GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2013 REGULAR SESSION

HOUSE BILL NO. 240

TUESDAY, FEBRUARY 26, 2013

The following bill was reported to the Senate from the House and ordered to be printed.

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ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adler

1 AN ACT relating to reorganization.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 151B IS CREATED TO

4 READ AS FOLLOWS:

5 *As used in Sections 1 to 4 of this Act, unless the context requires otherwise:*

6 *(1) "Board" means the Board of the Kentucky Center for Education and Workforce*

7 *Statistics established in subsection (1) of Section 4 of this Act;*

8 *(2) "De-identification" means a process for removing identity information so the*

9 *education data and workforce data can be analyzed without disclosing the*

10 *identity of the individuals or employers whose data are being utilized;*

11 *(3) "Education data" means the following data relating to student performance from*

12 *early childhood learning programs through postsecondary education:*

13 *(a) College and career readiness;*

14 *(b) Course and grade;*

15 *(c) Degree, diploma, or credential attainment;*

16 *(d) Demographic;*

17 *(e) Educator;*

18 *(f) Enrollment;*

19 *(g) Financial aid;*

20 *(h) High school equivalency diploma;*

21 *(i) Remediation;*

22 *(j) Retention;*

23 *(k) State and national assessments;*

24 *(l) Transcripts;*

25 *(m) Vocational and technical education information; and*

26 *(n) Any other data impacting education deemed necessary by the office;*

27 *(4) "Kentucky Longitudinal Data System" is a statewide data system that contains*

1 *education data and workforce data;*
2 *(5) "Office" means the Office for Education and Workforce Statistics established in*
3 *subsection (1) of Section 2 of this Act; and*
4 *(6) "Workforce data" means data relating to:*
5 *(a) Certification and licensure;*
6 *(b) Employer information;*
7 *(c) Employment status;*
8 *(d) Geographic location of employment;*
9 *(e) Job service and training information to support enhanced employment*
10 *opportunities;*
11 *(f) Wage information; and*
12 *(g) Any other data impacting the workforce deemed necessary by the office.*
13 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 151B IS CREATED TO
14 READ AS FOLLOWS:
15 *(1) The Office for Education and Workforce Statistics is hereby established and*
16 *attached to the Education and Workforce Development Cabinet, Office of the*
17 *Secretary.*
18 *(2) The office's purpose is to collect accurate education data and workforce data in*
19 *the Kentucky Longitudinal Data System in order to link the data and generate*
20 *timely reports about student performance through employment to be used to*
21 *guide decision makers in improving the Commonwealth of Kentucky's education*
22 *system and training programs.*
23 *(3) The office shall be headed by an executive director appointed by the Governor*
24 *pursuant to KRS 12.050. The executive director shall be appointed from*
25 *nominations made to the Governor by the board. The office may employ*
26 *additional staff necessary to carry out the office's duties consistent with available*
27 *funding and state personnel laws.*

1 *(4) The public agencies providing education data and workforce data to the Kentucky*
2 *Longitudinal Data System shall be:*
3 *(a) The Council on Postsecondary Education;*
4 *(b) The Department of Education;*
5 *(c) The Early Childhood Advisory Council;*
6 *(d) The Education Professional Standards Board;*
7 *(e) The Kentucky Higher Education Assistance Authority;*
8 *(f) The Kentucky Commission on Proprietary Education; and*
9 *(g) Other agencies of the Education and Workforce Development Cabinet.*
10 *(5) The Kentucky Longitudinal Data System, upon approval of the board, may*
11 *include education data and workforce data from any additional public agency.*
12 *(6) Any private institution of higher education, private school, or parochial school,*
13 *upon approval of the board, may provide education data and workforce data to*
14 *the Kentucky Longitudinal Data System.*
15 *(7) Any education data or workforce data provided to the Kentucky Longitudinal*
16 *Data System shall be certified to be accurate by the providing agency, institution,*
17 *or school. Ownership of data provided shall be retained by the providing entity.*
18 *(8) The office may receive funding for its operation of the Kentucky Longitudinal*
19 *Data System from the following sources:*
20 *(a) State appropriations;*
21 *(b) Federal grants;*
22 *(c) User fees; and*
23 *(d) Any other grants or contributions from public agencies or other entities.*
24 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 151B IS CREATED TO
25 READ AS FOLLOWS:
26 *The duties of the Office for Education and Workforce Statistics shall be to:*
27 *(1) Oversee and maintain the warehouse of education data and workforce data in the*

