

2011 Regular Session - Legislative Summary, Feb. 2, 2011 KBE Meeting

Bill #	BR #	Sponsor	Title	Summary	Status
<u>SB 3/FN/AA</u>	BR 440	D. Williams, D. Seum, J. Westwood	AN ACT relating to schools.	(1) Allows local districts to create charter schools. Amends KRS 156 and authorizes the Kentucky Board of Education to promulgate administrative regulations to address appeal process if a local district denies a charter. SEEK \$ follows child. (2) Requires local districts to enroll child for attendance in school nearest to their home. Amend KRS 160.346 to permit a persistently low-achieving school to be converted to a charter school as one of the intervention options.	Passed Senate.
<u>SB 12</u>	BR 480	K. Winters	AN ACT relating to principal selection.	Amend KRS 160.345 to authorize the superintendent to appoint a school principal after consultation with the school-based decision making council	Passed Senate.
<u>SB 13</u>	BR 481	K. Winters	AN ACT relating to education performance incentives and making an appropriation therefor.	New section of KRS 158.845 to 158.849 to establish performance awards to teachers, based on student achievement on Advanced Placement tests or International Baccalaureate tests in advanced science and mathematics. Requires KDE to distribute the awards. If appropriated funds are insufficient, the awards are considered a Necessary Government Expense (NGO).	Passed Senate.
<u>SB 21</u>	BR 111	D. Seum, D. Williams	AN ACT relating to school attendance.	Amend KRS 159.070 to permit a parent or legal guardian to enroll for attendance a child in the school nearest to the child's home, except in cases in which there are academic or skill prerequisites for attendance in the school.	Senate Education Committee.
<u>SB 28</u>	BR 167	T. Shaughnessy, K. Stein	AN ACT relating to school districts.	New section KRS 159 to require the Commonwealth to provide state funds from the general fund to a local school district to offset the costs of implementing any changes to Kentucky Revised Statutes that result in mandated changes to the local district assignment plan; provide that this expenditure is the state's first priority over other financial obligations.	Senate A&R Committee.
<u>SB 31</u>	BR 140	J. Pendleton	AN ACT relating to the school calendar.	Amend KRS 158.070 to prohibit a school district from establishing the first instructional day in a school term before the third Monday in August; allow a district to request a waiver to begin the instructional year prior to the third Monday in August.	Senate Education Committee.
<u>SB 32</u>	BR 362	D. Harper Angel	AN ACT relating to the inclusion of the body mass index on school physical examination forms.	Amend KRS 156.160 to require that preventative health care examination forms include a measure of body mass index; require the Department of Education to share aggregate data from the forms by state, school district, or county with the Cabinet for Health and Family Services.	Senate Education Committee.
<u>SB 35</u>	BR 136	J. Schickel, D. Thayer	AN ACT relating to school funding.	Amend KRS 157.310 to clarify the intention of the General Assembly that no mandate be placed on the public schools without program funding to carry out the mandate; require legislation relating to the public schools that includes a fiscal note pursuant to KRS 6.955 or a state mandate pursuant to 6.965 to include provision for funding that is adequate for compliance with the mandate; clarify that no school district shall be compelled to comply with mandated enactments of the General Assembly that do not provide adequate funding; specify that this amendment does not relieve a school district from the obligation to comply with state or federal laws relating to health, safety, or civil rights.	Senate A&R Committee.

