

2020 Regular Session of the Kentucky General Assembly
Final Enacted Legislation Related to Elementary and Secondary Education



Senate Bills

Senate Bill 8 (Sen. Wise) updates many of the provisions of the School Safety and Resiliency Act ([2019 KYGA, Senate Bill 1](#)).

- The law updates the definition of a “school resource officer” or “SRO” to mean an officer who has specialized training and whose primary job function is to work with youth at a school site.
- Updates the superintendent’s authority to appoint an individual, rather than a district-level school administrator, to serve as the district’s school safety coordinator and primary point of contact for public school safety and security functions.
- Adds administrators of state-controlled facilities to the list of those cooperating to assign one (1) or more certified SROs to serve each campus where one (1) or more school buildings are used to deliver instruction to students on a continuous basis and as funds become available.
- Requires each school resource officer to be armed with a firearm.
- Continues to require all SROs to complete forty (40) hours of annual in-service training, and updates language to require that any SRO who fails to successfully complete training requirements not only loses the SRO certification but can no longer serve as an SRO in a school. However, adds language to allow an SRO to resume work after completing the required training.
- Updates the goal that, beginning July 1, 2021, or as funds and qualified personnel become available, that each school district employs at least one (1) school counselor in each school with the goal that the school counselor spends sixty percent (60%) or more of his or her time providing counseling and related services directly to students.
- Establishes the goal that each school district provides at least one (1) school counselor or school-based mental health services provider who is employed by the school district for every two hundred fifty (250) students.
- Adds school resource officer to the list of state employees, whose death occurs on or after July 1, 2002 as a direct result of an act in the line of duty, whose spouse can receive a lump-sum payment of eighty thousand dollars (\$80,000) if there are no surviving children.
- Allows the Justice and Public Safety Cabinet to commission special law enforcement officers, to protect and to enforce the law on public property and to allow that in the case of a special law enforcement officer employed as a school resource officer, the commission must be for four (4) years, provided the officer continues to meet all statutory and regulatory requirements.
- Changes the primary agency responsible for providing active shooter training to the Department of Criminal Justice in collaboration with the Kentucky Law Enforcement Council (KLEC), the Kentucky Department of Education (KDE), and the Kentucky Center for School Safety (KCSS).
- Changes language to provide an exemption to requiring classroom doors to remain closed and locked during instruction when only one (1) student and one (1) adult are in a classroom or when approved in writing by the state school security marshal.
- Clarifies “terroristic threatening in the second degree” to include when a person makes false statements by any means, including by electronic communication, to indicate that an act likely to result in death or serious physical injury is occurring or will occur when the false statement is made for the purpose of:
 1. causing evacuation of a school building, school property, or school-sanctioned activity;
 2. causing cancellation of school classes or school-sanctioned activity; or
 3. creating fear of death or serious physical injury among students, parents, or school personnel.



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Senate Bill 42 (Sen. Harper Angel) requires that beginning August 1, 2020, any student identification badge issued to a student in grades six (6) through twelve (12) by a public school must contain the contact information for a national hotline for each:

1. domestic violence;
2. sexual assault; and
3. suicide prevention.

Requires that, by July 20, 2020, the Cabinet for Health and Family Services (CHFS) publish recommendations for at least one (1) national hotline that specializes in each of the hotline categories required.

Also requires, beginning August 1, 2020, that any student identification badge issued by a public or private postsecondary education institution, vocational school, or any other institution that offers a postsecondary degree, certificate, or licensure contain the contact information for the same designated categories.

Senate Bill 45 (Sen. D. Carroll) creates operational standards for child-care centers in Kentucky to include: nutrition standards, if the child-care center provides food, that are consistent with the meal and snack patterns of the most recent version of the United States Department of Agriculture's (USDA) Food and Nutrition Service standards for the Child and Adult Care Food Program. There are operational standards for physical activity; screen time; and sugary drinks. CHFS must promulgate regulations in consultation with the Kentucky Early Childhood Advisory Council (ECAC) and the Kentucky Child Care Advisory Council (CCAC). This law aligns early child health standards with Kentucky's Academic Standards for Health Education.

Senate Bill 55 (Sen. Smith) establishes a Blockchain Technology Working Group attached to the Commonwealth Office of Technology (COT). The working group will evaluate the feasibility and efficacy of using blockchain technology to enhance the security of and increase protection for the state's critical infrastructure, including but not limited to the electric utility grid, natural gas pipelines, drinking water supply and delivery, wastewater, telecommunications, and emergency services.

The workgroup will create a priority list of critical infrastructure that could benefit from the use of blockchain technology and then determine whether Blockchain and whether the peer-to-peer network is robust enough to support the use of such technology.

Senate Bill 56 (Sen. Alvarado) raises the minimum age of the purchase of tobacco, alternative nicotine, and vapor products from eighteen (18) to twenty-one (21) and prohibits anyone from selling a tobacco, alternative nicotine, or vapor product to a person under twenty-one (21). Adds that anyone under twenty-one (21) purchasing or attempting to purchase would be subject to having the product confiscated by law enforcement or the Department of Alcoholic Beverage Control (ABC), but the individual could not be issued a citation, placed under arrest, taken into custody, or fined.

All status offense designations for the sale, purchase, or distribution of tobacco, alternative nicotine, and vapor products by juveniles are removed. "Status offense action" is any action brought when a child who is accused of committing an act, if the act was committed by an adult, would not be a crime (habitual runaway, habitual truancy, etc.).

Senate Bill 57 (Sen. D. Carroll) changes the requirement that the Commissioner of Education only approve local school district plans for school construction or renovation that include water bottle filling stations and/or drinking fountains. This law deletes the water bottle filling station requirements for renovations but maintains the requirement for new construction.

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Senate Bill 63 (Sen. Higdon) permits a local board of education to establish a virtual high school completion program for high school dropouts who are at least twenty-one (21) years of age.

A student is eligible to enroll in a district's program if the student:

1. is a resident of the district;
2. is at least twenty-one (21) years of age;
3. had previously dropped out of a high school; and
4. had earned at least sixteen (16) credits at the time of dropping out.

A program may enroll a nonresident student if the student otherwise qualifies for enrollment.

The program must require enrolling students to supply notarized transcripts evidencing any credits earned previously towards graduation that are not from that district.

A student, in order to earn a high school diploma, may either:

1. complete the high school graduation requirements of the district that were or would have been applicable at the time the student dropped out of high school; or
2. complete the high school graduation requirements of the district in effect at the time of enrolling in the virtual program.

Permits a district to charge reasonable tuition and fees for the virtual high school completion program.

Senate Bill 72 (Sen. Raque Adams) defines "female genital mutilation" and requires the Department for Public Health (DPH) in CHFS to develop and produce educational materials about the practice, the health risks and emotional trauma inflicted, and the criminal penalties and to disseminate the educational material to health care providers, teachers, law enforcement personnel, immigration and refugee resettlement agencies, and any other professionals or community entities who may reasonably be expected to come into contact with individuals who may be at risk for female genital mutilation.

Senate Bill 79 (Sen. Raque Adams) relates to the employment of school personnel and background checks. The law changes the criteria by which a classified or certified employee of a school district must self-report a finding of child abuse or neglect to the superintendent. Previously this requirement applied to employees with any substantiated finding of child abuse or neglect. As revised, this requirement applies to employees with an "administrative finding of child abuse or neglect", defined as a substantiated finding that is:

1. not appealed through an administrative hearing;
2. upheld at an administrative hearing and not appealed to the Circuit Court; or
3. upheld by a Circuit Court on appeal.

Senate Bill 82 (Sen. Raque Adams) establishes the Kentucky Eating Disorder Council in CHFS. The membership includes the commissioner of education or designee. Beginning December 1, 2020, the council must report annually to the Governor and the Legislative Research Commission (LRC) its activities, findings, and recommendations.

