

The 2023 regular session of the Kentucky General Assembly adjourned March 30. Per Attorney General opinion 23-03, the effective date of legislation, other than general appropriation bills and acts containing emergency or delayed effective date provisions, passed during this session is Thursday, June 29, 2023.

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## Senate Bills

### Senate Bill (SB) 3

SB 3 amends KRS 160.105 to require the Kentucky Board of Education (KBE) to promulgate an administrative regulation requiring school districts to provide each certified employee with primary liability insurance coverage in an amount not less than \$1 million for liability arising in

the course and scope of employment. The process of promulgating a regulation takes 7 to 9 months or longer. The Kentucky Department of Education (KDE) intends on starting the process, with the goal of having an effective regulation prior to the 2024 school year, by bringing a regulation to the KBE in October 2023.

The bill creates a new section of KRS Chapter 161 that establishes the Educators Employment Liability Insurance Program in KDE to provide excess employment liability insurance for all Kentucky public school certified employees. No later than July 1, 2024, KDE shall contract for excess coverage not less than an \$1 million per occurrence and \$3 million aggregate for each certified employee.

### SB 9

SB 9, known as “Lofton’s Law,” defines hazing as “a direct action which substantially endangers the physical health of a minor or student for the purpose of recruitment, initiation into, affiliation with, or enhancing or maintaining membership or status within any organization.” It also defines “organization” and “student” in this context. The bill gives specific examples of hazing, but is not limited to those examples.

SB 9 categorizes hazing in the first degree as a Class D felony. Hazing in the second degree is defined as a Class A misdemeanor.

Schools and districts should educate students, teachers, coaches and all within their community on the impact of hazing and the legal consequences of hazing.

Schools will have the ability to track behavior events that meet the definition of hazing first or second degree in the state student information system, Infinite Campus (IC). The two state codes will be released into district production sites on July 26, 2023, and then available in the behavior management tool to assign to student records with the start of the 2023-2024 school year. Schools should reference the Behavior Data Standards for student-level behavior data entry.

Use of these behavior events will trigger a record on the annual Safe Schools report. This data will be publicly reported on the Kentucky School Report Card – Safety domain within the category of Assault or Violence.

### SB 70

SB 70 amends KRS 156.560 to implement the performance-based professional development pilot project from the 2023-2024 school year through the 2025-2026 school year. The pilot program requires two or more teachers to design an instructional practice or strategy project to address an identified school or district academic or nonacademic classroom problem of practice.

Successful completion of a project satisfies up to three of the required four days of professional development under KRS 158.070(3)(a).

Local boards of education have the authority to determine the parameters for the performance-based professional development pilot program. [Supplemental guidance](#) provides support for local boards in determining the parameters of the performance-based professional development projects.

The bill requires KDE to study the completed pilot projects for their impact on schools and districts to determine the attributes of quality performance-based professional development and the best practices for measuring its effectiveness. KDE is further required to report on the project to the Interim Joint Committee on Education by Aug. 1, 2027.

### SB 156

SB 156 amends KRS 164.0207 to establish a statewide reading research center. KDE is required to select the center through a competitive proposals process for approval by the KBE. The selected center shall be contracted for five years, beginning by July 1, 2024, unless funding is not available or the center requests to discontinue the contract. For each five-year period thereafter, KDE shall issue a new request for proposals for the center, contingent upon funding.

Of note, Section 6 amends KRS 158.305, which is part of the Read to Succeed Act, per SB 9 (2022). The law establishes that “each superintendent **shall adopt a common comprehensive reading program that is determined by the department to be reliable, valid, and aligned to reading and writing standards** required by KRS 158.6453 and outlined in administrative regulation promulgated by the KBE **for kindergarten through grade three (3) for all schools or a subset of schools**, with consultation of all affected elementary school councils,” (emphasis added).

- “Common” means the comprehensive reading program is utilized for K-3 by all elementary schools or a subset of schools within a district.
- KRS 158.792 defines “Comprehensive reading program” as “any print, nonprint or electronic medium of reading instruction designed to assist students. For students in kindergarten through grade three (3), program instructional resources shall include instruction in five (5) key areas: phonemic awareness, phonics, fluency, vocabulary, and comprehension.”
- The [Kentucky Academic Standards for Reading and Writing](#) are established in 704 KAR 8:020 and became effective in 2019.

- KDE is encouraging district leaders to utilize the [Reading and Writing Instructional Resources Consumer Guide](#), which defines high-quality instructional resources, for the evaluation and selection of a primary tier 1 comprehensive reading program.