2011 Regular Session - Legislative Summary, Feb. 2, 2011 KBE Meeting

Bill #	BR #	Sponsor	Title	Summary	Status
SB 36	BR 32	J. Westwood	AN ACT relating to career and technical education, making an appropriation therefor, and declaring an emergency.	Amend KRS 158.812 to express legislative goals for career and technical education; amend KRS 158.810 to define terms related to career and technical education; create a new section to KRS Chapter 156 to require the Department of Education to issue core content standards, assess student progress, and develop new courses relevant to college and career readiness; create a new section to KRS Chapter 158 providing for the creation and use of evidence-based models assessing the needs of at-risk students; create a new section of KRS Chapter 157 to define terms related to career and technical education and to establish a career and technical education accessibility fund; amend KRS 158.814 to address unmet needs for career and technical education; amend KRS 158.816 to add criteria to the assessment of technical education students; amend KRS 18A.010 to exempt technology center employees from the count of full-time executive branch employees; EMERGENCY.	Senate Education Committee.
SB 56	BR 489	J. Bowen, J. Schickel, J. Rhoads, M. Wilson	AN ACT relating to Bible literacy courses in the public schools.	Create a new section of KRS Chapter 156 to require the Kentucky Board of Education to promulgate administrative regulations to establish an elective social studies course on the Hebrew Scriptures, Old Testament of the Bible, the New Testament, or a combination of the Hebrew Scriptures and the New Testament of the Bible. Amend KRS 158.197 to permit a school council to offer an elective social studies course on the Hebrew Scriptures, Old Testament of the Bible, the New Testament, or a combination of the Hebrew Scriptures and the New Testament of the Bible.	Senate Education Committee.
SB 69	BR 229	K. Winters	AN ACT relating to early high school graduation and making an appropriation therefor.	Create a new section of KRS Chapter 158 to be numbered KRS 158.142 to establish the option for early high school graduation beginning in the 2012-2013 school year; define the curriculum requirements for early graduation and admission into a Kentucky public two-year institution or four-year university; establish the Early Graduation Scholarship Certificate and the processes for awarding it and using it; create a new section of KRS 164 to create the early graduation scholarship fund to be administered by the Kentucky Higher Education Assistance Authority; amend KRS 157.360 to describe how state funds from the SEEK appropriation will be transferred to the scholarship fund to support early high school graduates; amend KRS 158.140 to limit the powers of the Kentucky Board of Education or a local board from imposing graduation requirements that would prohibit a student from pursuing an early graduation program; amend KRS 164.7879 to prescribe how an annual KEES award for an early graduate would be calculated; amend KRS 157.420 to conform; APPROPRIATION.	Introduced in Senate.
SB 74	BR 215	R. Jones II	AN ACT relating to interscholastic athletics and declaring an emergency.	Amend KRS 156.070 to require the state board or agency designated to manage interscholastic athletics to identify how a school is assigned to compete in a specific district or region; require a school to be assigned to compete in a district that is within a 100-mile driving distance of the school and in a region that is within a 150-mile driving distance of the school; allow a school board to appeal the district or region assignment for a school athletic team; EMERGENCY.	

2011 Regular Session - Legislative Summary, Feb. 2, 2011 KBE Meeting

Bill #	BR #	Sponsor	Title	Summary	Status
<u>HB 13</u>	BR 10	L. Belcher	AN ACT relating to tuition for foster children.	Amend KRS 164.2847 to permit tuition and fee waivers for foster children taking dual credit or dual enrollment courses in high school.	House Education Committee
<u>HB 16</u>	BR 13	L. Belcher, S. Overly	AN ACT relating to obesity in school children.	Amend KRS 158.856 to clarify that KDE gather and track data on the amount of time and the types of activity required by KRS 160.345(11) and other data (aggregate school fitness data to be provided to assist school councils in reviewing and implementing wellness policies. Amends KRS 160.345 to require schools containing kindergarten through grade 5 to provide a minimum of 45 minutes per week of physical activity for half day kindergarten and 90 minutes per week for full day kindergarten through grade 5.	House Education Committee
<u>HB 17</u>	BR 20	L. Belcher, R. Damron	AN ACT relating to early education assessment and intervention.	Create a new section of KRS Chapter 158 to define "aphasia," "dyscalculia," "dyslexia," "phonemic awareness," and "scientifically based research"; require the Kentucky Board of Education to promulgate administrative regulations for district-wide reporting on the use of K-3 response-to-intervention implementation in reading by August 1, 2012, in mathematics by August 1, 2013, and behavior by August 1, 2014; require the Department of Education, on or before January 1, 2012, to make available technical assistance, training, and a Web-based resource to assist all local school districts in the implementation of the system and instructional tools based on scientifically based research; require the department to collaborate with other state agencies and organizations; require conformity with 20 U.S.C. sec. 1414(a)(1)(E) for initial evaluations of students with suspected disabilities; require the department to report to the Interim Joint Committee on Education on implementation by November 30, 2012, and annually thereafter; amend KRS 157.200 to conform with the federal definition of a "specific learning disability."	House Education Committee
<u>HB 30</u>	BR 21	L. Belcher	AN ACT relating to digital citizenship.	Amend KRS 156.660 to define "digital citizenship" as a set of characteristics that conceptualize the rewards as well as risks facing all technology users; set forth the characteristics; amend KRS 156.675 to require the Kentucky Board of Education to promulgate administrative regulations to require that each local school board implement an acceptable use policy that requires all school district employees who use technology to comply with the policy which shall include the characteristics of digital citizenship; amend KRS 156.095 to include technology and the characteristics of digital citizenship in the professional development activities which shall be provided for teachers; and amend KRS 158.148 to require local school districts to include in their student behavior codes behavior as it relates to being a good digital citizen.	House Education Committee

