

1 AN ACT relating to education.

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

3 ➔Section 1. KRS 158.645 is amended to read as follows:

4 The General Assembly recognizes that public education involves shared responsibilities.  
5 State government, local communities, parents, students, and school employees must work  
6 together to create an efficient public school system ***to achieve excellence in education.***  
7 Parents and students must assist schools with efforts to assure student attendance,  
8 preparation for school, and involvement in learning. The cooperation of all involved is  
9 necessary to assure that desired outcomes are achieved. It is the intent of the General  
10 Assembly to create a system of public education which shall allow and assist all students  
11 to acquire the following capacities:

- 12 (1) ***Literacy, including*** communication skills necessary to function in a complex and  
13 changing ***world***~~[civilization]~~;
- 14 (2) Knowledge to make ***wise*** economic, social, and ***career***~~[political]~~ choices;
- 15 (3) Core values and qualities of good character to make moral and ethical decisions  
16 throughout~~[his or her]~~ life;
- 17 (4) Understanding of ***our constitutional republic, the three (3) branches of***  
18 ***government, and how government impacts citizens,***~~[governmental processes as~~  
19 ~~they affect]~~ the community, the state, and the nation;
- 20 (5) Sufficient self-knowledge and knowledge of ***the student's own***~~[his]~~ mental and  
21 physical wellness;
- 22 (6) Sufficient grounding in the arts ***and cultural literacy*** to enable each student to  
23 appreciate ***the student's own***~~[his or her]~~ cultural and historical heritage;
- 24 (7) Sufficient preparation to choose and pursue ***the student's***~~[his]~~ life's work  
25 intelligently; and
- 26 (8) Skills to enable ***each student***~~[him]~~ to compete ***competitively***~~[favorably]~~ with  
27 students in other states.

1        ➔Section 2. KRS 158.6451 is amended to read as follows:

2        (1) The General Assembly finds, declares, and establishes that:

3            (a) Schools shall expect a high level of academic achievement of all students.

4            (b) Schools shall develop their students' ability to:

5                1. Use~~[-basic]~~ communication and mathematics skills for purposes and  
6                        situations they will encounter throughout their lives;

7                2. Apply core concepts and principles from mathematics, the sciences, the  
8                        arts, the humanities, social studies, civics, and practical living studies to  
9                        situations they will encounter throughout their lives;

10               3. Become self-sufficient individuals of good character exhibiting the  
11                       qualities of altruism, citizenship, courtesy, hard work, honesty, human  
12                       worth, justice, knowledge, patriotism, respect, responsibility, and self-  
13                       discipline;

14               4. Become responsible members of a family, work group, or community,  
15                       including demonstrating effectiveness in community service;

16               5. Think critically, creatively, and independently to~~[-and]~~ solve problems  
17                       in school situations and in a variety of situations they will encounter in  
18                       life;

19               6. Connect and integrate experiences and new knowledge from all subject  
20                       matter fields with what they have previously learned and build on past  
21                       learning experiences to acquire new information through various media  
22                       sources; and

23               7. Express their creative talents and interests in visual arts, music, dance,  
24                       and dramatic arts.

25            (c) Schools shall increase their students' rate of school attendance.

26            (d) Schools shall increase their students' graduation rates and reduce their  
27                       students' dropout and retention rates.

1 (e) Schools shall reduce physical and mental health barriers to learning.

2 (f) Schools shall be measured on the proportion of students who make a  
3 successful transition to work, post-secondary education, and ~~the~~ military  
4 service.

5 (2) The Kentucky Board of Education shall disseminate to local school districts and  
6 schools a model curriculum framework which is directly tied to the goals,  
7 outcomes, and assessment strategies developed pursuant to this section and KRS  
8 158.645 and 158.6453. The framework shall provide direction to local districts and  
9 schools as they develop their curriculum. The framework shall identify teaching and  
10 assessment strategies, instructional material resources, ideas on how to incorporate  
11 the resources of the community, a directory of model teaching sites, alternative  
12 ways of using school time, and strategies to incorporate character education  
13 throughout the curriculum.

