

1 AN ACT relating to education.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 160 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) The General Assembly finds that:*

6 *(a) The Commonwealth has a compelling interest in ensuring that all students*
7 *receive access to safe, reliable, and effective public education systems that*
8 *meet student needs, protect student well-being, and responsibly steward*
9 *public funds;*

10 *(b) Certain school districts within the Commonwealth operate at a scale and*
11 *level of complexity that is fundamentally different from the operational,*
12 *governance, and management demands faced by other local school districts;*

13 *(c) Jefferson County Public Schools (JCPS) serves approximately ninety-five*
14 *thousand (95,000) students across one hundred sixty-eight (168) schools,*
15 *educates students speaking more than one hundred thirty-nine (139)*
16 *languages, and employs thousands of instructional and noninstructional*
17 *staff, creating a large and complex public educational system unlike any*
18 *other district in Kentucky;*

19 *(d) JCPS operates one of the largest public-sector budgets in the*
20 *Commonwealth, managing an annual district budget of approximately one*
21 *billion nine hundred million dollars (\$1,900,000,000), which constitutes the*
22 *largest public school district budget in Kentucky, exceeds the operating*
23 *budget of Louisville Metro Government, is more than twice the size of the*
24 *Commonwealth's second-largest public school district budget, and is nearly*
25 *six (6) times larger than the next-largest district, thereby magnifying the*
26 *statewide fiscal risk associated with governance, management, and*
27 *financial decision-making within the district;*

- 1 (e) JCPS operates a daily student transportation system serving approximately
2 sixty thousand (60,000) riders, an operational footprint exceeding the total
3 population of most Kentucky counties and requiring sophisticated logistical
4 planning, real-time coordination, and cross-departmental management
5 comparable to a municipal transit system rather than a typical school
6 district;
- 7 (f) JCPS employs a districtwide student assignment and choice model involving
8 magnet programs, specialized academic pathways, and cross-attendance-
9 zone enrollment that materially increases routing complexity, operational
10 risk, and coordination demands beyond those faced by other Kentucky
11 school districts;
- 12 (g) Repeated transportation failures within JCPS have resulted in students,
13 particularly those attending magnet and choice schools, arriving home late
14 into the evening hours, missing instructional time, and in some cases being
15 unable to attend school at all, demonstrating systemic breakdowns in
16 planning, execution, and executive accountability that directly undermine
17 student safety, attendance, and educational access;
- 18 (h) JCPS serves a student population with elevated needs, including higher
19 concentrations of students living in poverty, students requiring special
20 education services, English language learners, and students impacted by
21 trauma, behavioral challenges, and chronic absenteeism, all of which
22 necessitate integrated academic, transportation, safety, and support systems;
- 23 (i) JCPS elementary, middle, and high schools overall earned a performance
24 rating in the "orange" category for the 2024-2025 school year, the second-
25 lowest tier in the state's accountability system, reflecting persistent and
26 systemwide academic underperformance relative to statewide expectations;
- 27 (j) JCPS state assessment results show that proficiency rates in reading remain

1 unacceptably low across grade levels, with approximately twenty-four
2 percent (24%) of elementary students, twenty-two percent (22%) of middle
3 school students, and twenty-three percent (23%) of high school students
4 achieving proficiency in reading, demonstrating long-standing deficiencies
5 in literacy outcomes;

6 (k) JCPS assessment data further indicates persistently low proficiency in
7 mathematics, with approximately twenty-three percent (23%) of elementary
8 students, twenty percent (20%) of middle school students, and nineteen
9 percent (19%) of high school students scoring at the proficient level,
10 underscoring chronic challenges in foundational numeracy essential to
11 postsecondary readiness and workforce participation;

12 (l) JCPS continues to experience significant and persistent deficiencies in
13 literacy outcomes, especially in reading achievement among middle and
14 high school students, which district leadership has publicly acknowledged
15 cannot be addressed without sustained, systemwide intervention;

