

The background is a composite image. The top left shows a line of yellow school buses with 'SCHOOL BUS' written on the front. The bottom left shows a classroom with blue walls, desks, chairs, and various educational materials. A large white diagonal shape cuts across the image from the top left to the bottom right.

Legislative Update

April 11, 2023

Legislative Process

- Barring the Governor calling them in for a special session, they won't be back in session again until January 2024.
- Any bill, or any section of a bill, with an emergency clause becomes effective immediately upon enrollment.
- Bills without an emergency clause become effective 90 days after sine die (March 30th).
 - AG opinion 23-03: The effective date of legislation, other than general appropriation bills and acts containing emergency or delayed effective date provisions, passed during this session is Thursday, June 29, 2023.

Senate Bills

- SB 3 provide educators' liability insurance for certified employees of public schools;
- SB 5* allow parental challenges to materials, programs, and events that may be harmful to minors;
- SB 7* wage deduction of dues, fees, or charges associated with a labor organization or for political activities
- SB 9 anti-hazing bill;
- SB 25* postsecondary readiness indicators;
- SB 49* changes to alternative teacher certification;
- SB 70 implements the performance-based professional development pilot project from the 2023-2024 school year through the 2025-2026 school year;

Senate Bills Con't

- SB 93 relating to school property in Lewis County;
- SB 156 creates a statewide reading research center;
- SB 169 grant a local board of education the authority to enter into public-private partnerships on behalf of a local school district;
- SB 107* require Senate confirmation of the Commissioner and limit contracts to four years at a time;
- SB 150* parental rights, transgender prohibitions related to children under 18, require school boards to adopt policies related to the use of restrooms, locker rooms, or shower rooms;
- SB 247 allows transient public-school students to remain in their school if they move in-district;
- SJR 98 direct the Council on Postsecondary Education to study placing a new regional, residential, four-year university in southeastern Kentucky and the allocation of responsibility between the Kentucky Community and Technical College System and regional universities;

House Bills

- HB 3 juvenile justice bill;
- HB 5* bourbon barrel tax
- HB 13 increase the time-period allowed for the required physical examination from 12 to 24 months for school bus drivers;
- HB 32* allow for the hiring of classified personnel without a high school diploma or equivalent if the district provides the employee the opportunity to obtain a high school equivalency diploma at no cost to the employee;
- HB 244 Kentucky Guard Youth Challenge Program;
- HB 241 to clarify the evidence requirements for exemption from compulsory attendance due to physical or mental conditions;
- HB 319 teacher recruitment and retention;

House Bills Con't

- HB 331 emergency medical preparedness of schools;
- HB 393 surplus property;
- HBs 444* & 448* appropriations bill
- HB 538 student discipline bill;
- HB 506 classified retirees can return after one month'
- HB 540 school safety bill related to private and parochial schools;
- HB 547 prohibit a school district from punishing an employee for engaging in private religious expression otherwise protected by the First Amendment absent a showing of engaging in actual coercion;
- HB 553* additional SEEK funding for growth districts this fiscal year.

HB 319

- **Section 1** adopts the Interstate Teacher Mobility Compact.
- **Section 2** mandates that KDE develop a system for school districts to report exit survey information without providing personally identifiable information for use in evaluating factors impacting teacher retainment.
- **Section 3** relates to the KEPS system and directs the Department to operate and maintain the system to ensure that job postings are current, including tracking each unique position posted, monitoring for repeated position postings, and removing outdated postings, and to collect accurate data about employment in public schools. Also requires the Department to report annually to the IJC on Education regarding job postings.
- **Section 4** makes changes to the existing teacher scholarship program but does not appropriate additional funding.
- **Section 5** amends KRS 161.048 to require the EPSB to establish procedures to issue alternative route candidates an eligible-for-hire letter.
- **Section 6** directs districts to post vacancies in the Kentucky Educator Placement Service System at least 15 days before being filled.
- **Section 7** directs OELE to undertake a review of the alternative pathway teacher certification options and processes and the level of participation in each to identify areas for improvement, including but not limited to duplication, inefficiencies, and unnecessary or outdated requirements that cause barriers to candidates and option providers seeking to use alternative teacher pathways to fill needed teacher shortages. A report is due to the IJC on Education by Oct 1.
- **Section 8** creates a new one-year interim certificate, renewable for up to two years for those with a Bachelor's degree and at least four years of work experience in the area in which certification is being sought (along with other requirements).
- **Section 9** will allow teachers to submit a statement instead of a notarized affidavit for sick leave.
- **Section 10** does the same things for other school employees and their personal leave.

2023 INTERIM & 2024 SESSION

- The interim period begins in June and ends in November.
- EPSB/OELE report on alt pathways due to the IJCE Oct 1.
- KDE/EPSB have the report due on job postings due Oct 1:
 - The KDE shall prepare a report detailing data from the [KEPS] system and its implication for the status of employment in public schools including, but not limited to, the number and type of unique and duplicated job postings, how often postings are viewed by the public, and positions that are remaining vacant by type, certification requirement, and location. The report shall be submitted to the IJC on Education by October 1, 2023, and annually thereafter.