

1 AN ACT relating to school councils.

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

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

4 (1) For the purpose of this section:

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

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

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

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

22 (d) "Parent" means:

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

26 (2) Each local board of education shall adopt a policy for implementing school-based
27 decision making in the district which shall include, but not be limited to, a

1 description of how the district's policies, including those developed pursuant to
2 KRS 160.340, have been amended to allow the professional staff members of a
3 school to be involved in the decision making process as they work to meet
4 educational goals established in KRS 158.645 and 158.6451. The policy may
5 include a requirement that each school council make an annual report at a public
6 meeting of the board describing the school's progress in meeting the educational
7 goals set forth in KRS 158.6451 and district goals established by the board. The
8 policy shall also address and comply with the following:

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

20 (b) 1. The teacher representatives shall be elected for one (1) year terms by a
21 majority of the teachers. A teacher elected to a school council shall not
22 be involuntarily transferred during his or her term of office. The parent
23 representatives shall be elected for one (1) year terms. The parent
24 members shall be elected by the parents of students preregistered to
25 attend the school during the term of office in an election conducted by
26 the parent and teacher organization of the school or, if none exists, the
27 largest organization of parents formed for this purpose. A school

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

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

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

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

20 (c) 1. The school council **and school principal or principal's designee shall**
21 **advise the local superintendent or superintendent's designee in setting**
22 **school policy. The superintendent or superintendent's designee** shall
23 have the responsibility to set school policy consistent with district board
24 policy which shall provide an environment to enhance the students'
25 achievement and help the school meet the goals established by KRS
26 158.645 and 158.6451. The principal shall be the primary administrator
27 and the instructional leader of the school, and with the assistance of the

1 total school staff shall administer the policies established by the local
 2 superintendent or superintendent's designee~~[school council]~~ and the
 3 local board.

4 2. If a school council establishes committees, it shall adopt a policy to
 5 facilitate the participation of interested persons, including, but not
 6 limited to, classified employees and parents. The policy shall include the
 7 number of committees, their jurisdiction, composition, and the process
 8 for membership selection;

9 (d) The school council and each of its committees shall determine the frequency
 10 of and agenda for their meetings. Matters relating to formation of school
 11 councils that are not provided for by this section shall be addressed by local
 12 board policy;

13 (e) The meetings of the school council shall be open to the public and all
 14 interested persons may attend. However, the exceptions to open meetings
 15 provided in KRS 61.810 shall apply;

16 (f) After receiving notification of the funds available for the school from the local
 17 board, the local superintendent or superintendent's designee, after
 18 consulting with the school principal or principal's designee and the school
 19 council, shall determine, within the parameters of the total available funds, the
 20 number of persons to be employed in each job classification at the school. The
 21 local superintendent or superintendent's designee, after consulting with the
 22 school principal or principal's designee and the council, ~~shall~~~~[may]~~ make
 23 personnel decisions on vacancies occurring after the school council is formed
 24 ~~and~~~~[but]~~ shall not have the authority to transfer or dismiss
 25 personnel~~[recommend transfers or dismissals]~~;

26 (g) The local superintendent or superintendent's designee, after consulting with
 27 the school principal or principal's designee and the school council, shall

1 determine which textbooks, instructional materials, and student support
 2 services shall be provided in the school. Subject to available resources, the
 3 local board shall allocate an appropriation to each school that is adequate to
 4 meet the school's needs related to instructional materials and school-based
 5 student support services, as determined by the school **principal or principal's**
 6 **designee**~~[council]~~. The school **principal or principal's designee**~~[council]~~ shall
 7 consult with the school media librarian on the maintenance of the school
 8 library media center, including the purchase of instructional materials,
 9 information technology, and equipment;

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

- 11 1. From a list of qualified applicants,~~[submitted by]~~ the local
 12 superintendent **or superintendent's designee**~~[, the principal at the~~
 13 ~~participating school]~~ shall select personnel to fill vacancies, after
 14 consultation with the **school principal or principal's designee and the**
 15 school council, consistent with paragraph (i)11. of this subsection. **The**
 16 **superintendent or superintendent's designee is not required to follow**
 17 **the advice of the principal or principal's designee and the school**
 18 **council in the selection of personnel**~~[The superintendent shall provide~~
 19 ~~additional applicants to the principal upon request when qualified~~
 20 ~~applicants are available]. The superintendent **or superintendent's**~~
 21 **designee** may **select**~~[forward to the school council the names of]~~
 22 qualified applicants who have pending certification from the Education
 23 Professional Standards Board based on recent completion of preparation
 24 requirements, out-of-state preparation, or alternative routes to
 25 certification pursuant to KRS 161.028 and 161.048. Requests for
 26 transfer shall conform to any employer-employee bargained contract
 27 which is in effect;

1 2. If the vacancy to be filled is the position of principal, the
2 superintendent or superintendent's designee shall fill the vacancy;

3 [~~2. a. i. If the vacancy to be filled is the position of principal, the~~
4 ~~outgoing principal shall not serve on the council during the~~
5 ~~principal selection process. The superintendent or the~~
6 ~~superintendent's designee shall serve as the chair of the~~
7 ~~council for the purpose of the hiring process and shall have~~
8 ~~voting rights during the selection process.~~

9 ~~ii. Except as provided in subdivision b. of this subparagraph,~~
10 ~~the council shall have access to the applications of all~~
11 ~~persons certified for the position. The principal shall be~~
12 ~~elected on a majority vote of the membership of the council.~~
13 ~~No principal who has been previously removed from a~~
14 ~~position in the district for cause may be considered for~~
15 ~~appointment as principal. The school council shall receive~~
16 ~~training in recruitment and interviewing techniques prior to~~
17 ~~carrying out the process of selecting a principal. The council~~
18 ~~shall select the trainer to deliver the training;~~

19 ~~b. If a school council is in a county school district in a county with a~~
20 ~~consolidated local government adopted under KRS Chapter 67C,~~
21 ~~then an alternative principal selection process may be used as~~
22 ~~follows:~~

23 ~~i. Prior to a meeting called to select a principal, all school~~
24 ~~council members shall receive informational materials~~
25 ~~regarding Kentucky open records and open meetings laws~~
26 ~~and sign a nondisclosure agreement forbidding the sharing of~~
27 ~~information shared and discussions held in the closed~~