Senate Bill 101 (Sen. Wilson) requires the Council on Postsecondary Education (CPE) to facilitate the development and implementation of a statewide standardized articulation agreement, to be executed by July 1, 2021, between public colleges and universities and KDE for each approved high school career pathway that leads to a postsecondary credential, certification, license, or degree. Upon meeting the requirements of the standardized articulation agreement, a student must be awarded postsecondary credit for prior learning at any public college or university.

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Senate Bill 102 (Sen. Mills) amends various statutes related to CHFS. One change is to the Kentucky Commission on Services and Supports for Individuals with an Intellectual Disability and Other Developmental Disabilities. The commission's membership is expanded and updated to include the Commissioner of Education or designee.

Senate Bill 115 (Sen. Wilson) extends the tuition and mandatory student fees waiver to any graduate program for a Kentucky foster or adopted child who is a full-time or part-time student and if the student meets all entrance requirements and maintains academic eligibility while enrolled at the postsecondary institution. Also extends eligibility to include 150 consecutive or nonconsecutive credit hours.

Senate Bill 134 (Sen. Givens) establishes the Optometry Scholarship Program to provide eligible Kentucky students the opportunity to attend an accredited school of optometry to become certified practitioners rendering medical service in the Commonwealth. The Kentucky Higher Education Assistance Authority (KHEAA) will administer the program.

Senate Bill 150 (Sen. Alvarado) provides emergency relief for citizens and businesses during the state of emergency declared in response to COVID-19.

- Requires the Department of Revenue to adhere to tax payment requirement changes made by federal authorities and provide the same for comparable Kentucky payment requirements and require that penalties and interest not be imposed for any extensions.
- Explains when health care providers must be considered in compliance with Executive Orders and directives related to elective procedures.
- Establishes immunity for health care providers who in good faith render care or treatment during the state of emergency.
- Provides definitions for "emergent" and "urgent".
- Extends deadline for responding to Open Records requests to ten (10) days.
- Suspends Open Meetings laws to allow for live audio or live video teleconference meetings.
- Allows for live audio or live video teleconferences for court-ordered counseling and educational classes.
- Suspends deadlines for hearings and decisions by local legislative bodies, boards, or commissions relating to land use, planning, or zoning.
- Suspends deadlines for code enforcement proceedings or hearings under certain circumstances.
- Provides that a tax district may suspend or otherwise extend applicable deadlines for filing taxable net profit or taxable gross receipt returns.
- Establishes immunity for businesses that make or provide personal protective equipment or personal hygiene supplies that do not make or provide these products in the normal course of their businesses.
- Provides that a real-time video teleconference must be considered sufficient for the purposes of complying with testimony, signature, or notarization requirements.
- Suspends requirement to obtain temporary restricted Commercial Driver's Licenses (CDL) for farm-related services under certain circumstances.
- Provides that the State Boards of Medical Licensure, Emergency Medical Services, and Nursing may waive or modify certain laws.
- Requires the Governor to declare, in writing, the date upon which the state of emergency in response to COVID-19 has ceased.
- Emergency clause included.

Senate Bill 158 (Sen. Givens) makes significant changes to the statewide accountability system, school improvement provisions, state and local graduation requirements, charter authorizer training for members of local boards of education, and the achievement gap definition.



Accountability and Assessment

- Requires a new accountability system for districts, schools and student populations with implementation beginning with data from the 2020-2021 and 2021-2022 school years.
- Requires a new rating system requiring state indicators to be evaluated on two categories, "status" and "change" and defines the terms.
- Indicators include student assessment results, progress toward achieving English proficiency by English Learners, quality of school climate and safety, high school graduation rates, and postsecondary readiness.
- The "status" rating will be based on current scores, from very high to very low.
- The "change" rating will range from a significant increase to a significant decline.
- Establishes that new cut scores for "status" and "change" ratings are based on percentiles and distribution.
- Cut scores must be approved by the Kentucky Board of Education (KBE) and the Local Superintendents Advisory Council (LSAC).
- These cut scores are to stay in place for six years unless existing cut scores no longer support meaningful differentiation of schools.
- Beginning in the fall of 2022, KDE must have in place a new reporting requirement/dashboard demonstrating the "status" and "change" for each indicator based on new cut scores.
- Requires scores on IB examinations of 4 or higher to be included on the school report card.
- Allows for an overall performance that will aggregate or combine all available data for the state indicators.
- Adds noncodified language encouraging the department to assign more weight in the accountability system for progress made by subgroups toward goals.

Identification for Support and Improvement

- Beginning in the 2020-2021 school year, requires identification annually of schools for targeted support and improvement (TSI) if a school has one or more of the same subgroup whose performance is at or below that of all students in the lowest performing five percent of schools for three consecutive years.
- Beginning in the 2021-2022 school year, changes from annual to every three years the identification of schools for additional targeted support and improvement (ATSI) if the school has one or more subgroups whose performance is at or below the summative performance of all students in the lowest performing five percent of schools identified for comprehensive support and improvement (CSI) and the school was identified in the immediately preceding year for TSI.
- Beginning in the 2021-2022 school year, changes from annual to every three years the identification of schools for CSI and continues to require identification of a school for CSI if the school is:
 1. in the lowest performing five percent (5%) of all schools in its level based on the school's performance in the state accountability system;
 2. a high school with a four-year cohort graduation rate less than eighty percent (80%); or
 3. identified for additional targeted support and improvement and fails to exit ATSI status.
- Adds language that local districts must take more rigorous district-determined action to assist and support a school identified for ATSI.

Audit and Turnaround

- Requires KDE to conduct the audit when a school is identified for CSI.
 - Requires the audit to include a diagnosis of the causes of the school's low performance and best strategies to address the school's specific needs.
 - Removes an assessment and recommendation of whether the principal has the capacity to function as a turnaround specialist.
- Requires KBE to establish annual statewide exit criteria for schools identified for TSI, ATSI and CSI.

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- Creates and defines an “approved turnaround vendor list” which includes at least three (3) vendors approved by KBE as having documented success at providing turnaround diagnosis, training, and improved performance of organizations.
- Requires local boards choose a turnaround team from KBE approved vendor list.
- Removes the option for local boards to create their own turnaround teams (which was included in [Senate Bill 1](#) of 2017).
- Removes language allowing local boards of education to choose a turnaround specialist and now requires local boards to choose from a KBE approved vendor list.
- Clarifies that a school or school district can appeal a judgment on the performance of a principal, superintendent, school, or school district utilizing appeal procedures approved by KBE.
- Requires the local school board to consult with the department on the turnaround plan.

Title I Funds

- Requires KBE to promulgate administrative regulations on how the department will disburse school improvement funds to schools identified for comprehensive support and improvement.

Graduation Requirements

- The minimum requirements for high school graduation may not include a postsecondary readiness indicator used in the state accountability system or a minimum score on a statewide assessment.
- A local board may not adopt any high school graduation requirements that include achieving a minimum score on a statewide assessment

Charter Authorizer Training

- Prohibits requiring charter authorizer training for local school boards members until a charter application is received.
- Once an application is received, if a local board member hasn’t received authorizer training in the previous twelve (12) months preceding the date of the application, the member must receive six (6) hours of in-service training prior to evaluating the charter application.
- Requires charter training be in addition to any other annual training required for local boards.

KDE Annual Report to Legislature on Turnaround Vendors

- Beginning in 2023, requires the department to submit an annual report by November 30 to the Interim Joint Committee on Education (IJCE) on the performance of turnaround vendors.
- This annual report must include the school’s performance in the state accountability system while the turnaround vendor is utilized, as well as the costs of using the vendor, and any other information deemed necessary to evaluate the performance of the vendor.

Achievement Gap Definition

Revises the definition of “achievement gap” to mean the difference between performance goals and actual performance on each of the tested areas by grade level of the state assessment program for each of the various subgroups of students per the Every Student Succeeds Act (ESSA) of 2015, [Public Law 114-95](#).

[Senate Bill 174](#) (Sen. McGarvey) allows national board certification to qualify a teacher for Rank II status. Provides that a teacher who attains national board certification after July 1, 2020, receive an annual supplement in the amount appropriated by the General Assembly and allows a local board to provide an additional supplement for the total supplement to equal \$2,000. Updates the principal certification requirement – removing the “Kentucky Specialty Test” and instead requiring the “School Leader Licensure Assessment”.

