

1 AN ACT relating to education.

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

3 ➔Section 1. KRS 160.345 is amended to read as follows:

4 (1) For the purpose of this section:

5 (a) "Minority" means American Indian; Alaskan native; African-American;  
6 Hispanic, including persons of Mexican, Puerto Rican, Cuban, and Central or  
7 South American origin; Pacific islander; or other ethnic group  
8 underrepresented in the school;

9 (b) "School" means an elementary or secondary educational institution that is  
10 under the administrative control of a principal and is not a program or part of  
11 another school. The term "school" does not include district-operated schools  
12 that are:

- 13 1. Exclusively vocational-technical, special education, or preschool  
14 programs;
- 15 2. Instructional programs operated in institutions or schools outside of the  
16 district; or
- 17 3. Alternative schools designed to provide services to at-risk populations  
18 with unique needs;

19 (c) **"School-based policy" means any policy, procedure, program, or practice**  
20 **established by the principal of a school after consultation with the school's**  
21 **advisory council;**

22 **(d)** "Teacher" means any person for whom certification is required as a basis of  
23 employment in the public schools of the state, with the exception of principals  
24 and assistant principals; and

25 **(e)**~~(d)~~ "Parent"

26 **1.** Means:

27 **a.**~~(1.)~~ A parent, stepparent, or foster parent of a student; or

1                    b.~~[2.]~~ A person who has legal custody of a student pursuant to a court  
2                    order and with whom the student resides; and

3                    2. Does not mean:

4                    a. An employee of the district or their relative; and

5                    b. A local school board member or their spouse.~~[.]~~

6 (2) Each local board of education shall adopt a policy for implementing school-based  
7 policies~~[decision-making]~~ in the district which shall include but not be limited to a  
8 description of how the district's policies, including those developed pursuant to  
9 KRS 160.340, have been amended to allow the professional staff members of a  
10 school to be involved in the school-based policy making~~[decision-making]~~ process  
11 as they work to meet educational goals established in KRS 158.645 and 158.6451.  
12 The policy may include a requirement that each principal~~[school council]~~ make  
13 monthly and~~[an]~~ annual reports~~[report]~~ at~~[a]~~ public meetings~~[meeting]~~ of the  
14 board describing the school's progress in meeting the educational goals set forth in  
15 KRS 158.6451 and district goals established by the board. The policy shall also  
16 address and comply with the following:

17 (a) Except as provided in paragraph (b)2. of this subsection, each participating  
18 school shall form an advisory~~[a school]~~ council composed of two (2) parents,  
19 three (3) teachers, and the principal or administrator. The membership of the  
20 council may be increased, but it may only be increased proportionately~~[. A~~  
21 ~~parent representative on the council shall not be an employee or a relative of~~  
22 ~~an employee of the school in which that parent serves, nor shall the parent~~  
23 ~~representative be an employee or a relative of an employee in the district~~  
24 ~~administrative offices. A parent representative shall not be a local board~~  
25 ~~member or a board member's spouse].~~ None of the members shall have a  
26 conflict of interest pursuant to KRS Chapter 45A, except the salary paid to  
27 district employees;

- 1 (b) 1. The teacher representatives shall be elected for one (1) year terms by a  
2 majority of the teachers. A teacher elected to a school **advisory** council  
3 shall not be involuntarily transferred during the teacher representative's  
4 term of office. The parent representatives shall be elected for one (1)  
5 year terms. The parent members shall be elected by the parents of  
6 students preregistered to attend the school during the term of office in an  
7 election conducted by the parent and teacher organization of the school  
8 or, if none exists, the largest organization of parents formed for this  
9 purpose. **Notification of an upcoming election for teacher or parent**  
10 **representatives shall be published at least fourteen (14) days in**  
11 **advance on the school's website and the school's electronic**  
12 **notification and communication program.** Council elections may allow  
13 voting to occur over multiple days and via electronic means. **The**  
14 **principal**~~[A school council, once elected,]~~ may adopt a **school-based**  
15 policy setting different terms of office for parent and teacher members  
16 subsequently elected. The principal shall be the chair of the  
17 **advisory**~~[school]~~ council.
- 18 2. **Advisory**~~[school]~~ councils in schools having eight percent (8%) or more  
19 minority students enrolled, as determined by the enrollment on the  
20 preceding October 1, shall have at least one (1) minority member. If the  
21 **advisory** council formed under paragraph (a) of this subsection does not  
22 have a minority member, the principal, in a timely manner, shall be  
23 responsible for carrying out the following:
- 24 a. Organizing a special election to elect an additional member. The  
25 principal shall call for nominations and shall notify the parents of  
26 the students of the date, time, and location of the election **in the**  
27 **same manner as paragraph (b) of this subsection** to elect a

1 minority parent to the advisory council by ballot; and

2 b. Allowing the teachers in the building to select one (1) minority  
3 teacher to serve as a teacher member on the advisory council. If  
4 there are no minority teachers who are members of the faculty, an  
5 additional teacher member shall be elected by a majority of all  
6 teachers. Term limitations shall not apply for a minority teacher  
7 member who is the only minority on faculty;

8 (c) 1. The principal~~[school council]~~ shall have the responsibility to set  
9 school-based~~[school]~~ policy that shall be consistent with local~~[district]~~  
10 board policy. School-based policies~~[and which]~~ shall provide an  
11 environment to enhance the students' achievement and help the school  
12 meet the goals established by KRS 158.645 and 158.6451 and goals for  
13 the district established by the board. The principal shall be the primary  
14 administrator and the instructional leader of the school, and with the  
15 assistance of the total school staff shall administer the policies  
16 established or approved by~~[the school council and]~~ the local board.

17 2. If an advisory~~[a school]~~ council establishes committees, the  
18 principal~~[it]~~ shall adopt a school-based policy to facilitate the  
19 participation of interested persons, including, but not limited to,  
20 classified employees and parents. The policy shall include the number of  
21 committees, their jurisdiction, composition, and the process for  
22 membership selection. Notification of established committees shall, at  
23 a minimum, be published on the school's website and the school's  
24 notification and communication program;

25 (d) The advisory~~[school]~~ council and each of its committees shall determine the  
26 frequency of and agenda for their meetings. Matters relating to formation of  
27 advisory~~[school]~~ councils that are not provided for by this section shall be

- 1 addressed by local board policy;
- 2 (e) The meetings of the advisory~~[school]~~ council shall be open to the public and  
3 all interested persons may attend. However, the exceptions to open meetings  
4 provided in KRS 61.810 shall apply;
- 5 (f) After receiving notification of the funds available for the school from the local  
6 board, the advisory~~[school]~~ council shall recommend to the  
7 principal~~[determine]~~, within the parameters of the total available funds, the  
8 number of persons to be employed in each job classification at the school. The  
9 advisory council may advise the principal regarding~~[make]~~ personnel  
10 decisions on vacancies occurring after the advisory~~[school]~~ council is formed  
11 and~~[but]~~ shall not have the authority to recommend transfers or dismissals;
- 12 (g) The local superintendent shall determine which curriculum, textbooks,  
13 instructional materials, and student support services shall be provided in the  
14 school after consulting with the local board of education, the school principal,  
15 and the advisory~~[school]~~ council and after a reasonable review and response  
16 period for stakeholders in accordance with local board of education policy.  
17 Subject to available resources, the local board shall allocate an appropriation  
18 to each school that is adequate to meet the school's needs related to  
19 instructional materials and school-based student support services, as  
20 determined by the school principal after consultation with the  
21 advisory~~[school]~~ council. The advisory~~[school]~~ council shall consult with the  
22 school media librarian to provide recommendations to the principal on the  
23 maintenance of the school library media center, including the purchase of  
24 instructional materials, information technology, and equipment;
- 25 (h) Personnel decisions at the school level shall be as follows:
- 26 1. From a list of qualified applicants submitted by the local superintendent,  
27 the principal at the participating school shall select personnel to fill

1 vacancies, after consultation with the advisory[school] council and  
2 approval by the superintendent, consistent with paragraph (i)11. of this  
3 subsection. The superintendent shall provide additional applicants to the  
4 principal upon request when qualified applicants are available. The  
5 superintendent may forward to the school principal the names of  
6 qualified applicants who have pending certification from the Education  
7 Professional Standards Board based on recent completion of preparation  
8 requirements, out-of-state preparation, or alternative routes to  
9 certification pursuant to KRS 161.028 and 161.048. Requests for  
10 transfer shall conform to any employer-employee bargained contract  
11 which is in effect;

12 2. If the vacancy to be filled is the position of principal:

- 13 a. The superintendent shall fill the vacancy after consultation with  
14 the advisory[school] council consistent with paragraph (i)11. of  
15 this subsection;
- 16 b. Prior to consultation with the advisory[school] council, each  
17 member shall sign a nondisclosure agreement forbidding the  
18 disclosure of information shared and discussions held during  
19 consultation;
- 20 c. A person who believes a violation of the nondisclosure agreement  
21 referred to in subdivision b. of this subparagraph has occurred may  
22 file a written complaint with the Kentucky Board of Education;  
23 and
- 24 d. A advisory[school] council member found to have violated the  
25 nondisclosure agreement referred to in subdivision b. of this  
26 subparagraph may be subject to removal from the advisory[school]  
27 council by the Kentucky Board of Education under subsection

1                                    ~~(8)(e)~~~~[(9)(e)]~~ of this section;

2                    3.    Notwithstanding subparagraph 2. of this paragraph, if the vacancy to be  
3                    filled is the position of principal in a county school district in a county  
4                    with a consolidated local government adopted under KRS Chapter 67C,  
5                    then:

6                    a.    The outgoing principal shall not serve on the advisory council  
7                    during the principal selection process. The superintendent or the  
8                    superintendent's designee shall serve as the chair of the advisory  
9                    council for the purpose of the hiring process and shall not have  
10                  voting rights during the selection process;

11                  b.    The advisory council shall have access to the applications of all  
12                  persons certified for the position. The advisory council~~principal~~  
13                  shall *nominate a candidate for the position of principal to be*  
14                  *provided to the superintendent*~~be elected on a majority vote of~~  
15                  ~~the membership of the council~~. The advisory~~school~~ council shall  
16                  receive training in recruitment and interviewing techniques prior  
17                  to carrying out the process of nominating~~selecting~~ a principal  
18                  candidate. The superintendent~~council~~ shall select the trainer to  
19                  deliver the training; and

20                  c.    ~~[Notwithstanding the requirement that a principal be elected by a~~  
21                  ~~majority vote of the council, ]~~The selection of a principal shall be  
22                  made~~subject to approval~~ by the superintendent after receiving a  
23                  *nomination from the advisory council*~~. If the superintendent does~~  
24                  ~~not approve the principal selected by the council, then the~~  
25                  ~~superintendent may select the principal];~~

26                  4.    No principal who has been previously removed from a position in the  
27                  district for cause may be considered for appointment as principal in that

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district;

5. ~~{Personnel decisions made at the school level under the authority of subparagraph 1. of this paragraph shall be binding on the superintendent who completes the hiring process;~~

6. ~~—~~ Applicants subsequently employed shall provide evidence that they are certified prior to assuming the duties of a position in accordance with KRS 161.020; and

~~6.7.~~ Notwithstanding other provisions of this paragraph, if the applicant is the spouse of the superintendent and the applicant meets the service requirements of KRS 160.380(3)(a), the applicant shall only be employed upon the recommendation of the principal and the approval of the local board~~{a majority vote of the school council}~~;

(i) The principal~~{school council}~~ shall adopt a school-based policy that shall be consistent with local board policy and shall be implemented~~{by the principal}~~ in the following additional areas:

1. Curriculum responsibilities under KRS 158.6453(19);
2. Assignment of all instructional and noninstructional staff time;
3. Assignment of students to classes and programs within the school;
4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar year as established by the local board;
5. Determination of use of school space during the school day related to improving classroom teaching and learning;
6. Planning and resolution of issues regarding instructional practices;
7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and principal;

- 1           8. Selection of extracurricular programs and determination of policies  
2 relating to student participation based on academic qualifications and  
3 attendance requirements, program evaluation, and supervision;
- 4           9. Adoption of an emergency plan as required in KRS 158.162;
- 5           10. Procedures, consistent with local school board policy, for determining  
6 alignment with state standards, technology utilization, and program  
7 appraisal; and
- 8           11. Procedures to assist the advisory council with making a nomination to  
9 the superintendent for~~consultation in~~ the selection of the principal by  
10 the superintendent, and the selection of personnel by the principal and  
11 approval by the superintendent, including but not limited to meetings,  
12 timelines, interviews, review of written applications, and review of  
13 references. Procedures shall address situations in which members of the  
14 advisory council are not available for consultation; and
- 15       (j) Each principal, in consultation with the advisory~~school~~ council, shall  
16 annually review data as shown on state and local student assessments required  
17 under KRS 158.6453. The data shall include but not be limited to information  
18 on performance levels of all students tested, and information on the  
19 performance of students disaggregated by race, gender, disability, and  
20 participation in the federal free and reduced price lunch program. After  
21 completing the review of data, each principal~~school council~~, with the  
22 involvement of the advisory council and other interested parents, faculty, and  
23 staff, shall develop and adopt a plan to ensure that each student makes  
24 progress toward meeting the goals set forth in KRS 158.645 and  
25 158.6451(1)(b) by April 1 of each year and submit the plan to the  
26 superintendent and local board of education for review as described in KRS  
27 160.340. The Kentucky Department of Education shall provide each

1            principal~~[school council]~~ the data needed to complete the review required by  
 2            this paragraph no later than October 1 of each year.~~[If a school does not have~~  
 3            ~~a council, the review shall be completed by the principal with the involvement~~  
 4            ~~of parents, faculty, and staff.]~~

5            (3) The policies adopted by the local board to implement school-based  
 6            policies~~[decision-making]~~ shall also address the following:

7            (a) School budget and administration, including: discretionary funds; activity and  
 8            other school funds; funds for maintenance, supplies, and equipment; and  
 9            procedures for authorizing reimbursement for training and other expenses;

10          (b) Assessment of individual student progress, including testing and reporting of  
 11          student progress to students, parents, the school district, the community, and  
 12          the state;

13          (c) School improvement plans, including the form and function of strategic  
 14          planning and its relationship to district planning, as well as the school safety  
 15          plan and requests for funding from the Center for School Safety under KRS  
 16          158.446;

17          (d) Professional development plans developed pursuant to KRS 156.095;

18          (e) Parent, citizen, and community participation including the relationship of the  
 19          advisory council with other groups;

20          (f) Cooperation and collaboration within the district, with other districts, and with  
 21          other public and private agencies;

22          (g) Requirements for waiver of district policies;

23          (h) Requirements for record keeping by the advisory~~[school]~~ council and  
 24          principal; and

25          (i) A process for appealing a decision made by a principal~~[school council]~~.

26          (4) (a) All school-based policies shall be reviewed and approved by the local board  
 27          before implementation. A school-based policy:

- 1           **1. That requires expedited action may be implemented before approval**  
 2           **and shall be reviewed and approved by the local board within sixty**  
 3           **(60) days of submission. If the policy is not approved within the**  
 4           **established timeframe, the policy shall be nullified; and**  
 5           **2. May be repealed by the school's principal or the board at any time and**  
 6           **the repeal shall include a statement of justification.**

7           **(b)** In addition to the authority granted to the **principal**~~[school council]~~ in this  
 8           section, the local board may grant to the **principal**~~[school council]~~ any other  
 9           authority permitted by law. The board shall make available liability insurance  
 10          coverage for the protection of all members of the **advisory**~~[school]~~ council  
 11          from liability arising in the course of pursuing their duties as members of the  
 12          **advisory** council.

13       (5) All schools shall implement school-based **policy**~~[decision-making]~~ in accordance  
 14       with this section and with the policy adopted by the local board pursuant to this  
 15       section. Upon favorable vote of a majority of the faculty at the school and a  
 16       majority of at least twenty-five (25) voting parents of students enrolled in the  
 17       school, a school meeting its goal as determined by the Department of Education  
 18       pursuant to KRS 158.6455 may apply to the Kentucky Board of Education for  
 19       exemption from the requirement to implement **an advisory council**~~[school-based~~  
 20       ~~decision-making]~~, and the state board shall grant the exemption. The voting by the  
 21       parents on the matter of exemption from implementing **an advisory council**~~[school-~~  
 22       ~~based decision-making]~~ shall be in an election conducted by the parent and teacher  
 23       organization of the school or, if none exists, the largest organization of parents  
 24       formed for this purpose. **Notification of the election shall be published at least**  
 25       **fourteen (14) days in advance on the school's website and the school's**  
 26       **notification and communication program.** Notwithstanding the provisions of this  
 27       section, a local school district shall not be required to implement **an advisory**

1 council~~[school-based decision-making]~~ if the local school district contains only one  
2 (1) school.

3 (6) The Department of Education shall provide professional development activities to  
4 assist schools in implementing an advisory council~~[school-based decision-making]~~.  
5 Advisory~~[school]~~ council members elected for the first time shall complete a  
6 minimum of six (6) clock hours of training in the process of school-based  
7 policy~~[decision]~~ making, no later than thirty (30) days after the beginning of the  
8 service year for which they are elected to serve. Advisory~~[school]~~ council members  
9 who have served on an advisory~~[a school]~~ council at least one (1) year shall  
10 complete a minimum of three (3) clock hours of training in the process of school-  
11 based policy~~[decision]~~ making no later than one hundred twenty (120) days after the  
12 beginning of the service year for which they are elected to serve. Experienced  
13 members may participate in the training for new members to fulfill their training  
14 requirement. Advisory~~[school]~~ council training required under this subsection shall  
15 be conducted by trainers endorsed by the Department of Education. By November 1  
16 of each year, the principal through the local superintendent shall forward to the  
17 Department of Education the names and addresses of each advisory council  
18 member and verify that the required training has been completed. Advisory~~[school]~~  
19 council members elected to fill a vacancy shall complete the applicable training  
20 within thirty (30) days of their election.

21 (7) ~~[A school that chooses to have school-based decision-making but would like to be  
22 exempt from the administrative structure set forth by this section may develop a  
23 model for implementing school-based decision-making, including but not limited to  
24 a description of the membership, organization, duties, and responsibilities of a  
25 school council. The school shall submit the model through the local board of  
26 education to the commissioner of education and the Kentucky Board of Education,  
27 which shall have final authority for approval. The application for approval of the~~

1 ~~model shall show evidence that it has been developed by representatives of the~~  
 2 ~~parents, students, certified personnel, and the administrators of the school and that~~  
 3 ~~two thirds (2/3) of the faculty have agreed to the model.~~

4 ~~(8)~~—]The Kentucky Board of Education, upon recommendation of the commissioner of  
 5 education, shall adopt by administrative regulation a formula by which school  
 6 district funds shall be allocated to each principal~~[school council]~~. Included in the~~[~~  
 7 ~~school council]~~ formula shall be an allocation for professional development that is  
 8 at least sixty-five percent (65%) of the district's per pupil state allocation for  
 9 professional development for each student in average daily attendance in the school.  
 10 The principal~~[school council]~~ shall plan professional development in compliance  
 11 with requirements specified in KRS 156.095, except as provided in KRS 158.649.  
 12 Principals~~[School councils]~~ of small schools shall be encouraged to work with  
 13 other principals~~[school councils]~~ to maximize professional development  
 14 opportunities.

15 ~~(8)~~~~(9)~~ (a) No board member, superintendent of schools, district employee, or  
 16 member of an advisory~~[a school]~~ council shall intentionally engage in a  
 17 pattern of practice which is detrimental to the successful implementation of or  
 18 circumvents the intent of school-based policies~~[decision making]~~ to allow the  
 19 professional staff members of a school and parents to be involved in the  
 20 school-based policy~~[decision making]~~ process in working toward meeting the  
 21 educational goals established in KRS 158.645 and 158.6451 or to  
 22 advise~~[make decisions]~~ in areas of policy assigned to a principal~~[school~~  
 23 ~~council]~~ pursuant to paragraph (i) of subsection (2) of this section.

24 (b) An affected party who believes a violation of this subsection has occurred  
 25 may file a written complaint with the Office of Education Accountability. The  
 26 office shall investigate the complaint and resolve the conflict, if possible, or  
 27 forward the matter to the Kentucky Board of Education.

- 1 (c) The Kentucky Board of Education shall conduct a hearing in accordance with  
2 KRS Chapter 13B for complaints referred by the Office of Education  
3 Accountability.
- 4 (d) If the state board determines a violation has occurred, the party shall be  
5 subject to reprimand. A second violation of this subsection may be grounds  
6 for removing a superintendent or a member of an advisory~~[a school]~~ council  
7 from office or grounds for dismissal of an employee for misconduct in office  
8 or willful neglect of duty.
- 9 (e) Notwithstanding paragraph (d) of this subsection and KRS 7.410(2)(c), if the  
10 state board determines a violation of the nondisclosure agreement required by  
11 subsection (2)(h)2.b. of this section by an advisory~~[a school]~~ council member  
12 has occurred, the state board shall remove the member from the  
13 advisory~~[school]~~ council, and the member shall be permanently prohibited  
14 from serving on any advisory~~[school]~~ council in the district.
- 15 ~~(9)~~~~[(10)]~~ Notwithstanding subsections (1) to ~~(8)~~~~[(9)]~~ of this section, a school's right to  
16 establish or maintain an advisory~~[a school-based decision-making]~~ council~~[and the~~  
17 ~~powers, duties, and authority granted to a school council]~~ may be rescinded~~[or the~~  
18 ~~school council's role may be advisory]~~ if the commissioner of education or the  
19 Kentucky Board of Education takes action under KRS 160.346.
- 20 ~~(10)~~~~[(11)]~~ Each principal~~[school council]~~ of a school containing grades K-5 or any  
21 combination thereof~~[, or if there is no school council, the principal,]~~ shall develop  
22 and implement a wellness policy that includes moderate to vigorous physical  
23 activity each day and encourages healthy choices among students. The policy may  
24 permit physical activity to be considered part of the instructional day, not to exceed  
25 thirty (30) minutes per day, or one hundred and fifty (150) minutes per week.~~[Each~~  
26 ~~school council, or if there is no school council,]~~ The principal~~[,]~~ shall adopt an  
27 assessment tool to determine each child's level of physical activity on an annual

1 basis. The ~~council or~~ principal may utilize an existing assessment program. The  
 2 Kentucky Department of Education shall make available a list of available  
 3 resources to carry out the provisions of this subsection. The department shall report  
 4 to the Legislative Research Commission no later than November 1 of each year on  
 5 how the schools are providing physical activity under this subsection and on the  
 6 types of physical activity being provided. The policy developed by the ~~school~~  
 7 ~~council or~~ principal shall comply with provisions required by federal law, state  
 8 law, or local board policy.

9 ➔Section 2. KRS 160.370 is amended to read as follows:

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

24 (2) For a county school district in a county with **more than fifteen thousand (15,000)**  
 25 **students**~~[a consolidated local government adopted under KRS Chapter 67C]:~~

26 (a) A local board of education shall:

27 1. Delegate authority to the superintendent over the district's day-to-day

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

1 regard to the duties assigned in subsection (1) of this section and  
2 paragraph (b) of this subsection;~~and~~

3 8. Be responsible for the dismissal of the superintendent; and

4 9. Have the right to delegate the authority to review and approve school-  
5 based policy in accordance with subsection (4) of Section 1 of this Act;

6 (b) Notwithstanding any provision to the contrary~~in subsection (1) of this~~  
7 ~~section~~, the superintendent shall:

8 1. Provide a quarterly, informational report to the board on the  
9 administrative actions taken by the superintendent to carry out the  
10 district's daily operations and implementation of the strategic plan as  
11 well as a budget to actual financial update;

12 2. Prepare all rules, regulations, bylaws, and statements of policy for  
13 approval and adoption by the board, with approval not to be withheld  
14 without a two-thirds (2/3) vote of the board to deny approval or  
15 adoption;

16 3. Supervise the general conduct of the schools, the course of instruction,  
17 the discipline of pupils, the employment matters of all employees and  
18 contractors, and the management of business affairs of the district;

19 4. Be responsible for the hiring, employment terms, dismissal, and  
20 organizational structure of all personnel in the district in compliance  
21 with all laws and in a manner that best serves the students of the district;  
22 and

23 5. Notwithstanding any law that assigns an administrative duty,  
24 responsibility, or authority to a board of education, or other law to the  
25 contrary, be responsible for any administrative duty not explicitly  
26 granted to the board under paragraph (a) of this subsection; and

27 (c) If the county adopts the provisions of the Kentucky Model Procurement Code,

1 the board shall authorize the superintendent to approve purchases, in  
2 accordance with small purchase procedures adopted by the board, for any  
3 contract for which a determination is made that the aggregate amount of the  
4 contract does not exceed two hundred fifty thousand dollars (\$250,000). The  
5 board shall authorize the superintendent to approve a line-item transfer within  
6 its annual budget as she or he deems necessary, provided that the aggregate  
7 amount of any individual transfer does not exceed two hundred fifty thousand  
8 dollars (\$250,000). The superintendent shall provide a quarterly report to the  
9 board on any purchases made under this subsection.

10 ➔Section 3. KRS 160.380 is amended to read as follows:

11 (1) As used in this section:

12 (a) "Administrative finding of child abuse or neglect" means a substantiated  
13 finding of child abuse or neglect issued by the Cabinet for Health and Family  
14 Services that is:

- 15 1. Not appealed through an administrative hearing conducted in  
16 accordance with KRS Chapter 13B;
- 17 2. Upheld at an administrative hearing conducted in accordance with KRS  
18 Chapter 13B and not appealed to a Circuit Court; or
- 19 3. Upheld by a Circuit Court in an appeal of the results of an  
20 administrative hearing conducted in accordance with KRS Chapter 13B;

21 (b) "Alternative education program" means a program that exists to meet the  
22 needs of students that cannot be addressed in a traditional classroom setting  
23 but through the assignment of students to alternative classrooms, centers, or  
24 campuses that are designed to remediate academic performance, improve  
25 behavior, or provide an enhanced learning experience. Alternative education  
26 programs do not include career or technical centers or departments;

27 (c) "Clear CA/N check" means a letter from the Cabinet for Health and Family

1 Services indicating that there are no administrative findings of child abuse or  
2 neglect relating to a specific individual;

3 (d) "Relative" means father, mother, brother, sister, husband, wife, son and  
4 daughter; and

5 (e) "Vacancy" means any certified position opening created by the resignation,  
6 dismissal, nonrenewal of contract, transfer, or death of a certified staff  
7 member of a local school district, or a new position created in a local school  
8 district for which certification is required. However, if an employer-employee  
9 bargained contract contains procedures for filling certified position openings  
10 created by the resignation, dismissal, nonrenewal of contract, transfer, or  
11 death of a certified staff member, or creation of a new position for which  
12 certification is required, a vacancy shall not exist, unless certified positions  
13 remain open after compliance with those procedures.

14 (2) Except as provided in KRS 160.346, the school district personnel actions identified  
15 in this section shall be carried out as follows:

16 (a) All appointments, promotions, and transfers of principals, supervisors,  
17 teachers, and other public school employees shall be made only by the  
18 superintendent of schools, who shall notify the board of the action taken. All  
19 employees of the local district shall have the qualifications prescribed by law  
20 and by the administrative regulations of the Kentucky Board of Education and  
21 of the employing board. Supervisors, principals, teachers, and other  
22 employees may be appointed by the superintendent for any school year at any  
23 time after February 1 preceding the beginning of the school year. No  
24 superintendent of schools shall appoint or transfer himself or herself to  
25 another position within the school district;

26 (b) When a vacancy occurs in a local school district, the superintendent shall  
27 submit the job posting to the statewide job posting system described in KRS

1           160.152 fifteen (15) days before the position shall be filled. The local school  
2           district shall post position openings in the local board office for public  
3           viewing;

4           (c) When a vacancy needs to be filled in less than fifteen (15) days' time to  
5           prevent disruption of necessary instructional or support services of the school  
6           district, the superintendent may seek a waiver from the chief state school  
7           officer outside of the process established in KRS 156.161. If the waiver is  
8           approved, the appointment shall not be made until the person recommended  
9           for the position has been approved by the chief state school officer. The chief  
10          state school officer shall respond to a district's request for waiver or for  
11          approval of an appointment within two (2) working days; and

12          (d) When a vacancy occurs in a local district, the superintendent shall conduct a  
13          search to locate minority teachers to be considered for the position. The  
14          superintendent shall, pursuant to administrative regulations of the Kentucky  
15          Board of Education, report annually the district's recruitment process and the  
16          activities used to increase the percentage of minority teachers in the district.

17       (3) Restrictions on employment of relatives shall be as follows:

18           (a) No relative of a superintendent of schools shall be an employee of the school  
19           district. However, this shall not apply to a relative who is a classified or  
20           certified employee of the school district for at least thirty-six (36) months  
21           prior to the superintendent assuming office and who is qualified for the  
22           position the employee holds. A superintendent's spouse who has previously  
23           been employed in a school system may be an employee of the school district.  
24           A superintendent's spouse who is employed under this provision shall not hold  
25           a position in which the spouse supervises certified or classified employees. A  
26           superintendent's spouse may supervise teacher aides and student teachers.  
27           However, the superintendent shall not promote a relative who continues

- 1 employment under an exception of this subsection;
- 2 (b) No superintendent shall employ a relative of a school board member of the  
3 district;
- 4 (c) No principal's relative shall be employed in the principal's school; and
- 5 (d) A relative that is ineligible for employment under paragraph (a), (b), or (c) of  
6 this subsection may be employed as a substitute for a certified or classified  
7 employee if the relative is not:
- 8 1. A regular full-time or part-time employee of the district;
- 9 2. Accruing continuing contract status or any other right to continuous  
10 employment;
- 11 3. Receiving fringe benefits other than those provided other substitutes; or
- 12 4. Receiving preference in employment or assignment over other  
13 substitutes.
- 14 (4) No superintendent shall assign a certified or classified staff person to an alternative  
15 education program as part of any disciplinary action taken pursuant to KRS 161.011  
16 or 161.790 as part of a corrective action plan established pursuant to the local  
17 district evaluation plan.
- 18 (5) No superintendent shall employ in any position in the district any person who:
- 19 (a) Has been convicted of an offense that would classify a person as a violent  
20 offender under KRS 439.3401;
- 21 (b) Has been convicted of a sex crime as defined by KRS 17.500 or a  
22 misdemeanor offense under KRS Chapter 510;
- 23 (c) Is required to register as a sex offender under KRS 17.500 to 17.580; or
- 24 (d) Has an administrative finding of child abuse or neglect in records maintained  
25 by the Cabinet for Health and Family Services.
- 26 (6) Requirements for background checks shall be as follows:
- 27 (a) A superintendent shall require the following individuals to submit to a

1 national and state criminal background check by the Department of Kentucky  
2 State Police and the Federal Bureau of Investigation and have a clear CA/N  
3 check, provided by the individual:

- 4 1. Each new certified or classified hire;
- 5 2. A nonfaculty coach or nonfaculty assistant as defined under KRS  
6 161.185;
- 7 3. A student teacher;
- 8 4. An advisory~~[A school-based decision-making]~~ council parent member;  
9 and
- 10 5. Any adult who is permitted access to school grounds on a regularly  
11 scheduled and continuing basis pursuant to a written agreement for the  
12 purpose of providing services directly to a student or students as part of  
13 a school-sponsored program or activity;

- 14 (b) 1. The requirements of paragraph (a) of this subsection shall not apply to:
- 15 a. Classified and certified individuals employed by the school district  
16 prior to June 27, 2019;
  - 17 b. Certified individuals who were employed in another certified  
18 position in a Kentucky school district within six (6) months of the  
19 date of hire and who had previously submitted to a national and  
20 state criminal background check and who have a clear CA/N check  
21 for the previous employment; or
  - 22 c. Student teachers who have submitted to and provide a copy of a  
23 national and state criminal background check by the Department  
24 of Kentucky State Police and the Federal Bureau of Investigation  
25 through an accredited teacher education institution in which the  
26 student teacher is enrolled and who have a clear CA/N check.
- 27 2. The Education Professional Standards Board may promulgate

1 administrative regulations to impose additional qualifications to meet  
2 the requirements of Pub. L. No. 92-544;

3 (c) A parent member may serve prior to the receipt of the criminal history  
4 background check and CA/N letter required by paragraph (a) of this  
5 subsection but shall be removed from the advisory council on receipt by the  
6 school district of a report documenting a record of abuse or neglect, or a sex  
7 crime or criminal offense against a victim who is a minor as defined in KRS  
8 17.500, or as a violent offender as defined in KRS 17.165, and no further  
9 procedures shall be required;

10 (d) A superintendent may require a volunteer or a visitor to submit to a national  
11 and state criminal history background check by the Department of Kentucky  
12 State Police and the Federal Bureau of Investigation and have a clear CA/N  
13 check, provided by the individual; and

14 (e) The superintendent of a school district operating under an alternative  
15 transportation plan approved by the Kentucky Department of Education in  
16 accordance with KRS 156.153(3) shall require the driver of any non-school  
17 bus passenger vehicle authorized to transport students to and from school  
18 pursuant to the alternative transportation plan who does not have a valid  
19 commercial driver's license issued in accordance with KRS Chapter 281A  
20 with an "S" endorsement to:

21 1. Submit to a national and state criminal background check by the  
22 Department of Kentucky State Police and the Federal Bureau of  
23 Investigation at least once every three (3) years and a criminal records  
24 check conducted in accordance with KRS 27A.090 in all other years;

25 2. Submit to drug testing consistent with the requirements of 49 C.F.R. pt.  
26 40;

27 3. Provide a biannual driving history record check performed by the

- 1                   Transportation Cabinet;
- 2                   4.    Provide an annual clear CA/N check;
- 3                   5.    Immediately notify the superintendent of any conviction for a violation
- 4                   under KRS Chapter 189 for which penalty points are assessed; and
- 5                   6.    Immediately notify the superintendent of any citation or arrest for a
- 6                   violation of any provision of KRS Chapter 189A. The superintendent
- 7                   shall inform the Kentucky Department of Education of the notification.
- 8   (7)   (a)   If a certified or classified position remains unfilled after July 31 or if a
- 9                   vacancy occurs during a school term, a superintendent may employ an
- 10                  individual, who will have supervisory or disciplinary authority over minors,
- 11                  on probationary status pending receipt of the criminal history background
- 12                  check and a clear CA/N check, provided by the individual. Application for the
- 13                  criminal record and a request for a clear CA/N check of a probationary
- 14                  employee shall be made no later than the date probationary employment
- 15                  begins.
- 16                  (b)   Employment shall be contingent on the receipt of the criminal history
- 17                  background check documenting that the probationary employee has no record
- 18                  of a sex crime nor as a violent offender as defined in KRS 17.165 and receipt
- 19                  of a letter, provided by the individual, from the Cabinet for Health and Family
- 20                  Services stating the employee is clear to hire based on no administrative
- 21                  findings of child abuse or neglect found through a background check of child
- 22                  abuse and neglect records maintained by the Cabinet for Health and Family
- 23                  Services.
- 24                  (c)   Notwithstanding KRS 161.720 to 161.800 or any other statute to the contrary,
- 25                  probationary employment under this section shall terminate on receipt by the
- 26                  school district of a criminal history background check documenting a record
- 27                  of a sex crime or as a violent offender as defined in KRS 17.165 and no

1 further procedures shall be required.