14 ➔Section 3. KRS 156.010 is amended to read as follows:

15 (1) The commissioner of education shall be the chief executive of the Department of  
16 Education. The commissioner shall be responsible for administering, structuring,  
17 and organizing the department and its services including~~[,]~~ but not limited to~~[,]~~ the  
18 following:

19 (a) Technical assistance with curriculum design, school administration and  
20 finance, computer and technology services, media services, community  
21 education, career and technical~~[secondary-vocational]~~ education, STEM  
22 education as defined in KRS 158.845, education for exceptional children, and  
23 professional development;

24 (b) Compensatory education;

25 (c) Research and planning, which shall include, but not be limited to, a statewide  
26 research and development effort to identify or develop the best educational  
27 practices to be used in the public schools of the Commonwealth.

- 1 Appropriations for this purpose may be used within the department or for  
2 contracting with other individuals, agencies, universities, laboratories, or  
3 organizations;
- 4 (d) Kentucky School for the Blind and the Kentucky School for the Deaf;
- 5 (e) Performance and outcome assessments;
- 6 (f) Monitoring the management of school districts, including administration and  
7 finance, implementation of state laws and regulations, and student  
8 performance; and
- 9 (g) Implementing state laws and the policies promulgated thereunder by the  
10 Kentucky Board of Education and the Education Professional Standards  
11 Board.
- 12 (2) The commissioner of education may delegate~~[to his assistants]~~ any authority to act  
13 on the commissioner's behalf~~[for him]~~ in the supervision, inspection, and  
14 administration of the schools to the extent the commissioner~~[he]~~ has supervisory  
15 and administrative control.
- 16 (3) All employees of the Department of Education shall be reimbursed for necessary  
17 traveling expenses incurred in the performance of their official duties, and no part  
18 of the reimbursement shall be included in or accounted as a part of their salaries.
- 19 (4) The State Department of Education, in the operation and management of its schools  
20 and the programs at these schools, shall meet all required federal and state standards  
21 relating to facilities and personnel qualifications; however, no license or license fee  
22 shall be required for any school or program operated by the State Department of  
23 Education.
- 24 (5) The Department of Education shall be the sole state agency for the purpose of  
25 developing and approving state plans required by state or federal laws and  
26 regulations as prerequisites to receiving federal funds for elementary and secondary  
27 education.

1        ➔Section 4. KRS 160.345 is amended to read as follows:

2        (1) For the purpose of this section:

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

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

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

17            (c) "Teacher" means any person for whom certification is required as a basis of  
18            employment in the public schools of the state, with the exception of principals  
19            and assistant principals; and

20            (d) "Parent" means:

- 21                1. A parent, stepparent, or foster parent of a student; or  
22                2. A person who has legal custody of a student pursuant to a court order  
23                and with whom the student resides.

24        (2) Each local board of education shall adopt a policy for implementing school-based  
25        decision making in the district which shall include but not be limited to a  
26        description of how the district's policies, including those developed pursuant to  
27        KRS 160.340, have been amended to allow the professional staff members of a

1 school to be involved in the decision-making process as they work to meet  
2 educational goals established in KRS 158.645 and 158.6451. The policy may  
3 include a requirement that each school council make an annual report at a public  
4 meeting of the board describing the school's progress in meeting the educational  
5 goals set forth in KRS 158.6451 and district goals established by the board. The  
6 policy shall also address and comply with the following:

7 (a) Except as provided in paragraph (b)2. of this subsection, each participating  
8 school shall form a school council composed of two (2) parents, three (3)  
9 teachers, and the principal or administrator. The membership of the council  
10 may be increased, but it may only be increased proportionately. A parent  
11 representative on the council shall not be an employee or a relative of an  
12 employee of the school in which that parent serves, nor shall the parent  
13 representative be an employee or a relative of an employee in the district  
14 administrative offices. A parent representative shall not be a local board  
15 member or a board member's spouse. None of the members shall have a  
16 conflict of interest pursuant to KRS Chapter 45A, except the salary paid to  
17 district employees;

18 (b) 1. The teacher representatives shall be elected for one (1) year terms by a  
19 majority of the teachers. A teacher elected to a school council shall not  
20 be involuntarily transferred during the teacher representative's~~this or~~  
21 ~~her~~ term of office. The parent representatives shall be elected for one  
22 (1) year terms. The parent members shall be elected by the parents of  
23 students preregistered to attend the school during the term of office in an  
24 election conducted by the parent and teacher organization of the school  
25 or, if none exists, the largest organization of parents formed for this  
26 purpose. Council elections may allow voting to occur over multiple days  
27 and via electronic means. A school council, once elected, may adopt a

1 policy setting different terms of office for parent and teacher members  
2 subsequently elected. The principal shall be the chair of the school  
3 council.