- 1 session;
- 2 ii. ~~The superintendent shall convene the school council and~~
3 ~~move into closed session as provided in KRS 61.810(1)(f) to~~
4 ~~confidentially recommend a candidate;~~
- 5 iii. ~~The council shall have the option to interview the~~
6 ~~recommended candidate while in closed session; and~~
- 7 iv. ~~After any discussion, at the conclusion of the closed session,~~
8 ~~the council shall decide, in a public meeting by majority vote~~
9 ~~of the membership of the council, whether to accept or reject~~
10 ~~the recommended principal candidate;~~
- 11 c. ~~If the recommended candidate is selected, and the recommended~~
12 ~~candidate accepts the offer, the name of the candidate shall be~~
13 ~~made public during the next meeting in open session;~~
- 14 d. i. ~~If the recommended candidate is not accepted by the school~~
15 ~~council under subdivision b. of this subparagraph, then the~~
16 ~~process set forth in subdivision a. of this subparagraph shall~~
17 ~~apply.~~
- 18 ii. ~~The confidentially recommended candidate's name and the~~
19 ~~discussions of the closed session shall remain confidential~~
20 ~~under KRS 61.810(1)(f), and any documents used or~~
21 ~~generated during the closed meeting shall not be subject to an~~
22 ~~open records request as provided in KRS 61.878(1)(i) and (j).~~
- 23 iii. ~~A recommended candidate who believes a violation of this~~
24 ~~subdivision has occurred may file a written complaint with~~
25 ~~the Kentucky Board of Education.~~
- 26 iv. ~~A school council member who is found to have disclosed~~
27 ~~confidential information regarding the proceeding of the~~

1 closed session shall be subject to removal from the school
2 council by the Kentucky Board of Education under
3 subsection (9)(e) of this section;]

4 3. Personnel decisions[~~made~~] at the school level[~~under the authority of~~
5 subparagraphs 1., 2., and 4. of this paragraph] shall be ***made by***[binding
6 on] the superintendent who completes the hiring process;

7 4. If the vacancy for the position of principal occurs in a school that has an
8 index score that places it in the lowest one-third (1/3) of all schools
9 below the assistance line and the school has completed a scholastic audit
10 under KRS 158.6455 that includes findings of lack of effectiveness of
11 the principal and school council, the superintendent shall appoint the
12 principal[~~after consulting with the school council~~];

13 5. Applicants subsequently employed shall provide evidence that they are
14 certified prior to assuming the duties of a position in accordance with
15 KRS 161.020; and

16 6. Notwithstanding other provisions of this paragraph, if the applicant is
17 the spouse of the superintendent and the applicant meets the service
18 requirements of KRS 160.380(2)(e), the applicant shall only be
19 employed upon the recommendation of the principal and the approval of
20 a majority vote of the school council;

21 (i) ***The local superintendent or superintendent's designee, with approval of the***
22 ***local board, shall adopt a policy to be implemented by the school principal***
23 ***or principal's designee in the following areas after receiving nonbinding***
24 ***recommendations from the school principal and school council***[~~The school~~
25 council shall adopt a policy to be implemented by the principal in the
26 following additional areas]:

27 1. Determination of curriculum, including needs assessment, curriculum

- 1 development and responsibilities under KRS 158.6453(7);
- 2 2. Assignment of all instructional and noninstructional staff time;
- 3 3. Assignment of students to classes and programs within the school;
- 4 4. Determination of the schedule of the school day and week, subject to the
- 5 beginning and ending times of the school day and school calendar year
- 6 as established by the local board;
- 7 5. Determination of use of school space during the school day;
- 8 6. Planning and resolution of issues regarding instructional practices;
- 9 7. Selection and implementation of discipline and classroom management
- 10 techniques as a part of a comprehensive school safety plan, including
- 11 responsibilities of the student, parent, teacher, counselor, and principal;
- 12 8. Selection of extracurricular programs and determination of policies
- 13 relating to student participation based on academic qualifications and
- 14 attendance requirements, program evaluation, and supervision;
- 15 9. Adoption of an emergency plan as required in KRS 158.162;
- 16 10. Procedures, consistent with local school board policy, for determining
- 17 alignment with state standards, technology utilization, and program
- 18 appraisal; and
- 19 11. Procedures to assist the *school principal or principal's designee and*
- 20 *the* council with consultation in the selection of personnel by the
- 21 *superintendent of superintendent's designee*~~[principal]~~, including but
- 22 not limited to meetings, timelines, interviews, review of written
- 23 applications, and review of references. Procedures shall address
- 24 situations in which members of the council are not available for
- 25 consultation; and
- 26 (j) Each school council shall annually review data as shown on state and local
- 27 student assessments and program assessments required under KRS 158.6453.

1 The data shall include but not be limited to information on performance levels
2 of all students tested, and information on the performance of students
3 disaggregated by race, gender, disability, and participation in the federal free
4 and reduced price lunch program. After completing the review of data, each
5 school council, with the involvement of parents, faculty, and staff, shall
6 develop and adopt a plan to ensure that each student makes progress toward
7 meeting the goals set forth in KRS 158.645 and 158.6451(1)(b) by April 1 of
8 each year and submit the plan to the superintendent and local board of
9 education for review as described in KRS 160.340. The Kentucky Department
10 of Education shall provide each school council the data needed to complete
11 the review required by this paragraph no later than November 1 of each year.
12 If a school does not have a council, the review shall be completed by the
13 principal with the involvement of parents, faculty, and staff.

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

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

19 (b) Assessment of individual student progress, including testing and reporting of
20 student progress to students, parents, the school district, the community, and
21 the state;

22 (c) School improvement plans, including the form and function of strategic
23 planning and its relationship to district planning, as well as the school safety
24 plan and requests for funding from the Center for School Safety under KRS
25 158.446;

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

27 (e) Parent, citizen, and community participation including the relationship of the