2 (8) The provisions of KRS 161.790 shall apply to terminate employment of a certified  
3 employee on the basis of a criminal record other than a record of a sex crime or as a  
4 violent offender as defined in KRS 17.165, or on the basis of a CA/N check  
5 showing an administrative finding of child abuse or neglect.

6 (9) (a) All fingerprints requested under this section shall be on an applicant  
7 fingerprint card provided by the Department of Kentucky State Police. The  
8 fingerprint cards shall be forwarded to the Federal Bureau of Investigation  
9 from the Department of Kentucky State Police after a state criminal  
10 background check is conducted. The results of the state and federal criminal  
11 background check shall be sent to the hiring superintendent. Any fee charged  
12 by the Department of Kentucky State Police, the Federal Bureau of  
13 Investigation, and the Cabinet for Health and Family Services shall be an  
14 amount no greater than the actual cost of processing the request and  
15 conducting the search.

16 (b) Each application form, provided by the employer to an applicant for a  
17 certified or classified position, shall conspicuously state the following: "FOR  
18 THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL  
19 AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND A  
20 LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET  
21 FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT  
22 HAS NO ADMINISTRATIVE FINDINGS OF CHILD ABUSE OR  
23 NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD  
24 ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET  
25 FOR HEALTH AND FAMILY SERVICES."

26 (c) Each application form for a district position shall require the applicant to:

27 1. Identify the states in which he or she has maintained residency,

1 including the dates of residency; and

2 2. Provide picture identification.

3 (10) Notwithstanding any provision of the Kentucky Revised Statutes to the contrary,  
4 when an employee of the school district is charged with any offense which is  
5 classified as a felony, the superintendent may transfer the employee to a second  
6 position until such time as the employee is found not guilty, the charges are  
7 dismissed, the employee is terminated, or the superintendent determines that further  
8 personnel action is not required. The employee shall continue to be paid at the same  
9 rate of pay he or she received prior to the transfer. If an employee is charged with  
10 an offense outside of the Commonwealth, this provision may also be applied if the  
11 charge would have been treated as a felony if committed within the  
12 Commonwealth. Transfers shall be made to prevent disruption of the educational  
13 process and district operations and in the interest of students and staff and shall not  
14 be construed as evidence of misconduct.

15 (11) Notwithstanding any law to the contrary, each certified and classified employee of  
16 the school district shall notify the superintendent if he or she has been found by the  
17 Cabinet for Health and Family Services to have abused or neglected a child, and if  
18 he or she has waived the right to appeal a substantiated finding of child abuse or  
19 neglect or if the substantiated incident was upheld upon appeal. Any failure to  
20 report this finding shall result in the certified or classified employee being subject  
21 to dismissal or termination.

22 (12) The form for requesting a CA/N check shall be made available on the Cabinet for  
23 Health and Family Services website.

24 ➔Section 4. KRS 7.410 is amended to read as follows:

25 (1) It is the intent of the General Assembly to provide an efficient system of common  
26 schools which shall be operated without waste, duplication, mismanagement, and  
27 political influence. The system of schools shall have the goal of providing all

1 students with at least the seven (7) capacities referred to in KRS 158.645.

2 (2) (a) An Office of Education Accountability is hereby created and shall be under  
3 the direction of the Legislative Research Commission and shall be advised  
4 and monitored by the Education Assessment and Accountability Review  
5 Subcommittee.

6 (b) The Office of Education Accountability shall be administered by a deputy  
7 director appointed by the Legislative Research Commission upon  
8 recommendation of the director of the Legislative Research Commission. The  
9 deputy director shall have the qualifications set by the Commission. The  
10 salary of the deputy director shall be set by the Commission. The Commission  
11 shall have exclusive jurisdiction over the employment of personnel necessary  
12 to carry out the provisions of this section. The deputy director shall be subject  
13 to the direction of and report to the director of the Legislative Research  
14 Commission.

15 (c) The Office of Education Accountability shall have the following duties and  
16 responsibilities:

17 1. Monitor the elementary and secondary public education system,  
18 including actions taken and reports issued by the Kentucky Board of  
19 Education, the Education Professional Standards Board, the  
20 commissioner of education, the Department of Education, and local  
21 school districts. Upon and under the direction of the Education  
22 Assessment and Accountability Review Subcommittee, the monitoring  
23 of the elementary and secondary public education system shall also  
24 include periodic reviews of local district and school-based ~~decision~~  
25 ~~making~~ policies relating to the recruitment, interviewing, selection,  
26 evaluation, termination, or promotion of personnel. The office shall  
27 report any district or school when evidence demonstrates a pattern of

1 exclusionary personnel practices relating to race or sex to the Kentucky  
2 Department of Education, which shall then independently investigate  
3 facts raised in or associated with the report. The results of the  
4 investigation conducted by the department shall be forwarded to the  
5 Kentucky Board of Education which shall conduct an investigative  
6 hearing on the matter.

7 2. Upon and under the direction of the Education Assessment and  
8 Accountability Review Subcommittee, review the elementary and  
9 secondary public education finance system. The review shall include an  
10 analysis of the level of equity achieved by the funding system and  
11 whether adequate funds are available to all school districts and an  
12 analysis of the weights of various education program components  
13 developed by the Department of Education. The review may also  
14 include recommendations for the base per pupil funding for the Support  
15 Education Excellence in Kentucky Program and a statewide salary  
16 schedule, and studies of other finance issues identified by the Education  
17 Assessment and Accountability Review Subcommittee.

18 3. Upon and under the direction of the Education Assessment and  
19 Accountability Review Subcommittee, verify the accuracy of reports of  
20 school, district, and state performance by conducting, requesting, or  
21 upon approval of the Legislative Research Commission, contracting for  
22 periodic program and fiscal audits. Upon and under the direction of the  
23 Education Assessment and Accountability Review Subcommittee, the  
24 Office of Education Accountability shall monitor and verify the  
25 accuracy of reports of the Department of Education and the Kentucky  
26 Board of Education, including but not limited to the annual fiscal  
27 conditions of grants, categorical programs, and other educational

- 1 initiatives set forth by the General Assembly.
- 2 4. Investigate allegations of wrongdoing of any person or agency,  
3 including but not limited to waste, duplication, mismanagement,  
4 political influence, and illegal activity at the state, regional, or school  
5 district level; make appropriate referrals to other agencies with  
6 jurisdiction over those allegations; and make recommendations for  
7 legislative action to the Education Assessment and Accountability  
8 Review Subcommittee. Upon acceptance by the subcommittee,  
9 recommendations for legislative action shall be forwarded to the  
10 Legislative Research Commission. The Office of Education  
11 Accountability shall submit to the subcommittee, for each of its regular  
12 meetings, a report that summarizes investigative activity initiated  
13 pursuant to this subparagraph. The subcommittee may consider each  
14 report as it determines and in its discretion. Each report, and the  
15 consideration thereof by the subcommittee, shall be exempt from the  
16 open records and open meetings requirements contained in KRS Chapter  
17 61.
- 18 5. Upon and under the direction of the Education Assessment and  
19 Accountability Review Subcommittee, conduct studies, analyze, verify,  
20 and validate the state assessment program through other external  
21 indicators of academic progress including but not limited to American  
22 College Test scores, Scholastic Assessment Test scores, National  
23 Assessment of Educational Progress scores, Preliminary Scholastic  
24 Assessment Test scores, Advanced Placement Program participation,  
25 standardized test scores, college remediation rates, retention and  
26 attendance rates, dropout rates, and additional available data on the  
27 efficiency of the system of schools and whether progress is being made

1           toward attaining the goal of providing students with the seven (7)  
2           capacities as required by KRS 158.645.

3           6. Make periodic reports to the Education Assessment and Accountability  
4           Review Subcommittee as directed by the subcommittee. Upon  
5           acceptance by the subcommittee, the reports shall be forwarded to the  
6           Legislative Research Commission.

7           7. Make periodic reports to the Legislative Research Commission as may  
8           be directed by the Commission.

9           8. Prepare an annual report, which shall consist of a summary of the status  
10          and results of the current year annual research agenda provided in  
11          paragraph (d) of this subsection, a summary of completed investigative  
12          activity conducted pursuant to subparagraph 4. of this paragraph, and  
13          other items of significance as determined by the Education Assessment  
14          and Accountability Review Subcommittee. The annual report shall be  
15          submitted to the Education Assessment and Accountability Review  
16          Subcommittee. Upon acceptance by the subcommittee, the annual report  
17          shall be submitted to the Governor, the Legislative Research  
18          Commission, and the Kentucky Board of Education.

19          (d) On or before December 1 of each calendar year, the Education Assessment  
20          and Accountability Review Subcommittee shall adopt the annual research  
21          agenda for the Office of Education Accountability. The annual research  
22          agenda may include studies, research, and investigations considered to be  
23          significant by the Education Assessment and Accountability Review  
24          Subcommittee. Staff of the Office of Education Accountability shall prepare a  
25          suggested list of study and research topics related to elementary and  
26          secondary public education for consideration by the Education Assessment  
27          and Accountability Review Subcommittee in the development of the annual

1 research agenda. An adopted annual research agenda shall be amended to  
2 include any studies mandated by the next succeeding General Assembly for  
3 completion by the Office of Education Accountability.

4 (e) The Office of Education Accountability shall have access to all public records  
5 and information on oath as provided in KRS 7.110. The office shall also have  
6 access to otherwise confidential records, meetings, and hearings regarding  
7 local school district personnel matters. However, the office shall not disclose  
8 any information contained in or derived from the records, meetings, and  
9 hearings that would enable the discovery of the specific identification of any  
10 individual who is the focus or subject of the personnel matter.

11 (f) In compliance with KRS 48.800, 48.950, and 48.955, the Finance and  
12 Administration Cabinet and the Governor's Office for Policy and Management  
13 shall provide to the Office of Education Accountability access to all  
14 information and records, other than preliminary work papers, relating to  
15 allotment of funds, whether by usual allotment or by other means, to the  
16 Department of Education, local school districts, and to other recipients of  
17 funds for educational purposes.

18 (g) Any state agency receiving a complaint or information which, if accurate,  
19 may identify a violation of the Kentucky Education Reform Act of 1990, 1990  
20 Ky. Acts ch. 476, shall notify the office of the complaint or information.

21 (h) The Office of Education Accountability may contract for services as approved  
22 by the Legislative Research Commission pursuant to KRS 7.090(8).

23 (3) The provisions of KRS 61.878 or any other statute, including Acts of the 1992  
24 Regular Session of the General Assembly to the contrary notwithstanding, the  
25 testimony of investigators, work products, and records of the Office of Education  
26 Accountability relating to duties and responsibilities under subsection (2) of this  
27 section shall be privileged and confidential during the course of an ongoing

1 investigation or until authorized, released, or otherwise made public by the Office  
2 of Education Accountability and shall not be subject to discovery, disclosure, or  
3 production upon the order or subpoena of a court or other agency with subpoena  
4 power.

5 ➔Section 5. KRS 156.072 is amended to read as follows:

6 (1) At the request of a local board of education or a school ~~*principal*~~<sup>*council*</sup>, a local  
7 school district superintendent shall submit a request to the Kentucky Board of  
8 Education for a waiver from a reporting requirement established by a Kentucky  
9 Revised Statute that requires the paperwork to be submitted to the Kentucky Board  
10 of Education or the Department of Education.

11 (2) Upon a finding of good cause for the waiver, the Kentucky Board of Education may  
12 grant the waiver.

13 (3) The Kentucky Board of Education shall not waive statutory paperwork or reporting  
14 requirements necessary under federal law or relating to health, safety, or civil  
15 rights.

16 ➔Section 6. KRS 156.095 is amended to read as follows:

17 (1) (a) The Kentucky Department of Education shall establish, direct, and maintain a  
18 statewide program of professional development to improve instruction in the  
19 public schools.

20 (b) By August 1, 2025, the department shall create a four (4) year recurring  
21 professional development training schedule that includes all professional  
22 development for certified personnel required by subsection (2) of this section  
23 and federal law.

24 (c) Each local school district shall implement the professional development  
25 training schedule created by the department.

26 (2) All certified school district employees and public charter school employees shall  
27 complete at least one (1) hour of each of the following trainings within twelve (12)

- 1 months of initial hire and at least once every four (4) years thereafter:
- 2 (a) How to respond to an active shooter situation training prepared by the  
3 Department of Criminal Justice Training in collaboration with the department,  
4 the Kentucky Law Enforcement Council, and the Center for School Safety;
- 5 (b) Child abuse and neglect prevention, recognition, and reporting training from  
6 the list of trainings approved by the department in accordance with subsection  
7 (7) of this section;
- 8 (c) 1. High-quality, evidence-based suicide prevention training, including risk  
9 factors, warning signs, protective factors, response procedures, referral,  
10 postvention, and the recognition of signs and symptoms of possible  
11 mental illness.
- 12 2. As used in this paragraph, "postvention" means a series of planned  
13 supports and interventions with persons affected by a suicide for the  
14 purpose of facilitating the grieving or adjustment process, stabilizing the  
15 environment, reducing the risk of negative behaviors, and limiting the  
16 risk of further suicides through contagion; and
- 17 (d) Self-study review of seizure disorder materials.
- 18 (3) (a) Each local school district superintendent shall appoint a certified school  
19 employee to fulfill the role and responsibilities of a professional development  
20 coordinator who shall disseminate professional development information to  
21 schools and personnel. Upon request by a school principal~~[council]~~ or any  
22 employees of the district, the coordinator shall provide technical assistance to  
23 the principal~~[council]~~ or the personnel that may include assisting with needs  
24 assessments, analyzing school data, planning and evaluation assistance,  
25 organizing districtwide programs requested by school principals~~[councils]~~ or  
26 groups of teachers, or other coordination activities.
- 27 (b) The manner of appointment, qualifications, and other duties of the

1 professional development coordinator shall be established by the local board  
2 of education.

3 (c) The local district professional development coordinator may participate in the  
4 Kentucky Department of Education annual training program for local school  
5 district professional development coordinators. The training program may  
6 include but not be limited to the demonstration of various approaches to needs  
7 assessment and planning; strategies for implementing long-term, school-based  
8 professional development; strategies for strengthening teachers' roles in the  
9 planning, development, and evaluation of professional development; and  
10 demonstrations of model professional development programs. The training  
11 shall include information about teacher learning opportunities relating to the  
12 core content standards. The department shall regularly collect and distribute  
13 this information.

14 (4) The department shall provide or facilitate optional, professional development  
15 programs for certified personnel throughout the Commonwealth that are based on  
16 the statewide needs of teachers, administrators, and other education personnel.  
17 Programs may include classified staff and parents when appropriate. Programs  
18 offered or facilitated by the department shall be at locations and times convenient to  
19 local school personnel and shall be made accessible through the use of technology  
20 when appropriate. They shall include programs that: address the goals for Kentucky  
21 schools as stated in KRS 158.6451, including reducing the achievement gaps as  
22 determined by an equity analysis of the disaggregated student performance data  
23 from the state assessment program developed under KRS 158.6453; engage  
24 educators in effective learning processes and foster collegiality and collaboration;  
25 and provide support for staff to incorporate newly acquired skills into their work  
26 through practicing the skills, gathering information about the results, and reflecting  
27 on their efforts. Professional development programs shall be made available to

- 1 teachers based on their needs which shall include but not be limited to the following  
2 areas:
- 3 (a) Strategies to reduce the achievement gaps among various groups of students  
4 and to provide continuous progress;
  - 5 (b) Curriculum content and methods of instruction for each content area,  
6 including differentiated instruction;
  - 7 (c) School-based ~~policy~~decision making;
  - 8 (d) Assessment literacy;
  - 9 (e) Integration of performance-based student assessment into daily classroom  
10 instruction;
  - 11 (f) Nongraded primary programs;
  - 12 (g) Research-based instructional practices;
  - 13 (h) Instructional uses of technology;
  - 14 (i) Curriculum design to serve the needs of students with diverse learning styles  
15 and skills and of students of diverse cultures;
  - 16 (j) Instruction in reading, including phonics, phonemic awareness,  
17 comprehension, fluency, and vocabulary;
  - 18 (k) Educational leadership; and
  - 19 (l) Strategies to incorporate character education throughout the curriculum.
- 20 (5) The department shall assist school personnel in assessing the impact of professional  
21 development on their instructional practices and student learning.
- 22 (6) (a) Upon the request of a school district or school ~~principal~~council, the  
23 department shall assist with the development of long-term school and district  
24 improvement plans that include multiple strategies for professional  
25 development based on the assessment of needs at the school level.
- 26 (b) Professional development strategies may include but are not limited to  
27 participation in subject matter academies, teacher networks, training institutes,

1 workshops, seminars, and study groups; collegial planning; action research;  
2 mentoring programs; appropriate university courses; and other forms of  
3 professional development.

4 (c) In planning the use of the four (4) days for professional development under  
5 KRS 158.070, school principals~~[councils]~~ and districts shall give priority to  
6 programs that increase teachers' understanding of curriculum content and  
7 methods of instruction appropriate for each content area based on individual  
8 school plans. The district may use up to one (1) day to provide district-wide  
9 training and training that is mandated by state or federal law. Only those  
10 employees identified in the mandate or affected by the mandate shall be  
11 required to attend the training.

12 (d) State funds allocated for professional development shall be used to support  
13 professional development initiatives that are consistent with local school  
14 improvement and professional development plans and teachers' individual  
15 growth plans. The funds may be used throughout the year for all staff,  
16 including classified and certified staff and parents on advisory~~[school]~~  
17 councils or committees. A portion of the funds allocated to each  
18 advisory~~[school]~~ council under KRS 160.345 may be used to prepare or  
19 enhance the teachers' knowledge and teaching practices related to the content  
20 and subject matter that are required for their specific classroom assignments.

21 (7) (a) The department shall develop and maintain a list of approved comprehensive  
22 evidence-informed trainings on child abuse and neglect prevention,  
23 recognition, and reporting that encompass child physical, sexual, and  
24 emotional abuse and neglect.

25 (b) The trainings shall be web-based or in-person and cover, at a minimum, the  
26 following topics:

27 1. Recognizing child physical, sexual, and emotional abuse and neglect;

- 1           2.    Reporting suspected child abuse and neglect in Kentucky as required by
- 2                    KRS 620.030 and the appropriate documentation;
- 3           3.    Responding to the child; and
- 4           4.    Understanding the response of child protective services.
- 5           (c)   The trainings shall include a questionnaire or other basic assessment tool upon
- 6                    completion to document basic knowledge of training components.
- 7           (d)   Each local board of education shall adopt one (1) or more trainings from the
- 8                    list approved by the department to be implemented by schools.
- 9   (8)   The department shall establish an electronic consumer bulletin board that posts
- 10           information regarding professional development providers and programs as a
- 11           service to school district central office personnel, advisory~~school~~ councils,
- 12           teachers, and administrators. Participation on the electronic consumer bulletin board
- 13           shall be voluntary for professional development providers or vendors, but shall
- 14           include all programs sponsored by the department. Participants shall provide the
- 15           following information: program title; name of provider or vendor; qualifications of
- 16           the presenters or instructors; objectives of the program; program length; services
- 17           provided, including follow-up support; costs for participation and costs of
- 18           materials; names of previous users of the program, addresses, and telephone
- 19           numbers; and arrangements required. Posting information on the bulletin board by
- 20           the department shall not be viewed as an endorsement of the quality of any specific
- 21           provider or program.
- 22   (9)   The department shall provide voluntary training to address the characteristics and
- 23           instructional needs of students at risk of school failure and most likely to drop out
- 24           of school. The training shall be developed to meet the specific needs of all certified
- 25           and classified personnel depending on their relationship with these students. The
- 26           training for instructional personnel shall be designed to provide and enhance skills
- 27           of personnel to:

- 1 (a) Identify at-risk students early in elementary schools as well as at-risk and  
2 potential dropouts in the middle and high schools;
- 3 (b) Plan specific instructional strategies to teach at-risk students;
- 4 (c) Improve the academic achievement of students at risk of school failure by  
5 providing individualized and extra instructional support to increase  
6 expectations for targeted students;
- 7 (d) Involve parents as partners in ways to help their children and to improve their  
8 children's academic progress; and
- 9 (e) Significantly reduce the dropout rate of all students.
- 10 (10) The department shall establish teacher academies to the extent funding is available  
11 in cooperation with postsecondary education institutions for elementary, middle  
12 school, and high school faculty in core disciplines, utilizing facilities and faculty  
13 from universities and colleges, local school districts, and other appropriate agencies  
14 throughout the state. Priority for participation shall be given to those teachers who  
15 are teaching core discipline courses for which they do not have a major or minor or  
16 the equivalent. Participation of teachers shall be voluntary.
- 17 (11) The department shall annually provide to the oversight council established in KRS  
18 15A.063, the information received from local schools pursuant to KRS 158.449.
- 19 ➔Section 7. KRS 156.111 is amended to read as follows:
- 20 (1) The Department of Education shall establish a Superintendents Training Program  
21 and Assessment Center. The department shall provide for assessor training and shall  
22 ensure that an assessment center includes but is not limited to training and  
23 participation in the following components:
- 24 (a) Core concepts of leadership and quality practices;
- 25 (b) Effective implementation of school-based policies~~[decision-making]~~;
- 26 (c) Kentucky school law;
- 27 (d) Kentucky school finance and budgeting;

- 1 (e) School curriculum and assessment;
- 2 (f) Instructional leadership;
- 3 (g) School improvement;
- 4 (h) Community and board relations;
- 5 (i) Effective communication; and
- 6 (j) An executive coaching and mentoring program with an emphasis on
- 7 demonstrated professional growth.

8 The department may provide assessment centers regionally.

9 (2) Notwithstanding any other statute to the contrary, an employing local board of  
10 education shall not be responsible for any training costs associated with a  
11 superintendent's participation in the training and assessment center process.

12 (3) At the conclusion of the training, each participant shall deliver to the employing  
13 board of education and the Kentucky Department of Education a comprehensive  
14 collection of work products and assessments that demonstrate proficiency in each  
15 area of training.

16 (4) In addition to any applicable certification and experience requirements, any person  
17 hired for the first time as superintendent in Kentucky shall successfully complete  
18 the assessment center process within two (2) years of taking office as  
19 superintendent.

20 (5) The Kentucky Board of Education shall adopt administrative regulations to govern  
21 the training content, number of hours, assessments, and work products for  
22 successful completion of the training and assessment center process. The board  
23 shall also establish the continuing professional development requirements for  
24 school superintendents to include, at a minimum, three (3) hours of annual training  
25 in school finance and three (3) hours of annual training in ethics.

26 (6) The Department of Education may contract with qualified agencies, organizations,  
27 or institutions or may approve programs offered by training providers to carry out

1 the provisions of this section.

2 ➔Section 8. KRS 156.162 is amended to read as follows:

- 3 (1) Pursuant to KRS 156.160, the Kentucky Board of Education shall promulgate  
4 administrative regulations to establish the courses of study for the different grades.  
5 The administrative regulation that sets forth the required and elective courses for  
6 the schools shall include:
- 7 (a) An elective social studies course on the Hebrew Scriptures, Old Testament of  
8 the Bible;
  - 9 (b) An elective social studies course on the New Testament of the Bible; or
  - 10 (c) An elective social studies course on the Hebrew Scriptures and the New  
11 Testament of the Bible.
- 12 (2) The purpose of a course under this section is to:
- 13 (a) Teach students knowledge of biblical content, characters, poetry, and  
14 narratives that are prerequisites to understanding contemporary society and  
15 culture, including literature, art, music, mores, oratory, and public policy; and
  - 16 (b) Familiarize students with, as applicable:
    - 17 1. The contents of the Hebrew Scriptures or New Testament;
    - 18 2. The history of the Hebrew Scriptures or New Testament;
    - 19 3. The literary style and structure of the Hebrew Scriptures or New  
20 Testament; and
    - 21 4. The influence of the Hebrew Scriptures or New Testament on law,  
22 history, government, literature, art, music, customs, morals, values, and  
23 culture.
- 24 (3) A student shall not be required to use a specific translation as the sole text of the  
25 Hebrew Scriptures or New Testament and may use as the basic textbook a different  
26 translation of the Hebrew Scriptures or New Testament from that chosen by the  
27 school principal~~[council]~~.

1 (4) The Kentucky Department of Education shall include the course standards in the  
2 program of studies for Kentucky schools, including the teacher qualifications and  
3 required professional development.

4 (5) A course offered under this section shall follow applicable law and all federal and  
5 state guidelines in maintaining religious neutrality and accommodating the diverse  
6 religious views, traditions, and perspectives of students in the school. A course  
7 under this section shall not endorse, favor, or promote, or disfavor or show hostility  
8 toward, any particular religion or nonreligious faith or religious perspective. The  
9 Kentucky Board of Education, in complying with this section, shall not violate any  
10 provision of the United States Constitution or federal law, the Kentucky  
11 Constitution or any state law, or any administrative regulations of the United States  
12 Department of Education or the Kentucky Department of Education.

13 ➔Section 9. KRS 156.492 is amended to read as follows:

14 (1) The Kentucky Department of Education may enter into an agreement with any  
15 building and construction trade organization to develop a training program for  
16 school counselors providing services to students in the Commonwealth. The  
17 purpose of the training program shall be to promote building and construction  
18 trades and training facilities available to students by making school counselors  
19 aware of what is available to students participating in the building and construction  
20 trade. The training program shall include information relating to:

21 (a) The pay and benefits available to people who work in the building and  
22 construction trades; and

23 (b) Job opportunities, pre-apprenticeships, apprenticeships, and pathways within  
24 the building and construction trade industry.

25 (2) The participating trade organization shall ensure ample opportunities for school  
26 counselors that serve grades seven (7) through twelve (12) to complete the training  
27 created under subsection (1) of this section annually and shall bear all costs

1 associated with the training. The participating trade organization may choose to  
2 offer professional development opportunities to teachers who serve students in  
3 grades seven (7) through twelve (12), if resources are available for this purpose.

4 (3) The department shall include the training program created in this section on the  
5 electronic consumer bulletin board created pursuant to KRS 156.095(8) if requested  
6 by the training program.

7 (4) A school counselor serving students in grades seven (7) through twelve (12) may  
8 complete four (4) hours of training developed under this section which shall count  
9 towards the twenty-one (21) hours required annually pursuant to KRS  
10 156.101(4)(b){2}.

11 (5) Local boards of education or school principals~~[school-based decision-making~~  
12 ~~councils]~~ may incorporate this training as part of the four (4) days of professional  
13 development required pursuant to KRS 158.070(3)(a) for teachers who serve  
14 students in grades seven (7) through twelve (12) if offered by the participating trade  
15 organization.

16 ➔Section 10. KRS 157.360 is amended to read as follows:

17 (1) (a) In determining the cost of the program to support education excellence in  
18 Kentucky, the statewide guaranteed base funding level, as defined in KRS  
19 157.320, shall be computed by dividing the amount appropriated for this  
20 purpose by the prior year's statewide average daily attendance.

21 (b) When determining the biennial appropriations for the program, the average  
22 daily attendance for each fiscal year shall include an estimate of the number  
23 of students graduating early under the provisions of KRS 158.142.

24 (2) Each district shall receive an amount equal to the base funding level for each pupil  
25 in average daily attendance in the district in the previous year, except a district shall  
26 receive an amount equal to one-half (1/2) of the state portion of the average  
27 statewide per pupil guaranteed base funding level for each student who graduated

1 early under the provisions of KRS 158.142. Each district's base funding level shall  
2 be adjusted by the following factors:

3 (a) The number of at-risk students in the district. At-risk students shall be  
4 identified as those approved for the free lunch program under state and federal  
5 guidelines. The number of at-risk students shall be multiplied by a factor to be  
6 established by the General Assembly. Funds generated under this paragraph  
7 may be used to pay for:

8 1. Alternative programs for students who are at risk of dropping out of  
9 school before achieving a diploma; and

10 2. A hazardous duty pay supplement as determined by the local board of  
11 education to the teachers who work in alternative programs with  
12 students who are violent or assaultive;

13 (b) The number and types of exceptional children in the district as defined by  
14 KRS 157.200. Specific weights for each category of exceptionality shall be  
15 used in the calculation of the add-on factor for exceptional children; and

16 (c) Transportation costs. The per-pupil cost of transportation shall be calculated  
17 as provided by KRS 157.370. Districts which contract to furnish  
18 transportation to students attending nonpublic schools may adopt any payment  
19 formula which ensures that no public school funds are used for the  
20 transportation of nonpublic students.

21 (3) Beginning with the 2015-2016 school year and each year thereafter, the General  
22 Assembly shall annually allocate funds equal to one-half (1/2) of the state portion  
23 of the average statewide per pupil guaranteed base funding level for each student  
24 who graduated early under the provisions of KRS 158.142 the previous school year  
25 to the Kentucky Higher Education Assistance Authority for deposit in the early  
26 graduation scholarship trust fund.

27 (4) The program to support education excellence in Kentucky shall be fully

1 implemented by the 1994-95 school year.

2 (5) (a) Unless a~~[Except for those schools which have implemented]~~ school-based  
3 policy requires otherwise~~[decision-making]~~, the commissioner of education  
4 shall enforce maximum class sizes for every academic course requirement in  
5 all grades except in vocal and instrumental music, and physical education  
6 classes. Except as provided in subsection (6) of this section, the maximum  
7 number of pupils enrolled in a class shall be as follows:

- 8 1. Twenty-four (24) in primary grades (kindergarten through third grade);
- 9 2. Twenty-eight (28) in grade four (4);
- 10 3. Twenty-nine (29) in grades five (5) and six (6);
- 11 4. Thirty-one (31) in grades seven (7) to twelve (12).

12 (b) Unless a~~[Except for those schools which have implemented]~~ school-based  
13 policy requires otherwise~~[decision-making]~~, class size loads for middle and  
14 secondary school:

- 15 1. Classroom teachers shall not exceed the equivalent of one hundred fifty  
16 (150) pupil hours per day; and
- 17 2. Virtual program teachers shall not exceed the equivalent of three  
18 hundred (300) pupil hours per day.

19 (c) The commissioner of education, upon approval of the Kentucky Board of  
20 Education, shall adopt administrative regulations for enforcing this provision.  
21 These administrative regulations shall include procedures for a superintendent  
22 to request an exemption from the Kentucky Board of Education when unusual  
23 circumstances warrant an increased class size for an individual class. A  
24 request for an exemption shall include specific reasons for the increased class  
25 size with a plan for reducing the class size prior to the beginning of the next  
26 school year. A district shall not receive in any one (1) year exemptions for  
27 more classes than enroll twenty percent (20%) of the pupils in the primary

1 grades and grades four (4) through eight (8).

2 (d) In all schools the commissioner of education shall enforce the special  
3 education maximum class sizes set by administrative regulations adopted by  
4 the Kentucky Board of Education. A superintendent may request an  
5 exemption pursuant to paragraph (c) of this subsection. A local school  
6 principal ~~council~~ may request a waiver relating to maximum class size  
7 pursuant to KRS 156.161 in the same manner as a local board of education.  
8 An exemption or waiver shall not be granted if the increased class size will  
9 impede any exceptional child from achieving his or her individual education  
10 program in the least restrictive environment.

11 (6) In grades four (4) through six (6) with combined grades, the maximum class size  
12 shall be the average daily attendance upon which funding is appropriated for the  
13 lowest assigned grade in the class. There shall be no exceptions to the maximum  
14 class size for combined classes. In combined classes other than the primary grades,  
15 no ungraded students shall be placed in a combined class with graded students. In  
16 addition, there shall be no more than two (2) consecutive grade levels combined in  
17 any one (1) class in grades four (4) through six (6). However, this shall not apply to  
18 schools with ~~which have implemented~~ school-based policies that ~~decision~~  
19 ~~making~~ require otherwise.

20 (7) If a local school district, through its admission and release committee, determines  
21 that an appropriate program in the least restrictive environment for a particular child  
22 with a disability includes either part-time or full-time enrollment with a private  
23 school or agency within the state or a public or private agency in another state, the  
24 school district shall count as average daily attendance in a public school the time  
25 that the child is in attendance at the school or agency, contingent upon approval by  
26 the commissioner of education.

27 (8) Pupils attending a center for child learning and study established under an

1 agreement pursuant to KRS 65.210 to 65.300 shall, for the purpose of calculating  
2 average daily attendance, be considered as in attendance in the school district in  
3 which the child legally resides and which is party to the agreement. For purposes of  
4 subsection (1) of this section, teachers who are actually employees of the joint or  
5 cooperative action shall be considered as employees of each school district which is  
6 a party to the agreement.

7 (9) Program funding shall be increased when the average daily attendance in any  
8 district for the first two (2) months of the current school year is greater than the  
9 average daily attendance of the district for the first two (2) months of the previous  
10 school year. The program funds allotted the district shall be increased by the  
11 percent of increase. The average daily attendance in kindergarten is the  
12 kindergarten full-time equivalent pupils in average daily attendance.