1 *Kentucky Longitudinal Data System;*
2 *(2) Develop de-identification standards and processes using modern statistical*
3 *methods;*
4 *(3) Conduct research and evaluation regarding federal, state, and local education*
5 *and training programs at all levels;*
6 *(4) Audit and ensure compliance of education and training programs with applicable*
7 *federal and state requirements as authorized by federal and state law;*
8 *(5) Define statewide education, workforce development, and employment metrics;*
9 *(6) Work with public agencies and other entities to ensure the integrity and quality of*
10 *data being collected;*
11 *(7) Link education data and workforce data from multiple sources for consideration*
12 *in developing broad public policy initiatives;*
13 *(8) Develop requirements and definitions for data to be provided by any public*
14 *agency, private institution of higher education, private school, or parochial*
15 *school;*
16 *(9) Develop a reasonable fee schedule for services provided;*
17 *(10) Establish data quality standards;*
18 *(11) Promulgate administrative regulations necessary for the proper administration of*
19 *the Kentucky Longitudinal Data System;*
20 *(12) Ensure compliance with the federal Family Educational Rights and Privacy Act,*
21 *20 U.S.C. sec 1232g, and all other relevant federal and state privacy laws;*
22 *(13) Respond to approved research data requests in accordance with the data access*
23 *and use policy established by the board; and*
24 *(14) Enter into contracts or other agreements with appropriate entities, including but*
25 *not limited to federal, state, and local agencies, to the extent necessary to carry*
26 *out its duties and responsibilities only if such contracts or agreements*
27 *incorporate adequate protections with respect to the confidentiality of any*

1 *information to be shared.*

2 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 151B IS CREATED TO

3 READ AS FOLLOWS:

4 *(1) The Board of the Kentucky Center for Education and Workforce Statistics is*

5 *hereby established and attached to the Education and Workforce Development*

6 *Cabinet, Office of the Secretary.*

7 *(2) The board shall be composed of:*

8 *(a) The commissioner of the Department of Education or designee;*

9 *(b) The executive director of the Education Professional Standards Board or*

10 *designee;*

11 *(c) The president of the Council on Postsecondary Education or designee;*

12 *(d) The secretary of the Education and Workforce Development Cabinet or*

13 *designee; and*

14 *(e) The executive director of the Kentucky Higher Education Assistance*

15 *Authority.*

16 *(3) The duties and functions of the board shall be to:*

17 *(a) Develop a detailed data access and use policy for requests that shall include*