- 1 council with other groups;
- 2 (f) Cooperation and collaboration within the district, with other districts, and with
3 other public and private agencies;
- 4 (g) Requirements for waiver of district policies;
- 5 (h) Requirements for record keeping by the school council; and
- 6 (i) A process for appealing a decision made by a school council.
- 7 (4) In addition to the authority granted to the school council in this section, the local
8 board may grant to the school council any other authority permitted by law. The
9 board shall make available liability insurance coverage for the protection of all
10 members of the school council from liability arising in the course of pursuing their
11 duties as members of the council.
- 12 (5) All schools shall implement school-based decision making in accordance with this
13 section and with the policy adopted by the local board pursuant to this section.
14 Upon favorable vote of a majority of the faculty at the school and a majority of at
15 least twenty-five (25) voting parents of students enrolled in the school, a school
16 meeting its goal as determined by the Department of Education pursuant to KRS
17 158.6455 may apply to the Kentucky Board of Education for exemption from the
18 requirement to implement school-based decision making, and the state board shall
19 grant the exemption. The voting by the parents on the matter of exemption from
20 implementing school-based decision making shall be in an election conducted by
21 the parent and teacher organization of the school or, if none exists, the largest
22 organization of parents formed for this purpose. Notwithstanding the provisions of
23 this section, a local school district shall not be required to implement school-based
24 decision making if the local school district contains only one (1) school.
- 25 (6) The Department of Education shall provide professional development activities to
26 assist schools in implementing school-based decision making. School council
27 members elected for the first time shall complete a minimum of six (6) clock hours

1 of training in the process of school-based decision making, no later than thirty (30)
2 days after the beginning of the service year for which they are elected to serve.
3 School council members who have served on a school council at least one (1) year
4 shall complete a minimum of three (3) clock hours of training in the process of
5 school-based decision making no later than one hundred twenty (120) days after the
6 beginning of the service year for which they are elected to serve. Experienced
7 members may participate in the training for new members to fulfill their training
8 requirement. School council training required under this subsection shall be
9 conducted by trainers endorsed by the Department of Education. By November 1 of
10 each year, the principal through the local superintendent shall forward to the
11 Department of Education the names and addresses of each council member and
12 verify that the required training has been completed. School council members
13 elected to fill a vacancy shall complete the applicable training within thirty (30)
14 days of their election.

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

25 (8) The Kentucky Board of Education, upon recommendation of the commissioner of
26 education, shall adopt by administrative regulation a formula by which school
27 district funds shall be allocated to each school ~~council~~. Included in the school ~~council~~

1 ~~council~~] formula shall be an allocation for professional development that is at least
 2 sixty-five percent (65%) of the district's per pupil state allocation for professional
 3 development for each student in average daily attendance in the school. The *school*
 4 *principal or principal's designee, after consultation with the school council and*
 5 *with final approval of the local superintendent or superintendent's*
 6 *designee,*~~[school council]~~ shall plan professional development in compliance with
 7 requirements specified in KRS 156.095, except as provided in KRS 158.649.
 8 ~~[School councils of]~~Small schools shall be encouraged to work with other school
 9 councils to maximize professional development opportunities.

- 10 (9) (a) No board member, superintendent of schools, district employee, or member of
 11 a school council shall intentionally engage in a pattern of practice which is
 12 detrimental to the successful implementation of or circumvents the intent of
 13 school-based decision making to allow the professional staff members of a
 14 school and parents to be involved in the decision making process in working
 15 toward meeting the educational goals established in KRS 158.645 and
 16 158.645~~1] or to make decisions in areas of policy assigned to a school council~~
 17 ~~pursuant to paragraph (i) of subsection (2) of this section].~~
- 18 (b) An affected party who believes a violation of this subsection has occurred may
 19 file a written complaint with the Office of Education Accountability. The
 20 office shall investigate the complaint and resolve the conflict, if possible, or
 21 forward the matter to the Kentucky Board of Education.
- 22 (c) The Kentucky Board of Education shall conduct a hearing in accordance with
 23 KRS Chapter 13B for complaints referred by the Office of Education
 24 Accountability.
- 25 (d) If the state board determines a violation has occurred, the party shall be
 26 subject to reprimand. A second violation of this subsection may be grounds
 27 for removing a superintendent, a member of a school council, or school board

1 member from office or grounds for dismissal of an employee for misconduct
2 in office or willful neglect of duty.

3 ~~[(e) Notwithstanding paragraph (d) of this subsection and KRS 7.410(2)(c), if the
4 state board determines a violation of the confidentiality requirements set forth
5 in subsection (2)(h)2. of this section by a school council member has
6 occurred, the state board shall remove the member from the school council,
7 and the member shall be permanently prohibited from serving on any school
8 council in the district.]~~

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

14 (11) Each school principal or principal's designee~~[council]~~ of a school containing
15 grades K-5 or any combination thereof~~[, or if there is no school council, the
16 principal,]~~ shall develop and implement a wellness policy that includes moderate to
17 vigorous physical activity each day and encourages healthy choices among students.
18 The policy may permit physical activity to be considered part of the instructional
19 day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150)
20 minutes per week. Each school principal or principal's designee~~[council, or if there
21 is no school council, the principal,]~~ shall adopt an assessment tool to determine each
22 child's level of physical activity on an annual basis. The~~[council or]~~ principal or
23 principal's designee may utilize an existing assessment program. The Kentucky
24 Department of Education shall make available a list of available resources to carry
25 out the provisions of this subsection. The department shall report to the Legislative
26 Research Commission no later than November 1 of each year on how the schools
27 are providing physical activity under this subsection and on the types of physical

1 activity being provided. The policy developed by the school [~~council or~~] principal
 2 **or principal's designee** shall comply with provisions required by federal law, state
 3 law, or local board policy.

4 (12) **Notwithstanding any provision of this section to the contrary, any employer-**
 5 **employee bargained contract existing between the district and its employees on**
 6 **the effective date of this Act shall not be violated. Any contract entered into after**
 7 **the effective date of this Act shall not violate this section** [~~Discretionary authority~~
 8 ~~exercised under this section by a school council of a county school district in a~~
 9 ~~county with a consolidated local government adopted under KRS Chapter 67C shall~~
 10 ~~not violate provisions of any employer-employee bargained contract existing~~
 11 ~~between the district and its employees].~~

12 ➔Section 2. KRS 158.153 is amended to read as follows:

13 (1) Unless the action is taken pursuant to KRS 158.150, no school, school
 14 administrator, teacher, or other school employee shall expel or punish a child based
 15 on information contained in a record of an adjudication of delinquency or
 16 conviction of an offense received by the school pursuant to KRS 610.345 or from
 17 any other source. Nothing in this subsection shall be construed to prohibit a local
 18 school board or school official from instituting disciplinary proceedings against any
 19 student for violating the discipline policy of the school or school district or taking
 20 actions necessary to protect staff and students. Actions to protect staff and students
 21 may be taken only after the principal makes a determination that the conduct of the
 22 student reflected in the records of the school or obtained by the school from the
 23 court indicates a substantial likelihood of an immediate and continuing threat that
 24 the student will cause harm to students or staff, and that the restrictions to be
 25 ordered represent the least restrictive alternative available and appropriate to
 26 remedy the threat, and that the determination and supporting material be
 27 documented in the child's record. The action of the principal, in addition to or in

1 lieu of any other procedure available, may be appealed by the child or the child's
2 parent or guardian to the superintendent of the school system or to the Circuit Court
3 in the county in which the school is located, and the appealing party may be
4 represented by counsel.

