

EDUCATION LEGISLATION – 2018 LEGISLATIVE SESSION

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HB 3 – Rep. Shell

ESSENTIAL SKILLS CURRICULUM

New Section of KRS Chapter 158:

Beginning with the 2019-2020 school year, each school district shall implement essential workplace ethics programs that promote characteristics that are critical to success in the workplace. Each student in elementary, middle, and high school shall receive essential workplace ethics instruction that shall include but not be limited to:

- (a) **Adaptability**, including an openness to learning and problem solving, an ability to embrace new ways of doing things, and a capability for critical thinking;
- (b) **Diligence**, including seeing a task through to completion;
- (c) **Initiative**, including taking appropriate action when needed without waiting for direct instruction;
- (d) **Knowledge**, including exhibiting an understanding of work-related information, the ability to apply that understanding to a job, and effectively explain the concepts to colleagues in reading, writing, mathematics, science, and technology as required by the job;
- (e) **Reliability**, including showing up on time, wearing appropriate attire, self-control, motivation, and ethical behavior;
- (f) **Remaining drug free**; and
- (g) **Working well with others**, including effective communication skills, respect for different points of view and diversity of coworkers, the ability to cooperate and collaborate, enthusiasm, and the ability to provide appropriate leadership to or support for colleagues.

Each local school board shall design and adopt a diploma seal, certificate, card, or other identifiable symbol to award students deemed as having minimally demonstrated attainment of the local board's essential workplace ethics indicators.

Amendment to KRS 158.6453:

The academic standards in practical living skills for elementary, middle, and high school levels shall include a focus on drug abuse prevention, with an emphasis on the prescription drug epidemic and the connection between prescription opioid abuse and addiction to other drugs, such as heroin and synthetic drugs.

HB 30 – Rep. Huff

REQUIRED SUICIDE PREVENTION TRAINING

Amendment to KRS 156.095:

1. Beginning with the 2018-2019 school year, and every other year thereafter, a minimum of one (1) hour of high-quality suicide prevention training shall be required for all high school and middle school principals, guidance counselors, and teachers. The training shall be provided either in-person, by live streaming, or via a video recording and may be included in the four (4) days of professional development under KRS 158.070.
2. When a staff member subject to the training under subparagraph 1. of this paragraph is initially hired during a school year in which the training is not required, the local district shall provide suicide prevention materials to the staff member for review.

HB 128 – Rep. Carney

REQUIRED HOLOCAUST INSTRUCTION

Amendment to KRS 156.160:

Every public middle and high school's curriculum shall include instruction on the Holocaust and other cases of genocide, as defined by the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, that a court of competent jurisdiction, whether a court in the United States or the International Court of Justice, has determined to have been committed by applying rigorous standards of due process;

HB 132 – Rep. Duplessis

REQUIRED FINANCIAL LITERACY COURSE

New Section of KRS Chapter 158

(1) Beginning with the entering ninth grade class of the 2020-2021 school year and each year thereafter, successful completion of one (1) or more courses or programs that meet the financial literacy standards shall be a Kentucky public high school graduation requirement. The graduation requirement shall also apply to a student pursuing an early graduation program, as established in KRS 158.142.

(2) In accordance with KRS 156.160, the Kentucky Board of Education shall promulgate administrative regulations establishing academic standards and a graduation requirement for financial literacy.

(3) The local school-based decision making council, or principal if no council exists, of each high school shall determine curricula for course offerings, programs, or a combination of course offerings and programs that are aligned with the financial literacy academic standards promulgated by the Kentucky Board of Education.

(4) The Department of Education shall develop financial literacy guidelines that provide direction to local schools in developing and implementing the financial literacy standards.