18 *but not be limited to the following:*

19 *1. Direct access to data in the Kentucky Longitudinal Data System shall*

20 *be restricted to authorized staff of the office;*

21 *2. Data or information that may result in any individual or employer*

22 *being identifiable based on the size or uniqueness of the population*

23 *under consideration may not be reported in any form by the office;*

24 *and*

25 *3. The office may not release data or information if disclosure is*

26 *prohibited under relevant federal or state privacy laws;*

27 *(b) Establish the research agenda of the office;*

1 *(c) Make nominations to the Governor for the appointment of an executive*
2 *director;*
3 *(d) Oversee compliance by the office with the federal Family Educational*
4 *Rights and Privacy Act, 20 U.S.C. sec. 1232g, and other relevant federal*
5 *and state privacy laws; and*
6 *(e) Provide general oversight of the office.*
7 *(4) The secretary of the Education and Workforce Development Cabinet shall serve*
8 *as chair of the board.*
9 *(5) The board shall meet at least semiannually and at other times upon the call of the*
10 *chair. The meetings shall be subject to the open meetings requirements of KRS*
11 *61.800 to 61.850 and 61.991.*
12 *(6) The board may form committees, work groups, or advisory councils to*
13 *accomplish its purposes.*
14 ➔Section 5. KRS 12.020 is amended to read as follows:
15 Departments, program cabinets and their departments, and the respective major
16 administrative bodies that they include are enumerated in this section. It is not intended
17 that this enumeration of administrative bodies be all-inclusive. Every authority, board,
18 bureau, interstate compact, commission, committee, conference, council, office, or any
19 other form of organization shall be included in or attached to the department or program
20 cabinet in which they are included or to which they are attached by statute or statutorily
21 authorized executive order; except in the case of the Personnel Board and where the
22 attached department or administrative body is headed by a constitutionally elected officer,
23 the attachment shall be solely for the purpose of dissemination of information and
24 coordination of activities and shall not include any authority over the functions,
25 personnel, funds, equipment, facilities, or records of the department or administrative
26 body.
27 I. Cabinet for General Government - Departments headed by elected officers:

1 1. The Governor.
2 2. Lieutenant Governor.
3 3. Department of State.
4 (a) Secretary of State.
5 (b) Board of Elections.
6 (c) Registry of Election Finance.
7 4. Department of Law.
8 (a) Attorney General.
9 5. Department of the Treasury.
10 (a) Treasurer.
11 6. Department of Agriculture.
12 (a) Commissioner of Agriculture.
13 (b) Kentucky Council on Agriculture.
14 7. Auditor of Public Accounts.
15 II. Program cabinets headed by appointed officers:
16 1. Justice and Public Safety Cabinet:
17 (a) Department of Kentucky State Police.
18 (b) Department of Criminal Justice Training.
19 (c) Department of Corrections.
20 (d) Department of Juvenile Justice.
21 (e) Office of the Secretary.
22 (f) Office of Drug Control Policy.
23 (g) Office of Legal Services.
24 (h) Office of the Kentucky State Medical Examiner.
25 (i) Parole Board.
26 (j) Kentucky State Corrections Commission.
27 (k) Office of Legislative and Intergovernmental Services.

1 (l) Office of Management and Administrative Services.
2 (m) Office of Investigations.
3 (n) Department for Public Advocacy.
4 2. Education and Workforce Development Cabinet:
5 (a) Office of the Secretary.
6 1. Governor's Scholars Program.
7 (b) Office of Legal and Legislative Services.
8 1. Client Assistance Program.
9 (c) Office of Communication.
10 (d) Office of Budget and Administration.
11 1. Division of Human Resources.
12 2. Division of Administrative Services.
13 3. Division of Technology Services.
14 (e) Office of Educational Programs.
15 (f) ***Office for Education and Workforce Statistics.***
16 ***(g) Board of the Kentucky Center for Education and Workforce Statistics.***
17 ***(h)*** Board of Directors for the Center for School Safety.
18 ***(i)***[~~(g)~~] Council on Postsecondary Education.
19 1. Foundation for Adult Education.
20 ***(j)***[~~(h)~~] Department of Education.
21 1. Kentucky Board of Education.
22 ***(k)***[~~(i)~~] Department for Libraries and Archives.
23 ***(l)***[~~(j)~~] Department of Workforce Investment.
24 1. Office for the Blind.
25 2. Office of Vocational Rehabilitation.
26 3. Office of Career and Technical Education.
27 4. Office of Employment and Training.