13 (10) If the average daily attendance for the current school year in any district decreases  
14 by ten percent (10%) or more than the average daily attendance for the previous  
15 school year, the average daily attendance for purposes of calculating program  
16 funding for the next school year shall be increased by an amount equal to two-thirds  
17 ( $\frac{2}{3}$ ) of the decrease in average daily attendance. If the average daily attendance  
18 remains the same or decreases in the succeeding school year, the average daily  
19 attendance for purposes of calculating program funding for the following school  
20 year shall be increased by an amount equal to one-third ( $\frac{1}{3}$ ) of the decrease for the  
21 first year of the decline.

22 (11) If the percentage of attendance of any school district shall have been reduced more  
23 than two percent (2%) during the previous school year, the program funding  
24 allotted the district for the current school year shall be increased by the difference in  
25 the percentage of attendance for the two (2) years immediately prior to the current  
26 school year less two percent (2%).

27 (12) (a) Instructional salaries for vocational agriculture classes shall be for twelve (12)

1 months per year. Vocational agriculture teachers shall be responsible for the  
2 following program of instruction during the time period beyond the regular  
3 school term established by the local board of education: supervision and  
4 instruction of students in agriculture experience programs; group and  
5 individual instruction of farmers and agribusinessmen; supervision of student  
6 members of agricultural organizations who are involved in leadership training  
7 or other activity required by state or federal law; or any program of vocational  
8 agriculture established by the Department of Education. During extended  
9 employment, no vocational agriculture teacher shall receive salary on a day  
10 that the teacher is scheduled to attend an institution of higher education class  
11 which could be credited toward meeting any certification requirement.

12 (b) Each teacher of agriculture employed shall submit an annual plan for summer  
13 program to the local school superintendent for approval. The summer plan  
14 shall include a list of tasks to be performed, purposes for each task, and time  
15 to be spent on each task. Approval by the local school superintendent shall be  
16 in compliance with the guidelines developed by the Department of Education.  
17 The supervision and accountability of teachers of vocational agriculture's  
18 summer programs shall be the responsibility of the local school  
19 superintendent. The local school superintendent shall submit to the  
20 commissioner of education a completed report of summer tasks for each  
21 vocational agriculture teacher. Twenty percent (20%) of the approved  
22 vocational agriculture programs shall be audited annually by the State  
23 Department of Education to determine that the summer plan has been properly  
24 executed.

25 (13) (a) In allotting program funds for home and hospital instruction, statewide  
26 guaranteed base funding, excluding the capital outlay, shall be allotted for  
27 each child in average daily attendance in the prior school year who has been

- 1 properly identified according to Kentucky Board of Education administrative  
2 regulations. Attendance shall be calculated pursuant to KRS 157.270 and shall  
3 be reported monthly on forms provided by the Department of Education; and
- 4 (b) Pursuant to administrative regulations of the Kentucky Board of Education,  
5 local school districts shall be reimbursed for home and hospital instruction for  
6 pupils unable to attend regular school sessions because of short-term health  
7 impairments. A reimbursement formula shall be established by administrative  
8 regulations to include such factors as a reasonable per hour, per child  
9 allotment for teacher instructional time, with a maximum number of funded  
10 hours per week, a reasonable allotment for teaching supplies and equipment,  
11 and a reasonable allotment for travel expenses to and from instructional  
12 assignments, but the formula shall not include an allotment for capital outlay.  
13 Attendance shall be calculated pursuant to KRS 157.270 and shall be reported  
14 annually on forms provided by the Department of Education.
- 15 (14) ~~If the~~ Except for those schools which have implemented school based decision  
16 ~~making and the~~ school ***principal*** ~~council~~ has ***decided*** ~~voted~~ to waive this  
17 subsection and for virtual programs, kindergarten aides shall be provided for each  
18 twenty-four (24) full-time equivalent kindergarten students enrolled.
- 19 (15) Effective July 1, 2001, there shall be no deduction applied against the base funding  
20 level for any pupil in average daily attendance who spends a portion of his or her  
21 school day in a program at a state-operated career and technical education or  
22 vocational facility.
- 23 (16) During a fiscal year, a school district may request that the Department of Education  
24 recalculate its funds allocated under this section if the current year average daily  
25 attendance for the twenty (20) day school month as defined in KRS 158.060(2) that  
26 contains the most days within the calendar month of January exceeds the prior year  
27 adjusted average daily attendance plus growth by at least one percent (1%). Any

1 adjustments in the allotments approved under this subsection shall be proportional  
2 to the remaining days in the school year and subject to available funds under the  
3 program to support education excellence in Kentucky.

4 (17) To calculate the state portion of the program to support education excellence in  
5 Kentucky for a school district, the Department of Education shall subtract the local  
6 effort required under KRS 157.390(5) from the calculated base funding under the  
7 program to support education excellence in Kentucky, as required by this section.  
8 The value of the real estate used in this calculation shall be the lesser of the current  
9 year assessment or the prior year assessment increased by four percent (4%) plus  
10 the value of current year new property. The calculation under this subsection shall  
11 be subject to available funds.

12 (18) Notwithstanding any other statute or budget of the Commonwealth language to the  
13 contrary, time missed due to shortening days for emergencies may be made up by  
14 lengthening school days in the school calendar without any loss of funds under the  
15 program to support education excellence in Kentucky.

16 ➔Section 11. KRS 158.031 is amended to read as follows:

17 (1) In this section, "primary school program" means that part of the elementary school  
18 program in which children are enrolled from the time they begin school until they  
19 are ready to enter the fourth grade. Notwithstanding any statute to the contrary,  
20 successful completion of the primary school program shall be a prerequisite for a  
21 child's entrance into fourth grade.

22 (2) The Kentucky Board of Education shall establish, by administrative regulation,  
23 methods of verifying successful completion of the primary school program in  
24 carrying out the goals of education as described in KRS 158.6451.

25 (3) The primary program shall include the following critical attributes:  
26 developmentally appropriate educational practices; multiage and multiability  
27 classrooms; continuous progress; authentic assessment; qualitative reporting

1 methods; professional teamwork; and positive parent involvement.

2 (4) ~~Each school council or, if none exists,~~ The school shall determine the organization  
3 of its ungraded primary program including the extent to which multiage groups are  
4 necessary to implement the critical attributes based on the critical attributes and  
5 meeting individual student needs.

6 (5) The implementation of the primary program may take into consideration the  
7 necessary arrangements required for students attending part-time and will allow for  
8 grouping of students attending their first year of school when determined to be  
9 developmentally appropriate.

10 (6) A school district may advance a student through the primary program when it is  
11 determined that it is in the best educational interest of the student. A student who is  
12 at least five (5) years of age, but less than six (6) years of age, and is advanced in  
13 the primary program may be classified as other than a kindergarten student for  
14 purposes of funding under KRS 157.310 to 157.440 if the student is determined to  
15 have acquired the academic and social skills taught in kindergarten as determined  
16 by local board policy in accordance with the process established by Kentucky  
17 Board of Education administrative regulation.

18 (7) Data shall be collected by each school district on the number of students, in each  
19 school having a primary program, who take five (5) years to complete the primary  
20 program. The data shall be reported in the annual performance report described in  
21 KRS 158.6453.

22 ➔Section 12. KRS 158.060 is amended to read as follows:

23 (1) Each teacher shall be provided access to a copy of his or her employment contract  
24 upon request.

25 (2) Twenty (20) school days, or days in which teachers are actually employed in the  
26 schoolroom, shall constitute a school month in the common schools.

27 (3) Each full-time teacher shall be provided with a duty-free lunch period each day

1 during the regularly scheduled student lunch period. The duty-free lunch period  
2 shall be not less than the length of the lunch period specified in the school calendar  
3 approved by the chief state school officer. A full-time teacher may be assigned to  
4 lunch room duty during the regularly scheduled student lunch period only for an  
5 amount of time equal to the noninstructional time in excess of fifty-five (55)  
6 minutes included in the teacher's daily schedule. The calculation of noninstructional  
7 time shall not include the teacher's duty-free lunch period, the time teachers are  
8 required to be at school prior to the start of the student's instructional day, or the  
9 time teachers are required to remain at school after the students are dismissed.

10 (4) Except for children with disabilities and children attending the primary school  
11 program who may attend a program of less than six (6) hours per day under policy  
12 adopted by the local school district board of education and approved by the  
13 commissioner of education and children attending a school district where the local  
14 board has approved a schedule that provides at least the equivalent of six (6) hours  
15 of daily instruction during the school year, a minimum of six (6) hours of actual  
16 school work shall constitute a school day. Kindergarten programs may be operated  
17 for less than six (6) hours without state board approval. The Kentucky Board of  
18 Education, upon recommendation of the chief state school officer, shall develop and  
19 approve regulations governing make up by school districts of whole days missed  
20 due to emergencies, or partial days missed as a result of shortening regularly  
21 scheduled school days due to emergencies.

22 (5) Teachers shall be provided additional time for nonteaching activities. The  
23 nonteaching time shall be used to provide teachers opportunities for professional  
24 development activities as provided in KRS 156.095, instructional planning, school-  
25 based policy~~decision~~ making as provided in KRS 160.345, curriculum  
26 development, and outreach activities involving their students' families and the  
27 community.

1 (6) Character education programs and activities shall be considered valuable and  
2 legitimate components of the actual school work constituting a school day under  
3 subsection (4) of this section.

4 ➔Section 13. KRS 158.070 is amended to read as follows:

5 (1) As used in this section:

6 (a) "Election" has the same meaning as in KRS 121.015;

7 (b) "Minimum school term" or "school term" means not less than one hundred  
8 eighty-five (185) days composed of the student attendance days, teacher  
9 professional days, and holidays;

10 (c) "School calendar" means the document adopted by a local board of education  
11 that establishes the minimum school term, student instructional year or  
12 variable student instructional year, and days that school will not be in session;

13 (d) "School district calendar committee" means a committee that includes at least  
14 the following:

15 1. One (1) school district principal;

16 2. One (1) school district office administrator other than the  
17 superintendent;

18 3. One (1) member of the local board of education;

19 4. Two (2) parents of students attending a school in the district;

20 5. One (1) school district elementary school teacher;

21 6. One (1) school district middle or high school teacher;

22 7. Two (2) school district classified employees; and

23 8. Two (2) community members from the local chamber of commerce,  
24 business community, or tourism commission;

25 (e) "Student attendance day" means any day that students are scheduled to be at  
26 school to receive instruction, and encompasses the designated start and  
27 dismissal time;

- 1 (f) "Student instructional year" means at least one thousand sixty-two (1,062)  
2 hours of instructional time for students delivered on not less than one hundred  
3 seventy (170) student attendance days;
- 4 (g) "Teacher professional day" means any day teachers are required to report to  
5 work as determined by a local board of education, with or without the  
6 presence of students; and
- 7 (h) "Variable student instructional year" means at least one thousand sixty-two  
8 (1,062) hours of instructional time delivered on the number of student  
9 attendance days adopted by a local board of education which shall be  
10 considered proportionally equivalent to one hundred seventy (170) student  
11 attendance days and calendar days for the purposes of a student instructional  
12 year, employment contracts that are based on the school term, service credit  
13 under KRS 161.500, and funding under KRS 157.350.
- 14 (2) (a) The local board of education, upon recommendation of the local school  
15 district superintendent, shall annually appoint a school district calendar  
16 committee to review, develop, and recommend school calendar options.
- 17 (b) The school district calendar committee, after seeking feedback from school  
18 district employees, parents, and community members, shall recommend  
19 school calendar options to the local school district superintendent for  
20 presentation to the local board of education. The committee's  
21 recommendations shall comply with state laws and regulations and consider  
22 the economic impact of the school calendar on the community and the state.
- 23 (c) Prior to adopting a school calendar, the local board of education shall hear for  
24 discussion the school district calendar committee's recommendations and the  
25 recommendation of the superintendent at a meeting of the local board of  
26 education.
- 27 (d) During a subsequent meeting of the local board of education, the local board

1 shall adopt a school calendar for the upcoming school year that establishes the  
2 opening and closing dates of the school term, beginning and ending dates of  
3 each school month, student attendance days, and days on which schools shall  
4 be dismissed. The local board may schedule days for breaks in the school  
5 calendar that shall not be counted as a part of the minimum school term.

6 (e) For local board of education meetings described in paragraphs (c) and (d) of  
7 this subsection, if the meeting is a regular meeting, notice shall be given to  
8 media outlets that have requests on file to be notified of special meetings  
9 stating the date of the regular meeting and that one (1) of the items to be  
10 considered in the regular meeting will be the school calendar. The notice shall  
11 be sent at least twenty-four (24) hours before the regular meeting. This  
12 requirement shall not be deemed to make any requirements or limitations  
13 relating to special meetings applicable to the regular meeting.

14 (f) A local school board of education that adopts a school calendar with the first  
15 student attendance day in the school term starting no earlier than the Monday  
16 closest to August 26 may use a variable student instructional year. Districts  
17 may set the length of individual student attendance days in a variable student  
18 instructional schedule, but no student attendance day shall contain more than  
19 seven (7) hours of instructional time unless the district submitted and received  
20 approval from the commissioner of education for an innovative alternative  
21 calendar.

22 (3) (a) Each local board of education shall use four (4) days of the minimum school  
23 term for professional development and collegial planning activities for the  
24 professional staff without the presence of students pursuant to the  
25 requirements of KRS 156.095. At the discretion of the superintendent, one (1)  
26 day of professional development may be used for district-wide activities and  
27 for training that is mandated by federal or state law. The use of three (3) days

1 shall be planned by each principal~~[school council]~~, except that the district is  
2 encouraged to provide technical assistance and leadership to school  
3 principals~~[councils]~~ to maximize existing resources and to encourage shared  
4 planning.

- 5 (b) 1. A local board may approve a school's flexible professional development  
6 plan that permits teachers or other certified personnel within a school to  
7 participate in professional development activities outside the days  
8 scheduled in the school calendar or the regularly scheduled hours in the  
9 school work day and receive credit towards the four (4) day professional  
10 development requirement within the minimum one hundred eighty-five  
11 (185) days that a teacher shall be employed.
- 12 2. A flexible schedule option shall be reflected in the school's professional  
13 development component within the school improvement plan and  
14 approved by the local board. Credit for approved professional  
15 development activities may be accumulated in periods of time other than  
16 full day segments.
- 17 3. No teacher or administrator shall be permitted to count participation in a  
18 professional development activity under the flexible schedule option  
19 unless the activity is related to the teacher's classroom assignment and  
20 content area, or the administrator's job requirements, or is required by  
21 the school improvement plan, or is tied to the teacher's or the  
22 administrator's individual growth plan. The supervisor shall give prior  
23 approval and shall monitor compliance with the requirements of this  
24 paragraph. In the case of teachers, a professional development  
25 committee or the school principal~~[council]~~ by school-based~~[council]~~  
26 policy, as defined in Section 1 of this Act, may be responsible for  
27 reviewing requests for approval.

- 1 (c) The local board of each school district may use up to a maximum of four (4)  
2 days of the minimum school term for holidays; provided, however, any  
3 holiday which occurs on Saturday may be observed on the preceding Friday.
- 4 (d) Each local board may use two (2) days for planning activities without the  
5 presence of students.
- 6 (e) Each local board may close schools for the number of days deemed necessary  
7 for:
- 8 1. National or state emergency or mourning when proclaimed by the  
9 President of the United States or the Governor of the Commonwealth of  
10 Kentucky;
  - 11 2. Local emergency which would endanger the health or safety of children;  
12 and
  - 13 3. Mourning when so designated by the local board of education and  
14 approved by the Kentucky Board of Education upon recommendation of  
15 the commissioner of education.
- 16 (4) (a) The Kentucky Board of Education, upon recommendation of the  
17 commissioner of education, shall adopt administrative regulations governing  
18 the use of student attendance days as a result of a local emergency, as  
19 described in subsection (3)(e)2. of this section, and regulations setting forth  
20 the guidelines and procedures to be observed for the approval of waivers from  
21 the requirements of a student instructional year in subsection (1)(f) of this  
22 section for districts that wish to adopt innovative instructional calendars, or  
23 for circumstances that would create extreme hardship.
- 24 (b) If a local board of education amends its school calendar after its adoption due  
25 to an emergency, it may lengthen or shorten any remaining student attendance  
26 days by thirty (30) minutes or more, as it deems necessary, provided the  
27 amended calendar complies with the requirements of a student instructional

1 year in subsection (1)(f) of this section or a variable student instructional year  
2 in subsection (1)(h) of this section. No student attendance day shall contain  
3 more than seven (7) hours of instructional time unless the district submitted  
4 and received approval from the commissioner of education for an innovative  
5 alternative calendar.

- 6 (5) (a) 1. In setting the school calendar, school may be closed for two (2)  
7 consecutive days for the purpose of permitting professional school  
8 employees to attend statewide professional meetings.
- 9 2. These two (2) days for statewide professional meetings may be  
10 scheduled to begin with the first Thursday after Easter, or upon request  
11 of the statewide professional education association having the largest  
12 paid membership, the commissioner of education may designate  
13 alternate dates.
- 14 3. If schools are scheduled to operate during days designated for the  
15 statewide professional meeting, the school district shall permit  
16 employees who are delegates to attend as compensated professional  
17 leave time and shall employ substitute teachers in their absence.
- 18 4. The commissioner of education shall designate one (1) additional day  
19 during the school year when schools may be closed to permit  
20 professional school employees to participate in regional or district  
21 professional meetings.
- 22 5. These three (3) days so designated for attendance at professional  
23 meetings may be counted as a part of the minimum school term.
- 24 (b) If any school in a district is used as a voting place pursuant to KRS 117.065,  
25 the school district may be closed on the days of the election, and those days  
26 may be used for professional development activities, professional meetings, or  
27 parent-teacher conferences.

- 1 (c) All schools shall be closed on the third Monday of January in observance of  
2 the birthday of Martin Luther King, Jr. Districts may:
- 3 1. Designate the day as one (1) of the four (4) holidays permitted under  
4 subsection (3)(c) of this section; or
  - 5 2. Not include the day in the minimum school term specified in subsection  
6 (1) of this section.
- 7 (6) (a) The Kentucky Board of Education, or the organization or agency designated  
8 by the board to manage interscholastic athletics, shall be encouraged to  
9 schedule athletic competitions outside the regularly scheduled student  
10 attendance day.
- 11 (b) Any member of a school-sponsored interscholastic athletic team who  
12 competes in a regional tournament or state tournament sanctioned by the  
13 Kentucky Board of Education, or the organization or agency designated by the  
14 board to manage interscholastic athletics, and occurring on a regularly  
15 scheduled student attendance day may be counted present at school on the  
16 date or dates of the competition, as determined by local board policy, for a  
17 maximum of two (2) days per student per year. The student shall be expected  
18 to complete any assignments missed on the date or dates of the competition.
- 19 (c) The school attendance record of any student for whom paragraph (b) of this  
20 subsection applies shall indicate that the student was in attendance on the date  
21 or dates of competition.
- 22 (7) Schools shall provide continuing education for those students who are determined  
23 to need additional time to achieve the outcomes defined in KRS 158.6451, and  
24 schools shall not be limited to the minimum school term in providing this  
25 education. Continuing education time may include extended days, extended weeks,  
26 or extended years. A local board of education may adopt a policy requiring its  
27 students to participate in continuing education. The local policy shall set out the

1 conditions under which attendance will be required and any exceptions which are  
2 provided. The Kentucky Board of Education shall promulgate administrative  
3 regulations establishing criteria for the allotment of grants to local school districts  
4 and shall include criteria by which the commissioner of education may approve a  
5 district's request for a waiver under KRS 156.161 to use an alternative service  
6 delivery option, including providing services during the student attendance day on a  
7 limited basis. These grants shall be allotted to school districts to provide  
8 instructional programs for pupils who are identified as needing additional time to  
9 achieve the outcomes defined in KRS 158.6451. A school district that has a school  
10 operating a model early reading program under KRS 158.792 may use a portion of  
11 its grant money as part of the matching funds to provide individualized or small  
12 group reading instruction to qualified students outside of the regular classroom  
13 during the student attendance day.

14 (8) Notwithstanding any other statute, each school term shall include no less than the  
15 equivalent of the student instructional year in subsection (1)(f) of this section, or a  
16 variable student instructional year in subsection (1)(h) of this section, except that  
17 the commissioner of education may grant up to the equivalent of ten (10) student  
18 attendance days for school districts that have a nontraditional instruction plan  
19 approved by the commissioner of education on days when the school district is  
20 closed for health or safety reasons. The district's plan shall indicate how the  
21 nontraditional instruction process shall be a continuation of learning that is  
22 occurring on regular student attendance days. Instructional delivery methods,  
23 including the use of technology, shall be clearly delineated in the plan. Average  
24 daily attendance for purposes of Support Education Excellence in Kentucky  
25 program funding during the student attendance days granted shall be calculated in  
26 compliance with administrative regulations promulgated by the Kentucky Board of  
27 Education.

- 1 (9) The Kentucky Board of Education shall promulgate administrative regulations to  
2 prescribe the conditions and procedures for districts to be approved for the  
3 nontraditional instruction program. Administrative regulations promulgated by the  
4 board under this section shall specify:
- 5 (a) The application, plan review, approval, and amendment process;
  - 6 (b) Reporting requirements for districts approved for the program, which may  
7 include but are not limited to examples of student work, lesson plans, teacher  
8 work logs, and student and teacher participation on nontraditional instruction  
9 days. Documentation to support the use of nontraditional instruction days  
10 shall include clear evidence of learning continuation;
  - 11 (c) Timelines for initial approval as a nontraditional instruction district, length of  
12 approval, the renewal process, and ongoing evaluative procedures required of  
13 the district;
  - 14 (d) Reporting and oversight responsibilities of the district and the Kentucky  
15 Department of Education, including the documentation required to show clear  
16 evidence of learning continuation during nontraditional instruction days; and
  - 17 (e) Other components deemed necessary to implement this section.
- 18 (10) Notwithstanding the provisions of KRS 158.060(4) and the provisions of subsection  
19 (2) of this section, a school district shall arrange bus schedules so that all buses  
20 arrive in sufficient time to provide breakfast prior to the beginning of the student  
21 attendance day. The superintendent of a school district that participates in the  
22 Federal School Breakfast Program may also authorize up to fifteen (15) minutes of  
23 the student attendance day to provide the opportunity for children to eat breakfast  
24 during instructional time.
- 25 (11) Notwithstanding any other statute to the contrary, the following provisions shall  
26 apply to a school district that misses student attendance days due to emergencies,  
27 including weather-related emergencies:

- 1 (a) A certified school employee shall be considered to have fulfilled the  
2 minimum one hundred eighty-five (185) day contract with a school district  
3 under KRS 157.350 and shall be given credit for the purpose of calculating  
4 service credit for retirement under KRS 161.500 for certified school personnel  
5 if:
- 6 1. State and local requirements under this section are met regarding the  
7 equivalent of the number and length of student attendance days, teacher  
8 professional days, professional development days, holidays, and days  
9 for planning activities without the presence of students; and
  - 10 2. The provisions of the district's school calendar to make up student  
11 attendance days missed due to any emergency, as approved by the  
12 Kentucky Department of Education when required, including but not  
13 limited to a provision for additional instructional time per day, are met.
- 14 (b) Additional time worked by a classified school employee shall be considered  
15 as equivalent time to be applied toward the employee's contract and  
16 calculation of service credit for classified employees under KRS 78.615 if:
- 17 1. The employee works for a school district with a school calendar  
18 approved by the Kentucky Department of Education that contains a  
19 provision that additional instructional time per day shall be used to make  
20 up full days missed due to an emergency;
  - 21 2. The employee's contract requires a minimum six (6) hour work day; and
  - 22 3. The employee's job responsibilities and work day are extended when the  
23 instructional time is extended for the purposes of making up time.
- 24 (c) Classified employees who are regularly scheduled to work less than six (6)  
25 hours per day and who do not have additional work responsibilities as a result  
26 of lengthened student attendance days shall be excluded from the provisions  
27 of this subsection. These employees may be assigned additional work

1 responsibilities to make up service credit under KRS 78.615 that would be  
2 lost due to lengthened student attendance days.

3 ➔Section 14. KRS 158.102 is amended to read as follows:

4 (1) The board of education for each local school district shall establish and maintain a  
5 library media center in every elementary and secondary school to promote  
6 information literacy and technology in the curriculum, and to facilitate teaching,  
7 student achievement, and lifelong learning.

8 (2) (a) Schools shall employ a school media librarian to organize, equip, and manage  
9 the operations of the school media library. The school media librarian shall  
10 hold the appropriate certificate of legal qualifications in accordance with KRS  
11 161.020 and 161.030. A certified school media librarian may be employed to  
12 serve two (2) or more schools in a school district with the consent of the  
13 school ~~principals~~~~councils~~.

14 (b) If a vacancy occurs, the school ~~principal~~~~council~~ may fill the vacancy on a  
15 temporary basis by employing:

16 1. A person who is pursuing certification as a school media librarian in  
17 accordance with administrative regulations promulgated by the  
18 Education Professional Standards Board; or

19 2. A temporary employee for a period not to exceed sixty (60) days.

20 ➔Section 15. KRS 158.1411 is amended to read as follows:

21 (1) For students entering grade nine (9) on or before June 30, 2025, successful  
22 completion of one (1) or more courses or programs that meet the financial literacy  
23 standards shall be a Kentucky public high school graduation requirement.

24 (2) For students entering grade nine (9) on or after July 1, 2025, successful completion  
25 of a one (1) credit course in financial literacy shall be a Kentucky public high  
26 school graduation requirement.

27 (3) The graduation requirement in subsections (1) and (2) shall also apply to a student

- 1 pursuing an early graduation program as established in KRS 158.142.
- 2 (4) The financial literacy course required in subsection (2) of this section shall align to  
3 the student's individual learning plan and include but not be limited to instruction in  
4 the following areas:
- 5 (a) Budgeting;
  - 6 (b) Saving and investing;
  - 7 (c) Credit and debt;
  - 8 (d) Insurance and risk management, including but not limited to personal  
9 insurance policies;
  - 10 (e) Taxes; and
  - 11 (f) The necessity of critical review and understanding of documents prior to  
12 signing agreement or approval and the ability to provide a signature in  
13 cursive.
- 14 (5) The financial literacy course required in subsection (2) of this section shall be  
15 accepted as an elective course requirement for high school graduation  
16 notwithstanding any other provisions of law.
- 17 (6) In accordance with KRS 156.160, the Kentucky Board of Education shall  
18 promulgate administrative regulations establishing academic standards for financial  
19 literacy.
- 20 (7) The local superintendent, after consultation with the local board of education,  
21 advisory~~[school-based decision-making]~~ council, and principal of each high school,  
22 shall determine curricula for course offerings that are aligned with the financial  
23 literacy academic standards promulgated by the Kentucky Board of Education.
- 24 (8) The Department of Education shall develop financial literacy guidelines for local  
25 schools and districts.
- 26 (9) Local schools and districts may consult with the Kentucky Financial Empowerment  
27 Commission established in KRS 41.450 when developing and implementing the

1 financial literacy standards.

2 (10) The Department of Education shall identify through the system for uniform  
3 academic course codes, which courses meet the requirements for the financial  
4 literacy course required in subsection (2) of this section.

5 ➔Section 16. KRS 158.1415 is amended to read as follows:

6 (1) If a **local** school **board**~~[council or, if none exists, the principal]~~ adopts a curriculum  
7 for human sexuality or sexually transmitted diseases, instruction shall include but  
8 not be limited to the following content:

9 (a) Abstinence from sexual activity is the desirable goal for all school-age  
10 children;

11 (b) Abstinence from sexual activity is the only certain way to avoid unintended  
12 pregnancy, sexually transmitted diseases, and other associated health  
13 problems;

14 (c) The best way to avoid sexually transmitted diseases and other associated  
15 health problems is to establish a permanent mutually faithful monogamous  
16 relationship;

17 (d) A policy to respect parental rights by ensuring that:

18 1. Except as provided in subsection (4)(b) of this section, children in grade  
19 five (5) and below do not receive any instruction through curriculum or  
20 programs on human sexuality or sexually transmitted diseases; or

21 2. Any child, regardless of grade level, enrolled in the district does not  
22 receive any instruction or presentation that has a goal or purpose of  
23 students studying or exploring gender identity, gender expression, or  
24 sexual orientation; and

25 (e) A policy to notify a parent in advance and obtain the parent's written consent  
26 before the parent's child in grade six (6) or above receives any instruction  
27 through curriculum or programs on human sexuality or sexually transmitted

1 diseases authorized in this section.

2 (2) Any course, curriculum, or program offered by a public school on the subject of  
3 human sexuality provided by school personnel or by third parties authorized by the  
4 school shall:

5 (a) Provide an alternative course, curriculum, or program without any penalty to  
6 the student's grade or standing for students whose parents have not provided  
7 written consent as required in subsection (1)(e) of this section;

8 (b) Be subject to an inspection by parents of participating students that allows  
9 parents to review the following materials:

- 10 1. Curriculum;
- 11 2. Instructional materials;
- 12 3. Lesson plans;
- 13 4. Assessments or tests;
- 14 5. Surveys or questionnaires;
- 15 6. Assignments; and
- 16 7. Instructional activities;

17 (c) Be developmentally appropriate; and

18 (d) Be limited to a curriculum that has been subject to the reasonable review and  
19 response by stakeholders in conformity with this subsection and KRS  
20 160.345(2).

21 (3) A public school offering any course, curriculum, or program on the subject of  
22 human sexuality shall provide notification to the parents of a student at least two (2)  
23 weeks prior to the student's planned participation in the course, curriculum, or  
24 program. The notification shall:

25 (a) Inform the parents of the provisions of subsection (2) of this section;

26 (b) Provide the date the course, curriculum, or program is scheduled to begin;

27 (c) Detail the process for a parent to review the materials outlined in subsection

- 1 (2) of this section;
- 2 (d) Explain the process for a parent to provide written consent for the student's
- 3 participation in the course, curriculum, or program; and
- 4 (e) Provide the contact information for the teacher or instructor of the course,
- 5 curriculum, or program and a school administrator designated with oversight.
- 6 (4) ~~Nothing in~~ This section shall ***not*** prohibit school personnel from:
- 7 (a) Discussing human sexuality, including the sexuality of any historic person,
- 8 group, or public figure, where the discussion provides necessary context in
- 9 relation to a topic of instruction from a curriculum approved pursuant to KRS
- 10 160.345;
- 11 (b) Providing age-appropriate instruction on child sexual abuse through
- 12 curriculum or programs in accordance with the standards set forth by the
- 13 National Children's Alliance and approved by the Children's Advocacy
- 14 Centers of Kentucky, regardless of grade level; or
- 15 (c) Responding to a question from a student during class regarding human
- 16 sexuality as it relates to a topic of instruction from a curriculum approved
- 17 pursuant to KRS 160.345.

18 ➔Section 17. KRS 158.148 is amended to read as follows:

- 19 (1) As used in this section:
- 20 (a) 1. "Bullying" means any unwanted verbal, physical, or social behavior
- 21 among students that involves a real or perceived power imbalance and is
- 22 repeated or has the potential to be repeated:
- 23 a. That occurs on school premises, on school-sponsored
- 24 transportation, or at a school-sponsored event; or
- 25 b. That disrupts the education process; and
- 26 2. This definition shall not be interpreted to prohibit civil exchange of
- 27 opinions or debate or cultural practices protected under the state or

1 federal Constitution where the opinion expressed does not otherwise  
2 materially or substantially disrupt the education process; and

3 (b) "Parent or guardian" means a parent, legal guardian, or other person  
4 exercising custodial control or supervision of a student.

5 (2) In cooperation with the Kentucky Education Association, the Kentucky School  
6 Boards Association, the Kentucky Association of School Administrators, the  
7 Kentucky Association of Professional Educators, the Kentucky Association of  
8 School Superintendents, the Parent-Teachers Association, the Kentucky Chamber  
9 of Commerce, the Farm Bureau, members of the Interim Joint Committee on  
10 Education, and other interested groups, and in collaboration with the Center for  
11 School Safety, the Department of Education shall develop or update as needed and  
12 distribute to all districts by August 31 of each even-numbered year:

13 (a) Statewide student discipline guidelines to ensure safe schools, including the  
14 definition of serious incident for the reporting purposes as identified in KRS  
15 158.444;

16 (b) Statewide transportation services policy guidelines to ensure the safety of  
17 students, operators of vehicles, and other passengers using district-provided  
18 transportation;

19 (c) Recommendations designed to improve the learning environment and school  
20 climate, parental and community involvement in the schools, and student  
21 achievement; and

22 (d) Model policies to implement the provisions of this section and KRS 158.110,  
23 158.156, 158.444, 525.070, and 525.080.

24 (3) The department shall obtain statewide data on major discipline problems and  
25 reasons why students drop out of school. In addition, the department, in  
26 collaboration with the Center for School Safety, shall identify successful strategies  
27 currently being used in programs in Kentucky and in other states and shall

1 incorporate those strategies into the statewide student discipline guidelines,  
2 transportation services policy guidelines, and the recommendations under  
3 subsection (2) of this section.

4 (4) Copies of the statewide student discipline guidelines and the transportation services  
5 policy guidelines shall be distributed to all school districts. The statewide student  
6 discipline guidelines shall contain broad principles and legal requirements to guide  
7 local districts in the development of their own code of acceptable behavior and  
8 discipline; the selection of discipline and classroom management techniques by  
9 school principals~~[councils]~~ under KRS 158.155 and 160.345; the development of  
10 the district transportation services policy; and the development of the district-wide  
11 safety plan.

12 (5) (a) Each local board of education shall adopt a code of acceptable behavior and  
13 discipline based on the statewide student discipline guidelines that shall apply  
14 to the students in each school operated by the board. The code shall be  
15 updated no less frequently than every two (2) years.

