

*Votes of Jefferson County Legislative Delegation
On Education-Related Bills
2016 Regular Session of the Kentucky General Assembly*

18 House Members Represent Portions of Jefferson County: Kevin Bratcher, Tom Burch, Denny Butler, Larry Clark, Ron Crimm, Bob DeWeese, Jeff Donohue, Dennis Horlander, Joanie Jenkins, Mary Lou Marzian, Reggie Meeks, Charlie Miller, Jerry Miller, Tom Moffett, Darryl Owens, Steve Riggs, Tom Riner, Jim Wayne

10 Senate Members Represent Portions of Jefferson County: Perry Clark, Denise Harper-Angel, Ernie Harris, Steve Higdon, Paul Hornback, Morgan McGarvey, Gerald Neal, Dennis Parrett, Julie Raque Adams, Dan Seum

Legislation Delivered to or Acted Upon by Gov. Bevin

School Council Principal Selection -- H.B. 184 Sponsored by Rep. Jeff Donohue (D-Louisville), this bill provides an alternative principal selection process for Jefferson County. It sets penalties for a school council member violating confidentiality of the alternative principal selection process. The alternative process allows the council to hear a recommendation from the superintendent for principal in closed session. The council can accept that recommendation, at which time it shall be made public. If the council does not accept the recommendation, it may utilize the current process. Gov. Bevin signed the bill on April 13.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	17	0	0	1 - Owens
Senate	9	0	0	1 - Neal

Military Service – H.B. 87 Authored by Rep. Kevin Bratcher (R-Louisville), this bill allows any high school student participating in basic training to be considered present for up to 10 days for that service. The governor signed the measure on April 13.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	17			1 - Wayne
Senate	10			

CPR Training -- S.B. 33, sponsored by Sen. George “Max” Wise (R-Campbellsville), requires that every public high school provide cardiopulmonary resuscitation training to students as part of the health or the physical education course that is required for high school graduation, or the Junior Reserve Officer Training Corps course that meets the physical education requirement. The governor signed the bill on April 9.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	18			
Senate	9	1- Harris		

Child Abuse Information with Calendar Amendment -- H.B. 111 was introduced by Rep. Linda Belcher (D-Shepherdsville) and requires every public school to post the Kentucky child abuse hotline number. An amendment was added before final passage to allow school districts to apply for flexibility in meeting instructional day and hour requirements if they had to miss a significant number of days due to bad weather. The bill was filed with the secretary of state without the governor's signature on April 13. It will become law.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	17	1 – J. Miller		
Senate	10			

Preschool Books – S.B. 196, offered by Sen. Stan Humphries (R-Cadiz), would establish the Books for Brains Program to encourage preschool children to learn to appreciate books. The Department for Libraries and Archives would administer the program. The governor vetoed the bill on April 9. The legislature did not act to override that veto.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	18			
Senate	9	1 - Higdon		

Bullying – S.B. 228/H.B. 316, offered by Sen. Danny Carroll (R-Paducah) and Rep. Rita Smart (D-Richmond), defines bullying as “any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated.” It requires a school board's code of acceptable behavior to prohibit bullying, requires the code to include procedures for investigating and responding to reports of bullying, and includes a method to protect a person reporting a bullying incident. The governor signed S.B. 228 on April 9.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	18			
Senate	9			1 - Seum

Felony Expungement -- H.B. 40 Rep. Darryl Owens (D-Louisville) introduced this bill that allows a person convicted of a Class D felony to petition the court to have his or her criminal record expunged under the same conditions and procedures required for expungement of misdemeanors and violations, with certain exceptions, including crimes of a sexual nature or crimes against children. Gov. Bevin signed the measure on April 12.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	17			1 - Meeks
Senate	10			

Volunteer Service/Retirement Benefits – H.B. 153 This bill clarifies that “nominal fees” paid for volunteer activities will not constitute creditable compensation for retirees who begin receiving benefits from the Kentucky Employees Retirement System or the County Employees Retirement System on or after August 1, 2016. The bill defines nominal fees as “services as a volunteer that

do not exceed \$500 per month.” Introduced by Rep. Jerry Miller (R-Louisville), this bill was signed by the governor on April 1.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	18			
Senate	10			

