3 confidence, and strengthen fiscal stewardship through enhanced executive accountability
4 and strategic board oversight;

5 NOW, THEREFORE,

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

7 ➔Section 1. KRS 160.370 is repealed, reenacted, and amended to read as follows:

8 (1) The superintendent shall be the executive agent of the board that appoints him or
9 her and shall meet with the board, except when his or her own tenure, salary, or the
10 administration of his or her office is under consideration. As executive officer of the
11 board, the superintendent shall see that the laws relating to the schools, the bylaws,
12 rules, and regulations of the Kentucky Board of Education, and the regulations and
13 policies of the district board of education are carried into effect. He or she may
14 administer the oath required by the board of education to any teacher or other
15 person. He or she shall be the professional adviser of the board in all matters. He or
16 she shall prepare, under the direction of the board, all rules, regulations, bylaws,
17 and statements of policy for approval and adoption by the board. He or she shall
18 have general supervision, subject to the control of the board of education, of the
19 general conduct of the schools, the course of instruction, the discipline of pupils,
20 and the management of business affairs. He or she shall be responsible for the
21 hiring and dismissal of all personnel in the district.

22 (2) For a county school district in a county with a consolidated local government
23 adopted under KRS Chapter 67C ***or having five hundred thousand (500,000) or***
24 ***more inhabitants:***

25 (a) A local board of education shall:

- 26 1. Delegate authority to the superintendent over the district's day-to-day
27 operations and implementation of the board-approved strategic plan ***and***

- 1 **budget** in a manner that promotes the efficient, timely operation of the
 2 district, including but not limited to the authority over contracts related
 3 to daily operations of the district, pupil transportation, personnel
 4 matters, and the organizational structure of administrative staff;
- 5 2. ~~Except as expressly required by statute, including subparagraphs 3. and~~
 6 ~~5. of this paragraph, not meet more than once every four (4) weeks for~~
 7 ~~the purpose of approving necessary administrative matters;~~
- 8 ~~3.~~ By December 1 each year, approve a rolling **five (5)**~~three (3)~~ year
 9 strategic plan for the district that outlines student **outcome**~~achievement~~
 10 goals, faculty and staff improvement goals, facility and infrastructure
 11 improvement, and other key objectives that the superintendent and board
 12 believe are in the best interest of student outcomes and the community;
- 13 **3. Review and approve a rolling three (3) year projection of expenses and**
 14 **revenues;**
- 15 4. Approve an annual budget for the district, which shall include any
 16 budgetary decisions relevant to the district's ability to obtain necessary
 17 revenue, including tax revenue, in accordance with the requirements of
 18 state law and regulation;
- 19 5. By **December**~~November~~ 1 each year, oversee:
- 20 a. An annual audit of the financial dealings of the district and the
 21 reporting of key financial performance data in order to ensure fair
 22 and accurate reporting to the board; and
- 23 b. An annual review of student performance in the district and the
 24 reporting of key student performance data to ensure compliance
 25 with state and federal law and accurate reporting to the board;
- 26 6. Recruit and hire the superintendent and negotiate the terms of
 27 employment and compensation of a prospective superintendent;

- 1 7. Complete an annual review of the superintendent's performance with
2 regard to the duties assigned in subsection (1) of this section and
3 paragraph (b) of this subsection; and
- 4 8. Be responsible for the dismissal of the superintendent;
- 5 (b) Notwithstanding any provision to the contrary in subsection (1) of this
6 section, the superintendent shall:
- 7 1. Provide a quarterly, informational report to the board on the
8 administrative actions taken by the superintendent to carry out the
9 district's daily operations and implementation of the strategic plan as
10 well as a budget to actual financial update;
- 11 2. Prepare all rules, regulations, bylaws, and statements of policy for
12 approval and adoption by the board, with approval not to be withheld
13 without a two-thirds (2/3) vote of the board to deny approval or
14 adoption;
- 15 3. Supervise the general conduct of the schools, the course of instruction,
16 the discipline of pupils, the employment matters of all employees and
17 contractors, and the management of business affairs of the district;
- 18 4. Be responsible for the hiring, employment terms, dismissal, and
19 organizational structure of all personnel in the district in compliance
20 with all laws and in a manner that best serves the students of the district;
21 and
- 22 5. Notwithstanding any law that assigns an administrative duty,
23 responsibility, or authority to a board of education, or other law to the
24 contrary, be responsible for any administrative duty not explicitly
25 granted to the board under paragraph (a) of this subsection;~~and~~
- 26 (c) If the *school district*~~county~~ adopts the provisions of the Kentucky Model
27 Procurement Code, the board shall authorize the superintendent to approve

1 purchases, in accordance with small purchase procedures adopted by the
2 board, for any contract for which a determination is made that the aggregate
3 amount of the contract does not exceed two hundred fifty thousand dollars
4 (\$250,000);~~and~~

5 **(d)** The board shall authorize the superintendent to approve a line-item transfer
6 within its annual budget as she or he deems necessary, provided that the
7 aggregate amount of **all transfers do**~~[any individual transfer does]~~ not exceed
8 two hundred fifty thousand dollars (\$250,000) **per quarter**. The
9 superintendent shall provide a quarterly report to the board on any purchases
10 made under this subsection; **and**

11 **(e) Any purchase or transfer completed pursuant to paragraph (c) or (d) of this**
12 **subsection shall be within the approved budget of the district, aligned to the**
13 **strategic plan of the district, and reported to the board at the next regularly**
14 **scheduled board meeting.**