

1 AN ACT relating to education.

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

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

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

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

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

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

3 (a) Schools shall expect a high level of ***academic*** achievement of all students;[~~]~~

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

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

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

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

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

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

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

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

25 (c) Schools shall increase their students' rate of school attendance;[~~]~~

26 (d) Schools shall increase their students' graduation rates and reduce their
27 students' dropout and retention rates;[~~]~~

- 1 (e) Schools shall reduce physical and mental health barriers to learning; ~~and~~
- 2 (f) Schools shall be measured on the proportion of students who make a
- 3 successful transition to work, post-secondary education, and ~~the~~ military
- 4 service.

5 (2) The Kentucky Board of Education shall disseminate to local school districts and

6 schools a model curriculum framework which is directly tied to the goals,

7 outcomes, and assessment strategies developed pursuant to this section and KRS

8 158.645 and 158.6453. The framework shall provide direction to local districts and

9 schools as they develop their curriculum. The framework shall identify teaching and

10 assessment strategies, instructional material resources, ideas on how to incorporate

11 the resources of the community, a directory of model teaching sites, alternative

12 ways of using school time, and strategies to incorporate character education

13 throughout the curriculum.

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

15 (1) The commissioner of education shall be the chief executive of the Department of

16 Education. The commissioner shall be responsible for administering, structuring,

17 and organizing the department and its services, including ~~but not limited to~~ the

18 following:

- 19 (a) Technical assistance with curriculum design, school administration and
- 20 finance, computer and technology services, media services, community
- 21 education, career and technical~~secondary vocational~~ education, STEM
- 22 education as defined in KRS 158.845, education for exceptional children, and
- 23 professional development;
- 24 (b) Compensatory education;
- 25 (c) Research and planning, which shall include, but not be limited to, a statewide
- 26 research and development effort to identify or develop the best educational
- 27 practices to be used in the public schools of the Commonwealth.

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

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

2 (1) For the purpose of this section:

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

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

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

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

20 (d) "Parent" means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 1 of parents, faculty, and staff.
- 2 (3) The policies adopted by the local board to implement school-based decision making
3 shall also address the following:
- 4 (a) School budget and administration, including: discretionary funds; activity and
5 other school funds; funds for maintenance, supplies, and equipment; and
6 procedures for authorizing reimbursement for training and other expenses;
- 7 (b) Assessment of individual student progress, including testing and reporting of
8 student progress to students, parents, the school district, the community, and
9 the state;
- 10 (c) School improvement plans, including the form and function of strategic
11 planning and its relationship to district planning, as well as the school safety
12 plan and requests for funding from the Center for School Safety under KRS
13 158.446;
- 14 (d) Professional development plans developed pursuant to KRS 156.095;
- 15 (e) Parent, citizen, and community participation including the relationship of the
16 council with other groups;
- 17 (f) Cooperation and collaboration within the district, with other districts, and with
18 other public and private agencies;
- 19 (g) Requirements for waiver of district policies;
- 20 (h) Requirements for record keeping by the school council; and
- 21 (i) A process for appealing a decision made by a school council.
- 22 (4) In addition to the authority granted to the school council in this section, the local
23 board may grant to the school council any other authority permitted by law. The
24 board shall make available liability insurance coverage for the protection of all
25 members of the school council from liability arising in the course of pursuing their
26 duties as members of the council.
- 27 (5) All schools shall implement school-based decision making in accordance with this

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (1) Any school that does not offer a school breakfast program shall submit an annual
18 report no later than September 15 to the Kentucky Board of Education indicating
19 the reasons for not offering the program. The report shall include the number of
20 children enrolled at the school and the number of children who are eligible for free
21 or reduced priced meals under the federal program.

22 (2) The state board shall inform the school of the value of the school breakfast
23 program, its favorable effects on student attendance and performance, and the
24 availability of funds to implement the program.

25 ~~[(3) The commissioner of education shall submit an annual report no later than~~
26 ~~December 1 to the Interim Joint Committee on Education regarding the status of the~~
27 ~~school breakfast program including, but not limited to, information describing the~~

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

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

7 At the same time that copies of the budget of a school district are filed with the clerk of
8 the tax levying authority for the district, as provided in KRS 160.470, the board of
9 education of the district shall cause the budget to be advertised for the district by
10 publishing a copy of the budget in a newspaper ***and on the district's website.***

11 ➔Section 7. KRS 158.4414 is amended to read as follows:

12 (1) Local boards of education, school district superintendents, administrators of state-
13 controlled facilities, and local and state law enforcement agencies shall cooperate to
14 assign one (1) or more certified school resource officers to serve each campus
15 where one (1) or more school buildings are used to deliver instruction to students on
16 a continuous basis.

17 (2) Local boards of education shall ensure, for each campus in the district, that at least
18 one (1) certified school resource officer is assigned to and working on-site full-time
19 in the school building or buildings on the campus. If sufficient funds and qualified
20 personnel are not available for this purpose for every campus, the local board of
21 education shall fulfill the requirements of this subsection on a per campus basis, as
22 approved in writing by the state school security marshal, until a certified school
23 resource officer is assigned to and working on-site full-time on each campus in the
24 district.