Retirement Data -- H.B. 271 Requires state retirement systems disclose data on each member or recipient of their retirement status, actual or projected benefits, and other information for the Public Pension Oversight Board to use in carrying out its duties or in responding to data requests from the Board or the General Assembly. The data will not include Social Security numbers but only “a unique identification number” that will not be capable of being linked to the member’s account. Introduced by Rep. Jerry Miller (R-Louisville), this bill was signed by the Governor on April 1.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	18			
Senate	10			

Financial Aid – H.B. 158 Increases KEES funding available for eligible students who are enrolled in a comprehensive transition program in the 2016-17 academic year. Introduced by Rep. Ruth Ann Palumbo (D-Lexington). Delivered to the Governor on April 15.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	14			4 – Bratcher, Crimm, Meeks, Riggs
Senate	10			

Actuarial/Performance Reporting on Retirement Systems – H.B. 238 This proposal sets requirements for actuaries hired by the retirement systems and calls for the cost of actuarial services to be paid by the system engaging those services. It requires that the Public Pension Oversight Board perform an actuarial audit of the state retirement systems at least every 10 years, and review each system’s budget requests prior to each biennium. It includes specifics about information to be reported as part of those audits; requires the systems to conduct actuarial experience studies at least every five years; and an analysis of the 20-year impact of proposed changes on employer rates, funding levels and unfunded liabilities. Requires electronic distribution of all these reports to the LRC and then to chairs and committee staff of committees of jurisdiction. Sponsored by Rep. Brent Yonts (D-Greenville), it was signed by the Governor April 18.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	18			
Senate	10			

Work Ready Kentucky Scholarship/Postsecondary Performance Based Funding – H.B. 626
Sponsored by House Speaker Greg Stumbo, this bill creates a new scholarship program for students in dual-credit programs, and for those students to continue their education at a postsecondary institution. It provides funding to make up the gap between other grants and awards and the cost of the tuition. Students must maintain a grade point average of 2.5. The bill also addresses the new performance-based funding for all postsecondary institutions except Kentucky State University. The percentage of funding allotted based on performance phases in at 5 percent for fiscal year 2017-18, 15 percent for fiscal year 2018-19, and 25 percent for fiscal year 2019-2020. The bill was delivered to Governor Bevin on April 15.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	16	2 – J. Miller, Moffett		
Senate	10			

School Facilities/School Polling Places – H.B. 80 is a bill that became a vehicle for several items in the final days of the session. It includes language addressing school facility emergency needs, and with regard to extra nickels, the bill states that school districts with category 5 facilities that levied an additional nickel prior to the date of this Act will be eligible for equalization at 150 percent of the statewide average per-pupil assessment beginning the year the levy was imposed. Those that levied an extra five-cent equivalent tax rate for debt service, new construction and major renovation shall not be required to levy an additional tax to receive equalization funds. If a district uses equalization funds for a bond issue, funds shall be provided until either 20 years has passed or bonds are retired, and the bill explains that if districts receive duplicate funding for a new facility through the results of litigation, they must repay the state. Finally, the bill would allow districts that have no schools used as polling places to choose to be open on Election Day. H.B. 80 was delivered to the Governor on April 15.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	17			1 - Horlander
Senate	10			

Select Bills of Interest Not Achieving Passage this Session

Posting Historical Documents in Schools – H.B. 99 Introduced by Rep. Mike Denham (D-Maysville), this bill would require the posting of the preambles to the United States Constitution and the Kentucky Constitution in all public school classrooms; require a principal to determine the most efficient manner to produce classroom copies of the documents; allow each classroom teacher to choose placement of the documents within the classroom and to remove during assessments. Passed the House Education Committee.

Superintendent Screening Committee – H.B. 29, sponsored by Rep. Kelly Flood (D-Lexington) says that a school district may include a member of its equity council on the superintendent screening committee, if an equity council exists. The bill affects only three school districts: Fayette, Jefferson and Warren. A floor amendment was added by Sen. Jimmy Higdon (R-Lebanon) that addresses a process for a local board of education to take over the operation of a state-operated secondary career center under certain conditions. The bill passed the Senate Education Committee on March 24 and the full Senate March 28.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House (as introduced)	18			
Senate (w/Senate Comm Sub)	9	1 - Seum		

