

1 AN ACT relating to education.

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

3 ➔Section 1. KRS 156.557 is amended to read as follows:

4 (1) As used in this section:

5 (a) "Formative evaluation" means a continuous cycle of collecting evaluation
6 information and providing feedback with suggestions regarding the certified
7 employee's professional growth and performance; and

8 (b) "Summative evaluation" means the summary of, and conclusions from, the
9 evaluation data, including formative evaluation data that:

10 1. Occur at the end of an evaluation cycle; and

11 2. Include a conference between the evaluator and the evaluated certified
12 employee and a written evaluation report.

13 (2) The Kentucky Department of Education, in consultation with the Kentucky teacher
14 and principal steering committees and other groups deemed appropriate by the
15 commissioner of education, shall develop a statewide framework for teaching that
16 shall promote the continuous professional growth and development of skills needed
17 to be a highly effective teacher or a highly effective administrator in a school or
18 district.

19 (3) Each district shall develop and implement a personnel evaluation system aligned
20 with the statewide framework for teaching established in subsection (2) of this
21 section that shall:

22 (a) Use multiple measures of effectiveness;

23 (b) Include both formative and summative evaluation components;

24 (c) Measure professional effectiveness;

25 (d) Support professional growth;

26 (e) Have at least four (4) performance levels;

27 (f) Be used to inform personnel decisions;

- 1 (g) Be considerate of the time requirements of evaluators at the local level and
2 shall not require that all certified school personnel have a formal summative
3 evaluation each year; and
- 4 (h) Rate teachers or administrators by multiple measures instead of a single
5 measure.
- 6 (4) The performance criteria by which teachers and administrators shall be evaluated
7 shall include but not be limited to:
- 8 (a) Performance of professional responsibilities related to his or her assignment,
9 including attendance and punctuality and evaluating results;
- 10 (b) Demonstration of effective planning of curricula, classroom instruction, and
11 classroom management, based on research-based instructional practices, or
12 school management skills based on validated managerial practices;
- 13 (c) Demonstration of knowledge and understanding of subject matter content or
14 administrative functions and effective leadership techniques;
- 15 (d) Promotion and incorporation of instructional strategies or management
16 techniques that are fair and respect diversity and individual differences;
- 17 (e) Demonstration of effective interpersonal, communication, and collaboration
18 skills among peers, students, parents, and others;
- 19 (f) Performance of duties consistent with the goals for Kentucky students and
20 mission of the school, the local community, laws, and administrative
21 regulations;
- 22 (g) Demonstration of the effective use of resources, including technology;
- 23 (h) Demonstration of professional growth;
- 24 (i) Adherence to the professional code of ethics; and
- 25 (j) Attainment of the teacher standards or the administrator standards as
26 established by the Education Professional Standards Board that are not
27 referenced in paragraphs (a) to (i) of this subsection.

- 1 (5) The following provisions shall apply to each school district's personnel evaluation
2 system:
- 3 (a) Certified school personnel, below the level of superintendent, shall be
4 evaluated;
- 5 (b) The evaluation system shall include formative evaluation and summative
6 evaluation components; and
- 7 (c) The Kentucky Board of Education shall adopt administrative regulations
8 incorporating written guidelines for a local school district to follow in
9 implementing the personnel evaluation system and shall require the following:
- 10 1. All evaluations of certified school personnel below the level of the
11 district superintendent shall be in writing on evaluation forms and under
12 evaluation procedures developed by a committee composed of an equal
13 number of teachers and administrators;
- 14 2. The immediate supervisor of the certified school personnel member
15 shall be designated as the primary evaluator. At the request of a teacher,
16 observations by other teachers trained in the teacher's content area or
17 curriculum content specialists may be incorporated into the formative
18 process for evaluating teachers;
- 19 3. All monitoring or observation of performance of a certified school
20 personnel member shall be conducted openly and with full knowledge of
21 the personnel member;
- 22 4. Evaluators shall be trained, tested, and approved in accordance with
23 administrative regulations adopted by the Kentucky Board of Education
24 in the proper techniques for effectively evaluating certified school
25 personnel. Evaluators shall receive support and resources necessary to
26 ensure consistent and reliable ratings;
- 27 5. The personnel evaluation system shall include a plan whereby the

1 person evaluated is given assistance for professional growth as a teacher
2 or administrator. The system shall also specify the processes to be used
3 when corrective actions are necessary in relation to the performance of
4 one's assignment;

5 6. The system shall require annual summative evaluations for each teacher
6 or other professional who has not attained continuing service status
7 under KRS 161.740 or continuing status under KRS 156.800(7). The
8 system shall require summative evaluations ~~{at least}~~ once every five
9 (5)~~three (3)~~ years for a teacher or other professional who has attained
10 continuing service status under KRS 161.740 or continuing status under
11 KRS 156.800(7), principals, assistant principals, and other certified
12 administrators. Additional summative evaluations may be performed at
13 the discretion of the immediate supervisor of a teacher or other
14 professional based upon a case-by-case analysis of the performance
15 criteria set forth in subsection (4) of this section but shall not be
16 imposed as a uniform requirement across the system; and

17 7. The training requirement for evaluators contained in subparagraph 4. of
18 this paragraph shall not apply to district board of education members.

19 (6) (a) Each superintendent shall be evaluated according to a policy and procedures
20 developed by the local board of education and approved by the department.

21 (b) The summative evaluation of the superintendent shall be in writing, discussed
22 and adopted in an open meeting of the board and reflected in the minutes, and
23 made available to the public upon request.

24 (c) Any preliminary discussions relating to the evaluation of the superintendent
25 by the board or between the board and the superintendent prior to the
26 summative evaluation shall be conducted in closed session.

27 (7) The Kentucky Board of Education shall establish an appeals procedure for certified

1 school personnel who believe that the local school district failed to properly
2 implement the evaluation system. The appeals procedure shall not involve requests
3 from individual certified school personnel members for review of the judgmental
4 conclusions of their personnel evaluations.

5 (8) The local board of education shall establish an evaluation appeals panel for certified
6 school personnel that shall consist of two (2) members elected by the certified
7 employees of the local district and one (1) member appointed by the board of
8 education who is a certified employee of the local board of education. Certified
9 school personnel who think they were not fairly evaluated may submit an appeal to
10 the panel for a timely review of their evaluation.

11 (9) The Kentucky Department of Education may annually provide for on-site visits by
12 trained personnel to review and ensure appropriate implementation of the
13 evaluation system by the local school district. The department shall provide
14 technical assistance to local districts to eliminate deficiencies and to improve the
15 effectiveness of the evaluation system.

16 (10) The disclosure, pursuant to KRS Chapter 61, of any data or information, including
17 student growth data, that local school districts or the Kentucky Department of
18 Education collect on individual classroom teachers under this section is prohibited.

19 (11) The results of evaluations conducted under this section shall not be included in the
20 accountability system described in KRS 158.6455 and no reporting requirements
21 related to these results shall be imposed upon the local school districts by the
22 Kentucky Department of Education.

23 ➔Section 2. KRS 158.060 is amended to read as follows:

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

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

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

11 ~~(4)~~~~(3)~~ Except for children with disabilities and children attending the primary school
12 program who may attend a program of less than six (6) hours per day under policy
13 adopted by the local school district board of education and approved by the
14 commissioner of education and children attending a school district where the local
15 board has approved a schedule that provides at least the equivalent of six (6) hours
16 of daily instruction during the school year, a minimum of six (6) hours of actual
17 school work shall constitute a school day. Kindergarten programs may be operated
18 for less than six (6) hours without state board approval. The Kentucky Board of
19 Education, upon recommendation of the chief state school officer, shall develop and
20 approve regulations governing make up by school districts of whole days missed
21 due to emergencies, or partial days missed as a result of shortening regularly
22 scheduled school days due to emergencies.

23 ~~(5)~~~~(4)~~ Teachers shall be provided additional time for nonteaching activities. The
24 nonteaching time shall be used to provide teachers opportunities for professional
25 development activities as provided in KRS 156.095, instructional planning, school-
26 based decision making as provided in KRS 160.345, curriculum development, and
27 outreach activities involving their students' families and the community.

1 ~~(6)~~~~(5)}~~ 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)~~~~(3)}~~ of this section.

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

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

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

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

14 (2) All certified school district employees and public charter school employees shall
15 complete at least one (1) hour of each of the following trainings within twelve
16 (12) months of initial hire and at least once every four (4) years thereafter:

17 (a) How to respond to an active shooter situation training prepared by the
18 Department of Criminal Justice Training in collaboration with the
19 department, the Kentucky Law Enforcement Council, and the Center for
20 School Safety;

21 (b) Child abuse and neglect prevention, recognition, and reporting training
22 from the list of trainings approved by the department in accordance with
23 subsection (7) of this section;

24 (c) 1. High-quality, evidence-based suicide prevention training, including
25 risk factors, warning signs, protective factors, response procedures,
26 referral, postvention, and the recognition of signs and symptoms of
27 possible mental illness.

1 2. As used in this paragraph, "postvention" means a series of planned
2 supports and interventions with persons affected by a suicide for the
3 purpose of facilitating the grieving or adjustment process, stabilizing
4 the environment, reducing the risk of negative behaviors, and limiting
5 the risk of further suicides through contagion; and

6 (d) Self-study review of seizure disorder materials.

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

16 (b) (a) The manner of appointment, qualifications, and other duties of the
17 professional development coordinator shall be established by the local board
18 of education ~~[Kentucky Board of Education through promulgation of~~
19 ~~administrative regulations]~~.

