GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2008 REGULAR SESSION

SENATE BILL NO. 2

AS ENACTED

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SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Adler

AN ACT relating to strategies to improve academic achievement and making an appropriation therefor.

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

1 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
2 READ AS FOLLOWS:
3 ***As used in Sections 1 to 5 of this Act:***
4 ***(1) "STEM" means science, technology, engineering, and mathematics; and***
5 ***(2) "Advanced science and mathematics" means Advanced Placement biology,***
6 ***calculus, chemistry, computer science, environmental science, and physics, and***
7 ***International Baccalaureate biology, chemistry, computer science, environmental***
8 ***systems, mathematical studies, further mathematics, and physics.***
9 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
10 READ AS FOLLOWS:
11 ***The General Assembly hereby finds that:***
12 ***(1) The future of Kentucky depends upon the ability to develop intellectual capital***
13 ***that can drive the research and development activities that will allow the***
14 ***Commonwealth to successfully compete in the global knowledge-based economy;***
15 ***(2) Kentucky's natural resources, the nation's need for energy independence, and the***
16 ***worldwide movement toward the creation of cleaner and more sustainable energy***
17 ***technologies afford Kentucky the opportunity to become an international leader***
18 ***in energy diversification;***
19 ***(3) Strengthening Kentucky's position in key areas of the knowledge-based economy,***
20 ***including energy and environmental technology, biosciences, materials science,***
21 ***advanced manufacturing, information technology, human health and***
22 ***development, and other fields, requires a strong and steady stream of researchers,***
23 ***workers, policymakers, and entrepreneurs trained in the STEM disciplines;***
24 ***(4) The number of Kentucky's elementary and secondary students interested in***

1 *pursuing, and adequately prepared for success in, the STEM disciplines in*
2 *college and the workforce is insufficient to meet the challenges and opportunities*
3 *with which Kentucky is confronted;*
4 *(5) The number of Kentucky's elementary, middle, and secondary school teachers*
5 *who are highly qualified to provide instruction in the STEM disciplines is*
6 *insufficient to adequately prepare students for careers in the knowledge-based*
7 *economy; and*
8 *(6) Bold, collaborative, and strategic action is needed by all stakeholders in*
9 *Kentucky's P-20 education system, business sector, and government to improve*
10 *Kentucky's position for success in the knowledge-based economy by expanding*
11 *and strengthening STEM educational opportunities from prekindergarten*
12 *through the doctoral degree level, inspiring more Kentuckians to pursue those*
13 *opportunities, and linking those opportunities with a coherent set of statewide*
14 *economic and workforce development strategies.*
15 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
16 READ AS FOLLOWS:
17 *(1) The science and mathematics advancement fund is hereby created to provide*
18 *incentives for public schools to provide or expand student access to rigorous*
19 *science and mathematics curricula, to make available advanced science and*
20 *mathematics courses and college credit in these disciplines for high school*
21 *students, and to increase the quantity and quality of science and mathematics*
22 *teachers in Kentucky.*
23 *(a) Funds may be used in support of public schools to provide:*
24 *1. Payment of student fees for AP and IB examinations;*
25 *2. Scholarships for high school students to take advanced science and*
26 *mathematics courses through the Kentucky Virtual High School when*
27 *those courses are not offered at the school in which they are enrolled;*

1 *3. Two (2) year grants to high schools to support the start-up of*
2 *advanced science and mathematics courses;*
3 *4. Two (2) year renewable grants to middle schools to support*
4 *accelerated student learning in science and mathematics;*
5 *5. Grants to school districts for programs to develop and implement an*
6 *energy technology engineering career track; and*
7 *6. Professional development opportunities, and payment of expenses and*
8 *stipends for participation, for elementary school teachers to deepen*
9 *their content knowledge and improve instructional practice in science*
10 *and mathematics.*
11 *(b) The fund may receive state appropriations, grants, gifts, federal funds, or*
12 *any other funds, public or private.*
13 *(c) Funds from the science and mathematics advancement fund shall be*
14 *distributed after all other funds available for these purposes have been*
15 *obligated, including state funds, federal funds, or any funds available*
16 *through a scholarship program administered by the Kentucky Higher*
17 *Education Assistance Authority.*
18 *(2) The Kentucky Board of Education shall promulgate administrative regulations*
19 *for the administration of the science and mathematics advancement fund. The*
20 *Kentucky Department of Education shall administer the fund, approve grant*
21 *recipients, and distribute the funds to local school districts and other appropriate*
22 *educational agencies.*
23 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
24 READ AS FOLLOWS:
25 *(1) Using funds from the science and mathematics advancement fund, the*
26 *Department of Education shall establish the following grant programs for public*
27 *schools:*

1 *(a) High School Advanced Science and Mathematics Course Start-up Program;*
2 *(b) Middle School Mathematics and Science Scholars Program; and*
3 *(c) District Energy Technology Career Track Program.*
4 *(2) High School Advanced Science and Mathematics Course Start-up Program. The*
5 *purpose of the program is to increase the number of students who successfully*
6 *complete rigorous science and mathematics coursework during high school by*
7 *providing support to high schools to offer additional advanced science and*
8 *mathematics courses with highly trained teachers and appropriate course*
9 *materials.*
10 *(a) The program shall provide two (2) year grants to high schools. To qualify*
11 *for a grant, a school shall initiate at least one (1) advanced mathematics*
12 *and science course. During the first year of the grant, funds shall be used*
13 *for planning and the training of teachers. During the second year of the*
14 *grant, funds shall be used to provide additional support for implementation*
15 *of an advanced science and mathematics course.*
16 *(b) Permissible uses of funds include additional training for an advanced*
17 *science and mathematics teacher and the purchase of classroom supplies,*
18 *textbooks, laboratory equipment, and other instructional materials.*
19 *(c) A high school applying for a grant under this subsection shall provide*
20 *assurances that:*
21 *1. All teachers of advanced science and mathematics courses supported*
22 *by the grant shall participate in a College Board-endorsed AP summer*
23 *training institute or International Baccalaureate-sponsored IB*
24 *summer workshop, as available; and*
25 *2. All students completing AP courses supported by the grant shall take*
26 *the AP examination, and all students enrolled in the IB courses*
27 *supported by the grant shall take the IB examination, in the respective*

1 *content areas.*

2 *(3) Middle School Mathematics and Science Scholars Program. The purpose of the*
3 *program is to increase the number of students entering high school who are well-*
4 *prepared to undertake rigorous mathematics and science coursework,*
5 *culminating in successful completion of advanced science and mathematics*
6 *courses and high achievement on AP and IB examinations.*

7 *(a) The program shall provide two (2) year renewable grants to middle schools*
8 *to support intensive, accelerated student learning in mathematics and the*
9 *sciences, to be offered at no cost to participants. Grants shall be used to*
10 *support activities that may include but not be limited to programs during the*
11 *school day, after-school programs, Saturday programs, or multiweek*
12 *summer sessions.*

13 *(b) The grant application shall ensure that teachers participating in the grant*
14 *have the skills to provide intensive, accelerated student learning in*
15 *mathematics or the sciences and that they will receive ongoing, relevant*
16 *professional development.*

17 *(c) A middle school receiving grants shall collaborate with elementary schools*
18 *from which it receives students, and with high schools to which it sends*
19 *students, to share information on grant activities; strengthen alignment of*
20 *curricula, content-knowledge expectations, and instructional practice*
21 *between schools; and provide relevant professional development*
22 *opportunities.*

23 *(d) The accelerated learning program shall include strategies to improve the*
24 *academic skills in mathematics and science for all students for whom*
25 *significant academic achievement gaps have been identified and to attract*
26 *them into higher level mathematics and science courses. Specific activities*
27 *to recruit and enroll students from all racial, ethnic, and socio-economic*

1 *groups within the school shall be conducted. Each grant applicant shall*
2 *provide assurances that the necessary resources will be allocated and*
3 *utilized to help students in all subpopulations academically succeed in the*
4 *accelerated learning program and to meet the enrollment goal. The*
5 *enrollment goal shall be that the number of students representing each*
6 *racial, ethnic, and socio-economic group enrolled in the mathematics and*
7 *science accelerated learning program shall not be less than nor limited to*
8 *the percentage of each group in the total school population.*
9 *(4) District Energy Technology Career Track Program. The purpose of the program*
10 *is to provide grants to school districts to develop and implement an energy*
11 *technology engineering career track across middle and high schools within the*
12 *district as described in KRS 158.808.*
13 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
14 READ AS FOLLOWS:
15 *(1) The Kentucky Board of Education shall establish long-term and annual statewide*
16 *goals for increasing:*
17 *(a) The number of high schools providing rigorous curricula and making*
18 *available accelerated classes and college credit for students;*
19 *(b) The number and percentage of students enrolled in and completing AP and*
20 *IB courses by content area;*
21 *(c) The number and percentage of students taking the AP and IB examinations*
22 *in advanced science and mathematics;*
23 *(d) The number and percentage of students receiving a score of three (3) or*
24 *better on the AP examinations or five (5) or better on IB examinations in*
25 *advanced science and mathematics;*
26 *(e) The number and percentage of students whose families are eligible for free*
27 *or reduced-price lunch receiving a score of three (3) or better on AP*

1 *examinations or five (5) or better on IB examinations;*
2 *(f) The number of teachers successfully completing a College Board-endorsed*
3 *AP or IB summer training institute;*
4 *(g) The number of teachers with the knowledge and training needed to prepare*
5 *students for high achievement on AP and IB examinations in advanced*
6 *science and mathematics; and*
7 *(h) Other criteria determined by the board.*
8 *(2) (a) The Kentucky Department of Education shall develop a program evaluation*
9 *framework regarding the use of the science and mathematics advancement*
10 *fund for the purposes set forth in Section 3 of this Act. The program*
11 *evaluation framework shall address areas including but not limited to the*
12 *use of funds, the number of grants and awards, student achievement*
13 *outcomes, and trends over time on the indicators established to measure*
14 *progress against the statewide goals under subsection (1) of this section.*
15 *(b) Beginning in 2008, the department shall submit an annual report no later*
16 *than December 1 to the Kentucky Board of Education and the Interim Joint*
17 *Committee on Education. The report for 2008 shall provide a status report*
18 *on the implementation of programs supported by the science and*
19 *mathematics advancement fund. Subsequent reports shall incorporate*
20 *information collected and analyzed based on the program evaluation*
21 *framework under paragraph (a) of this subsection.*
22 ➔SECTION 6. A NEW SECTION OF KRS CHAPTER 161 IS CREATED TO
23 READ AS FOLLOWS:
24 *By July 1, 2009, the Kentucky Department of Education, in cooperation with teacher*
25 *education institutions, shall develop a training program for certified and classified*
26 *personnel to become on-line coaches to provide effective support to students enrolled in*
27 *courses through the Kentucky Virtual High School.*