4 2. School councils in schools having eight percent (8%) or more minority  
5 students enrolled, as determined by the enrollment on the preceding  
6 October 1, shall have at least one (1) minority member. If the council  
7 formed under paragraph (a) of this subsection does not have a minority  
8 member, the principal, in a timely manner, shall be responsible for  
9 carrying out the following:

10 a. Organizing a special election to elect an additional member. The  
11 principal shall call for nominations and shall notify the parents of  
12 the students of the date, time, and location of the election to elect a  
13 minority parent to the council by ballot; and

14 b. Allowing the teachers in the building to select one (1) minority  
15 teacher to serve as a teacher member on the council. If there are no  
16 minority teachers who are members of the faculty, an additional  
17 teacher member shall be elected by a majority of all teachers.  
18 Term limitations shall not apply for a minority teacher member  
19 who is the only minority on faculty;

20 (c) 1. The school council shall have the responsibility to set school policy that  
21 shall be consistent with district board policy and which shall provide an  
22 environment to enhance the students' achievement and help the school  
23 meet the goals established by KRS 158.645 and 158.6451 and goals for  
24 the district established by the board. The principal shall be the primary  
25 administrator and the instructional leader of the school, and with the  
26 assistance of the total school staff shall administer the policies  
27 established by the school council and the local board.

- 1           2. If a school council establishes committees, it shall adopt a policy to  
2           facilitate the participation of interested persons, including, but not  
3           limited to, classified employees and parents. The policy shall include the  
4           number of committees, their jurisdiction, composition, and the process  
5           for membership selection;
- 6           (d) The school council and each of its committees shall determine the frequency  
7           of and agenda for their meetings. Matters relating to formation of school  
8           councils that are not provided for by this section shall be addressed by local  
9           board policy;
- 10          (e) The meetings of the school council shall be open to the public and all  
11          interested persons may attend. However, the exceptions to open meetings  
12          provided in KRS 61.810 shall apply;
- 13          (f) After receiving notification of the funds available for the school from the local  
14          board, the school council shall determine, within the parameters of the total  
15          available funds, the number of persons to be employed in each job  
16          classification at the school. The council may make personnel decisions on  
17          vacancies occurring after the school council is formed but shall not have the  
18          authority to recommend transfers or dismissals;
- 19          (g) The local superintendent shall determine which curriculum, textbooks,  
20          instructional materials, and student support services shall be provided in the  
21          school after consulting with the local board of education, the school principal,  
22          and the school council and after a reasonable review and response period for  
23          stakeholders in accordance with local board of education policy. Subject to  
24          available resources, the local board shall allocate an appropriation to each  
25          school that is adequate to meet the school's needs related to instructional  
26          materials and school-based student support services, as determined by the  
27          school principal after consultation with the school council. The school council

1 shall consult with the school media librarian on the maintenance of the school  
2 library media center, including the purchase of instructional materials,  
3 information technology, and equipment;

4 (h) Personnel decisions at the school level shall be as follows:

5 1. From a list of qualified applicants submitted by the local superintendent,  
6 the principal at the participating school shall select personnel to fill  
7 vacancies, after consultation with the school council, consistent with  
8 paragraph (i)11. of this subsection. The superintendent shall provide  
9 additional applicants to the principal upon request when qualified  
10 applicants are available. The superintendent may forward to the school  
11 principal the names of qualified applicants who have pending  
12 certification from the Education Professional Standards Board based on  
13 recent completion of preparation requirements, out-of-state preparation,  
14 or alternative routes to certification pursuant to KRS 161.028 and  
15 161.048. Requests for transfer shall conform to any employer-employee  
16 bargained contract which is in effect;

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

18 a. The superintendent shall fill the vacancy after consultation with  
19 the school council consistent with paragraph (i)11. of this  
20 subsection;

21 b. Prior to consultation with the school council, each member shall  
22 sign a nondisclosure agreement forbidding the disclosure of  
23 information shared and discussions held during consultation;

24 c. A person who believes a violation of the nondisclosure agreement  
25 referred to in subdivision b. of this subparagraph has occurred may  
26 file a written complaint with the Kentucky Board of Education;  
27 and