20 (c) (b) The local district professional development coordinator may ~~[shall]~~
21 participate in the Kentucky Department of Education annual training program
22 for local school district professional development coordinators. The training
23 program may include, but not be limited to, the demonstration of various
24 approaches to needs assessment and planning; strategies for implementing
25 long-term, school-based professional development; strategies for
26 strengthening teachers' roles in the planning, development, and evaluation of
27 professional development; and demonstrations of model professional

1 development programs. The training shall include information about teacher
2 learning opportunities relating to the core content standards. The
3 department~~[Kentucky Department of Education]~~ shall regularly collect and
4 distribute this information.

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

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

- 1 instruction;
- 2 (f) Nongraded primary programs;
- 3 (g) Research-based instructional practices;
- 4 (h) Instructional uses of technology;
- 5 (i) Curriculum design to serve the needs of students with diverse learning styles
- 6 and skills and of students of diverse cultures;
- 7 (j) Instruction in reading, including phonics, phonemic awareness,
- 8 comprehension, fluency, and vocabulary;
- 9 (k) Educational leadership; and
- 10 (l) Strategies to incorporate character education throughout the curriculum.

11 ~~(5)(4)~~ The department shall assist school personnel in assessing the impact of

12 professional development on their instructional practices and student learning.

13 ~~(6)(a)(5)~~ **Upon the request of a school district or school council,** the department

14 shall assist ~~districts and school councils~~ with the development of long-term

15 school and district improvement plans that include multiple strategies for

16 professional development based on the assessment of needs at the school

17 level.

18 ~~(b)(a)~~ Professional development strategies may include but are not limited to

19 participation in subject matter academies, teacher networks, training institutes,

20 workshops, seminars, and study groups; collegial planning; action research;

21 mentoring programs; appropriate university courses; and other forms of

22 professional development.

23 ~~(c)(b)~~ In planning the use of the four (4) days for professional development

24 under KRS 158.070, school councils and districts shall give priority to

25 programs that increase teachers' understanding of curriculum content and

26 methods of instruction appropriate for each content area based on individual

27 school plans. The district may use up to one (1) day to provide district-wide

1 training and training that is mandated by state or federal law. Only those
2 employees identified in the mandate or affected by the mandate shall be
3 required to attend the training.

4 ~~(d)~~(e) State funds allocated for professional development shall be used to
5 support professional development initiatives that are consistent with local
6 school improvement and professional development plans and teachers'
7 individual growth plans. The funds may be used throughout the year for all
8 staff, including classified and certified staff and parents on school councils or
9 committees. A portion of the funds allocated to each school council under
10 KRS 160.345 may be used to prepare or enhance the teachers' knowledge and
11 teaching practices related to the content and subject matter that are required
12 for their specific classroom assignments.

13 ~~[(6) (a) The Kentucky Cabinet for Health and Family Services shall post on its web~~
14 ~~page evidence based suicide prevention awareness information, to include~~
15 ~~recognizing the warning signs of a suicide crisis. The web page shall include~~
16 ~~information related to suicide prevention training opportunities offered by the~~
17 ~~cabinet or an agency recognized by the cabinet as a training provider.~~

18 ~~(b) Every public school and public charter school shall provide two (2) evidence-~~
19 ~~based suicide prevention awareness lessons each school year, the first by~~
20 ~~September 15 and the second by January 15, either in person, by live~~
21 ~~streaming, or via a video recording to all students in grades six (6) through~~
22 ~~twelve (12). Every public school shall provide an opportunity for any student~~
23 ~~absent on the day the evidence based suicide prevention awareness lesson was~~
24 ~~initially presented to receive the lesson at a later time. The information may~~
25 ~~be obtained from the Cabinet for Health and Family Services or from a~~
26 ~~commercially developed suicide prevention training program.~~

27 ~~(c) 1. Each school year, a minimum of one (1) hour of high quality evidence-~~

1 based suicide prevention training, including risk factors, warning signs,
2 protective factors, response procedures, referral, postvention, and the
3 recognition of signs and symptoms of possible mental illness, shall be
4 required for all school district employees with job duties requiring direct
5 contact with students in grades four (4) through twelve (12). The
6 training shall be provided either in person, by live streaming, or via a
7 video recording and may be included in the four (4) days of professional
8 development under KRS 158.070. As used in this subparagraph,
9 "postvention" means a series of planned supports and interventions with
10 persons affected by a suicide for the purpose of facilitating the grieving
11 or adjustment process, stabilizing the environment, reducing the risk of
12 negative behaviors, and limiting the risk of further suicides through
13 contagion.

14 2. ~~When a staff member subject to the training under subparagraph 1. of~~
15 ~~this paragraph is initially hired during a school year in which the~~
16 ~~training is not required, the local district shall provide suicide prevention~~
17 ~~materials to the staff member for review.~~

18 (d) ~~The requirements of paragraphs (b) and (c) of this subsection shall apply to~~
19 ~~public charter schools as a health and safety requirement under KRS~~
20 ~~160.1592(1).~~

21 (7) (a) ~~By November 1 of each year, a minimum of one (1) hour of training on how~~
22 ~~to respond to an active shooter situation shall be required for all school district~~
23 ~~employees with job duties requiring direct contact with students. The training~~
24 ~~shall be provided either in person, by live streaming, or via a video recording~~
25 ~~prepared by the Kentucky Department of Criminal Justice Training in~~
26 ~~collaboration with the Kentucky Law Enforcement Council, the Kentucky~~
27 ~~Department of Education, and the Center for School Safety and may be~~

1 included in the four (4) days of professional development under KRS
2 158.070.

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

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

9 ~~(7)~~~~(8)~~ (a) The department~~[Kentucky Department of Education]~~ shall develop and
10 maintain a list of approved comprehensive evidence-informed trainings on
11 child abuse and neglect prevention, recognition, and reporting that encompass
12 child physical, sexual, and emotional abuse and neglect.

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

- 15 1. Recognizing child physical, sexual, and emotional abuse and neglect;
- 16 2. Reporting suspected child abuse and neglect in Kentucky as required by
17 KRS 620.030 and the appropriate documentation;
- 18 3. Responding to the child; and
- 19 4. Understanding the response of child protective services.

20 (c) The trainings shall include a questionnaire or other basic assessment tool upon
21 completion to document basic knowledge of training components.

22 (d) Each local board of education shall adopt one (1) or more trainings from the
23 list approved by the department~~[Department of Education]~~ to be implemented
24 by schools.}

25 (e) ~~All school administrators, certified personnel, office staff, instructional~~
26 ~~assistants, and coaches and extracurricular sponsors who are employed by the~~
27 ~~school district shall complete the implemented training or trainings within~~

1 ~~ninety (90) days of being hired and then every two (2) years after.~~

2 ~~(f) Every public school shall prominently display the statewide child abuse~~
3 ~~hotline number administered by the Cabinet for Health and Family Services,~~
4 ~~the National Human Trafficking Reporting Hotline number administered by~~
5 ~~the United States Department for Health and Human Services, and the Safe~~
6 ~~Haven Baby Boxes Crisis Line number administered by the Safe Haven Baby~~
7 ~~Boxes national organization or any equivalent successor entity.~~

8 ~~(g) The requirements of this subsection shall also apply to public charter schools~~
9 ~~as a health and safety requirement under KRS 160.1592(1).]~~

10 ~~(8)~~~~[(9)]~~ The department~~[Department of Education]~~ shall establish an electronic
11 consumer bulletin board that posts information regarding professional development
12 providers and programs as a service to school district central office personnel,
13 school councils, teachers, and administrators. Participation on the electronic
14 consumer bulletin board shall be voluntary for professional development providers
15 or vendors, but shall include all programs sponsored by the department. Participants
16 shall provide the following information: program title; name of provider or vendor;
17 qualifications of the presenters or instructors; objectives of the program; program
18 length; services provided, including follow-up support; costs for participation and
19 costs of materials; names of previous users of the program, addresses, and
20 telephone numbers; and arrangements required. Posting information on the bulletin
21 board by the department shall not be viewed as an endorsement of the quality of
22 any specific provider or program.

23 ~~(9)~~~~[(10)]~~ The department~~[Department of Education]~~ shall provide voluntary training to
24 address the characteristics and instructional needs of students at risk of school
25 failure and most likely to drop out of school. The training shall be developed to
26 meet the specific needs of all certified and classified personnel depending on their
27 relationship with these students. The training for instructional personnel shall be

1 designed to provide and enhance skills of personnel to:

- 2 (a) Identify at-risk students early in elementary schools as well as at-risk and
3 potential dropouts in the middle and high schools;
4 (b) Plan specific instructional strategies to teach at-risk students;
5 (c) Improve the academic achievement of students at risk of school failure by
6 providing individualized and extra instructional support to increase
7 expectations for targeted students;
8 (d) Involve parents as partners in ways to help their children and to improve their
9 children's academic progress; and
10 (e) Significantly reduce the dropout rate of all students.

11 ~~(10)~~~~(11)~~ The department shall establish teacher academies to the extent funding is
12 available in cooperation with postsecondary education institutions for elementary,
13 middle school, and high school faculty in core disciplines, utilizing facilities and
14 faculty from universities and colleges, local school districts, and other appropriate
15 agencies throughout the state. Priority for participation shall be given to those
16 teachers who are teaching core discipline courses for which they do not have a
17 major or minor or the equivalent. Participation of teachers shall be voluntary.

18 ~~(11)~~~~(12)~~ The department shall annually provide to the oversight council established in
19 KRS 15A.063, the information received from local schools pursuant to KRS
20 158.449.

21 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
22 READ AS FOLLOWS:

23 **Every public school shall prominently display the statewide child abuse hotline number**
24 **administered by the Cabinet for Health and Family Services, the National Human**
25 **Trafficking Hotline number administered by the United States Department for Health**
26 **and Human Services, and the Safe Haven Baby Boxes Crisis Line number**
27 **administered by the Safe Haven Baby Boxes national organization or any equivalent**

1 successor entity. The requirements of this section shall also apply to public charter
2 schools as a health and safety requirement under KRS 160.1592(1).