25 (3) Beginning with the **2026-2027**~~[2025-2026]~~ school year, a local board of education
26 that is unable to meet the requirement of subsection (2) of this section may, after
27 consultation with and approval by the state school security marshal, employ one (1)

1 or more guardians pursuant to KRS 158.4431 to provide safety and security
2 measures for schools within the district. The use of guardians under this subsection
3 shall not be used to replace the certified school resource officer required under
4 subsection (2) of this section, but only to provide safety and security resources until
5 a certified school resource officer is available.

6 (4) Beginning with the 2026-2027~~[2025-2026]~~ school year, a local board of education
7 that has met the requirement of subsection (2) of this section may employ one (1) or
8 more guardians pursuant to KRS 158.4431 to provide additional school safety and
9 security measures within the district.

10 (5) Local boards of education utilizing a school resource officer employed by a law
11 enforcement agency or the Department of Kentucky State Police shall enter into a
12 memorandum of understanding with the law enforcement agency or the Department
13 of Kentucky State Police that specifically states the purpose of the school resource
14 officer program and clearly defines the roles and expectations of each party
15 involved in the program. The memorandum shall provide that the school resource
16 officer shall not be responsible for school discipline matters that are the
17 responsibility of school administrators or school employees.

18 (6) Local boards of education utilizing a school resource officer employed directly by
19 the local board of education shall adopt policies and procedures that specifically
20 state the purpose of the school resource officer program and clearly define the roles
21 and expectations of school resource officers and other school employees.

22 (7) In accordance with KRS 61.926, 527.020, and 527.070, as applicable, each school
23 resource officer shall be armed with a firearm, notwithstanding any provision of
24 local board policy, local school council policy, or memorandum of agreement.

25 (8) The Kentucky Law Enforcement Council, in collaboration with the Center for
26 School Safety, shall promulgate administrative regulations in accordance with KRS
27 Chapter 13A to establish, update, and maintain three (3) levels of training for

1 certification of school resource officers as follows: School Resource Officer
2 Training I (SRO I), School Resource Officer Training II (SRO II), and School
3 Resource Officer Training III (SRO III). Each level shall consist of forty (40) hours
4 of training, with SRO I to be completed within one (1) year of the date of the
5 officer's employment and SRO II and SRO III within the subsequent two (2) years.

6 (9) Course curriculum for school resource officers shall include but not be limited to:

- 7 (a) Foundations of school-based law enforcement;
- 8 (b) Threat assessment and response;
- 9 (c) Youth drug use and abuse;
- 10 (d) Social media and cyber security;
- 11 (e) School resource officers as teachers and mentors;
- 12 (f) Youth mental health awareness;
- 13 (g) Diversity and bias awareness training;
- 14 (h) Trauma-informed action;
- 15 (i) Understanding students with special needs; and
- 16 (j) De-escalation strategies.

17 (10) All school resource officers with active school resource officer certification status
18 shall successfully complete forty (40) hours of annual in-service training that has
19 been certified or recognized by the Kentucky Law Enforcement Council for school
20 resource officers.

21 (11) In the event of extenuating circumstances beyond the control of an officer that
22 prevent the officer from completing the in-service training within one (1) year, the
23 commissioner of the Department of Criminal Justice Training or a designee may
24 grant the officer an extension of time, not to exceed one hundred eighty (180) days,
25 in which to complete the training.

26 (12) Any school resource officer who fails to successfully complete training
27 requirements within the specified time periods, including any approved time

1 extensions, shall lose his or her school resource officer certification and shall no
2 longer serve in the capacity of a school resource officer in a school.

3 (13) When a school resource officer is deficient in required training, the commissioner
4 of the Department of Criminal Justice Training or his or her designee shall notify
5 the council, which shall notify the officer and the officer's employing agency.

6 (14) A school resource officer who has lost school resource officer certification due
7 solely to the officer's failure to meet the training requirements of this section may
8 regain certification status as a school resource officer and may resume service in the
9 capacity of a school resource officer in a school setting upon successful completion
10 of the training deficiency.

11 (15) No later than November 1 of each year, the local school district superintendent shall
12 report to the Center for School Safety the number and placement of school resource
13 officers in the district. The report shall include the source of funding and method of
14 employment for each position.

15 (16) Nothing in this section shall be interpreted or construed to require a local
16 government or any of its agencies or offices to fund the school resource officer
17 positions required of local boards of education under this section. For purposes of
18 this subsection, "local government" has the same meaning as in KRS 65.8840.

19 (17) Nothing in this section shall prevent a private or parochial school from entering into
20 a memorandum of understanding with a local law enforcement agency or the
21 Department of Kentucky State Police to provide school resource officers employed
22 by the local law enforcement agency or the Department of Kentucky State Police.

23 ➔Section 8. The following KRS sections are repealed:

24 157.061 Annual audits of school districts.

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

1 Board of Education.