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Senate Bill 177 (Sen. Kerr) provides emergency relief for school districts during the state of emergency declared in response to COVID-19.

- Provides an unlimited number of nontraditional instruction (NTI) days (which may include virtual or distance learning).
 1. Requires that students must receive a minimum of 1,062 instructional hours, less the amount of instructional time waived as detailed below.
 2. A school district may reach 1,062 instructional hours by adding time to the day.
 - a. A day cannot exceed seven hours of instructional time, unless the district submitted and received approval from the Commissioner of Education for an innovative alternative calendar.
 - b. A school district may schedule instructional days on Saturdays.
 - c. A local board of education may submit a plan to the Department of Education demonstrating how 1,062 instructional hours will be completed, (and the plan must be approved).
 3. A school district wanting to complete 1,062 instructional hours by June 12, 2020, but that is unable to under its current school calendar, must request assistance from the Commissioner of Education by May 1, 2020, to determine a plan for maximizing instructional time to complete 1,062 instructional hours by June 12, 2020.
 - a. If the district presents a compelling rationale that adding instructional time to the day would create logistical hardships, the commissioner cannot require adding time to the day as part of the district's plan.
 - b. If, after providing planning assistance to the school district, the Commissioner of Education determines the school district has maximized instructional time but cannot complete 1,062 hours by June 12, 2020, the commissioner must waive the remaining instructional hours required.
 4. KDE must make a report to IJCE by October 30, 2020, on how school districts completed the 1,062 instructional hours.
- An extended school calendar will not be required for any program serving state agency children (Kentucky Educational Collaborative for State Agency Children – KECSAC).
- State agency children must receive the same minimum number of instructional hours provided to students generally by the applicable school district, less the amount of instructional time waived.
- A local board of education must allow emergency leave to any full-time or part-time classified or certified employee if the local board determines it is necessary in relation to the COVID-19 public health emergency. A local board must waive any requirement under local policy for an employee to file a personal affidavit in order to take emergency leave allowed pursuant to this section.
- Directs KDE to seek any waivers from any federal government agency that may be necessary to allow school districts to be reimbursed under the federal Richard B. Russell National School Lunch Act.
- Allows KBE to waive requirements of the statewide assessment and accountability system in accordance with any federal waiver regarding those requirements.
- Directs KDE to seek and utilize any waivers from any federal government agency involving requirements of the Individuals with Disabilities Education Act (IDEA), [20 U.S.C. secs. 21 1400 et. seq.](#) that may be necessary to allow flexibility needed for school districts.
- A local board of education may revise the district's certified evaluation plan.
- A principal may award the number of educational enhancement opportunity days needed by a graduating student to meet military service or postsecondary education enrollment obligations that occur prior to the last day of school.
- Written notices required to be provided to classified and certified school district employees regarding salary or nonrenewal of contracts may be delivered via regular mail or via email to the employee's email address on record in the school district.

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- Local school districts may, when submitting the Superintendent's Annual Attendance Report (SAAR), substitute attendance data for school year 2018-2019 for attendance data for school year 2019-2020.
- If a school district submits data for school year 2018-2019, this data must be utilized to calculate the average daily attendance that will be used in calculating Support Education Excellence in Kentucky (SEEK) funds and any other state funding based in whole or in part on average daily attendance (AADA) for the district.
- Emergency clause included.

Senate Bill 193 (Sen. Raque Adams) establishes a goal of increasing the number and percentage of students in underrepresented groups participating in computer science courses in middle and high school. These populations include females, minorities, students with disabilities, English language learners, and students whose families are eligible for free or reduced-price lunch.

Also, by December 1, 2020, and annually thereafter, KDE must submit a report to KBE and IJCE that includes an unduplicated count of the number and percentage of public school students participating in computer science courses and other computer science educational opportunities. The data must be disaggregated by gender, race, disability, English proficiency, and participation in the federal free and reduced-price lunch program. The report must also include the number of computer science courses or programs offered in each school, the nature of the computer science courses or programs, the number of advanced placement computer science classes offered, and the number of computer science instructors at each school disaggregated by certification, gender, and terminal degree.

The law also amends the long-term and annual statewide goals for increasing the number of students scoring a “4” or better on the international baccalaureate (IB) rather than the current “5”.

Senate Bill 249 (Sen. McDaniel) increases the amortization period for financing the unfunded liability for the Kentucky Employee Retirement System (KERS), County Employees Retirement System (CERS), and the State Police Retirement System (SPRS) from 24 years to 30 years as of June 30, 2019 and to establish layered 20 year closed amortization periods for any future annual increases or decreases in actuarially accrued liabilities after the 2019 valuation, therefore increasing the number of years employers pay for the current unfunded liability and resulting in a decrease in the annual contribution requirement. Also, CERS employer contribution rates are frozen for one year.

Senate Resolutions

Senate Resolution 8 (Sen. Schickel) honors Pat Rosel upon his retirement as baseball coach at Ryle High School.

Senate Resolution 12 (Sen. Thayer) honors the Scott High School Girls' Cross-Country Team upon winning the 2019 Class 2A State Championship.

Senate Resolution 26 (Sen. McGarvey) honors Erin Schneider upon receiving a Presidential Award for Excellence in Mathematics and Science Teaching.

Senate Resolution 101 (Sen. Raque Adams) confirms the reappointment of Frank Edward Collecchia to the board of trustees of the Teachers' Retirement System (TRS) for a term expiring March 10, 2023.

Senate Resolution 113 (Sen. Thayer) honors Coach Bill Cronin upon his induction into the National Association of Intercollegiate Athletics (NAIA) Hall of Fame.

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Senate Resolution 119 (Sen. Thomas) recognizes and honors the Hearing & Speech Center for its invaluable services that have had a profound and positive impact on countless citizens across the Commonwealth.

Senate Resolution 165 (Sen. Thayer) honors Dr. Jay Box upon his upcoming retirement as President of the Kentucky Community and Technical College System (KCTCS).

Senate Resolution 197 (Sen. McGarvey) declares April 22, 2020, as Environmental Education Day in Kentucky.

Senate Resolution 206 (Sen. West) confirms the appointment of Ashley Hughes Vice to the Education Professional Standards Board (EPSB) for a term expiring June 30, 2022.

Senate Resolution 227 (Sen. Raque Adams) confirms the appointment of Adam Dewayne Smith to EPSB for a term expiring June 30, 2022.

Senate Resolution 228 (Sen. Raque Adams) confirms the appointment of Melanie Shay Callahan to EPSB for a term expiring June 30, 2022.

Senate Resolution 229 (Sen. Raque Adams) confirms the reappointment of Elizabeth J. Smith to EPSB for a term expiring June 30, 2022.

Senate Resolution 230 (Sen. Raque Adams) confirms the reappointment of Sherry Wilson Powers to EPSB for a term expiring June 30, 2022.

Senate Resolution 240 (Sen. Raque Adams) confirms the appointment of John Christopher Robinson to EPSB for a term expiring June 30, 2022.

Senate Resolution 241 (Sen. Raque Adams) confirms the appointment of Aaron Scott Collins to the EPSB for a term expiring June 30, 2022.

Senate Resolution 242 (Sen. Givens) confirms the reappointment of Steven Robert Thomas to EPSB for a term expiring June 30, 2022.

Senate Resolution 244 (Sen. Wise) honors the Taylor County High School boys' golf team upon winning the 2019 Kentucky High School Athletic Association (KHSAA) State Golf Championship.

Senate Resolution 251 (Sen. McGarvey) declares April 22, 2020, as Environmental Education Day in Kentucky and honor the 50th anniversary of Earth Day.

Senate Resolution 253 (Sen. Girdler) confirms the appointment of Christopher James Girdler to KCTCS Board of Regents for a term expiring June 21, 2025.

Senate Resolution 268 (Sen. Raque Adams) confirms the appointment of Richard Ryan Nelson to CPE for a term expiring December 31, 2022.