1 ➔SECTION 7. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
2 READ AS FOLLOWS:
3 ***By July 1, 2010, at least one (1) employee in each middle school and high school shall***
4 ***have successfully completed the on-line coaches training under Section 6 of this Act.***
5 ***The cost of acquiring the training shall be borne by the local school district.***
6 ➔SECTION 8. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
7 READ AS FOLLOWS:
8 ***As used in Sections 8 to 11 of this Act:***
9 ***(1) "STEM" means science, technology, engineering, and mathematics; and***
10 ***(2) "Advanced science and mathematics" means Advanced Placement biology,***
11 ***calculus, chemistry, computer science, environmental science, and physics, and***
12 ***International Baccalaureate biology, chemistry, computer science, environmental***
13 ***systems, mathematical studies, further mathematics, and physics.***
14 ➔SECTION 9. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
15 READ AS FOLLOWS:
16 ***(1) The Council on Postsecondary Education shall create a STEM Initiative Task***
17 ***Force for the purpose of providing leadership and strategic direction to a***
18 ***comprehensive, statewide STEM initiative to improve Kentucky's position for***
19 ***success in the knowledge-based economy by expanding and strengthening***
20 ***educational and economic development opportunities in science, technology,***
21 ***engineering, and mathematics. The STEM Initiative Task Force shall be***
22 ***composed of representatives from the executive and legislative branches of***
23 ***government, postsecondary education, elementary and secondary education,***
24 ***professionals within the STEM disciplines, and the business community.***
25 ***(2) The president of the Council on Postsecondary Education shall appoint members***
26 ***to the STEM Initiative Task Force, except that the President of the Senate shall***
27 ***appoint two (2) members of the Kentucky Senate and the Speaker of the House of***

1 *Representatives shall appoint two (2) members of the House of Representatives to*
2 *the task force. The task force members appointed by the president of the Council*
3 *on Postsecondary Education shall include but not be limited to the*
4 *representatives on the STEM Initiative Steering Committee under subsection (4)*
5 *of this section. The total number of members of the STEM Initiative Task Force*
6 *shall be determined by the president of the Council on Postsecondary Education.*
7 *(3) The task force shall have a chair, who shall be the presiding officer and shall*
8 *coordinate the functions and activities of the task force. The chair shall be elected*
9 *by majority vote of the members present at the first meeting of the task force after*
10 *the effective date of this Act. Thereafter, the chair shall be elected each calendar*
11 *year.*
12 *(4) The STEM Initiative Task Force shall have a steering committee to provide*
13 *oversight and coordination of the implementation of the STEM strategic and*
14 *business plans developed by the task force under Section 10 of this Act, and to*
15 *determine the allocation of funds from Kentucky STEM Initiative fund under*
16 *Section 11 of this Act. The chair of the STEM Initiative Task Force shall be the*
17 *chair of the steering committee, and a vice chair shall be elected by members of*
18 *the steering committee. The steering committee shall be composed of task force*
19 *members as follows:*
20 *(a) Two (2) representatives of the Kentucky Cabinet for Economic*
21 *Development;*
22 *(b) One (1) representative of the Center for Applied Energy Research at the*
23 *University of Kentucky;*
24 *(c) One (1) representative of the Kentucky Rural Energy Consortium at the*
25 *University of Louisville;*
26 *(d) Two (2) representatives of the Kentucky Chamber of Commerce;*
27 *(e) One (1) representative of the Kentucky Science and Technology*

1 *Corporation;*
2 *(f) Two (2) representatives of the Council on Postsecondary Education;*
3 *(g) One (1) president of a public university;*
4 *(h) One (1) representative of the Kentucky Community and Technical College*
5 *System;*
6 *(i) One (1) representative of the Association of Kentucky Independent Colleges*
7 *and Universities;*
8 *(j) Two (2) representatives of the Kentucky Department of Education;*
9 *(k) Two (2) representatives of the Kentucky Education Association;*
10 *(l) One (1) representative of the Kentucky School Boards Association;*
11 *(m) One (1) representative of the Kentucky Association of School*
12 *Administrators;*
13 *(n) One (1) representative of the Education Professional Standards Board; and*
14 *(o) The task force chair.*
15 *(5) When making the appointment of a representative required under subsection (4)*
16 *of this section, the president of the Council on Postsecondary Education shall*
17 *seek the advice of the chief executive officer of the organization, agency, or*
18 *association being represented, except that the advice of the Kentucky Council of*
19 *Presidents shall be sought regarding the selection of a public university president*
20 *to serve.*
21 *(6) Each STEM Initiative Task Force member shall serve a term of three (3) years,*
22 *or until a successor is appointed or qualified, except that, to the degree possible,*
23 *for members appointed by the president of the Council on Postsecondary*
24 *Education, the initial term of one-third (1/3) of the members shall be for one (1)*
25 *year, one-third (1/3) for two (2) years, and one-third (1/3) for three (3) years. A*
26 *member may be reappointed to the task force at the discretion of the president of*
27 *the Council on Postsecondary Education.*

1 *(7) The task force shall meet at least semiannually or upon the call of the chair, and*
2 *a majority of the full membership shall constitute a quorum.*
3 *(8) The task force, under the leadership of the chair, may appoint committees,*
4 *subcommittees, advisory groups, or other work structures to accomplish its*
5 *purposes.*
6 *(9) Members of the task force shall serve without compensation but may be*
7 *reimbursed for necessary travel and expenses while attending meetings or*
8 *conducting approved activities at a per diem rate not to exceed the rate*
9 *promulgated in administrative regulation for state employees under the*
10 *provisions of KRS Chapter 45.*
11 *(10) The task force shall be attached to the Council on Postsecondary Education for*
12 *administrative purposes. The council may enter into a memorandum of*
13 *agreement with the Kentucky Department of Education for staff and other*
14 *administrative expenses relating to the implementation of Sections 8 to 11 of this*
15 *Act.*
16 *(11) The task force may create a public or nonprofit corporation or contract with an*
17 *existing nonprofit corporation to facilitate the public-private collaboration in the*
18 *development and implementation of the STEM Initiative.*
19 *(12) The task force or the public or nonprofit corporation which may be utilized under*
20 *subsection (11) of this section may receive and expend funds from state*
21 *appropriations and may solicit, apply for, and receive funds, grants, contracts,*
22 *contributions, property, or services from a person, government agency, or other*
23 *organization, public or private. Determination of the use of funds received by the*
24 *task force shall be established by the STEM Initiative Steering Committee*
25 *pursuant to this section.*
26 *(13) Funds appropriated to the task force or the public or nonprofit corporation which*
27 *may be utilized under subsection (11) this section shall not lapse at the end of a*

1 *fiscal year but shall be carried forward to the next fiscal year to be used solely to*
2 *support the purposes for which the funds were appropriated.*
3 *(14) The task force or the public or nonprofit corporation which may be utilized under*
4 *subsection (11) of this section shall:*
5 *(a) Follow standard accounting practices;*
6 *(b) Have an independent auditor conduct an annual financial audit; and*
7 *(c) Submit a quarterly report of receipts and expenditures no later than sixty*
8 *(60) days after the end of a calendar quarter. The task force shall file its*
9 *report with the Council on Postsecondary Education and a public or*
10 *nonprofit corporation shall file its report to the STEM Initiative Task*
11 *Force.*
12 *(15) The task force or the public or nonprofit corporation which may be utilized under*
13 *subsection (11) of this section shall submit an annual financial and progress*
14 *report for the previous fiscal year by September 30 to the Governor, the*
15 *Legislative Research Commission, the commissioner of education, and the*
16 *president of the Council on Postsecondary Education.*
17 ➔SECTION 10. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
18 READ AS FOLLOWS:
19 *(1) The STEM Initiative Task Force shall explore the critical relationship between*
20 *STEM degree production and the knowledge-based economy of Kentucky and*
21 *make recommendations to accelerate Kentucky's performance in the STEM*
22 *disciplines. The task force shall develop a comprehensive, statewide strategic plan*
23 *and a business plan to improve STEM performance in government, business,*
24 *elementary and secondary education, and postsecondary education.*
25 *(2) The strategic plan shall include but not be limited to:*
26 *(a) Energizing a statewide public awareness campaign to help Kentuckians*
27 *understand the critical importance of STEM to their own economic*

1 *competitiveness and that of the Commonwealth;*
2 *(b) Creating incentives and a supportive environment for students, teachers,*
3 *and institutions that pursue, succeed, and excel in the STEM disciplines*
4 *throughout the P-20 educational pipeline;*
5 *(c) Implementing international best practices in professional development*
6 *programs for P-16 STEM teachers to increase the intensity, duration, and*
7 *rigor of professional development;*
8 *(d) Improving teacher preparation programs and encouraging people with*
9 *undergraduate and graduate degrees in the STEM disciplines to enter the*
10 *teaching profession;*
11 *(e) Revolutionizing how STEM subjects are taught, learned, and assessed and*
12 *implementing a statewide, research-based STEM curriculum that is aligned*
13 *with global workforce and academic standards;*
14 *(f) Engaging business, industry, and civic leaders to improve STEM education*
15 *and skills in the Commonwealth and creating incentives for Kentucky*
16 *businesses that employ and invest in STEM-educated students;*
17 *(g) Developing an ongoing, coordinated, statewide STEM initiative that*
18 *maximizes the impact of resources among government agencies, schools,*
19 *colleges and universities, and businesses, and which is focused on*
20 *developing and attracting STEM-related jobs in Kentucky;*
21 *(h) Targeting energy sustainability problems and opportunities in Kentucky*
22 *and the nation as a primary objective of statewide STEM enhancements;*
23 *(i) Developing STEM mentoring programs that partner students in grades five*
24 *(5) through twelve (12), their teachers, or both, with engineers, business*
25 *professionals, college or university professors, university students, or others*
26 *with expertise in the STEM disciplines to link academic coursework with*
27 *the real world, underscoring the importance of rigorous academic*

1 *preparation and encouraging pursuit of careers in the STEM disciplines;*
2 *and*
3 *(j) Creating recognition awards and activities and financial support for*
4 *individuals, businesses, or organizations that exhibit excellence in*
5 *mentoring within the STEM disciplines.*
6 *(3) The STEM Task Force shall develop a business plan aligned with the strategic*
7 *plan which includes measurable benchmarks for progress in achieving the goals*
8 *within the strategic plan for one (1) year, three (3) year, and five (5) year time*
9 *periods. The initial business plan shall be presented to the Interim Joint*
10 *Committees on Appropriations and Revenue and Education by December 30,*
11 *2008. In subsequent years, the task force shall review and revise the business*
12 *plan as needed to further the purposes of the STEM Initiative.*
13 ➔SECTION 11. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
14 READ AS FOLLOWS:
15 *(1) The Kentucky STEM Initiative fund is hereby created to support the STEM*
16 *Initiative described in Sections 9 and 10 of this Act, as directed by the STEM*
17 *Initiative Steering Committee established in subsection (4) of Section 9 of this*
18 *Act.*
19 *(2) The fund may receive state appropriations, grants, gifts, federal funds, or any*
20 *other public or private funds.*
21 *(3) Fund amounts not expended or obligated at the end of a fiscal year shall not*
22 *lapse but shall be carried forward to the next fiscal year to be used solely to*
23 *support the purposes for which the funds were appropriated. Any interest*
24 *earnings of the fund shall become a part of the fund and shall not lapse.*
25 *(4) The Department of Education and the Council on Postsecondary Education may*
26 *expend available funds from other sources on the STEM Initiative.*
27 ➔Section 12. KRS 156.160 is amended to read as follows:

1 (1) With the advice of the Local Superintendents Advisory Council, the Kentucky
2 Board of Education shall promulgate administrative regulations establishing
3 standards which school districts shall meet in student, program, service, and
4 operational performance. These regulations shall comply with the expected
5 outcomes for students and schools set forth in KRS 158.6451. Administrative
6 regulations shall be promulgated for the following:
7 (a) Courses of study for the different grades and kinds of common schools
8 identifying the common curriculum content directly tied to the goals,
9 outcomes, and assessment strategies developed under KRS 158.645,
10 158.6451, and 158.6453 and distributed to local school districts and schools.
11 The administrative regulations shall provide that:
12 1. If a school offers American sign language, the course shall be accepted
13 as meeting the foreign language requirements in common schools
14 notwithstanding other provisions of law; and
15 2. If a school offers the Reserve Officers Training Corps program, the
16 course shall be accepted as meeting the physical education requirement
17 for high school graduation notwithstanding other provisions of law;
18 (b) ***Courses of study or educational experiences available to students in all***
19 ***middle and high schools to fulfill the prerequisites for courses in advanced***
20 ***science and mathematics as defined in Section 1 of this Act;***
21 ***(c)*** The acquisition and use of educational equipment for the schools as
22 recommended by the Council for Education Technology;
23 ***(d)***[~~(c)~~] The minimum requirements for high school graduation in light of the
24 expected outcomes for students and schools set forth in KRS 158.6451.
25 Student scores from any assessment administered under KRS 158.6453 that
26 are determined by the National Technical Advisory Panel to be valid and
27 reliable at the individual level shall be included on the student transcript. The

1 National Technical Advisory Panel shall submit its determination to the
2 commissioner of education and the Legislative Research Commission;
3 *(e)*[~~(d)~~] Taking and keeping a school census, and the forms, blanks, and software
4 to be used in taking and keeping the census and in compiling the required
5 reports. The board shall create a statewide student identification numbering
6 system based on students' Social Security numbers. The system shall provide a
7 student identification number similar to, but distinct from, the Social Security
8 number, for each student who does not have a Social Security number or
9 whose parents or guardians choose not to disclose the Social Security number
10 for the student;
11 *(f)*[~~(e)~~] Sanitary and protective construction of public school buildings, toilets,
12 physical equipment of school grounds, school buildings, and classrooms. With
13 respect to physical standards of sanitary and protective construction for school
14 buildings, the Kentucky Board of Education shall adopt the Uniform State
15 Building Code;
16 *(g)*[~~(f)~~] Medical inspection, physical and health education and recreation, and
17 other regulations necessary or advisable for the protection of the physical
18 welfare and safety of the public school children. The administrative
19 regulations shall set requirements for student health standards to be met by all
20 students in grades four (4), eight (8), and twelve (12) pursuant to the outcomes
21 described in KRS 158.6451. The administrative regulations shall permit a
22 student who received a physical examination no more than six (6) months
23 prior to his initial admission to Head Start to substitute that physical
24 examination for the physical examination required by the Kentucky Board of
25 Education of all students upon initial admission to the public schools, if the
26 physical examination given in the Head Start program meets all the
27 requirements of the physical examinations prescribed by the Kentucky Board

1 of Education;

2 *(h)*[~~(g)~~] A vision examination by an optometrist or ophthalmologist that shall be
3 required by the Kentucky Board of Education. The administrative regulations
4 shall require evidence that a vision examination that meets the criteria
5 prescribed by the Kentucky Board of Education has been performed. This
6 evidence shall be submitted to the school no later than January 1 of the first
7 year that a three (3), four (4), five (5), or six (6) year-old child is enrolled in a
8 public school, public preschool, or Head Start program;

9 *(i)*[~~(h)~~] The transportation of children to and from school;

10 *(j)*[~~(i)~~] The fixing of holidays on which schools may be closed and special days
11 to be observed, and the pay of teachers during absence because of sickness or
12 quarantine or when the schools are closed because of quarantine;

13 *(k)*[~~(j)~~] The preparation of budgets and salary schedules for the several school
14 districts under the management and control of the Kentucky Board of
15 Education;

16 *(l)*[~~(k)~~] A uniform series of forms and blanks, educational and financial,
17 including forms of contracts, for use in the several school districts; and

18 *(m)*[~~(l)~~] The disposal of real and personal property owned by local boards of
19 education.

20 (2) (a) At the request of a local board of education or a school council, a local school
21 district superintendent shall request that the Kentucky Board of Education
22 waive any administrative regulation promulgated by that board. Beginning in
23 the 1996-97 school year, a request for waiver of any administrative regulation
24 shall be submitted to the Kentucky Board of Education in writing with
25 appropriate justification for the waiver. The Kentucky Board of Education
26 may approve the request when the school district or school has demonstrated
27 circumstances that may include but are not limited to the following:

1. An alternative approach will achieve the same result required by the administrative regulation;
2. Implementation of the administrative regulation will cause a hardship on the school district or school or jeopardize the continuation or development of programs; or
3. There is a finding of good cause for the waiver.

(b) The following shall not be subject to waiver:
1. Administrative regulations relating to health and safety;
2. Administrative regulations relating to civil rights;
3. Administrative regulations required by federal law; and
4. Administrative regulations promulgated in accordance with KRS 158.6451, 158.6453, 158.6455, 158.685, and this section, relating to measurement of performance outcomes and determination of successful districts or schools, except upon issues relating to the grade configuration of schools.

(c) Any waiver granted under this subsection shall be subject to revocation upon a determination by the Kentucky Board of Education that the school district or school holding the waiver has subsequently failed to meet the intent of the waiver.

(3) Any private, parochial, or church school may voluntarily comply with curriculum, certification, and textbook standards established by the Kentucky Board of Education and be certified upon application to the board by such schools.

(4) Any public school that violates the provisions of KRS 158.854 shall be subject to a penalty to be assessed by the commissioner of education as follows:

(a) The first violation shall result in a fine of no less than one (1) week's revenue from the sale of the competitive food;

(b) Subsequent violations shall result in a fine of no less than one (1) month's

1 revenue from the sale of the competitive food;
2 (c) "Habitual violations," which means five (5) or more violations within a six (6)
3 month period, shall result in a six (6) month ban on competitive food sales for
4 the violating school; and
5 (d) Revenue collected as a result of the fines in this subsection shall be transferred
6 to the food service fund of the local school district.
7 ➔Section 13. KRS 156.553 is amended to read as follows:
8 (1) The teachers' professional growth fund is hereby created to provide teachers with
9 high quality professional development in content knowledge in mathematics,
10 reading, science, language arts, social studies, arts and humanities, practical living,
11 vocational studies, and foreign languages; classroom-based screening, diagnostic,
12 assessment, and intervention strategies; and teaching methodologies. Based on
13 available funds, student achievement data, and teacher data, the Kentucky Board of
14 Education shall annually determine the priority for content emphasis based on the
15 greatest needs.
16 (2) (a) The fund may provide moneys to teachers for:
17 1. Tuition reimbursement for successful completion of college or
18 university level courses, including on-line courses and seminars,
19 approved for this purpose by the Education Professional Standards
20 Board;
21 2. Stipends for participation in and successful completion of:
22 a. College or university courses, including on-line courses and
23 seminars, approved for this purpose by the Education Professional
24 Standards Board;
25 b. Teacher institutes developed for core content instructors by the
26 Department of Education in compliance with KRS 156.095; and
27 c. Other professional development programs approved by the

1 Kentucky Department of Education, ***including professional***
2 ***development for teachers participating in grants awarded by the***
3 ***Middle School Mathematics and Science Scholars Program***
4 ***established under Section 4 of this Act***;
5 3. Reimbursement for the purchase of materials required for professional
6 development programs; and
7 4. Reimbursement for other approved professional development activities
8 throughout the school year, including reimbursement for:
9 a. Travel to and from professional development workshops; and
10 b. Travel to and from other schools for the observation of, and
11 consultation with, peer mentors; or
12 (b) The fund may be used to provide grants to local school districts to support
13 staff participation in specific, statewide initiatives for the professional
14 development of teachers and administrators in specific content areas as
15 established by the Kentucky Department of Education and the Kentucky
16 Board of Education under the provisions of subsections (4), (5), and (6) of this
17 section and referenced in KRS 158.842.
18 (c) The fund may be used to provide grants to colleges and universities to plan
19 and develop statewide professional development institutes and other
20 professional development services.
21 (d) The fund may be used to provide grants to local school districts, to colleges
22 and universities, or other entities to assist the Kentucky Department of
23 Education in evaluating costs and the effectiveness of activities and initiatives
24 established under this section.
25 (3) The Education Professional Standards Board shall determine the college and
26 university courses, including on-line courses and seminars, for which teachers may
27 receive reimbursement from the fund.

1 (4) The Department of Education shall:
2 (a) Administer the fund. In order to process reimbursements to teachers promptly,
3 the reimbursements shall not be subject to KRS 45A.690 to 45A.725;
4 (b) Determine the professional development programs for which teachers may
5 receive reimbursement, or districts or colleges and universities may receive
6 grants, from the fund;
7 (c) Determine the level of stipend or reimbursement, subject to the availability of
8 appropriated funds, for particular courses and programs, under subsection (2)
9 of this section; and
10 (d) Provide an accounting of fund expenditures and results of the use of the funds
11 for each biennium to the Interim Joint Committee on Education by November
12 1 of each odd-numbered year.
13 (5) The professional development programs approved by the Department of Education
14 for which teachers may receive support from the fund shall:
15 (a) Focus on improving the content knowledge of teachers;
16 (b) Provide training in the use of research-based and developmentally appropriate
17 classroom-based screening, diagnostic, assessment, and intervention
18 strategies;
19 (c) Provide instruction on teaching methods to effectively impart content
20 knowledge to all students;
21 (d) Include intensive training institutes and workshops during the summer;
22 (e) Provide programs for the ongoing support of teacher participants throughout
23 the year, which may include:
24 1. A peer coaching or mentoring, and assessment program; and
25 2. Planned activities, including:
26 a. Follow-up workshops; and
27 b. Support networks of teachers of the core disciplines using

1 technologies, including but not limited to telephone, video, and on-
2 line computer networks; and
3 (f) Provide teacher participants with professional development credit toward
4 renewal of certification under the provisions of KRS 161.095, relating to
5 continuing education for teachers.
6 (6) The Kentucky Board of Education shall specify through promulgation of
7 administrative regulations:
8 (a) The application and approval process for receipt of funds;
9 (b) The requirements and process for the disbursal of funds; and
10 (c) The number of each kind of approved course for which applicants may receive
11 funds.
12 (7) Notwithstanding any other provisions to the contrary, a local school board may
13 advance the funds necessary for its teachers to participate in a college course or
14 professional development seminar or activity approved by the Kentucky Department
15 of Education and the Education Professional Standards Board under provisions of
16 this section and receive reimbursement from the department at the conclusion of the
17 activity or course by the teacher. If funds are advanced for the benefit of a teacher
18 under this subsection, but the teacher does not fulfill his or her obligation, the
19 teacher shall reimburse the school district for the funds expended by the district on
20 the teacher's behalf.
21 (8) Notwithstanding the provisions of KRS 45.229, unexpended funds in the teachers'
22 professional growth fund in the 2000-2001 fiscal year or in any subsequent fiscal
23 year shall not lapse but shall carry forward to the next fiscal year and shall be used
24 for the purposes established in subsections (1) and (2) of this section.
25 (9) Notwithstanding any provisions of this section to the contrary, beginning June 1,
26 2006, through the 2009-2010 school year, priority for the use of funds from the
27 teachers' professional growth fund shall be used to train and support teams of

1 teachers from all school levels to be trained as reading coaches and mentors or as
2 mathematics coaches and mentors in statewide institutes referenced in KRS 158.840
3 and 158.842, and for selected teachers to be highly trained in providing diagnostic
4 assessment and intervention services for students in the primary program struggling
5 with mathematics.