16 (b) The superintendent, or designee, shall be responsible for overall  
17 implementation and supervision, and each school principal shall be  
18 responsible for administration and implementation ~~of~~within each school.  
19 ~~Each school council shall select and implement~~ the appropriate discipline and  
20 classroom management techniques necessary to carry out the code. The board  
21 shall establish a process for a two-way communication system for teachers  
22 and other employees to notify a principal, supervisor, or other administrator of  
23 an emergency.

24 (c) The code shall prohibit bullying.

25 (d) The code shall contain the standard of behavior expected from each student,  
26 the consequences of failure to obey the standards, and the importance of the  
27 standards to the maintenance of a safe learning environment where orderly

1 learning is possible and encouraged.

2 (e) The code shall contain:

3 1. Procedures for identifying, documenting, and reporting incidents of  
4 bullying, incidents of violations of the code, and incidents for which  
5 reporting is required under KRS 158.156;

6 2. Procedures for investigating and responding to a complaint or a report of  
7 bullying or a violation of the code, or of an incident for which reporting  
8 is required under KRS 158.156, including reporting incidents to the  
9 parents or guardians of the students involved;

10 3. A strategy or method of protecting a complainant or person reporting:

11 a. An incident of bullying;

12 b. A violation of the code; or

13 c. An incident for which reporting is required under KRS 158.156;  
14 from retaliation;

15 4. A process for informing students, parents or guardians, and school  
16 employees of the requirements of the code and the provisions of this  
17 section and KRS 158.156, 158.444, 525.070, and 525.080, including  
18 training for school employees; and

19 5. Information regarding the consequences of bullying and violating the  
20 code and violations reportable under KRS 158.155, 158.156, or 158.444.

21 (f) The principal of each school shall apply the code of acceptable behavior and  
22 discipline uniformly and fairly to each student at the school without partiality  
23 or discrimination.

24 (g) A copy of the code of acceptable behavior and discipline adopted by the board  
25 of education shall be posted at each school. Guidance counselors shall be  
26 provided copies for discussion with students. The code shall be referenced in  
27 all school handbooks. All school employees and parents or guardians shall be

1 provided copies of the code.

2 (6) (a) Each local board of education shall adopt a transportation services policy to  
3 apply to students while on transportation provided for or by the district, and to  
4 their parents or guardians. The policy shall be updated no less frequently than  
5 every two (2) years, with the first update being completed by the first  
6 instructional day of the 2024-2025 school year.

7 (b) The superintendent or designee shall be responsible for overall  
8 implementation and supervision. The board shall select and implement the  
9 appropriate discipline and transportation management techniques necessary to  
10 carry out the policy. The board shall establish a process for a two-way  
11 communication system for bus drivers and other employees, volunteers, or  
12 contractors to notify a supervisor, superintendent, or other administrator of an  
13 emergency.

14 (c) The policy shall contain the standard of behavior expected from each student  
15 while being transported by or for the district and the consequences of failure  
16 to obey the standards. The policy shall include:

- 17 1. Procedures for identifying, documenting, and reporting incidents of  
18 bullying, incidents of violations of the policy, and incidents for which  
19 reporting is required under KRS 158.156;
- 20 2. Procedures for investigating and responding to a complaint or a report of  
21 bullying or a violation of the policy, or of an incident for which  
22 reporting is required under KRS 158.156, including reporting incidents  
23 to the parents or guardians of the students involved;
- 24 3. A strategy or method of protecting a complainant or person reporting a  
25 violation of the policy from retaliation;
- 26 4. When a student is alleged by an operator of transportation to have  
27 committed a violation of the policy that places the student or others at

- 1 risk of physical harm or otherwise makes it unsafe for the driver to  
2 continue transporting students, and as permitted by state and federal law,  
3 a process that allows the operator of the vehicle to:
- 4 a. Refuse further transportation of the student at the time of the  
5 incident, upon notification of the emergency pursuant to paragraph  
6 (b) of this subsection, and transfer the student to:
    - 7 i. An appropriate district official who has reported to the  
8 location of the vehicle;
    - 9 ii. An appropriate district official located at a location  
10 designated in the transportation services policy or by an  
11 appropriate district official, including but not limited to a bus  
12 compound or transfer station;
    - 13 iii. Law enforcement; or
    - 14 iv. The student's parent or guardian; and
  - 15 b. Upon filing and submitting a written report to the superintendent  
16 or designee, refuse future transportation of the student until an  
17 interim or final determination of disciplinary action by the  
18 superintendent or designee pursuant to local board policy;
- 19 5. For alleged violations of the policy not covered by subparagraph 4. of  
20 this paragraph and submitted by the operator of the vehicle, a  
21 requirement that the superintendent or designee issue an interim or final  
22 determination of disciplinary action pursuant to local board policy  
23 within one (1) week of the report being submitted;
- 24 6. A process allowing for the operator of a vehicle to:
    - 25 a. File a written or electronic complaint or report of the misconduct,  
26 including a recommendation regarding revocation of the student's  
27 transportation privileges; and

- 1                   b. Be heard during any disciplinary proceedings against a student  
2                   relating, at least in part, to misconduct that occurred during the  
3                   operator's transportation of the student;
- 4                   7. A requirement that any recommendation by the operator of a vehicle  
5                   shall be considered by the superintendent or designee as a factor in the  
6                   interim or final determination of disciplinary action on the complaint or  
7                   report;
- 8                   8. A requirement that the operator of a vehicle, to the extent permitted by  
9                   law, receive written notice from the superintendent or designee of the  
10                  investigation, disciplinary action imposed, and reasoning in response to  
11                  the reported misconduct; and
- 12                  9. A disciplinary structure that provides for:
- 13                   a. Interventions or disciplinary consequences that reflect the severity  
14                   of the violation; and
- 15                   b. Increased intervention and consequences upon subsequent  
16                   violations of the policy.
- 17                  (d) The policy shall contain the standard of behavior expected from parents or  
18                  guardians of students being transported by or for the district while interacting  
19                  with district transportation staff and the consequences of failure to follow the  
20                  standards. The policy shall include:
- 21                   1. Procedures for investigating and responding to a complaint or report  
22                   made by an operator of transportation alleging parent or legal guardian  
23                   misconduct;
- 24                   2. A requirement that the operator of a vehicle be provided an opportunity  
25                   to be heard and to make a recommendation regarding future  
26                   transportation of the student during any disciplinary proceedings  
27                   relating, at least in part, to alleged misconduct by the student's parent or

- 1 guardian and the impact upon a student's transportation privileges; and
- 2 3. An intervention or consequences structure that provides for the
- 3 placement of conditions upon or revocation of a student's transportation
- 4 privileges based upon parent or guardian misconduct that provides for:
- 5 a. Interventions or consequences that reflect the severity of the parent
- 6 or guardian's misconduct; and
- 7 b. Increased intervention and consequences upon subsequent
- 8 violations of the policy.
- 9 (e) The policy shall include references to relevant criminal violations based on
- 10 potential misconduct covered by the policy, including but not limited to the
- 11 following statements:
- 12 1. "KRS 511.020 makes it a Class B felony for a person, with the intent to
- 13 commit a crime, knowingly entering or remaining unlawfully upon a
- 14 school bus, and when in effecting entry or while upon the school bus or
- 15 in the immediate flight therefrom, the person or another participant in
- 16 the crime causes physical injury to another person or uses or threatens
- 17 the use of a dangerous instrument against another person.";
- 18 2. "KRS 508.078 makes it a Class C felony for a person to intentionally
- 19 threaten to commit any act likely to result in death or serious physical
- 20 injury to any employee of an elementary or secondary school, which
- 21 includes a school bus driver.";
- 22 3. "KRS 508.025 makes it a Class D felony for a person to recklessly, with
- 23 a deadly weapon or dangerous instrument, or intentionally cause or
- 24 attempt to cause physical injury to a school bus driver or other school
- 25 employee acting in the course and scope of their employment.";
- 26 4. "KRS 519.020 makes it a Class A misdemeanor for a person to obstruct
- 27 governmental operations, which includes intentionally obstructing,

1           impairing, or hindering the performance of a governmental function by  
2           using or threatening to use violence, force or physical interference."; and

3           5. "KRS 525.070 makes it a Class B misdemeanor for a person, with intent  
4           to intimidate, harass, annoy, or alarm another person, to strike, shove,  
5           kick, or otherwise subject another to physical contact."

6           (f) The policy shall include a process for an operator of a vehicle, upon the  
7           reinstatement of a student's transportation privileges after an interim or final  
8           determination of disciplinary action, to elect to receive an alternate route  
9           assignment in lieu of transporting the student.

10          (g) The superintendent or designee of each district shall apply the transportation  
11          services policy uniformly and fairly to each student without partiality or  
12          discrimination.

13          (h) The superintendent or designee shall require every student in the district and  
14          at least one (1) parent or guardian of each student to acknowledge in writing  
15          the receipt, comprehension, and agreement of adherence to the transportation  
16          safety policy within seven (7) days of the student's first day of attendance  
17          during each school year. Failure to submit written acknowledgement by a  
18          student or their parent or guardian may be grounds for revocation of a  
19          student's transportation privileges until the acknowledgment is properly  
20          received.

21          (7) Any action under this section related to students with disabilities shall be in  
22          compliance with applicable federal law.

23          ➔Section 18. KRS 158.150 is amended to read as follows:

24          (1) All students admitted to the common schools shall comply with the lawful  
25          regulations for the government of the schools:

26          (a) Willful disobedience or defiance of the authority of the teachers or  
27          administrators, use of profanity or vulgarity, assault or battery or abuse of

1 other students, the threat of force or violence, the use or possession of alcohol  
2 or drugs, stealing or destruction or defacing of school property or personal  
3 property of students, the carrying or use of weapons or dangerous instruments,  
4 or other incorrigible bad conduct on school property, as well as off school  
5 property at school-sponsored activities, constitutes cause for suspension or  
6 expulsion from school; and

7 (b) Assault or battery or abuse of school personnel; stealing or willfully or  
8 wantonly defacing, destroying, or damaging the personal property of school  
9 personnel on school property, off school property, or at school-sponsored  
10 activities constitutes cause for suspension or expulsion from school.

11 (2) (a) Each local board of education shall adopt a policy requiring the expulsion  
12 from school for a period of at least twelve (12) months for a student who:

13 1. Is determined by the board through clear and convincing evidence to  
14 have made threats that pose a danger to the well-being of students,  
15 faculty, or staff of the district; or

16 2. Is determined by the board to have brought a weapon to a school under  
17 its jurisdiction. In determining whether a student has brought a weapon  
18 to school, a local board of education shall use the definition of "unlawful  
19 possession of a weapon on school property" stated in KRS 527.070.

20 (b) The board shall also adopt a policy requiring disciplinary actions, up to and  
21 including expulsion from school, for a student who is determined by the board  
22 to have:

23 1. Possessed prescription drugs or controlled substances for the purpose of  
24 sale or distribution at a school under the board's jurisdiction;

25 2. Physically assaulted or battered or abused educational personnel or other  
26 students at a school or school function under the board's jurisdiction; or

27 3. Physically assaulted, battered, or abused educational personnel or other

1 students off school property and the incident is likely to substantially  
2 disrupt the educational process.

3 (3) (a) The board may modify the expulsion requirement and length for students on a  
4 case-by-case basis, except the length of expulsion shall be at least twelve (12)  
5 months for a violation set forth in subsection (2)(a) of this section.

6 (b) ~~[Nothing in]~~ This section shall ***not*** prohibit a board from expelling a student  
7 for longer than twelve (12) months.

8 (c) A board that has expelled a student from the student's regular school setting  
9 shall provide or ensure that educational services are provided to the student in  
10 an appropriate alternative program or setting, unless the board has made a  
11 determination, on the record, supported by clear and convincing evidence, that  
12 the expelled student posed a threat to the safety of other students or school  
13 staff and could not be placed into a state-funded agency program. Behavior  
14 which constitutes a threat shall include but not be limited to the physical  
15 assault, battery, or abuse of others; the threat of physical force; being under  
16 the influence of drugs or alcohol; the use, possession, sale, or transfer of drugs  
17 or alcohol; the carrying, possessing, or transfer of weapons or dangerous  
18 instruments; and any other behavior which may endanger the safety of others.  
19 Other intervention services as indicated for each student may be provided by  
20 the board or by agreement with the appropriate state or community agency. A  
21 state agency that provides the service shall be responsible for the cost.

22 (d) 1. In lieu of expelling a student, or upon the expiration of a student's  
23 expulsion, a superintendent may place a student into an alternative  
24 program or setting if the superintendent determines placement of the  
25 student in his or her regular school setting is likely to substantially  
26 disrupt the education process or constitutes a threat to the safety of other  
27 students or school staff. The action shall not be taken until the parent,

- 1 guardian, or other person having legal custody or control of the student  
2 has had an opportunity to have a hearing before the board or an appeals  
3 committee as described in subparagraph 2. of this paragraph.
- 4 2. The board may adopt a policy to establish an appeals committee and  
5 delegate the authority to hear appeals made under this paragraph to that  
6 committee.
- 7 3. The alternative program or setting may be provided virtually.
- 8 4. Notwithstanding any other statute or administrative regulation to the  
9 contrary, students placed in an alternative program or setting under this  
10 paragraph shall be counted in attendance and membership for state  
11 funding purposes in the same manner as other students participating in  
12 alternative programs of the district.
- 13 5. Students placed in an alternative program or setting under this paragraph  
14 shall be subject to compulsory attendance requirements under KRS  
15 Chapter 159 and applicable local board policy.
- 16 6. Following the initial alternative placement of a student under this  
17 paragraph, the board shall review the alternative program or setting  
18 placement at least once per year and determine if the placement should  
19 be continued in accordance with subparagraph 1. of this paragraph.
- 20 (4) For purposes of this subsection, "charges" means substantiated behavior that falls  
21 within the grounds for suspension or expulsion enumerated in subsection (1) of this  
22 section, including behavior committed by a student while enrolled in a private or  
23 public school, or in a school within another state. A school board may adopt a  
24 policy providing that, if a student is suspended or expelled for any reason or faces  
25 charges that may lead to suspension or expulsion but withdraws prior to a hearing  
26 from any public or private school in this or any other state, the receiving district  
27 may review the details of the charges, suspension, or expulsion and determine if the

1 student will be admitted, and if so, what conditions may be imposed upon the  
2 admission, which may include placement of the student into an alternative program  
3 or setting as described in subsection (3)(d) of this section.

4 (5) (a) School administrators, teachers, or other school personnel may immediately  
5 remove or cause to be removed threatening or violent students from a  
6 classroom setting or from the district transportation system pending any  
7 further disciplinary action that may occur. Each board of education shall adopt  
8 a policy to assure the implementation of this section and to assure the safety  
9 of the students and staff.

10 (b) Except as described in subsection (10) of this section:

11 1. A principal may establish procedures for a student's removal from and  
12 reentry to the classroom when the student's behavior disrupts the  
13 classroom environment and education process or the student challenges  
14 the authority of a supervising adult. In addition to removal, the student  
15 shall be subject to further discipline for the behavior consistent with the  
16 school's code of conduct.

17 2. A student who is removed from the same classroom three (3) times  
18 within a thirty (30) day period shall be considered chronically disruptive  
19 and may be suspended from school in accordance with this section, and  
20 no other basis for suspension shall be deemed necessary.

21 3. At any time during the school year, for a student who has been removed  
22 from the classroom under this paragraph, a principal may require a  
23 review of the classroom issues with the teacher and the parent, guardian,  
24 or other person having legal custody or control of the student and  
25 determine a course of action for the teacher and student regarding the  
26 student's continued placement in the classroom.

27 4. At any time during the school year, a principal may permanently remove

1 a student from a classroom for the remainder of the school year if the  
 2 principal determines the student's continued placement in the classroom  
 3 will chronically disrupt the education process for other students.

4 5. When a student is removed from a classroom under this paragraph  
 5 temporarily or permanently, the principal shall determine the placement  
 6 of the student in lieu of that classroom, which may include but is not  
 7 limited to:

8 a. Another classroom in that school; or

9 b. An alternative program or setting, which may be provided  
 10 virtually, as approved by the superintendent.

11 6. Any permanent action by a principal under this paragraph shall be  
 12 subject to an appeal process in accordance with a policy adopted by the  
 13 board.

14 7. Policies compliant with this paragraph shall be included in the code of  
 15 behavior and discipline adopted by the board of education under KRS  
 16 158.148 and the school-based policies adopted by the school  
 17 principal~~council~~ under KRS 160.345.

18 (6) A student shall not be suspended from the common schools until after at least the  
 19 following due process procedures have been provided:

20 (a) The student has been given oral or written notice of the charge or charges  
 21 against him or her which constitute cause for suspension;

22 (b) The student has been given an explanation of the evidence of the charge or  
 23 charges if the student denies them; and

24 (c) The student has been given an opportunity to present his or her own version of  
 25 the facts relating to the charge or charges.

26 These due process procedures shall precede any suspension from the common  
 27 schools unless immediate suspension is essential to protect persons or property or to

1        avoid disruption of the ongoing academic process. In such cases, the due process  
2        procedures outlined above shall follow the suspension as soon as practicable, but no  
3        later than three (3) school days after the suspension.

4        (7) (a) The superintendent, principal, assistant principal, or head teacher of any  
5        school may suspend a student but shall report the action in writing  
6        immediately to the superintendent and to the parent, guardian, or other person  
7        having legal custody or control of the student.

8        (b) 1. The board of education of any school district may expel or extend the  
9        expulsion of any student for misconduct as described in subsection (1)  
10       of this section, but the action shall not be taken until the parent,  
11       guardian, or other person having legal custody or control of the student  
12       has had an opportunity to have a hearing before the board. The decision  
13       of the board shall be final.

14       2. Within thirty (30) days prior to the end of a student's expulsion, the  
15       board shall review the details of the expulsion and current factors and  
16       circumstances, including if ending the expulsion will substantially  
17       disrupt the education process or constitute a threat to the safety of  
18       students or school staff, to determine if the expulsion shall be extended  
19       for a period not to exceed twelve (12) months.

20       3. The expulsion review process shall be used prior to the end of each  
21       expulsion period until the board ends the expulsion or the student is no  
22       longer subject to compulsory attendance under KRS 159.010.

23       4. Each board of education shall adopt a policy for implementation of the  
24       process described in this paragraph.

25       (8) (a) Suspension of exceptional children, as defined in KRS 157.200, shall be  
26       considered a change of educational placement if:

27       1. The child is removed for more than ten (10) consecutive days during a

1 school year; or

2 2. The child is subjected to a series of removals that constitute a pattern  
3 because the removals accumulate to more than ten (10) school days  
4 during a school year and because of other factors, such as the length of  
5 each removal, the total amount of time the child is removed, and the  
6 proximity of removals to one another.

7 (b) The admissions and release committee shall meet to review the placement and  
8 make a recommendation for continued placement or a change in placement  
9 and determine whether regular suspension or expulsion procedures apply.  
10 Additional evaluations shall be completed, if necessary.

11 (c) If the admissions and release committee determines that an exceptional child's  
12 behavior is related to his or her disability, the child shall not be suspended any  
13 further or expelled unless the current placement could result in injury to the  
14 child, other children, or the educational personnel, in which case an  
15 appropriate alternative placement shall be provided that will provide for the  
16 child's educational needs and will provide a safe learning and teaching  
17 environment for all. If the admissions and release committee determines that  
18 the behavior is not related to the disability, the local educational agency may  
19 pursue its regular suspension or expulsion procedure for the child, if the  
20 behavior so warrants. However, educational services shall not be terminated  
21 during a period of expulsion and during a suspension after a student is  
22 suspended for more than a total of ten (10) days during a school year. A  
23 district may seek temporary injunctive relief through the courts if the parent  
24 and the other members of the admissions and release committee cannot agree  
25 upon a placement and the current placement will likely result in injury to the  
26 student or others.

27 (9) Suspension of primary school students shall be considered only in exceptional cases

1 where there are safety issues for the child or others.

2 (10) Any action under this section related to students with disabilities shall be in  
3 compliance with applicable federal law.

4 (11) ~~Nothing in~~ This section shall ***not*** be interpreted or construed to preclude the  
5 requirements contained in KRS 158.305 or 158.4416.

6 ➔Section 19. KRS 158.153 is amended to read as follows:

7 (1) Unless the action is taken pursuant to KRS 158.150, no school, school  
8 administrator, teacher, or other school employee shall expel or punish a child based  
9 on information contained in a record of an adjudication of delinquency or  
10 conviction of an offense received by the school pursuant to KRS 610.345 or from  
11 any other source. ~~Nothing in~~ This subsection shall ***not*** be construed to prohibit a  
12 local school board or school official from instituting disciplinary proceedings  
13 against any student for violating the discipline policy of the school or school district  
14 or taking actions necessary to protect staff and students. Actions to protect staff and  
15 students may be taken only after the principal makes a determination that the  
16 conduct of the student reflected in the records of the school or obtained by the  
17 school from the court indicates a substantial likelihood of an immediate and  
18 continuing threat that the student will cause harm to students or staff, and that the  
19 restrictions to be ordered represent the least restrictive alternative available and  
20 appropriate to remedy the threat, and that the determination and supporting material  
21 be documented in the child's record. The action of the principal, in addition to or in  
22 lieu of any other procedure available, may be appealed by the child or the child's  
23 parent or guardian to the superintendent of the school system or to the Circuit Court  
24 in the county in which the school is located, and the appealing party may be  
25 represented by counsel.

26 (2) Except as provided in KRS 610.345, no school, school administrator, teacher, or  
27 other school employee who has custody of records received or maintained by the

1 school pursuant to KRS 610.345 or who has received information contained in or  
 2 relating to a record received by the school pursuant to KRS 610.345 shall disclose  
 3 the fact of the record's existence, or any information contained in the record or  
 4 received from the record to any other person, including but not limited to other  
 5 teachers, school employees, pupils, or parents other than the pupil, or parents of the  
 6 pupil who is the subject of the record.

7 (3) The child and his or her parent or guardian shall have a civil cause of action against  
 8 the school board and against any school administrator violating subsection (1) or (2)  
 9 of this section or divulging information in violation of KRS 610.345 or 610.340.  
 10 This civil cause of action shall be in addition to any other criminal or administrative  
 11 remedy provided by law.

12 (4) ~~Nothing in~~ This section shall not be construed to prohibit a local board of  
 13 education from establishing districtwide standards of behavior for students who  
 14 participate in extracurricular and cocurricular activities, including athletics. A  
 15 school principal may deny or terminate a student's eligibility to participate in  
 16 extracurricular or cocurricular activities if the student has violated the local district  
 17 behavior standards or the principal's~~council's~~ criteria for participation, as  
 18 described in KRS 160.345(2)(i)8. A student's right to participate in extracurricular  
 19 or cocurricular activities, including athletics, may be suspended, pending  
 20 investigation of an allegation that the standards of behavior have been violated.

21 ➔Section 20. KRS 158.162 is amended to read as follows:

22 (1) As used in this section:

23 (a) "Emergency management response plan" or "emergency plan" means a  
 24 written document to prevent, mitigate, prepare for, respond to, and recover  
 25 from emergencies; and

26 (b) "First responders" means local fire, police, and emergency medical personnel.

27 (2) (a) Each local board of education shall require the ~~school council or, if none~~

- 1 exists, ~~the~~] principal in each school building in his or her~~[its]~~ jurisdiction to  
2 adopt an emergency plan. The emergency plan shall include:
- 3 1. Procedures to be followed in case of medical emergency, fire, severe  
4 weather, earthquake, or a building lockdown as defined in KRS  
5 158.164;
  - 6 2. A written cardiac emergency response plan; and
  - 7 3. A copy of the data created through the School Mapping Data Program  
8 pursuant to KRS 158.4433 or, if the school mapping data is unavailable,  
9 a diagram of the facility that clearly identifies the location of each  
10 automated external defibrillator.
- 11 (b) The emergency plan shall be provided to appropriate first responders and all  
12 school staff.
- 13 (c) The emergency plan shall be reviewed following the end of each school year  
14 by the school nurse, advisory~~[school]~~ council, the principal, and first  
15 responders and revised as needed.
- 16 (d) The principal shall discuss the emergency plan with all school staff prior to  
17 the first instructional day of each school year and document the time and date  
18 of any discussion.
- 19 (e) The cardiac emergency response plan shall be rehearsed by simulation prior to  
20 the beginning of each athletic season by all:
- 21 1. Licensed athletic trainers, school nurses, and athletic directors; and
  - 22 2. Interscholastic coaches and volunteer coaches of each athletic team  
23 active during that athletic season.
- 24 (f) The emergency plan shall be excluded from the application of KRS 61.870 to  
25 61.884.
- 26 (3) Each local board of education shall require ~~the school council or, if none exists,~~  
27 ~~the~~] principal in each school building to:

- 1 (a) Establish primary and secondary evacuation routes for all rooms located  
2 within the school and shall post the routes in each room by any doorway used  
3 for evacuation;
- 4 (b) Identify the best available severe weather safe zones, in consultation with  
5 local and state safety officials and informed by guiding principles set forth by  
6 the National Weather Service and the Federal Emergency Management  
7 Agency, and post the location of safe zones in each room of the school;
- 8 (c) Develop practices for students to follow during an earthquake;
- 9 (d) Develop and adhere to practices to control the access to each school building.  
10 Practices shall include but not be limited to:
- 11 1. Controlling outside access to exterior doors during the school day;
  - 12 2. Controlling the main entrance of the school with electronically locking  
13 doors, a camera, and an intercom system;
  - 14 3. Controlling access to individual classrooms;
  - 15 4. Requiring classroom doors to be equipped with hardware that allows the  
16 door to be locked from the outside but opened from the inside;
  - 17 5. Requiring classroom doors to remain closed and locked during  
18 instructional time, except:
    - 19 a. In instances in which only one (1) student and one (1) adult are in  
20 the classroom; or
    - 21 b. When approved in writing by the state school security marshal;
  - 22 6. Requiring classroom doors with windows to be equipped with material  
23 to quickly cover the window during a building lockdown;
  - 24 7. Allowing for the use of secondary locking mechanisms on classroom  
25 doors, notwithstanding any provisions of the Kentucky Building Code  
26 promulgated pursuant to KRS Chapter 198B to the contrary;
  - 27 8. Requiring all visitors to report to the front office of the building, provide

- 1 valid identification, and state the purpose of the visit; and
- 2 9. Providing a visitor's badge to be visibly displayed on a visitor's outer
- 3 garment;
- 4 (e) Maintain a portable automated external defibrillator in a public, readily
- 5 accessible, well-marked location in every school building and, as funds
- 6 become available, at school-sanctioned athletic practices and competitions
- 7 and:
- 8 1. Adopt procedures for the use of the portable automated external
- 9 defibrillator during an emergency;
- 10 2. Adopt policies for compliance with KRS 311.665 to 311.669 on
- 11 training, maintenance, notification, and communication with the local
- 12 emergency medical services system;
- 13 3. Ensure that a minimum of three (3) employees in the school and all
- 14 interscholastic athletic coaches be trained on the use of a portable
- 15 automated external defibrillator in accordance with KRS 311.667;
- 16 4. Ensure that all interscholastic athletic coaches maintain a
- 17 cardiopulmonary resuscitation certification recognized by a national
- 18 accrediting body on heart health; and
- 19 5. No later than November 1 of each school year, submit an annual report
- 20 to the Kentucky Department of Education on:
- 21 a. The number and location of each portable automated external
- 22 defibrillator in every school building;
- 23 b. The name, school, and training date of each school district
- 24 employee and interscholastic athletic coach in the district trained
- 25 in the use of a portable automated external defibrillator; and
- 26 c. The progress made towards having a portable automated external
- 27 defibrillator at all school-sanctioned athletic practices and

1 competitions; and

2 (f) Require development of an event-specific emergency action plan for each  
3 school-sanctioned nonathletic event held off-campus to be used during a  
4 medical emergency, which may include the provision of a portable automated  
5 external defibrillator. The plan shall:

6 1. Include a delineation of the roles of staff and emergency personnel,  
7 methods of communication, any assigned emergency equipment  
8 including a portable automated external defibrillator, a cardiac  
9 emergency response plan, and access to and plan for emergency  
10 transport; and

11 2. Be in writing and distributed to any member of school personnel  
12 attending the school-sanctioned event in an official capacity.

13 (4) All schools shall be in compliance with the provisions of subsection (3)(d) of this  
14 section.

15 (5) (a) Each local board of education shall require the principal in each public school  
16 building in its jurisdiction to conduct, at a minimum, emergency response  
17 drills to include:

18 1. One (1) severe weather drill, one (1) earthquake drill, and one (1)  
19 lockdown drill within the first thirty (30) instructional days of each  
20 school year and again during the month of January; and

21 2. The emergency response plan rehearsal by simulation required by  
22 subsection (2) of this section and the venue-specific emergency action  
23 plan rehearsal by simulation required by KRS 160.445(5) prior to the  
24 beginning of each athletic season.

25 (b) Required fire drills shall be conducted according to administrative regulations  
26 promulgated by the Department of Housing, Buildings and Construction.  
27 Whenever possible, first responders shall be invited to observe emergency

1 response drills.

2 (6) No later than November 1 of each school year, a local district superintendent shall  
3 send verification to the Kentucky Department of Education that all schools within  
4 the district are in compliance with the requirements of this section.

5 (7) A district with a school not in compliance with the requirements of subsection  
6 (3)(d) of this section by July 1, 2022, shall not be eligible for approval by the  
7 Kentucky Department of Education for new building construction or expansion in  
8 the 2022-2023 school year and any subsequent year without verification of  
9 compliance, except for facility improvements that specifically address the school  
10 safety and security requirements of this section, when deemed necessary for the  
11 protection of student or staff health and safety, or to comply with other legal  
12 requirements or orders.

13 ➔Section 21. KRS 158.164 is amended to read as follows:

14 (1) As used in this section, "building lockdown" means to restrict the mobility of  
15 building occupants to maintain their safety and care.

16 (2) Each local board of education shall require the ~~school council or, if none exists,~~  
17 ~~the~~ principal in each public school building in *his or her*~~its~~ jurisdiction to  
18 establish procedures to perform a building lockdown, including protective measures  
19 to be taken during and immediately following the lockdown. Local law enforcement  
20 agencies shall be invited to assist in establishing lockdown procedures.

21 (3) Students, certified staff, and classified staff shall be informed annually of building  
22 lockdown procedures.

23 (4) A building lockdown practice shall be held at least twice during each school year,  
24 with at least one (1) practice being held within the first thirty (30) instructional days  
25 of the school year and one (1) practice being held during the month of January.

26 ➔Section 22. KRS 158.186 is amended to read as follows:

27 Before September 15 of each year, the commissioner of education shall:

- 1 (1) ~~*Email*~~<sup>[E-mail]</sup> electronic copies or send paper copies of KRS 158.183 and 158.195  
2 directly to each local school board, *school principal, advisory*~~[school-based~~  
3 ~~decision-making]~~ council, and certified employee in Kentucky; and
- 4 (2) Certify compliance with this section to the Interim Joint Committee on Education  
5 by submitting to the committee:
- 6 (a) A copy of all materials, other than the statutes, sent as part of the notice; and  
7 (b) The dates materials were sent.
- 8 ➔Section 23. KRS 158.197 is amended to read as follows:
- 9 (1) A *school principal*~~[school-based decision-making council]~~ under administrative  
10 regulations of the Kentucky Board of Education may offer students in grade nine  
11 (9) or above:
- 12 (a) An elective social studies course on the Hebrew Scriptures, Old Testament of  
13 the Bible;  
14 (b) An elective social studies course on the New Testament of the Bible; or  
15 (c) An elective social studies course on the Hebrew Scriptures and the New  
16 Testament of the Bible.
- 17 (2) The purpose of a course under this section is to:
- 18 (a) Teach students knowledge of biblical content, characters, poetry, and  
19 narratives that are prerequisites to understanding contemporary society and  
20 culture, including literature, art, music, mores, oratory, and public policy; and  
21 (b) Familiarize students with, as applicable:
- 22 1. The contents of the Hebrew Scriptures or New Testament;  
23 2. The history of the Hebrew Scriptures or New Testament;  
24 3. The literary style and structure of the Hebrew Scriptures or New  
25 Testament; and  
26 4. The influence of the Hebrew Scriptures or New Testament on law,  
27 history, government, literature, art, music, customs, morals, values, and

1 culture.

2 (3) A student shall not be required to use a specific translation as the sole text of the  
3 Hebrew Scriptures or New Testament and may use as the basic textbook a different  
4 translation of the Hebrew Scriptures or New Testament from that chosen by the  
5 advisory~~[school]~~ council.

6 (4) A course offered under this section shall follow applicable law and all federal and  
7 state guidelines in maintaining religious neutrality and accommodating the diverse  
8 religious views, traditions, and perspectives of students in the school. A course  
9 under this section shall not endorse, favor, or promote, or disfavor or show hostility  
10 toward, any particular religion or nonreligious faith or religious perspective. A  
11 school principal~~[school-based decision-making council]~~, in complying with this  
12 section, shall not violate any provision of the United States Constitution or federal  
13 law, the Kentucky Constitution or any state law, or any administrative regulations  
14 of the United States Department of Education or the Kentucky Department of  
15 Education.

16 (5) ~~[Any school council organized pursuant to KRS 160.345 or, if none exists, ]~~The  
17 principal~~[,]~~ may authorize the display of historic artifacts, monuments, symbols,  
18 and texts, including but not limited to religious materials, in conjunction with a  
19 course of study that includes an elective course in history, civilization, ethics,  
20 comparative religion, literature, or other subject area that uses such artifacts,  
21 monuments, symbols, and texts as instructional material if the display is:

22 (a) Appropriate to the overall educational purpose of the course; and

23 (b) Consistent with the requirements of KRS 42.705.