- 1                   d.    A school council member found to have violated the nondisclosure  
2                   agreement referred to in subdivision b. of this subparagraph may  
3                   be subject to removal from the school council by the Kentucky  
4                   Board of Education under subsection (9)(e) of this section;
- 5           3.    Notwithstanding subparagraph 2. of this paragraph, if the vacancy to be  
6           filled is the position of principal in a county school district in a county  
7           with a consolidated local government adopted under KRS Chapter 67C,  
8           then:
- 9           a.    The outgoing principal shall not serve on the council during the  
10           principal selection process. The superintendent or the  
11           superintendent's designee shall serve as the chair of the council for  
12           the purpose of the hiring process and shall have voting rights  
13           during the selection process;
- 14           b.    The council shall have access to the applications of all persons  
15           certified for the position. The principal shall be elected on a  
16           majority vote of the membership of the council. The school  
17           council shall receive training in recruitment and interviewing  
18           techniques prior to carrying out the process of selecting a  
19           principal. The council shall select the trainer to deliver the  
20           training; and
- 21           c.    Notwithstanding the requirement that a principal be elected by a  
22           majority vote of the council, the selection of a principal shall be  
23           subject to approval by the superintendent. If the superintendent  
24           does not approve the principal selected by the council, then the  
25           superintendent may select the principal;
- 26           4.    No principal who has been previously removed from a position in the  
27           district for cause may be considered for appointment as principal in that

- 1 district;
- 2 5. Personnel decisions made at the school level under the authority of
- 3 subparagraph 1. of this paragraph shall be binding on the superintendent
- 4 who completes the hiring process;
- 5 6. Applicants subsequently employed shall provide evidence that they are
- 6 certified prior to assuming the duties of a position in accordance with
- 7 KRS 161.020; and
- 8 7. Notwithstanding other provisions of this paragraph, if the applicant is
- 9 the spouse of the superintendent and the applicant meets the service
- 10 requirements of KRS 160.380(3)(a), the applicant shall only be
- 11 employed upon the recommendation of the principal and the approval of
- 12 a majority vote of the school council;
- 13 (i) The school council shall adopt a policy that shall be consistent with local
- 14 board policy and shall be implemented by the principal in the following
- 15 additional areas:
- 16 1. Curriculum responsibilities under KRS 158.6453(19);
- 17 2. Assignment of all instructional and noninstructional staff time;
- 18 3. Assignment of students to classes and programs within the school;
- 19 4. Determination of the schedule of the school day and week, subject to the
- 20 beginning and ending times of the school day and school calendar year
- 21 as established by the local board;
- 22 5. Determination of use of school space during the school day related to
- 23 improving classroom teaching and learning;
- 24 6. Planning and resolution of issues regarding instructional practices;
- 25 7. Selection and implementation of discipline and classroom management
- 26 techniques as a part of a comprehensive school safety plan, including
- 27 responsibilities of the student, parent, teacher, counselor, and principal;

- 1           8.    Selection of extracurricular programs and determination of policies
- 2               relating to student participation based on academic qualifications and
- 3               attendance requirements, program evaluation, and supervision;
- 4           9.    Adoption of an emergency plan as required in KRS 158.162;
- 5           10.   Procedures, consistent with local school board policy, for determining
- 6               alignment with state standards, technology utilization, and program
- 7               appraisal; and
- 8           11.   Procedures to assist the council with consultation in the selection of the
- 9               principal by the superintendent, and the selection of personnel by the
- 10              principal, including but not limited to meetings, timelines, interviews,
- 11              review of written applications, and review of references. Procedures
- 12              shall address situations in which members of the council are not
- 13              available for consultation; and
- 14       (j)   Each school council shall annually review data as shown on state and local
- 15              student assessments required under KRS 158.6453. The data shall include but
- 16              not be limited to information on performance levels of all students tested, and
- 17              information on the performance of students disaggregated by race, gender,
- 18              disability, and participation in the federal free and reduced price lunch
- 19              program. After completing the review of data, each school council, with the
- 20              involvement of parents, faculty, and staff, shall develop and adopt a plan to
- 21              ensure that each student makes progress toward meeting the goals set forth in
- 22              KRS 158.645 and 158.6451(1)(b) by April 1 of each year and submit the plan
- 23              to the superintendent and local board of education for review as described in
- 24              KRS 160.340. The Kentucky Department of Education shall provide each
- 25              school council the data needed to complete the review required by this
- 26              paragraph no later than October 1 of each year. If a school does not have a
- 27              council, the review shall be completed by the principal with the involvement

1 of parents, faculty, and staff.

