

1 AN ACT relating to public charter schools.

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

3 ➔Section 1. KRS 156.095 is amended to read as follows:

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

7 (2) Each local school district superintendent shall appoint a certified school employee
8 to fulfill the role and responsibilities of a professional development coordinator who
9 shall disseminate professional development information to schools and personnel.
10 Upon request by a school council or any employees of the district, the coordinator
11 shall provide technical assistance to the council or the personnel that may include
12 assisting with needs assessments, analyzing school data, planning and evaluation
13 assistance, organizing districtwide programs requested by school councils or groups
14 of teachers, or other coordination activities.

15 (a) The manner of appointment, qualifications, and other duties of the
16 professional development coordinator shall be established by Kentucky Board
17 of Education through promulgation of administrative regulations.

18 (b) The local district professional development coordinator shall participate in the
19 Kentucky Department of Education annual training program for local school
20 district professional development coordinators. The training program may
21 include, but not be limited to, the demonstration of various approaches to
22 needs assessment and planning; strategies for implementing long-term,
23 school-based professional development; strategies for strengthening teachers'
24 roles in the planning, development, and evaluation of professional
25 development; and demonstrations of model professional development
26 programs. The training shall include information about teacher learning
27 opportunities relating to the core content standards. The Kentucky Department

1 of Education shall regularly collect and distribute this information.

2 (3) The Kentucky Department of Education shall provide or facilitate optional,
3 professional development programs for certified personnel throughout the
4 Commonwealth that are based on the statewide needs of teachers, administrators,
5 and other education personnel. Programs may include classified staff and parents
6 when appropriate. Programs offered or facilitated by the department shall be at
7 locations and times convenient to local school personnel and shall be made
8 accessible through the use of technology when appropriate. They shall include
9 programs that: address the goals for Kentucky schools as stated in KRS 158.6451,
10 including reducing the achievement gaps as determined by an equity analysis of the
11 disaggregated student performance data from the state assessment program
12 developed under KRS 158.6453; engage educators in effective learning processes
13 and foster collegiality and collaboration; and provide support for staff to incorporate
14 newly acquired skills into their work through practicing the skills, gathering
15 information about the results, and reflecting on their efforts. Professional
16 development programs shall be made available to teachers based on their needs
17 which shall include but not be limited to the following areas:

- 18 (a) Strategies to reduce the achievement gaps among various groups of students
19 and to provide continuous progress;
- 20 (b) Curriculum content and methods of instruction for each content area,
21 including differentiated instruction;
- 22 (c) School-based decision making;
- 23 (d) Assessment literacy;
- 24 (e) Integration of performance-based student assessment into daily classroom
25 instruction;
- 26 (f) Nongraded primary programs;
- 27 (g) Research-based instructional practices;

- 1 (h) Instructional uses of technology;
- 2 (i) Curriculum design to serve the needs of students with diverse learning styles
- 3 and skills and of students of diverse cultures;
- 4 (j) Instruction in reading, including phonics, phonemic awareness,
- 5 comprehension, fluency, and vocabulary;
- 6 (k) Educational leadership; and
- 7 (l) Strategies to incorporate character education throughout the curriculum.
- 8 (4) The department shall assist school personnel in assessing the impact of professional
- 9 development on their instructional practices and student learning.
- 10 (5) The department shall assist districts and school councils with the development of
- 11 long-term school and district improvement plans that include multiple strategies for
- 12 professional development based on the assessment of needs at the school level.
- 13 (a) Professional development strategies may include but are not limited to
- 14 participation in subject matter academies, teacher networks, training institutes,
- 15 workshops, seminars, and study groups; collegial planning; action research;
- 16 mentoring programs; appropriate university courses; and other forms of
- 17 professional development.
- 18 (b) In planning the use of the four (4) days for professional development under
- 19 KRS 158.070, school councils and districts shall give priority to programs that
- 20 increase teachers' understanding of curriculum content and methods of
- 21 instruction appropriate for each content area based on individual school plans.
- 22 The district may use up to one (1) day to provide district-wide training and
- 23 training that is mandated by state or federal law. Only those employees
- 24 identified in the mandate or affected by the mandate shall be required to attend
- 25 the training.
- 26 (c) State funds allocated for professional development shall be used to support
- 27 professional development initiatives that are consistent with local school

1 improvement and professional development plans and teachers' individual
2 growth plans. The funds may be used throughout the year for all staff,
3 including classified and certified staff and parents on school councils or
4 committees. A portion of the funds allocated to each school council under
5 KRS 160.345 may be used to prepare or enhance the teachers' knowledge and
6 teaching practices related to the content and subject matter that are required
7 for their specific classroom assignments.