24 ➔Section 24. KRS 158.301 is amended to read as follows:

25 (1) The General Assembly finds that:

26 (a) The chief cause of skin cancer is exposure to ultraviolet rays from natural  
27 sunlight and artificial sources;

- 1 (b) According to the American Cancer Society, skin cancer is one (1) of the most  
2 common types of cancer in the United States, with one (1) in five (5)  
3 Americans developing skin cancer in his or her lifetime and one (1) American  
4 dying from skin cancer every hour;
- 5 (c) The lifetime risk of getting skin cancer is linked to sun exposure and sunburn  
6 during childhood and adolescence;
- 7 (d) World and national health organizations have published guidelines or  
8 instructional materials regarding sun safety and skin cancer prevention for  
9 schools; and
- 10 (e) Schools have the potential to positively influence pupil behavior regarding  
11 skin cancer prevention.
- 12 (2) The General Assembly hereby encourages each public school to provide age-  
13 appropriate education to all students on the risks associated with exposure to  
14 ultraviolet rays from natural sunlight and artificial sources.
- 15 (a) The education should be included within the existing health curriculum as  
16 required by KRS 156.160(1)(a) and in accordance with the curriculum policy  
17 adopted by the ~~school based decision making council or, if none exists, by~~  
18 ~~the~~ school principal.
- 19 (b) The education should be consistent with guidelines published by world or  
20 national health organizations and should include, but not be limited to:
- 21 1. The facts and statistics about skin cancer;
- 22 2. The cause and impact of skin cancer; and
- 23 3. Strategies and behaviors to reduce individual risks for skin cancer.
- 24 (c) The Kentucky Department of Education shall provide instructional resources,  
25 including information from national standards and health organizations.
- 26 ➔Section 25. KRS 158.4414 is amended to read as follows:
- 27 (1) Local boards of education, school district superintendents, administrators of state-

1 controlled facilities, and local and state law enforcement agencies shall cooperate to  
2 assign one (1) or more certified school resource officers to serve each campus  
3 where one (1) or more school buildings are used to deliver instruction to students on  
4 a continuous basis.

5 (2) Local boards of education shall ensure, for each campus in the district, that at least  
6 one (1) certified school resource officer is assigned to and working on-site full-time  
7 in the school building or buildings on the campus. If sufficient funds and qualified  
8 personnel are not available for this purpose for every campus, the local board of  
9 education shall fulfill the requirements of this subsection on a per campus basis, as  
10 approved in writing by the state school security marshal, until a certified school  
11 resource officer is assigned to and working on-site full-time on each campus in the  
12 district.

13 (3) Beginning with the 2026-2027 school year, a local board of education that is unable  
14 to meet the requirement of subsection (2) of this section may, after consultation  
15 with and approval by the state school security marshal, employ one (1) or more  
16 guardians pursuant to KRS 158.4431 to provide safety and security measures for  
17 schools within the district. The use of guardians under this subsection shall not be  
18 used to replace the certified school resource officer required under subsection (2) of  
19 this section, but only to provide safety and security resources until a certified school  
20 resource officer is available.

21 (4) Beginning with the 2026-2027 school year, a local board of education that has met  
22 the requirement of subsection (2) of this section may employ one (1) or more  
23 guardians pursuant to KRS 158.4431 to provide additional school safety and  
24 security measures within the district.

25 (5) Local boards of education utilizing a school resource officer employed by a law  
26 enforcement agency or the Department of Kentucky State Police shall enter into a  
27 memorandum of understanding with the law enforcement agency or the Department

- 1 of Kentucky State Police that specifically states the purpose of the school resource  
2 officer program and clearly defines the roles and expectations of each party  
3 involved in the program. The memorandum shall provide that the school resource  
4 officer shall not be responsible for school discipline matters that are the  
5 responsibility of school administrators or school employees.
- 6 (6) Local boards of education utilizing a school resource officer employed directly by  
7 the local board of education shall adopt policies and procedures that specifically  
8 state the purpose of the school resource officer program and clearly define the roles  
9 and expectations of school resource officers and other school employees.
- 10 (7) In accordance with KRS 61.926, 527.020, and 527.070, as applicable, each school  
11 resource officer shall be armed with a firearm, notwithstanding any provision of  
12 local board policy, school-based~~local school council~~ policy, or memorandum of  
13 agreement.
- 14 (8) The Kentucky Law Enforcement Council, in collaboration with the Center for  
15 School Safety, shall promulgate administrative regulations in accordance with KRS  
16 Chapter 13A to establish, update, and maintain three (3) levels of training for  
17 certification of school resource officers as follows: School Resource Officer  
18 Training I (SRO I), School Resource Officer Training II (SRO II), and School  
19 Resource Officer Training III (SRO III). Each level shall consist of forty (40) hours  
20 of training, with SRO I to be completed within one (1) year of the date of the  
21 officer's employment and SRO II and SRO III within the subsequent two (2) years.
- 22 (9) Course curriculum for school resource officers shall include but not be limited to:
- 23 (a) Foundations of school-based law enforcement;
- 24 (b) Threat assessment and response;
- 25 (c) Youth drug use and abuse;
- 26 (d) Social media and cyber security;
- 27 (e) School resource officers as teachers and mentors;

- 1 (f) Youth mental health awareness;
- 2 (g) Diversity and bias awareness training;
- 3 (h) Trauma-informed action;
- 4 (i) Understanding students with special needs; and
- 5 (j) De-escalation strategies.
- 6 (10) All school resource officers with active school resource officer certification status
- 7 shall successfully complete forty (40) hours of annual in-service training that has
- 8 been certified or recognized by the Kentucky Law Enforcement Council for school
- 9 resource officers.
- 10 (11) In the event of extenuating circumstances beyond the control of an officer that
- 11 prevent the officer from completing the in-service training within one (1) year, the
- 12 commissioner of the Department of Criminal Justice Training or a designee may
- 13 grant the officer an extension of time, not to exceed one hundred eighty (180) days,
- 14 in which to complete the training.
- 15 (12) Any school resource officer who fails to successfully complete training
- 16 requirements within the specified time periods, including any approved time
- 17 extensions, shall lose his or her school resource officer certification and shall no
- 18 longer serve in the capacity of a school resource officer in a school.
- 19 (13) When a school resource officer is deficient in required training, the commissioner
- 20 of the Department of Criminal Justice Training or his or her designee shall notify
- 21 the council, which shall notify the officer and the officer's employing agency.
- 22 (14) A school resource officer who has lost school resource officer certification due
- 23 solely to the officer's failure to meet the training requirements of this section may
- 24 regain certification status as a school resource officer and may resume service in the
- 25 capacity of a school resource officer in a school setting upon successful completion
- 26 of the training deficiency.
- 27 (15) No later than November 1 of each year, the local school district superintendent shall

1 report to the Center for School Safety the number and placement of school resource  
2 officers in the district. The report shall include the source of funding and method of  
3 employment for each position.

4 (16) ~~Nothing in~~ This section shall ***not*** be interpreted or construed to require a local  
5 government or any of its agencies or offices to fund the school resource officer  
6 positions required of local boards of education under this section. For purposes of  
7 this subsection, "local government" has the same meaning as in KRS 65.8840.

8 (17) ~~Nothing in~~ This section shall ***not*** prevent a private or parochial school from  
9 entering into a memorandum of understanding with a local law enforcement agency  
10 or the Department of Kentucky State Police to provide school resource officers  
11 employed by the local law enforcement agency or the Department of Kentucky  
12 State Police.

13 ➔Section 26. KRS 158.445 is amended to read as follows:

14 (1) Each local school shall conduct an assessment of school safety and student  
15 discipline including a review of the following:

16 (a) Reports of school incidents relating to disruptive behaviors;

17 (b) The school's behavior and discipline codes for clarity and appropriate notice  
18 to students and parents;

19 (c) The school's hierarchy of responses to discipline problems and actual  
20 disciplinary outcomes;

21 (d) Training needs for instructional staff in classroom management, student  
22 learning styles, and other specialized training to enhance teachers' capacity to  
23 engage students and minimize disruptive behavior;

24 (e) The array of school services to students at risk of academic failure, dropping  
25 out, or truancy;

26 (f) The engagement of parents at the earliest stages of problem behavior;

27 (g) Training needs for students in the development of core values and qualities of

- 1 good character, anger reduction, conflict resolution, peer mediation, and other  
2 necessary skills;
- 3 (h) Training needs of parents;
- 4 (i) Existing school-based~~[school council]~~ policies relating to student discipline  
5 and student information;
- 6 (j) The school's physical environment;
- 7 (k) The school's student supervision plan;
- 8 (l) Existing components of the school improvement plan or consolidated plan  
9 that focus on school safety and at-risk students, and the effectiveness of the  
10 components; and
- 11 (m) Other data deemed relevant by the advisory~~[school]~~ council or school  
12 administration.

13 A school that does not complete an assessment process shall not be eligible for  
14 funds under the state school safety grant program.

15 (2) Each local school district shall complete a district-level assessment of district-level  
16 data, resources, policies and procedures, and district-wide needs as identified from  
17 the individual school assessment process. The district shall engage local community  
18 agencies including law enforcement and the courts in the assessment process.

19 (3) As a result of the district assessment and analysis of data, resources, and needs,  
20 each board of education shall adopt a plan for immediate and long-term strategies to  
21 address school safety and discipline. The development of the plan shall involve at  
22 least one (1) representative from each school in the district as well as  
23 representatives from the community as a whole, including representatives from the  
24 local juvenile delinquency prevention council if a council exists in that community.  
25 The process of planning shall be determined locally depending to a large extent on  
26 the size and characteristics of the district.

27 (4) The district plan under subsection (3) of this section shall be the basis for any

1 request for funds under the state school safety grant program. The district plan shall  
2 include the local code of acceptable behavior and discipline and the transportation  
3 services policy as required under KRS 158.148 and a description of instructional  
4 placement options for threatening or violent students.

5 ➔Section 27. KRS 158.6453 (Effective July 1, 2026) is amended to read as  
6 follows:

7 (1) As used in this section:

8 (a) "Accelerated learning" means an organized way of helping students meet  
9 individual academic goals by providing direct instruction to eliminate student  
10 performance deficiencies or enable students to move more quickly through  
11 course requirements and pursue higher level skill development;

12 (b) "Advanced coursework" means educational programs or opportunities  
13 designed to challenge students with more rigorous content beyond the  
14 standard curriculum, including but not limited to advanced placement,  
15 International Baccalaureate, and honors courses;

16 (c) "Constructed-response items" or "performance-based items" means individual  
17 test items that require the student to create an answer rather than select a  
18 response and may include fill-in-the-blank, short-answer, extended-answer,  
19 open-response, and writing-on-demand formats;

20 (d) "Criterion-referenced test" means a test that is aligned with defined academic  
21 content standards and measures an individual student's level of performance  
22 against the standards;

23 (e) "Formative assessment" means a process used by teachers and students during  
24 instruction to adjust ongoing teaching and learning to improve students'  
25 achievement of intended instructional outcomes. Formative assessments may  
26 include the use of commercial assessments, classroom observations, teacher-  
27 designed classroom tests and assessments, and other processes and

1 assignments to gain information about individual student learning;

2 (f) "Interim assessments" means assessments that are given periodically  
3 throughout the year to provide diagnostic information and to show individual  
4 student performance against content standards;

5 (g) "Summative assessment" means an assessment given at the end of the school  
6 year, semester, or other period of time to evaluate students' performance  
7 against content standards within a unit of instruction or a course; and

8 (h) "Writing" means a purposeful act of thinking and expression that uses  
9 language to explore ideas and communicate meaning to others. Writing is a  
10 complex, multifaceted act of communication and is distinct from basic  
11 handwriting or penmanship.

12 (2) (a) Every six (6) years, the Kentucky Department of Education shall implement a  
13 process for reviewing Kentucky's academic standards and the alignment of  
14 corresponding assessments for possible revision or replacement to ensure  
15 alignment with transition readiness standards necessary for global  
16 competitiveness, state career and technical education standards, and KRS  
17 158.196.

18 (b) The revisions to the content standards shall:

- 19 1. Focus on critical knowledge, skills, and capacities needed for success in  
20 the global economy;
- 21 2. Result in fewer but more in-depth standards to facilitate mastery  
22 learning;
- 23 3. Communicate expectations more clearly and concisely to teachers,  
24 parents, students, and citizens;
- 25 4. Be based on evidence-based research;
- 26 5. Consider international benchmarks; and
- 27 6. Ensure that the standards are aligned from elementary to high school to

1 postsecondary education so that students can be successful at each  
2 education level.

3 (c) 1. The department shall establish four (4) standards and assessments  
4 review committees, with each committee composed of a minimum of six  
5 (6) Kentucky public school teachers and a minimum of two (2)  
6 representatives from Kentucky institutions of higher education,  
7 including at least one (1) representative from a public institution of  
8 higher education. Each committee member shall teach in the subject  
9 area that his or her committee is assigned to review and have no prior or  
10 current affiliation with a curriculum or assessment resources vendor.

11 2. One (1) of the four (4) committees shall be assigned to focus on the  
12 review of language arts and writing academic standards and  
13 assessments, one (1) on the review of mathematics academic standards  
14 and assessments, one (1) on the review of science academic standards  
15 and assessments, and one (1) on the review of social studies academic  
16 standards and assessments.

17 (d) 1. The department shall establish twelve (12) advisory panels to advise and  
18 assist each of the four (4) standards and assessments review committees.

19 2. Three (3) advisory panels shall be assigned to each standards and  
20 assessments review committee. One (1) panel shall review the standards  
21 and assessments for kindergarten through grade five (5), one (1) shall  
22 review the standards and assessments for grades six (6) through eight  
23 (8), and one (1) shall review the standards and assessments for grades  
24 nine (9) through twelve (12).

25 3. Each advisory panel shall be composed of at least one (1) representative  
26 from a Kentucky institution of higher education and a minimum of six  
27 (6) Kentucky public school teachers who teach in the grade level and

1 subject reviewed by the advisory panel to which they are assigned and  
2 have no prior or current affiliation with a curriculum or assessment  
3 resources vendor.

4 (e) The commissioner of education and the president of the Council on  
5 Postsecondary Education shall also provide consultants for the standards and  
6 assessments review committees and the advisory panels who are business and  
7 industry professionals actively engaged in career fields that depend on the  
8 various content areas.

9 (f) 1. The standards and assessments process review committee is hereby  
10 established and shall be composed of the commissioner of education or  
11 designee as a nonvoting member and nine (9) voting representatives of  
12 public schools, of whom at least two (2) shall be parents of public  
13 school students, appointed by the Governor and confirmed by the Senate  
14 in accordance with KRS 11.160 as follows:

- 15 a. One (1) language arts teacher;
- 16 b. One (1) math teacher;
- 17 c. One (1) science teacher;
- 18 d. One (1) social studies teacher;
- 19 e. Two (2) school principals;
- 20 f. Two (2) school superintendents; and
- 21 g. One (1) school board member.

22 2. On making appointments to the committee, the Governor shall ensure  
23 broad geographical urban and rural representation and representation of  
24 elementary, middle, and high school levels; ensure equal representation  
25 of the two (2) sexes, inasmuch as possible; and ensure that appointments  
26 reflect the minority racial composition of the Commonwealth.

27 3. The review of the committee shall be limited to the procedural aspects

1 of the review process undertaken prior to its consideration.

2 4. Notwithstanding KRS 12.028, the committee shall not be subject to  
3 reorganization by the Governor.

4 (g) 1. The review process implemented under this subsection shall be an open,  
5 transparent process that allows all Kentuckians an opportunity to  
6 participate. The department shall ensure the public's assistance in  
7 reviewing and suggesting changes to the standards and alignment  
8 adjustments to corresponding state assessments by establishing a  
9 website dedicated to collecting comments by the public and educators.  
10 An independent third party, which has no prior or current affiliation with  
11 a curriculum or assessment resources vendor, shall be selected by the  
12 department to collect and transmit the comments to the department for  
13 dissemination to the appropriate advisory panel for review and  
14 consideration.

15 2. Each advisory panel shall review the standards and assessments for its  
16 assigned subject matter and grade level and the suggestions made by the  
17 public and educators. After completing its review, each advisory panel  
18 shall make recommendations for changes to the standards and alignment  
19 adjustments for assessments to the appropriate standards and  
20 assessments review committee.

21 3. Each standards and assessments review committee shall review the  
22 findings and make recommendations to revise or replace existing  
23 standards and to adjust alignment of assessments.

24 4. The recommendations shall be published on the website established in  
25 this subsection for the purpose of gathering additional feedback from the  
26 public. The commissioner shall subsequently present the  
27 recommendations and the public feedback to the appropriate Interim

1 Joint Committee on Education.

2 5. The commissioner shall subsequently provide a report to the standards  
3 and assessments process review committee summarizing the process  
4 conducted under this subsection and the resulting recommendations. The  
5 report shall include but not be limited to the timeline of the review  
6 process, public feedback, and responses from the appropriate Interim  
7 Joint Committee on Education.

8 6. After receiving the commissioner's report, the standards and assessments  
9 process review committee shall either concur that stakeholders have had  
10 adequate opportunity to provide input on standards and the  
11 corresponding alignment of state assessments or find the input process  
12 deficient. If the process is found deficient, the recommendations may be  
13 returned to the appropriate standards and assessments review committee  
14 for review as described in subparagraph 3. of this paragraph. If the  
15 process is found sufficient, the recommendations shall be forwarded  
16 without amendment to the Kentucky Board of Education.

17 (h) The Kentucky Board of Education shall promulgate administrative regulations  
18 in accordance with KRS Chapter 13A as may be needed for the administration  
19 of the review process, including staggering the timing and sequence of the  
20 review process by subject area and remuneration of the review committees  
21 and advisory panels described in paragraphs (c) and (d) of this subsection.

22 (i) 1. The Kentucky Board of Education shall consider for approval the  
23 revisions to academic standards for a content area and the alignment of  
24 the corresponding state assessment once recommendations are received  
25 from the standards and assessments process review committee. Existing  
26 state academic standards shall remain in place until the board approves  
27 new standards.

- 1           2. Any revision to, or replacement of, the academic standards and  
2           assessments as a result of the review process conducted under this  
3           subsection shall be implemented in Kentucky public schools no later  
4           than the second academic year following the review process. Existing  
5           academic standards shall be used until new standards are implemented.
- 6           3. The Department of Education shall disseminate the academic content  
7           standards to the schools and teacher preparation programs.
- 8           (j) The Department of Education shall provide or facilitate statewide training  
9           sessions for existing teachers and administrators on how to:
- 10           1. Integrate the revised content standards into classroom instruction;  
11           2. Better integrate performance assessment of students within their  
12           instructional practices; and  
13           3. Help all students use higher-order thinking and communication skills.
- 14           (k) The Education Professional Standards Board in cooperation with the  
15           Kentucky Board of Education and the Council on Postsecondary Education  
16           shall coordinate information and training sessions for faculty and staff in all of  
17           the teacher preparation programs in the use of the revised academic content  
18           standards. The Education Professional Standards Board shall ensure that each  
19           teacher preparation program includes use of the academic standards in the  
20           pre-service education programs and that all teacher interns will have  
21           experience planning classroom instruction based on the revised standards.
- 22           (l) The Council on Postsecondary Education in cooperation with the Kentucky  
23           Department of Education and the postsecondary education institutions in the  
24           state shall coordinate information sessions regarding the academic content  
25           standards for faculty who teach in the various content areas.
- 26           (m) The Education Professional Standards Board shall, as a condition of program  
27           approval, require teacher preparation programs to align curriculum with the

1 expectations set forth in the state's academic content standards.

2 (3) (a) The Kentucky Board of Education shall be responsible for creating and  
3 implementing a balanced statewide assessment program that measures the  
4 students', schools', and districts' achievement of the goals set forth in KRS  
5 158.645 and 158.6451, to ensure compliance with the federal Every Student  
6 Succeeds Act of 2015, Pub. L. No. 114-95, or its successor, and to ensure  
7 school accountability.

8 (b) The board shall revise the annual statewide assessment program as needed in  
9 accordance with revised academic standards and corresponding assessment  
10 alignment adjustments approved by the board under subsection (2) of this  
11 section.

12 (c) The statewide assessments shall not include any academic standards not  
13 approved by the board under subsection (2) of this section.

14 (d) The board shall seek the advice of the Office of Education Accountability; the  
15 School Curriculum, Assessment, and Accountability Council; the Education  
16 Assessment and Accountability Review Subcommittee, and the department's  
17 technical advisory committee in the development of the assessment program.  
18 The statewide assessment program shall not include measurement of a  
19 student's ability to become a self-sufficient individual or to become a  
20 responsible member of a family, work group, or community.

21 (4) (a) The academic components of the statewide assessment program shall be  
22 composed of annual student summative tests, which may include a  
23 combination of multiple competency-based assessment and performance  
24 measures approved by the Kentucky Board of Education.

25 (b) The annual student summative tests shall:

26 1. Measure individual student achievement in language, reading, English,  
27 mathematics, science, and social studies at designated grades;

- 1           2.    Provide teachers and parents a valid and reliable comprehensive analysis
- 2                   of skills mastered by individual students;
- 3           3.    Provide diagnostic information that identifies strengths and academic
- 4                   deficiencies of individual students in the content areas;
- 5           4.    Provide information to teachers that can enable them to improve
- 6                   instruction for current and future students;
- 7           5.    Provide longitudinal profiles for students; and
- 8           6.    Ensure school and district accountability for student achievement of the
- 9                   goals set forth in KRS 158.645 and 158.6451, except the statewide
- 10                  assessment program shall not include measurement of a student's ability
- 11                  to become a self-sufficient individual or to become a responsible
- 12                  member of a family, work group, or community.
- 13   (5)   The state student assessments shall include the following components:
- 14       (a)   Elementary and middle grades requirements are:
- 15           1.    A criterion-referenced test each in mathematics and reading in grades
- 16                  three (3) through eight (8) that is valid and reliable for an individual
- 17                  student and that measures the depth and breadth of Kentucky's academic
- 18                  content standards;
- 19           2.    A criterion-referenced test each in science and social studies that is valid
- 20                  and reliable for an individual student as necessary to measure the depth
- 21                  and breadth of Kentucky's academic content standards to be
- 22                  administered one (1) time within the elementary and middle grades,
- 23                  respectively;
- 24           3.    An on-demand assessment of student writing to be administered one (1)
- 25                  time within the elementary grades and one (1) time within the middle
- 26                  grades; and
- 27           4.    An editing and mechanics test relating to writing, using multiple choice

- 1                   and constructed response items, to be administered one (1) time within  
2                   the elementary and the middle grades, respectively;
- 3       (b) High school requirements are:
- 4           1. A criterion-referenced test in mathematics, reading, and science that is  
5           valid and reliable for an individual student and that measures the depth  
6           and breadth of Kentucky's academic content standards to be  
7           administered one (1) time within the high school grades;
- 8           2. A criterion-referenced test in social studies that is valid and reliable for  
9           an individual student as necessary to measure the depth and breadth of  
10          Kentucky's academic content standards to be administered one (1) time  
11          within the high school grades;
- 12          3. An on-demand assessment of student writing to be administered one (1)  
13          time within the high school grades;
- 14          4. An editing and mechanics test relating to writing, using multiple choice  
15          and constructed response items, to be administered one (1) time within  
16          the high school grades; and
- 17          5. A college admissions examination to assess English, reading,  
18          mathematics, and science in the spring of grade eleven (11);
- 19       (c) The Kentucky Board of Education shall add any other component necessary  
20       to comply with the Every Student Succeeds Act of 2015, Pub. L. No. 114-95,  
21       or its successor, as determined by the United States Department of Education;
- 22       (d) The criterion-referenced components required in this subsection shall be  
23       composed of constructed response items and multiple choice items; and
- 24       (e) The results of the assessment program developed under this subsection shall  
25       be used by schools and districts to determine appropriate instructional  
26       modifications for all students in order for students to make continuous  
27       progress, including that needed by advanced learners.

- 1 (6) Each school district shall administer the statewide student assessment during the  
2 last fourteen (14) days of school in the district's instructional calendar. The  
3 Kentucky Board of Education may change the testing window to allow for  
4 innovative assessment systems or other online test administration and shall  
5 promulgate administrative regulations that minimize the number of days of testing  
6 and outline the procedures to be used during the testing process to ensure test  
7 security, including procedures for testing makeup days, and to comply with federal  
8 assessment requirements.
- 9 (7) A student enrolled in a district-operated or district-contracted alternative program  
10 shall participate in the appropriate assessments required by this section.
- 11 (8) A local school district may select and use commercial interim or formative  
12 assessments or develop and use its own formative assessments to provide data on  
13 how well its students are growing toward mastery of Kentucky academic standards,  
14 so long as the district's local school board develops a policy minimizing the  
15 reduction in instructional time related to the administration of the interim  
16 assessments. ~~Nothing in~~ This section ***shall not preclude*** ~~precludes~~ teachers from  
17 using ongoing teacher-developed formative processes.
- 18 (9) Each school that enrolls primary students shall use diagnostic assessments and  
19 prompts that measure readiness in reading and mathematics for its primary students  
20 as determined by the school to be developmentally appropriate. The schools may  
21 use commercial products, use products and procedures developed by the district, or  
22 develop their own diagnostic procedures. The results shall be used to inform the  
23 teachers and parents or guardians of each student's skill level.
- 24 (10) The state board shall ensure that a technically sound longitudinal comparison of the  
25 assessment results for the same students shall be made available.
- 26 (11) The following provisions shall apply to the college admissions examination  
27 described in subsection (5)(b)5. of this section:

- 1 (a) The cost of the college admissions examination administered to students in  
2 high school shall be paid for by the Kentucky Department of Education. The  
3 costs of additional college admissions examinations shall be the responsibility  
4 of the student;
- 5 (b) If funds are available, the Kentucky Department of Education shall provide a  
6 college admissions examination preparation program to all public high school  
7 juniors. The department may contract for necessary services; and
- 8 (c) Accommodations provided to a student with a disability taking the college  
9 admissions assessment under this subsection shall consist of:
- 10 1. Accommodations provided in a manner allowed by the college  
11 admissions assessment provider when results in test scores are  
12 reportable to a postsecondary institution for admissions and placement  
13 purposes, except as provided in subparagraph 2. of this paragraph; or
- 14 2. Accommodations provided in a manner allowed by a student's  
15 individualized education program as defined in KRS 158.281 for a  
16 student whose disability precludes valid assessment of his or her  
17 academic abilities using the accommodations provided under  
18 subparagraph 1. of this paragraph when the student's scores are not  
19 reportable to a postsecondary institution for admissions and placement  
20 purposes.
- 21 (12) Kentucky teachers shall have a significant role in providing feedback about the  
22 design of the assessments, except for the college admissions exam described in  
23 subsection (5)(b)5. of this section. The assessments shall be designed to:
- 24 (a) Measure grade appropriate core academic content, basic skills, and higher-  
25 order thinking skills and their application;
- 26 (b) Provide valid and reliable scores for schools. If scores are reported for  
27 students individually, they shall be valid and reliable;

1 (c) Minimize the time spent by teachers and students on assessment; and

2 (d) Assess Kentucky academic standards only.

3 (13) The results from assessment under subsections (3) and (5) of this section shall be  
4 reported to the school districts and schools no later than seventy-five (75) days  
5 following the last day the assessment can be administered. Assessment reports  
6 provided to the school districts and schools shall include an electronic copy of an  
7 operational subset of test items from each assessment administered to their students  
8 and the results for each of those test items by student and by school.

9 (14) The Department of Education shall gather information to establish the validity of  
10 the assessment and accountability program. It shall develop a biennial plan for  
11 validation studies that shall include but not be limited to the consistency of student  
12 results across multiple measures, the congruence of school scores with documented  
13 improvements in instructional practice and the school learning environment, and the  
14 potential for all scores to yield fair, consistent, and accurate student performance  
15 level and school accountability decisions. Validation activities shall take place in a  
16 timely manner and shall include a review of the accuracy of scores assigned to  
17 students and schools, as well as of the testing materials. The plan shall be submitted  
18 to the Commission by July 1 of the first year of each biennium. A summary of the  
19 findings shall be submitted to the Legislative Research Commission by September  
20 1 of the second year of the biennium.

21 (15) The Department of Education and the state board shall offer optional assistance to  
22 local school districts and schools in developing and using continuous assessment  
23 strategies needed to ensure student progress. The continuous assessment shall  
24 provide diagnostic information to improve instruction to meet the needs of  
25 individual students.

26 (16) The Administration Code for Kentucky's Assessment Program shall include  
27 prohibitions of inappropriate test preparation activities by school district employees

1 charged with test administration and oversight, including but not limited to the issue  
2 of teachers being required to do test practice in lieu of regular classroom instruction  
3 and test practice outside the normal work day. The code shall include disciplinary  
4 sanctions that may be taken toward a school or individuals.

5 (17) The Kentucky Board of Education, after the Department of Education has received  
6 advice from the Office of Education Accountability; the School Curriculum,  
7 Assessment, and Accountability Council; and the department's technical advisory  
8 committee, shall promulgate an administrative regulation under KRS Chapter 13A  
9 to establish the components of a reporting structure for assessments administered  
10 under this section. The reporting structure shall include the following components:

11 (a) A school report card that clearly communicates with parents and the public  
12 about school performance. The school report card shall be sent to the parents  
13 of the students of the districts, and information on electronic access to a  
14 summary of the results for the district shall be published in the newspaper  
15 with the largest circulation in the county. It shall include but not be limited to  
16 the following components reported by race, gender, and disability when  
17 appropriate:

- 18 1. Student academic achievement, including the results from each of the  
19 assessments administered under this section;
- 20 2. For Advanced Placement, Cambridge Advanced International, and  
21 International Baccalaureate, the courses offered, the number of students  
22 enrolled, completing, and taking the examination for each course, and  
23 the percentage of examinees receiving a score of three (3) or better on  
24 AP examinations, a score of "e" or better on Cambridge Advanced  
25 International examinations, or a score of four (4) or better on IB  
26 examinations. The data shall be disaggregated by gender, race, students  
27 with disabilities, and economic status;

- 1           3. Nonacademic achievement, including the school's attendance, retention,  
2           graduation rates, and student transition to postsecondary;
- 3           4. School learning environment, including measures of parental  
4           involvement; and
- 5           5. Any other school performance data required by the Every Student  
6           Succeeds Act of 2015, Pub. L. No. 114-95, or its successor;
- 7       (b) An individual student report to parents for each student in grades three (3)  
8           through eight (8) summarizing the student's skills in reading, science, social  
9           studies, and mathematics. The school's staff shall develop a plan for  
10          accelerated learning for any student with identified deficiencies or strengths;  
11          and
- 12       (c) A student's score on the college admissions assessment administered under  
13          subsection (5)(b)5. of this section.
- 14   (18) (a) Every six (6) years, the Kentucky Department of Education shall implement a  
15          comprehensive process for reviewing and revising the academic standards in  
16          visual and performing arts and practical living skills and career studies for all  
17          levels and in foreign language for middle and high schools. The department  
18          shall develop review committees for the standards for each of the content  
19          areas that include representation from certified specialist public school  
20          teachers and postsecondary teachers in those subject areas.
- 21       (b) The academic standards in practical living skills for elementary, middle, and  
22          high school levels shall include a focus on drug abuse prevention, with an  
23          emphasis on the prescription drug epidemic and the connection between  
24          prescription opioid abuse and addiction to other drugs, such as heroin and  
25          synthetic drugs.
- 26       (c) The department shall provide to all schools guidelines for programs that  
27          incorporate the adopted academic standards in visual and performing arts and

1 practical living and career studies. The department shall provide to middle and  
2 high schools guidelines for including a foreign language program. The  
3 guidelines shall address program length and time, courses offered, staffing,  
4 resources, and facilities.

5 (d) The Kentucky Department of Education, in consultation with certified public  
6 school teachers of visual and performing arts, may develop program standards  
7 for the visual and performing arts.

8 (19) The Kentucky Department of Education shall provide to all school districts  
9 guidelines for including an effective writing program within the curriculum.

10 (20) (a) The Kentucky Department of Education, in consultation with the review  
11 committees described in subsection (18) of this section, shall develop a school  
12 profile report to be used by all schools to document how they will address the  
13 adopted academic standards in their implementation of the programs as  
14 described in subsection (18) of this section, which may include student  
15 opportunities and experiences in extracurricular activities. The department  
16 shall include the essential workplace ethics program on the school profile  
17 report.

18 (b) By October 1 of each year, each school principal shall complete the school  
19 profile report, which shall be signed by ~~the members of the school council,~~  
20 ~~or~~ the principal ~~if no school council exists,~~ and the superintendent. The  
21 report shall be electronically transmitted to the Kentucky Department of  
22 Education, and the original shall be maintained on file at the local board office  
23 and made available to the public upon request. The department shall include a  
24 link to each school's profile report on its website.

25 (c) If a school staff member, student, or a student's parent has concerns regarding  
26 deficiencies in a school's implementation of the programs described in  
27 subsection (18) of this section, he or she may submit a written inquiry to the

1 school principal~~[council]~~.

2 (21) (a) No later than December 1, 2025, each local board of education shall adopt a  
3 district plan establishing clear policies on the promotion of advanced  
4 coursework or accelerated learning in language arts, mathematics, social  
5 studies, and science by grade level for students in grades four (4) to twelve  
6 (12).

7 (b) The district plan required by paragraph (a) of this subsection shall:

- 8 1. Be published on a publicly accessible location on the district website;
- 9 2. Describe the strategies and approach to advanced coursework or  
10 accelerated learning options by grade level for language arts,  
11 mathematics, social studies, and science; and
- 12 3. Require that the service delivery options for students identified as gifted  
13 and talented in language arts, mathematics, social studies, and science  
14 include the following for each grade level and subject area:
  - 15 a. i. Accelerated learning; or
  - 16 ii. Advanced coursework; and
  - 17 b. At least one (1) of the following service delivery options:
    - 18 i. Collaborative teaching and consultation services;
    - 19 ii. Special counseling services;
    - 20 iii. Differentiated study experiences for individuals and cluster  
21 groups in the regular classroom;
    - 22 iv. Distance learning;
    - 23 v. Enrichment services that are not extracurricular during the  
24 school day;
    - 25 vi. Independent study;
    - 26 vii. Mentorships;
    - 27 viii. Resource services delivered in a pull-out classroom or other

- 1 appropriate instructional setting;
- 2 ix. Seminars;
- 3 x. Travel study options; or
- 4 xi. Special schools or self-contained classrooms for students in
- 5 grades four (4) through twelve (12) only.