3 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) The Cabinet for Health and Family Services shall post on its web page high-
6 quality, evidence-based suicide prevention awareness information, which shall
7 include information on recognizing the warning signs of a suicide crisis. The web
8 page shall include information related to suicide prevention training
9 opportunities offered by the cabinet or an agency recognized by the cabinet as a
10 training provider.

11 (2) Every public school and public charter school shall provide two (2) high quality,
12 evidence-based suicide prevention awareness lessons each school year, the first
13 by September 15 and the second by January 15, either in person, by live
14 streaming, or via a video recording to all students in grades six (6) through twelve
15 (12). Every public school shall provide an opportunity for any student absent on
16 the day the high quality, evidence-based suicide prevention awareness lesson was
17 initially presented to receive the lesson at a later time. The information may be
18 obtained from the Cabinet for Health and Family Services or from a
19 commercially developed suicide prevention training program.

20 ➔Section 6. KRS 158.070 is amended to read as follows:

21 (1) As used in this section:

- 22 (a) "Election" has the same meaning as in KRS 121.015;
- 23 (b) "Minimum school term" or "school term" means not less than one hundred
24 eighty-five (185) days composed of the student attendance days, teacher
25 professional days, and holidays;
- 26 (c) "School calendar" means the document adopted by a local board of education
27 that establishes the minimum school term, student instructional year or

- 1 variable student instructional year, and days that school will not be in session;
- 2 (d) "School district calendar committee" means a committee that includes at least
- 3 the following:
- 4 1. One (1) school district principal;
 - 5 2. One (1) school district office administrator other than the
 - 6 superintendent;
 - 7 3. One (1) member of the local board of education;
 - 8 4. Two (2) parents of students attending a school in the district;
 - 9 5. One (1) school district elementary school teacher;
 - 10 6. One (1) school district middle or high school teacher;
 - 11 7. Two (2) school district classified employees; and
 - 12 8. Two (2) community members from the local chamber of commerce,
 - 13 business community, or tourism commission;
- 14 (e) "Student attendance day" means any day that students are scheduled to be at
- 15 school to receive instruction, and encompasses the designated start and
- 16 dismissal time;
- 17 (f) "Student instructional year" means at least one thousand sixty-two (1,062)
- 18 hours of instructional time for students delivered on not less than one hundred
- 19 seventy (170) student attendance days;
- 20 (g) "Teacher professional day" means any day teachers are required to report to
- 21 work as determined by a local board of education, with or without the
- 22 presence of students; and
- 23 (h) "Variable student instructional year" means at least one thousand sixty-two
- 24 (1,062) hours of instructional time delivered on the number of student
- 25 attendance days adopted by a local board of education which shall be
- 26 considered proportionally equivalent to one hundred seventy (170) student
- 27 attendance days and calendar days for the purposes of a student instructional

1 year, employment contracts that are based on the school term, service credit
2 under KRS 161.500, and funding under KRS 157.350.

3 (2) (a) The local board of education, upon recommendation of the local school
4 district superintendent, shall annually appoint a school district calendar
5 committee to review, develop, and recommend school calendar options.

6 (b) The school district calendar committee, after seeking feedback from school
7 district employees, parents, and community members, shall recommend
8 school calendar options to the local school district superintendent for
9 presentation to the local board of education. The committee's
10 recommendations shall comply with state laws and regulations and consider
11 the economic impact of the school calendar on the community and the state.

12 (c) Prior to adopting a school calendar, the local board of education shall hear for
13 discussion the school district calendar committee's recommendations and the
14 recommendation of the superintendent at a meeting of the local board of
15 education.

16 (d) During a subsequent meeting of the local board of education, the local board
17 shall adopt a school calendar for the upcoming school year that establishes the
18 opening and closing dates of the school term, beginning and ending dates of
19 each school month, student attendance days, and days on which schools shall
20 be dismissed. The local board may schedule days for breaks in the school
21 calendar that shall not be counted as a part of the minimum school term.

22 (e) For local board of education meetings described in paragraphs (c) and (d) of
23 this subsection, if the meeting is a regular meeting, notice shall be given to
24 media outlets that have requests on file to be notified of special meetings
25 stating the date of the regular meeting and that one (1) of the items to be
26 considered in the regular meeting will be the school calendar. The notice shall
27 be sent at least twenty-four (24) hours before the regular meeting. This

1 requirement shall not be deemed to make any requirements or limitations
2 relating to special meetings applicable to the regular meeting.

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

11 (3) (a) Each local board of education shall use four (4) days of the minimum school
12 term for professional development and collegial planning activities for the
13 professional staff without the presence of students pursuant to the
14 requirements of KRS 156.095. At the discretion of the superintendent, one (1)
15 day of professional development may be used for district-wide activities and
16 for training that is mandated by federal or state law. The use of three (3) days
17 shall be planned by each school council, except that the district is encouraged
18 to provide technical assistance and leadership to school councils to maximize
19 existing resources and to encourage shared planning.

20 (b) ~~[At least one (1) hour of self study review of seizure disorder materials shall~~
21 ~~be required for all principals, guidance counselors, and teachers hired after~~
22 ~~July 1, 2019.~~

23 (c) ~~1.~~ A local board may approve a school's flexible professional development
24 plan that permits teachers or other certified personnel within a school to
25 participate in professional development activities outside the days
26 scheduled in the school calendar or the regularly scheduled hours in the
27 school work day and receive credit towards the four (4) day professional

1 development requirement within the minimum one hundred eighty-five
2 (185) days that a teacher shall be employed.

3 2. A flexible schedule option shall be reflected in the school's professional
4 development component within the school improvement plan and
5 approved by the local board. Credit for approved professional
6 development activities may be accumulated in periods of time other than
7 full day segments.

8 3. No teacher or administrator shall be permitted to count participation in a
9 professional development activity under the flexible schedule option
10 unless the activity is related to the teacher's classroom assignment and
11 content area, or the administrator's job requirements, or is required by
12 the school improvement plan, or is tied to the teacher's or the
13 administrator's individual growth plan. The supervisor shall give prior
14 approval and shall monitor compliance with the requirements of this
15 paragraph. In the case of teachers, a professional development
16 committee or the school council by council policy may be responsible
17 for reviewing requests for approval.

18 ~~(c)~~~~(d)~~ The local board of each school district may use up to a maximum of four
19 (4) days of the minimum school term for holidays; provided, however, any
20 holiday which occurs on Saturday may be observed on the preceding Friday.

21 ~~(d)~~~~(e)~~ Each local board may use two (2) days for planning activities without
22 the presence of students.

23 ~~(e)~~~~(f)~~ Each local board may close schools for the number of days deemed
24 necessary for:

25 1. National or state emergency or mourning when proclaimed by the
26 President of the United States or the Governor of the Commonwealth of
27 Kentucky;

- 1 2. Local emergency which would endanger the health or safety of children;
2 and
3 3. Mourning when so designated by the local board of education and
4 approved by the Kentucky Board of Education upon recommendation of
5 the commissioner of education.
- 6 (4) (a) The Kentucky Board of Education, upon recommendation of the
7 commissioner of education, shall adopt administrative regulations governing
8 the use of student attendance days as a result of a local emergency, as
9 described in subsection (3)~~(e)~~~~(f)~~2. of this section, and regulations setting
10 forth the guidelines and procedures to be observed for the approval of waivers
11 from the requirements of a student instructional year in subsection (1)(f) of
12 this section for districts that wish to adopt innovative instructional calendars,
13 or for circumstances that would create extreme hardship.
- 14 (b) If a local board of education amends its school calendar after its adoption due
15 to an emergency, it may lengthen or shorten any remaining student attendance
16 days by thirty (30) minutes or more, as it deems necessary, provided the
17 amended calendar complies with the requirements of a student instructional
18 year in subsection (1)(f) of this section or a variable student instructional year
19 in subsection (1)(h) of this section. No student attendance day shall contain
20 more than seven (7) hours of instructional time unless the district submitted
21 and received approval from the commissioner of education for an innovative
22 alternative calendar.
- 23 (5) (a) 1. In setting the school calendar, school may be closed for two (2)
24 consecutive days for the purpose of permitting professional school
25 employees to attend statewide professional meetings.
- 26 2. These two (2) days for statewide professional meetings may be
27 scheduled to begin with the first Thursday after Easter, or upon request

- 1 of the statewide professional education association having the largest
2 paid membership, the commissioner of education may designate
3 alternate dates.
- 4 3. If schools are scheduled to operate during days designated for the
5 statewide professional meeting, the school district shall permit
6 employees who are delegates to attend as compensated professional
7 leave time and shall employ substitute teachers in their absence.
- 8 4. The commissioner of education shall designate one (1) additional day
9 during the school year when schools may be closed to permit
10 professional school employees to participate in regional or district
11 professional meetings.
- 12 5. These three (3) days so designated for attendance at professional
13 meetings may be counted as a part of the minimum school term.
- 14 (b) 1. If any school in a district is used as a polling place, the school district
15 shall be closed on the day of the election, and those days may be used
16 for professional development activities, professional meetings, or
17 parent-teacher conferences.
- 18 2. A district may be open on the day of an election if no school in the
19 district is used as a polling place.
- 20 (c) All schools shall be closed on the third Monday of January in observance of
21 the birthday of Martin Luther King, Jr. Districts may:
- 22 1. Designate the day as one (1) of the four (4) holidays permitted under
23 subsection (3)(c)(d) of this section; or
- 24 2. Not include the day in the minimum school term specified in subsection
25 (1) of this section.
- 26 (6) (a) The Kentucky Board of Education, or the organization or agency designated
27 by the board to manage interscholastic athletics, shall be encouraged to

1 schedule athletic competitions outside the regularly scheduled student
2 attendance day.