5 (2) No school, school administrator, teacher, or other school employee who has custody
6 of records received or maintained by the school pursuant to KRS 610.345 or who
7 has received information contained in or relating to a record received by the school
8 pursuant to KRS 610.345 shall disclose the fact of the record's existence, or any
9 information contained in the record or received from the record to any other person,
10 including but not limited to other teachers, school employees, pupils, or parents
11 other than the pupil, or parents of the pupil who is the subject of the record.

12 (3) The child and his parent or guardian shall have a civil cause of action against the
13 school board and against any school administrator violating subsection (1) or (2) of
14 this section or divulging information in violation of KRS 610.345 or 610.340. This
15 civil cause of action shall be in addition to any other criminal or administrative
16 remedy provided by law.

17 (4) Nothing in this section shall be construed to prohibit a local board of education
18 from establishing districtwide standards of behavior for students who participate in
19 extracurricular and cocurricular activities, including athletics. A school principal
20 may deny or terminate a student's eligibility to participate in extracurricular or
21 cocurricular activities if the student has violated the local district behavior standards
22 or the ~~council's~~ criteria for participation, as described in KRS 160.345(2)(i)8. A
23 student's right to participate in extracurricular or cocurricular activities, including
24 athletics, may be suspended, pending investigation of an allegation that the
25 standards of behavior have been violated.

26 ➔Section 3. KRS 158.197 is amended to read as follows:

27 Any **school principal or principal's designee, after consulting with the** school council

1 organized pursuant to KRS 160.345 or, if none exists, the school's governing body, may
2 authorize the display of historic artifacts, monuments, symbols, and texts, including but
3 not limited to religious materials, in conjunction with a course of study that includes an
4 elective course in history, civilization, ethics, comparative religion, literature, or other
5 subject area that uses such artifacts, monuments, symbols, and texts as instructional
6 material if the display is:

- 7 (1) Appropriate to the overall educational purpose of the course; and
- 8 (2) Consistent with the requirements of KRS 42.705.

9 ➔Section 4. KRS 158.792 is amended to read as follows:

10 (1) As used in this section and KRS 164.0207, unless the context requires otherwise:

11 (a) "Comprehensive reading program" means a program that emphasizes the
12 essential components of reading: phonemic awareness, phonics, fluency,
13 vocabulary, comprehension, and connections between writing and reading
14 acquisition and motivation to read.

15 (b) "Reading diagnostic assessment" means an assessment that identifies a
16 struggling reader and measures the reader's skills against established
17 performance levels in the essential components of reading. The purpose is to
18 screen for areas that require intervention in order for the student to learn to
19 read proficiently.

20 (c) "Reading intervention program" means short-term intensive instruction in the
21 essential skills necessary to read proficiently that is provided to a student by a
22 highly trained teacher. This instruction may be conducted one-on-one or in
23 small groups; shall be research-based, reliable, and replicable; and shall be
24 based on the ongoing assessment of individual student needs.

25 (d) "Reliable, replicable research" means objective, valid, scientific studies that:

- 26 1. Include rigorously defined samples of subjects that are sufficiently large
27 and representative to support the general conclusions drawn;

- 1 2. Rely on measurements that meet established standards of reliability and
 - 2 validity;
 - 3 3. Test competing theories, where multiple theories exist;
 - 4 4. Are subjected to peer review before their results are published; and
 - 5 5. Discover effective strategies for improving reading skills.
- 6 (2) The reading diagnostic and intervention fund is created to help teachers and library
- 7 media specialists improve the reading skills of struggling readers in the primary
- 8 program. The Department of Education, upon the recommendation of the Reading
- 9 Diagnostic and Intervention Grant Steering Committee, shall provide renewable,
- 10 two (2) year grants to schools to support teachers in the implementation of reliable,
- 11 replicable research-based reading intervention programs that use a balance of
- 12 diagnostic tools and instructional strategies that emphasize phonemic awareness,
- 13 phonics, fluency, vocabulary, comprehension, and connections between writing and
- 14 reading acquisition and motivation to read to address the diverse learning needs of
- 15 those students reading at low levels. Any moneys in the fund at the close of the
- 16 fiscal year shall not lapse but shall be carried forward to be used for the purposes
- 17 specified in this section.
- 18 (3) (a) The Kentucky Board of Education shall promulgate administrative
- 19 regulations, based on recommendations from the secretary of the Education
- 20 and Workforce Development Cabinet, the Reading Diagnostic and
- 21 Intervention Grant Steering Committee established in KRS 158.794, and the
- 22 Collaborative Center for Literacy Development established in KRS 164.0207
- 23 to:
- 24 1. Identify eligible grant applicants, taking into consideration how the grant
 - 25 program described in this section will relate to other grant programs;
 - 26 2. Specify the criteria for acceptable diagnostic assessments and
 - 27 intervention programs;

- 1 3. Specify the criteria for acceptable ongoing assessment of each child to
- 2 determine his or her reading progress;
- 3 4. Establish the minimum evaluation process for an annual review of each
- 4 grant recipient's program and progress;
- 5 5. Identify the annual data that must be provided from grant recipients;
- 6 6. Define the application review and approval process;
- 7 7. Establish matching requirements deemed necessary;
- 8 8. Define the professional development and continuing education
- 9 requirements for teachers, library media specialists, administrators, and
- 10 staff of grant recipients;
- 11 9. Establish the conditions for renewal of a two (2) year grant; and
- 12 10. Specify other conditions necessary to implement the purposes of this
- 13 section.
- 14 (b) The board shall require that a grant applicant provide assurances that the
- 15 following principles will be met if the applicant's request for funding is
- 16 approved:
- 17 1. A research-based comprehensive schoolwide reading program will be
- 18 available;
- 19 2. Intervention services will supplement, not replace, regular classroom
- 20 instruction;
- 21 3. Intervention services will be provided to struggling primary program
- 22 readers within the school based upon ongoing assessment of their needs;
- 23 and
- 24 4. A system for informing parents of struggling readers of the available
- 25 family literacy services within the district will be established.
- 26 (4) In order to qualify for funding, the ~~{school council, or if none exists, the}~~ principal
- 27 or the superintendent of schools~~{,}~~ shall allocate matching funds required by grant

1 recipients under subsection (3) of this section. Funding for professional
2 development allocated to the school~~[-council]~~ under KRS 160.345 and for
3 continuing education under KRS 158.070 may be used as part of the school's match.