2011 Regular Session - Legislative Summary, Feb. 2, 2011 KBE Meeting

Bill #	BR #	Sponsor	Title	Summary	Status
<u>HB 39</u>	BR 162	S. Santoro	AN ACT relating to school funding.	Amend KRS 157.310 to clarify the intention of the General Assembly that no mandate be placed on the public schools without program funding to carry out the mandate; require legislation relating to the public schools that includes a fiscal note pursuant to KRS 6.955 or a state mandate pursuant to 6.965 to include provision for funding that is adequate for compliance with the mandate; clarify that no school district shall be compelled to comply with mandated enactments of the General Assembly that do not provide adequate funding; specify that this amendment does not relieve a school district from the obligation to comply with state or federal laws relating to health, safety, or civil rights.	House Education Committee
<u>HB 62</u>	BR 242	B. Montell, M. Dossett	AN ACT relating to school buses.	Amend KRS 189.540 to allow a local school board to sell commercial advertising on school buses; State Board to update administrative regulation; prohibit certain types of advertising; specify uses for advertising revenue.	House Education Committee
<u>HB 65</u>	BR 243	D. Ford, M. Dossett	AN ACT relating to energy drinks.	Create a new section of KRS Chapter 217 to prohibit the sale of energy drinks to children under 18 years of age; amend 217.015 to define the term "energy drink".	House Military Affairs & Public Safety
<u>HB 67</u>	BR 258	T. Mills	AN ACT relating to school buses.	Create a new section of KRS Chapter 189 to allow a local school board to sell advertising on school buses; prohibit certain types of advertising.	
<u>HB 75</u>	BR 228	R. Meeks, L. Belcher	AN ACT relating to school dropout prevention.	Amend KRS 158.145 to revise the existing declaration of the General Assembly to phase in an increase in the compulsory attendance age and to set a high school graduation rate of at least 90 percent by July, 2016; amend KRS 158.146 to revise the use of dropout prevention grants; to direct the Kentucky Department of Education to establish standards and indicators to measure progress and to assist schools in implementing research-based strategies; authorize the commissioner of education to approve alternative programs granting high school and college credit; create a new section of KRS Chapter 158 to establish the Commonwealth Mentor Initiative; create a new section of KRS Chapter 18A to provide one hour per week leave to state employees who become certified Commonwealth mentors to volunteer in a private or public school; specify conditions for mentor approval; create a new section of KRS Chapter 164 to require boards of trustees and boards of regents to encourage personnel to participate in the Commonwealth Mentor Initiative; amend KRS 159.010 to gradually increase the compulsory attendance age to 18 by July 1, 2015; amend KRS 159.020 to conform; amend KRS 157.224 to require the commissioner of education to report performance data on students with disabilities and initiatives for improvement; encourage the department, the KY Tech System and the Kentucky Community and Technical College System to work with local school districts to expand career pathways to keep students engaged; require the commissioner of education and the president of the Council on Postsecondary Education to engage others in the study of alternative education; express the General Assembly's intent to provide funding support to help districts with programs and services required by increasing compulsory attendance.	House Education Committee