6 (a) The design of the statewide mathematics institutes to train mathematics
7 coaches and mentors shall be developed by the Committee for Mathematics
8 Achievement established in KRS 158.842. The committee shall provide
9 recommendations to the Kentucky Department of Education and the Kentucky
10 Board of Education in the preparation of administrative regulations that may
11 be promulgated by the board to implement the provisions of this subsection
12 relating to mathematics.

13 (b) The design of the professional development program to provide highly trained
14 mathematics intervention teachers in the primary program shall be developed
15 by the Center for Mathematics in collaboration with public and private
16 institutions of postsecondary education.

17 (c) The development of the statewide program to train reading coaches and
18 mentors shall be coordinated by the Kentucky Department of Education with
19 recommendations from the Collaborative Center for Literacy Development,
20 established in KRS 164.0207, and the reading steering committee established
21 in KRS 158.794. The design of the program shall reflect a consensus of the
22 agencies involved in the development of the program. The training program
23 for reading coaches and mentors shall complement other statewide reading
24 initiatives, funded with state and federal funds, and shall give priority to
25 teachers in grades four (4) through twelve (12). The program shall be
26 implemented no later than June 1, 2006. The board shall promulgate
27 administrative regulations required to implement the provisions of this

1 subsection relating to reading.

2 ➔Section 14. KRS 156.555 is amended to read as follows:

3 (1) The Center for Middle School Academic Achievement is created to improve the
4 content knowledge and instructional practice of middle school teachers through the
5 coordination of professional development programs for middle school teachers, the
6 provision of technical assistance to schools and teachers, and the collection and
7 dissemination of information and research regarding effective models of teaching
8 the core disciplines to middle school students.

9 (2) The center shall:

10 (a) Foster collaboration between the center, the Department of Education, the
11 Education Professional Standards Board, postsecondary institutions of
12 education, postsecondary departments or colleges of arts and sciences, and
13 other entities to develop content-based teacher preparation programs and
14 ongoing professional development programs for middle school teachers,
15 aligned with the Department of Education's core content for assessment;

16 (b) Assist school districts in assessing and addressing their needs and deficiencies
17 in middle school curriculum and instruction;

18 (c) ***Assist grant recipients of the Middle School Mathematics and Science***
19 ***Scholars Program established under Section 4 of this Act with professional***
20 ***development for participating teachers;***

21 ***(d)*** Assist middle school teachers in establishing and maintaining networks of
22 communication to share information regarding middle school instructional
23 practice, curriculum development, and other areas of common interest,
24 building upon existing networks;

25 ***(e)***[~~(d)~~] Develop and maintain a clearinghouse for information about:

26 1. Educational models addressing content knowledge and skills of middle
27 school students, based on reliable, replicable research;

2. Core content achievement levels of Kentucky students in relation to students in other states and other countries; and

3. The relationship between student achievement levels and curriculum content, curriculum structure and alignment with content, teacher training, and teaching methods;

(f)[~~(e)~~] Develop and implement a research structure, in collaboration with the Department of Education, to evaluate the effectiveness of different middle school instructional models; and

(g)[~~(f)~~] Submit an annual report to the Governor and the Legislative Research Commission by September 1 of each year. The report shall include information outlining the center's activities, information provided by the Kentucky Department of Education regarding the use of money from the Teachers' Professional Growth Fund, and other information regarding efforts to improve the quality of middle school instruction in Kentucky.

(3) With the advice of the commissioner of education and the Education Professional Standards Board, the Council on Postsecondary Education shall develop a process to solicit, review, and approve a proposal for locating the Center for Middle School Academic Achievement at a public or private college or university. The council shall choose a college or university that has demonstrated the coordination of course delivery between the faculties of the college of education and arts and sciences departments within the college or university. The council shall approve the location for the center no later than November 15, 2000.

➔Section 15. KRS 158.007 is amended to read as follows:

As used in KRS Chapter 158 unless the context requires otherwise:

(1) "Advanced placement" ***or "AP"*** means a college-level course ***that incorporates all topics and instructional strategies specified by***[~~for~~] the College Board[~~ Advanced Placement examination that incorporates all topics and instructional strategies~~

1 ~~specified by the College Board~~] on its standard syllabus for a given subject area ***and***
2 ***is licensed by the College Board***.
3 (2) ***"Advanced science and mathematics" means Advanced Placement or AP biology,***
4 ***calculus, chemistry, computer science, environmental science, and physics, and***
5 ***International Baccalaureate or IB biology, chemistry, computer science,***
6 ***environmental systems, mathematical studies, further mathematics, and physics.***
7 ***(3)*** "Board" means the Kentucky Board of Education.
8 ***(4)***[~~(3)~~] "College Board Advanced Placement examination" means the advanced
9 placement test administered by the College Entrance Examination Board.
10 ***(5)***[~~(4)~~] "College Board" means the College Entrance Examination Board, a national
11 nonprofit association that provides college admission guidance and advanced
12 placement examinations.
13 ***(6)***[~~(5)~~] "Core curriculum" means at least one (1) course in ***science, one (1) course in***
14 ***mathematics, and*** at least ***one (1) course in two (2)***[~~ four (4)~~] of the[~~ six (6)~~]
15 following subject areas: English,[~~ science, mathematics,~~] social studies, foreign
16 language, and the arts.
17 ***(7)***[~~(6)~~] "Department" means the Kentucky Department of Education.
18 ***(8)***[~~(7)~~] "Dual credit" means a college-level course of study developed in accordance
19 with KRS 164.098 in which a high school student receives credit from both the high
20 school and postsecondary institution in which the student is enrolled upon
21 completion of a single class or designated program of study.
22 ***(9)***[~~(8)~~] "Dual enrollment" means a college-level course of study developed in
23 accordance with KRS 164.098 in which a student is enrolled in a high school and
24 postsecondary institution simultaneously.
25 ***(10)***[~~(9)~~] "International Baccalaureate" ***or "IB"*** means the International Baccalaureate
26 Organization's Diploma Programme, a comprehensive two (2) year program
27 designed for highly motivated students.

1 *(11)*[~~(10)~~] "Kentucky Virtual High School" means secondary-level instructional
2 programs or courses offered by the Kentucky Department of Education through the
3 Internet and other on-line, computer-based methods.
4 *(12)*[~~(11)~~] "Kentucky Virtual University" means a college-level instructional program
5 offered by the Council on Postsecondary Education through the Internet or other on-
6 line, computer-based methods.
7 ➔Section 16. KRS 158.622 is amended to read as follows:
8 (1) [~~By December 31, 2002,~~]The Kentucky Board of Education shall promulgate
9 administrative regulations establishing the criteria a school shall meet in order to
10 designate a course an advanced placement course, including content and program
11 standards concerning student admission criteria, data collection, and reporting.
12 (2) Upon receipt of adequate federal funding for these purposes,[~~ by December 31,~~
13 ~~2002,~~] the Department of Education shall:
14 (a) Expand advanced placement teacher training institutes, including offering
15 advanced placement teacher training instruction and assistance through the
16 Kentucky Virtual High School or in conjunction with the Council on
17 Postsecondary Education through the Kentucky Virtual University;
18 (b) Require teachers who are planning to participate in advanced placement
19 teacher training and complete advanced placement training at advanced
20 placement institutes facilitated by the department to sign an agreement to
21 teach at least one (1) advanced placement course in a Kentucky public school
22 or the Kentucky Virtual High School when assigned by the school principal;
23 (c) Develop the Kentucky Virtual Advanced Placement Academy which shall
24 offer school districts and their students access to a core advanced placement
25 curriculum through the Kentucky Virtual High School;
26 (d) Identify, in conjunction with the Council on Postsecondary Education,
27 resources at the secondary and postsecondary levels that can be directed

1 toward advanced placement or dual enrollment instruction;
2 (e) Compare the costs of offering advanced placement courses through traditional
3 on-site instruction, the Kentucky Virtual High School, and other methods and
4 shall offer each school district assistance, if requested, in analyzing how the
5 school district can most cost-effectively offer the largest number of advanced
6 placement courses;
7 (f) Identify current and future funding sources for advanced placement or dual
8 enrollment instructional programs and the amount of funds available or
9 anticipated from those sources; and
10 (g) Submit a report to the Kentucky General Assembly outlining compliance with
11 this section.
12 (3) ~~[Beginning with the 2002-2003 school year and thereafter,]~~Each school district
13 shall:
14 (a) Accept for credit toward graduation any course a student successfully
15 completes through the Kentucky Virtual High School and incorporate the
16 grade the student receives in a Kentucky Virtual High School course in
17 calculating that student's grade point average without distinction between the
18 grade received in the Kentucky Virtual High School course and courses taught
19 within the school district for which the student receives a grade;
20 (b) Accept for credit toward graduation and completion of high school course
21 requirements an advanced placement, a high school equivalent, or a Kentucky
22 Virtual High School course taken by a student in grades 5, 6, 7, or 8 if that
23 student attains performance levels expected of high school students in that
24 district as determined by achieving a score of "3" or higher on a College
25 Board Advanced Placement examination or a grade of "B" or better in a high
26 school equivalent or a Kentucky Virtual High School course; and
27 (c) Pay tuition and other costs for students from their districts who are enrolled in