1 *(m)*[~~(k)~~] Foundation for Workforce Development.
2 *(n)*[~~(l)~~] Kentucky Office for the Blind State Rehabilitation Council.
3 *(o)*[~~(m)~~] Kentucky Technical Education Personnel Board.
4 *(p)*[~~(n)~~] Kentucky Workforce Investment Board.
5 *(q)*[~~(o)~~] Statewide Council for Vocational Rehabilitation.
6 *(r)*[~~(p)~~] Statewide Independent Living Council.
7 *(s)*[~~(q)~~] Unemployment Insurance Commission.
8 *(t)*[~~(r)~~] Education Professional Standards Board.
9 1. Division of Educator Preparation.
10 2. Division of Certification.
11 3. Division of Professional Learning and Assessment.
12 4. Division of Legal Services.
13 *(u)*[~~(s)~~] Kentucky Commission on the Deaf and Hard of Hearing.
14 *(v)*[~~(t)~~] Kentucky Educational Television.
15 *(w)*[~~(u)~~] Kentucky Environmental Education Council.
16 3. Energy and Environment Cabinet:
17 (a) Office of the Secretary.
18 1. Office of Legislative and Intergovernmental Affairs.
19 2. Office of General Counsel.
20 a. Environmental Protection Legal Division.
21 3. Office of Administrative Hearings.
22 4. Mine Safety Review Commission.
23 5. Kentucky State Nature Preserves Commission.
24 6. Kentucky Environmental Quality Commission.
25 7. Kentucky Public Service Commission.
26 (b) Department for Environmental Protection.
27 1. Office of the Commissioner.

1 2. Division for Air Quality.
2 3. Division of Water.
3 4. Division of Environmental Program Support.
4 5. Division of Waste Management.
5 6. Division of Enforcement.
6 7. Division of Compliance Assistance.
7 (c) Department for Natural Resources.
8 1. Office of the Commissioner.
9 2. Division of Technical and Administrative Support.
10 3. Division of Mine Permits.
11 4. Division of Mine Reclamation and Enforcement.
12 5. Division of Abandoned Mine Lands.
13 6. Division of Oil and Gas.
14 7. Office of Mine Safety and Licensing.
15 8. Division of Forestry.
16 9. Division of Conservation.
17 (d) Department for Energy Development and Independence.
18 1. Division of Efficiency and Conservation.
19 2. Division of Renewable Energy.
20 3. Division of Biofuels.
21 4. Division of Energy Generation Transmission and Distribution.
22 5. Division of Carbon Management.
23 6. Division of Fossil Energy Development.
24 4. Public Protection Cabinet.
25 (a) Office of the Secretary.
26 1. Office of Communications and Public Outreach.
27 2. Office of Legal Services.

1 a. Insurance Legal Division.
2 b. Charitable Gaming Legal Division.
3 c. Alcoholic Beverage Control Legal Division.
4 d. Housing, Buildings and Construction Legal Division.
5 e. Financial Institutions Legal Division.
6 (b) Crime Victims Compensation Board.
7 (c) Board of Claims.
8 (d) Kentucky Board of Tax Appeals.
9 (e) Kentucky Boxing and Wrestling Authority.
10 (f) Kentucky Horse Racing Commission.
11 1. Division of Licensing.
12 2. Division of Incentives and Development.
13 3. Division of Veterinary Services.
14 4. Division of Security and Enforcement.
15 (g) Department of Alcoholic Beverage Control.
16 1. Division of Distilled Spirits.
17 2. Division of Malt Beverages.
18 3. Division of Enforcement.
19 (h) Department of Charitable Gaming.
20 1. Division of Licensing and Compliance.
21 2. Division of Enforcement.
22 (i) Department of Financial Institutions.
23 1. Division of Depository Institutions.
24 2. Division of Non-Depository Institutions.
25 3. Division of Securities.
26 (j) Department of Housing, Buildings and Construction.
27 1. Division of Fire Prevention.

1 2. Division of Plumbing.
2 3. Division of Heating, Ventilation, and Air Conditioning.
3 4. Division of Building Code Enforcement.
4 (k) Department of Insurance.
5 1. Property and Casualty Division.
6 2. Health and Life Division.
7 3. Division of Financial Standards and Examination.
8 4. Division of Agent Licensing.
9 5. Division of Insurance Fraud Investigation.
10 6. Consumer Protection Division.
11 7. Division of Kentucky Access.
12 (l) Office of Occupations and Professions.
13 5. Labor Cabinet.
14 (a) Office of the Secretary.
15 1. Division of Management Services.
16 2. Office of General Counsel.
17 (b) Office of General Administration and Program Support for Shared
18 Services.
19 1. Division of Human Resource Management.
20 2. Division of Fiscal Management.
21 3. Division of Budgets.
22 4. Division of Information Services.
23 (c) Office of Inspector General for Shared Services.
24 (d) Department of Workplace Standards.
25 1. Division of Employment Standards, Apprenticeship, and
26 Mediation.
27 2. Division of Occupational Safety and Health Compliance.