8 (6) (a) By August 1, 2010, the Kentucky Cabinet for Health and Family Services
9 shall post on its Web page suicide prevention awareness information, to
10 include recognizing the warning signs of a suicide crisis. The Web page shall
11 include information related to suicide prevention training opportunities
12 offered by the cabinet or an agency recognized by the cabinet as a training
13 provider.

14 (b) By September 15 of each year, every public school shall provide suicide
15 prevention awareness information in person, by live streaming, or via a video
16 recording to all students in grades six (6) through twelve (12). The
17 information may be obtained from the Cabinet for Health and Family Services
18 or from a commercially developed suicide prevention training program.

19 (c) 1. Beginning with the 2018-2019 school year, and every year thereafter, a
20 minimum of one (1) hour of high-quality suicide prevention training,
21 including the recognition of signs and symptoms of possible mental
22 illness, shall be required for all school district employees with job duties
23 requiring direct contact with students in grades six (6) through twelve
24 (12). The training shall be provided either in person, by live streaming,
25 or via a video recording and may be included in the four (4) days of
26 professional development under KRS 158.070.

27 2. When a staff member subject to the training under subparagraph 1. of

1 this paragraph is initially hired during a school year in which the training
2 is not required, the local district shall provide suicide prevention
3 materials to the staff member for review.

4 ~~[(d) The requirements of paragraphs (b) and (c) of this subsection shall apply to~~
5 ~~public charter schools as a health and safety requirement under KRS~~
6 ~~160.1592(1).]~~

7 (7) (a) By November 1, 2019, and November 1 of each year thereafter, a minimum of
8 one (1) hour of training on how to respond to an active shooter situation shall
9 be required for all school district employees with job duties requiring direct
10 contact with students. The training shall be provided either in person, by live
11 streaming, or via a video recording prepared by the Kentucky Department of
12 Criminal Justice Training in collaboration with the Kentucky Law
13 Enforcement Council, the Kentucky Department of Education, and the Center
14 for School Safety and may be included in the four (4) days of professional
15 development under KRS 158.070.

16 (b) When a staff member subject to the training requirements of this subsection is
17 initially hired after the training has been provided for the school year, the local
18 district shall provide materials on how to respond to an active shooter
19 situation.

20 ~~[(c) The requirements of this subsection shall also apply to public charter schools~~
21 ~~as a health and safety requirement under KRS 160.1592(1).]~~

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

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

- 1 1. Recognizing child physical, sexual, and emotional abuse and neglect;
- 2 2. Reporting suspected child abuse and neglect in Kentucky as required by
- 3 KRS 620.030 and the appropriate documentation;
- 4 3. Responding to the child; and
- 5 4. Understanding the response of child protective services.
- 6 (c) The trainings shall include a questionnaire or other basic assessment tool upon
- 7 completion to document basic knowledge of training components.
- 8 (d) Each local board of education shall adopt one (1) or more trainings from the
- 9 list approved by the Department of Education to be implemented by schools.
- 10 (e) All current school administrators, certified personnel, office staff,
- 11 instructional assistants, and coaches and extracurricular sponsors who are
- 12 employed by the school district shall complete the implemented training or
- 13 trainings by January 31, 2017, and then every two (2) years after.
- 14 (f) All school administrators, certified personnel, office staff, instructional
- 15 assistants, and coaches and extracurricular sponsors who are employed by the
- 16 school district hired after January 31, 2017, shall complete the implemented
- 17 training or trainings within ninety (90) days of being hired and then every two
- 18 (2) years after.
- 19 (g) Every public school shall prominently display the statewide child abuse
- 20 hotline number administered by the Cabinet for Health and Family Services,
- 21 and the National Human Trafficking Reporting Hotline number administered
- 22 by the United States Department for Health and Human Services.
- 23 (9) The Department of Education shall establish an electronic consumer bulletin board
- 24 that posts information regarding professional development providers and programs
- 25 as a service to school district central office personnel, school councils, teachers, and
- 26 administrators. Participation on the electronic consumer bulletin board shall be
- 27 voluntary for professional development providers or vendors, but shall include all

1 programs sponsored by the department. Participants shall provide the following
2 information: program title; name of provider or vendor; qualifications of the
3 presenters or instructors; objectives of the program; program length; services
4 provided, including follow-up support; costs for participation and costs of materials;
5 names of previous users of the program, addresses, and telephone numbers; and
6 arrangements required. Posting information on the bulletin board by the department
7 shall not be viewed as an endorsement of the quality of any specific provider or
8 program.