4 (5) The Department of Education shall make available to schools:

5 (a) Information concerning successful, research-based comprehensive reading
6 programs, diagnostic tools for pre- and post-assessment, and intervention
7 programs, from the Collaborative Center for Literacy Development created
8 under KRS 164.0207;

9 (b) Strategies for successfully implementing early reading programs, including
10 professional development support and the identification of funding sources;
11 and

12 (c) A list of professional development providers offering teacher training related
13 to reading that emphasizes the essential components for successful reading:
14 phonemic awareness, phonics, fluency, vocabulary, comprehension, and
15 connections between writing and reading acquisition and motivation to read.

16 (6) The Department of Education shall submit a report to the Interim Joint Committee
17 on Education no later than September 1 of each year outlining the use of grant
18 funds. The report shall also include comparisons of the overall costs and
19 effectiveness of intervention programs. The annual report for an odd-numbered year
20 shall include an estimate of the cost to expand the reading diagnostic and
21 intervention grant program.

22 ➔Section 5. KRS 158.844 is amended to read as follows:

23 (1) The mathematics achievement fund is hereby created to provide developmentally
24 appropriate diagnostic assessment and intervention services to students, primary
25 through grade 12, to help them reach proficiency in mathematics on the state
26 assessments under KRS 158.6453 and in compliance with the "No Child Left
27 Behind Act of 2001," 20 U.S.C. secs. 6301 et seq., as required under KRS 158.840.

- 1 (2) The grant funds may be used to support the implementation of diagnostic and
2 intervention services in mathematics. The use of funds may include: pay for
3 extended time for teachers, released time for teachers to serve as coaches and
4 mentors or to carry out other responsibilities needed in the implementation of
5 intervention services, payment of substitute teachers needed for the support of
6 mathematics teachers, purchase of materials needed for modification of instruction,
7 and other costs associated with diagnostic and intervention services or to cover
8 other costs deemed appropriate by the Kentucky Board of Education.
- 9 (3) The fund shall:
- 10 (a) Provide funding for the Center for Mathematics created in KRS 164.525 and
11 the costs of training selected teachers in the diagnostic assessment and
12 intervention skills that are needed to assist struggling students in the primary
13 program and other grade levels;
- 14 (b) Provide renewable, two (2) year local grants to school districts and for
15 purposes described in subsection (2) of this section; and
- 16 (c) Provide operational funding for the Committee for Mathematics Achievement
17 created in KRS 158.842.
- 18 (4) Any funds appropriated to the mathematics achievement fund that are specifically
19 designated by the General Assembly to support the Center for Mathematics shall be
20 appropriated to the Council on Postsecondary Education and distributed to the
21 university administering the center, as determined by the council under KRS
22 164.525.
- 23 (5) Any moneys in the fund at the close of a fiscal year shall not lapse but shall be
24 carried forward to be used for the purposes specified in this section.
- 25 (6) Any interest earnings of the fund shall become a part of the fund and shall not lapse.
- 26 (7) (a) Any funds appropriated to the mathematics achievement fund and specifically
27 designated by the General Assembly as funding for grants to local school

1 districts or to support the Committee for Mathematics Achievement shall be
2 administered by the Kentucky Department of Education.

3 (b) The Kentucky Board of Education shall promulgate administrative regulations
4 relating to the grants for local school districts based on recommendations from
5 the Committee for Mathematics Achievement, the secretary of the Education
6 and Workforce Development Cabinet, the commissioner of education, and the
7 Center for Mathematics established in KRS 164.525. The administrative
8 regulations shall:

- 9 1. Identify eligibility criteria for grant applicants;
- 10 2. Specify the criteria for acceptable diagnostic assessments and
11 intervention programs and coaching and mentoring programs;
- 12 3. Establish the minimum annual evaluation process for each grant
13 recipient;
- 14 4. Identify the annual data that must be provided from each grant recipient;
- 15 5. Define the application and approval process;
- 16 6. Establish matching fund requirements if deemed necessary by the board;
- 17 7. Define the obligations for professional development and continuing
18 education for teachers, administrators, and staff of each grant recipient;
- 19 8. Establish the conditions for renewal of a two (2) year grant; and
- 20 9. Specify other conditions necessary to implement the purposes of this
21 section.

22 (c) As part of the application process, the board shall require that a grant
23 applicant provide assurances that the following principles will be met if the
24 applicant's request for funding is approved:

- 25 1. Mathematics instruction will be standards-based and utilize research-
26 based practices;
- 27 2. Intervention and support services will supplement, not replace, regular

1 classroom instruction; and

2 3. Intervention services will be provided to primary program students and
3 other students who are at risk of mathematics failure within the school
4 based upon ongoing assessments of their needs.

5 (d) If matching funds are required, the~~[school council or, if none exists, the]~~
6 principal or the superintendent of schools~~[,]~~ shall allocate matching funds.
7 Funding for professional development allocated to the school~~[council]~~ under
8 KRS 160.345 and for continuing education under KRS 158.070 may be used
9 to provide a portion or all of a school's required match.

10 (e) The Department of Education shall make available to schools:

11 1. Information from the Center for Mathematics regarding diagnostic
12 assessment and intervention programs and coaching and mentoring
13 programs of proven-practice in meeting the needs of primary students
14 and other students who are at risk of failure;

15 2. Technical assistance to potential applicants and grant recipients;

16 3. A list of professional development providers offering teacher training in
17 diagnostic assessment and intervention strategies and coaching and
18 mentoring; and

19 4. Information from the Center for Mathematics on how to communicate to
20 parents effective ways of interacting with their children to improve their
21 mathematics concepts, skills, and understanding.