Senate Resolution 269 (Sen. Raque Adams) confirms the reappointment of Kristi P. Nelson to CPE for a term expiring December 31, 2024.

Senate Resolution 296 (Sen. Turner) honors the teachers, classified employees, bus drivers, janitorial/custodial staff, and other individuals who are delivering meals to Kentucky's students while schools are closed due to the coronavirus pandemic.

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Senate Resolution 297 (Sen. Turner) honors the Letcher County Central High School Lady Cougars.

Senate Resolution 298 (Sen. McDaniel) honors Prevent Child Abuse Kentucky and adjourn in honor of Child Abuse Prevention Month in April.

Senate Resolution 307 (Sen. Raque Adams) confirms the appointment of Holly Bloodworth to KBE for a term expiring April 14, 2024.

Senate Resolution 308 (Sen. Raque Adams) confirms the appointment of June Patrice McCrary to KBE for a term expiring April 14, 2024.

Senate Resolution 309 (Sen. Raque Adams) confirms the appointment of Sharon Porter Robinson to KBE for a term expiring April 14, 2024.

Senate Resolution 310 (Sen. Raque Adams) confirms the appointment of Lu Settles Young to KBE for a term expiring April 14, 2024.

Senate Resolution 311 (Sen. Raque Adams) confirms the appointment of JoAnn Griffey Adams to KBE for a term expiring April 14, 2024.

Senate Resolution 312 (Sen. Raque Adams) confirms the appointment of Cody Pauley Johnson to KBE for a term expiring April 14, 2024.

Senate Resolution 313 (Sen. Raque Adams) confirms the appointment of Alvis Johnson to KBE for a term expiring April 14, 2022.

Senate Resolution 314 (Sen. Raque Adams) confirms the appointment of Lee Trover Todd to KBE for a term expiring April 14, 2022.

Senate Resolution 315 (Sen. Raque Adams) confirms the appointment of Claire Michelle Batt to KBE for a term expiring April 14, 2022.

Senate Resolution 316 (Sen. Raque Adams) confirms the appointment of Michael Dean Bowling to KBE for a term expiring April 14, 2024.

Senate Resolution 332 (Sen. Neal) commends Governor Andy Beshear, the entire Executive Branch, Kentucky's mayors and their administrations, health care workers, grocery store employees, sanitation personnel, court personnel, school district workers, truck drivers and warehouse workers, the entire staff of the LRC, and all other Kentuckians who have courageously served their fellow citizens during the COVID-19 crisis.

House Bills

House Bill 195 (Rep. Miller) creates new publication and posting statutes for school districts within a county containing a population of eighty thousand (80,000) or more based on the most recent federal decennial census.

Allows the school district to meet publication requirements for advertisement in a newspaper through an alternative method, by posting the required advertisement online on a "notice website" (a website maintained by the school district or a contracted third-party vendor linking to the legal advertisements or notices electronically published). This website must always be accessible to the public. Publication of an advertisement occurs on the date the advertisement is posted on the notice website.

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However, the school district must also publish a newspaper advertisement one (1) time providing notice that the public may view the full advertisement on the notice website and the advertisement must meet the following requirements:

1. not more than six (6) column inches and meet technical requirements;
2. be published within ten (10) days of the alternative posting on the notice website;
3. inform the public of the subject matter of the alternative posting and the right to inspect any related documentation; and provide a mailing and physical address where a copy of the document may be obtained and a web address if the document is available online; and
4. provide the full uniform resource locator (URL) of the notice website address and the web address where the full advertisement may be directly viewed; and the telephone number of the school district.

Similarly, the contents of the alternative internet posting on the notice website must meet the statutory requirements for the time and periods of the specific posting, including:

1. until the deadline passes or the event occurs (such as for a public hearing);
2. for at least ninety (90) days if the advertisement is to inform the public of an action taken by the school district; or
3. for one (1) year or until updated or replaced if the advertisement is intended to inform the public about the financial status of the school district.

The school district must display on its homepage the location of the notice website and make the information and a contact phone number easily accessible.

Districts must memorialize the posting in electronic or paper format and complete an affidavit signed by the person responsible for posting the information. The local district must retain the captured posting and the affidavit for a period of three (3) years. The affidavit must specify:

1. the active dates of the notice website posting;
2. the specific statutory requirements being satisfied by the alternative internet posting; and
3. the notice website address where the alternative posting was locating include the full URL.

Sets out consequences for failure to publish as required by law and provides penalties. Allows that for errors of newspapers to post publication notices in a timely fashion, school districts may publish on the notice website.

Note: HB 351 passed on 4/15/2020 and language related to publishing requirements was also enacted in HB 195 which passed on 4/14/2020. HB 351 contained an emergency clause and its provisions are currently in place. The noncodified sections in HB 351 are in effect until June 30, 2022. In places where statutes conflict, the legislation gaining final enactment prevails.

House Bill 214 (Rep. Tipton) establishes the Veterinary Contract Spaces Program and requires KHEAA to administer the program. Requires KHEAA to purchase enrollment spaces annually for Kentucky students at participating veterinary schools and establishes the Veterinary Contract Spaces Program trust fund.

House Bill 266 (Rep. Koch) expands provisions for military families to pre-enroll a child in a school district if the parent or guardian is transferring to a reserve component or separating from the military under honorable conditions and has a home under contract to be built in the district. The home under contract must be considered a qualifying residence and the school district must allow the child to enroll and begin attending school regardless of the child's temporary residence. The child must also be included in the district's calculation of average daily attendance for a period of up to one (1) year from the parent's or guardian's reporting for duty date or separation date before being considered a resident of another district.

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House Bill 308 (Rep. Webber) authorizes the payment of certain claims against the state that have not been paid because of the lapsing or insufficiency of former appropriations against which the claims were chargeable or the lack of an appropriate procurement document in place. Emergency clause included.

House Bill 312 (Rep. Meade) requires KDE to develop protocols for student records within the student information system to promote expeditious enrollment and placement of students in foster care who are transferring to a new school or district. Requires a foster child's state agency caseworker to immediately contact the receiving school district to inform the district of the pending enrollment. Requires the caseworker or case manager to either accompany the child and the foster parent to the new school to enroll or to contact district staff via telephone during the day of enrollment and provide relevant information.

Requires that records in the student information system be transferred by the end of the working day on which the request is received. If the record is incomplete, districts have three days to send the complete record. The law also requires KDE to report to IJCE by December 1, 2020, on possible system improvements in the transmission of records.

House Bill 331 (Rep. Heavrin) includes in the definition of "qualified educational expenses" certain qualified education loan repayments and certain expenses for registered apprenticeship programs. For qualified education loan repayments, the amounts paid as principal or interest on any qualified education loan, of the beneficiary or his or her sibling, not to exceed an aggregate amount of ten thousand dollars (\$10,000) per person. For registered apprenticeship programs, this includes expenses for fees, books, supplies, and equipment for participation in an apprenticeship program registered and certified with the United States Secretary of Labor.

House Bill 351 (Rep. Rudy) updates various revenue provisions to align revenues with the appropriations contained in the budget bills. The following noncodified provisions were included and are in place from enactment until June 30, 2022. Emergency clause included.

Urgent Needs School Assistance

Adds language to provide that if a school district receives an allotment for an Urgent Needs School authorized in the 2014, 2016, and 2018 budget bills, and subsequently, as a result of litigation or insurance, receives funds for the original facility, the school district must reimburse the Commonwealth an amount equal to that received for such purposes. If the litigation or insurance receipts are less than the amount received, the district must reimburse the Commonwealth an amount equal to that received as a result of litigation or insurance less the district's costs and legal fees in securing the judgment or payment. Any funds received in this manner must be deposited in the Budget Reserve Trust Fund Account.

Pro Rata Assessment

Provides for the Personnel Cabinet to collect a pro rata assessment from all state agencies, in all three branches of government. Those collections will be deposited and retained in a Restricted Funds account within the Personnel Cabinet.