1 a Kentucky Virtual High School course for credit that is part of the student's
2 regular school day coursework by proportionately sharing funds generated
3 under KRS 157.360 or other funding sources.
4 ➔Section 17. KRS 158.6453 is amended to read as follows:
5 (1) The Kentucky Board of Education shall be responsible for creating and
6 implementing a statewide assessment program to be known as the Commonwealth
7 Accountability Testing System to ensure school accountability for student
8 achievement of the goals set forth in KRS 158.645 and 158.6451. The board shall
9 seek the advice of the Office of Education Accountability; the School Curriculum,
10 Assessment, and Accountability Council; and the National Technical Advisory
11 Panel on Assessment and Accountability in the development of the program. The
12 statewide assessment program shall not include measurement of a student's ability
13 to become a self-sufficient individual or to become a responsible member of a
14 family, work group, or community.
15 (2) The assessment program shall include the following components:
16 (a) A customized or commercially available norm-referenced test that measures,
17 to the extent possible, the core content for assessment. The test shall provide
18 valid and reliable results for individual students;
19 (b) Open-response or multiple-choice items, or both, to assess student skills in
20 reading, mathematics, science, social studies, the arts, the humanities, and
21 practical living and vocational studies; and an on-demand assessment of
22 student writing. These assessments shall measure, to the extent possible, the
23 core content for assessment;
24 (c) Writing portfolios consisting of samples of student work. After receiving the
25 advice of the Writing Advisory Committee, the Kentucky Board of Education
26 shall, by September 1 following April 14, 1998, file a notice of intent to
27 promulgate an administrative regulation which reduces the teacher and student

1 time involved in preparing a writing portfolio. Time reduction strategies
2 included in the administrative regulation may include, but are not limited to,
3 limiting the time spent on a single portfolio entry, limiting the number of
4 revisions, or collecting entries at different grade levels;
5 (d) Performance assessment events for schools that have students enrolled in
6 performing arts organizations sponsoring sanctioned events with an
7 established protocol for adjudication; and
8 (e) A technically sound longitudinal comparison of the assessment results for the
9 same students.
10 (3) The provisions of subsection (2) of this section shall apply to elementary schools,
11 and shall also apply to middle and high schools, except as provided in subsections
12 (4) to (8) of this section.
13 (4) No later than the 2007-2008 school year, and each year thereafter, the following
14 provisions shall apply to the assessment program for middle and high schools:
15 (a) The assessment program shall include:
16 1. A high school readiness examination to assess English, reading,
17 mathematics, and science in grade eight (8);
18 2. A college readiness examination to assess English, reading,
19 mathematics, and science in grade ten (10);
20 3. The ACT college admissions and placement examination to assess
21 English, reading, mathematics, and science, to be taken by all students in
22 grade eleven (11); and
23 4. Any other component necessary to comply with the No Child Left
24 Behind Act of 2001, 20 U.S.C. sec. 6301 et seq., as determined by the
25 United States Department of Education;
26 (b) 1. A student whose scores on the high school readiness examination
27 administered in grade eight (8) indicate a high degree of readiness for

1 high school shall be counseled to enroll in accelerated courses; and
2 2. A student whose scores on the college readiness examination
3 administered in grade ten (10) or the ACT college admissions and
4 placement examination administered in grade eleven (11) indicate a high
5 degree of readiness for college shall be counseled to enroll in accelerated
6 courses, with an emphasis on Advanced Placement classes;
7 (c) The cost of the initial ACT examination administered to students in grade
8 eleven (11) shall be paid for by the Kentucky Department of Education. The
9 costs of additional ACT examinations shall be the responsibility of the
10 student; and
11 (d) ***If funds are available, the Kentucky Department of Education shall provide***
12 ***an ACT preparation program to all public high school juniors. The***
13 ***department may contract for necessary services.***
14 *(e)* The components of the middle and high school assessment program set forth
15 in paragraph (a) of this subsection shall be administered in lieu of a
16 customized or commercially available norm-referenced test under subsection
17 (2)(a) of this section.
18 (5) No later than the 2007-2008 school year, and each year thereafter, students in grades
19 ten (10), eleven (11), and twelve (12) may take the WorkKeys assessments from
20 ACT, Inc. in reading for information, locating information, and applied
21 mathematics.
22 (a) The costs of the initial WorkKeys assessments shall be paid by the Kentucky
23 Department of Education. The cost of additional WorkKeys assessments shall
24 be the responsibility of the student.
25 (b) A student whose scores on the WorkKeys assessments indicate that additional
26 assistance is required in reading for information, locating information, or
27 applied mathematics shall have intervention strategies for accelerated learning

1 incorporated into his or her learning plan.
2 (c) A student meeting the WorkKeys threshold established by the Department of
3 Workforce Investment shall be issued the appropriate Kentucky employability
4 certificate.
5 (6) (a) The Kentucky Department of Education shall conduct periodic studies
6 comparing the standards in reading, mathematics, and science for middle and
7 high schools within the Kentucky core content for assessment and the
8 concepts and content measured by the ACT and the high school and college
9 readiness examinations under subsection (4)(a) of this section.
10 (b) If the department determines that reading, mathematics, and science
11 assessments required under subsection (4)(a) of this section are shown to
12 provide direct measures of content standards and concepts identified in the
13 Kentucky core content for assessment, the Kentucky Board of Education shall
14 seek the advice of the Office of Education Accountability, the School
15 Curriculum, Assessment, and Accountability Council, and the National
16 Technical Advisory Panel on Assessment and Accountability regarding
17 reducing the number of questions on the Commonwealth Accountability
18 Testing System.
19 (c) The Kentucky Department of Education shall continue to include open-
20 response or multiple-choice items, or both, that assess student knowledge and
21 skills in reading, mathematics, and science to the degree necessary for
22 adequate coverage of the elements of the Kentucky core content for
23 assessment not covered by the examinations.
24 (7) Accommodations provided by ACT, Inc. to a student with a disability taking the
25 assessments under subsection (4)(a)3. of this section shall consist of:
26 (a) Accommodations provided in a manner allowed by ACT, Inc. when results in
27 test scores are reportable to a postsecondary institution for admissions and

1 placement purposes, except as provided in paragraph (b) of this subsection; or
2 (b) Accommodations provided in a manner allowed by a student's individualized
3 education program as defined in KRS 158.281 for a student whose disability
4 precludes valid assessment of his or her academic abilities using the
5 accommodations provided under paragraph (a) of this subsection when the
6 student's scores are not reportable to a postsecondary institution for
7 admissions and placement purposes.
8 (8) The assessments under subsections (4) and (5) of this section shall be known as the
9 "Kentucky Work and College Readiness Examination" or "Readiness Examination."
10 (9) Kentucky teachers shall have a significant role in the design of the assessments. The
11 assessments shall be designed to:
12 (a) Measure grade appropriate core academic content, basic skills, and higher-
13 order thinking skills and their application. The assessment shall measure the
14 core content for assessment used by the Department of Education during the
15 1997-98 school year. Any revisions to the core content for assessment shall be
16 developed through a public process involving parents; educators at the
17 elementary, secondary, and postsecondary education levels; professional
18 education advocacy groups and organizations; and business and civic leaders
19 and shall be distributed to all public schools;
20 (b) Provide valid and reliable scores for schools. If scores are reported for
21 students individually, they shall be valid and reliable; and
22 (c) Minimize the time spent by teachers and students on assessment.
23 (10) Results from the state assessment under this section shall be reported to the school
24 districts and schools no later than one hundred fifty (150) days following the first
25 day the assessment can be administered.
26 (11) The Department of Education shall gather information to establish the validity of
27 the assessment and accountability program. It shall develop a biennial plan for

1 validation studies that shall include but not be limited to the consistency of student
2 results across multiple measures, the congruence of school scores with documented
3 improvements in instructional practice and the school learning environment, and the
4 potential for all scores to yield fair, consistent, and accurate student performance
5 level and school accountability decisions. Validation activities shall take place in a
6 timely manner and shall include a review of the accuracy of scores assigned to
7 students and schools, as well as of the testing materials. The plan shall be submitted
8 to the Commission by July 1 of the first year of each biennium. A summary of the
9 findings shall be submitted to the Legislative Research Commission by September 1
10 of the second year of the biennium.
11 (12) In addition to statewide testing for the purpose of determining school success, the
12 board shall have the responsibility of assisting local school districts and schools in
13 developing and using continuous assessment strategies needed to assure student
14 progress. The continuous assessment shall provide diagnostic information to
15 improve instruction to meet the needs of individual students.
16 (13) The Kentucky Board of Education, after the Department of Education has received
17 advice from the Office of Education Accountability; the School Curriculum,
18 Assessment, and Accountability Council; and the National Technical Advisory
19 Panel on Assessment and Accountability, shall promulgate an administrative
20 regulation under KRS Chapter 13A to establish the components of a reporting
21 structure for assessments administered under this section. The reporting structure
22 shall include the following components:
23 (a) A school report card that clearly communicates with parents and the public
24 about school performance. The school report card shall be sent to the parents
25 of the students of the districts, and a summary of the results for the district
26 shall be published in the newspaper with the largest circulation in the county.
27 It shall include but not be limited to the following components reported by

1 race, gender, and disability when appropriate:

2 1. Student academic achievement, including the results from each of the
3 assessments administered under this section;

4 2. ***For Advanced Placement and International Baccalaureate, the***
5 ***courses offered, the number of students enrolled, completing, and***
6 ***taking the examination for each course, and the percentage of***
7 ***examinees receiving a score of three (3) or better on AP examinations***
8 ***or a score of five (5) or better on IB examinations. The data shall be***
9 ***disaggregated by gender, race, students with disabilities, and economic***
10 ***status. This data shall be included in the report card beginning with***
11 ***the 2009-2010 academic year;***

12 ***3.*** Nonacademic achievement, including the school's attendance, retention,
13 dropout rates, and student transition to adult life; and

14 ***4.***~~[3.]~~ School learning environment, including measures of parental
15 involvement;

16 (b) An individual student report to parents for each fifth-grade student
17 summarizing the student's readiness in reading and mathematics based on the
18 student's fourth-grade state assessment results. The school's fifth-grade staff
19 shall develop a plan for accelerated learning for any student with identified
20 deficiencies;

21 (c) An individual report for each student who takes a high school or college
22 readiness examination administered under subsection (4)(a) of this section
23 that:

24 1. Provides the student's test scores;

25 2. Provides a judgment regarding whether or not a student has met or failed
26 to meet the expectations for each standard assessed; and

27 3. Is designed to assist students, parents, and teachers to identify, assess,

1 and remedy academic deficiencies prior to high school graduation; and
2 (d) A student's scores on the ACT examination or WorkKeys assessments
3 administered under subsections (4)(a) and (5) of this section and the ACT
4 examination under KRS 158.6459(5) shall be recorded on his or her official
5 high school transcript.
6 ➔Section 18. KRS 160.348 is amended to read as follows:
7 (1) ***(a) The Kentucky Department of Education shall make available to middle and***
8 ***high schools information concerning the prerequisite content necessary for***
9 ***success in secondary courses, Advanced Placement or AP courses, and***
10 ***International Baccalaureate or IB courses. The department shall provide***
11 ***sample syllabi, instructional resources, and instructional supports for***
12 ***teachers that will assist in preparing students for more rigorous***
13 ***coursework. Instructional supports shall include professional development***
14 ***for assisting students enrolled in the Kentucky Virtual High School or other***
15 ***virtual learning settings.***
16 ***(b)*** ~~[Beginning with the 2003-2004 school year and thereafter,]~~Each secondary
17 school-based decision making council shall offer a core curriculum of
18 ***AP***~~[advanced placement]~~, ***IB***~~[International Baccalaureate]~~, dual enrollment, or
19 dual credit courses, using either or both on-site instruction or electronic
20 instruction through the Kentucky Virtual High School or other on-line
21 alternatives. In addition, each school-based decision making council shall
22 comply with any additional requirements for ***AP***~~[advanced placement]~~,
23 ***IB***~~[International Baccalaureate]~~, dual enrollment, and dual credit courses that
24 may be established cooperatively by the Kentucky Department of Education,
25 the Education Professional Standards Board, and the Council on
26 Postsecondary Education in accordance with the definitions in KRS 158.007.
27 (2) Each secondary school-based decision making council shall establish a policy on