3 (b) Any member of a school-sponsored interscholastic athletic team who
4 competes in a regional tournament or state tournament sanctioned by the
5 Kentucky Board of Education, or the organization or agency designated by the
6 board to manage interscholastic athletics, and occurring on a regularly
7 scheduled student attendance day may be counted present at school on the
8 date or dates of the competition, as determined by local board policy, for a
9 maximum of two (2) days per student per year. The student shall be expected
10 to complete any assignments missed on the date or dates of the competition.

11 (c) The school attendance record of any student for whom paragraph (b) of this
12 subsection applies shall indicate that the student was in attendance on the date
13 or dates of competition.

14 (7) Schools shall provide continuing education for those students who are determined
15 to need additional time to achieve the outcomes defined in KRS 158.6451, and
16 schools shall not be limited to the minimum school term in providing this
17 education. Continuing education time may include extended days, extended weeks,
18 or extended years. A local board of education may adopt a policy requiring its
19 students to participate in continuing education. The local policy shall set out the
20 conditions under which attendance will be required and any exceptions which are
21 provided. The Kentucky Board of Education shall promulgate administrative
22 regulations establishing criteria for the allotment of grants to local school districts
23 and shall include criteria by which the commissioner of education may approve a
24 district's request for a waiver to use an alternative service delivery option, including
25 providing services during the student attendance day on a limited basis. These
26 grants shall be allotted to school districts to provide instructional programs for
27 pupils who are identified as needing additional time to achieve the outcomes

1 defined in KRS 158.6451. A school district that has a school operating a model
2 early reading program under KRS 158.792 may use a portion of its grant money as
3 part of the matching funds to provide individualized or small group reading
4 instruction to qualified students outside of the regular classroom during the student
5 attendance day.

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

20 (9) The Kentucky Board of Education shall promulgate administrative regulations to
21 prescribe the conditions and procedures for districts to be approved for the
22 nontraditional instruction program. Administrative regulations promulgated by the
23 board under this section shall specify:

24 (a) The application, plan review, approval, and amendment process;

25 (b) Reporting requirements for districts approved for the program, which may
26 include but are not limited to examples of student work, lesson plans, teacher
27 work logs, and student and teacher participation on nontraditional instruction

- 1 days. Documentation to support the use of nontraditional instruction days
2 shall include clear evidence of learning continuation;
- 3 (c) Timelines for initial approval as a nontraditional instruction district, length of
4 approval, the renewal process, and ongoing evaluative procedures required of
5 the district;
- 6 (d) Reporting and oversight responsibilities of the district and the Kentucky
7 Department of Education, including the documentation required to show clear
8 evidence of learning continuation during nontraditional instruction days; and
9 (e) Other components deemed necessary to implement this section.
- 10 (10) Notwithstanding the provisions of KRS 158.060~~(4)(3)~~ and the provisions of
11 subsection (2) of this section, a school district shall arrange bus schedules so that all
12 buses arrive in sufficient time to provide breakfast prior to the beginning of the
13 student attendance day. The superintendent of a school district that participates in
14 the Federal School Breakfast Program may also authorize up to fifteen (15) minutes
15 of the student attendance day to provide the opportunity for children to eat breakfast
16 during instructional time.
- 17 (11) Notwithstanding any other statute to the contrary, the following provisions shall
18 apply to a school district that misses student attendance days due to emergencies,
19 including weather-related emergencies:
- 20 (a) A certified school employee shall be considered to have fulfilled the
21 minimum one hundred eighty-five (185) day contract with a school district
22 under KRS 157.350 and shall be given credit for the purpose of calculating
23 service credit for retirement under KRS 161.500 for certified school personnel
24 if:
- 25 1. State and local requirements under this section are met regarding the
26 equivalent of the number and length of student attendance days, teacher
27 professional days, professional development days, holidays, and days

- 1 for planning activities without the presence of students; and
- 2 2. The provisions of the district's school calendar to make up student
- 3 attendance days missed due to any emergency, as approved by the
- 4 Kentucky Department of Education when required, including but not
- 5 limited to a provision for additional instructional time per day, are met.
- 6 (b) Additional time worked by a classified school employee shall be considered
- 7 as equivalent time to be applied toward the employee's contract and
- 8 calculation of service credit for classified employees under KRS 78.615 if:
- 9 1. The employee works for a school district with a school calendar
- 10 approved by the Kentucky Department of Education that contains a
- 11 provision that additional instructional time per day shall be used to make
- 12 up full days missed due to an emergency;
- 13 2. The employee's contract requires a minimum six (6) hour work day; and
- 14 3. The employee's job responsibilities and work day are extended when the
- 15 instructional time is extended for the purposes of making up time.
- 16 (c) Classified employees who are regularly scheduled to work less than six (6)
- 17 hours per day and who do not have additional work responsibilities as a result
- 18 of lengthened student attendance days shall be excluded from the provisions
- 19 of this subsection. These employees may be assigned additional work
- 20 responsibilities to make up service credit under KRS 78.615 that would be
- 21 lost due to lengthened student attendance days.
- 22 ➔Section 7. KRS 160.346 is amended to read as follows:
- 23 (1) For purposes of this section:
- 24 (a) "Approved turnaround vendor list" means a list of at least three (3) vendors
- 25 pre-approved by the Kentucky Board of Education for the purposes of
- 26 subsection (8) of this section that have documented success at providing
- 27 turnaround diagnosis, training, and improved performance of organizations;

- 1 (b) "Department" means the Kentucky Department of Education;
- 2 (c) "ESSA" means the Every Student Succeeds Act of 2015, Pub. L. No. 114-95,
- 3 or its successor;
- 4 (d) "Level" means elementary, middle, or high school;
- 5 (e) "Turnaround" means a comprehensive transformation of a school to achieve
- 6 accelerated, meaningful, and sustainable increases in student achievement
- 7 through improved school leadership and school district support;
- 8 (f) "Turnaround plan" means a mandatory school plan that is designed to
- 9 improve student learning and performance with evidence-based interventions
- 10 as defined in ESSA and that is developed and implemented by the local
- 11 school district in partnership with stakeholders, including the principal, other
- 12 school leaders, teachers, and parents; and
- 13 (g) "Turnaround team" means the turnaround training and support team described
- 14 in subsection (8)(a) of this section.
- 15 (2) (a) ~~[Beginning with the 2020-2021 school year, and annually thereafter,]~~The
- 16 department shall annually identify a school for targeted support and
- 17 improvement if the school has one (1) or more of the same subgroups, as
- 18 defined by ESSA, whose performance in the state accountability system by
- 19 level is at or below that of all students in any of the lowest-performing five
- 20 percent (5%) of all schools for three (3) consecutive years.
- 21 (b) Beginning with the 2021-2022 school year, and every three (3) years
- 22 thereafter, the department shall identify a school for additional targeted
- 23 support and improvement if the school has one (1) or more subgroups, as
- 24 defined by ESSA, whose performance in the state accountability system by
- 25 level is at or below the summative performance of all students in any of the
- 26 lowest-performing five percent (5%) of all schools identified under subsection
- 27 (3)(a) of this section and the school was identified in the immediately

1 preceding year for targeted support and improvement as described in
2 paragraph (a) of this subsection.

3 (3) Beginning with the 2021-2022 school year, and every three (3) years thereafter, a
4 school shall be identified by the department for comprehensive support and
5 improvement if the school is:

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

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

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

14 (4) (a) When a school is identified for targeted support and improvement under
15 subsection (2)(a) of this section, the local school personnel, working with
16 stakeholders, including the principal, other school leaders, teachers, and
17 parents, shall create or revise its school improvement plan, which shall be
18 subject to review and approval by the local board of education.

19 (b) Each version of the~~revised~~ plan shall be informed by all available indicators,
20 including student performance compared to long-term goals, and shall
21 include:

- 22 1. Components of turnaround leadership development and support;
- 23 2. Identification of critical resource inequities;
- 24 3. Evidence-based interventions; and
- 25 4. Additional actions that address the causes of consistently
26 underperforming subgroups of students.

27 (c) If adequate performance progress, as defined by the department, is not made,

1 the local school district shall take additional action to assist and support the
2 school in reaching performance goals.

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

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

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

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

- 17 1. A diagnosis of the causes of the school's low performance, with an
18 emphasis on underperforming subgroups of students and corresponding
19 critical resource inequities;
- 20 2. An assessment and recommendation to the superintendent regarding the
21 best strategies to address the school's specific needs;
- 22 3. An assessment of the interaction and relationship among the
23 superintendent, central office personnel, and the school principal;
- 24 4. A recommendation of the steps the school may implement to launch and
25 sustain a turnaround process; and
- 26 5. A recommendation to the local board of education of the turnaround
27 principles and strategies necessary for the superintendent to assist the

1 school with turnaround.

2 (b) The report of an audit conducted under this subsection shall be provided to the
3 superintendent, local board of education, school principal, commissioner of
4 education, and the Kentucky Board of Education.