Monthly Per Employee Health Insurance Benefits Assessment

The Personnel Cabinet will also collect a benefits assessment per month per employee eligible for health insurance coverage in the state group for duly authorized use by the Personnel Cabinet in administering its statutory and administrative responsibilities, including but not limited to administration of the Commonwealth's health insurance program.

Publishing Requirements

A county containing a population of more than 90,000 or any city within a county containing a population of more than 90,000, as determined by the 2010 United States Census, may publish enacted ordinances, audits, and bid solicitations by posting the full ordinance, the full audit report including the auditor's



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opinion letter, or the bid solicitation on an Internet website maintained by the county or city government for a period of at least one (1) year.

If a county or city publishes ordinances, audits, or bid solicitations on an Internet website, the county or city must also publish an advertisement in a newspaper, with a description of the ordinances, audits, or bid solicitations published on the Internet website, including the Uniform Resource Locator (URL) where the documents can be viewed. Any advertisement required to be published in a newspaper under KRS Chapter 424 must contain the following statement at the end of the advertisement:

"This advertisement was paid for by [insert the name of the governmental body required to advertise in a newspaper] using taxpayer dollars in the amount of \$[insert the amount paid for the advertisement]."

Note: HB 351 passed on 4/15/2020 and language related to publishing requirements was also enacted in HB 195 which passed on 4/14/2020. HB 351 contained an emergency clause and its provisions are currently in place. The noncodified sections in HB 351 are in effect until June 30, 2022. In places where statutes conflict, the legislation gaining final enactment prevails.

Governor's Powers in a State of Emergency

The bill amends the Governor's emergency powers during the period in which the state of emergency exists:

- to enforce all laws and administrative regulations relating to disaster and emergency response and to assume direct operational control of all disaster and emergency response forces and activities in the Commonwealth;
- to require state agencies and to request local governments, local agencies, and special districts to respond to the emergency or disaster in the manner directed;
- to seize, take, or condemn property, excluding firearms and ammunition, components of firearms and ammunition, or a combination thereof, for the protection of the public or at the request of the President, the Armed Forces, or the Federal Emergency Management Agency (FEMA) of the United States, including:
 - all means of transportation and communication;
 - all stocks of fuel of whatever nature;
 - food, clothing, equipment, materials, medicines, and all supplies; and
 - facilities, including buildings and plants;
- to sell, lend, give, or distribute any of the property among the inhabitants of the Commonwealth and to account to the State Treasurer for any funds received for the property;
- to make compensation for the property seized, taken, or condemned;
- to exclude all nonessential, unauthorized, disruptive, or otherwise uncooperative personnel from the scene of the emergency, and to command those persons or groups assembled at the scene to disperse. A person who refuses to leave an area in which a written order of evacuation has been issued in accordance with a written declaration of emergency or a disaster may be forcibly removed to a place of safety or shelter, or may, if this is resisted, be arrested by a peace officer. Forcible removal or arrest must not be exercised as options until all reasonable efforts for voluntary compliance have been exhausted;
- to declare curfews and establish their limits;
- to prohibit or limit the sale or consumption of goods, excluding firearms and ammunition, components of firearms and ammunition, or a combination thereof, or commodities for the duration of the emergency;
- to grant emergency authority to pharmacists for the duration of the emergency;
- except as prohibited, to perform and exercise other functions, powers, and duties deemed necessary to promote and secure the safety and protection of the civilian population;
- to request any assistance from agencies of the United States as necessary and appropriate to meet the needs of the people of the Commonwealth; and



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- upon the recommendation of the Secretary of State, to declare by executive order a different time, place, or manner for holding elections in an election area for which a state of emergency has been declared for part or all the election area. The election must be held within thirty-five (35) days from the date of the suspended or delayed election. The State Board of Elections must establish procedures for election officials to follow. Any procedures established under this paragraph must be subject to the approval of the Secretary of State and the Governor by respective executive orders.

County Judge/Executive's and Mayor's Powers in a State of Emergency

In the event of the occurrence or threatened or impending occurrence of any situation or event which, in the judgment of a local chief executive officer is of such severity or complexity as to require the exercise of extraordinary emergency measures, the county judge/executive of a county other than an urban-county government, or mayor of a city or urban-county government, or chief executive of other local governments or their designees as provided by ordinance of the affected county, city, or urban-county may declare in writing that a state of emergency exists, and thereafter, subject to any orders of the Governor, must have and may exercise for the period as the state of emergency exists or continues, the following emergency powers:

- to enforce all laws and administrative regulations relating to disaster and emergency response and to direct all local disaster and emergency response forces and operations in the affected county, city, urban-county, or charter county;
- to exclude all nonessential, unauthorized, disruptive, or uncooperative personnel from the scene of the emergency, and to command persons or groups of persons at the scene to disperse. A person who refuses to leave an area in which a written order of evacuation has been issued in accordance with a written declaration of emergency or a disaster may be forcibly removed to a place of safety or shelter, or may, if this is resisted, be arrested by a peace officer. Forcible removal or arrest must not be exercised as options until all reasonable efforts for voluntary compliance have been exhausted;
- to declare curfews and establish their limits;
- to order immediate purchase or rental of, contract for, or otherwise procure, without regard to procurement codes or budget requirements, the goods and services essential for protection of public health and safety or to maintain or to restore essential public services; and
- to request emergency assistance from any local government or special district and, through the Governor, to request emergency assistance from any state agency and to initiate requests for federal assistance as are necessary for protection of public health and safety or for continuation of essential public services.

This must not be construed to allow any governmental entity to impose additional restrictions on the lawful possession, transfer, sale, transport, carrying, storage, display, or use of firearms and ammunition or components of firearms and ammunition.

Emergency clause included.

[**House Bill 352**](#) (Rep. Rudy) establishes the Executive Branch budget for fiscal year 2020-2021. Rather than a two-year biennial budget, the executive branch budget bill covers only one year. The General Assembly will have to craft a budget in the next regular session or through a special session called by the Governor. Major provisions related to elementary and secondary education for fiscal year 2020-2021 are below.

Department of Education ***SEEK***

- Base guarantee of \$4,000 per student in average daily attendance in fiscal year 2020-2021.
- Sets limited English proficiency multiplier at 0.096.



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- If funds appropriated to the SEEK Program are insufficient to provide the amount of money required, allotments to local school districts may be reduced.
- Any unexpended SEEK funds in fiscal year 2019-2020 must lapse to the General Fund.
- Hold-harmless guarantee remains.
- No school district will be equalized for an equivalent tax rate of more than 15 cents.
- Provides twenty-five percent (25%) equalization for districts that have not previously received equalization on the original growth nickel.
- Provides one hundred percent (100%) equalization for districts that have levied the recallable nickel prior to January 1, 2018.
- Provides twenty-five percent (25%) equalization for districts that have levied the recallable nickel after January 1, 2018, but before January 1, 2020.
- Provides twenty-five percent 25% equalization for districts that have not previously received equalization for the equalized facility funding (EFF) Nickel.

Support Education Excellence in Kentucky (SEEK)	Fiscal Year 2019-2020	Fiscal Year 2020-2021
	2018 HB 200	2020 HB 352
Per Pupil Guarantee	\$4,000	\$4,000
Base Funding	\$2,068,339,200	\$1,978,539,700
Transportation	\$214,752,800	\$214,752,800
Tier I	\$176,702,400	\$179,738,200
Facilities Support Program of KY (FSPK)	\$84,695,100	\$93,014,600
Growth Levy Equalization	\$18,303,900	\$24,430,700
Retroactive Equalized Facility	\$23,415,000	\$34,181,600
Equalized Facility	\$7,133,500	\$9,055,300
Secondary Vocational Education	\$22,881,900	--
Vocational Education Transportation	\$2,416,900	\$2,416,900
Local District Teachers' Retirement Match	\$417,600,000	\$425,565,500
National Board Certified Salary Supplement	\$2,750,000	\$2,750,000
Equalization Funding for Critical Construction Needs Schools	\$6,473,400	\$6,932,600
BRAC Equalized Facility	\$2,016,800	\$2,318,800
*Health Insurance Adjustment	-\$17,200,000	
Total	\$3,030,280,900	\$2,973,696,700

Operations and Support Services

- Provides language that a district may modify its district facility plan without convening the local planning committee for the sole purpose of complying with practices to control each school building.
- Any modification must identify an unmet requirement of securing entries to school buildings as the highest priority on the modified district facility plan, subject to approval by the local board of education and the Commissioner of Education.