16 (m) The number of JCPS schools identified for Comprehensive Support and
17 Improvement (CSI) status increased from thirty-four (34) schools in 2022 to
18 forty-one (41) schools in 2025, demonstrating a growing concentration of
19 the Commonwealth's lowest-performing schools within a single district and
20 accounting for approximately seventy-seven percent (77%) of all CSI-
21 designated schools statewide;

22 (n) JCPS continues to experience wide achievement gaps and inconsistent
23 academic proficiency across schools, with district leadership publicly
24 acknowledging that graduation and postsecondary readiness metrics mask
25 persistent failures to ensure mastery of core academic subjects;

26 (o) JCPS assessment reporting over the past decade reflects only incremental
27 academic gains in reading, math, and science, with periods of stagnation

1 that indicate structural limitations in the district's ability to drive sustained
2 improvement at scale;

3 (p) Statewide and local reporting further demonstrate that chronic absenteeism
4 within JCPS approaches one-third (1/3) of enrolled students, a rate that
5 materially undermines learning, exacerbates achievement gaps, and reflects
6 systemic failures in attendance, transportation reliability, and student
7 engagement;

8 (q) Public reporting and district documentation reflect ongoing safety concerns
9 within JCPS, including weapons incidents and the deployment of
10 districtwide security technologies, requiring rapid operational decision-
11 making and consistent systemwide execution to protect students and staff;

12 (r) JCPS manages a nearly two billion dollar (\$2,000,000,000) complex public
13 system and has publicly reported significant budget deficits and ongoing
14 fiscal pressures, creating heightened statewide risk exposure due to the
15 district's size and its large share of Kentucky's total public school
16 enrollment;

17 (s) JCPS has publicly disclosed a substantial and growing budget shortfall,
18 driven in part by undisciplined spending practices, reliance on temporary
19 federal funds, and delayed corrective action, creating significant fiscal risk
20 to a district heavily supported by statewide taxpayer dollars and highlighting
21 the inability of existing governance structures to ensure timely financial
22 oversight and corrective management;

23 (t) JCPS' senior financial leadership has publicly acknowledged substantive
24 financial and operational deficiencies within the district, including
25 undisciplined budgeting practices enabled by temporary federal relief funds,
26 materially flawed deficit projections, looming cash-flow insolvency risks,
27 constrained revenue growth that fails to keep pace with inflation, and

- 1 internal decision-making that limited the disclosure of pertinent financial
2 data, collectively demonstrating systemic weaknesses in fiscal management,
3 transparency, and long-term financial planning;
- 4 (u) Independent audits and public analyses of JCPS transportation operations
5 have identified failures that are systemic rather than isolated, involving
6 breakdowns in coordination among central office leadership, transportation
7 planning, human resources, and operational decision-making;
- 8 (v) Such audits and reporting indicate that diffuse authority and unclear
9 executive accountability materially contributed to service delivery failures
10 affecting student safety, attendance, and public confidence in the district;
- 11 (w) In 2018, concerns regarding JCPS governance and management capacity
12 resulted in a corrective action plan and settlement with state education
13 authorities to avert a full state takeover, demonstrating longstanding and
14 unresolved statewide concern regarding the district's ability to address its
15 challenges under existing governance structures;
- 16 (x) Recurring operational crises, including transportation failures, safety
17 incidents, fiscal instability, and persistent academic underperformance,
18 reflect not merely programmatic shortcomings but structural governance
19 deficiencies that impede timely, coordinated executive action;
- 20 (y) Districts operating at such a large scale and high level of complexity require
21 governance structures that clearly distinguish between strategic oversight,
22 policy-setting, and accountability on one hand, and day-to-day operational
23 management and execution on the other;
- 24 (z) Large districts need clear operational authority and responsibility in a
25 single chief executive officer, subject to defined reporting requirements,
26 performance metrics, and board oversight, to create clearer accountability,
27 faster decision-making, and more effective systemwide coordination;

1 (aa) Restructuring board responsibilities to emphasize strategic planning, fiscal
2 oversight, monitoring of academic and operational outcomes, and
3 evaluation of executive performance aligns governance practices with those
4 required to manage complex public institutions responsibly;