9 (10) The Department of Education shall provide training to address the characteristics
10 and instructional needs of students at risk of school failure and most likely to drop
11 out of school. The training shall be developed to meet the specific needs of all
12 certified and classified personnel depending on their relationship with these
13 students. The training for instructional personnel shall be designed to provide and
14 enhance skills of personnel to:

- 15 (a) Identify at-risk students early in elementary schools as well as at-risk and
16 potential dropouts in the middle and high schools;
- 17 (b) Plan specific instructional strategies to teach at-risk students;
- 18 (c) Improve the academic achievement of students at risk of school failure by
19 providing individualized and extra instructional support to increase
20 expectations for targeted students;
- 21 (d) Involve parents as partners in ways to help their children and to improve their
22 children's academic progress; and
- 23 (e) Significantly reduce the dropout rate of all students.

24 (11) The department shall establish teacher academies to the extent funding is available
25 in cooperation with postsecondary education institutions for elementary, middle
26 school, and high school faculty in core disciplines, utilizing facilities and faculty
27 from universities and colleges, local school districts, and other appropriate agencies

1 throughout the state. Priority for participation shall be given to those teachers who
2 are teaching core discipline courses for which they do not have a major or minor or
3 the equivalent. Participation of teachers shall be voluntary.

4 (12) The department shall annually provide to the oversight council established in KRS
5 15A.063, the information received from local schools pursuant to KRS 158.449.

6 ➔Section 2. KRS 158.038 is amended to read as follows:

7 (1) Beginning August 1, 2020, any student identification badge issued to a student in
8 grades six (6) through twelve (12) by a public school shall contain the contact
9 information for:

10 (a) A national domestic violence hotline;

11 (b) A national sexual assault hotline; and

12 (c) A national suicide prevention hotline.

13 (2) ~~The requirements of subsection (1) of this section shall apply to public charter~~
14 ~~schools as a health and safety requirement under KRS 160.1592(1).~~

15 ~~(3)~~ By July 20, 2020, the Cabinet for Health and Family Services shall publish
16 recommendations for at least one (1) national hotline accessible twenty-four (24)
17 hours a day, seven (7) days a week, and three hundred sixty-five (365) days a year
18 that specializes in each of the hotline categories required by subsection (1) of this
19 section.

20 ➔Section 3. KRS 158.4416 is amended to read as follows:

21 (1) For purposes of this section:

22 (a) "School counselor" means an individual who holds a valid school counselor
23 certificate issued in accordance with the administrative regulations of the
24 Education Professional Standards Board;

25 (b) "School-based mental health services provider" means a licensed or certified
26 school counselor, school psychologist, school social worker, or other qualified
27 mental health professional as defined in KRS 202A.011; and

1 (c) "Trauma-informed approach" means incorporating principles of trauma
2 awareness and trauma-informed practices, as recommended by the federal
3 Substance Abuse and Mental Health Services Administration, in a school in
4 order to foster a safe, stable, and understanding learning environment for all
5 students and staff and ensuring that all students are known well by at least one
6 (1) adult in the school setting.

7 (2) The General Assembly recognizes that all schools must provide a place for students
8 to feel safe and supported to learn throughout the school day, and that any trauma a
9 student may have experienced can have a significant impact on the ability of a
10 student to learn. The General Assembly directs all public schools to adopt a trauma-
11 informed approach to education in order to better recognize, understand, and
12 address the learning needs of students impacted by trauma and to foster a learning
13 environment where all students, including those who have been traumatized, can be
14 safe, successful, and known well by at least one (1) adult in the school setting.

15 (3) (a) Beginning July 1, 2021, or as funds and qualified personnel become available:
16 1. Each school district~~{and each public charter school}~~ shall employ at
17 least one (1) school counselor in each school with the goal of the school
18 counselor spending sixty percent (60%) or more of his or her time
19 providing counseling and related services directly to students; and
20 2. It shall be the goal that each school district ~~{and each public charter~~
21 ~~school}~~ shall provide at least one (1) school counselor or school-based
22 mental health services provider who is employed by the school district
23 for every two hundred fifty (250) students, including but not limited to
24 the school counselor required in subparagraph 1. of this paragraph.

25 (b) A school counselor or school-based mental health services provider at each
26 school shall facilitate the creation of a trauma-informed team to identify and
27 assist students whose learning, behavior, and relationships have been

1 impacted by trauma. The trauma-informed team may consist of school
2 administrators, school counselors, school-based mental health services
3 providers, family resource and youth services coordinators, school nurses, and
4 any other school or district personnel.