2011 Regular Session - Legislative Summary, Feb. 2, 2011 KBE Meeting

Bill #	BR #	Sponsor	Title	Summary	Status
HB 81	BR 343	R. Nelson, M. Dossett	AN ACT relating to the school meal program.	Create a new section of KRS Chapter 158 to require that a student whose family income meets reduced-price or full-price meals shall not be denied the same meal offerings as made available to all other students if the student is unable to pay for a meal; permit the local school board to seek reimbursement of unpaid meal charges from the parents or guardians in the small claims division of the District Court or other appropriate means; prohibit the board from requiring a student be provided a substitute, alternative, or lesser meal offering.	House Education Committee
HB 84	BR 134	F. Steele, D. Keene, K. Sinnette	AN ACT relating to sales and use tax holidays and declaring an emergency.	Create a new section of KRS Chapter 139 to establish a three day sales and use tax holiday the first weekend in August each year to exempt clothing, school supplies, school art supplies, computers, and school computer supplies; EMERGENCY.	House A&R Committee
HB 86	BR 197	A. Wuchner, M. Rader, C. Embry Jr.	AN ACT relating to early education assessment and intervention.	Create a new section of KRS Chapter 158 to define "aphasia," "dyscalculia," "dysgraphia," "dyslexia," "phonemic awareness," and "scientifically based research"; require the Kentucky Board of Education to promulgate administrative regulations for district reporting on implementation of a response-to-intervention system in grades K-3 in reading and writing by August 1, 2012, in mathematics by August 1, 2013, and in behavior by August 1, 2014; require the Department of Education to make available technical assistance, training, and a Web-based resource to assist all local school districts in the implementation of the system and instructional tools based on scientifically based research; require the department to collaborate with other state agencies and organizations; require conformity with 20 U.S.C. 1414(a)(1)(E) for initial evaluations of students with suspected disabilities; require the department to report to the Interim Joint Committee on Education on implementation by November 30, 2012, and annually thereafter; amend KRS 157.200 to conform with the federal definition of a "specific learning disability."	House Education Committee
HB 88	BR 159	A. Wuchner, T. Burch	AN ACT relating to healthy goals for the school children of the Commonwealth.	Create a new section of KRS Chapter 158 to establish the goal of increasing time for physical activity to 30 minutes per day or 150 minutes per week in 100% of schools with kindergarten through grade 5 by November 1, 2013; require the Kentucky Department of Education to identify model programs, provide resources and assessment tools, develop a checklist for collecting data for public reporting; encourage physical activity plans in schools containing grades 6 through 8; report to the Interim Joint Committee on Education and the Interim Joint Committee on Health and Welfare by November 1, 2011, and annually thereafter on progress toward meeting the goal; and share aggregate school district and county data with the Cabinet for Health and Family Services.	House Education Committee
HB 89	BR 160	T. Burch, A. Wuchner	AN ACT relating to the inclusion of the body mass index on school physical examination forms.	Amend KRS 156.160 to require that preventative health care examination forms include a measure of body mass index; permit the Department of Education to share aggregate data from the forms by school district or county with the Cabinet for Health and Family Services.	House Education Committee