22 (f) The Department of Education shall submit a report to the Interim Joint
23 Committee on Education no later than September 1 of each year outlining the use of grant
24 funds. By November 1, 2007, the Department of Education with input from the
25 Committee for Mathematics Achievement and the Center for Mathematics shall conduct a
26 statewide needs assessment of the resources needed in each school to help each child
27 achieve proficiency in mathematics by the year 2014 and report to the Interim Joint

1 Committee on Education an estimate of the cost and a specific timeline for meeting the
2 goal established by the Commonwealth.

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

4 (1) As used in this section:

5 (a) "Election" has the same meaning as in KRS 121.015;

6 (b) "Minimum school term" or "school term" means not less than one hundred
7 eighty-five (185) days composed of the student attendance days, teacher
8 professional days, and holidays;

9 (c) "School calendar" means the document adopted by a local board of education
10 that establishes the minimum school term, student instructional year, and days
11 that school will not be in session;

12 (d) "Student attendance day" means any day that students are scheduled to be at
13 school to receive instruction, and encompasses the designated start and
14 dismissal time;

15 (e) "Student instructional year" means at least one thousand sixty-two (1,062)
16 hours of instructional time for students delivered on not less than one hundred
17 seventy (170) student attendance days; and

18 (f) "Teacher professional day" means any day teachers are required to report to
19 work as determined by a local board of education, with or without the
20 presence of students.

21 (2) The local board of education, upon recommendation of the local school district
22 superintendent, shall annually adopt a school calendar for the upcoming school year
23 that establishes the opening and closing dates of the school term, beginning and
24 ending dates of each school month, student attendance days, and days on which
25 schools shall be dismissed. The local board may schedule days for breaks in the
26 school calendar that shall not be counted as a part of the minimum school term.

27 (3) (a) Each local board of education shall use four (4) days of the minimum school

1 term for professional development and collegial planning activities for the
2 professional staff without the presence of students pursuant to the
3 requirements of KRS 156.095. At the discretion of the superintendent, one (1)
4 day of professional development may be used for district-wide activities and
5 for training that is mandated by federal or state law. The use of three (3) days
6 shall be planned by each school principal or principal's designee, after
7 consultation with the school council and with final approval of the
8 superintendent or superintendent's designee.~~[council, except that]~~ The
9 district is encouraged to provide technical assistance and leadership to school
10 councils to maximize existing resources and to encourage shared planning.

11 (b) In addition to the four (4) days required under paragraph (a) of this subsection,
12 a minimum of two (2) hours of self-study review of suicide prevention
13 materials shall be required for all high school and middle school principals,
14 guidance counselors, and teachers each school year.

15 (c) A local board may approve a school's flexible professional development plan
16 that permits teachers or other certified personnel within a school to participate
17 in professional development activities outside the days scheduled in the school
18 calendar or the regularly scheduled hours in the school work day and receive
19 credit towards the four (4) day professional development requirement within
20 the minimum one hundred eighty-five (185) days that a teacher shall be
21 employed.

22 1. A flexible schedule option shall be reflected in the school's professional
23 development component within the school improvement plan or
24 consolidated plan and approved by the local board. Credit for approved
25 professional development activities may be accumulated in periods of
26 time other than full day segments.

27 2. No teacher or administrator shall be permitted to count participation in a

1 professional development activity under the flexible schedule option
2 unless the activity is related to the teacher's classroom assignment and
3 content area, or the administrator's job requirements, or is required by
4 the school improvement or consolidated plan, or is tied to the teacher's
5 or the administrator's individual growth plan. The supervisor shall give
6 prior approval and shall monitor compliance with the requirements of
7 this paragraph. In the case of teachers, a professional development
8 committee or the school council by council policy may be responsible
9 for reviewing requests for approval.

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

13 (e) Each local board may use two (2) days for planning activities without the
14 presence of students.

15 (f) Each local board may close schools for the number of days deemed necessary
16 for:

17 1. National or state emergency or mourning when proclaimed by the
18 President of the United States or the Governor of the Commonwealth of
19 Kentucky;

20 2. Local emergency which would endanger the health or safety of children;
21 and

22 3. Mourning when so designated by the local board of education and
23 approved by the Kentucky Board of Education upon recommendation of
24 the commissioner of education.

25 (4) (a) The Kentucky Board of Education, upon recommendation of the
26 commissioner of education, shall adopt administrative regulations governing
27 the use of student attendance days as a result of a local emergency, as

1 described in subsection (3)(f)2. of this section, and regulations setting forth
2 the guidelines and procedures to be observed for the approval of waivers from
3 the requirements of a student instructional year in subsection (1)(e) of this
4 section for districts that wish to adopt innovative instructional calendars, or
5 for circumstances that would create extreme hardship.

6 (b) If a local board of education amends its school calendar after its adoption due
7 to an emergency, it may lengthen or shorten any remaining student attendance
8 days by thirty (30) minutes or more, as it deems necessary, provided the
9 amended calendar complies with the requirements of a student instructional
10 year in subsection (1)(e) of this section. No student attendance day shall
11 contain more than seven (7) hours of instructional time unless the district
12 submitted and received approval from the commissioner of education for an
13 innovative alternative calendar.

14 (5) (a) 1. In setting the school calendar, school may be closed for two (2)
15 consecutive days for the purpose of permitting professional school
16 employees to attend statewide professional meetings.
17 2. These two (2) days for statewide professional meetings may be
18 scheduled to begin with the first Thursday after Easter, or upon request
19 of the statewide professional education association having the largest
20 paid membership, the commissioner of education may designate
21 alternate dates.
22 3. If schools are scheduled to operate during days designated for the
23 statewide professional meeting, the school district shall permit
24 employees who are delegates to attend as compensated professional
25 leave time and shall employ substitute teachers in their absence.
26 4. The commissioner of education shall designate one (1) additional day
27 during the school year when schools may be closed to permit

1 professional school employees to participate in regional or district
2 professional meetings.

3 5. These three (3) days so designated for attendance at professional
4 meetings may be counted as a part of the minimum school term.

5 (b) 1. If any school in a district is used as a polling place, the school district
6 shall be closed on the day of the election, and those days may be used
7 for professional development activities, professional meetings, or
8 parent-teacher conferences.

9 2. A district may be open on the day of an election if no school in the
10 district is used as a polling place.