The bill further amends KRS 151B.406, 151B.409, 154A.130, 156.553, 158.792, 158.840 and 164.035 to conform. Sections 1 through 9 take effect as of July 1, 2024. Questions regarding SB 156 (2023) should be directed to KDE Chief Academic Officer [Micki Ray](#).

### **SB 169**

SB 169 amends KRS 65.028 to permit local boards of education to utilize public public-private partnerships (P3) for the delivery of capital construction projects. The bill amends the definition of “local government” to include local school districts.

The existing statute sets forth the minimum requirements for a P3 agreement and grants the Kentucky Finance and Administration Cabinet regulatory authority. Thus, districts wishing to enter into a P3 agreement are also subject to the Finance and Administration Cabinet’s regulation [200 KAR 5:355](#), Public-private partnership delivery method. Additional information about P3s may be found on the cabinet’s website: [Public-Private Partnerships \(P3\)](#)

The statute sets forth the requirements for P3 agreements, creates the Public-Private Partnership Board for the review and approval of certain P3 agreements, establishes the process for the solicitation of requests for proposals, as well as a process for unsolicited P3 project proposals. A local board entering into a P3 is required to maintain oversight, and the delivery method cannot be used to circumvent laws applicable to the school district. The statute requires the private partner to provide performance and payment bonds, as well as maintenance bonds, warranties, guarantees and letters of credit to the satisfaction of the school district. The school district is required to review and approve plans, inspect the project, maintain public liability insurance or self-insurance against tort liability,

### **SB 247**

SB 247 creates a new section of KRS Chapter 158 to permit a student in 1st, 2nd or 3rd grade that qualifies for free or reduced-price meals or attends a school that participates in the community eligibility provision of the National School Lunch Program to remain in that school if the student changes residence within the school district during the school year such that the new residence would otherwise require a new school assignment within the school district. The parent may request that the student and any siblings remain enrolled in the same school, and the district is required to provide transportation unless the superintendent determines that the

distance and travel time is impracticable. The district is required to report any denial of transportation with supporting rationale to KDE.

## House Bills

### House Bill (HB) 3

While HB 3 primarily impacts procedures within the juvenile justice system, it will have an impact on schools working with court-designated workers (CDW) on diversion cases. HB 3 requires the CDW or court-designated specialist (CDS) to contact the school district to obtain background information from school personnel regarding family background, education records, any services previously provided and any recommended trauma-informed strategies prior to developing the diversion agreement. When developing a diversion agreement, the CDS must make all details of the agreement accessible to all members of the Family, Accountability and Response (FAIR) team through an electronic platform provided by the Administrative Office of the Courts.

The Family Educational Rights and Privacy Act (FERPA) contains an exception which specifically allows the sharing of such information. See 34 CFR 99.31(a)(5)(i)(B). However, FERPA requires that the “authorities to whom the records are disclosed shall certify in writing to the educational agency or institution that the information will not be disclosed to any other party, except as provided under State law, without the prior written consent of the parent of the student.” 34 CFR 99.38(b).

If the child enters into a diversion agreement or is referred to the FAIR team for truancy and there is no action implemented by the FAIR team within 90 days, the FAIR team must report to the court the reasons for inaction and provide a plan for action on the child’s case. The court must then review on the record any diversion agreement and any report at regular intervals to verify the FAIR team member attendance, team accountability and performance.

If a child fails to appear for a preliminary intake inquiry or fails to complete a diversion agreement due to lack of parental cooperation, the CDW must make a determination that the child failed to complete the diversion due to lack of parental cooperation. If the court receives a report with a determination that the diversion failed due to lack of parental cooperation, the court may order parental cooperation and refer the case back to the CDW. The child must not be detained upon this finding.

After reviewing the actions taken by the CDW, HB 3 also enables the FAIR team to refer the case to the cabinet, which must conduct an investigation of suspected dependency, neglect or abuse.

### HB 13

Amends KRS 281A.175 to require school bus drivers submit to a physical examination at least every 24 months rather than the previous annual requirement.

### HB 241

HB 241 expands the type of healthcare providers who can provide the evidence needed for exempting students from compulsory attendance due to mental health conditions to include all qualified mental health professionals as defined by KRS 202A.011. Students excused from compulsory attendance for medical reasons typically participate in a district's Home/Hospital program.

- To be excused from compulsory attendance: Districts exempt students from attendance requirements if their physical or mental condition renders attendance at school inadvisable. The district must require a signed statement of a physician, advanced practice registered nurse, physician's assistant, psychologist, psychiatrist or qualified mental health professional responsible for diagnosing and treating the child, stating that the diagnosed condition of the child prevents or renders inadvisable attendance at school and requires home or hospital instruction.
- If the condition is mental health related, then the signed statement shall be completed by a qualified mental health professional (defined in the "Qualified Mental Health Professional Defined" section and noted below).
- Any student who is excused from school for more than six months must have two signed statements from two professional people listed in the "Qualified Mental Health Professional Defined" section.
  - This does not apply to a child whose signed statement certifies that they have a chronic physical condition that prevents or renders attendance inadvisable at school and is unlikely to substantially improve within one year.
- Exemptions of any student from school for mental health reasons must be reviewed and updated annually .