2011 Regular Session - Legislative Summary, Feb. 2, 2011 KBE Meeting

Bill #	BR #	Sponsor	Title	Summary	Status
HB 98	BR 184	B. Montell, T. Edmonds	AN ACT relating to the Great Schools Tax Credit Program.	Create a new section of KRS Chapter 141 to establish a Great Schools Tax Credit Program; provide a nonrefundable credit against the income tax imposed under KRS 141.020 or 141.040, and the limited liability entity tax imposed under KRS 141.0401, for contributions made to a scholarship organization that is organized solely for the purpose of receiving and distributing cash contributions to provide educational scholarships to eligible students at qualified schools; amend KRS 141.010 to exclude from the definition of "adjusted gross income" the amount received by an eligible student or by an individual on behalf of an eligible student as an educational scholarship under the program; amend KRS 141.0205 to provide the order in which the credit may be claimed.	House A&R Committee
HB 102	BR 80	R. Meeks	AN ACT relating to Rosenwald Schools.	Create new sections of KRS Chapter 171 establishing within the Kentucky African-American Heritage Commission a Rosenwald Schools Advisory Council responsible for identifying, preserving, and opening to the public existing Rosenwald School sites in the Commonwealth of Kentucky; amend KRS 171.805 to list coordination of the council among the duties of the Kentucky African-American Heritage Commission.	House State Government Committee
HB 103/AA	BR 180	B. Montell, M. Dossett, S. Lee	AN ACT relating to charter schools and making an appropriation therefor.	Create new sections of KRS Chapter 160 to describe the intent of the General Assembly and the purposes of authorizing public charter schools; define terms; establish the Public Charter School Commission and identify membership selection and responsibilities of members; outline the requirements and limitations on the establishment of charter schools including identification of charter school authorizers; describe responsibilities of authorizers; describe charter school application, renewal, and revocation process; establish the Public Charter School Commission trust fund and identify uses of the fund; require the commissioner of education to distribute charter school information to potential authorizers; create a new section of KRS Chapter 159 to identify student enrollment and withdrawal requirements to be followed by a charter school; create a new section of KRS Chapter 161 to identify employment conditions for charter school staff; create a new section of KRS Chapter 157 to require local, state, and federal funds to be distributed to charter schools using formulas and allocation processes used in non-charter schools; amend KRS 161.220 to include a teacher employed by a board of directors of a public charter school as a member within the state retirement system; amend KRS 161.220 to include employees of boards of directors of public charter schools in the state-sponsored retirement system; amend KRS 78.510 to include noncertified employees of public charter schools in the state-sponsored retirement system; amend KRS 61.690 to conform.	House Education Committee
HB 120	BR 384	C. Rollins II	AN ACT relating to educator evaluation.	Amend KRS 156.557 to require the Kentucky Board of Education to establish a statewide system of evaluation for all certified personnel; require the Department of Education, in partnership with professional organizations, to develop the system prior to the 2012-2013 school year; require the board to establish the weights to be applied to each performance criteria.	House Education Committee

2011 Regular Session - Legislative Summary, Feb. 2, 2011 KBE Meeting

Bill #	BR #	Sponsor	Title	Summary	Status
HB 134	BR 236	L. Belcher, R. Smart	AN ACT related to suicide prevention.	Amend KRS 156.095 to name the subsection related to suicide prevention awareness "Rachael's Law."	House Education Committee
HB 137	BR 81	J. Fischer	AN ACT relating to property tax.	Amend KRS 132.010 to redefine "compensating tax rate" and define "four percent (4%) rate" and "taxing district"; amend KRS 132.017 and 132.0225 to conform; amend KRS 132.023 to require all taxing districts to calculate separate real and personal property tax rates; create a new section of KRS Chapter 132 to allow a one-time adjustment in property tax rates in 2012 to align real and personal property rates; amend KRS 68.245, 157.440, 160.470, 210.480, 212.755, 65.125, 67.934, 67.938, 67A.850, 67C.125, 67C.147, 78.530, 132.012, 132.028, 160.475, and 342.240 to conform; create a new section of KRS Chapter 173 to require the Department of Libraries and Archives to calculate tax rates for library taxing districts; repeal KRS 68.248, 132.018, 132.024, 132.025, 132.027, 132.029, and 160.473; EFFECTIVE beginning January 1, 2012.	House A&R Committee
HB 169	BR 815	T. Moore	AN ACT relating to science education and intellectual freedom.	Create a new section of KRS Chapter 158 to encourage local school district teachers and administrators to foster an environment promoting objective discussion of the advantages and disadvantages of scientific theories; allow teachers to use, as permitted by the local board of education, materials in addition to state-approved texts and instructional materials for discussion of scientific theories; clarify that provisions do not promote religious doctrine or discrimination; provide that the section may be cited as the Kentucky Science Education and Intellectual Freedom Act.	House Education Committee
HB 171	BR 263	A. Wuchner, C. Embry Jr., B. Yonts	AN ACT relating to an alternative high school diploma for special needs students.	Amend KRS 156.160 to require the Kentucky Board of Education to promulgate administrative regulations for an alternative high school diploma for students with disabilities completing a modified curriculum and an individualized course of study; amend KRS 158.140 to require local boards of education to award the diploma to eligible students; amend KRS 313.040 to conform.	House Education Committee
HB 189	BR 848	L. Napier, R. Nelson, K. King	AN ACT relating to an income tax deduction for teachers.	Amend KRS 141.010 to provide a deduction for the cost of tuition for a teacher enrolled in a masters degree program.	
HB 192	BR 355	A. Koenig, J. Carney	AN ACT relating to instruction in voting	Create a new section of KRS Chapter 158 to require secondary schools to provide information to twelfth-grade students on how to register to vote, vote in an election using a ballot, and vote using an absentee ballot; recommend instructional methods.	House Elections, Const. Amendments & Intergovernmental Affairs