11 (c) All schools shall be closed on the third Monday of January in observance of
12 the birthday of Martin Luther King, Jr. Districts may:

13 1. Designate the day as one (1) of the four (4) holidays permitted under
14 subsection (3)(d) of this section; or

15 2. Not include the day in the minimum school term specified in subsection
16 (1) of this section.

17 (6) (a) The Kentucky Board of Education, or the organization or agency designated
18 by the board to manage interscholastic athletics, shall be encouraged to
19 schedule athletic competitions outside the regularly scheduled student
20 attendance day.

21 (b) Beginning with the 2009-2010 school year, any member of a school-
22 sponsored interscholastic athletic team who competes in a regional
23 tournament or state tournament sanctioned by the Kentucky Board of
24 Education, or the organization or agency designated by the board to manage
25 interscholastic athletics, and occurring on a regularly scheduled student
26 attendance day may be counted present at school on the date or dates of the
27 competition, as determined by local board policy, for a maximum of two (2)

1 days per student per year. The student shall be expected to complete any
2 assignments missed on the date or dates of the competition.

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

6 (7) Students applying for excused absence for attendance at the Kentucky State Fair
7 shall be granted one (1) day of excused absence.

8 (8) Schools shall provide continuing education for those students who are determined
9 to need additional time to achieve the outcomes defined in KRS 158.6451, and
10 schools shall not be limited to the minimum school term in providing this
11 education. Continuing education time may include extended days, extended weeks,
12 or extended years. A local board of education may adopt a policy requiring its
13 students to participate in continuing education. The local policy shall set out the
14 conditions under which attendance will be required and any exceptions which are
15 provided. The Kentucky Board of Education shall promulgate administrative
16 regulations establishing criteria for the allotment of grants to local school districts
17 and shall include criteria by which the commissioner of education may approve a
18 district's request for a waiver to use an alternative service delivery option, including
19 providing services during the student attendance day on a limited basis. These
20 grants shall be allotted to school districts to provide instructional programs for
21 pupils who are identified as needing additional time to achieve the outcomes
22 defined in KRS 158.6451. A school district that has a school operating a model
23 early reading program under KRS 158.792 may use a portion of its grant money as
24 part of the matching funds to provide individualized or small group reading
25 instruction to qualified students outside of the regular classroom during the student
26 attendance day.

27 (9) Notwithstanding any other statute, each school term shall include no less than the

1 equivalent of the student instructional year in subsection (1)(e) of this section,
2 except that the commissioner of education may grant up to the equivalent of ten
3 (10) student attendance days for school districts that have an alternative instruction
4 plan approved by the commissioner of education for the use of alternative methods
5 of instruction, including virtual learning, on days when the school district is closed
6 for health or safety reasons, on nontraditional days, or on nontraditional time. The
7 district's plan shall demonstrate how teaching and learning in the district will not be
8 negatively impacted. Average daily attendance for purposes of Support Education
9 Excellence in Kentucky program funding during the student attendance days
10 granted shall be calculated in compliance with administrative regulations
11 promulgated by the Kentucky Board of Education.

12 (10) Notwithstanding the provisions of KRS 158.060(3) and the provisions of subsection
13 (2) of this section, a school district shall arrange bus schedules so that all buses
14 arrive in sufficient time to provide breakfast prior to the beginning of the student
15 attendance day. In the event of an unforeseen bus delay, the administrator of a
16 school that participates in the Federal School Breakfast Program may authorize up
17 to fifteen (15) minutes of the student attendance day if necessary to provide the
18 opportunity for children to eat breakfast not to exceed eight (8) times during the
19 school year within a school building.

20 (11) Notwithstanding any other statute to the contrary, the following provisions shall
21 apply to a school district that misses student attendance days due to emergencies,
22 including weather-related emergencies:

23 (a) A certified school employee shall be considered to have fulfilled the minimum
24 one hundred eighty-five (185) day contract with a school district under KRS
25 157.350 and shall be given credit for the purpose of calculating service credit
26 for retirement under KRS 161.500 for certified school personnel if:

27 1. State and local requirements under this section are met regarding the

1 equivalent of the number and length of student attendance days, teacher
2 professional days, professional development days, holidays, and days for
3 planning activities without the presence of students; and

4 2. The provisions of the district's school calendar to make up student
5 attendance days missed due to any emergency, as approved by the
6 Kentucky Department of Education when required, including but not
7 limited to a provision for additional instructional time per day, are met.

8 (b) Additional time worked by a classified school employee shall be considered as
9 equivalent time to be applied toward the employee's contract and calculation
10 of service credit for classified employees under KRS 78.615 if:

11 1. The employee works for a school district with a school calendar
12 approved by the Kentucky Department of Education that contains a
13 provision that additional instructional time per day shall be used to make
14 up full days missed due to an emergency;

15 2. The employee's contract requires a minimum six (6) hour work day; and

16 3. The employee's job responsibilities and work day are extended when the
17 instructional time is extended for the purposes of making up time.

18 (c) Classified employees who are regularly scheduled to work less than six (6)
19 hours per day and who do not have additional work responsibilities as a result
20 of lengthened student attendance days shall be excluded from the provisions
21 of this subsection. These employees may be assigned additional work
22 responsibilities to make up service credit under KRS 78.615 that would be
23 lost due to lengthened student attendance days.

24 ➔Section 7. KRS 156.095 is amended to read as follows:

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

- 1 (2) Each local school district superintendent shall appoint a certified school employee
2 to fulfill the role and responsibilities of a professional development coordinator who
3 shall disseminate professional development information to schools and personnel.
4 Upon request by a school council or any employees of the district, the coordinator
5 shall provide technical assistance to the council or the personnel that may include
6 assisting with needs assessments, analyzing school data, planning and evaluation
7 assistance, organizing districtwide programs requested by school councils or groups
8 of teachers, or other coordination activities.
- 9 (a) The manner of appointment, qualifications, and other duties of the
10 professional development coordinator shall be established by Kentucky Board
11 of Education through promulgation of administrative regulations.
- 12 (b) The local district professional development coordinator shall participate in the
13 Kentucky Department of Education annual training program for local school
14 district professional development coordinators. The training program may
15 include, but not be limited to, the demonstration of various approaches to
16 needs assessment and planning; strategies for implementing long-term,
17 school-based professional development; strategies for strengthening teachers'
18 roles in the planning, development, and evaluation of professional
19 development; and demonstrations of model professional development
20 programs. The training shall include information about teacher learning
21 opportunities relating to the core content standards. The Kentucky Department
22 of Education shall regularly collect and distribute this information.
- 23 (3) The Kentucky Department of Education shall provide or facilitate optional,
24 professional development programs for certified personnel throughout the
25 Commonwealth that are based on the statewide needs of teachers, administrators,
26 and other education personnel. Programs may include classified staff and parents
27 when appropriate. Programs offered or facilitated by the department shall be at