1 3. Division of Occupational Safety and Health Education and
2 Training.
3 4. Division of Workers' Compensation Funds.
4 (e) Department of Workers' Claims.
5 1. Office of General Counsel for Workers' Claims.
6 2. Office of Administrative Law Judges.
7 3. Division of Claims Processing.
8 4. Division of Security and Compliance.
9 5. Division of Information and Research.
10 6. Division of Ombudsman and Workers' Compensation Specialist
11 Services.
12 7. Workers' Compensation Board.
13 8. Workers' Compensation Advisory Council.
14 9. Workers' Compensation Nominating Commission.
15 (f) Workers' Compensation Funding Commission.
16 (g) Kentucky Labor-Management Advisory Council.
17 (h) Occupational Safety and Health Standards Board.
18 (i) Prevailing Wage Review Board.
19 (j) Apprenticeship and Training Council.
20 (k) State Labor Relations Board.
21 (l) Employers' Mutual Insurance Authority.
22 (m) Kentucky Occupational Safety and Health Review Commission.
23 6. Transportation Cabinet:
24 (a) Department of Highways.
25 1. Office of Project Development.
26 2. Office of Project Delivery and Preservation.
27 3. Office of Highway Safety.

1 4. Highway District Offices One through Twelve.
2 (b) Department of Vehicle Regulation.
3 (c) Department of Aviation.
4 (d) Department of Rural and Municipal Aid.
5 1. Office of Local Programs.
6 2. Office of Rural and Secondary Roads.
7 (e) Office of the Secretary.
8 1. Office of Public Affairs.
9 2. Office for Civil Rights and Small Business Development.
10 3. Office of Budget and Fiscal Management.
11 4. Office of Inspector General.
12 (f) Office of Support Services.
13 (g) Office of Transportation Delivery.
14 (h) Office of Audits.
15 (i) Office of Human Resource Management.
16 (j) Office of Information Technology.
17 (k) Office of Legal Services.
18 7. Cabinet for Economic Development:
19 (a) Office of Administration and Support.
20 (b) Department for New Business Development.
21 (c) Department of Financial Incentives.
22 (d) Department for Existing Business Development.
23 (e) Tobacco Research Board.
24 (f) Kentucky Economic Development Finance Authority.
25 (g) Office of Research and Information Technology.
26 (h) Department of Commercialization and Innovation.
27 (i) Office of Legal Services.

1 (j) Commission on Small Business Advocacy.
2 8. Cabinet for Health and Family Services:
3 (a) Office of the Secretary.
4 (b) Office of Health Policy.
5 (c) Office of Legal Services.
6 (d) Office of Inspector General.
7 (e) Office of Communications and Administrative Review.
8 (f) Office of the Ombudsman.
9 (g) Office of Policy and Budget.
10 (h) Office of Human Resource Management.
11 (i) Office of Administrative and Technology Services.
12 (j) Department for Public Health.
13 (k) Department for Medicaid Services.
14 (l) Department for Behavioral Health, Developmental and Intellectual
15 Disabilities.
16 (m) Department for Aging and Independent Living.
17 (n) Department for Community Based Services.
18 (o) Department for Income Support.
19 (p) Department for Family Resource Centers and Volunteer Services.
20 (q) Kentucky Commission on Community Volunteerism and Service.
21 (r) Kentucky Commission for Children with Special Health Care Needs.
22 (s) Governor's Office of Electronic Health Information.
23 9. Finance and Administration Cabinet:
24 (a) Office of General Counsel.
25 (b) Office of the Controller.
26 (c) Office of Administrative Services.
27 (d) Office of Public Information.