5 (8) After completion of the audit described in subsection (7) of this section, each school
6 identified for comprehensive support and improvement shall engage in the
7 following turnaround intervention process:

8 (a) The local board of education shall select a vendor from the approved
9 turnaround vendor list to provide a turnaround training and support team to
10 the school identified for comprehensive support and improvement. The local
11 board of education shall negotiate the scope and duration of the vendor's
12 services;

13 (b) The authority of the school council granted under KRS 160.345 shall be
14 transferred to the superintendent;

15 (c) The superintendent shall select a principal for the school if a principal
16 vacancy occurs. The superintendent shall consult with the turnaround team,
17 parents, certified staff, and classified staff before appointing a principal
18 replacement;

19 (d) Upon recommendation of the principal, the superintendent may reassign
20 certified staff members to a comparable position in the school district;

21 (e) The superintendent shall collaborate with the turnaround team to design
22 ongoing turnaround training and support for the principal and a corresponding
23 monitoring system of effectiveness and student achievement results;

24 (f) The principal shall collaborate with the turnaround team to establish an
25 advisory leadership team representing school stakeholders including other
26 school leaders, teachers, and parents;

27 (g) 1. In consultation with the department, the local school board shall

- 1 collaborate with the superintendent, principal, turnaround team, and the
2 advisory leadership team to propose a three (3) year turnaround plan.
- 3 2. The turnaround plan shall include requests to the department for
4 exemptions from submitting documentation that are identified by the
5 principal, advisory leadership team, and turnaround team as inhibitors to
6 investing time in innovative instruction and accelerated student
7 achievement of diverse learners including ongoing staff instructional
8 plans, student interventions, formative assessment results, or staff
9 effectiveness processes.
- 10 3. The turnaround plan shall be reviewed for approval by the
11 superintendent and the local board of education and shall be subject to
12 review, approval, monitoring, and periodic review by the department as
13 described in KRS 158.782;
- 14 (h) The school district may request technical assistance from the department for
15 development and implementation of the turnaround plan, which may include
16 conducting needs assessments, selecting evidence-based interventions, and
17 reviewing and addressing resource inequities;
- 18 (i) The turnaround plan shall be fully implemented by the first full day of the
19 school year following the school year the school was identified for
20 comprehensive support and improvement; and
- 21 (j) The superintendent shall periodically report to the local school board, and at
22 least annually to the commissioner of education, on the implementation and
23 results of the turnaround plan.
- 24 (9) The department shall annually disburse funds to a school district, for a maximum of
25 three (3) years, to assist with funding the turnaround vendor costs incurred by the
26 district under subsection (8) of this section. The Kentucky Board of Education shall
27 promulgate administrative regulations on how the disbursement amounts shall be

1 determined, which shall be based on the department's past practice for determining
2 allocations for school improvement.

3 (10) ~~[Beginning in 2023,]~~ The department shall submit an annual report no later than
4 November 30 to the Interim Joint Committee on Education relating to the
5 turnaround vendor selected by each school under subsection (8) of this section. The
6 report shall include but not be limited to each school's accountability system
7 performance since utilizing the services of the turnaround vendor, the cost of using
8 the vendor, and any other information helpful in evaluating the performance of the
9 turnaround vendor.

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

13 (12) If a school enters comprehensive support and improvement status and does not
14 make any annual improvement, as determined by the department, for two (2)
15 consecutive years, or if the school does not exit the status after three (3) years, the
16 school shall enter a school intervention process chosen by the commissioner of
17 education that provides more rigorous support and action by the department to
18 improve the school's performance.

19 (13) (a) The department shall not require a public school to create or maintain a
20 comprehensive school improvement plan or a school district to create or
21 maintain a comprehensive district improvement plan unless the public
22 school or district:

23 1. Is identified for targeted support and improvement, additional targeted
24 support and improvement, or comprehensive support and
25 improvement;

26 2. Met the identification criteria for additional targeted support and
27 improvement or comprehensive support and improvement within the

1 past two (2) years but was not identified pursuant to the three (3) year
2 identification schedules set forth in subsection (2)(b) or (3) of this
3 section; or

4 3. Is otherwise expressly required to complete or maintain the
5 comprehensive school improvement plan or comprehensive district
6 improvement plan, in whole, pursuant to the Elementary and
7 Secondary Education Act of 1965, 20 U.S.C. sec. 6301 et seq., as
8 amended by the Every Student Succeeds Act of 2015, Pub. L. No. 114-
9 95.

10 (b) A public school that is not required to create or maintain a comprehensive
11 school improvement plan in accordance with paragraph (a) of this
12 subsection may elect to voluntarily create and maintain a comprehensive
13 school improvement plan, in whole or in part, or elect to implement
14 alternative and innovative school planning procedures to fulfill federal
15 reporting requirements, including the reporting requirements imposed by
16 the Elementary and Secondary Education Act of 1965, 20 U.S.C. sec. 6314.

17 (c) A school district that is not required to create or maintain a comprehensive
18 district improvement plan in accordance with paragraph (a) of this
19 subsection may elect to voluntarily create and maintain a comprehensive
20 district improvement plan, in whole or in part, or elect to implement
21 alternative innovative school district planning procedures to fulfill federal
22 reporting requirements, including the reporting requirements imposed by
23 the Elementary and Secondary Education Act of 1965, 20 U.S.C. sec. 6312.

24 (d) If the department improperly requires a comprehensive district
25 improvement plan or a comprehensive school improvement plan, or any
26 component thereof not expressly required from that school or district by
27 federal law or state statute, the school or school district may file a written

complaint with the Office of Education Accountability. The Office of Education Accountability shall investigate the complaint and report the details and outcome of the investigation to the members of the Education Assessment and Accountability Review Subcommittee and the Kentucky Board of Education.

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

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

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

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

➔Section 8. KRS 158.4416 is amended to read as follows:

(1) For purposes of this section:

- (a) "Direct services" means in-person or virtual services provided directly to a student by a school counselor, including but not limited to individual counseling, group counseling, and individual student planning, scheduling, and registration;
- (b) "Indirect services" means services provided on behalf of a student as a result

- 1 of interactions with others, including but not limited to consultation and
2 collaboration with parents, teachers, and other educators;
- 3 (c) "School counselor" means an individual who holds a valid school counselor
4 certificate issued in accordance with the administrative regulations of the
5 Education Professional Standards Board;
- 6 (d) "School psychologist" means an individual who holds a valid school
7 psychology certificate issued in accordance with the administrative
8 regulations of the Education Professional Standards Board;
- 9 (e) "School social worker" means an individual who holds a valid school social
10 work certificate issued in accordance with the administrative regulations of
11 the Education Professional Standards Board;
- 12 (f) "School-based mental health services provider" means a certified school
13 counselor, school psychologist, school social worker, or other qualified
14 mental health professional as defined in KRS 202A.011;
- 15 (g) "Trauma" means physical, emotional, or life-threatening harm; and
- 16 (h) "Trauma-informed approach" means incorporating principles of trauma
17 awareness and trauma-informed practices in a school in order to foster a safe,
18 stable, and understanding learning environment for all students and staff and
19 ensuring that all students are known well by at least one (1) adult in the school
20 setting.
- 21 (2) The General Assembly recognizes that all schools must provide a place for students
22 to feel safe and supported to learn throughout the school day, and that any trauma a
23 student may have experienced can have a significant impact on the ability of a
24 student to learn. The General Assembly directs all public schools to adopt a trauma-
25 informed approach to education in order to better recognize, understand, and
26 address the learning needs of students impacted by trauma and to foster a learning
27 environment where all students, including those who have been traumatized, can be

1 safe, successful, and known well by at least one (1) adult in the school setting. The
2 requirements of this subsection shall apply to public charter schools as a health and
3 safety requirement under KRS 160.1592(1).

4 (3) (a) As funds and qualified personnel become available:

5 1. Each school district and each public charter school shall employ at least
6 one (1) school counselor in each school with the goal of the school
7 counselor spending at least sixty percent (60%) or more of his or her
8 time providing direct services to students and no more than forty percent
9 (40%) of his or her time providing indirect services to students; and

10 2. It shall be the goal that each school district and each public charter
11 school shall provide at least one (1) school counselor or school-based
12 mental health services provider who is employed by the school district
13 for every two hundred fifty (250) students, including but not limited to
14 the school counselor required in subparagraph 1. of this paragraph.

15 (b) A school counselor or school-based mental health services provider at each
16 school shall be the facilitator of a trauma-informed team to identify and assist
17 students whose learning, behavior, and relationships have been impacted by
18 trauma. The trauma-informed team may consist of school administrators,
19 school counselors, school psychologists, school social workers, school-based
20 mental health services providers, community-based mental health services
21 providers hired by the district, family resource and youth services
22 coordinators, school nurses, school resource officers, and any other school or
23 district personnel.

24 (c) The trauma-informed team shall:

25 1. Provide assistance to school personnel to enable them to support
26 students whose learning, behavior, and relationships have been impacted
27 by trauma;

- 1 2. Identify ways to recognize and respond to mental health issues in all
- 2 students; and
- 3 3. Identify ways to build resiliency and wellness in all students[;
- 4 ~~4. Compile an annual record of its activities during the course of the school~~
- 5 ~~year to be used in the annual comprehensive school improvement plan~~
- 6 ~~process required by 703 KAR 5:225; and~~
- 7 ~~5. Submit the record created in accordance with subparagraph 4. of this~~
- 8 ~~paragraph to the department].~~

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

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

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

24 2. School-based mental health services providers may provide services
25 through a collaboration between two (2) or more school districts or
26 between school districts and educational cooperatives or any other
27 public or private entities, including but not limited to local or regional

1 mental health day treatment programs.

2 (f) No later than November 1 of each year, the local school district
3 superintendent shall report to the department the number of school-based
4 mental health service providers, the position held, placement in the district,
5 certification or licensure held, the source of funding for each position, a
6 summary of the job duties and work undertaken by each school-based mental
7 health service provider, and the approximate percent of time devoted to each
8 duty over the course of the year.

9 (g) The department shall annually compile and maintain a list of school-based
10 mental health service providers by district which shall include the information
11 required in paragraph (f) of this subsection.

12 (h) No later than June 1 of each year, the department shall provide the Interim
13 Joint Committee on Education with the information reported by local school
14 district superintendents and compiled in accordance with paragraph (g) of this
15 subsection.

16 (4) The department shall make available a toolkit that includes guidance, strategies,
17 behavioral interventions, practices, and techniques to assist school districts and
18 public charter schools in developing a trauma-informed approach in schools.