1 locations and times convenient to local school personnel and shall be made
2 accessible through the use of technology when appropriate. They shall include
3 programs that: address the goals for Kentucky schools as stated in KRS 158.6451,
4 including reducing the achievement gaps as determined by an equity analysis of the
5 disaggregated student performance data from the state assessment program
6 developed under KRS 158.6453; engage educators in effective learning processes
7 and foster collegiality and collaboration; and provide support for staff to incorporate
8 newly acquired skills into their work through practicing the skills, gathering
9 information about the results, and reflecting on their efforts. Professional
10 development programs shall be made available to teachers based on their needs
11 which shall include but not be limited to the following areas:

- 12 (a) Strategies to reduce the achievement gaps among various groups of students
13 and to provide continuous progress;
- 14 (b) Curriculum content and methods of instruction for each content area,
15 including differentiated instruction;
- 16 (c) School-based decision making;
- 17 (d) Assessment literacy;
- 18 (e) Integration of performance-based student assessment into daily classroom
19 instruction;
- 20 (f) Nongraded primary programs;
- 21 (g) Research-based instructional practices;
- 22 (h) Instructional uses of technology;
- 23 (i) Curriculum design to serve the needs of students with diverse learning styles
24 and skills and of students of diverse cultures;
- 25 (j) Instruction in reading, including phonics, phonemic awareness,
26 comprehension, fluency, and vocabulary;
- 27 (k) Educational leadership; and

- 1 (l) Strategies to incorporate character education throughout the curriculum.
- 2 (4) The department shall assist school personnel in assessing the impact of professional
3 development on their instructional practices and student learning.
- 4 (5) The department shall assist districts and school ~~[-councils]~~ with the development of
5 long-term school and district improvement plans that include multiple strategies for
6 professional development based on the assessment of needs at the school level.
- 7 (a) Professional development strategies may include, but are not limited to,
8 participation in subject matter academies, teacher networks, training institutes,
9 workshops, seminars, and study groups; collegial planning; action research;
10 mentoring programs; appropriate university courses; and other forms of
11 professional development.
- 12 (b) In planning the use of the four (4) days for professional development under
13 KRS 158.070, ~~[-school councils and districts shall give]~~ priority **shall be given**
14 to programs that increase teachers' understanding of curriculum content and
15 methods of instruction appropriate for each content area based on individual
16 school plans. The district may use up to one (1) day to provide district-wide
17 training and training that is mandated by state or federal law. Only those
18 employees identified in the mandate or affected by the mandate shall be
19 required to attend the training.
- 20 (c) State funds allocated for professional development shall be used to support
21 professional development initiatives that are consistent with local school
22 improvement and professional development plans and teachers' individual
23 growth plans. The funds may be used throughout the year for all staff,
24 including classified and certified staff and parents on school councils or
25 committees. A portion of the funds allocated to each school council under
26 KRS 160.345 may be used to prepare or enhance the teachers' knowledge and
27 teaching practices related to the content and subject matter that are required

1 for their specific classroom assignments.

2 (6) (a) By August 1, 2010, the Kentucky Cabinet for Health and Family Services
3 shall post on its Web page suicide prevention awareness information, to
4 include recognizing the warning signs of a suicide crisis. The Web page shall
5 include information related to suicide prevention training opportunities
6 offered by the cabinet or an agency recognized by the cabinet as a training
7 provider.

8 (b) By September 1, 2010, and September 1 of each year thereafter, every public
9 middle and high school administrator shall disseminate suicide prevention
10 awareness information to all middle and high school students. The
11 information may be obtained from the Cabinet for Health and Family Services
12 or from a commercially developed suicide prevention training program.

13 (7) (a) The Kentucky Department of Education shall develop and maintain a list of
14 approved comprehensive evidence-informed trainings on child abuse and
15 neglect prevention, recognition, and reporting that encompass child physical,
16 sexual, and emotional abuse and neglect.

17 (b) The trainings shall be Web-based or in-person and cover, at a minimum, the
18 following topics:

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

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

26 (d) Each local school board shall adopt one (1) or more trainings from the list
27 approved by the Department of Education to be implemented by schools.

- 1 (e) All current school administrators, certified personnel, office staff,
2 instructional assistants, and coaches and extracurricular sponsors who are
3 employed by the school district shall complete the implemented training or
4 trainings by January 31, 2017, and then every two (2) years after.
- 5 (f) All school administrators, certified personnel, office staff, instructional
6 assistants, and coaches and extracurricular sponsors who are employed by the
7 school district hired after January 31, 2017, shall complete the implemented
8 training or trainings within ninety (90) days of being hired and then every two
9 (2) years after.
- 10 (g) Every public school shall prominently display the statewide child abuse
11 hotline number administered by the Cabinet for Health and Family Services.
- 12 (8) The Department of Education shall establish an electronic consumer bulletin board
13 that posts information regarding professional development providers and programs
14 as a service to school district central office personnel, school councils, teachers, and
15 administrators. Participation on the electronic consumer bulletin board shall be
16 voluntary for professional development providers or vendors, but shall include all
17 programs sponsored by the department. Participants shall provide the following
18 information: program title; name of provider or vendor; qualifications of the
19 presenters or instructors; objectives of the program; program length; services
20 provided, including follow-up support; costs for participation and costs of materials;
21 names of previous users of the program, addresses, and telephone numbers; and
22 arrangements required. Posting information on the bulletin board by the department
23 shall not be viewed as an endorsement of the quality of any specific provider or
24 program.
- 25 (9) The Department of Education shall provide training to address the characteristics
26 and instructional needs of students at risk of school failure and most likely to drop
27 out of school. The training shall be developed to meet the specific needs of all

1 certified and classified personnel depending on their relationship with these
2 students. The training for instructional personnel shall be designed to provide and
3 enhance skills of personnel to:

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

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

20 (11) The department shall annually provide to the oversight council established in
21 KRS 15A.063, the information received from local schools pursuant to KRS
22 158.449.