Educational Professional Standards Board (EPSB) – H.B. 268, introduced by Rep. Derrick Graham (D-Frankfort), would allow the transfer of sick leave for a school district employee who changes employment to the EPSB. The bill passed the House, and did not receive a hearing in the Senate.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	17			1 – C. Miller
Senate	n/a			

Nonteaching Time for Teachers – H.B. 107 is an act introduced by Rep Rita Smart (D-Richmond) that would require that teachers are provided a minimum of 60 minutes per day for nonteaching activities; require that at least 120 minutes per week be used for self-directed activities; specify the types of activities permitted during self-directed time. It passed the House Education Committee on Feb. 9, and the full House Feb. 17, referred to Senate Education.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	16	2 – J. Miller, Moffatt		
Senate	n/a			

Student Lunch Periods -- HJR 115 Introduced by Rep. Susan Westrom (D-Lexington), this resolution states that lunch periods in elementary schools should be 30 minutes so that students have adequate time to eat between 11 a.m. and 1 p.m.; and would allow the 30 minutes for lunch each day to be counted as instructional time. The bill was referred to the House Education Committee after it was introduced in February.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	n/a			

Civics Education – S.B. 192 introduced by Sen. Jared Carpenter (R-Berea) would require all public high school students to pass a civics test in order to receive a regular diploma, with 100 questions drawn from the test administered by the United States Citizenship and Immigration Services. Students would be allowed to retake the test as often as needed to pass, with a passing score at 60 percent. Passed by the Senate on March 8 and did not receive a hearing in the House.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	10			

School Calendar -- S.B. 50 Sponsored by Sen. Chris Girdler (R-Somerset), the initial version of this bill would have prohibited school districts from starting school prior to the Monday closest to Aug. 26. An amended version required a calendar committee to be named by the local school board with membership to include someone from the local chamber of commerce or tourism group, and that the local board will hear the calendar committee recommendation and then vote on the calendar at a *subsequent* meeting. Further, it provided an incentive to start no earlier than the Monday prior to Aug. 26 by waiving the 170 instructional days requirement, and instead allowing those districts that choose a later start date to meet the required 1,062 hours of instructional time by adding on a minimum of 30 minutes per day up to a maximum of seven hours per day. The bill passed the Senate on March 8, and was referred to the House Education Committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	10			

Charter Schools -- S.B. 253/H.B. 589 These almost identical measures provided for the establishment of charter schools under certain conditions in Kentucky. Called a “public charter school pilot,” the measures would authorize charters only in Jefferson and Fayette counties beginning in academic year 2017-18 through 2021-22. Initially, they identified two charter school authorizers – the local boards of education, and a new Kentucky Public Charter School Commission, which would be attached to the Education and Workforce Development Cabinet. The governor would appoint nine members of the commission with no political party making up more than five members. An amendment was adopted before Senate passage that eliminated the commission option, leaving the power to create charters to the local boards. The bills spell out the application and approval processes and a charter revocation process; indicate teachers may be

EPSB-certified OR may have degree and expertise in an area and pass the EPSB exam; require funding at the level of other public schools; and describe student application processes, allowing for the “exit” of students in certain cases. The charter schools would be governed by boards of directors with the same powers as local boards, but without taxing authority. All schools would be held to accountability standards and take state-required assessments, which would be reported like other schools. S.B. 253 was sponsored by Senators Mike Wilson (R-Bowling Green), Dan Seum (R-Louisville) and David Givens (R-Greensburg) and passed the Senate on Mar. 16. H.B. 589 was introduced by Rep. Brad Montell (R-Shelbyville).

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	7	3 – Clark, Harper-Angel, McGarvey		

Public Vouchers for Private School (special education) – H.B. 620/S.B. 273 Introduced by Rep. Addia Wuchner (R-Burlington) and Sen. Mike Wilson (R-Bowling Green), these bills would establish Individualized Education Accounts to allow those defined as exceptional students, and who have individualized education plans, to utilize public funds at a private school that meets certain specifications. Neither bill was heard in committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	n/a			

Student Athlete Safety -- H.B. 217 Rep. Mike Denham (D-Maysville) introduced this bill to require officials to remove a student from play if he/she was previously removed because of a possible concussion and returned to play, if officials believe the appropriate evaluation was not performed. Passed the House March 9.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	18			
Senate	n/a			