5 (c) Each school counselor or school-based mental health services provider
6 providing services pursuant to this section, and the trauma-informed team
7 members described in paragraph (b) of this subsection, shall provide training,
8 guidance, and assistance to other administrators, teachers, and staff on:

- 9 1. Recognizing symptoms of trauma in students;
- 10 2. Utilizing interventions and strategies to support the learning needs of
11 those students; and
- 12 3. Implementing a plan for a trauma-informed approach as described in
13 subsection (5) of this section.

14 (d) 1. School districts may employ or contract for the services of school-based
15 mental health services providers to assist with the development and
16 implementation of a trauma-informed approach and the development of
17 a trauma-informed team pursuant to this subsection and to enhance or
18 expand student mental health support services as funds and qualified
19 personnel become available.

20 2. School-based mental health services providers may provide services
21 through a collaboration between two (2) or more school districts or
22 between school districts and educational cooperatives or any other
23 public or private entities, including but not limited to local or regional
24 mental health day treatment programs.

25 (e) No later than November 1, 2019, and each subsequent year, the local school
26 district superintendent shall report to the department the number and
27 placement of school counselors in the district. The report shall include the

1 source of funding for each position, as well as a summary of the job duties and
2 work undertaken by each counselor and the approximate percent of time
3 devoted to each duty over the course of the year.

4 (4) On or before July 1, 2020, the Department of Education shall make available a
5 toolkit that includes guidance, strategies, behavioral interventions, practices, and
6 techniques to assist school districts ~~[and public charter schools]~~ in developing a
7 trauma-informed approach in schools.

8 (5) On or before July 1, 2021, each local board of education ~~[and board of a public~~
9 ~~charter school]~~ shall develop a plan for implementing a trauma-informed approach
10 in its schools. The plan shall include but not be limited to strategies for:

- 11 (a) Enhancing trauma awareness throughout the school community;
- 12 (b) Conducting an assessment of the school climate, including but not limited to
13 inclusiveness and respect for diversity;
- 14 (c) Developing trauma-informed discipline policies;
- 15 (d) Collaborating with the Department of Kentucky State Police, the local sheriff,
16 and the local chief of police to create procedures for notification of trauma-
17 exposed students; and
- 18 (e) Providing services and programs designed to reduce the negative impact of
19 trauma, support critical learning, and foster a positive and safe school
20 environment for every student.

21 ➔Section 4. The following KRS sections are repealed:

22 160.1590 Definitions for KRS 160.1590 to 160.1599.

23 160.1591 Legislative findings and declarations -- Public charter school project.

24 160.1592 Public charter schools part of state's public education system -- Exemption
25 from laws and regulations -- School requirements -- Enrollment option information
26 for parents -- Board of directors -- Buildings and grounds, liability insurance, and
27 other undertakings -- Requirement to be nonsectarian and nondiscriminatory --

- 1 Authorized grade levels -- Programs and services for students with disabilities --
2 Participation in athletic, academic, and other programs -- Single-sex public charter
3 schools permitted -- Amendments to charter contract -- Acceptance of credits
4 earned and grades received in public charter school -- Leave of absence to teach in
5 public charter school.
- 6 160.1593 Application to establish public charter school -- Submission to authorizer and
7 state board -- Required application information.
- 8 160.1594 Public charter school authorizer -- Duties -- Application reviews and decisions
9 -- Criteria for approval -- Explanation of decision -- Final approval by
10 commissioner of education -- School board member charter authorization
11 training.
- 12 160.1595 Appeal of approval or denial to state board -- Judicial review -- Report of
13 reconsideration.
- 14 160.1596 Board of directors of public charter schools -- Required elements of charter
15 contract with authorizer -- Administrative regulations -- Application for federal
16 funds -- Annual report by authorizer.
- 17 160.1597 Term of approved charter school contract -- Contract between board of
18 directors and authorizer's governing body -- Corporate powers -- Prohibition against
19 tax levies and use of eminent domain -- Immunity from liability.
- 20 160.1598 Renewal or nonrenewal of charter contract -- School performance report --
21 Reasons for nonrenewal or revocation -- Administrative regulations -- Report of
22 action taken and reason for decision -- School closure protocol.
- 23 160.1599 Conversion of public noncharter school to public charter school --
24 Establishment requirements -- Administrative regulations -- Governance --
25 Enrollment requirements -- Employees -- Collective bargaining -- School facilities.
- 26 161.141 Requirements and prohibitions concerning public charter school employees and
27 local school boards.