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Operations and Support Services	Fiscal Year 2019-2020	Fiscal Year 2020-2021
	2018 HB 200	2020 HB 352
Kentucky Educational Network (KEN)	\$17,277,600	\$17,277,600
KY Education Technology System (KETS)	\$15,374,500	\$15,374,500
School Food Services Match	\$3,555,900	\$3,555,900
Blind/Deaf Residential Travel	\$492,300	\$492,300
Debt Service (bonds)	\$0	\$959,500
Review of Classification of Primary and Secondary School Buildings (KFICS)	\$600,000	\$600,000
Advanced Placement and International Baccalaureate Exams	\$1,000,000	\$1,000,000
Total	\$38,300,300	\$39,259,800

Learning and Results Services

- Provides additional flexibility in the utilization of funds for Extended School Services (ESS) and Safe Schools. Local school districts must continue to follow the governing statutes and to serve the intended student population but may utilize funds from these programs for general operating expenses. Local school districts that utilize these funds for general operating expenses must report to KDE and IJCE the amount of funding from each program utilized for general operating expenses.
- A local board of education may reduce the allocations to School-Based Decision-Making Councils (SBDMs), but the allocations must not be less than \$100 per pupil in average daily attendance.
- A member of the State Advisory Council for Gifted and Talented Education may be reappointed but must not serve more than five consecutive terms. A member of the Kentucky Association for Gifted Education (KAGE) must be a voting member of the State Advisory Council for Gifted and Talented Education.
- Provides \$7,412,500 in fiscal year 2020-2021 to fund additional school-based mental health services provider full-time equivalent positions on a reimbursement basis.
- Requires KCSS, in consultation with the Office of the State School Security Marshal, to develop criteria to determine which districts must receive funding to meet requirements. The criteria must include:
 1. a local district's use of Medicaid funding to supplement General Fund;
 2. an equitable and balanced statewide distribution; and
 3. any other criteria to support a trauma-informed approach in schools.
- To pay for the new mental health positions, no General Fund is provided for the following programs:
 1. Professional Development Program;
 2. Commonwealth School Improvement Fund;
 3. Leadership and Mentor Fund;
 4. Middle School Academic Center;
 5. Teacher's Professional Growth Fund;
 6. Teacher Academies Program;
 7. Writing Program;
 8. Kentucky Principal Internship Program;
 9. Kentucky Teacher Internship Program; and
 10. Kentucky Academy for Equity in Teaching.

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- Provides language for Area Technology Centers (ATCs) to become locally operated by a school district. In the first year, the local board of education receives one hundred percent (100%) of the funding allotted for that center. In the second year, the local board receives not less than seventy-five percent (75%) of the amount allocated to it the previous year.
- The remaining twenty-five percent (25%) of funds previously allocated to the center must annually be allocated to locally operated secondary area centers and vocational departments that do not receive state supplemental funds.
- The local board assuming control must continue to serve the additional school district or districts that the ATC was serving through an interlocal agreement.
- Allows a certified employee who has earned continuing status in the state certified personnel system may be granted a continuing service contract upon transfer to a local board of education.
- Allows a principal who has earned continuing status prior to transfer may be granted a continuing service contract, but the provisions relating to demotion of the principal must apply.
- Allows a classified employee who has four years of continuous active service in the state certified personnel system at the time of transfer may be offered an employment contract at the time of transfer that must be considered a continuing service contract for a minimum of five complete school terms.



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Learning & Results Services	Fiscal Year 2019-2020	Fiscal Year 2020-2021
	2018 HB 200	2020 HB 352
ACT Grade 10 Testing	\$0	\$0
Advanced Kentucky	\$1,700,000	\$1,700,000
Appalachian Tutoring Program	\$0	\$0
Assessment	\$15,006,600	\$15,006,600
Assessment Security	\$0	\$0
Career & Tech Education	\$39,770,600	\$64,149,700
Collaborative Center For Literacy Development	\$1,200,000	\$1,200,000
Commonwealth School Improvement Fund	\$0	\$0
Community Education	\$1,850,000	\$1,850,000
Dropout Prevention	\$0	\$0
Kentucky Academy for Equity in Teaching (KAET)	\$1,000,000	\$0
Elementary - Arts & Humanities	\$397,600	\$0
Extended School Services	\$23,916,300	\$23,916,300
Family Resource Youth Service Center (FRYSCs)	\$48,889,000	\$48,889,000
Georgia Chaffee Teenage Parent Program	\$0	\$0
Gifted and Talented	\$6,208,400	\$6,208,400
Health Insurance FY20 appropriation	\$17,200,000	\$0
Heuser Hearing and Language Academy	\$100,000	\$100,000
Insurance: Health	\$724,376,000	\$749,844,400
Insurance: Life	\$1,391,000	\$1,391,000
Jobs for America's Graduates Program	\$0	\$250,000
Kentucky Principal Internship Program	\$0	\$0
Kentucky School for the Blind (KSB)	\$6,853,100	\$6,853,100
Kentucky School for the Deaf (KSD)	\$10,080,600	\$10,080,600
Kentucky Teacher Internship Program	\$0	\$0
KY Alliance of Boys & Girls Clubs	\$0	\$250,000
Leadership & Mentor Fund	\$0	\$0
Mathematics Achievement Fund	\$5,019,000	\$5,019,000
Middle School Academic Achievement Center	\$0	\$0
Preschool	\$84,481,100	\$84,481,100
Professional Development	\$0	\$0
Read to Achieve	\$15,936,600	\$15,936,600
Safe Schools	\$13,000,000	\$13,000,000
Save the Children	\$1,300,000	\$1,300,000
School Counselors/Mental Health Professionals	\$0	\$7,412,500
State Agency Children (KECSAC)	\$9,465,500	\$9,465,500
Teach for America	\$250,000	\$500,000
Teacher Academy	\$0	\$0
Teacher's Professional Growth Fund	\$0	\$0
Textbooks (Instructional Resources)	\$0	\$0
The Hearing & Speech Center	\$100,000	\$100,000
Virtual Learning	\$0	\$0
Visually Impaired Preschool Services	\$93,800	\$250,000
Writing Program	\$0	\$0
Total	\$1,029,585,200	\$1,069,153,800

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Department of Education/Capital Projects

- Provides \$18,200,000 in bond funding for school safety facility upgrades.
- Provides \$5,000,000 in bond funding for the State Schools HVAC Pool.
- Provides \$3,272,000 in bond funding for the State Schools Roof Replacement Pool.
- Provides \$1,000,000 in bond funding for the Maintenance Pool.

General Provisions

- Provides local school district expenditure flexibility by allowing local school districts to adopt, and KBE to approve, a working budget that waives the required minimum reserve of two percent of the total budget.
- KDE must monitor the financial position of any district that receives approval for a working budget with a reserve of less than two percent and must provide a financial report for those districts at each meeting of KBE.

School Facilities Construction Commission (SFCC)

Additional Offers of Assistance

SFCC is authorized to make an additional \$58,000,000 in offers of assistance during fiscal biennium 2020-2022 in anticipation of debt service availability during the 2022-2024 fiscal biennium. No bonded indebtedness based on the above amount is to be incurred during the 2020-2022 fiscal biennium.

Urgent Needs School Assistance

The SFCC is authorized to make additional offers of assistance in the specified amounts in fiscal year 2020-2021 to the following local school districts:

- not more than \$19,784,500 to Mason County Schools for Mason County Middle School;
- not more than \$12,931,700 to Lewis County Schools for Garrison Elementary School;
- not more than \$7,527,100 to Rowan County Schools for Clearfield Elementary School; and
- not more than \$7,283,700 to Green County Schools for Green County High School.