HB 142 – Rep. Carney

SCHOOL FUND DISTRIBUTION

Amendment to KRS 157.410:

The chief state school officer shall:

(1) Determine on or before May 1 of each year, the estimated allotment of school funds to which each district is entitled for the upcoming fiscal year under KRS 157.310 to 157.440. On July 1, August 1, and September 1 of each fiscal year, one-twelfth (1/12) of the estimated allotment shall be paid to each school district;

(2) Revise the estimated allotment on or before October 1 of each year. On October 1, November 1, December 1, January 1, February 1, and March 1 of each fiscal year, one-twelfth (1/12) of the revised estimated allotment shall be paid to each school district; and

(3) Determine on or before March 1 of each year, the exact final amount of the common school funds to which each district is entitled for the fiscal year. The remainder of the amount due to each district for the fiscal year shall be distributed in equal installments on April 1, May 1, and June 1 of each fiscal year.

Amendment to KRS 158.832 (definitions):

"Seizure action plan" means a written, individualized health plan designed to acknowledge and prepare for the health care needs of a student diagnosed with a seizure disorder that is prepared by the student's treating physician.

Amendments to KRS 158.838:

[All schools shall have one employee on-site trained to administer:]

A seizure rescue medication or medication prescribed to treat seizure disorder symptoms;
Seizure medications, as well as the recognition of the signs and symptoms of seizures and the appropriate steps to be taken to respond to these symptoms.

[T]he parent or guardian of each student diagnosed with a seizure disorder shall collaborate with school personnel to implement the seizure action plan. The Kentucky Board of Education shall promulgate administrative regulations establishing procedures for the implementation of seizure action plans.

Any school personnel or volunteers responsible for the supervision or care of a student diagnosed with a seizure disorder shall be given notice of the seizure action plan, the identity of the school employee or employees trained in accordance with subsection (1)(a) of this section, and the method by which the trained school employee or employees may be contacted in the event of an emergency.

Amendment to KRS 158.070:

At least one (1) hour of self-study review of seizure disorder materials shall be required for all principals, guidance counselors, and teachers hired after July 1, 2019.

New Section of KRS Chapter 158

"Dyslexia" means a specific learning disability that is neurological in origin. It is characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede the growth of vocabulary and background knowledge;

(2) By January 1, 2019, the Department of Education shall make available a dyslexia toolkit that includes guidance, technical assistance, and training to assist all local school districts in the implementation of evidence-based practices for instructing students identified with or displaying characteristics of dyslexia.

(3) The dyslexia toolkit shall include but not be limited to the following guidance for local districts targeting students in kindergarten through grade three (3) who have been identified with or displaying characteristics of dyslexia:

- (a) Evidence-based practices designed specifically for students with dyslexia;
- (b) Characteristics of targeted instruction for dyslexia;
- (c) Guidance on developing instructional plans for students with dyslexia;
- (d) Best practices toward meaning-centered reading and writing;
- (e) Structured multisensory and literacy approaches to teaching language and reading skills; and
- (f) Suggested professional development activities.

Each local board of education may develop a policy addressing the implementation of a program for the identification of and strategies for assisting students in kindergarten through grade three (3) with dyslexia. [policy content detailed]

HB 200 – Rep. Rudy

EXECUTIVE BRANCH BUDGET

Summary:

- *Base SEEK funding set at \$4000 per pupil (currently \$3981);*
- *Transportation funded at current level;*
- *Districts may request to transfer up to 25% of capital outlay funds to general fund;*
- *Specific grants to districts experiencing loss of unmined minerals receipts;*
- *Full funding for school district employee health insurance;*
- *Funding for TRS unfunded liability;*
- *Equalization of facilities nickels;*
- *No funding for Instructional Resources (Textbooks), the Professional Development Program, the Commonwealth School Improvement Fund, the Leadership and Mentor Fund, the Middle School Academic Center, the Teacher's Professional Growth Fund, the Teacher Academies Program, and the Writing Program.*
- *Program funding flexibility for ESS and Safe Schools funding;*
- *Minimum allocation to SBDM councils of \$100 per pupil;*
- *FR/YSC funding reduced more than \$3M per year;*
- *Preschool funding reduced more than \$5M per year;*
- *Requirement of analysis and reduction of administrative costs in local school districts.*

HB 290 – Rep. Carney

PERMISSIBLE CONTESTS FOR INTERSCHOLASTIC ATHLETICS

Amendment to KRS 156.070:

The state board or any agency designated by the state board to manage interscholastic athletics shall allow a member school's team or students to play against students of a non-member at-home private school, or a team of students from non-member at-home private schools, if the non-member at-home private schools and students comply with this subsection. [requires compliance with KHSAA and KBE rules]

HB 360 – Rep. Carney

DEFINITION OF STATE AGENCY CHILDREN

Amendment to KRS 158.135 [definition of "state agency children"]:

Those children referred by a family accountability, intervention, and response team as described in KRS 605.035 and admitted to a Department of Juvenile Justice operated or contracted day treatment 25 program.

HB 362 – Rep. Moore

LIMIT ON CERS CONTRIBUTIONS

Amendment to KRS 61.565:

Notwithstanding any other provision of KRS Chapter 61 or 78 to the contrary, the employer contribution established by the board for the County Employees Retirement System that are payable on or after July 1, 2018, and until June 30, 2028, for the pension and health insurance funds, including the normal cost contribution and the actuarially accrued liability contribution for each fund, shall not increase by more than twelve percent (12%) in terms of projected dollars paid by participating employers over the prior fiscal year as determined by the system's consulting actuary.

HB 366 – Rep. Rudy

TAX REFORM AND REVENUE MEASURES

HB 487 – Rep. Pratt

This bill can still be vetoed in whole or in part by Governor Bevin

Summary: HB 366 is 378 pages long and contains multiple and significant changes to the state tax code. Most prominent is the imposition of sales tax on numerous services, and the reduction of the personal and corporate income tax rate. After its passage, several errors were discovered in HB 366, and it was amended and re-adopted as HB 487, which is 417 pages long.

In addition to the tax changes, the bill also contains miscellaneous other provisions, such as:

Amendment to KRS 158.441:

[An SRO may be employed] Through a contract as secondary employment for an officer, as defined in KRS 16.010, between the Department of Kentucky State Police and a school district;

Amendment to KRS 160.463:

- (1) The school board of each public school system shall direct its superintendent to publish the complete annual financial statement and the school report card annually:
 - (a) In the newspaper of the largest general circulation in the county;
 - (b) Electronically on a Web site of the school district; or
 - (c) By printed copy at a prearranged site at the main branch of the public library within the school district.
- (2) If publication on a Web site of the school district or by printed copy at the public library is chosen, the superintendent shall be directed to publish notification in the newspaper of the largest circulation in the county as to the location where the document can be viewed by the public.
- (3) The notification shall include the address of the library or the electronic address of the Web site where the documents can be viewed.

HB 367 – Rep. Wuchner

DYSLEXIA TRUST FUND

New Section of KRS Chapter 157:

- (1) There is created a dyslexia trust fund administered by the Kentucky Department of Education.
- (2) The dyslexia trust fund may receive appropriations, federal funds, contributions, gifts, and donations.
- (3) The purpose of the dyslexia trust fund shall be to finance grants to local school districts for support of students identified with the characteristics of dyslexia.

New Section of KRS Chapter 199:

(2) In determining the placement of a [foster] child under KRS 199.801, the department shall, if practicable, locate a placement within the same school district where the child was most recently enrolled to allow the child to remain enrolled in the school of origin.

(3) (a) The department, in consultation with the local education agency, shall make the determination on whether the child shall remain enrolled in the school of origin based on the best interest of the child, weighing the promotion of educational stability as a primary factor.

(b) In accordance with 20 U.S.C. secs. 6301 et seq., the cost of transportation shall not be a factor in determining the best interest of a child for an enrollment decision.

(4) If the department finds it is in the best interest of a child to remain in the school of origin upon placement of the child in a new school district, reasonable transportation shall be offered from the location of placement to the school of origin in which the child is enrolled for any regularly scheduled school day. In accordance with 20 U.S.C. secs. 6301 et seq., costs incurred by a school district, foster parent, child-placing agency, or child-caring facility for transportation to the school shall be reimbursed by the department upon request.