19 (5) Each local board of education and board of a public charter school shall develop a
20 plan for implementing a trauma-informed approach in its schools. The plan shall
21 include but not be limited to strategies for:

22 (a) Enhancing trauma awareness throughout the school community;

23 (b) Conducting an assessment of the school climate, including but not limited to
24 inclusiveness and respect for diversity;

25 (c) Developing trauma-informed discipline policies;

26 (d) Collaborating with the Department of Kentucky State Police, the local sheriff,
27 and the local chief of police to create procedures for notification of trauma-

1 exposed students; and

2 (e) Providing services and programs designed to reduce the negative impact of
3 trauma, support critical learning, and foster a positive and safe school
4 environment for every student.

5 (6) The trauma-informed approach plan developed in accordance with subsection (5) of
6 this section shall be reviewed and updated annually~~[, incorporated into the annual~~
7 ~~comprehensive district improvement plan required by 703 KAR 5:225,]~~ and
8 submitted to the department. The department shall annually provide a summary of
9 the trauma-informed approach strategies being used in districts to the board and the
10 Legislative Research Commission for referral to the Interim Joint Committee on
11 Education.

12 ➔Section 9. KRS 161.031 is amended to read as follows:

13 (1) As used in this section:

14 (a) "Mentor" means an educator who has at least three (3) full years of experience
15 under a professional certificate and who has been trained to assist a beginning
16 educator in the same professional role with his or her professional
17 responsibilities and general school and district procedures; and

18 (b) "New teacher induction and mentor program" means a multiyear, structured
19 program of mentorship and professional development in which trained
20 mentors provide constructive feedback to new teachers.

21 (2) The Education Professional Standards Board shall develop standards and guidance
22 for school~~local~~ districts to implement new teacher induction and mentor
23 programs. All school districts are encouraged to~~shall~~ provide an induction
24 program for teachers in their first year of teaching that is aligned with the
25 standards and guidance for school districts developed by the Education
26 Professional Standards Board.

27 (3) Standards for new teacher induction and mentor programs shall include but not be

1 limited to the following:

2 (a) An orientation program for new teachers and other incoming teachers to be
3 provided at the beginning of and throughout the first year of employment;

4 (b) Assignment of a mentor teacher to a new teacher within the first two (2)
5 weeks of teaching and remaining with the new teacher for the first year of the
6 new teacher's employment in the school. The mentoring relationship shall be
7 composed of activities that the beginning teacher and mentor participate in
8 together, including but not limited to coteaching, lesson planning, and
9 observation;

10 (c) The creation of a support team to provide assistance for new teachers,
11 including focus on each new teacher's individual professional growth and
12 development plan;

13 (d) Workshops and training, including professional development opportunities
14 specifically designed for the beginning teacher that provides vital information
15 on topics relevant during the first year in the classroom;

16 (e) Workshops and training for mentors prior to assignment to a beginning
17 teacher on the skills necessary for effective mentoring;

18 (f) Opportunities for the new teacher to meet with the assigned mentor to share
19 successes and troubleshooting strategies;

20 (g) Support teams to link the beginning teacher with a network of teachers in the
21 school or district, in addition to their mentor, that the beginning teacher can
22 rely on for assistance and guidance, especially for content specialization; and

23 (h) Formative and summative evaluations to provide feedback for a beginning
24 teacher to gain an understanding of his or her strengths and weaknesses and to
25 grow professionally.

26 (4) The Education Professional Standards Board shall develop evaluations and rubrics
27 aligned to state academic standards and state and local procedures that shall be

1 based on the following standards of effective teaching:

2 (a) Curriculum, content mastery, planning, and assessment;

3 (b) Teaching all students; and

4 (c) Family engagement.

5 (5) Rubrics shall describe practice in detail at different levels of performance.

6 (6) Categories of evidence shall be included to assess educator performance, including
7 multiple measures of student learning, observations, and additional relevant
8 evidence.

9 (7) Evaluations shall include new teacher self-assessment, individual goal setting and
10 plan development, implementation of the plan, formative assessment, and a
11 summative evaluation.

12 (8) ~~Beginning October 1, 2024, and~~ By October 1 of each year ~~thereafter~~, the
13 Education Professional Standards Board shall provide a report to the Legislative
14 Research Commission for referral to the Interim Joint Committee on Education.
15 The report shall include but not be limited to:

16 (a) **Identification of the school districts that have not implemented an induction**
17 **program for teachers in their first year of teaching that is aligned with the**
18 **standards and guidance for local districts developed by the Education**
19 **Professional Standards Board;**

20 **(b)** The number of mentor teachers and the educator preparation programs that
21 were attended by the mentor teachers;

22 **(c)**~~(b)~~ The number of new teachers and the educator preparation programs that
23 were attended by the new teachers;

24 **(d)**~~(c)~~ An analysis of how prepared new teachers are upon entering the
25 profession;

26 **(e)**~~(d)~~ The types of training utilized by districts to train new teachers, mentors,
27 and support teams;

- 1 ~~(f)~~~~(e)~~ The types of remediation or supports needed by districts for new
2 teachers that were not covered in the educator preparation programs;
- 3 ~~(g)~~~~(f)~~ The major components of each new teacher induction and mentor
4 program;
- 5 ~~(h)~~~~(g)~~ How new teacher induction and mentor programs are operated and
6 funded;
- 7 ~~(i)~~~~(h)~~ How long new teachers receive mentor support;
- 8 ~~(j)~~~~(i)~~ The estimated annual amount spent per new teacher;
- 9 ~~(k)~~~~(j)~~ Measures being utilized to gauge the new teacher induction and mentor
10 program's effectiveness; and
- 11 ~~(l)~~~~(k)~~ Impact on teacher retention.
- 12 (9) The Education Professional Standards Board shall accumulate long-term data for
13 analysis of the impact of teacher induction and mentor programs on new teacher
14 retention.
- 15 ➔Section 10. KRS 156.492 is amended to read as follows:
- 16 (1) The Kentucky Department of Education may enter into an agreement with any
17 building and construction trade organization to develop a training program for
18 school counselors providing services to students in the Commonwealth. The
19 purpose of the training program shall be to promote building and construction
20 trades and training facilities available to students by making school counselors
21 aware of what is available to students participating in the building and construction
22 trade. The training program shall include information relating to:
- 23 (a) The pay and benefits available to people who work in the building and
24 construction trades; and
- 25 (b) Job opportunities, pre-apprenticeships, apprenticeships, and pathways within
26 the building and construction trade industry.
- 27 (2) The participating trade organization shall ensure ample opportunities for school

1 counselors that serve grades seven (7) through twelve (12) to complete the training
2 created under subsection (1) of this section annually and shall bear all costs
3 associated with the training. The participating trade organization may choose to
4 offer professional development opportunities to teachers who serve students in
5 grades seven (7) through twelve (12), if resources are available for this purpose.

6 (3) The department shall include the training program created in this section on the
7 electronic consumer bulletin board created pursuant to KRS 156.095~~(8)~~~~(9)~~ if
8 requested by the training program.

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

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

17 ➔Section 11. KRS 157.360 is amended to read as follows:

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

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

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

1 statewide per pupil guaranteed base funding level for each student who graduated
2 early under the provisions of KRS 158.142. Each district's base funding level shall
3 be adjusted by the following factors:

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

- 9 1. Alternative programs for students who are at risk of dropping out of
10 school before achieving a diploma; and
- 11 2. A hazardous duty pay supplement as determined by the local board of
12 education to the teachers who work in alternative programs with
13 students who are violent or assaultive;

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

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

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

1 (4) The program to support education excellence in Kentucky shall be fully
2 implemented by the 1994-95 school year.

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

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

13 (b) Except for those schools which have implemented school-based decision
14 making, class size loads for middle and secondary school classroom teachers
15 shall not exceed the equivalent of one hundred fifty (150) pupil hours per day.

16 (c) The commissioner of education, upon approval of the Kentucky Board of
17 Education, shall adopt administrative regulations for enforcing this provision.
18 These administrative regulations shall include procedures for a superintendent
19 to request an exemption from the Kentucky Board of Education when unusual
20 circumstances warrant an increased class size for an individual class. A
21 request for an exemption shall include specific reasons for the increased class
22 size with a plan for reducing the class size prior to the beginning of the next
23 school year. A district shall not receive in any one (1) year exemptions for
24 more classes than enroll twenty percent (20%) of the pupils in the primary
25 grades and grades four (4) through eight (8).

26 (d) In all schools the commissioner of education shall enforce the special
27 education maximum class sizes set by administrative regulations adopted by

1 the Kentucky Board of Education. A superintendent may request an
2 exemption pursuant to paragraph (c) of this subsection. A local school council
3 may request a waiver pursuant to KRS 156.160(2). An exemption or waiver
4 shall not be granted if the increased class size will impede any exceptional
5 child from achieving his or her individual education program in the least
6 restrictive environment.

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

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

22 (8) Pupils attending a center for child learning and study established under an
23 agreement pursuant to KRS 65.210 to 65.300 shall, for the purpose of calculating
24 average daily attendance, be considered as in attendance in the school district in
25 which the child legally resides and which is party to the agreement. For purposes of
26 subsection (1) of this section, teachers who are actually employees of the joint or
27 cooperative action shall be considered as employees of each school district which is

1 a party to the agreement.

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

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

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

22 (12) (a) Instructional salaries for vocational agriculture classes shall be for twelve (12)
23 months per year. Vocational agriculture teachers shall be responsible for the
24 following program of instruction during the time period beyond the regular
25 school term established by the local board of education: supervision and
26 instruction of students in agriculture experience programs; group and
27 individual instruction of farmers and agribusinessmen; supervision of student

1 members of agricultural organizations who are involved in leadership training
2 or other activity required by state or federal law; or any program of vocational
3 agriculture established by the Department of Education. During extended
4 employment, no vocational agriculture teacher shall receive salary on a day
5 that the teacher is scheduled to attend an institution of higher education class
6 which could be credited toward meeting any certification requirement.