These schools are designated as the four schools ranked highest on the Kentucky Facilities Inventory and Classification System (KFICS) report as of February 27, 2020, that are A1 schools, are ranked as a Priority 1 or 2 on the local school district's facility plan, and have levied a ten-cent equivalent tax dedicated to capital improvements but remain unable to cash fund or to sufficiently support the required annual debt service for replacement or renovation of the school.

The amounts stated represent the difference between the cost to replace or renovate the designated facility and the amount of available local resources.

Education and Workforce Development Cabinet

- Provides \$581,100 for the Office of Employer and Apprenticeship Services. The Education and Workforce Development Cabinet must provide a report, by December 1, 2020, to IJCE detailing the use of these funds.

Energy and Environment Cabinet

- The Volkswagen Settlement provides funds to administer the Consent Decrees in Volkswagen "Clean Diesel" Marketing, Sales 14 Practices, and Products Liability litigation.
- Provides \$8,521,700 to reimburse school districts for fifty percent (50%) of the purchase cost to replace up to five school buses per district currently in daily use meeting the criteria with a chassis year of 2001 or earlier.
- If these funds are insufficient to cover fifty percent (50%) of the purchase costs for districts that have requested reimbursement by June 1, 2021, the reimbursement must be pro rata reduced.



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Eastern Kentucky University

Provides \$4,571,900 for the Model Laboratory School.

Note: See HB 366

Public Protection Cabinet/Housing, Buildings and Construction

Local governments may have jurisdiction for plan review, inspection, and enforcement responsibilities over buildings intended for educational purposes, other than licensed day-care centers, at the discretion of the local school districts.

Phase I Tobacco Settlement

Master Settlement Agreement payments of \$25,439,100 are appropriated to Early Childhood Development Initiatives.

- Provides \$1,400,000 for the Early Childhood Advisory Council.
- Provides \$9,750,000 for the Early Childhood Development Program.
- Provides \$2,500,000 for the Early Childhood Adoption and Foster Care Supports Program.
- Provides \$7,000,000 for the Health Access Nurturing Development Services (HANDS) Program.
- Provides \$942,000 for Healthy Start initiatives.
- Provides \$942,000 for Early Childhood Mental Health.
- Provides \$989,100 for Early Childhood Oral Health.

Kentucky Higher Education Assistance Authority (KHEAA)

The dual credit tuition rate ceiling must be two-fifths of the per credit hour tuition amount charged by KCTCS for in-state students.

Priority for awarding scholarships must be given, in order, to high school seniors, juniors, sophomores, and freshmen. Eligible high school students may receive a dual credit scholarship for two career and technical education dual credit courses per academic year and two general education dual credit courses over the junior and senior years, up to a maximum of ten approved dual credit courses.

Dual credit scholarships awarded for the spring 2020 semester must not be reduced if the dual credit course is not successfully completed by the student as a result of the student's inability to properly access the new course delivery method due to the novel coronavirus (COVID-19).

- Provides \$13,150,000 for the Dual Credit Scholarship Program.
- Provides \$7,300,000 for the Work Ready Scholarship Program (the dual credit component of the Work Ready Scholarship Program for high school students must be funded and administered through the Dual Credit Scholarship Program).
- Provides \$113,768,600 for the Kentucky Educational Excellence Scholarships (KEES).
- Provides \$87,555,200 for the College Access Program.
- Provides \$44,078,100 for the Kentucky Tuition Grant Program.
- Provides \$7,398,100 for the National Guard Tuition Award Program.
- Provides \$5,248,000 to fund 164 veterinary slots.
- Provides \$795,600 to fund 44 optometry slots.

Lottery revenues in the amount of \$273,250,000 are appropriated to KHEAA. If lottery receipts received by the Commonwealth, excluding any unclaimed prize money received, exceeds \$277,000,000, the first \$3,000,000 of excess funds must be transferred to KHEAA and appropriated to the College Access Program and the Kentucky Tuition Grants Program.

No General Fund is provided for Early Childhood Development Scholarships, Work Study, the Teacher Scholarship Program, Coal County Pharmacy Scholarships, Osteopathic Medicine Scholarships, and

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Coal County College Completion Scholarships in order to provide additional funding to the College Access Program and Kentucky Tuition Grant Program.

[House Bill 353](#) (Rep. Rudy) establishes the budget for fiscal year 2020-2021 for the Transportation Cabinet.

[House Bill 354](#) (Rep. Rudy) establishes the 2020-2022 Biennial Highway Construction Plan.

[House Bill 355](#) (Rep. Rudy) establishes the budget for the Legislative Branch for fiscal year 2020-2021.

[House Bill 356](#) (Rep. Rudy) establishes the budget for the Judicial Branch for fiscal year 2020-2021.

[House Bill 366](#) (Rep. Frazier) updates and establishes new guidelines for the operation and management of the model and practice school operated by Eastern Kentucky University (EKU).

Management, Oversight, and Purpose

- Removes language allowing universities and colleges other than EKU to operate and maintain a model and practice school.
- Establishes that the EKU board of regents operate, maintain, and serve as the fiscal agent for the model school.
- Requires the model school to be an educational laboratory school under the supervision of certified education professions.
- The purpose of the school is to pilot and test kindergarten through grade twelve (K-12) educational pedagogies, practices, programs, assessments, and innovations to further the educational mission of the Commonwealth.
- The model school is a university-operated public school under the governance of EKU's board of regents that is separate from any school district.
- If confirmed by the EKU board of regents, serve as a local education agency for the purposes of federal programs.

Responsibilities

- The model school is subject to all statutes and regulations application to any other subdivision of the university.
- The model school is:
 1. subject to the statutes and regulations identified in the law; or
 2. those relating to health, safety, and civil rights that are applicable to school districts.
- The model school:
 - may enroll students from kindergarten through grade twelve (12) from any district in the state, in compliance with EKU's nondiscrimination policy and in alignment with the school's research objectives;
 - ensure students meet compulsory attendance requirements;
 - ensure high school course offerings meet or exceed the minimum high school graduation requirements;
 - participate in the statewide assessments and accountability system and with the same reporting requirements of progress;
 - use the Kentucky Student Information System (KSIS) to record student data as required of every other school district;
 - require or authorize criminal background checks and clear CA/N checks in the same manner as a school district;
 - provide instructional time that is at least equivalent to the student instructional year;
 - may participate in the education technology funding program under the same conditions as a school district;

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- provide sufficient data to KDE to generate school report cards; and
- unless prohibited by state or federal law, is eligible to apply for or participate in any state grant programs offered to school districts.

Teacher Certification and Personnel

- The model school must be under the supervision of thoroughly trained and certified education professionals.
- School personnel must be eligible to participate in alternative educator certification, education rank change, and educator internship programs just as a school district is eligible.
- School personnel must possess appropriate certifications and licenses as determined by EPSB.
- All personnel of the model and practice school must be university employees and must be hired and employed subject to the university's policies and procedures.
- Nothing prohibits the superintendent or other model and practice school personnel from serving in other roles within the university.
- School personnel must be subject to the university's promotion, compensation, and tenure policies and other personnel policies adopted by the board of regents.

KHSAA

- Be eligible to participate in state-sponsored interscholastic athletics, academic programs, competitions, awards, scholarships, and recognition programs for students, educators, administrators, and schools to the same extent, and subject to the same conditions, as any other public school or individual.

EKU Board of Regents

- Develop and identify the research objectives to be conducted in the school that must respond to the education needs within the Commonwealth and may be coordinated with KDE, EPSB, other academic colleges at ECU, other universities or state agencies, or as directed by the General Assembly.
- Govern the conduct of research at the school by the university and other research partners.
- Establish tuition and fees, if any, for student enrollment. The policy must include that:
 - no student who would qualify under federal law for free or reduced-price lunch will be required to pay fees; and
 - no student will be required to pay additional tuition or fees for exceptional education services.
- Establish enrollment guidelines that reflect the school's research objectives and may include a maximum enrollment cap of students residing in a local school district through an agreement entered with the district's local board of education.
- Provide for the operation and management of the school, which must include establishing the guidelines for the selection, implementation, and procurement of instructional programs, resources, materials, technology, and textbooks.
- Issue high school diplomas to students meeting the minimum state graduation requirements.