1 (e) Office of Policy and Audit.
2 (f) Department for Facilities and Support Services.
3 (g) Department of Revenue.
4 (h) Commonwealth Office of Technology.
5 (i) State Property and Buildings Commission.
6 (j) Office of Equal Employment Opportunity and Contract Compliance.
7 (k) Kentucky Employees Retirement Systems.
8 (l) Commonwealth Credit Union.
9 (m) State Investment Commission.
10 (n) Kentucky Housing Corporation.
11 (o) Kentucky Local Correctional Facilities Construction Authority.
12 (p) Kentucky Turnpike Authority.
13 (q) Historic Properties Advisory Commission.
14 (r) Kentucky Tobacco Settlement Trust Corporation.
15 (s) Kentucky Higher Education Assistance Authority.
16 (t) Kentucky River Authority.
17 (u) Kentucky Teachers' Retirement System Board of Trustees.
18 (v) Executive Branch Ethics Commission.
19 10. Tourism, Arts and Heritage Cabinet:
20 (a) Kentucky Department of Travel and Tourism.
21 (1) Division of Tourism Services.
22 (2) Division of Marketing and Administration.
23 (3) Division of Communications and Promotions.
24 (b) Kentucky Department of Parks.
25 (1) Division of Information Technology.
26 (2) Division of Human Resources.
27 (3) Division of Financial Operations.

1 (4) Division of Facilities Management.
2 (5) Division of Facilities Maintenance.
3 (6) Division of Customer Services.
4 (7) Division of Recreation.
5 (8) Division of Golf Courses.
6 (9) Division of Food Services.
7 (10) Division of Rangers.
8 (11) Division of Resort Parks.
9 (12) Division of Recreational Parks and Historic Sites.
10 (c) Department of Fish and Wildlife Resources.
11 (1) Division of Law Enforcement.
12 (2) Division of Administrative Services.
13 (3) Division of Engineering.
14 (4) Division of Fisheries.
15 (5) Division of Information and Education.
16 (6) Division of Wildlife.
17 (7) Division of Public Affairs.
18 (d) Kentucky Horse Park.
19 (1) Division of Support Services.
20 (2) Division of Buildings and Grounds.
21 (3) Division of Operational Services.
22 (e) Kentucky State Fair Board.
23 (1) Office of Administrative and Information Technology Services.
24 (2) Office of Human Resources and Access Control.
25 (3) Division of Expositions.
26 (4) Division of Kentucky Exposition Center Operations.
27 (5) Division of Kentucky International Convention Center.

1 (6) Division of Public Relations and Media.
2 (7) Division of Venue Services.
3 (8) Division of Personnel Management and Staff Development.
4 (9) Division of Sales.
5 (10) Division of Security and Traffic Control.
6 (11) Division of Information Technology.
7 (12) Division of the Louisville Arena.
8 (13) Division of Fiscal and Contract Management.
9 (14) Division of Access Control.
10 (f) Office of the Secretary.
11 (1) Office of Finance.
12 (2) Office of Research and Administration.
13 (3) Office of Governmental Relations and Tourism Development.
14 (4) Office of the Sports Authority.
15 (5) Kentucky Sports Authority.
16 (g) Office of Legal Affairs.
17 (h) Office of Human Resources.
18 (i) Office of Public Affairs and Constituent Services.
19 (j) Office of Creative Services.
20 (k) Office of Capital Plaza Operations.
21 (l) Office of Arts and Cultural Heritage.
22 (m) Kentucky African-American Heritage Commission.
23 (n) Kentucky Foundation for the Arts.
24 (o) Kentucky Humanities Council.
25 (p) Kentucky Heritage Council.
26 (q) Kentucky Arts Council.
27 (r) Kentucky Historical Society.