6 (c) The district plan required by paragraph (a) of this subsection may:

- 7 1. Automatically enroll a student who scores distinguished in any subject
- 8 area on the most recent statewide assessment for which scores are
- 9 available in available advanced coursework for that subject area and any
- 10 corresponding subject area designated by the local board of education;
- 11 2. Include eligibility criteria for qualification for available advanced
- 12 coursework for all other students;
- 13 3. Require written consent from a parent or guardian of a student to
- 14 withdraw or exclude a student that is eligible for advanced coursework
- 15 according to the district plan from that advanced coursework. If a
- 16 student requests to withdraw from advanced coursework to pursue
- 17 another educational opportunity, a principal may withdraw the student
- 18 without written consent from a parent or guardian only after a good-faith
- 19 attempt to contact the parent or guardian is unsuccessful; and
- 20 4. Permit a principal to withdraw a student from advanced coursework
- 21 without written consent from his or her parent or guardian if the
- 22 student's participation in advanced coursework would have an adverse
- 23 educational impact on a student, including interference with his or her
- 24 career pathway, access to career and technical education coursework, or
- 25 another educational opportunity.

26 (22) (a) The Kentucky Board of Education may promulgate administrative regulations

27 in accordance with KRS Chapter 13A to administer the provisions of

1 subsection (21) of this section.

2 (b) By December 1, 2025, the Kentucky Department of Education, in  
3 collaboration with local school districts, shall establish school district  
4 recommendations for the consistent use of preliminary assessment data and  
5 other criteria to identify students prepared for advanced coursework.

6 ➔Section 28. KRS 158.649 is amended to read as follows:

7 (1) As used in this section, "achievement gap" means the difference between  
8 performance goals and actual performance on each of the tested areas by grade  
9 level of the state assessment program for each of the various subgroups of students  
10 as described in the Every Student Succeeds Act of 2015, Pub. L. No. 114-95, or its  
11 successor, including male and female students, students with and without  
12 disabilities, students with and without English proficiency, minority and  
13 nonminority students, and students who are eligible for free and reduced lunch and  
14 those who are not eligible for free and reduced lunch.

15 (2) By October 1 of each year, the Department of Education shall provide each school{  
16 ~~council, or the~~ principal~~[if a school council does not exist,]~~ data on his or her{its}  
17 students' performance as shown by the state assessment program described in KRS  
18 158.6453. The data shall include but not be limited to information on performance  
19 levels of all students tested, and information on the performance of students  
20 disaggregated by race, gender, disability, English proficiency, and participation in  
21 the federal free and reduced price lunch program, and any other subgroups as  
22 described in the Every Student Succeeds Act of 2015, Pub. L. No. 114-95, or its  
23 successor. The information from the department shall include an equity analysis  
24 that shall identify the substantive differences among the various groups of students  
25 identified in subsection (1) of this section. Beginning with the 2012-2013 school  
26 year, the reporting requirement in this subsection shall be no later than seventy-five  
27 (75) days following the first day the assessment can be administered.

1 (3) Each local board of education upon the recommendation of the local district  
2 superintendent shall adopt a policy for reviewing the academic performance on the  
3 state assessments required under KRS 158.6453 for various groups of students,  
4 including major racial groups, gender, disability, free and reduced price school  
5 lunch eligibility, and limited English proficiency. The local board policy shall be  
6 consistent with Kentucky Board of Education administrative regulations. Upon  
7 agreement of~~[ the school based decision making council, or]~~ the principal~~[ if there~~  
8 ~~is not a council,]~~ and the superintendent, the local board shall establish an annual  
9 target for each school for reducing identified gaps in achievement as set out in  
10 subsection (4) of this section.

11 (4) By February 1 of each year,~~[ the school based decision making council, or]~~ the  
12 principal~~[ if there is not a council,]~~ with the involvement of **the advisory council**  
13 **and any other interested** parents, faculty, and staff shall set the school's targets for  
14 eliminating any achievement gap and submit them to the superintendent for  
15 consideration. The superintendent and~~[ the school based decision making council,~~  
16 ~~or]~~ the principal~~[ if there is not a council,]~~ shall agree on the targets before they are  
17 submitted to the local board of education for adoption.

18 (5) By January 1 of each year,~~[ the school council, or]~~ the principal~~[ if a school council~~  
19 ~~does not exist,]~~ with the involvement of **the advisory council and any other**  
20 **interested** parents, faculty, and staff, shall review the data and revise the school  
21 improvement plan to include the targets, strategies, activities, and a time schedule  
22 calculated to eliminate the achievement gap among various groups of students to  
23 the extent it may exist. The plan shall include but not be limited to activities  
24 designed to address the following areas:

- 25 (a) Curriculum alignment within the school and with schools that send or receive  
26 the school's students;
- 27 (b) Evaluation and assessment strategies to continuously monitor and modify

- 1 instruction to meet student needs and support proficient student work;
- 2 (c) Professional development to address the goals of the plan;
- 3 (d) Parental communication and involvement;
- 4 (e) Attendance improvement and dropout prevention; and
- 5 (f) Technical assistance that will be accessed.
- 6 (6) The principal shall convene a public meeting at the school to present and discuss
- 7 the plan prior to submitting it to the superintendent and the local board of education
- 8 for review, in the public meeting required under KRS 160.340.
- 9 (7) Based on the disaggregated assessment results, the local board shall determine if
- 10 each school achieved its targets for each group of students. Only data for a group of
- 11 students including ten (10) or more students shall be considered.
- 12 (8) Notwithstanding KRS 160.345~~(7)~~~~(8)~~ and 158.070(7), if a local board determines
- 13 that a school has not met its target to reduce the identified gap in student
- 14 achievement for a group of students, the local board shall require~~the council, or~~
- 15 the principal~~if no council exists,~~ to submit ***his or her***~~its~~ revisions to the school
- 16 improvement plan describing the use of professional development funds and funds
- 17 allocated for continuing education to reduce the school's achievement gap for
- 18 review and approval by the superintendent. The plan shall address how the school
- 19 will meet the academic needs of the students in the various groups identified in
- 20 subsection (1) of this section.
- 21 (9) The superintendent shall report to the local school board and the commissioner of
- 22 education if a school fails to meet its targets in any academic content area to reduce
- 23 the gap in student achievement for any student group for two (2) consecutive years.
- 24 The school's improvement plan shall be subject to review and approval by the
- 25 Kentucky Department of Education and the school shall submit an annual status
- 26 report. The Department of Education may provide assistance as defined in KRS
- 27 160.346 to schools as it deems necessary to assist the school in meeting its goals.

1 (10) ~~{The school-based decision-making council, or }~~The principal~~{ if there is not a~~  
2 ~~council,}~~ shall ***not***~~{no longer}~~ be required to seek approval of the plan under  
3 subsections (8) and (9) of this section when ***his or her school***~~{it}~~ meets its target for  
4 reducing the gap in student achievement for the various groups of students  
5 identified in subsection (1) of this section.

6 ➔Section 29. KRS 158.792 is amended to read as follows:

- 7 (1) As used in this section and KRS 164.0207, unless the context requires otherwise:
- 8 (a) "Comprehensive reading program" means any print, nonprint, or electronic  
9 medium of reading instruction designed to assist students. For students in  
10 kindergarten through grade three (3), program instructional resources shall  
11 include instruction in five (5) key areas: phonemic awareness, phonics,  
12 fluency, vocabulary, and comprehension;
- 13 (b) "Reading diagnostic assessment" means an assessment that measures a  
14 student's skills against established performance levels in essential components  
15 of reading and identifies students that require intervention in at least one (1)  
16 of those components to accelerate the student's progress toward proficient  
17 performance in reading;
- 18 (c) "Reading intervention program" means short-term intensive instruction in the  
19 essential skills necessary to read proficiently that is provided to a student by a  
20 highly trained teacher. This instruction may be conducted one-on-one or in  
21 small groups; shall be evidence-based, reliable, and replicable; and shall be  
22 based on the ongoing assessment of individual student needs; and
- 23 (d) "Reliable, replicable evidence" means objective, valid, scientific studies that:
- 24 1. Include rigorously defined samples of subjects that are sufficiently large  
25 and representative to support the general conclusions drawn;
- 26 2. Rely on measurements that meet established standards of reliability and  
27 validity;

- 1           3. Test competing theories, where multiple theories exist;
- 2           4. Are subjected to peer review before their results are published; and
- 3           5. Discover effective strategies for improving reading skills.

4 (2) The reading diagnostic and intervention fund is created to help teachers and library  
5 media specialists improve the reading skills of struggling readers in kindergarten  
6 through grade three (3) and to assist schools in employing reading interventionists  
7 who specialize in providing those services. The Department of Education, upon the  
8 recommendation of the Reading Diagnostic and Intervention Grant Steering  
9 Committee, shall provide renewable, two (2) year grants to schools to support  
10 teachers and reading interventionists in the implementation of reliable, replicable  
11 evidence-based reading intervention programs that use a balance of diagnostic tools  
12 and instructional strategies that emphasize phonemic awareness, phonics, fluency,  
13 vocabulary, comprehension, and connections between writing and reading  
14 acquisition and motivation to read to address the diverse learning needs of those  
15 students reading at low levels. Any moneys in the fund at the close of the fiscal year  
16 shall not lapse but shall be carried forward to be used for the purposes specified in  
17 this section.

18 (3) (a) The Kentucky Board of Education shall promulgate administrative  
19 regulations, based on recommendations from the Department of Education  
20 that shall include but not be limited to a school selection process with a focus  
21 on those with the most need, professional learning supports in literacy, and  
22 early reading instruction to:

- 23           1. Identify eligible grant applicants, taking into consideration how the  
24 grant program described in this section will relate to other grant  
25 programs;
- 26           2. Specify the criteria for acceptable reading and literacy diagnostic  
27 assessments and intervention programs;

- 1           3.   Specify the criteria for acceptable ongoing assessment of each child to
- 2                   determine his or her reading progress;
- 3           4.   Establish the minimum evaluation process for an annual review of each
- 4                   grant recipient's program and progress;
- 5           5.   Identify the annual data that must be provided from grant recipients;
- 6           6.   Define the application review and approval process;
- 7           7.   Establish matching requirements deemed necessary;
- 8           8.   Define the professional development and continuing education
- 9                   requirements for teachers, library media specialists, administrators, and
- 10                  staff of grant recipients;
- 11          9.   Establish the conditions for renewal of a two (2) year grant; and
- 12          10. Specify other conditions necessary to implement the purposes of this
- 13                  section.
- 14          (b) The board shall require that a grant applicant provide assurances that the
- 15                  following principles will be met if the applicant's request for funding is
- 16                  approved:
- 17                  1.   An evidence-based comprehensive schoolwide reading program will be
- 18                          available;
- 19                  2.   Intervention services will supplement, not replace, regular classroom
- 20                          instruction;
- 21                  3.   Intervention services will be provided to struggling kindergarten through
- 22                          grade three (3) readers within the school based upon ongoing assessment
- 23                          of their needs; and
- 24                  4.   A system for informing parents of struggling readers of the available
- 25                          family literacy services within the district will be established.
- 26          (c) The board shall not restrict how a grant applicant utilizes grant funds as it
- 27                  relates to the applicant's use of funds for professional development, resources,

1 tools, employment of reading interventionists, and other expenses authorized  
2 by this section. The grant applicant shall have discretion in allocating grant  
3 funds for purposes authorized by this section; however, the board may  
4 consider the effectiveness of those uses in reviewing the application.

- 5 (4) In order to qualify for funding, ~~the school council, or if none exists,~~ the principal  
6 or the superintendent of schools, shall allocate matching funds required by grant  
7 recipients under subsection (3) of this section. Funding for professional  
8 development allocated to the school principal ~~council~~ under KRS 160.345 and for  
9 continuing education under KRS 158.070 may be used as part of the school's match.
- 10 (5) The Department of Education shall make available to schools:
- 11 (a) Information concerning successful, evidence-based comprehensive reading  
12 programs, diagnostic tools for pre- and post-assessment, and intervention  
13 programs, from the statewide reading research center established under KRS  
14 164.0207;
- 15 (b) Strategies for successfully implementing early reading programs, including  
16 professional development support and the identification of funding sources;  
17 and
- 18 (c) A list of professional development providers offering teacher training related  
19 to reading that emphasizes the essential components for successful reading:  
20 phonemic awareness, phonics, fluency, vocabulary, comprehension, and  
21 connections between writing and reading acquisition and motivation to read.
- 22 (6) The Department of Education shall submit a report to the appropriate Interim Joint  
23 Committee on Education no later than November 1 of each year outlining the use of  
24 grant funds. The annual report for an odd-numbered year shall include an estimate  
25 of the cost to expand the reading diagnostic and intervention fund.
- 26 (7) The Department of Education shall report program data to an external evaluator for  
27 analysis of the program's success in meeting the goal of increasing early literacy

1 student outcomes.

2 ➔Section 30. KRS 158.7992 is amended to read as follows:

- 3 (1) The Department of Education shall establish a program that promotes the  
4 integration of the arts and foreign languages in the elementary school program. A  
5 school shall submit an application through the district superintendent, with the  
6 agreement of the school~~[-council or of the]~~ principal~~[-, if a council does not exist]~~.  
7 The department shall award a grant to at least one (1) school per region based on  
8 the quality of the application in meeting the criteria established in subsection (2) of  
9 this section. Special consideration shall be given, but not limited to, a school that  
10 does not have an existing comprehensive arts and foreign language program.
- 11 (2) School programs under subsection (1) of this section shall include, but not be  
12 limited to, the following components:
- 13 (a) Instruction in each of the four (4) disciplines of dance, drama, music, and the  
14 visual arts that includes the core content skills and knowledge taught in a  
15 sequential manner and includes all students in the elementary school;
  - 16 (b) Intense instruction in at least one (1) foreign language that includes skills and  
17 knowledge related to communicative language and culture and includes all  
18 students in the elementary school;
  - 19 (c) Integration of arts and foreign language instruction across the curriculum;
  - 20 (d) Coordination of the programs by teachers with appropriate arts and foreign  
21 language certification;
  - 22 (e) Professional development for teachers and administrators designed to  
23 facilitate the effective teaching of arts and foreign languages;
  - 24 (f) An effective monitoring and evaluation system that includes student  
25 performance assessment;
  - 26 (g) Partnerships with parents, local cultural agencies, individual artists, and native  
27 speakers of the foreign language who work in collaboration with classroom

1 teachers;

2 (h) Support from the local school board, the school principal, the  
3 advisory~~[school]~~ council, and teachers; and

4 (i) Student attendance at one (1) or more live performance or visual art exhibition  
5 each school year.

6 (3) The Department of Education shall report annually by July 1 of each year on the  
7 implementation of the program to the Governor and the Legislative Research  
8 Commission.

9 ➔Section 31. KRS 158.860 is amended to read as follows:

10 (1) As used in this section:

11 (a) "Core course" means any course offered in the middle grades or high school  
12 grades that is a specific high school graduation requirement or a course that  
13 may be used to fulfill a minimum graduation requirement in the content areas  
14 of language arts, mathematics, science, and social studies as specified in  
15 administrative regulation promulgated by the Kentucky Board of Education  
16 under the provisions of KRS 156.160; and

17 (b) "End-of-course examination" or "end-of-course exam" means a test that  
18 measures a student's knowledge and skills upon completion of a core content  
19 course.

20 (2) The Kentucky Department of Education shall coordinate the development of end-  
21 of-course exams.

22 (a) The development process shall initially include end-of-course exams for  
23 Algebra I, Algebra II, and Geometry.

24 (b) Content teachers in the core courses, postsecondary faculty including subject  
25 matter specialists as well as teacher educators, curriculum specialists, and  
26 other appropriate practitioners shall be involved in the development and  
27 review of items for the exams. Content teachers shall comprise the majority of

1 the developers and reviewers of the test items.

2 (c) The department shall ensure that each end-of-course exam:

3 1. Aligns with the standards, content, goals, and academic expectations  
4 relevant to the course;

5 2. Requires student demonstration of knowledge, comprehension,  
6 application, and higher order cognitive skills;

7 3. Provides reliable and valid test items;

8 4. Is available to schools in an on-line format if resources are available;  
9 and

10 5. Provides individual student scores; test item analyses; aggregate  
11 comparisons of student data at the school, district, and state levels; and  
12 disaggregated data by student subpopulations at the school district and  
13 state levels.

14 (d) The department shall make available a parallel form for each exam.

15 (e) The initial end-of-course exam developed as required in paragraph (a) of this  
16 subsection shall be available and piloted in selected school districts no later  
17 than the end of the 2007-2008 school year.

18 (3) The department may contract for services as deemed necessary to fulfill its duties  
19 under this section.

20 (4) The Kentucky Department of Education shall conduct a study of the end-of-course  
21 examinations and the processes used during the pilot of the exams.

22 (a) Following the initial use of the end-of-course exams in Algebra I, Algebra II,  
23 and Geometry, the department, with assistance from the developers identified  
24 in subsection (2)(b) of this section, shall determine whether the exams meet  
25 the requirements in subsection (2)(c) of this section. The determination shall  
26 be based on an analysis of individual test items, analyses of student results on  
27 the exams, pilot teachers' input, and review of other data gathered during the

- 1 pilot year.
- 2 (b) The department shall consult with the Education Assessment and  
3 Accountability Review Subcommittee, the National Technical Advisory Panel  
4 on Assessment and Accountability, and the School Curriculum, Assessment,  
5 and Accountability Council regarding the implications for statewide  
6 implementation and shall advise the Kentucky Board of Education of its  
7 findings and recommendations.
- 8 (c) Following the consultations and discussions required in paragraphs (a) and (b)  
9 of this subsection, the commissioner of education shall report the findings of  
10 the pilot project and policy options to the appropriate Interim Joint  
11 Committee on Education.
- 12 (5) End-of-course exams in the pilot period shall not be used as a criterion for formally  
13 evaluating or compensating teachers. Student results may be discussed during the  
14 formative evaluation stage in compliance with KRS 156.557.
- 15 (6) The department shall develop the test procedures, including testing  
16 accommodations for students with special needs, retest provisions, reporting  
17 requirements, and other procedures as necessary to implement the provisions of this  
18 section.
- 19 (7) A teacher shall use a student's score on any end-of-course exam that is administered  
20 in calculating the student's final grade in accordance with policies of the local board  
21 of education and the school principal~~[school-based decision-making council]~~.
- 22 (8) The commissioner of education or a designee shall provide a written status report  
23 regarding implementation of this section to the Interim Joint Committee on  
24 Education and the Education Assessment and Accountability Review Subcommittee  
25 by December 1, 2007, and July 1, 2008.
- 26 (9) The Kentucky Department of Education and local school districts shall use end-of-  
27 course exams to promote increased student accountability. The department and

1 local school districts shall also use test results to determine the need for technical  
2 assistance, professional development, and other resources to improve instruction.

3 ➔Section 32. KRS 158.844 is amended to read as follows:

- 4 (1) The mathematics achievement fund is hereby created to provide developmentally  
5 appropriate diagnostic assessment and intervention services to students, primary  
6 through grade 12, to help them reach proficiency in mathematics on the state  
7 assessments under KRS 158.6453 and in compliance with the "No Child Left  
8 Behind Act of 2001," 20 U.S.C. secs. 6301 et seq., as required under KRS 158.840.
- 9 (2) The grant funds may be used to support the implementation of diagnostic and  
10 intervention services in mathematics. The use of funds may include: pay for  
11 extended time for teachers, released time for teachers to serve as coaches and  
12 mentors or to carry out other responsibilities needed in the implementation of  
13 intervention services, payment of substitute teachers needed for the support of  
14 mathematics teachers, purchase of materials needed for modification of instruction,  
15 and other costs associated with diagnostic and intervention services or to cover  
16 other costs deemed appropriate by the Kentucky Board of Education.
- 17 (3) The fund shall:
- 18 (a) Provide funding for the Center for Mathematics created in KRS 164.525 and  
19 the costs of training selected teachers in the diagnostic assessment and  
20 intervention skills that are needed to assist struggling students in the primary  
21 program and other grade levels;
- 22 (b) Provide renewable, two (2) year local grants to school districts and for  
23 purposes described in subsection (2) of this section; and
- 24 (c) Provide operational funding for the Committee for Mathematics Achievement  
25 created in KRS 158.842.
- 26 (4) Any funds appropriated to the mathematics achievement fund that are specifically  
27 designated by the General Assembly to support the Center for Mathematics shall be

1           appropriated to the Council on Postsecondary Education and distributed to the  
2           university administering the center, as determined by the council under KRS  
3           164.525.

4       (5) Any moneys in the fund at the close of a fiscal year shall not lapse but shall be  
5           carried forward to be used for the purposes specified in this section.

6       (6) Any interest earnings of the fund shall become a part of the fund and shall not  
7           lapse.

8       (7) (a) Any funds appropriated to the mathematics achievement fund and specifically  
9           designated by the General Assembly as funding for grants to local school  
10          districts or to support the Committee for Mathematics Achievement shall be  
11          administered by the Kentucky Department of Education.

12       (b) The Kentucky Board of Education shall promulgate administrative regulations  
13          relating to the grants for local school districts based on recommendations  
14          from the Committee for Mathematics Achievement, the secretary of the  
15          Education and Labor Cabinet, the commissioner of education, and the Center  
16          for Mathematics established in KRS 164.525. The administrative regulations  
17          shall:

- 18           1. Identify eligibility criteria for grant applicants;
- 19           2. Specify the criteria for acceptable diagnostic assessments and  
20           intervention programs and coaching and mentoring programs;
- 21           3. Establish the minimum annual evaluation process for each grant  
22           recipient;
- 23           4. Identify the annual data that must be provided from each grant recipient;
- 24           5. Define the application and approval process;
- 25           6. Establish matching fund requirements if deemed necessary by the board;
- 26           7. Define the obligations for professional development and continuing  
27           education for teachers, administrators, and staff of each grant recipient;

- 1           8.    Establish the conditions for renewal of a two (2) year grant; and
- 2           9.    Specify other conditions necessary to implement the purposes of this
- 3                section.
- 4       (c)   As part of the application process, the board shall require that a grant
- 5           applicant provide assurances that the following principles will be met if the
- 6           applicant's request for funding is approved:
- 7           1.    Mathematics instruction will be standards-based and utilize research-
- 8                based practices;
- 9           2.    Intervention and support services will supplement, not replace, regular
- 10           classroom instruction; and
- 11           3.    Intervention services will be provided to primary program students and
- 12           other students who are at risk of mathematics failure within the school
- 13           based upon ongoing assessments of their needs.
- 14       (d)   If matching funds are required,~~[the school council or, if none exists,]~~ the
- 15           principal or the superintendent of schools~~[,]~~ shall allocate matching funds.
- 16           Funding for professional development allocated~~[to the school council]~~ under
- 17           KRS 160.345 and for continuing education under KRS 158.070 may be used
- 18           to provide a portion or all of a school's required match.
- 19       (e)   The Department of Education shall make available to schools:
- 20           1.    Information from the Center for Mathematics regarding diagnostic
- 21           assessment and intervention programs and coaching and mentoring
- 22           programs of proven-practice in meeting the needs of primary students
- 23           and other students who are at risk of failure;
- 24           2.    Technical assistance to potential applicants and grant recipients;
- 25           3.    A list of professional development providers offering teacher training in
- 26           diagnostic assessment and intervention strategies and coaching and
- 27           mentoring; and

1           4. Information from the Center for Mathematics on how to communicate to  
2           parents effective ways of interacting with their children to improve their  
3           mathematics concepts, skills, and understanding.

4           (f) The Department of Education shall submit a report to the appropriate Interim  
5           Joint Committee on Education no later than September 1 of each year  
6           outlining the use of grant funds. By November 1, 2007, the Department of  
7           Education with input from the Committee for Mathematics Achievement and  
8           the Center for Mathematics shall conduct a statewide needs assessment of the  
9           resources needed in each school to help each child achieve proficiency in  
10          mathematics by the year 2014 and report to the Interim Joint Committee on  
11          Education an estimate of the cost and a specific timeline for meeting the goal  
12          established by the Commonwealth.

13          ➔Section 33. KRS 160.294 is amended to read as follows:

14          (1) Each local board of education shall adopt a plan and procedures for recycling white  
15          paper and cardboard in all board-owned and operated facilities.

16          (2) A local board of education shall be exempt from the requirement to establish a  
17          recycling program as described in this section if:

18                  (a) There is no recycling facility within the county or within a reasonable distance  
19                  in an adjoining geographic area; or

20                  (b) The district cannot locate a recycling vendor to service the school district,  
21                  without incurring a negative fiscal impact.

22          (3) The board may delegate to each school ~~or school council~~ the responsibility for  
23          designing its own procedures; however, the superintendent or the superintendent's  
24          designee shall periodically review the operating procedures to assure that recycling  
25          is being carried out.

26          ➔Section 34. KRS 160.340 is amended to read as follows:

27          (1) Each board of education shall, on the forms prepared by the chief state school

1 officer and approved by the Kentucky Board of Education, prepare and submit to  
2 the Kentucky Board of Education reports on all phases of its school service. Each  
3 board may prepare and publish for the information of the public a report on the  
4 progress of its schools.

5 (2) Each board of education shall file in the board's office its policies relating to the  
6 following matters:

- 7 (a) Transportation of pupils;
- 8 (b) Discipline and conduct of pupils;
- 9 (c) Limitations or restrictions on use of school facilities;
- 10 (d) Conduct of meetings of the board of education, including policies on the  
11 calling of executive sessions;
- 12 (e) Personnel policies that apply to certified employees, including fringe benefits,  
13 salary schedules, nonclassroom duties, in-service training, teacher-student  
14 ratio, hiring, assignment, transfer, dismissal, suspension, reinstatement,  
15 promotion, and demotion;
- 16 (f) Evaluation of certified employees;
- 17 (g) Selection of textbooks and instructional materials;
- 18 (h) Expenditure and accounting for school funds, including all special funds; and
- 19 (i) ~~[Policies dealing with ]~~School-based **policies**~~[decision making]~~.

20 (3) (a) The local board of education may adopt a policy requiring that each~~[school~~  
21 ~~council, or if none exists, the]~~ principal, make an annual report at a public  
22 meeting of the board describing the school's progress in meeting the  
23 educational goals set forth in KRS 158.6451 and district goals established by  
24 the board.

25 (b) Biennially, the local board shall review in a public meeting the portion of each  
26 school's consolidated plan that sets forth the activities and schedule to reduce  
27 the achievement gaps for the various groups of students as required in KRS

1           158.649. If a district has more than twenty (20) schools, the district may  
2           review the achievement gap data of each school in a comprehensive district  
3           report at a regularly scheduled meeting of the board. The report shall include  
4           the schools' and district's plans to reduce any identified gaps in student  
5           achievement.

6       (4) It is intended that these policies shall cover matters within the authority and  
7           discretion of the district board of education and not matters otherwise required by  
8           law or regulation. Such policies shall be filed in the board's office by August 15,  
9           1974, shall be kept up to date by filing annual amendments thereto each August 15  
10          and shall be public records.

11       ➔Section 35. KRS 160.346 is amended to read as follows:

12       (1) For purposes of this section:

13           (a) "Department" means the Kentucky Department of Education;

14           (b) "ESSA" means the Every Student Succeeds Act of 2015, Pub. L. No. 114-95,  
15           or its successor;

16           (c) "Level" means elementary, middle, or high school;

17           (d) "Turnaround" means a comprehensive transformation of a school to achieve  
18           accelerated, meaningful, and sustainable increases in student achievement  
19           through improved school leadership and school district support;

20           (e) "Turnaround plan" means a mandatory school plan that is designed to  
21           improve student learning and performance with evidence-based interventions  
22           as defined in ESSA and that is developed and implemented by the local  
23           school district in partnership with stakeholders, including the principal, other  
24           school leaders, teachers, and parents; and

25           (f) "Turnaround team" means the turnaround training and support team described  
26           in subsection (8)(a) of this section.

27       (2) (a) The department shall annually identify a school for targeted support and

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

5 (b) Beginning with the 2021-2022 school year, and every three (3) years  
6 thereafter, the department shall identify a school for additional targeted  
7 support and improvement if the school has one (1) or more subgroups, as  
8 defined by ESSA, whose performance in the state accountability system by  
9 level is at or below the summative performance of all students in any of the  
10 lowest-performing five percent (5%) of all schools identified under subsection  
11 (3)(a) of this section and the school was identified in the immediately  
12 preceding year for targeted support and improvement as described in  
13 paragraph (a) of this subsection.

14 (3) The department shall annually identify a school for comprehensive support and  
15 improvement if the school is:

16 (a) In the lowest-performing five percent (5%) of all schools in its level based on  
17 the school's performance in the state accountability system;

18 (b) A high school with a four (4) year cohort graduation rate that is less than  
19 eighty percent (80%); or

20 (c) Identified by the department for additional targeted support and improvement  
21 under subsection (2)(b) of this section and fails to exit additional targeted  
22 support and improvement status based on criteria established under subsection  
23 (11) of this section.

24 (4) (a) When a school is identified for targeted support and improvement under  
25 subsection (2)(a) of this section, the local school personnel, working with  
26 stakeholders, including the principal, other school leaders, teachers, and  
27 parents, shall revise its school improvement plan, which shall be subject to

1 review and approval by the local board of education.

2 (b) Each revised plan shall be informed by all available indicators, including  
3 student performance compared to long-term goals, and shall include:

- 4 1. Components of turnaround leadership development and support;
- 5 2. Identification of critical resource inequities;
- 6 3. Evidence-based interventions; and
- 7 4. Additional actions that address the causes of consistently  
8 underperforming subgroups of students.

9 (c) If adequate performance progress, as defined by the department, is not made,  
10 the local school district shall take additional action to assist and support the  
11 school in reaching performance goals.

12 (5) When a school is identified for additional targeted support and improvement under  
13 subsection (2)(b) of this section, the local school district shall take more rigorous  
14 district-determined action to assist and support the school in reaching performance  
15 goals.

16 (6) (a) When a school is identified for comprehensive support and improvement, an  
17 audit shall be performed by the department to diagnose the causes of the  
18 school's low performance.

19 (b) The audit conducted under this subsection shall be the only comprehensive  
20 audit required for a school unless the school fails to exit comprehensive  
21 support and improvement status as described in subsection (11) of this section  
22 or exits comprehensive support and improvement status but subsequently  
23 repeats as a school identified for comprehensive support and improvement.

24 (7) (a) The audit conducted by the department under subsection (6) of this section  
25 shall include:

- 26 1. A diagnosis of the causes of the school's low performance, with an  
27 emphasis on underperforming subgroups of students and corresponding

- 1 critical resource inequities;
- 2 2. An assessment and recommendation to the superintendent regarding the
- 3 best strategies to address the school's specific needs;
- 4 3. An assessment of the interaction and relationship among the
- 5 superintendent, central office personnel, and the school principal;
- 6 4. A recommendation of the steps the school may implement to launch and
- 7 sustain a turnaround process;
- 8 5. A recommendation to the local board of education of the turnaround
- 9 principles and strategies necessary for the superintendent to assist the
- 10 school with turnaround; and
- 11 6. An assessment and recommendation to the superintendent regarding the
- 12 principal's capacity to lead the turnaround effort in the school.
- 13 (b) The report of an audit conducted under this subsection shall be provided to the
- 14 superintendent, local board of education, school principal, commissioner of
- 15 education, and the Kentucky Board of Education.
- 16 (8) After completion of the audit described in subsection (7) of this section, each school
- 17 identified for comprehensive support and improvement shall engage in the
- 18 following turnaround intervention process:
- 19 (a) The superintendent and principal shall collaborate with the department to
- 20 create a turnaround training and support team for the school identified for
- 21 comprehensive support and improvement. The local board of education shall
- 22 approve the turnaround team;
- 23 (b) The authority of the school ~~principal council~~ granted under KRS 160.345
- 24 shall be transferred to the superintendent;
- 25 (c) The superintendent shall **maintain the authority to** select a principal for the
- 26 school if a principal vacancy occurs. The superintendent shall consult with the
- 27 turnaround team, parents, certified staff, and classified staff before appointing

- 1 a principal replacement;
- 2 (d) Upon recommendation of the principal, the superintendent may reassign  
3 certified staff members to a comparable position in the school district;
- 4 (e) The superintendent shall collaborate with the turnaround team to design  
5 ongoing turnaround training and support for the principal and a corresponding  
6 monitoring system of effectiveness and student achievement results;
- 7 (f) The principal shall collaborate with the turnaround team to establish an  
8 advisory leadership team representing school stakeholders including other  
9 school leaders, teachers, and parents;
- 10 (g) 1. In consultation with the department, the local school board shall  
11 collaborate with the superintendent, principal, turnaround team, and the  
12 advisory leadership team to propose a three (3) year turnaround plan.
- 13 2. The turnaround plan shall include requests to the department for  
14 exemptions from submitting documentation that are identified by the  
15 principal, advisory leadership team, and turnaround team as inhibitors to  
16 investing time in innovative instruction and accelerated student  
17 achievement of diverse learners including ongoing staff instructional  
18 plans, student interventions, formative assessment results, or staff  
19 effectiveness processes.
- 20 3. The turnaround plan shall be reviewed for approval by the  
21 superintendent and the local board of education and shall be subject to  
22 review, approval, monitoring, and periodic review by the department as  
23 described in KRS 158.782;
- 24 (h) The school district may request technical assistance from the department for  
25 development and implementation of the turnaround plan, which may include  
26 conducting needs assessments, selecting evidence-based interventions, and  
27 reviewing and addressing resource inequities;

- 1 (i) The turnaround plan shall be fully implemented by the first full day of the  
2 school year following the school year the school was identified for  
3 comprehensive support and improvement; and
- 4 (j) The superintendent shall periodically report to the local school board, and at  
5 least annually to the commissioner of education, on the implementation and  
6 results of the turnaround plan.
- 7 (9) The department shall establish required professional learning for teachers of  
8 students in schools identified for comprehensive support and improvement.  
9 Required professional learning shall be related to evidence-based practices in  
10 instruction, instructional materials implementation, and assessment for reading and  
11 mathematics and aligned to Kentucky academic standards required by KRS  
12 158.6453.
- 13 (10) Each superintendent or public charter school board of directors shall adopt  
14 evidence-based curriculum and select high-quality instructional resources for  
15 schools identified for comprehensive support and improvement. High-quality  
16 instructional materials selected by the superintendent shall be determined by the  
17 department to be reliable, valid, and aligned to Kentucky academic standards  
18 required by KRS 158.6453 for reading and mathematics.
- 19 (11) The Kentucky Board of Education shall establish annual statewide exit criteria for  
20 schools identified for targeted support and improvement, additional targeted support  
21 and improvement, and comprehensive support and improvement.
- 22 (12) If a school enters comprehensive support and improvement status and does not  
23 make any annual improvement, as determined by the department, for two (2)  
24 consecutive years, or if the school does not exit the status after three (3) years, the  
25 school shall enter a school intervention process chosen by the commissioner of  
26 education that provides more rigorous support and action by the department to  
27 improve the school's performance.