Model and Practice School Advisory Council

- ECU's board of regents must establish a model and practice school advisory council to provide general oversight and guidance for the operation of the school.
- The advisory council will be composed of:
 - the superintendent of the school, who will serve as chair;
 - one (1) member who will be a faculty member working at the school;
 - two (2) members who will be faculty working outside of the school;
 - two (2) members who will be residing in counties in which students attending the school reside;
 - two (2) members who will be parents of students attending the school; and



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- one (1) member who will be a secondary student at the school.
- Other than the superintendent, all members of the advisory council will be appointed by the president of the university for two (2) year terms beginning on July 1 and any vacancy will be filled in the same manner for the balance of the unexpired term.
- The council will annually elect a vice chair at the first meeting of the school year.
- Council members will not receive a per diem for their service but may be reimbursed for travel related expenses according to policies adopted by the board of regents.
- The council will advise the superintendent, president, and board of regents on matters relating to the function of the school and must:
 - meet at least quarterly;
 - review and provide feedback on the strategic plan of the school;
 - review and provide feedback on the results of student performance, programs and initiatives, and the implementation of the strategic plan;
 - provide recommendations on programming and research; and
 - provide feedback to the president on the performance of administrative team members of the school.

Equalization Calculation for Facilities and SEEK “Deduction”

- Allows for the average daily attendance of the students attending the model and practice school to be included in the average daily attendance of the students' districts of residence for the purpose of determining equalization for the Facilities Support Program of Kentucky (FSPK) as well as the additional “nickel” levies for facilities.
- Requires KDE to grant a district of residence a deduction to the amount of local tax revenues generated for school purposes that are included in the SEEK formula based on the number of the district's students attending the model and practice school.

Superintendent of Model

- The superintendent of the model school and the Commissioner of Education must collaborate on the identification of research initiatives for the model and practice school that may be relevant to the Commonwealth.

KHEAA and KEES

- Clarifies that high school students attending the model school are eligible for KEES awards.
- Requires the model school to provide a report on each high school student with specific data points to KHEAA for the determination and calculation of a KEES award.

House Bill 419 (Rep. McCool) requires CPE to annually compile data on in-demand jobs within the state along with the starting salary, the median salary, and the typical education level for those jobs. CPE must also annually compile for each public postsecondary instruction and each campus of KCTCS must compile data relating to student success and costs, including:

- the average cost;
- the average three (3) year student loan default rate; The average student loan debt for students who have attended the institution;
- the percentage of students taking out student loans;
- the average graduation rate and average time to completion;
- the number of students completing high school credential programs and career and technical education programs, and, as available, the number of students completing apprenticeship programs; and
- the median and range of starting salaries for graduates.



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For each college within KCTCS, the percentage of students employed by program area and, as data becomes available, the rate of students gainfully employed in the recognized occupation for which the student was trained or in a related comparable recognized occupation.

CPE must maintain and ensure access to the information by prospective students in the state. CPE must work with the Kentucky Center for Statistics, KDE, the Education and Workforce Development Cabinet, and KHEAA and other stakeholders the council determines necessary.

Requires CPE to develop a delivery method to ensure access to information by prospective students. Authorizes CPE to promulgate necessary administrative regulations. Cited as the Students' Right to Know Act. Effective July 1, 2021.

House Bill 458 (Rep. Huff) clarifies current home and hospital provisions to reflect all students, not just exceptional students. Updates the list of licensed health and mental health providers that can sign off on home and hospital provisions to align with the compulsory attendance exemptions.

- If the condition is medical/general health related, then the signed statement must be completed by either a:
 - licensed physician;
 - advanced practice registered nurse;
 - physician's assistance;
 - psychologists; or
 - psychiatrist.
- If the condition is mental health related, then the signed statement must be completed by either a:
 - licensed physician;
 - psychiatrist;
 - psychologist;
 - physician's assistant; or
 - advanced practiced registered nurse.

Expands how local districts can provide instruction to students on home and hospital to include electronic delivery of instruction.

House Bill 484 (Rep. Webber) transferring the administration of the County Employees Retirement System (CERS) from the Kentucky Retirement Systems (KRS) Board of Trustees to the CERS board of trustees established by the bill.

House Bill 570 (Rep. Meredith) amends the interlocal cooperation agreement statutes. Updates definitions and sets protocols for establishing an interlocal agreement and allows that an interlocal agreement may be for sharing revenues. Adds water utilities to the list of subjects an interlocal agreement may address. Updates language related to the approval process for interlocal agreements by the local government or local board of education. Makes technical changes and specifies when the Attorney General (AG) and the Department for Local Government (DLG) review agreements and establishes a deadline for review. Agreements no longer must be filed with county clerks and no additional filings are required for the addition or removal of parties to the agreement.

House Resolutions

House Resolution 26 (Rep. Reed) recognizes February 22 to 29, 2020, as Future Farmers of America (FFA) Week in Kentucky.

House Joint Resolution 66 (Rep. Rudy) provides that the General Assembly must adopt the last four years of the six-year road plan as a joint resolution.

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House Resolution 74 (Rep. Upchurch) recognizes February as Career and Technical Education (CTE) Month in Kentucky.

House Joint Resolution 105 (Rep. Bowling) designates honorary names for various roads and bridges and directs the Transportation Cabinet to place honorary signs on:

- United States Highway 27 in Pendleton County, at mile point 9.1 and mile point 9.5, declaring Pendleton County as the "Home of Dontaie Allen, 2019 KY Mr. Basketball".
- Kentucky Route 44 in Bullitt County in front of Bullitt East High School that read, "Home of Bullitt East High School Cheer Team 2020 National Champs & 6-time KHSAA Champs".
- Kentucky Route 44 in front of Eastside Middle School in Bullitt County, that read, "Home of the Eastside Middle School Cheerleaders 2016-2020 National Champions 2013-2020 State Champions".
- Kentucky Route 163 southbound, at the intersection with Commerce Drive, and on Kentucky Route 100 northbound, 300 yards north of the Old Gamaliel Road intersection, that read, "Monroe County, Home of the 2019 KHSAA Class A Pole Vault and High Jump State Champion, Grace Turner".
- Kentucky Route 74 in Bell County in front of Middlesboro High School that read, "Home of the Middlesboro High School Cheer Team, 2019 All 'A' State Champs".
- Kentucky Route 15/Clay City exit off the Mountain Parkway (Exit 16) that read, "Home of the Dr. Brad Morris, 1997 KHSAA State Golf Champion, 1997 Kentucky Mr. Golf".
- United States Route 60 in Boyd County, near Blazer Boulevard, that read, "Ashland, Home of the Ashland Tomcats Boys' Basketball Team, Undeclared 2020 16th Region Champions, 33-0".
- Kentucky Route 80 in Pulaski County near the Somerset welcome sign and on Kentucky Route 2296 in front of Somerset High School that read, "Home of the Somerset High School Football Team 2019 KHSAA Class 2A State Champs".
- Kentucky Route 70 at the Pulaski County/Lincoln County line, and on Kentucky Route 70 in front of Eubank Elementary School that read, "Home of Paisley Carrigan, Little Miss US 2019".
- Kentucky Route 74 in Bell County in front of Middlesboro High School that read, "Home of the Middlesboro High School Football Team, 1998 Class A State Champs".
- Kentucky Route 74 in Bell County in front of Middlesboro High School that read, "Home of the Middlesboro High School Fast Pitch Softball Team, 2004 Class A State Champs".

House Resolution 130 (Rep. Prunty) encourages local boards of education to solicit private support to provide bleeding control kits and training.

NOTE: *The Attorney General has opined ([OAG 20-08](#)) that "On April 15, 2020, the 2020 Regular Session of the General Assembly adjourned sine die. Thus, the effective date of legislation, other than general appropriation bills and acts containing emergency or delayed effective date provisions, passed during this session is Wednesday, July 15, 2020."*

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