1 (1) Division of Museums.
2 (2) Division of Oral History and Educational Outreach.
3 (3) Division of Research and Publications.
4 (4) Division of Administration.
5 (s) Kentucky Center for the Arts.
6 (1) Division of Governor's School for the Arts.
7 (t) Kentucky Artisans Center at Berea.
8 (u) Northern Kentucky Convention Center.
9 (v) Eastern Kentucky Exposition Center.
10 11. Personnel Cabinet:
11 (a) Office of the Secretary.
12 (b) Department of Human Resources Administration.
13 (c) Office of Employee Relations.
14 (d) Kentucky Public Employees Deferred Compensation Authority.
15 (e) Office of Administrative Services.
16 (f) Office of Legal Services.
17 (g) Governmental Services Center.
18 (h) Department of Employee Insurance.
19 (i) Office of Diversity and Equality.
20 (j) Center of Strategic Innovation.
21 III. Other departments headed by appointed officers:
22 1. Department of Military Affairs.
23 2. Department for Local Government.
24 3. Kentucky Commission on Human Rights.
25 4. Kentucky Commission on Women.
26 5. Department of Veterans' Affairs.
27 6. Kentucky Commission on Military Affairs.

1 7. Office of Minority Empowerment.
2 8. Governor's Council on Wellness and Physical Activity.
3 ➔Section 6. KRS 164.7885 is amended to read as follows:
4 (1) Not later than August 1, 1999, and each June 30 thereafter, each Kentucky high
5 school shall submit to the authority, a compiled list of all high school students
6 during the academic year. A high school shall report the grade point average of an
7 eligible high school student pursuant to KRS 164.7874 by January 15 following the
8 end of the fall academic term in which the student completed the high school
9 graduation requirements. The list shall identify the high school and shall contain
10 each high school student's name, Social Security number, address, grade point
11 average for the academic year, expected or actual graduation date, highest ACT
12 score, family eligibility status for free or reduced-price lunch, and each AP or IB
13 examination score. The Gatton Academy of Mathematics and Science in Kentucky
14 shall report the data on its students to the authority. The list need not contain the
15 ACT, AP, or IB if the authority receives the scores directly from the testing
16 services. The authority shall notify each eligible high school student of his or her
17 Kentucky educational excellence scholarship award earned each academic year. The
18 authority shall determine the final Kentucky educational excellence scholarship and
19 supplemental award based upon the actual final grade point average, highest ACT
20 score, and qualifying AP or IB scores and shall notify each eligible twelfth-grade
21 high school student of the final determination. The authority shall make available a
22 list of eligible high school and postsecondary students to participating institutions.
23 (2) The authority shall provide data access only to ***the Kentucky Longitudinal Data***
24 ***System and to those*** participating institutions that have either received an admission
25 application from an eligible high school or postsecondary student or have been
26 listed by the eligible high school or postsecondary student on the Free Application
27 For Federal Student Aid.

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

1 (c) Liable for overpayment of any grant or loan under Title IV of the federal act;
2 or
3 (d) In default on any obligation to the authority under any programs administered
4 by the authority until financial obligations to the authority are satisfied, except
5 that ineligibility may be waived by the authority for cause.
6 (7) Notwithstanding the provisions of KRS 164.753, the authority may promulgate
7 administrative regulations for the administration of Kentucky educational
8 excellence scholarships and supplemental awards under the provisions of KRS
9 164.7871 to 164.7885 and KRS 164.7889.
10 ➔SECTION 7. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
11 READ AS FOLLOWS:
12 ***(1) The Council for Educational Research is hereby established.***
13 ***(2) At least once each year, the council shall advise the Board of the Kentucky***
14 ***Center for Education and Workforce Statistics and the Office for Education and***
15 ***Workforce Statistics on the data needed by colleges of education for conducting***
16 ***education research.***
17 ***(3) The deans of the colleges of education at each public research and***
18 ***comprehensive university shall serve on the council or appoint a designee from***
19 ***the research faculty in the college of education.***
20 ➔Section 8. The General Assembly confirms Executive Order 2012-1029, dated
21 December 14, 2012, to the extent it is not otherwise confirmed or superseded by this Act.

Speaker-House of Representatives

President of Senate

Attest: Sean T. Durgin
Chief Clerk of House of Representatives

Approved
Governor

Date 3-22-13