Drug Education – H.B. 456 This bill, introduced by Rep. Joni Jenkins (D-Louisville), would require a school council (or principal if a council does not exist) to adopt a policy to provide a drug abuse prevention program that includes information about opioid abuse prevention. The program is to be delivered at least once during grades five through eight, and once during grades nine-12. It also would require the Center for School Safety to provide program development and implementation assistance. Passed the House on March 4 by a vote of 87-2; referred to Senate Education Committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	17			1 - Wayne
Senate	n/a			

Student Access to Internet/Homework -- H.B. 539 Rep. Charlie Miller's (D-Louisville) bill would require that if a public school student without adequate Internet access at home receives an assignment requiring home access to the Internet, the public school shall provide an alternate assignment, allow completion during school hours, allow completion in an afterschool program, or allow completion by any other method agreed upon by the student's family and teacher. The bill passed the House on March 11; referred to Senate Education Committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	17			1 - Bratcher
Senate	n/a			

Religious/Cultural Programs in Schools – S.B. 106 This bill, offered by Sen. Brandon Smith (R-Hazard), clarified that schools may sponsor artistic or theatrical programs that advance students' knowledge of society's cultural and religious heritage and traditions, as well as provide opportunities for students to study and perform a wide range of cultural and religious music, literature, poetry and drama. The measure passed the Senate March 3 by a vote of 38-0; referred to House Education.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	10			

Prevailing Wage -- S.B. 9, introduced by Sen. Wil Schroder (R-Newport), it would exempt K-12 and postsecondary education construction projects from the prevailing wage law. It passed the full Senate by a vote of 26-11 on Jan. 14, but was voted down by a vote of 14-6 in the House Committee on Labor and Industry.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	6	4 – Clark, Harper-Angel, McGarvey, Neal		

Computer Science Programs -- S.B. 107 This bill offered by Sen. David Givens (R-Greensburg) would increase the relevance and capacity of computer science/coding education in public schools by including computer science teachers as eligible for teachers' professional growth funds; requiring that network capacity and computer science laboratories are included in five-year tech plans; adding computer sciences as a key area of the knowledge-based economy; allowing the science and mathematics advancement fund to provide grants for computer science programs; and including persons with computer science expertise among those eligible for adjunct instructor certification. S.B. 107 passed the Senate February 4 32-0; referred to House Education Committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	8			2 – Clark, Neal

S.B. 1 – A bill introduced by Sen. Mike Wilson (R-Bowling Green), chairman of the Senate Education Committee, would rewrite the school accountability system, and alter the teacher evaluation system. It would have far-reaching impact on the state’s role in local districts, and on the local district’s responsibilities with regard to addressing achievement for all students. Further, the bill would set up a new, comprehensive review of the Kentucky Core Academic Standards. It passed the Senate of Feb. 17 by a vote of 25-12 and was referred to House Education Committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	6	4 – Clark, Harper-Angel, McGarvey, Neal, Parrett		

Interscholastic Extracurricular Activities – H.B. 76 This bill introduced by Rep. Stan Lee (R-Lexington) would authorize participation in a public school interscholastic extracurricular activity by a private school student when the private school does not offer the interscholastic extracurricular activity; establish criteria for participation therein. It was introduced in early January, and was referred to the House Education Committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	n/a			

Maximum Class Size – H.B. 82 Offered by Rep. Linda Belcher (D-Shepherdsville) would prohibit the number of pupils enrolled in a class on the 15th instructional day from exceeding the maximum class size. It was introduced in early January, and referred to the House Education Committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	n/a			

School Marshals -- H.B. 270/S.B. 223, offered by Rep. Jim DuPlessis (R-Elizabethtown), and Sen. Steve West (R-Paris) would include school marshals as persons exempt from the prohibition against possession of a firearm on school property if authorized by a local board of education or governing body of a private school. It would require that schools designated as a school marshal site collaborate with the Kentucky State Police and law enforcement on safety procedures prior to appointment of a school officer, provide limits on liability for the school board or authorizing body, provide limits on liability for marshals for acts or omissions, require that the marshal is responsible for purchase of his or her own weapons, provide that school boards pay for other expenses, and would exclude postsecondary institutions. These bills were referred to committees, but no action was taken on them.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	n/a			

School Safety – S.B. 24 introduced by Sen. Julian Carroll (D-Frankfort), would require school resource officers to have basic and advanced training provided by the Department of Criminal Justice. Introduced in early January and referred to Senate Judiciary Committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	n/a			