1 the recruitment and assignment of students to ***AP***[~~advanced placement~~],
2 ***IB***[~~International Baccalaureate~~], dual enrollment, and dual credit courses that
3 recognizes that all students have the right to ***participate in a rigorous and***[~~be~~]
4 academically ***challenging curriculum***[~~challenged and should be encouraged to~~
5 ~~participate in these courses~~]. ***All students who are willing to accept the challenge***
6 ***of a rigorous academic curriculum shall be admitted to AP courses, including AP***
7 ***courses offered through the Kentucky Virtual High School and accepted for***
8 ***credit toward graduation under subsection (3)(a) of Section 16 of this Act, IB***
9 ***courses, dual enrollment courses, and dual credit courses, if they have***
10 ***successfully completed the prerequisite coursework or have otherwise***
11 ***demonstrated mastery of the prerequisite content knowledge and skills as***
12 ***determined by measurable standards. If a school does not offer an AP course in a***
13 ***particular subject area, the school shall permit a qualified student to enroll in the***
14 ***AP course offered by the Kentucky Virtual High School and receive credit toward***
15 ***graduation under subsection (3)(a) of Section 16 of this Act.***
16 ***(3) Effective with the 2008-2009 school year and thereafter, students enrolled in AP***
17 ***or IB courses in the public schools shall have the cost of the examinations paid***
18 ***by the Kentucky Department of Education.***
19 ➔Section 19. KRS 164.002 is amended to read as follows:
20 As used in KRS Chapter 164, unless the context requires otherwise:
21 (1) "Advanced placement" ***or "AP"*** means a college-level course ***that incorporates all***
22 ***topics and instructional strategies specified by***[~~for~~] the College Board[~~ Advanced~~
23 ~~Placement examination that incorporates all topics and instructional strategies~~
24 ~~specified by the College Board~~] on its standard syllabus for a given subject area ***and***
25 ***is licensed by the College Board***.
26 (2) "College Board Advanced Placement examination" means the advanced placement
27 test administered by the College Entrance Examination Board.

1 (3) "College Board" means the College Entrance Examination Board, a national
2 nonprofit association that provides college admission guidance and advanced
3 placement examinations.
4 (4) "Dual credit" means a college-level course of study developed in accordance with
5 KRS 164.098 in which a high school student receives credit from both the high
6 school and postsecondary institution in which the student is enrolled upon
7 completion of a single class or designated program of study***, including***
8 ***participating in the Gatton Academy of Mathematics and Science in Kentucky***.
9 (5) "Dual enrollment" means a college-level course of study developed in accordance
10 with KRS 164.098 in which a student is enrolled in a high school and postsecondary
11 institution simultaneously***, including participating in the Gatton Academy of***
12 ***Mathematics and Science in Kentucky***.
13 ***(6) "International Baccalaureate" or "IB" means the International Baccalaureate***
14 ***Organization's Diploma Programme, a comprehensive two (2) year program***
15 ***designed for highly motivated students.***
16 ➔Section 20. KRS 164.098 is amended to read as follows:
17 ~~[By December 31, 2002:]~~
18 (1) The Council on Postsecondary Education shall promulgate administrative
19 regulations that require public postsecondary educational institutions~~[, beginning~~
20 ~~with the 2003-2004 school year,]~~ to grant credit toward graduation to a student who
21 scores at least "3" on a College Board Advanced Placement examination.
22 (2) The Council on Postsecondary Education shall publish information, in print and
23 electronic format, about the scores required on College Board Advanced Placement
24 examinations at which credit toward graduation and completion of degree
25 requirements will be granted at all Kentucky public and private postsecondary
26 educational institutions.
27 (3) The Council on Postsecondary Education, in conjunction with the Kentucky Board

1 of Education and the Education Professional Standards Board, shall develop
2 guidelines for content knowledge and teacher training in dual enrollment and dual
3 credit programs offered in Kentucky.
4 ➔Section 21. KRS 164.525 is amended to read as follows:
5 (1) The Center for Mathematics is hereby created to make available professional
6 development for teachers in reliable, research-based diagnostic assessment and
7 intervention strategies, coaching and mentoring models, and other programs in
8 mathematics. The center shall be headed by an executive director and administered
9 by a public postsecondary education institution. The center shall:
10 (a) Act as a clearinghouse for information about professional development
11 programs for teachers that address mathematics diagnostic assessment,
12 intervention programs, coaching and mentoring programs, and other
13 instructional strategies to address students' needs;
14 (b) Collaborate with Kentucky's other public and private postsecondary
15 institutions to develop teachers' mathematical knowledge needed for teaching
16 and help teachers improve students' mathematical concepts, thinking,
17 problem-solving, and skills, with an emphasis on diagnostic assessment and
18 intervention programs for students in the primary program;
19 (c) Provide teacher training to develop teacher leaders and teaching specialists in
20 primary programs who have skills in diagnostic assessment and intervention
21 services to assist struggling students or those who are at risk of failure in
22 mathematics. The center may contract for services in order to carry out this
23 responsibility;
24 (d) Maintain a demonstration and training site for mathematics located at each of
25 the public universities;
26 (e) Advise the Kentucky Department of Education and Kentucky Board of
27 Education regarding:

1. Early mathematics content, diagnostic assessment practices, and intervention programs;
2. Costs and effectiveness of various mathematics intervention programs;
3. Coaching and mentoring models that help improve student achievements;[~~and~~]
4. Trends and issues relating to mathematics programs in schools throughout the state; and
5. ***The establishment and implementation of the Middle School Mathematics and Science Scholars Program established under Section 4 of this Act; and***

(f) Disseminate information to teachers, administrators, and policymakers on an ongoing basis.

(2) The Council on Postsecondary Education shall select a location for the center no later than January 1, 2006. The council shall use a request for proposal process. In developing the request for proposal, the council shall seek advice from the Committee for Mathematics Achievement created in KRS 158.842 and the commissioner of education. The center shall be located at the selected university through July 1, 2011, unless funding is not available, the council deems the performance of the institute to be inadequate, or the university requests to discontinue its relationship to the institute. Contingent upon available funding at the end of the initial cycle, and each five (5) year period thereafter, the council shall issue a request for proposal to all public postsecondary education institutions to administer the center.

➔Section 22. KRS 164.7874 is amended to read as follows:

As used in KRS 164.7871 to 164.7885:

(1) "Academic term" means a semester or other time period specified in an administrative regulation promulgated by the authority;

1 (2) "Academic year" means a period consisting of at least the minimum school term, as
2 defined in KRS 158.070;
3 (3) "ACT score" means the composite score achieved on the American College Test at
4 a national test site on a national test date or an equivalent score, as determined by
5 the authority, on the Scholastic Assessment Test;
6 (4) "Authority" means the Kentucky Higher Education Assistance Authority;
7 (5) "Award period" means two (2) consecutive academic terms;
8 (6) "Base scholarship amount" means that amount earned by an eligible high school
9 student pursuant to KRS 164.7879 in each academic year as determined by the
10 grade point average earned and reported by the high school at the end of the
11 academic year;
12 (7) "Council" means the Council on Postsecondary Education created under KRS
13 164.011;
14 (8) "Eligible high school student" means any person who:
15 (a) Is a citizen, national, or permanent resident of the United States and Kentucky
16 resident;
17 (b) Was enrolled after July 1, 1998:
18 1. In a Kentucky high school for at least one hundred forty (140) days of
19 the minimum school term unless exempted by the authority's executive
20 director upon documentation of extreme hardship, while meeting the
21 Kentucky educational excellence scholarship curriculum requirements,
22 and was enrolled in a Kentucky high school at the end of the academic
23 year; or
24 2. In a Kentucky high school for the fall academic term of the senior year
25 and who:
26 a. Was enrolled during the entire academic term;
27 b. Completed the high school's graduation requirements during the

1 fall academic term; and

2 c. Was not enrolled in a secondary school during any other academic term of that

3 academic year; ***or***

4 ***3. In the Gatton Academy of Mathematics and Science in Kentucky***

5 ***while meeting the Kentucky educational excellence scholarship***

6 ***curriculum requirements;*** and

7 ***4.***[~~3.~~]Has a grade point average of 2.5 or above at the end of any academic

8 year beginning after July 1, 1998, or at the end of the fall academic term

9 for a student eligible under subparagraph 2. of this paragraph; and

10 (c) Is not a convicted felon;

11 (9) "Eligible postsecondary student" means a citizen, national, or permanent resident of

12 the United States and Kentucky resident, as determined by the participating

13 institution in accordance with criteria established by the council for the purposes of

14 admission and tuition assessment, who:

15 (a) Earned a Kentucky educational excellence scholarship base, supplemental, or

16 base and supplemental final award;

17 (b) Has the required postsecondary G.P.A. required under KRS 164.7881;

18 (c) Has remaining semesters of eligibility under KRS 164.7881;

19 (d) Is enrolled in a participating institution as a part-time or full-time student; and

20 (e) Is not a convicted felon;

21 (10) "Full-time student" means a student enrolled in a postsecondary program of study

22 that meets the full-time student requirements of the participating institution in

23 which the student is enrolled;

24 (11) "Grade point average" means the grade point average earned by an eligible student

25 and reported by the high school or participating institution in which the student was

26 enrolled based on a scale of 4.0 or its equivalent if the high school or participating

27 institution that the student attends does not use the 4.0 grade scale;

1 (12) "High school" means any Kentucky public high school, ***the Gatton Academy of***
2 ***Mathematics and Science in Kentucky,*** and any private, parochial, or church
3 school located in Kentucky that has been certified by the Kentucky Board of
4 Education as voluntarily complying with curriculum, certification, and textbook
5 standards established by the Kentucky Board of Education under KRS 156.160;
6 (13) "KEES" means Kentucky educational excellence scholarship;
7 (14) "KEES curriculum" means five (5) courses of study, except for students who meet
8 the criteria of subsection (8)(b)2. of this section, in an academic year as determined
9 in accordance with an administrative regulation promulgated by the authority;
10 (15) "Kentucky educational excellence scholarship" means a scholarship provided under
11 KRS 164.7871 to 164.7885;
12 (16) "Kentucky educational excellence scholarship trust fund" means the Wallace G.
13 Wilkinson Kentucky educational excellence scholarship trust fund;
14 (17) "Maximum award amount" means the sum of the base scholarship amount earned
15 by an eligible high school student in each academic year of high school study plus
16 any supplemental award earned by an eligible high school student or earned
17 pursuant to KRS 164.7879(3)***(d)***[~~(c)~~]. The amount so determined shall be the
18 maximum amount available to the eligible postsecondary student for any award
19 period;
20 (18) "Participating institution" means an "institution" as defined in KRS 164.001 that
21 actively participates in the federal Pell Grant program, executes a contract with the
22 authority on terms the authority deems necessary or appropriate for the
23 administration of its programs, and:
24 (a) 1. Is publicly operated; or
25 2. Is licensed by the Commonwealth of Kentucky and has operated for at
26 least ten (10) years, offers an associate or baccalaureate degree program
27 of study not comprised solely of sectarian instruction, and admits as