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

20 (13) (a) In allotting program funds for home and hospital instruction, statewide
21 guaranteed base funding, excluding the capital outlay, shall be allotted for
22 each child in average daily attendance in the prior school year who has been
23 properly identified according to Kentucky Board of Education administrative
24 regulations. Attendance shall be calculated pursuant to KRS 157.270 and shall
25 be reported monthly on forms provided by the Department of Education; and

26 (b) Pursuant to administrative regulations of the Kentucky Board of Education,
27 local school districts shall be reimbursed for home and hospital instruction for

1 pupils unable to attend regular school sessions because of short-term health
2 impairments. A reimbursement formula shall be established by administrative
3 regulations to include such factors as a reasonable per hour, per child
4 allotment for teacher instructional time, with a maximum number of funded
5 hours per week, a reasonable allotment for teaching supplies and equipment,
6 and a reasonable allotment for travel expenses to and from instructional
7 assignments, but the formula shall not include an allotment for capital outlay.
8 Attendance shall be calculated pursuant to KRS 157.270 and shall be reported
9 annually on forms provided by the Department of Education.

10 (14) Except for those schools which have implemented school-based decision making
11 and the school council has voted to waive this subsection, kindergarten aides shall
12 be provided for each twenty-four (24) full-time equivalent kindergarten students
13 enrolled.

14 (15) Effective July 1, 2001, there shall be no deduction applied against the base funding
15 level for any pupil in average daily attendance who spends a portion of his or her
16 school day in a program at a state-operated career and technical education or
17 vocational facility.

18 (16) During a fiscal year, a school district may request that the Department of Education
19 recalculate its funds allocated under this section if the current year average daily
20 attendance for the twenty (20) day school month as defined in KRS 158.060~~(2)~~(1)
21 that contains the most days within the calendar month of January exceeds the prior
22 year adjusted average daily attendance plus growth by at least one percent (1%).
23 Any adjustments in the allotments approved under this subsection shall be
24 proportional to the remaining days in the school year and subject to available funds
25 under the program to support education excellence in Kentucky.

26 (17) To calculate the state portion of the program to support education excellence in
27 Kentucky for a school district, the Department of Education shall subtract the local

1 effort required under KRS 157.390(5) from the calculated base funding under the
2 program to support education excellence in Kentucky, as required by this section.
3 The value of the real estate used in this calculation shall be the lesser of the current
4 year assessment or the prior year assessment increased by four percent (4%) plus
5 the value of current year new property. The calculation under this subsection shall
6 be subject to available funds.

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

11 ➔Section 12. KRS 156.070 is amended to read as follows:

12 (1) The Kentucky Board of Education shall have the management and control of the
13 common schools and all programs operated in these schools, including
14 interscholastic athletics, the Kentucky School for the Deaf, the Kentucky School for
15 the Blind, and community education programs and services.

16 (2) The Kentucky Board of Education may designate an organization or agency to
17 manage interscholastic athletics in the common schools, provided that the rules,
18 regulations, and bylaws of any organization or agency so designated shall be
19 approved by the board, and provided further that any administrative hearing
20 conducted by the designated managing organization or agency shall be conducted in
21 accordance with KRS Chapter 13B.

22 (a) The state board or its designated agency shall assure through promulgation of
23 administrative regulations that if a secondary school sponsors or intends to
24 sponsor an athletic activity or sport that is similar to a sport for which
25 National Collegiate Athletic Association members offer an athletic
26 scholarship, the school shall sponsor the athletic activity or sport for which a
27 scholarship is offered. The administrative regulations shall specify which

1 athletic activities are similar to sports for which National Collegiate Athletic
2 Association members offer scholarships.

3 (b) Beginning with the 2003-2004 school year, the state board shall require any
4 agency or organization designated by the state board to manage interscholastic
5 athletics to adopt bylaws that establish as members of the agency's or
6 organization's board of control one (1) representative of nonpublic member
7 schools who is elected by the nonpublic school members of the agency or
8 organization from regions one (1) through eight (8) and one (1) representative
9 of nonpublic member schools who is elected by the nonpublic member
10 schools of the agency or organization from regions nine (9) through sixteen
11 (16). The nonpublic school representatives on the board of control shall not be
12 from classification A1 or D1 schools. Following initial election of these
13 nonpublic school representatives to the agency's or organization's board of
14 control, terms of the nonpublic school representatives shall be staggered so
15 that only one (1) nonpublic school member is elected in each even-numbered
16 year.

17 (c) The state board or any agency designated by the state board to manage
18 interscholastic athletics shall not promulgate rules, administrative regulations,
19 or by laws that prohibit pupils in grades seven (7) to eight (8) from
20 participating in any high school sports except for high school varsity soccer
21 and football, or from participating on more than one (1) school-sponsored
22 team at the same time in the same sport. The Kentucky Board of Education, or
23 an agency designated by the board to manage interscholastic athletics, may
24 promulgate administrative regulations restricting, limiting, or prohibiting
25 participation in high school varsity soccer and football for students who have
26 not successfully completed the eighth grade.

27 (d) 1. The state board or any agency designated by the state board to manage

- 1 interscholastic athletics shall allow a member school's team or students
2 to play against students of a nonmember at-home private school, or a
3 team of students from nonmember at-home private schools, if the
4 nonmember at-home private schools and students comply with this
5 subsection.
- 6 2. A nonmember at-home private school's team and students shall comply
7 with the rules for student-athletes, including rules concerning:
8 a. Age;
9 b. School semesters;
10 c. Scholarships;
11 d. Physical exams;
12 e. Foreign student eligibility; and
13 f. Amateurs.
- 14 3. A coach of a nonmember at-home private school's team shall comply
15 with the rules concerning certification of member school coaches as
16 required by the state board or any agency designated by the state board
17 to manage interscholastic athletics.
- 18 4. This subsection shall not allow a nonmember at-home private school's
19 team to participate in a sanctioned:
20 a. Conference;
21 b. Conference tournament;
22 c. District tournament;
23 d. Regional tournament; or
24 e. State tournament or event.
- 25 5. This subsection does not allow eligibility for a recognition, award, or
26 championship sponsored by the state board or any agency designated by
27 the state board to manage interscholastic athletics.

1 6. A nonmember at-home private school's team or students may participate
2 in interscholastic athletics permitted, offered, or sponsored by the state
3 board or any agency designated by the state board to manage
4 interscholastic athletics.

5 (e) Every local board of education shall require an annual medical examination
6 performed and signed by a physician, physician assistant, advanced practice
7 registered nurse, or chiropractor, if performed within the professional's scope
8 of practice, for each student seeking eligibility to participate in any school
9 athletic activity or sport. The Kentucky Board of Education or any
10 organization or agency designated by the state board to manage interscholastic
11 athletics shall not promulgate administrative regulations or adopt any policies
12 or bylaws that are contrary to the provisions of this paragraph.

13 (f) Any student who turns nineteen (19) years of age prior to August 1 shall not
14 be eligible for high school athletics in Kentucky. Any student who turns
15 nineteen (19) years of age on or after August 1 shall remain eligible for that
16 school year only. An exception to the provisions of this paragraph shall be
17 made, and the student shall be eligible for high school athletics in Kentucky if
18 the student:

- 19 1. Qualified for exceptional children services and had an individual
20 education program developed by an admissions and release committee
21 (ARC) while the student was enrolled in the primary school program;
- 22 2. Was retained in the primary school program because of an ARC
23 committee recommendation; and
- 24 3. Has not completed four (4) consecutive years or eight (8) consecutive
25 semesters of eligibility following initial promotion from grade eight (8)
26 to grade nine (9).

27 (g) The state board or any agency designated by the state board to manage

1 interscholastic athletics shall promulgate administrative regulations or bylaws
2 that provide that:

3 1. A member school shall designate all athletic teams, activities, and sports
4 for students in grades six (6) through twelve (12) as one (1) of the
5 following categories:

- 6 a. "Boys";
- 7 b. "Coed"; or
- 8 c. "Girls";

9 2. The sex of a student for the purpose of determining eligibility to
10 participate in an athletic activity or sport shall be determined by:

- 11 a. A student's biological sex as indicated on the student's original,
12 unedited birth certificate issued at the time of birth; or
- 13 b. An affidavit signed and sworn to by the physician, physician
14 assistant, advanced practice registered nurse, or chiropractor that
15 conducted the annual medical examination required by paragraph
16 (e) of this subsection under penalty of perjury establishing the
17 student's biological sex at the time of birth;

18 3. a. An athletic activity or sport designated as "girls" for students in
19 grades six (6) through twelve (12) shall not be open to members of
20 the male sex.

- 21 b. Nothing in this section shall be construed to restrict the eligibility
22 of any student to participate in an athletic activity or sport
23 designated as "boys" or "coed"; and

24 4. Neither the state board, any agency designated by the state board to
25 manage interscholastic athletics, any school district, nor any member
26 school shall entertain a complaint, open an investigation, or take any
27 other adverse action against a school for maintaining separate

1 interscholastic or intramural athletic teams, activities, or sports for
2 students of the female sex.

3 (h) 1. The state board or any agency designated by the state board to manage
4 interscholastic athletics shall promulgate administrative regulations that
5 permit a school district to employ or assign nonteaching or noncertified
6 personnel or personnel without postsecondary education credit hours to
7 serve in a coaching position. The administrative regulations shall give
8 preference to the hiring or assignment of certified personnel in coaching
9 positions.

10 2. A person employed in a coaching position shall be a high school
11 graduate and at least twenty-one (21) years of age and shall submit to a
12 criminal background check in accordance with KRS 160.380.

13 3. The administrative regulations shall specify post-hire requirements for
14 persons employed in coaching positions.