5 (ab) The governance structure established in subsection (2) of Section 2 of this
6 Act is intended to serve as a targeted and proportionate alternative to state
7 takeover, preserving local control while addressing structural deficiencies
8 that have repeatedly resulted in systemwide failures;

9 (ac) JCPS operates at a scale that is not merely larger, but qualitatively and
10 quantitatively distinct from every other public school district in the
11 Commonwealth, such that differences between JCPS and other districts are
12 not incremental but exponential in student population, workforce size,
13 operational scope, and fiscal exposure;

14 (ad) The gap between JCPS and the second-largest school district in Kentucky is
15 itself greater than the gap between all remaining districts statewide, such
16 that JCPS constitutes a natural and objectively identifiable class based on
17 scale, complexity, and statewide impact;

18 (ae) Districts of this magnitude present governance, operational, and fiscal
19 challenges that are categorically different from those faced by small and
20 mid-sized districts, and uniform governance structures designed for
21 substantially smaller systems cannot reasonably be expected to perform
22 effectively at this scale;

23 (af) The concentration of academic, operational, transportation, safety, fiscal,
24 and labor-management functions within a single district of this size requires
25 continuous, coordinated executive decision-making that cannot be achieved
26 when strategic oversight and day-to-day administration are commingled;

27 (ag) Governance structures which require boards of education to simultaneously

1 function as legislative bodies, executive managers, and operational
2 supervisors become increasingly ineffective and unworkable as district scale
3 and complexity increase;

4 (ah) Repeated systemwide failures within JCPS demonstrate that existing
5 governance structures are not merely underperforming, but structurally
6 mismatched to the operational demands placed upon the district;

7 (ai) When operational failures deprive students of reliable transportation and
8 instructional access while fiscal mismanagement threatens the solvency of
9 the state's largest school district, such failures cannot reasonably be
10 attributed to isolated errors but instead reflect structural deficiencies in
11 governance, executive authority, and accountability that demand corrective
12 action;

13 (aj) Section 183 of the Kentucky Constitution imposes upon the General
14 Assembly an affirmative duty to provide for an efficient system of common
15 schools throughout the Commonwealth, and that duty necessarily includes
16 ensuring that governance structures are capable of delivering educational
17 services effectively at the scale at which they are required to operate;

18 (ak) Efficiency within the meaning of Section 183 encompasses not only
19 academic outcomes, but also fiscal stewardship, student safety,
20 transportation reliability, workforce management, and the capacity for
21 timely executive decision-making;

22 (al) In districts operating at significant scale and complexity, effective
23 governance requires a clear separation between strategic oversight and
24 operational execution, such that boards of education are focused on policy,
25 long-term planning, fiscal oversight, and performance accountability;

26 (am) Vesting day-to-day operational authority in a single chief executive officer,
27 subject to defined performance metrics and board oversight, promotes

1 clarity of responsibility, accelerates decision-making, and strengthens
2 accountability for results;

3 (an) This governance structure aligns with best practices used to manage large
4 public institutions and is reasonably tailored to address the unique
5 challenges presented by districts of this size, while preserving local control
6 and democratic accountability;

7 (ao) The distinctive characteristics of JCPS, when considered in combination,
8 provide a rational, substantial, and constitutionally sufficient basis for
9 differentiated governance treatment, and such treatment is reasonably
10 related to the General Assembly's duty to ensure an efficient system of
11 common schools; and

12 (ap) JCPS is supported in substantial part by state education dollars contributed
13 by taxpayers throughout the Commonwealth, and the scale of this
14 investment creates a legitimate and compelling statewide interest in
15 ensuring that the district is governed and managed in a manner that
16 maximizes educational outcomes, protects public funds, and fulfills
17 constitutional obligations to all Kentucky students.

18 (2) The General Assembly determines that:

19 (a) School districts meeting defined objective criteria of certain scale,
20 operational complexity, and statewide impact may be subject to alternative
21 governance structures;

22 (b) Such governance structures are reasonably and naturally related to the
23 distinctive challenges faced by these districts; and

24 (c) The purpose of subsection (2) of Section 2 of this Act is to improve student
25 outcomes, safeguard student wellbeing, ensure public safety, restore public
26 confidence, and strengthen fiscal stewardship through enhanced executive
27 accountability and strategic board oversight.