2011 Regular Session - Legislative Summary, Feb. 2, 2011 KBE Meeting

Bill #	BR #	Sponsor	Title	Summary	Status
<u>HB 225</u>	BR 801	J. Greer, R. Meeks, R. Adkins, L. Clark, J. Comer Jr., R. Damron, R. Nelson, R. Rand, J. Richards, C. Rollins II, S. Santoro, W. Stone, G. Stumbo, T. Thompson, A. Wuchner	AN ACT relating to school dropout prevention.	Amend KRS 159.010 to require compulsory attendance for children ages 6 to 17 by July 1, 2015, and for children ages 6 to 18 by July 1, 2016; continue dropout conferences until July 1, 2016; make technical corrections; amend KRS 159.020 to conform; create new sections of KRS Chapter 158 to clarify the purpose of alternative education programs; require the Kentucky Board of Education to promulgate administrative regulations establishing definitions, policies, and guidelines for student assignment and data collection protocols relative to alternative education programs; require local school districts to track the academic progress of students enrolled in alternative education programs; require the Kentucky Department of Education to file a data report by December 1, 2012, and annually thereafter, to the Interim Joint Committee on Education; require the use of experienced and certified teachers; prohibit the use of probationary teachers and staff; require appropriate staff development; require districts to track expenditures and report them to the Kentucky Department of Education; amend KRS 158.812 to add language stating to the intent of the General Assembly relative to career and technical education programs.	House
<u>HCR 7</u>	(BR 133)	J. Richards		Direct the Legislative Research Commission to establish a legislative task force to establish a strategy to provide home laptop computers for middle school students; establish task force by August 1, 2011; report findings to appropriate committee or committees no later than December 1, 2011.	House Education Committee
<u>HCR 13</u>	(BR 310)	A. Wuchner, B. DeWeese		Direct the Legislative Research Commission to establish the Legislative Task Force on Childhood Obesity to meet at least monthly during the 2011 Interim of the General Assembly; require the task force to report any recommendations and findings by November 30, 2011, to the Legislative Research Commission and the Interim Joint Committee on Health and Welfare.	House Health and Welfare
<u>HCR 15</u>	(BR 410)	C. Rollins II		Direct the Legislative Research Commission to study the factors impacting the academic achievement of African-American male students in the public schools of the Commonwealth and the characteristics of schools that are effective in producing high levels of achievement for this population; require a draft report by October 15, 2012, for review by the Interim Joint Committee on Education.	
<u>HR 25</u>	(BR 824)	T. Moore		Declare the support of the House of Representatives for the proposition that Kentucky students should be free to participate in student groups that have religious expression as a component of the group's activities and that they should be free to express their religious viewpoints in school activities to the same extent as they are permitted to express their non-religious viewpoints.	