- 1 (13) For school districts that include a significant number of schools, as determined by  
 2 the department, identified for targeted support and improvement:
- 3 (a) The department shall periodically review a local board's resource allocations  
 4 to support school improvement and provide technical assistance to the local  
 5 school board; and
- 6 (b) The department may provide a recommended list of turnaround or school  
 7 intervention providers that have demonstrated success implementing  
 8 evidence-based strategies.
- 9 (14) If, in the course of a school audit, the audit team identifies information suggesting  
 10 that a violation of KRS 160.345~~(8)~~~~(9)~~(a) may have occurred, the commissioner of  
 11 education shall forward the evidence to the Office of Education Accountability for  
 12 investigation.
- 13 (15) A principal's authority and a school's right to establish an advisory~~[a]~~ council  
 14 granted under KRS 160.345 may be restored by the local board of education two (2)  
 15 years after the school exits comprehensive support and improvement status.
- 16 ➔Section 36. KRS 160.347 is amended to read as follows:
- 17 A member of a school advisory council may be removed from the advisory council for  
 18 cause, after an opportunity for hearing before the local board, by a vote of four-fifths  
 19 (4/5) of the membership of a board of education after the recommendation of the chief  
 20 state school officer pursuant to KRS 156.132. Written notices setting out the charges for  
 21 removal shall be spread on the minutes of the board and given to the member of the  
 22 advisory~~[school]~~ council.
- 23 ➔Section 37. KRS 160.348 is amended to read as follows:
- 24 (1) (a) The Kentucky Department of Education shall make available to schools  
 25 information concerning the prerequisite content necessary for success in  
 26 advanced coursework, including secondary courses, Advanced Placement or  
 27 AP courses, and International Baccalaureate or IB courses. The department

1 shall provide sample syllabi, instructional resources, and instructional  
2 supports for teachers that will assist in preparing students for more rigorous  
3 coursework.

4 (b) Each~~[ school-based decision-making council, or]~~ principal~~[ if none exists,]~~  
5 shall offer a core curriculum of AP, IB, dual enrollment, dual credit courses,  
6 or other advanced coursework using either or both on-site instruction or  
7 online alternatives. In addition, each principal~~[school-based decision-making~~  
8 ~~council]~~ shall comply with any additional requirements for AP, IB, dual  
9 enrollment, dual credit, and advanced coursework courses that may be  
10 established cooperatively by the Kentucky Department of Education, the  
11 Education Professional Standards Board, and the Council on Postsecondary  
12 Education in accordance with the definitions in KRS 158.007.

13 (c) When practicable, the~~[ school-based decision-making council, or]~~ principal~~[ if~~  
14 ~~none exists,]~~ shall offer advanced coursework, as defined in KRS 158.6453, in  
15 mathematics, reading, science, and English language arts for students in  
16 grades four (4) through twelve (12).

17 (2) Every~~[ school-based decision-making council, or]~~ principal~~[ if none exists,]~~ shall  
18 establish a policy that is consistent with any district plan adopted by a local board  
19 of education in accordance with KRS 158.6453(21) on the recruitment and  
20 assignment of students to advanced coursework options in accordance with  
21 paragraph (b) of this subsection that recognizes that all students have the right to  
22 participate in a rigorous and academically challenging curriculum. The policy shall  
23 require that the school notifies all students, parents, and guardians of the:

24 (a) Long-term benefits of student participation in advanced coursework; and

25 (b) Advanced coursework opportunities available at the school.

26 (3) Students shall be admitted to advanced coursework in accordance with the district  
27 plan adopted in accordance with KRS 158.6453(21).

1 (4) Students that successfully complete high school advanced coursework shall receive  
2 credit toward graduation in accordance with KRS 158.622(3).

3 (5) Students enrolled in AP or IB courses in the public schools shall have the cost of  
4 the examinations paid by the Kentucky Department of Education.

5 ➔Section 38. KRS 160.395 is amended to read as follows:

6 (1) Superintendents of public school districts shall distribute the written information  
7 provided by the Office of the Attorney General and the Department for Libraries  
8 and Archives under KRS 15.257 and 171.223 to each elected school board member,  
9 school principal, and each advisory~~[school]~~ council member, as designated in KRS  
10 160.345(2), within their respective districts. Distribution shall be accomplished  
11 within sixty (60) days of receiving the written information from the Office of the  
12 Attorney General and the Department for Libraries and Archives. Distribution to  
13 newly elected or appointed members shall be accomplished within sixty (60) days  
14 of their election or appointment. The distribution may be by electronic means.

15 (2) Superintendents shall require signatory proof that each school board member,  
16 school principal, and advisory~~[school]~~ council member has received the written  
17 information as required under subsection (1) of this section, shall maintain  
18 documentation of receipt on file, and shall certify to the Office of the Attorney  
19 General that the written information has been distributed as required.

20 ➔Section 39. KRS 160.700 is amended to read as follows:

21 As used in this chapter, unless the context otherwise requires:

22 (1) "Directory information" means the student's name, address, telephone listing, date  
23 and place of birth, participation in school recognized sports and activities, height  
24 and weight of members of athletic teams, dates of attendance, awards received,  
25 major field of study, and the most recent previous educational agency or institution  
26 attended by the student, contained in education records in the custody of the public  
27 schools;

- 1 (2) "Educational institution" means any public school providing an elementary and  
2 secondary education, including vocational;
- 3 (3) "Education record" means data and information directly relating to a student that is  
4 collected or maintained by educational institutions or by a person acting for an  
5 institution including academic records and portfolios; achievement tests; aptitude  
6 scores; teacher and counselor evaluations; health and personal data; behavioral and  
7 psychological evaluations; and directory data recorded in any medium including  
8 handwriting, magnetic tapes, film, video, microfiche, computer-generated and  
9 stored data, or data otherwise maintained and used by the educational institution or  
10 a person acting for an institution. "Education record" shall not include:
- 11 (a) Records of instructional, supervisory, and assisting administrative personnel  
12 which are in the sole possession of the maker and are not accessible or  
13 revealed to any other person except a substitute for any of those persons;
- 14 (b) Records maintained by a law enforcement unit of the educational institution  
15 that were created by that law enforcement unit for the purpose of law  
16 enforcement;
- 17 (c) In the case of persons who are employed by an educational agency or  
18 institution but who are not in attendance at that agency or institution, records  
19 made and maintained in the normal course of business which relate  
20 exclusively to that person in the person's capacity as an employee and are not  
21 available for use for any other purpose; or
- 22 (d) Records on a student who is eighteen (18) years of age or older, which are  
23 made, used, or maintained by a physician, psychiatrist, psychologist, or other  
24 recognized professional or paraprofessional for treatment of the student, and  
25 are not available to anyone other than persons providing this treatment, except  
26 a physician or other appropriate professional of the student's choice.
- 27 (4) "Eligible student" means a student, or a former student, who has reached the age of

1       eighteen (18) or is pursuing an education beyond high school and therefore the  
2       permission or consent required of, and the rights accorded to the parents of the  
3       student shall thereafter be required of, and accorded to the student;

4       (5) "School official" means personnel employed in instructive and administrative  
5       positions with a school board or educational institution. Parents and other  
6       noneducational persons who are elected or appointed to advisory~~[school-based~~  
7       ~~decision-making]~~ councils or committees thereof, or other voluntary boards or  
8       committees shall not be considered school officials.

9       ➔Section 40. KRS 161.134 is amended to read as follows:

10      (1) (a) A teacher pursuing national board certification shall receive from the fund  
11             established under KRS 161.133 a stipend of two hundred dollars (\$200) per  
12             day for two (2) days beyond the school contract year to prepare for the  
13             certification assessments.

14      (b) A local board of education shall provide five (5) days' released time during  
15             the school year for a teacher pursuing national board certification. The local  
16             board of education shall request reimbursement from the fund established  
17             under KRS 161.133 for substitute teacher pay based on the local board of  
18             education salary schedule for substitute teachers and for stipends paid to a  
19             teacher described in subsection (3) of this section. A local board of education  
20             may, at its own expense, provide additional released time for teachers  
21             pursuing national board certification.

22      (c) If a teacher does not successfully complete all assessments required for  
23             national board certification during a school year, the provisions in this  
24             subsection may be applied to a second school year.

25      (d) When funds are not available to fully fund the requirements of paragraphs (a),  
26             (b), and (c) of this subsection for all national board applicants, the board may  
27             prorate the specified reimbursements in paragraphs (a) and (b) and may limit

1 the conditions under which provisions of paragraph (c) shall be applied to  
 2 second year participants. The board shall establish the procedures for carrying  
 3 out the provisions of this subsection in an administrative regulation.

4 (2) (a) As of July 14, 2000, a teacher who attains national board certification shall be  
 5 reimbursed seventy-five percent (75%) of the certification fee for the initial  
 6 ten (10) year certificate, except the Education Professional Standards Board  
 7 may decrease the percentage of reimbursement if a teacher receives payment  
 8 other than a repayable loan for the same purpose from another source and the  
 9 cumulative amount would exceed one hundred percent (100%) of the cost of  
 10 the certification fee.

11 (b) Fees for retaking one (1) or more entries of the national board assessment for  
 12 the initial national board certificate and fees for renewal of the certificate shall  
 13 be at the teacher's expense.

14 (c) ~~[Nothing in ]~~This subsection shall ***not*** prohibit the board from reimbursing a  
 15 percentage of the initial certification fee to a teacher who has received a  
 16 repayable loan from a local board of education or other agency to offset initial  
 17 costs.

18 (3) A national board certified teacher may receive a stipend in addition to his or her  
 19 annual compensation for serving as a mentor to teachers within his or her school or  
 20 school district. The Education Professional Standards Board shall promulgate  
 21 administrative regulations under which a local board of education, in  
 22 ***coordination***~~[cooperation]~~ with the ***school principal***~~[school based decision making~~  
 23 ~~council]~~, may establish a mentoring program within a school to utilize national  
 24 board certified teachers. The administrative regulations shall specify the conditions  
 25 for the mentoring program as well as the amount of the stipend that will be  
 26 provided to a teacher serving as a mentor.

27 ➔Section 41. KRS 164.757 is amended to read as follows:

- 1 (1) For purposes of this section unless the context requires otherwise:
- 2 (a) "Critical shortage area" means an area in which there are insufficient numbers  
3 of fully certified staff in a particular subject, school, or geographic location;
- 4 (b) "Emergency certified teacher" means an individual who has not completed  
5 certification requirements but has been awarded a temporary certificate for a  
6 certification area in which no fully qualified teacher was available;
- 7 (c) "Qualified teacher" means a teacher who holds the appropriate certification  
8 for a position unless the superintendent of the employing local school district  
9 has documented evidence that the teacher is unsuitable for appointment;
- 10 (d) "Qualified teaching service" means teaching for at least seventy (70) days  
11 each semester or the equivalent in the certification area for which an  
12 individual received a forgivable loan in the Kentucky school district that  
13 recommended the individual for a loan or in another Kentucky private or  
14 public school district in the certification area for which an individual received  
15 a forgivable loan if no position was available in the recommending school  
16 district at the time when the individual completed his or her certification;
- 17 (e) "Semester" means a period which usually makes up one-half (1/2) of a school  
18 year or one-half (1/2) of a postsecondary institution's academic year; and
- 19 (f) "Summer term" means an academic period consisting of one (1) or more  
20 sessions of instruction between a spring and a fall semester at a postsecondary  
21 education institution.
- 22 (2) To increase the number of qualified teachers in local school districts and to reduce  
23 the number of emergency certified teachers, there is hereby created the district  
24 teacher certification loan fund in the State Treasury. The loans shall be used to  
25 provide forgivable loans to emergency certified personnel, fully certified teachers  
26 who are willing to seek additional certification in hard-to-fill or critical shortage  
27 areas, and paraprofessionals in local school districts to become fully certified

1 teachers and to continue service within the local district.

2 (3) The fund shall be administered by the Kentucky Higher Education Assistance  
3 Authority. The authority shall promulgate administrative regulations to specify the  
4 terms and conditions of the award, cancellation, and repayment of loans, including  
5 but not limited to the maximum amount that may be loaned per term and the  
6 maximum aggregate amount per applicant, the selection process, eligibility for  
7 renewal, the specific administrative procedures for utilizing the funds, and the rate  
8 of repayment.

9 (4) To qualify for a forgivable loan, an applicant shall meet the following requirements:

10 (a) Be employed by a specific local district as a certified teacher, an emergency  
11 full-time or part-time teacher, an emergency substitute teacher, or a  
12 paraprofessional at the time he or she makes application for the loan;

13 (b) Be recommended by the superintendent as an individual that he or she would  
14 recommend to be employed in a teaching position for which the applicant is  
15 pursuing certification if the applicant fulfills all credentialing requirements;

16 (c) Be endorsed by the principal~~[school-based decision-making council]~~ of the  
17 school in which he or she serves to receive a loan for the purposes of  
18 obtaining teacher certification in a specific certification area; except that the  
19 endorsement shall not be construed as a commitment of securing a position in  
20 the particular school in the future;

21 (d) Be admitted and enrolled as an undergraduate or graduate student in a  
22 Kentucky private or public postsecondary institution that offers a teacher  
23 certification program in the area for which he or she is seeking certification;  
24 and

25 (e) Be enrolled in a minimum of six (6) credit hours and not more than nine (9)  
26 credit hours during each semester of an academic term while employed  
27 concurrently in the school district and in not less than six (6) credit hours

1           during the summer term. If a school district recommends an applicant for a  
2           loan under provisions of this section and grants a leave of absence to the  
3           employee to pursue certification, the employee shall be enrolled as a full-time  
4           undergraduate or graduate student as defined by the institution in which he or  
5           she is enrolled.

6 (5) A participant in a local district alternative certification program as defined in KRS  
7 161.048(2) may be eligible for a loan under provisions of this section to offset costs  
8 associated with the program. The authority shall establish by administrative  
9 regulation the specific requirements, notwithstanding requirements in subsection (4)  
10 of this section.

11 (6) A loan shall not be awarded or a promissory note cancellation shall not be granted  
12 to any person who is in default on any obligation to the authority under any  
13 program administered pursuant to KRS 164.740 to 164.785 until financial  
14 obligations to the authority are satisfied, except that ineligibility for this reason may  
15 be waived by the authority for cause.

16 (7) Recipients shall render one (1) semester of qualified teaching service for each  
17 semester or summer term for which a loan was received. Upon completion of each  
18 semester of qualified teacher service, the authority shall cancel the appropriate  
19 portion of the promissory notes.

20 (8) If the recipient of a loan fails to complete the certification at a participating  
21 institution or fails to render qualified teaching service in any semester following  
22 certification, unless the failure is temporarily waived for cause by the authority, the  
23 recipient shall immediately become liable to the authority for repayment of the sum  
24 of all outstanding promissory notes and accrued interest. Persons liable for  
25 repayment of loans under this subsection shall be liable for interest accruing from  
26 the dates on which the loans were disbursed.

27 (9) Failure to meet repayment obligations imposed by this section shall be cause for the

1 revocation of a person's certification, subject to the procedures set forth in KRS  
2 161.120.

3 (10) All moneys repaid to the authority under this section shall be added to the fund in  
4 this section. Any fund balance at the close of a fiscal year shall not lapse but shall  
5 be carried forward to the next fiscal year and continuously appropriated for the  
6 purposes specified in this section.

7 (11) The authority may execute appropriate contracts and promissory notes for  
8 administering this section.

9 (12) If available funds are insufficient for all requested loans for eligible applicants  
10 during any fiscal year, the authority shall give priority consideration to eligible  
11 applicants who previously received loans. If funds are insufficient to make all  
12 requested renewal loans to eligible applicants, the authority shall reduce all loans to  
13 the extent necessary to provide loans to all qualified renewal applicants. If, after  
14 awarding all eligible renewal applicants, funds are not depleted, priority shall be  
15 given to loans for those applicants who are seeking certification in critical shortage  
16 areas.

17 ➔Section 42. KRS 605.110 is amended to read as follows:

18 (1) (a) Any child committed to or in the custody of the cabinet or the Department of  
19 Juvenile Justice who is not placed in a location where smoking cessation  
20 services are provided may participate in smoking cessation services offered by  
21 local health departments or their contracted agents at no cost.

22 (b) Unless provided otherwise, when any child committed to or in the custody of  
23 the Department of Juvenile Justice or the cabinet requires medical or surgical  
24 care or treatment, the Department of Juvenile Justice or the cabinet may  
25 provide the same or arrange for the furnishing thereof by other public or  
26 private agencies, and may give consent to the medical or surgical treatment.  
27 For this purpose, the services and facilities of local health officers and

1 departments shall be made available, at a cost not to exceed the Medicaid  
2 reimbursement rate, to the Department of Juvenile Justice or the cabinet, and  
3 as far as practicable, any publicly owned hospital shall provide hospitalization  
4 without charge for any such child who is a resident of the political subdivision  
5 by which the hospital is owned or operated. This section does not authorize  
6 nor shall permission be granted for abortion or sterilization.

7 (2) Any child placed in a foster home by an agency duly authorized in KRS Chapter  
8 620 to place a child in a foster home shall receive a complete medical, visual, and  
9 dental examination by a professional authorized by the Kentucky Revised Statutes  
10 to conduct such examinations. Arrangements for a child placed in a foster home to  
11 receive such examinations shall be made within two (2) weeks of his or her  
12 placement in a foster home and not less than every twelve (12) months thereafter.

13 (3) Children maintained in any of the facilities and programs operated or contracted by  
14 the Department of Juvenile Justice or the cabinet shall, so far as possible, receive a  
15 common school education.

16 (a) The Kentucky Educational Collaborative for State Agency Children shall be  
17 established to serve children in facilities and programs operated or contracted  
18 by the Department of Juvenile Justice or the Cabinet for Health and Family  
19 Services, residential, day treatment, clinical, and group home programs. All  
20 policies and procedures necessary to educate state agency children shall be  
21 approved by the Kentucky Board of Education. All duties, responsibilities,  
22 rights, and privileges specifically imposed on or granted to the local education  
23 administration units shall be imposed on or granted to the Department of  
24 Juvenile Justice or the Cabinet for Health and Family Services and contracted  
25 agencies with regard to educating agency children. Classrooms for the  
26 Kentucky Educational Collaborative for State Agency Children shall be  
27 within or near the facilities and programs operated or contracted by the

1 Department of Juvenile Justice or the cabinet. The Kentucky Department of  
2 Education, the Department of Juvenile Justice, and the Cabinet for Health and  
3 Family Services, Department for Community Based Services, shall develop a  
4 biennial plan regarding the educational needs and provisions of educational  
5 programs, with emphasis on the coordination of all treatment services and  
6 funds available to provide for the education of state agency children. The  
7 biennial plan shall include strategies to assure that teacher preparation  
8 programs include content related to working with state agency children and  
9 that adequate professional development opportunities for better meeting the  
10 needs of these students are available for teachers and schools.

11 (b) Teachers and other staff shall be hired on contract through a local school  
12 district or if a local school district is not willing to participate, teachers may  
13 be hired by the Kentucky Educational Collaborative for State Agency  
14 Children or a contract may be entered into with a private provider of  
15 educational services. All certified educational staff hired by the Kentucky  
16 Educational Collaborative for State Agency Children shall be members of the  
17 Kentucky Teachers' Retirement System.

18 (c) Beginning July 1, 1993, the Kentucky Education Collaborative for State  
19 Agency Children shall be financed through:

- 20 1. The amount generated by state agency children under the Support  
21 Education Excellence in Kentucky program as provided in KRS 157.360  
22 for the guaranteed base and adjustments for the number of at-risk  
23 students, exceptional students, and transportation costs;
- 24 2. A per-pupil distribution of professional development funds with the  
25 collaborative serving as a consortium for state agency children;
- 26 3. A per-pupil distribution of technology funds in accordance with the state  
27 education technology plan pursuant to KRS 156.670 and the formula for

- 1 the distribution of funds to local school districts;
- 2 4. A per-pupil distribution of textbook funds pursuant to KRS 157.100 and
- 3 157.190;
- 4 5. The funding for school services for state agency children authorized by
- 5 KRS 158.135; and
- 6 6. Other grants and entitlements, including federal funds, identified in the
- 7 implementation plan developed pursuant to paragraph (f) of this
- 8 subsection for the education of Kentucky's children.
- 9 (d) The commissioner of Juvenile Justice and the secretary of the Cabinet for
- 10 Health and Family Services shall promulgate administrative regulations,
- 11 pursuant to KRS Chapter 13A, with the assistance of the Kentucky
- 12 Department of Education and upon recommendation of the Kentucky Board
- 13 of Education regarding the governance, curriculum, and other topics
- 14 necessary to educate state agency children. The regulations shall:
- 15 1. Provide for the development and implementation of interagency
- 16 agreements that:
- 17 a. Define the financial responsibility of each state and local agency
- 18 for providing services to state agency children;
- 19 b. Establish procedures for resolving interagency disputes among
- 20 agencies that are parties to the agreements; and
- 21 2. Provide procedures for the implementation of the Kentucky statutes
- 22 regarding school-based ~~policies~~<sup>[decision-making]</sup> **as defined in Section**
- 23 **1 of this Act**, student outcomes, accountability, assessment, rewards and
- 24 sanctions, technology, staff development, salaries, and the development
- 25 of coordinated individual treatment, education, and transition plans to
- 26 ensure compliance with present education and treatment laws and
- 27 regulations specific to the needs of children in the programs of the

1 Cabinet for Health and Family Services.

2 (e) When the placement of a state agency child is changed so that the state agency  
3 child must transfer from one school or educational facility to a different  
4 school or educational facility, the school or educational facility that the state  
5 agency child is leaving shall, within two (2) days of the state agency child  
6 leaving, prepare an educational passport for the child, which shall be  
7 delivered to the cabinet or the Department of Juvenile Justice. The cabinet or  
8 the Department of Juvenile Justice shall, within two (2) days of enrolling a  
9 state agency child in a new school or educational facility, present the  
10 educational passport to the receiving school or educational facility.

11 (f) The commissioner of Juvenile Justice and the secretary of the Cabinet for  
12 Health and Family Services and the commissioner of the state Department of  
13 Education shall initiate development of a plan for implementation of the  
14 Kentucky Educational Collaborative for State Agency Children.

15 ➔Section 43. KRS 160.1596 is amended to read as follows:

16 (1) (a) For purposes of this section, a member of the board of directors of a public  
17 charter school shall be considered an officer under KRS 61.040 and shall,  
18 within sixty (60) days of final approval of an application, take an oath of  
19 office as required under KRS 62.010.

20 (b) Within seventy-five (75) days of the final approval of an application, the  
21 board of directors and the authorizer shall enter into a binding charter contract  
22 that establishes the academic and operational performance expectations and  
23 measures by which the public charter school will be evaluated.

24 (c) The executed charter contract shall become the final authorization for the  
25 public charter school. The charter contract shall include:

- 26 1. The term of the contract;
- 27 2. The agreements relating to each item required under KRS 160.1592(3)

- 1                   and 160.1593(3), as modified or supplemented during the approval  
2                   process;
- 3                   3.    The rights and duties of each party;
- 4                   4.    The administrative relationship between the authorizer and the public  
5                   charter school;
- 6                   5.    The allocation of state, local, and federal funds, and the schedule to  
7                   disburse funds to the public charter school by the authorizer;
- 8                   6.    The process the authorizer will use to provide ongoing oversight,  
9                   including a process to conduct annual site visits;
- 10                  7.    The specific commitments of the public charter school authorizer  
11                  relating to its obligations to oversee, monitor the progress of, and  
12                  supervise the public charter school;
- 13                  8.    The process and criteria the authorizer will use to annually monitor and  
14                  evaluate the overall academic, operating, and fiscal conditions of the  
15                  public charter school, including the process the authorizer will use to  
16                  oversee the correction of any deficiencies found in the annual review;
- 17                  9.    The process for revision or amendment to the terms of the charter  
18                  contract agreed to by the authorizer and the board of directors of the  
19                  public charter school;
- 20                  10. The process agreed to by the authorizer and the board of directors of the  
21                  public charter school that identifies how disputes between the authorizer  
22                  and the board will be handled; and
- 23                  11. Any other terms and conditions agreed to by the authorizer and the  
24                  board of directors, including pre-opening conditions. Reasonable  
25                  conditions shall not include enrollment caps or operational requirements  
26                  that place undue constraints on a public charter school or are  
27                  contradictory to the provisions of KRS 160.1590 to 160.1599 and

1                   161.141. Such conditions, even when incorporated in a charter contract,  
2                   shall be considered unilaterally imposed conditions.

- 3           (d) 1. The performance provisions within a charter contract shall be based on a  
4                   performance framework that sets forth the academic and operational  
5                   performance indicators, measures, and metrics to be used by the  
6                   authorizer to evaluate each public charter school. The performance  
7                   framework shall include at a minimum indicators, measures, and metrics  
8                   for:
- 9                   a. Student academic proficiency;
  - 10                  b. Student academic growth;
  - 11                  c. Achievement gaps in both student proficiency and student growth  
12                   for student subgroups, including race, sex, socioeconomic status,  
13                   and areas of exceptionalty;
  - 14                  d. Student attendance;
  - 15                  e. Student suspensions;
  - 16                  f. Student withdrawals;
  - 17                  g. Student exits;
  - 18                  h. Recurrent enrollment from year to year;
  - 19                  i. College or career readiness at the end of grade twelve (12);
  - 20                  j. Financial performance and sustainability; and
  - 21                  k. Board of directors' performance and stewardship, including  
22                   compliance with all applicable statutes, administrative regulations,  
23                   and terms of the charter contract.
- 24           2. The performance framework shall allow the inclusion of additional  
25                   rigorous, valid, and reliable indicators proposed by a public charter  
26                   school to augment external evaluations of its performance. The proposed  
27                   indicators shall be consistent with the purposes of KRS 160.1590 to

- 1                   160.1599 and 161.141 and shall be negotiated with the authorizer.
- 2                   3. The performance framework shall require the disaggregation of student  
3                   performance data by subgroups, including race, sex, socioeconomic  
4                   status, and areas of exceptionality.
- 5                   4. The authorizer shall be responsible for collecting, analyzing, and  
6                   reporting to the state board all state-required assessment and  
7                   achievement data for each public charter school it oversees.
- 8                   (e) Annual student achievement performance targets shall be set, in accordance  
9                   with the state accountability system, by each public charter school in  
10                  conjunction with its authorizer, and those measures shall be designed to help  
11                  each school meet applicable federal, state, and authorizer goals.
- 12                  (f) The charter contract shall be signed by the chair of the governing board of the  
13                  authorizer and the chair of the board of directors of the public charter school.  
14                  An approved charter application shall serve as a charter contract for the public  
15                  charter school.
- 16                  (g) No public charter school may commence operations without a charter contract  
17                  executed according to this section and approved in an open meeting of the  
18                  governing board of the authorizer.
- 19                  (2) Within five (5) days after entering into a charter contract, a copy of the executed  
20                  contract shall be submitted by the authorizer to the commissioner of education.
- 21                  (3) For the purposes of local and state funding, a public charter school shall serve as a  
22                  school of the district of location.
- 23                  (4) For the purposes of federal funding, a public charter school shall serve as a local  
24                  education agency.
- 25                  (5) All students enrolled in a public charter school shall be included in the average  
26                  daily attendance calculation under KRS 157.360 and the aggregate and average  
27                  daily attendance of transported pupils calculation under KRS 157.370 of the district

1 of location in the same manner as any other public schools in the district and shall  
2 be reported by the public charter schools to the school district and state Department  
3 of Education for purposes of calculating the state and local share of funding for  
4 each public charter school.

5 (6) Notwithstanding the formula for allocating district funds under KRS  
6 160.345~~(7)~~~~(8)~~ and any other statute governing a district's funding of schools,  
7 unless an authorizing district agrees to provide a larger sum of funding in the  
8 charter contract, after local capital outlay funds that are restricted in use pursuant to  
9 KRS 157.420(4) and funds under KRS 157.440(1)(b) and 157.621 necessary to  
10 meet debt service obligations on bonds or other financing mechanisms for new  
11 construction and renovation projects for school facilities are excluded, and before  
12 any other funds are budgeted for district use, a district shall transfer to each of the  
13 public charter schools located within the district:

14 (a) The amount that is proportional to the public charter school's enrollment or  
15 average daily attendance in comparison with the overall district qualifying  
16 numbers for:

- 17 1. Funds that are related to students' attendance and enrollment and  
18 allocated to the district of location pursuant to KRS 157.360;
- 19 2. Any add-on or funding factors provided for in the state budget;
- 20 3. Any add-on or funding factors provided for by the Kentucky  
21 Department of Education; and
- 22 4. Funds pursuant to KRS 157.360(2)(a) and (b) and (13)(a).

23 For each funding source identified in this paragraph, the transfer amount shall  
24 be based on the public charter school's qualifying student enrollment or  
25 average daily attendance, depending on the method used in the funding  
26 source's calculation;

27 (b) On a proportionate per pupil basis:

- 1           1. Education funds allocated to the school district pursuant to KRS  
2           157.440(1)(a) and (2)(a), or pursuant to any applicable federal statute;  
3           and  
4           2. All taxes and payments in lieu of taxes transferred to the district of  
5           location or levied and collected by the district of location; and  
6           (c) On a proportionate per pupil transported basis, transportation funds calculated  
7           pursuant to KRS 157.360(2)(c) and 157.370 and distributed to the district of  
8           location, unless the school district provides transportation to students  
9           attending the public charter school under written terms agreed upon by the  
10          district and the public charter school in either the charter contract or, if the  
11          district is not the public charter school's authorizer, a separate agreement.
- 12       (7) (a) If transportation funds are transferred under this section to a public charter  
13          school, then the public charter school receiving those funds shall provide  
14          transportation services to the enrolled students residing within the district of  
15          location.
- 16          (b) If funds designated for providing additional services to specific students are  
17          transferred under this section, then the public charter school receiving those  
18          funds shall provide those services in the same manner as the district of  
19          location.
- 20          (c) If transportation services are not provided by the public charter school and no  
21          written agreement to provide transportation services with the district of  
22          location exists, then no transportation funds shall be transferred and the  
23          district of location shall not be responsible for providing transportation to the  
24          public charter school's students.
- 25       (8) Notwithstanding the identification of funds to be transferred in this section, a  
26          collaborative among local school boards authorizing a public charter school may  
27          negotiate among the local boards and a charter applicant to identify the amount of

1 funds to be transferred to the public charter school. The agreement shall be detailed  
2 in the charter contract.

3 (9) (a) For the calculation of amounts under subsections (6) and (7) of this section  
4 during the first school year of operation of a public charter school in a school  
5 district, beginning with the start of instruction:

6 1. The public charter school's average daily attendance shall be calculated  
7 based on a projection of the public charter school's enrollment and the  
8 district's overall average daily attendance;

9 2. The public charter school's aggregate daily attendance of students  
10 transported shall be calculated based on a projection of the public  
11 charter school's enrollment and transportation plan and the district's  
12 overall aggregate daily attendance of students transported; and

13 3. The amounts attributable to each individual student's attendance at the  
14 public charter school shall be calculated based on a projection of the  
15 public charter school's enrollment and demographics and the district's  
16 overall enrollment and demographics.

17 (b) The calculations shall be adjusted in January of the first school year of  
18 operation to reflect the first semester's actual data. Subsequent years of  
19 operation shall be calculated using actual data from the prior school year.

20 (10) (a) Funds identified for transfer under this section shall be transferred by a district  
21 of location to each of the public charter schools located within the district.  
22 However, up to three percent (3%) of the funds identified under this section  
23 for transfer to a public charter school may be retained by an authorizer as an  
24 authorizer fee.

25 (b) If the authorizer of a public charter school does not include the local board of  
26 education of the district of location, then the district of location shall transfer  
27 the authorizer fee to the public charter school's authorizer.

- 1 (c) If the Kentucky Board of Education requires the authorization of a public  
2 charter school on appeal from an authorizer, the board shall receive twenty-  
3 five percent (25%) of the authorizing fee for the duration of joint oversight  
4 required by KRS 160.1595.
- 5 (11) Funds identified for transfer by a district of location to a public charter school under  
6 this section shall be transferred throughout the school year according to a schedule  
7 determined by the state board. The scheduled dates shall be within thirty (30) days  
8 of the dates of state disbursement of funds to school districts. Failure to transfer  
9 required funds shall, for every five (5) days late, result in a fine to the violator of  
10 not less than five percent (5%) of the total funds per funding period to be  
11 transferred. Fines imposed shall be transferred to the public charter school affected  
12 by the delay.
- 13 (12) A public charter school shall be eligible for federal and state competitive grants and  
14 shall not be excluded from an opportunity to apply or participate so long as the  
15 public charter school meets the criteria established for the respective grants. Each  
16 public charter school that receives grant aid shall comply with all requirements to  
17 receive such aid.
- 18 (13) A public charter school shall receive a proportionate per pupil share of any state  
19 moneys not otherwise identified in this section that is received by the school district  
20 of location. The public charter school shall also receive, according to federal law,  
21 moneys generated under federal categorical aid programs for students that are  
22 eligible for the aid and attending the public charter school. Each public charter  
23 school that receives such aid shall comply with all requirements to receive such aid.
- 24 (14) The commissioner of education shall apply for all federal funding that supports  
25 charter school initiatives for which a state must be the applicant and shall cooperate  
26 with any public charter school in its efforts to seek federal funding.
- 27 (15) If a public charter school closes for any reason, the assets of the school shall be

1 distributed first to satisfy outstanding payroll obligations for employees of the  
2 school, then to the creditors of the school, then to the district of location or  
3 authorizing districts if authorized by a collaborative of local boards of education. If  
4 the assets are insufficient to satisfy outstanding obligations, the authorizer shall  
5 petition to Circuit Court of the county in which the public charter school is located  
6 to prioritize the distribution of assets.

