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COVID-19 Relief Special Session KDE K-12 Policy Recommendations

1. Funding Stability. The issue – Districts are concerned that disruptions to in-person attendance will impact school funding levels for the upcoming 2022-2023 school year.

Recommended Solution – Use a historical funding count number (i.e. districts can choose either the 2018-2019 year or the 2019-2020 year) as the basis for funding for the upcoming 2022-2023 school year. Then, revisit funding for growing districts during the regular session of the General Assembly.

2. Operational Flexibility. The Issue – Districts are not able to effectively alter instructional models based on COVID-19 disruptions due to limitations on Non-Traditional Instruction (NTI) days, or transition to other instructional models at school/grade levels. Additional instructional models pose a singular goal of keeping as many students in-person as possible, for longer periods of time.

Recommended Solutions:

- NTI – Provide for an additional 20 days of COVID-19 specific NTI instruction to districts in addition to the 10 already provided (which also may be used for weather-related impacts this coming winter/spring). Allow districts to request a waiver for additional days to the Commissioner of Education, which may be granted based on exigent circumstances in the district/community. This should provide enough flexibility to districts to get us through to January, when the legislature is back in session and we can take stock of where we are at that point.
- Temporary Remote Instruction – Allow districts to temporarily shift to remote instruction at a school or grade level depending on the level of COVID disruption. Do not count these as NTI days (which are district-wide) and limit their use at the school/grade to no more than 20 days.
- Hybrid Instruction – Allow districts (at their local discretion) to temporarily shift to hybrid in-person/remote instruction where students are in-person, in our schools at least two days per week through December 31, 2021, for the purpose of reducing the number of students present in classrooms and allowing for improved social distancing.
- Instructional Hours – Allow all districts to use the 1,062 hours requirement for minimum hours of instruction and waive the requirement for 170 instructional days for this current school year.

3. Staffing Supports. The Issue - Districts are experiencing staffing shortages due to COVID-19 quarantining and illness and vaccinated staff are taking sick leave due to breakthrough infections.

Recommended Solutions:

Retired Teachers – For this current school year only, allow already retired teachers who have had a 90-day break in service and who hold valid certifications to teach in Kentucky schools at a level commensurate with their experience/education, and continue to draw their full KTRS retirement.

Additional Sick Leave Supports – Require districts to provide 10 additional COVID-19 sick leave days to vaccinated eligible staff members and authorize a state-funded reimbursement to districts of actual costs associated with the actual use of these days from the existing state budgetary surplus. These days should be accounted for separately from regular sick leave and will expire on June 30, 2022, and have no ongoing value or benefit.

4. Virus Mitigation. The Issue – Schools have demonstrated the ability to successfully operate for in-person instruction so long as layers of virus mitigation efforts are in place, including universal masking indoors. While there are a variety of political opinions on masking, given the circumstances we find ourselves in, this is not the time to relax or remove any virus mitigation efforts – including universal indoor masking.

Recommended Solution – Allow the Kentucky Board of Education (KBE) emergency regulation requiring universal masking indoors for public schools to stand for the time-being. The KBE already has publicly committed to revising this requirement when recommendations change from either the CDC or from the Kentucky Department for Public Health. Further, we have been in communication with Health Commissioner Dr. Steven Stack and have discussed plans to revert to a system based on local conditions (i.e. incidence rates) in the future when this present surge in cases/deaths passes.