2 (3) The policies adopted by the local board to implement school-based decision making  
3 shall also address the following:

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

7 (b) Assessment of individual student progress, including testing and reporting of  
8 student progress to students, parents, the school district, the community, and  
9 the state;

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

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

15 (e) Parent, citizen, and community participation including the relationship of the  
16 council with other groups;

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

19 (g) Requirements for waiver of district policies;

20 (h) Requirements for record keeping by the school council; and

21 (i) A process for appealing a decision made by a school council.

22 (4) In addition to the authority granted to the school council in this section, the local  
23 board may grant to the school council any other authority permitted by law. The  
24 board shall make available liability insurance coverage for the protection of all  
25 members of the school council from liability arising in the course of pursuing their  
26 duties as members of the council.

27 (5) All schools shall implement school-based decision making in accordance with this

1 section and with the policy adopted by the local board pursuant to this section.  
2 Upon favorable vote of a majority of the faculty at the school and a majority of at  
3 least twenty-five (25) voting parents of students enrolled in the school, a school  
4 meeting its goal as determined by the Department of Education pursuant to KRS  
5 158.6455 may apply to the Kentucky Board of Education for exemption from the  
6 requirement to implement school-based decision making, and the state board shall  
7 grant the exemption. The voting by the parents on the matter of exemption from  
8 implementing school-based decision making shall be in an election conducted by  
9 the parent and teacher organization of the school or, if none exists, the largest  
10 organization of parents formed for this purpose. Notwithstanding the provisions of  
11 this section, a local school district shall not be required to implement school-based  
12 decision making if the local school district contains only one (1) school.

13 (6) The Department of Education shall provide professional development activities to  
14 assist schools in implementing school-based decision making. School council  
15 members elected for the first time shall complete a minimum of six (6) clock hours  
16 of training in the process of school-based decision making, no later than thirty (30)  
17 days after the beginning of the service year for which they are elected to serve.  
18 School council members who have served on a school council at least one (1) year  
19 shall complete a minimum of three (3) clock hours of training in the process of  
20 school-based decision making no later than one hundred twenty (120) days after the  
21 beginning of the service year for which they are elected to serve. Experienced  
22 members may participate in the training for new members to fulfill their training  
23 requirement. School council training required under this subsection shall be  
24 conducted by trainers endorsed by the Department of Education. By November 1 of  
25 each year, the principal through the local superintendent shall forward to the  
26 Department of Education the names and addresses of each council member and  
27 verify that the required training has been completed. School council members

1       elected to fill a vacancy shall complete the applicable training within thirty (30)  
2       days of their election.

3       (7) A school that chooses to have school-based decision making but would like to be  
4       exempt from the administrative structure set forth by this section may develop a  
5       model for implementing school-based decision making, including but not limited to  
6       a description of the membership, organization, duties, and responsibilities of a  
7       school council. The school shall submit the model through the local board of  
8       education to the commissioner of education and the Kentucky Board of Education,  
9       which shall have final authority for approval. The application for approval of the  
10      model shall show evidence that it has been developed by representatives of the  
11      parents, students, certified personnel, and the administrators of the school and that  
12      two-thirds (2/3) of the faculty have agreed to the model.

13     (8) The Kentucky Board of Education, upon recommendation of the commissioner of  
14     education, shall adopt by administrative regulation a formula by which school  
15     district funds shall be allocated to each school council. Included in the school  
16     council formula shall be an allocation for professional development that is at least  
17     sixty-five percent (65%) of the district's per pupil state allocation for professional  
18     development for each student in average daily attendance in the school. The school  
19     council shall plan professional development in compliance with requirements  
20     specified in KRS 156.095, except as provided in KRS 158.649. School councils of  
21     small schools shall be encouraged to work with other school councils to maximize  
22     professional development opportunities.

23     (9) (a) No board member, superintendent of schools, district employee, or member of  
24           a school council shall intentionally engage in a pattern of practice which is  
25           detrimental to the successful implementation of or circumvents the intent of  
26           school-based decision making to allow the professional staff members of a  
27           school and parents to be involved in the decision making process in working

1           toward meeting the educational goals established in KRS 158.645 and  
2           158.6451 or to make decisions in areas of policy assigned to a school council  
3           pursuant to paragraph (i) of subsection (2) of this section.

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

8           (c) The Kentucky Board of Education shall conduct a hearing in accordance with  
9           KRS Chapter 13B for complaints referred by the Office of Education  
10          Accountability.