1 regular students only high school graduates or recipients of a general
2 equivalency diploma or students transferring from another accredited
3 degree granting institution; or
4 3. Is designated by the authority as an approved out-of-state institution that
5 offers a degree program in a field of study that is not offered at any
6 institution in the Commonwealth; and
7 (b) Continues to commit financial resources to student financial assistance
8 programs;
9 (19) "Part-time student" means a student enrolled in a postsecondary program of study
10 who does not meet the full-time student requirements of the participating institution
11 in which the student is enrolled and who is enrolled for at least six (6) credit hours
12 or the equivalent for an institution that does not use credit hours; and
13 (20) "Supplemental award" means commitment of scholarship funds under KRS
14 164.7879(3).
15 ➔Section 23. KRS 164.7879 is amended to read as follows:
16 (1) Kentucky educational excellence scholarship awards shall be based upon an
17 established base scholarship amount and an eligible high school student's grade
18 point average. The base scholarship amount for students attaining a grade point
19 average of at least 2.5 for the 1998-1999 academic year shall be as follows:

GPA	Amount	GPA	Amount
2.50	$125.00	3.30	$325.00
2.60	$150.00	3.40	$350.00
2.70	$175.00	3.50	$375.00
2.75	$187.00	3.60	$400.00
2.80	$200.00	3.70	$425.00
2.90	$225.00	3.75	$437.00
3.00	$250.00	3.80	$450.00

3.10	$275.00	3.90	$475.00
3.20	$300.00	4.00	$500.00
3.25	$312.00		

The authority shall review the base amount of the Kentucky educational excellence scholarship each academic year and may promulgate an administrative regulation to make adjustments after considering the availability of funds.

(2) (a) The authority shall commit to provide to each eligible high school student the base amount of the Kentucky educational excellence scholarship for each academic year of high school study in the Kentucky educational excellence scholarship curriculum that the high school student has attained at least a 2.5 grade point average. The award shall be based upon the eligible high school student's grade point average at the close of each academic year. An award attributable to a past academic year shall not be increased after the award has been earned by an eligible high school student, regardless of any subsequent increases made to the base amount of the Kentucky educational excellence scholarship through the promulgation of an administrative regulation by the authority.

(b) Notwithstanding the definitions of "eligible high school student" and "high school" in KRS 164.7874, any high school student who maintains Kentucky residency and completes the academic courses that are required for a Kentucky educational excellence scholarship while participating in an approved educational high school foreign exchange program or participating in the United States Congressional Page School may apply his or her grade point average for that academic year toward the base as described in paragraph (a) of this subsection. The grade point average shall be reported by the student's Kentucky home high school, based on an official transcript from the school that the student attended during the out-of-state educational experience.

1 The authority shall promulgate administrative regulations that describe the
2 approval process for the educational exchange programs that qualify under
3 this paragraph. The provisions in this paragraph shall likewise apply to any
4 Kentucky high school student who participated in an approved educational
5 exchange program or in a Congressional Page School since the 1998-99
6 school year and maintained his or her Kentucky residency throughout.
7 (c) 1. Notwithstanding the definitions of "eligible high school student" and
8 "high school" in KRS 164.7874 and the requirement that a student
9 graduate from a Kentucky high school, a high school student who
10 completes the KEES curriculum while attending an accredited out-of-
11 state high school or Department of Defense school may apply the grade
12 point average for any applicable academic year toward the base as
13 described in paragraph (a) of this subsection and shall also qualify for a
14 supplemental award under subsection (3) of this section when:
15 a. His or her custodial parent or guardian is in active service of the
16 Armed Forces of the United States; and
17 b. The custodial parent or guardian maintained Kentucky as the home
18 of record at the time the student attended an accredited out-of-state
19 high school or a Department of Defense school.
20 2. The student or parent shall arrange for the out-of-state school to report
21 the student's grade point average each academic year and the student's
22 highest ACT score to the authority as required under KRS 164.7885.
23 The authority shall promulgate administrative regulations implementing
24 the requirements in this paragraph, including:
25 a. The documentation that the parent shall submit to the authority
26 establishing the student's eligibility for the scholarship; and
27 b. The assurances that an out-of state institution shall submit to the

1 authority for submission of the student grade point average.

2 3. The provisions in this paragraph shall apply to the 2001-2002 school
3 year and thereafter.

4 (3) (a) The authority shall commit to provide to each eligible high school student
5 graduating from high school before June 30, 1999, and achieving a score of at
6 least 15 on the American College Test, a supplemental award for the award
7 period beginning in the fall of 1999, based on the eligible high school
8 student's highest ACT score attained by the date of graduation from high
9 school. The amount of the supplemental award shall be determined as follows:

ACT Score	Annual Bonus	ACT Score	Annual Bonus
15	$21	22	$171
16	$43	23	$193
17	$64	24	$214
18	$86	25	$236
19	$107	26	$257
20	$129	27	$279
21	$150	28 or above	$300

19 Subsequent supplemental awards for eligible high school students graduating
20 before June 30, 1999, shall be determined in accordance with the provisions
21 of paragraph (b) of this subsection.

22 (b) The authority shall commit to provide to each eligible high school student
23 upon achievement after June 30, 1999, of an ACT score of at least 15 on the
24 American College Test a supplemental award based on the eligible high
25 school student's highest ACT score attained by the date of graduation from
26 high school. The amount of the supplemental award shall be determined as
27 follows:

ACT Score	Amount	ACT Score	Amount
15	$36	22	$286
16	$71	23	$321
17	$107	24	$357
18	$143	25	$393
19	$179	26	$428
20	$214	27	$464
21	$250	28 and above	$500

The authority shall review the base amount of the supplemental award beginning with the 2001-2002 academic year and each academic year thereafter and may promulgate an administrative regulation to make adjustments after considering the availability of funds.

(c) ***Beginning with the 2008-2009 academic year, the authority shall commit to provide a supplemental award for achievement on examinations for Advanced Placement or International Baccalaureate as defined in Section 15 of this Act to an eligible high school student whose family was eligible for free or reduced-price lunch for any year during high school enrollment.***

1. The supplemental award for AP examination scores are as follows:

a. Two hundred dollars ($200) for each score of three (3);

b. Two hundred fifty dollars ($250) for each score of four (4); and

c. Three hundred dollars ($300) for each score of five (5).

2. The supplemental award for IB examination scores are as follows:

a. Two hundred dollars ($200) for each score of five (5);

b. Two hundred fifty dollars ($250) for each score of six (6); and

c. Three hundred dollars ($300) for each score of seven (7).

(d) The authority shall promulgate administrative regulations establishing the

1 eligibility criteria and procedures for making a supplemental award to
2 Kentucky residents who are citizens, nationals, or permanent residents of the
3 United States and who graduate from a nonpublic secondary school not
4 certified by the Kentucky Board of Education and Kentucky residents who are
5 citizens, nationals, or permanent residents of the United States and who obtain
6 a General Educational Development (GED) diploma within five (5) years of
7 their high school graduating class, and students under subsection (2)(c) of this
8 section who do not attend an accredited high school.

9 ➔Section 24. KRS 164.7881 is amended to read as follows:

10 (1) Eligible high school students who have graduated from high school and eligible
11 postsecondary students who have earned a Kentucky educational excellence
12 scholarship, a Kentucky educational excellence scholarship and a supplemental
13 award, or a supplemental award only pursuant to KRS 164.7879(3)***(d)***[~~(c)~~], shall be
14 eligible to receive the Kentucky educational excellence scholarship, the Kentucky
15 educational excellence scholarship and the supplemental award, or a supplemental
16 award only for a maximum of eight (8) academic terms in an undergraduate or other
17 postsecondary program of study at a participating institution, except as provided in
18 ***subsections (5) and***[~~ subsection~~] (6) of this section.

19 (2) To receive the Kentucky educational excellence scholarship, a Kentucky
20 educational excellence scholarship and supplemental award, or a supplemental
21 award only, an eligible high school or postsecondary student shall:

22 (a) Enroll in and attend a participating institution as a full-time student or a part-
23 time student; and

24 (b) Maintain eligibility as provided in subsection (3) of this section.

25 (3) Eligibility for a Kentucky educational excellence scholarship or a Kentucky
26 educational excellence scholarship and supplemental award shall terminate upon the
27 earlier of:

1 (a) The expiration of five (5) years following the student's graduation from high
2 school, except as provided in subsection (5) or (6) of this section; or
3 (b) The successful completion of an undergraduate or other postsecondary course
4 of study. However, any student who successfully completes the requirements
5 for a degree or certification involving a postsecondary course of study that
6 normally requires less than eight (8) academic terms to complete may
7 continue to receive the benefits of a Kentucky educational excellence
8 scholarship, a Kentucky educational excellence scholarship and supplemental
9 award, or a supplemental award only, for a cumulative total of eight (8)
10 academic terms if the student enrolls as at least a part-time student in a four
11 (4) year program.
12 (4) (a) The maximum award amount shall be determined by the authority and shall be
13 adjusted as provided in this subsection. The award amount ultimately
14 determined to be available to an eligible postsecondary student for an award
15 period shall be delivered by the authority to the participating institution for
16 disbursement to the eligible postsecondary student.
17 (b) The authority shall, by promulgation of administrative regulations, provide for
18 the proportionate reduction of the maximum award amount for an eligible
19 postsecondary student for any academic term in which the student is enrolled
20 on a part-time basis. Each academic term for which any scholarship or
21 supplemental award funds are accepted by an eligible postsecondary student
22 shall count as a full academic term, even if the award amount was reduced to
23 reflect the part-time status of the eligible postsecondary student, except if the
24 eligible postsecondary student interrupts enrollment during the award period
25 for any reason specified in subsection (5) of this section, and the participating
26 institution does not certify a cumulative grade point average for that student at
27 the end of that award period.