Financial Literacy – S.B. 32 introduced by Sen. Dennis Parrett (D-Elizabethtown), would require the Kentucky Department of Education to develop and implement the Kentucky Financial Literacy Program and require a high school student to complete instruction in financial literacy, included within the existing curriculum, prior to graduation. Introduced in early January, referred to Senate Education Committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	n/a			

School Board Elections – S.B. 86 This bill was offered by Steve West (R-Paris) and would require 20 signatures on the petition necessary to file to run for a local school board. The bill was introduced in January, and referred to Senate State and Local Government Committee.

Teacher Due Process – S.B. 88 Sen. David Givens (R-Greensburg) offered this proposal to clarify the causes for which a teacher contract may be terminated, to require the commissioner to initiate due process in response to teacher appeal or superintendent action, and establish hearing procedures and appointment of hearing officers. The measure was introduced in January, and referred to the Senate Education Committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	n/a			

Proposals Relating to State Retirement Systems That Were Not Passed

H.B. 1 – Would require that the state contribute fully the actuarially required contributions (ARC) to the Kentucky Teachers' Retirement System as of July 2016. Originally, this proposal included a provision to allow the proceeds from the sale of bonds to help cover the unfunded ARC payments. The bond provision was taken out prior to House passage, which occurred March 22. In the Senate, the bill was referred to the Appropriations and Revenue Committee. Introduced by House Speaker Greg Stumbo (D-Prestonsburg).

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	17	1 -Moffett		
Senate	n/a			

H.B. 172 – A bill to remove marriage as a disqualifying event for a widow or widower who is receiving survivor's benefits from the Kentucky Teachers' Retirement System. Widow/widower is defined as a person who is married to the deceased member for not less than five years.

Introduced by Rep. Rick Nelson (D-Middlesboro), it passed the full House in February and the Senate State and Local Government Committee on March 22.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House (as introduced)	17			1 - Horlander
Senate (w/Senate Comm Sub)	10			

H.B. 263 – This bill would change several governance requirements for state retirement systems. For the Kentucky Retirement System's board of trustees, it would change the definition of "investment experience;" require two members of the board of trustees to be chartered financial analysts; provide that each appointment may be made from a list of three applicants submitted by the CFA Society of Louisville; and would apply to appointments or reappointments on or after the effective date of this Act. It also requires Senate confirmation of gubernatorial appointments to the retirement systems' boards, all system salaries be set by the Personnel Cabinet, information made available on system websites, and increases the Public Pension Oversight Board trustees from 13 members to 19 members. Passed House and Senate, but did not achieve final passage. Sponsored by Rep. Brent Yonts (D-Greenville).

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House (as introduces)	16			2 – Horlander, J. Miller
Senate (w/Senate Comm Sub)		1 - Neal		

H.B. 427 – This act imposes a 5 percent surcharge on any contract, memorandum of agreement, independent contractor, or personal service contract held by an entity that is a participant the state retirement system that could replace state employees with contractual non-state employees. The bill also imposes a 5 percent surcharge on the Kentucky Community and Technical College System for any employee not offered the state retirement pension system(s) with revenue going to the Kentucky Retirement Systems. Introduced by Rep. Brent Yonts (D-Greenville), the bill was referred to House State Government Committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	n/a			

Retirement System Governance -- S.B. 2 This proposal pertains to the Legislators' Retirement Plan and Judicial Retirement Plan, the Kentucky Retirement Systems (KRS), and the Kentucky Teachers' Retirement System (KTRS). It would require all of these systems to adhere to laws

regarding “budgeting and the procurement of services, goods, and property” and prohibit use of any plans’ funds for placement agents; require that the KRS and KTRS disclose information about contracts and investment fees on their websites and adhere to the CFA Institute’s Code of Conduct. It would require Senate confirmation of gubernatorial appointments to their boards of trustees (including executive director for KRS). It would increase the number of trustees for KTRS. It also would increase the membership of the Public Pension Oversight Board from 13 to 19 members. Introduced by Sen. Joe Bowen (R-Owensboro), the bill was passed by the Senate and the House State Government Committee.

Jefferson County	YEAS	NAYS	PASS	NOT VOTING
House	n/a			
Senate	10			