11          (d) If the state board determines a violation has occurred, the party shall be  
12          subject to reprimand. A second violation of this subsection may be grounds  
13          for removing a superintendent or a member of a school council from office or  
14          grounds for dismissal of an employee for misconduct in office or willful  
15          neglect of duty.

16          (e) Notwithstanding paragraph (d) of this subsection and KRS 7.410(2)(c), if the  
17          state board determines a violation of the nondisclosure agreement required by  
18          subsection (2)(h)2.b. of this section by a school council member has occurred,  
19          the state board shall remove the member from the school council, and the  
20          member shall be permanently prohibited from serving on any school council  
21          in the district.

22          (10) Notwithstanding subsections (1) to (9) of this section, a school's right to establish or  
23          maintain a school-based decision making council and the powers, duties, and  
24          authority granted to a school council may be rescinded or the school council's role  
25          may be advisory if the commissioner of education or the Kentucky Board of  
26          Education takes action under KRS 160.346.

27          (11) Each school council of a school containing grades K-5 or any combination thereof,

1 or if there is no school council, the principal, shall develop and implement a  
2 wellness policy that includes moderate to vigorous physical activity each day and  
3 encourages healthy choices among students. The policy may permit physical  
4 activity to be considered part of the instructional day, not to exceed thirty (30)  
5 minutes per day, or one hundred and fifty (150) minutes per week. Each school  
6 council, or if there is no school council, the principal, shall adopt an assessment tool  
7 to determine each child's level of physical activity on an annual basis. The council  
8 or principal may utilize an existing assessment program. The Kentucky Department  
9 of Education shall make available a list of available resources to carry out the  
10 provisions of this subsection.~~[- The department shall report to the Legislative~~  
11 ~~Research Commission no later than November 1 of each year on how the schools~~  
12 ~~are providing physical activity under this subsection and on the types of physical~~  
13 ~~activity being provided.]~~ The policy developed by the school council or principal  
14 shall comply with provisions required by federal law, state law, or local board  
15 policy.

16 ➔Section 5. KRS 157.065 is amended to read as follows:

- 17 (1) Any school that does not offer a school breakfast program shall submit an annual  
18 report no later than September 15 to the Kentucky Board of Education indicating  
19 the reasons for not offering the program. The report shall include the number of  
20 children enrolled at the school and the number of children who are eligible for free  
21 or reduced priced meals under the federal program.
- 22 (2) The state board shall inform the school of the value of the school breakfast  
23 program, its favorable effects on student attendance and performance, and the  
24 availability of funds to implement the program.
- 25 ~~[(3) The commissioner of education shall submit an annual report no later than~~  
26 ~~December 1 to the Interim Joint Committee on Education regarding the status of the~~  
27 ~~school breakfast program including, but not limited to, information describing the~~

1        ~~schools that do not offer the program, the reasons given by the schools for not~~  
2        ~~offering the program, the number of children enrolled in each school, the number of~~  
3        ~~children in each school who are eligible for free or reduced priced meals under the~~  
4        ~~federal program, and the action taken by the state board to encourage schools to~~  
5        ~~implement the program.]~~

6        ➔ Section 6. KRS 424.250 is amended to read as follows:

7        **(1) Each local board of education shall annually publish the budget of the school**

8        **district:**~~[At the same time that copies of the budget of a school district are filed with~~  
9        ~~the clerk of the tax levying authority for the district, as provided in KRS 160.470,~~  
10       ~~the board of education of the district shall cause the budget to be advertised for the~~  
11       ~~district by publishing a copy of the budget in a newspaper.]~~

12       **(a) In the newspaper of the largest general circulation in the county;**

13       **(b) Electronically on a website of the district; or**

14       **(c) By printed copy at a prearranged site at the main branch of the public**  
15       **library within the district.**

16       **(2) If publication on a website of the district or by printed copy at the public library is**  
17       **chosen, the superintendent shall be directed to publish notification in the**  
18       **newspaper of the largest circulation in the county as to the location where the**  
19       **document can be viewed by the public.**

20       **(3) The notification under subsection (2) of this section shall include the address of**  
21       **the library or the electronic address of the website where the documents can be**  
22       **viewed.**

23       ➔ Section 7. The following KRS sections are repealed:

24       157.061 Annual audits of school districts.

25       158.856 Annual assessment and evaluation of school nutrition in district -- Special  
26       board meeting and public forum to discuss nutrition and physical activity in the  
27       schools -- School district to prepare and submit findings and recommendations to

1 Board of Education.