7 (16) The state board shall promulgate administrative regulations to:

8 (a) Establish the process to be used to evaluate the performance of a charter  
9 school authorizer, based upon the requirements of KRS 160.1590 to 160.1599  
10 and 161.141, and the actions to be taken in response to failures in  
11 performance; and

12 (b) Govern the calculation and distribution of funds due to public charter schools  
13 from school districts, the schedule of distribution of funds, and the imposition  
14 of fines for late distribution of funds.

15 (17) By August 31, 2023, and annually thereafter, each public charter school authorizer  
16 shall submit to the commissioner of education, the secretary of the Education and  
17 Labor Cabinet, and the Interim Joint Committee on Education a report to include:

18 (a) The names of each public charter school operating under contract with the  
19 authorizer during the previous academic year that:

20 1. Closed during or after the academic year; or

21 2. Had the contract nonrenewed or revoked;

22 (b) The names of each public charter school operating under contract with the  
23 authorizer during the previous academic year that have not yet begun to  
24 operate;

25 (c) The number of applications received, the number reviewed, and the number  
26 approved;

27 (d) A summary of the academic and financial performance of each public charter

1 school operated under contract with the authorizer during the previous  
2 academic year; and

3 (e) The authorizing duties and functions performed by the authorizer during the  
4 previous academic year.

5 ➔Section 44. KRS 156.132 is amended to read as follows:

6 As used in this section, except subsection (1), "public school officer" means a person who  
7 previously served as a superintendent of schools during which time charges were brought  
8 against him *or her* under this section.

9 (1) The chief state school officer shall recommend, by written charges to the proper  
10 school authorities having immediate jurisdiction, the removal of any superintendent  
11 of schools, principal, teacher, member of an advisory~~[a school]~~ council, or other  
12 public school officer as to whom he *or she* has reason to believe is guilty of  
13 immorality, misconduct in office, incompetency, willful neglect of duty, or  
14 nonfeasance. In the case of a member of an advisory~~[a school]~~ council, the written  
15 charges shall be provided to the local board of education.

16 (2) The chief state school officer shall recommend by written charges the suspension  
17 by the Kentucky Board of Education of any superintendent of schools or other  
18 public school officer whom he *or she* has reason to believe is guilty of immorality,  
19 misconduct in office, incompetency, willful neglect of duty, or nonfeasance. If the  
20 charges brought under this subsection represent an immediate threat to the public  
21 health, safety, or welfare, the Kentucky Board of Education shall summarily  
22 suspend the person against whom the charges are made. The action by the Kentucky  
23 Board of Education may be taken upon a recommendation of the chief state school  
24 officer, or the action may be taken by a majority vote of the Kentucky Board of  
25 Education without recommendation from the chief state school officer.

26 (3) The Kentucky Board of Education may suspend a district superintendent of schools  
27 or other public school officer under subsection (2) of this section or remove him *or*

1        her pursuant to subsection (5) of this section only if, after thirty (30) days of receipt  
2        of the written charges specified in subsection (1) of this section, the proper school  
3        authorities having immediate jurisdiction, either the superintendent or the district  
4        board of education, have refused to act, have acted in bad faith, arbitrarily, or  
5        capriciously, or if a recommendation to the district board would have been futile.

6        (4) Any officer suspended by the Kentucky Board of Education under subsection (2) of  
7        this section shall be furnished with an emergency order specifying in detail the  
8        reasons for suspension and notifying the officer of his or her right to appeal the  
9        action and have an emergency hearing pursuant to KRS 13B.125.

10       (5) As an alternative to first seeking suspension, the chief state school officer may  
11       recommend by written charges the removal by the Kentucky Board of Education of  
12       any superintendent of schools or other public school officer whom he or she has  
13       reason to believe is guilty of immorality, misconduct in office, incompetency,  
14       willful neglect of duty, or nonfeasance. The officer against whom the written  
15       charges are issued by the chief state school officer shall be furnished with the  
16       written charges and notice of procedural rights conferred under KRS Chapter 13B.  
17       Within twenty (20) days after receipt of the charges, the officer may notify the  
18       Kentucky Board of Education of his or her intention to appear and answer the  
19       charges. Upon appeal, an administrative hearing shall be conducted in accordance  
20       with KRS Chapter 13B. If the officer fails to notify the board of his or her intention  
21       to appear and answer the charges, the Kentucky Board of Education may remove  
22       the officer by a majority vote, and the dismissal shall be final.

23       (6) The hearing shall be public or private at the discretion of the accused former or  
24       current superintendent and shall be public when testimony is taken for board  
25       members.

26       (7) The Kentucky Board of Education may meet in closed session to consider the  
27       evidence and may by a majority vote remove the officer. If the board votes to

1 remove the officer, the board shall prepare final order specifying which charge or  
2 charges it found to be the basis for removal. If within ninety (90) days from the date  
3 of suspension if applicable, the state board has not removed the officer, or has  
4 dismissed the charges, the suspended officer shall be reinstated and shall be paid his  
5 or her full salary for the period of suspension.

6 (8) The officer shall have a right to appeal on the record to the Circuit Court located in  
7 the county of the school district in accordance with KRS Chapter 13B. If the  
8 decision of the court is against removal, the officer shall be paid his or her full  
9 salary from the date of suspension. The payment shall be made from funds  
10 appropriated to the State Department of Education.

11 (9) If a superintendent of schools is removed from office or resigns while charges are  
12 pending pursuant to this section after July 15, 1994, any continuing contract  
13 pursuant to KRS 161.720 to 161.810 shall be terminated. If the removal is reversed  
14 upon appeal, the continuing contract shall be restored and he or she shall be paid  
15 his or her full salary for the period of suspension.

16 ➔Section 45. KRS 158.305 is amended to read as follows:

17 (1) As used in this section:

18 (a) "Aphasia" means a condition characterized by either partial or total loss of the  
19 ability to communicate verbally or through written words. A person with  
20 aphasia may have difficulty speaking, reading, writing, recognizing the names  
21 of objects, or understanding what other people have said. The condition may  
22 be temporary or permanent and does not include speech problems caused by  
23 loss of muscle control;

24 (b) "Dyscalculia" means the inability to understand the meaning of numbers, the  
25 basic operations of addition and subtraction, the complex operations of  
26 multiplication and division, or to apply math principles to solve practical or  
27 abstract problems;

- 1 (c) "Dysgraphia" means difficulty in automatically remembering and mastering  
2 the sequence of muscle motor movements needed to accurately write letters or  
3 numbers;
- 4 (d) "Dyslexia" has the same meaning as in KRS 158.307;
- 5 (e) "Enrichment program" means accelerated intervention within the school day  
6 or outside of the school day or school calendar led by individuals most  
7 qualified to provide the intervention that includes evidence-based reading  
8 instructional programming related to reading instruction in the areas of  
9 phonemic awareness, phonics, fluency, vocabulary, and comprehension, and  
10 other instructional strategies aligned to reading and writing standards required  
11 by KRS 158.6453 and outlined in administrative regulation promulgated by  
12 the Kentucky Board of Education;
- 13 (f) "Evidence-based" has the same meaning as in 20 U.S.C. sec. 7801(21);
- 14 (g) "Phonemic awareness" has the same meaning as in KRS 158.307;
- 15 (h) "Reading diagnostic assessment" has the same meaning as in KRS 158.792;
- 16 (i) "Reading improvement plan" means an accelerated intervention plan for a  
17 student in kindergarten through grade four (4) that is developed to increase a  
18 student's rate of progress toward proficient performance in reading that is  
19 identified as necessary based on the student's results on an approved reading  
20 diagnostic assessment. This plan should be developed in collaboration and  
21 accordance with any existing program services plan, individualized education  
22 program, or Section 504 Plan unless the program services plan, individualized  
23 education program, or Section 504 Plan already addresses improving reading;
- 24 (j) "Reading improvement team" means a team that develops and oversees the  
25 progress of a reading improvement plan and includes:
- 26 1. The parent or guardian of the student that is the subject of the reading  
27 improvement plan;

- 1           2. No less than one (1) regular education teacher of the student to provide  
2           information about the general curriculum for same-aged peers;
- 3           3. A representative of the local education agency who is knowledgeable  
4           about the reading curriculum and the availability of the evidence-based  
5           literacy resources of the local education agency; and
- 6           4. Any specialized certified school employees for students receiving  
7           language instruction educational programming or special education  
8           services; and
- 9           (k) "Universal screener" means a process of providing a brief assessment to all  
10          students within a grade level to assess the students' performance on the  
11          essential components of reading.
- 12       (2) Notwithstanding any other statute or administrative regulation to the contrary, the  
13          Kentucky Board of Education shall promulgate administrative regulations to further  
14          define a multitiered system of supports for district-wide use of a system for students  
15          in kindergarten through grade three (3), that includes a tiered continuum of  
16          interventions with varying levels of intensity and duration and which connects  
17          general, compensatory, and special education programs to provide interventions  
18          implemented with fidelity to evidence-based research and matched to individual  
19          student strengths and needs. At a minimum, evidence of implementation shall be  
20          submitted by the district to the department by October 1 of each year and shall  
21          include but not be limited to the activities required under KRS 158.649.
- 22       (3) The department shall provide technical assistance and training, if requested by a  
23          local district, to assist in the implementation of the district-wide, multitiered system  
24          of supports as a means to identify and assist any student experiencing difficulty in  
25          reading, writing, mathematics, or behavior and to determine appropriate  
26          instructional modifications needed by advanced learners to make continuous  
27          progress.

- 1 (4) The technical assistance and training shall be designed to improve:
- 2 (a) The use of specific screening processes and programs to identify student  
3 strengths and needs;
- 4 (b) The use of screening data for designing instructional interventions;
- 5 (c) The use of multisensory instructional strategies and other interventions  
6 validated for effectiveness by evidence-based research;
- 7 (d) Progress monitoring of student performance; and
- 8 (e) Accelerated, intensive, direct instruction that addresses students' individual  
9 differences, including advanced learners, and enables students that are  
10 experiencing difficulty to catch up with typically performing peers.
- 11 (5) (a) Each superintendent or public charter school board of directors shall select:
- 12 1. At least one (1) universal screener for reading that is determined by the  
13 department to be reliable and valid to be administered to all students in  
14 kindergarten through grade three (3); and
- 15 2. At least one (1) reading diagnostic assessment for reading that is  
16 determined by the department to be reliable and valid to be administered  
17 as part of a multitiered system of supports for students in kindergarten  
18 through grade three (3).
- 19 (b) Notwithstanding KRS 158.6453(19) and 160.345, each superintendent or  
20 public charter school board shall adopt a common comprehensive reading  
21 program that is determined by the department to be reliable, valid, and aligned  
22 to reading and writing standards required by KRS 158.6453 and outlined in  
23 administrative regulation promulgated by the Kentucky Board of Education  
24 for kindergarten through grade three (3) for all schools or a subset of schools,  
25 with consultation of all affected elementary advisory~~[school]~~ councils.
- 26 (c) All teachers of students in kindergarten through grade three (3), including  
27 public charter school teachers, shall be trained on any reading diagnostic

1 assessment and universal screener selected by the superintendent or public  
2 charter school board prior to administration of the assessment. The training  
3 shall address:

- 4 1. How to properly administer the reading diagnostic assessment;
- 5 2. How to interpret the results of the reading diagnostic assessment to  
6 identify students needing interventions;
- 7 3. How to use the assessment results to design instruction and  
8 interventions;
- 9 4. The use of the assessment to monitor the progress of student  
10 performance; and
- 11 5. The use of accelerated, intensive, and direct instruction that addresses  
12 students' individual differences and enables students to achieve  
13 proficiency in reading, including but not limited to daily, one-on-one  
14 instruction.

- 15 (6) A universal screener determined by the department to be reliable and valid shall be:
- 16 (a) Given in the first forty-five (45) days of the school year for all kindergarten  
17 students at a public school or public charter school;
  - 18 (b) Given in the first thirty (30) days of the school year for grades one (1) through  
19 three (3) at a public school or public charter school; and
  - 20 (c) Given within the final fourteen (14) instructional days of the school year to all  
21 students in kindergarten and first grade at a public school or public charter  
22 school.

- 23 (7) A reading improvement plan shall be developed and implemented by a reading  
24 improvement team for any student in kindergarten through grade three (3) identified  
25 as needing accelerated interventions to progress toward proficient performance in  
26 reading. The reading improvement plan shall require:

- 27 (a) Intensive intervention that includes effective instructional strategies and

- 1 appropriate instructional materials necessary to help the student make  
2 accelerated progress toward proficient performance in reading and become  
3 ready for the next grade, including but not limited to daily, one-on-one  
4 instruction with students the most in need provided by certified teachers  
5 specifically trained to provide one-on-one instruction;
- 6 (b) A school to provide a written quarterly progress report containing the  
7 information required by paragraph (a) of this subsection to a parent or  
8 guardian of any student subject to a reading improvement plan. The written  
9 quarterly progress report for the reading improvement plan may be included  
10 in the school's existing quarterly progress report; and
- 11 (c) Individual placement decisions for children who are eligible for special  
12 education and related services to be determined by the appropriate admissions  
13 and release committee in accordance with administrative regulations  
14 promulgated by the Kentucky Board of Education.
- 15 (8) If a student's rate of progress toward proficient performance in reading needs  
16 accelerated interventions as demonstrated by the results of an approved reading  
17 diagnostic assessment, the local school district shall provide:
- 18 (a) Enrichment programs through grade three (3) using evidence-based reading  
19 instruction and other strategies;
- 20 (b) Intensive instructional services, progress monitoring measures, and supports  
21 to students through grade three (3); and
- 22 (c) Parents and legal guardians of students identified for accelerated interventions  
23 in reading in kindergarten through grade three (3) with a "Read at Home"  
24 plan, including information on how to participate in regular parent-guided  
25 home reading.
- 26 (9) (a) Beginning in the 2025-2026 school year:
- 27 1. A kindergarten student who had a reading improvement plan for the

- 1 school year may remain in kindergarten for an additional school year if a  
2 school determines that the student:
- 3 a. Did not meet grade level benchmarks in reading while in  
4 kindergarten as determined by the universal screener given in  
5 accordance with subsection (6) of this section;
  - 6 b. Did not master the Kentucky reading academic standards for  
7 kindergarten students based on assessments given in accordance  
8 with KRS 158.6453(8); or
  - 9 c. Is not properly prepared to be successful in the first grade; and
- 10 2. A first-grade student who had a reading improvement plan for the  
11 school year shall remain in first grade for an additional school year if a  
12 school determines that the student:
- 13 a. Did not meet grade level benchmarks in reading while in first  
14 grade as determined by the universal screener given in accordance  
15 with subsection (6) of this section;
  - 16 b. Did not master the Kentucky reading academic standards for first  
17 grade students based on assessments given in accordance with  
18 KRS 158.6453(8); or
  - 19 c. Is not properly prepared to be successful in the second grade.
- 20 (b) Notwithstanding paragraph (a) of this subsection, placement decisions for  
21 students eligible for special education and related services shall be determined  
22 by the admissions and release committee in accordance with administrative  
23 regulations promulgated by the Kentucky Board of Education.
- 24 (c) Notwithstanding paragraph (a) of this subsection, a student who remained in  
25 kindergarten under this subsection shall not subsequently be required to  
26 remain in first grade, and a student shall not be required to remain in first  
27 grade for more than one (1) additional year.

- 1 (d) The school shall reevaluate and make necessary changes to the reading  
2 improvement plan of any student remaining in kindergarten or first grade and  
3 shall continue to provide all programs and services required under subsection  
4 (8) of this section during the additional year of kindergarten or first grade.
- 5 (e) A student provided an additional year of kindergarten or first grade under this  
6 subsection may advance through the primary school program when it is  
7 determined by the school to be in the best educational interest of the student  
8 pursuant to KRS 158.031.
- 9 (10) If a student does not score in the proficient performance level or higher in reading,  
10 as defined in KRS 158.791(2), on the state annually required grade three (3)  
11 assessment, the local school district shall provide:
- 12 (a) 1. Enrichment programs in grade four (4) using evidence-based reading  
13 instruction and other strategies; or  
14 2. Intensive instructional services, progress monitoring measures, and  
15 supports to students in grade four (4); and
- 16 (b) Written notification of the interventions and supports described in paragraph  
17 (a) of this subsection to the parent or legal guardian of the student, including a  
18 description of proposed interventions and supports to be provided.
- 19 (11) By September 1, 2023, if funds are appropriated, the department shall establish  
20 required teacher academies or coaching models for teachers of students in  
21 prekindergarten through grade three (3). The teacher academies or coaching models  
22 shall be related to evidence-based practices in instruction, instructional materials,  
23 and assessment in reading.
- 24 (12) The department shall develop and maintain a web-based resource providing  
25 teachers access to:
- 26 (a) Information on the use of specific screening processes and programs to  
27 identify student strengths and needs, including those for advanced learners;

- 1 (b) Current, evidence-based research and age-appropriate instructional tools that  
2 may be used for substantial, steady improvement in:
- 3 1. Reading when a student is experiencing difficulty with phonemic  
4 awareness, phonics, vocabulary, fluency, general reading  
5 comprehension, or reading in specific content areas, or is exhibiting  
6 characteristics of dyslexia, aphasia, or other reading difficulties;
  - 7 2. Writing when a student is experiencing difficulty with consistently  
8 producing letters or numbers with accuracy or is exhibiting  
9 characteristics of dysgraphia;
  - 10 3. Mathematics when a student is experiencing difficulty with basic math  
11 facts, calculations, or application through problem solving, or is  
12 exhibiting characteristics of dyscalculia or other mathematical  
13 difficulties; or
  - 14 4. Behavior when a student is exhibiting behaviors that interfere with his  
15 or her learning or the learning of other students; and
- 16 (c) Current, evidence-based research and age-appropriate instructional tools that  
17 may be used for continuous progress of advanced learners.
- 18 (13) The department shall encourage districts to utilize both state and federal funds as  
19 appropriate to implement a district-wide multitiered system of supports.
- 20 (14) The department is encouraged to coordinate technical assistance and training on  
21 current best practice interventions with state postsecondary education institutions.
- 22 (15) The department shall collaborate with the statewide reading research center  
23 established under KRS 164.0207, the Kentucky Center for Mathematics, the  
24 Kentucky Center for Instructional Discipline, the Education Professional Standards  
25 Board, the Council on Postsecondary Education, postsecondary teacher education  
26 programs, and other agencies and organizations as deemed appropriate to ensure  
27 that teachers are prepared to utilize evidence-based interventions in reading,

1 writing, mathematics, and behavior.

2 (16) In compliance with 20 U.S.C. sec. 1414(a)(1)(E), screening of a student to  
3 determine appropriate instructional strategies for curriculum implementation shall  
4 not be considered to be an evaluation for eligibility for special education and related  
5 services and nothing in this section shall limit a school district from completing an  
6 initial evaluation of a student suspected of having a disability.

7 ➔Section 46. KRS 158.6452 is amended to read as follows:

8 (1) A School Curriculum, Assessment, and Accountability Council is hereby created to  
9 study, review, and make recommendations concerning Kentucky's system of setting  
10 academic standards, assessing learning, identifying academic competencies and  
11 deficiencies of individual students, holding schools accountable for learning, and  
12 assisting schools to improve their performance. The council shall advise the  
13 Kentucky Board of Education and the Legislative Research Commission on issues  
14 related to the development and communication of the academic expectations and  
15 core content for assessment, the development and implementation of the statewide  
16 assessment and accountability program, recognition of high performing schools,  
17 imposition of sanctions, and assistance for schools to improve their performance  
18 under KRS 158.6453, 158.6455, 158.782, and 158.805.

19 (2) The School Curriculum, Assessment, and Accountability Council shall be  
20 composed of seventeen (17) voting members appointed by the Governor. On  
21 making appointments to the council, the Governor shall assure broad geographical  
22 representation and representation of elementary, middle, and secondary school  
23 levels; assure equal representation of the two (2) sexes, inasmuch as possible; and  
24 assure that appointments reflect the minority racial composition of the  
25 Commonwealth. The members shall serve terms of two (2) years with no member  
26 serving more than two (2) consecutive terms, except that seven (7) of the initial  
27 appointments shall be for four (4) year terms. The members shall be appointed as

1 follows:

- 2 (a) Two (2) parents from recommendations submitted by organizations  
3 representing advisory[school] councils and parents;
- 4 (b) Two (2) teachers from recommendations submitted by organizations  
5 representing teachers;
- 6 (c) Two (2) superintendents from recommendations submitted by organizations  
7 representing superintendents;
- 8 (d) Two (2) principals from organizations representing school administrators;
- 9 (e) Two (2) local school board members from recommendations submitted by  
10 organizations representing school boards;
- 11 (f) Two (2) school district assessment coordinators from recommendations  
12 submitted by organizations representing district assessment coordinators;
- 13 (g) Two (2) employers in the state from recommendations submitted by  
14 organizations representing business and industry;
- 15 (h) Two (2) university professors with expertise in assessment and measurement;  
16 and
- 17 (i) One (1) at-large member.
- 18 (3) The School Curriculum, Assessment, and Accountability Council shall elect a chair  
19 annually from its membership.
- 20 (4) The members shall be remunerated for actual and necessary expenses incurred  
21 while attending meetings of the council or while serving as representative of the  
22 council.
- 23 (5) The School Curriculum, Assessment, and Accountability Council shall meet at least  
24 four (4) times each year at times and places as it determines by resolution.
- 25 (6) The School Curriculum, Assessment, and Accountability Council shall be attached  
26 to the Department of Education for administrative purposes. It shall be provided  
27 appropriate staff and resources to conduct its work.

1        ➔Section 47. KRS 158.648 is amended to read as follows:

2        (1) The State Advisory Council for Gifted and Talented Education is hereby created  
3        and attached to the Kentucky Department of Education. The council's purpose is to  
4        make recommendations regarding the provisions of services for gifted and talented  
5        students in Kentucky's education system.

6        (a) The council shall be composed of nineteen (19) voting members who shall be  
7        appointed by the Governor and three (3) nonvoting, ex officio members. The  
8        members shall be appointed representing various constituencies as follows:

9            1. Four (4) members shall be teachers within local school districts  
10           representing elementary, middle, and high school levels with at least one  
11           (1) full-time teacher of gifted and talented students and one (1) full-time  
12           teacher who teaches in a regular classroom;

13           2. Four (4) members shall be parents of students in local school districts,  
14           including two (2) parents of students identified as gifted and talented  
15           and at least one (1) who serves or has served on an advisory~~[a school]~~  
16           council;

17           3. Three (3) members shall be from postsecondary education institutions,  
18           including one (1) from an independent college or university;

19           4. One (1) member shall be a superintendent of a local school district;

20           5. Two (2) members shall be principals, including one (1) from an  
21           elementary or middle school and one (1) from a high school;

22           6. Two (2) members shall be coordinators of gifted and talented programs  
23           and services in local school districts;

24           7. One (1) member shall be a local board of education member;

25           8. One (1) member shall represent the visual and performing arts; and

26           9. One (1) member shall be appointed from the private business sector.

27        (b) The three (3) nonvoting ex officio members shall be: the state consultant for

1           gifted and talented education in the Kentucky Department of Education, a  
2           staff person designated by the executive secretary of the Education  
3           Professional Standards Board, and a staff person designated by the president  
4           of the Council on Postsecondary Education. Vacancies shall be filled by the  
5           Governor as they occur in a manner consistent with the provisions for initial  
6           appointment.

7           (c) Each board member shall serve a three (3) year term or until a successor is  
8           appointed, except that for initial appointments to the board, three (3) of the  
9           members shall be appointed to serve a one (1) year term, eight (8) of the  
10          members shall be appointed to serve a two (2) year term, and eight (8) of the  
11          members shall be appointed to serve a three (3) year term. A member may be  
12          reappointed but may not serve more than two (2) consecutive terms.

13       (2) The council shall advise the commissioner of education, the Kentucky Board of  
14       Education, and the Education Professional Standards Board concerning the  
15       development of administrative regulations and education policy regarding gifted  
16       and talented students. The commissioner of education and the executive secretary  
17       for the Education Professional Standards Board shall submit proposed  
18       administrative regulations and educational policies relating to gifted and talented  
19       education and other administrative regulations that impact gifted and talented  
20       students for review by the advisory council prior to seeking approval of the  
21       appropriate board.

22       (3) As the advisory council considers issues relating to gifted and talented students, it  
23       shall seek dialogue with other agencies and organizations, including the Parent  
24       Teachers Association, the Governor's Scholars Program, the Governor's School for  
25       the Arts, the Governor's School for Entrepreneurs Program, the Kentucky  
26       Association of School Councils, the Kentucky Association for Gifted Education, the  
27       Kentucky School Boards Association, the Kentucky Association of School

1 Administrators, and the Kentucky Council for Exceptional Children.

2 (4) The advisory council shall annually elect a chair from its membership, establish  
3 meeting operational procedures, and meet at least two (2) times annually.

4 (5) The Department of Education shall provide staff and administrative support and  
5 shall administer the funds appropriated to support the expenses of the council.

6 (6) The members of the advisory council shall serve without compensation but shall be  
7 reimbursed for necessary expenses in the same manner as state employees.

8 ➔Section 48. KRS 158.840 is amended to read as follows:

9 (1) The General Assembly hereby finds that reading and mathematics proficiency are  
10 gateway skills necessary for all Kentucky students to achieve the academic goals  
11 established in KRS 158.6451. It is the General Assembly's intent that:

12 (a) All students in kindergarten through grade three (3) having difficulty in  
13 reading and mathematics receive early diagnosis and intervention services  
14 from highly trained teachers;

15 (b) All students in kindergarten through grade three (3) needing to make  
16 accelerated progress toward proficiency in mathematics based on data from  
17 valid and reliable universal screening and diagnostic assessments receive  
18 high-quality, evidence-based mathematics instruction and intervention aligned  
19 to the Kentucky academic standards for mathematics;

20 (c) All students demonstrate proficiency in reading and mathematics as they  
21 progress through the relevant curricula and complete each assessment level  
22 required by the Kentucky Board of Education for the state assessment  
23 program established under KRS 158.6453 and in compliance with the  
24 requirements of the federal Every Student Succeeds Act of 2015, Pub. L. No.  
25 114-95, or its successor; and

26 (d) Students who are struggling in reading and mathematics or are not at the  
27 proficient level on statewide assessments shall be provided evidence-based

1 and developmentally appropriate diagnostic and intervention services, and  
2 instructional modifications necessary to learn.

3 The General Assembly, the Kentucky Board of Education, the Kentucky  
4 Department of Education, the Council on Postsecondary Education, colleges and  
5 universities, local boards of education, school administrators, ~~advisory~~~~school~~  
6 councils, teachers, parents and families, and other educational entities, such as the  
7 Education Professional Standards Board, P-16 councils, the statewide reading  
8 research center established under KRS 164.0207, and the Center for Middle School  
9 Academic Achievement must collaborate if the intentions specified in this  
10 subsection are to be met. Intensive focus on student achievement in reading and  
11 mathematics does not negate the responsibility of any entity to help students obtain  
12 proficiency in other core curriculum content areas.

13 (2) The General Assembly's role is to set policies that address the achievement levels of  
14 all students and provide resources for the professional growth of teachers and  
15 administrators, assessing students' academic achievement, including valid and  
16 reliable universal screening and diagnostic assessment and instructional  
17 interventions, technology innovations, targeted reading and mathematics statewide  
18 initiatives, research and the distribution of research findings, services for students  
19 beyond the regular school day, and other services needed to help struggling  
20 learners.

21 (3) The Kentucky Board of Education shall regularly review and modify, when  
22 appropriate, its statewide assessment policies and practices to enable local school  
23 districts and schools to carry out the provisions of the statewide assessment and  
24 accountability system, required under KRS 158.6453 to improve student  
25 achievement in mathematics and reading.

26 (4) The Kentucky Department of Education shall:

27 (a) Provide assistance to schools and teachers, including publicizing professional

- 1 development opportunities, methods of measuring effective professional  
2 development, the availability of high quality instructional materials, and  
3 developmentally appropriate, valid, and reliable screening and diagnostic  
4 assessments of student competency in mathematics and reading. The  
5 department shall provide access to samples of units of study, annotated  
6 student work, diagnostic instruments, and research findings, and give  
7 guidance on parental engagement;
- 8 (b) Work with state and national educators and subject-matter experts to identify  
9 student reading and mathematical skills in each subject area that align with the  
10 state content standards adopted under KRS 158.6453 and identify teaching  
11 strategies in each subject area that can be used explicitly to develop the  
12 identified reading and mathematical skills under this paragraph;
- 13 (c) Encourage the development of comprehensive middle and high school  
14 adolescent reading and mathematics plans to be incorporated into the curricula  
15 of each subject area to improve the reading comprehension and mathematical  
16 skills of all students;
- 17 (d) Conduct an annual review of the state grant programs it manages and make  
18 recommendations, when needed, to the Interim Joint Committee on Education  
19 for changes to statutory requirements that are necessary to gain a greater  
20 return on investment;
- 21 (e) Provide administrative support and oversight to programs to train classroom  
22 coaches and mentors to help teachers with reading and mathematics  
23 instruction; and
- 24 (f) Require no reporting of instructional plans, formative assessment results, staff  
25 effectiveness processes, or interventions implemented in the classroom,  
26 except for:
- 27 1. Interventions implemented under KRS 158.305(2) and 158.8402;

- 1           2.    Funds provided under KRS 158.792 or 158.844; or
- 2           3.    Schools that are identified for comprehensive support and improvement
- 3                   and fail to exit comprehensive support and improvement status after
- 4                   three (3) consecutive years of implementing the turnaround intervention
- 5                   process as described in KRS 160.346.
- 6 (5) The Education Professional Standards Board, in cooperation with the Council on
- 7 Postsecondary Education, shall exercise its duties and functions under KRS 161.028
- 8 to ensure that teacher education programs are fulfilling the needs of Kentucky for
- 9 highly skilled teachers. The Education Professional Standards Board shall:
- 10 (a) Coordinate the federal and state grant programs it administers with other
- 11 statewide initiatives relating to improving student achievement in reading and
- 12 mathematics to avoid duplication of effort and to make efficient use of
- 13 resources;
- 14 (b) Submit a report every three (3) years to the Legislative Research Commission
- 15 for referral to the appropriate Interim Joint Committee on Education and the
- 16 Interim Joint Committee on Appropriations and Revenue, summarizing the
- 17 compliance of each teacher preparation program for alignment to early
- 18 childhood education or elementary regular education standards and to the
- 19 instructional requirements set forth in KRS 164.306(1) and 164.3061;
- 20 (c) Regularly report program data to an external evaluator for an annual analysis
- 21 of the ability of teacher preparation programs to properly train and equip
- 22 teacher preparation program students with the literacy and mathematics
- 23 content knowledge and skills to educate students in kindergarten through
- 24 grade three (3); and
- 25 (d) Exercise its duties and responsibilities under KRS 161.030 and 161.048 to
- 26 ensure highly qualified teachers.
- 27 (6) Colleges and universities shall:

- 1 (a) Utilize institution-wide resources to work with elementary and secondary  
2 educators and other entities to align curriculum content to ensure that students  
3 who achieve proficiency on standards established at the prekindergarten  
4 through secondary levels will require no remediation to successfully enter a  
5 postsecondary education program;
- 6 (b) Provide quality undergraduate teacher preparation programs to ensure that  
7 those preparing to teach reading or mathematics at all grade levels have the  
8 necessary content knowledge, assessment and diagnostic skills, and teaching  
9 methodologies and that teachers in all subject areas have the requisite skills  
10 for helping students at all grade levels develop critical strategies and skills for  
11 reading and comprehending subject matter;
- 12 (c) Deliver evidence-based continuing education for teachers in reading and  
13 mathematics through institutes, graduate level courses, and other professional  
14 development activities that support a statewide agenda for improving student  
15 achievement in reading and mathematics;
- 16 (d) Conduct or assist with research on best practices in assessment, intervention  
17 strategies, teaching methodologies, costs and effectiveness of instructional  
18 models, and other factors as appropriate to reading and mathematics;
- 19 (e) Provide staff to consult and provide technical assistance to teachers, staff, and  
20 administrators at elementary, middle, and secondary school sites;
- 21 (f) Assume active roles in the statewide initiatives referenced in KRS 156.553  
22 and 158.842; and
- 23 (g) Develop written procedures for measuring the effectiveness of activities  
24 outlined in paragraphs (a) to (f) of this subsection.
- 25 (7) School councils at all school levels are encouraged to identify and allocate  
26 resources to qualified teachers to become coaches or mentors in mathematics or  
27 coaches or mentors in reading with a focus on improving student achievement in

1           their respective schools.

2   (8) Local school boards and superintendents shall provide local resources to  
3       supplement or match state and federal resources to support teachers, school  
4       administrators, and school councils in helping students achieve proficiency in  
5       reading and mathematics.

6   (9) Local school superintendents shall provide leadership and resources to the  
7       principals of all schools to facilitate curriculum alignment, communications, and  
8       technical support among schools to ensure that students are academically prepared  
9       to move to the next level of schooling.