1 (c) 1. An eligible postsecondary student who is enrolled full-time in an
2 undergraduate program of study, in the pharmacy program at the
3 University of Kentucky, or in a program of study designated as an
4 equivalent undergraduate program of study by the authority in an
5 administrative regulation, shall receive the maximum award amount for
6 the first award period that the student is enrolled in and attending the
7 program of study.
8 2. To retain the maximum award for the second award period, an eligible
9 postsecondary student shall have at least a 2.5 grade point average at the
10 end of the first award period, except that if the eligible postsecondary
11 student interrupts enrollment during the award period for any reason
12 specified in subsection (5) of this section, and the participating
13 institution does not certify a cumulative grade point average for that
14 student at the end of that award period, the eligible postsecondary
15 student shall, subject to paragraph (b) of this subsection, retain the
16 maximum award for the award period in which he or she resumes
17 enrollment.
18 3. To retain the maximum award amount for subsequent award periods, an
19 eligible postsecondary student shall have a cumulative grade point
20 average of 3.0 or greater at the end of the prior award period, except that
21 if the eligible postsecondary student interrupts enrollment during the
22 award period for any reason specified in subsection (5) of this section,
23 and the participating institution does not certify a cumulative grade point
24 average for that student at the end of that award period, the eligible
25 postsecondary student shall, subject to paragraph (b) of this subsection,
26 retain the same award for the award period in which he or she resumes
27 enrollment as he or she received in the award period in which enrollment

1 was interrupted.

2 4. Any eligible postsecondary student who maintains a cumulative grade
3 point average of less than 3.0 but at least 2.5 at the completion of any
4 award period shall receive a reduction in the maximum award amount
5 equal to fifty percent (50%) of the maximum award amount for the next
6 award period.

7 5. Any eligible postsecondary student who maintains a cumulative grade
8 point average of less than 2.5 at the completion of any award period
9 shall lose his or her award for the next award period.

10 6. Each participating institution shall certify to the authority at the close of
11 each award period the cumulative grade point average of each Kentucky
12 educational excellence scholarship recipient enrolled as a full-time or
13 part-time student at the participating institution.

14 7. Any student who loses eligibility through failure to maintain the
15 required cumulative grade point average may regain eligibility in a
16 subsequent award period upon reestablishing at least a 2.5 cumulative
17 grade point average or its equivalent during a subsequent award period,
18 as certified by the participating institution.

19 (5) The expiration of a student's eight (8) academic terms and five (5) year eligibility
20 shall be extended by the authority upon a determination that the student was unable
21 to enroll for or complete an academic term due to any of the following
22 circumstances:

23 (a) A serious and extended illness or injury of the student, certified by an
24 attending physician;

25 (b) The death or serious and extended illness or injury of an immediate family
26 member of the student, certified by an attending physician, which would
27 render the student unable to attend classes;

1 (c) Natural disasters that would render a student unable to attend classes; or
2 (d) ***1.*** Active duty status for the student in the United States Armed Forces or
3 as an officer in the Commissioned Corps of the United States Public
4 Health Service, or active service by the student in the Peace Corps Act
5 or the Americorps***, for the total number of years during which the***
6 ***student was on active duty status. The number of months served on***
7 ***active duty status shall be rounded up to the next higher year to***
8 ***determine the maximum length of eligibility extension allowed***[~~, for up~~
9 ~~to three (3) years~~].
10 ***2. A student whose eligibility expired prior to the effective date of this Act***
11 ***due to the three (3) year time limit on eligibility extensions imposed by***
12 ***this paragraph prior to the effective date of this Act shall have his or***
13 ***her eligibility reinstated for the number of years beyond the three (3)***
14 ***years during which he or she was on active duty status. The number of***
15 ***months served on active duty status shall be rounded up to the next***
16 ***higher year to determine the maximum length of eligibility extension***
17 ***allowed.***
18 (6) An eligible postsecondary student who is enrolled at a participating institution in a
19 five (5) year undergraduate degree program designated in an administrative
20 regulation promulgated by the authority shall be eligible to receive the Kentucky
21 educational excellence scholarship, the Kentucky educational excellence
22 scholarship and the supplemental award, or the supplemental award only for a
23 maximum of ten (10) academic terms. The expiration of an eligible postsecondary
24 student's five (5) year eligibility shall be extended to six (6) years for eligible
25 postsecondary students meeting the requirements of this subsection.
26 (7) Each eligible high school student who attains a 28 or above on the ACT and a 4.0
27 grade point average for all four (4) years of high school shall be designated as a

1 "Senator Jeff Green Scholar" in honor of the late Senator Jeff Green of Mayfield,
2 Kentucky, First District, and shall be recognized by the high school in a manner
3 consistent with recognition given by the high school to other high levels of
4 academic achievement.
5 ➔Section 25. KRS 164.7885 is amended to read as follows:
6 (1) Not later than August 1, 1999, and each June 30 thereafter, each Kentucky high
7 school shall submit to the authority, a compiled list of all high school students
8 during the academic year. A high school shall report the grade point average of an
9 eligible high school student pursuant to KRS 164.7874 by January 15 following the
10 end of the fall academic term in which the student completed the high school
11 graduation requirements. The list shall identify the high school and shall contain
12 each high school student's name, Social Security number, address, grade point
13 average for the academic year, expected or actual graduation date,[~~and~~] highest
14 ACT score***, family eligibility status for free or reduced-price lunch, and each AP***
15 ***or IB examination score. The Gatton Academy of Mathematics and Science in***
16 ***Kentucky shall report the data on its students to the authority***. The list need not
17 contain the ACT***, AP, or IB***[~~score~~] if the authority receives the ***scores***[~~ACT score~~]
18 directly from the testing services. The authority shall notify each eligible high
19 school student of his or her Kentucky educational excellence scholarship award
20 earned each academic year. The authority shall determine the final Kentucky
21 educational excellence scholarship and supplemental award based upon the actual
22 final grade point average***,***[~~and~~] highest ACT score***, and qualifying AP or IB scores***
23 and shall notify each eligible twelfth-grade high school student of the final
24 determination. The authority shall make available a list of eligible high school and
25 postsecondary students to participating institutions.
26 (2) The authority shall provide data access only to participating institutions that have
27 either received an admission application from an eligible high school or

1 postsecondary student or have been listed by the eligible high school or
2 postsecondary student on the Free Application For Federal Student Aid.
3 (3) For each eligible postsecondary student enrolling in a participating institution after
4 July 1, 1999, the participating institution shall verify to the authority:
5 (a) The student's initial eligibility for a Kentucky educational excellence
6 scholarship, Kentucky educational excellence scholarship and supplemental
7 award, or supplemental award only pursuant to KRS 164.7879(3)***(d)***[~~(c)~~]
8 through the comprehensive list compiled by the authority or an alternative
9 source satisfactory to the authority;
10 (b) The student's highest ACT score attained by the date of graduation from high
11 school, provided that the participating institution need not report the ACT
12 score if the authority receives the ACT score directly from the testing services;
13 (c) The eligible postsecondary student's full-time or part-time enrollment status at
14 the beginning of each academic term; and
15 (d) The eligible postsecondary student's cumulative grade point average after the
16 completion of each award period.
17 (4) Each participating institution shall submit to the authority a report, in a form
18 satisfactory to the authority, of all eligible postsecondary students enrolled for that
19 academic term. Kentucky educational excellence scholarships and supplemental
20 awards shall be disbursed by the authority to each eligible postsecondary student
21 attending a participating institution during the academic term within thirty (30) days
22 after receiving a satisfactory report.
23 (5) The Kentucky educational excellence scholarship and the supplemental award shall
24 not be reduced, except as provided in KRS 164.7881(4).
25 (6) Kentucky educational excellence scholarships and supplemental awards shall not be
26 awarded or disbursed to any eligible postsecondary students who are:
27 (a) In default on any loan under Title IV of the federal act; or

1 (b) Liable for any amounts that exceed annual or aggregate limits on any loan
2 under Title IV of the federal act; or
3 (c) Liable for overpayment of any grant or loan under Title IV of the federal act;
4 or
5 (d) In default on any obligation to the authority under any programs administered
6 by the authority until financial obligations to the authority are satisfied, except
7 that ineligibility may be waived by the authority for cause.
8 (7) Notwithstanding the provisions of KRS 164.753, the authority may promulgate
9 administrative regulations for the administration of Kentucky educational
10 excellence scholarships and supplemental awards under the provisions of KRS
11 164.7871 to 164.7885 and KRS 164.7889.
12 ➔Section 26. KRS 158.140 is amended to read as follows:
13 (1) When a pupil in any public elementary school or any approved private or parochial
14 school completes the prescribed elementary program of studies, he is entitled to a
15 certificate of completion signed by the teacher or teachers under whom the program
16 was completed. The certificate shall entitle the pupil to admission into any public
17 high school. Any promotions or credits earned in attendance in any approved public
18 school are valid in any other public school to which a pupil may go, but the
19 superintendent or principal of a school, as the case may be, may assign the pupil to
20 the class or grade to which the pupil is best suited. In case a pupil transfers from the
21 school of one (1) district to the school of another district, an assignment to a lower
22 grade or course shall not be made until the pupil has demonstrated that he is not
23 suited for the work in the grade or course to which he has been promoted.
24 (2) Upon successful completion of all state and local board requirements, the student
25 shall receive a diploma indicating graduation from high school.
26 (3) ***(a) The Gatton Academy of Mathematics and Science in Kentucky, located at***
27 ***Western Kentucky University, may award a diploma to any student who***

1 ***completes his or her high school program at the academy. If the academy***
2 ***issues a diploma, the board of regents of the university shall provide to the***
3 ***commissioner of education a letter of assurance that the program of study***
4 ***completed by its students, in combination with previously earned secondary***
5 ***credits, meets the minimum high school graduation requirements***
6 ***established by the Kentucky Board of Education under KRS 156.160(1)(c).***
7 ***(b) A local school district may award a joint diploma with the Gatton Academy***
8 ***of Mathematics and Science in Kentucky to any student who was enrolled in***
9 ***a district high school and completed his or her high school program at the***
10 ***academy.***
11 ***(c) The academy and the home school district shall ensure that student***
12 ***transcripts from each institution accurately reflect the dual credit***
13 ***coursework.***
14 *(4)* A local school board may award a diploma indicating graduation from high school
15 to any student posthumously with the high school class the student was expected to
16 graduate.
17 *(5)*[~~(4)~~] (a) A local board of education shall award an authentic high school diploma
18 to an honorably discharged veteran who did not complete high school prior to
19 being inducted into the United States Armed Forces during:
20 1. World War II, as defined in KRS 40.010;
21 2. The Korean conflict, as defined in KRS 40.010; or
22 3. The Vietnam War. As used in this paragraph, "Vietnam War" means the
23 period beginning August 5, 1964, and ending May 7, 1975. However,
24 for a member of the United States Armed Forces serving in Vietnam
25 prior to August 5, 1964, the period shall begin February 28, 1961.
26 (b) Upon recommendation of the commissioner, the Kentucky Board of
27 Education in consultation with the Kentucky Department of Veterans' Affairs

1 shall promulgate administrative regulations to establish the guidelines for
2 awarding the authentic diplomas referred to in paragraph (a) of this
3 subsection.

4 ***(6)***[~~(5)~~] The Department of Education shall establish the requirements for a vocational
5 certificate of completion. A student who has returned to school after dropping out
6 shall receive counseling concerning the vocational program. A student who has
7 completed the requirements established for a vocational program shall receive a
8 vocational certificate of completion specifying the areas of competence.

President of Senate

Speaker-House of Representatives

Attest: Chief Clerk of Senate

Approved Governor

Date April 24, 2008