15 4. The regulations shall permit a predetermined number of hours of
16 professional development training approved by the state board or its
17 designated agency to be used in lieu of postsecondary education credit
18 hour requirements.

19 5. A local school board may specify post-hire requirements for personnel
20 employed in coaching positions in addition to those specified in
21 subparagraph 3. of this paragraph.

22 (i) Unless permitted to be eligible for varsity athletics by any transfer rule,
23 policy, or administrative regulation promulgated by the state board or any
24 agency designated by the state board to manage interscholastic athletics, any
25 student who transfers enrollment from a district of residence to a nonresident
26 district under KRS 157.350(4)(b) after enrolling in grade nine (9) and
27 participating in a varsity sport shall be ineligible to participate in

1 interscholastic athletics for one (1) calendar year from the date of the transfer.
2 The state board or any agency designated by the state board to manage
3 interscholastic athletics may adopt rules, policies, and bylaws and promulgate
4 administrative regulations necessary to carry out this paragraph.

5 (j) No member school shall grant a student-athlete the right to use the member
6 school's intellectual property, such as trademarks, school uniforms, and
7 copyrights, in the student's earning of compensation through name, image,
8 and likeness activities. No student-athlete shall use such intellectual property
9 in earning compensation through name, image, and likeness activities. The
10 state board or any agency designated by the state board to manage
11 interscholastic athletics shall promulgate administrative regulations to govern
12 and enforce this paragraph.

13 (3) (a) The Kentucky Board of Education is hereby authorized to lease from the State
14 Property and Buildings Commission or others, whether public or private, any
15 lands, buildings, structures, installations, and facilities suitable for use in
16 establishing and furthering television and related facilities as an aid or
17 supplement to classroom instruction throughout the Commonwealth and for
18 incidental use in any other proper public functions. The lease may be for any
19 initial term commencing with the date of the lease and ending with the next
20 ensuing June 30, which is the close of the then-current fiscal biennium of the
21 Commonwealth, with exclusive options in favor of the board to renew the
22 same for successive ensuing bienniums, July 1 in each even year to June 30 in
23 the next ensuing even year; and the rentals may be fixed at the sums in each
24 biennium, if renewed, sufficient to enable the State Property and Buildings
25 Commission to pay therefrom the maturing principal of and interest on, and
26 provide reserves for, any revenue bonds which the State Property and
27 Buildings Commission may determine to be necessary and sufficient, in

1 agreement with the board, to provide the cost of acquiring the television and
2 related facilities with appurtenances and costs as may be incident to the
3 issuance of the bonds.

4 (b) Each option of the Kentucky Board of Education to renew the lease for a
5 succeeding biennial term may be exercised at any time after the adjournment
6 of the session of the General Assembly at which appropriations shall have
7 been made for the operation of the state government for such succeeding
8 biennial term, by notifying the State Property and Buildings Commission in
9 writing, signed by the chief state school officer, and delivered to the secretary
10 of the Finance and Administration Cabinet as a member of the commission.
11 The option shall be deemed automatically exercised, and the lease
12 automatically renewed for the succeeding biennium, effective on the first day
13 thereof, unless a written notice of the board's election not to renew shall have
14 been delivered in the office of the secretary of the Finance and Administration
15 Cabinet before the close of business on the last working day in April
16 immediately preceding the beginning of the succeeding biennium.

17 (c) The Kentucky Board of Education shall not itself operate leased television
18 facilities, or undertake the preparation of the educational presentations or
19 films to be transmitted thereby, but may enter into one (1) or more contracts
20 to provide therefor, with any public agency and instrumentality of the
21 Commonwealth having, or able to provide, a staff with proper technical
22 qualifications, upon which agency and instrumentality the board, through the
23 chief state school officer and the Department of Education, is represented in
24 such manner as to coordinate matters of curriculum with the curricula
25 prescribed for the public schools of the Commonwealth. Any contract for the
26 operation of the leased television or related facilities may permit limited and
27 special uses of the television or related facilities for other programs in the

1 public interest, subject to the reasonable terms and conditions as the board and
2 the operating agency and instrumentality may agree upon; but any contract
3 shall affirmatively forbid the use of the television or related facilities, at any
4 time or in any manner, in the dissemination of political propaganda or in
5 furtherance of the interest of any political party or candidate for public office,
6 or for commercial advertising. No lease between the board and the State
7 Property and Buildings Commission shall bind the board to pay rentals for
8 more than one (1) fiscal biennium at a time, subject to the aforesaid renewal
9 options. The board may receive and may apply to rental payments under any
10 lease and to the cost of providing for the operation of the television or related
11 facilities not only appropriations which may be made to it from state funds,
12 from time to time, but also contributions, gifts, matching funds, devises, and
13 bequests from any source, whether federal or state, and whether public or
14 private, so long as the same are not conditioned upon any improper use of the
15 television or related facilities in a manner inconsistent with the provisions of
16 this subsection.

17 (4) The state board may, on the recommendation and with the advice of the chief state
18 school officer, prescribe, print, publish, and distribute at public expense such
19 administrative regulations, courses of study, curriculums, bulletins, programs,
20 outlines, reports, and placards as each deems necessary for the efficient
21 management, control, and operation of the schools and programs under its
22 jurisdiction. All administrative regulations published or distributed by the board
23 shall be enclosed in a booklet or binder on which the words "informational copy"
24 shall be clearly stamped or printed.

25 (5) Upon the recommendation of the chief state school officer or his or her designee,
26 the state board shall establish policy or act on all matters relating to programs,
27 services, publications, capital construction and facility renovation, equipment,

1 litigation, contracts, budgets, and all other matters which are the administrative
2 responsibility of the Department of Education.

3 **(6) On or after the effective date of this Act, the state board shall not impose any new**
4 **reporting requirement upon public schools or public school districts that is not**
5 **expressly authorized by state statute or federal law.**

6 ➔Section 13. (1) No later than August 1, 2025, the Kentucky Department of
7 Education shall submit a report to the Legislative Research Commission for referral to
8 the Education Assessment and Accountability Review Subcommittee on continuous
9 school and district improvement plans. The report shall identify each submission request
10 contained in the Cognia software interface used by public schools to complete continuous
11 school improvement plans and school districts to complete continuous district
12 improvement plans. For each submission request, the report shall:

13 (a) Include a screenshot of the full submission request;

14 (b) Identify the specific federal law or state statute that directly requires the
15 submission request. If no federal law or state statute directly requires a specific
16 submission request, the report shall clearly indicate that fact;

17 (c) Identify the criteria used by the department to evaluate a school or school
18 district's response to the submission request; and

19 (d) If the federal law or state statutory requirement for a specific submission
20 request does not apply equally to all schools:

21 1. Identify the criteria used to identify schools and districts subject to that
22 submission request;

23 2. State the number and percentage of schools and districts that met the criteria
24 used to identify schools and districts subject to each specific submission request during
25 the 2024-2025 school year; and

26 3. State whether the Cognia software permits schools and districts not subject to
27 the submission request a clear opportunity to bypass the submission request. If so, the

1 report shall provide screenshots of the instructions provided to the software user on the
2 procedure to bypass a submission request not required from a particular school or district.

3 (2) No later than October 1, 2025, the department shall submit report to the
4 Legislative Research Commission for referral to the Education Assessment and
5 Accountability Review Subcommittee that lists each submission request that is not
6 directly required by a specific federal law or state statute that the department
7 recommends the General Assembly to authorize in statute during the 2026 Regular
8 Session.

9 (3) No later than August 1, 2026, each submission request that is not directly
10 required by a specific federal law or state statute on that date shall be eliminated from the
11 school and district planning process and removed from the designated school planning
12 software interface.

13 (4) No later than August 1, 2026, the designated school planning software
14 interface shall be replaced or updated to provide schools or districts not subject to a
15 specific federal law or state statutory requirement a clear opportunity to bypass the
16 submission request. The department, in their role as the designated state education agency
17 responsible for the oversight and management of school assessment and accountability,
18 shall be responsible for auditing school and school district compliance with federal
19 reporting requirements and ensure that each school and district has satisfied the reporting
20 requirements of federal law and state statute.

21 ➡Section 14. (1) The Kentucky Department of Education shall conduct a
22 review of the reporting requirements imposed upon public schools and school districts.
23 No later than October 1, 2025, the department shall submit a written report to the to the
24 Legislative Research Commission for referral to the appropriate Interim Joint Committee
25 on Education which describes each reporting requirement imposed upon public schools
26 and school districts. The report shall include:

27 (a) The nature and purpose of each reporting requirement;

- 1 (b) The specific legal authority of each reporting requirement;
- 2 (c) The required contents of each required report;
- 3 (d) The function or purpose of each required report;
- 4 (e) The frequency of each required report;
- 5 (f) The year the reporting requirement was implemented;
- 6 (g) Whether and how each required report is leveraged to improve the quality of
- 7 public education in the Commonwealth; and
- 8 (h) An analysis of whether the reporting requirement is conducive to an efficient
- 9 and effective system of common schools.

10 (2) The report required by subsection (1) of this section shall be organized by the

11 specific legal source of authority of each reporting requirement. The report shall clearly

12 distinguish between reporting requirements expressly required pursuant to federal law,

13 state statute, and all other reporting requirements.

14 (3) All reporting requirements identified under this section imposed upon public

15 schools and school districts that are not expressly required by state statute or federal law

16 shall have no force and effect after June 30, 2026, unless preserved in statute by an act of

17 the General Assembly. No later than July 1, 2026, the Kentucky Department of Education

18 shall eliminate all reporting requirements not expressly required by state statute or federal

19 law. The department shall promptly notify each public school, school district, and the

20 Legislative Research Commission of the reporting requirements eliminated in accordance

21 with this section.

22 ➔Section 15. This Act may be cited as the Red Tape Reduction Act.