1 ➔Section 2. KRS 160.370 is repealed and reenacted to read as follows:

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

16 (2) For a county school district in a county with a consolidated local government
17 adopted under KRS Chapter 67C:

18 (a) A local board of education shall:

19 1. Delegate authority to the superintendent over the district's day-to-day
20 operations and implementation of the board-approved strategic plan in a
21 manner that promotes the efficient, timely operation of the district,
22 including but not limited to the authority over contracts related to daily
23 operations of the district, pupil transportation, personnel matters, and the
24 organizational structure of administrative staff;

25 2. Except as expressly required by statute, including subparagraphs 3. and
26 5. of this paragraph, not meet more than once every four (4) weeks for
27 the purpose of approving necessary administrative matters;

- 1 3. By December 1 each year, approve a rolling three (3) year strategic plan
2 for the district that outlines student achievement goals, faculty and staff
3 improvement goals, facility and infrastructure improvement, and other
4 key objectives that the superintendent and board believe are in the best
5 interest of student outcomes and the community;
- 6 4. Approve an annual budget for the district, which shall include any
7 budgetary decisions relevant to the district's ability to obtain necessary
8 revenue, including tax revenue, in accordance with the requirements of
9 state law and regulation;
- 10 5. By November 1 each year, oversee:
 - 11 a. An annual audit of the financial dealings of the district and the
12 reporting of key financial performance data in order to ensure fair
13 and accurate reporting to the board; and
 - 14 b. An annual review of student performance in the district and the
15 reporting of key student performance data to ensure compliance
16 with state and federal law and accurate reporting to the board;
- 17 6. Recruit and hire the superintendent and negotiate the terms of
18 employment and compensation of a prospective superintendent;
- 19 7. Complete an annual review of the superintendent's performance with
20 regard to the duties assigned in subsection (1) of this section and
21 paragraph (b) of this subsection; and
- 22 8. Be responsible for the dismissal of the superintendent;
- 23 (b) Notwithstanding any provision to the contrary in subsection (1) of this
24 section, the superintendent shall:
 - 25 1. Provide a quarterly, informational report to the board on the
26 administrative actions taken by the superintendent to carry out the
27 district's daily operations and implementation of the strategic plan as

- 1 well as a budget to actual financial update;
- 2 2. Prepare all rules, regulations, bylaws, and statements of policy for
- 3 approval and adoption by the board, with approval not to be withheld
- 4 without a two-thirds (2/3) vote of the board to deny approval or
- 5 adoption;
- 6 3. Supervise the general conduct of the schools, the course of instruction,
- 7 the discipline of pupils, the employment matters of all employees and
- 8 contractors, and the management of business affairs of the district;
- 9 4. Be responsible for the hiring, employment terms, dismissal, and
- 10 organizational structure of all personnel in the district in compliance
- 11 with all laws and in a manner that best serves the students of the district;
- 12 and
- 13 5. Notwithstanding any law that assigns an administrative duty,
- 14 responsibility, or authority to a board of education, or other law to the
- 15 contrary, be responsible for any administrative duty not explicitly
- 16 granted to the board under paragraph (a) of this subsection; and
- 17 (c) If the county adopts the provisions of the Kentucky Model Procurement Code,
- 18 the board shall authorize the superintendent to approve purchases, in
- 19 accordance with small purchase procedures adopted by the board, for any
- 20 contract for which a determination is made that the aggregate amount of the
- 21 contract does not exceed two hundred fifty thousand dollars (\$250,000). The
- 22 board shall authorize the superintendent to approve a line-item transfer within
- 23 its annual budget as she or he deems necessary, provided that the aggregate
- 24 amount of any individual transfer does not exceed two hundred fifty thousand
- 25 dollars (\$250,000). The superintendent shall provide a quarterly report to the
- 26 board on any purchases made under this subsection.