(5) Upon the determination that changing a child's school of enrollment is in the best interest of the child:

(a) The child welfare and local education agencies shall collaborate to ensure the immediate and appropriate enrollment of the child;

Amendment to KRS 161.095:

The Education Professional Standards Board shall extend the validity period of a certificate of a member of the Armed Forces of the United States of America by one (1) year for each year the member is determined by the board to have been prohibited by military service or training from pursuing an advanced degree or completing professional development required to maintain certification.

New section of KRS Chapter 158:

If a school council or, if none exists, the principal adopts a curriculum for human sexuality or sexually transmitted diseases, instruction shall include but not be limited to the following content:

(1) Abstinence from sexual activity is the desirable goal for all school-age children;

(2) Abstinence from sexual activity is the only certain way to avoid unintended pregnancy, sexually transmitted diseases, and other associated health problems; and

(3) The best way to avoid sexually transmitted diseases and other associated health problems is to establish a permanent mutually faithful monogamous relationship.

New Section of KRS Chapter 156:

- (1) (a) Beginning in the 2018-2019 school year, and continuing until the end of the 2020-2021 school year, a school district may establish a pilot program for teachers to develop and implement a performance-based professional development project, which is designed to produce measurable outcomes of positive impact on student performance.
- (b) The pilot program shall require two (2) or more teachers to design an instructional practice or strategy project to address an identified school or district academic or non-academic classroom problem.
- (c) Successful completion of a project under this section shall satisfy up to three (3) days of the requirement to complete four (4) days of professional development under subsection (3)(a) of Section 2 of this Act.
- (d) A local board of education may award a teacher a stipend for successful completion of a project.

Amendment to KRS 158.070

By December 31, 2018, the Kentucky Board of Education shall promulgate administrative regulations to be effective beginning with the 2019-2020 school year to prescribe the conditions and procedures for districts to be approved for the nontraditional instruction program.

Amendments to KRS 160.380:

"Relative" means father, mother, brother, sister, husband, wife, son and daughter.

When a vacancy occurs in a local school district, the superintendent shall notify the chief state school officer fifteen (15) days before the position shall be filled.

No person shall be eligible for membership on a board of education:

- (e) . . . unless a transcript evidencing completion of the twelfth grade or results of a twelfth grade equivalency examination has been filed with the nominating petition; or
- (f) Who holds any elective federal, state, county, or city office.

Summary: This 291 page bill makes changes to TRS system for new hires who enter the system on or after January 1, 2019; requires new hires to be at least age 57 to retire; age plus years of service must equal 87 or more; contribution rate of 18% into a "cash hybrid plan" for new hires consists of 10% employee contribution, 6% state contribution, 2% local district contribution; accumulated contributions are guaranteed, but increases from investments are not; caps sick leave that may be included as part of retirement calculation for current TRS members at the number of days accumulated as of December 31, 2018; current members may continue to accumulate sick leave and be compensated at retirement, but additional days accrued after December 31, 2018 will not be included in retirement calculation; current TRS members may still retire with 27 years of service, and may still receive "high three" years of service at age 55, and 3% multiplier for years of service beyond 30.

SB 152 – Sen. Givens

FLEXIBLE TEACHER COMPENSATION

Amendment to KRS 157.390:

A school district may provide monetary compensation in addition to that provided through the single salary schedule, as defined in KRS 157.320, to all classroom teachers employed in a school that is identified by the Kentucky Department of Education as being in targeted or comprehensive support and improvement status as described in KRS 160.346.

SJR 52 – Sen. D. Carroll

KENTUCKY PEER SUPPORT NETWORK

A Resolution directing KDE to implement the "Kentucky Peer Support Network Project" in public schools across the Commonwealth.

WHEREAS, Peer Supports and Peer Network Programs involve identifying and equipping a group of peers to provide ongoing support to individual students with significant disabilities in and outside of the classroom;

The Kentucky Department of Education shall partner with the University of Kentucky's Human Development Institute, University of Louisville's College of Education and Human Development, and local school districts to implement the "Kentucky Peer Support Network Project" in public schools across the Commonwealth.