In accordance with 707 KAR 1:350, placement decisions for students with disabilities are made by the admissions and release committee (ARC) in conformity with the least restrictive environment provisions. Statements from physicians or qualified mental health professionals may be used as evidence when making placement determinations, but are not binding on the ARC.

A qualified mental health professional is defined as:

- A physician licensed under the laws of Kentucky to practice medicine or osteopathy, or a medical officer of the government of the United States while engaged in the performance of official duties;
- A psychiatrist licensed under the laws of Kentucky to practice medicine or osteopathy, or a medical officer of the government of the United States while engaged in the practice of official duties, who is certified or eligible to apply for certification by the American Board of Psychiatry and Neurology Inc.;
- A psychologist with the health service provider designation, a psychological practitioner, a certified psychologist or a psychological associate, licensed under the provisions of KRS Chapter 319;
- A licensed registered nurse with a master's degree in psychiatric nursing from an accredited institution and two years of clinical experience with mentally ill persons; or a licensed registered nurse with a bachelor's degree in nursing from an accredited institution, who is certified as a psychiatric and mental health nurse by the American Nurses Association, has three years of inpatient or outpatient clinical experience in psychiatric nursing and is currently employed by a hospital or forensic psychiatric facility licensed by the Commonwealth, a psychiatric unit of a general hospital, a private agency or company engaged in the provision of mental health services, or a regional community program for mental health and individuals with an intellectual disability;
- A licensed clinical social worker licensed under the provisions of KRS 335.100, or a certified social worker licensed under the provisions of KRS 335.080 with three years of inpatient or outpatient clinical experience in psychiatric social work and currently employed by a hospital or forensic psychiatric facility licensed by the Commonwealth, a psychiatric unit of a general hospital, a private agency or company engaged in the provision of mental health services, or a regional community program for mental health and individuals with an intellectual disability;
- A marriage and family therapist licensed under the provisions of KRS 335.300 to 335.399 with three years of inpatient or outpatient clinical experience in psychiatric mental health practice and currently employed by a hospital or forensic facility licensed by the Commonwealth, a psychiatric unit of a general hospital, a private agency or company

engaged in providing mental health services, or a regional community program for mental health and individuals with an intellectual disability;

- A professional counselor credentialed under the provisions of KRS Chapter 335.500 to 335.599 with three years of inpatient or outpatient clinical experience in psychiatric mental health practice and currently employed by a hospital or forensic facility licensed by the Commonwealth, a psychiatric unit of a general hospital, a private agency or company engaged in providing mental health services, or a regional community program for mental health and individuals with an intellectual disability; or
- A physician assistant licensed under KRS 311.840 to 311.862, who meets one of the following requirements:
  - Provides documentation that he or she has completed a psychiatric residency program for physician assistants;
  - Has completed at least 1,000 hours of clinical experience under a supervising physician, as defined by KRS 311.840, who is a psychiatrist and is certified or eligible for certification by the American Board of Psychiatry and Neurology Inc.;
  - Holds a master's degree from a physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant or its predecessor or successor agencies, is practicing under a supervising physician as defined by KRS 311.840, and:
    - Has two years of clinical experience in the assessment, evaluation and treatment of mental disorders; or
    - Has been employed by a hospital or forensic psychiatric facility licensed by the Commonwealth, a psychiatric unit of a general hospital or a private agency or company engaged in the provision of mental health services, or a regional community program for mental health and individuals with an intellectual disability for at least two years; or
  - Holds a bachelor's degree, possesses a current physician assistant certificate issued by the board prior to July 15, 2002, is practicing under a supervising physician as defined by KRS 311.840, and:
    - Has three years of clinical experience in the assessment, evaluation and treatment of mental disorders; or
    - Has been employed by a hospital or forensic psychiatric facility licensed by the Commonwealth, a psychiatric unit of a general hospital, a private agency or company engaged in the provision of mental health services, or a regional community program for mental health and individuals with an intellectual disability for at least three years;



HB 244 establishes the Kentucky Guard Youth Challenge Program (YCP) within the Department of Military Affairs to serve as the state's programs for participation in the National Youth Guard Challenge Program. YCP will establish at least one campus for program operations and may establish additional campuses as funding and demand allow.

The program will serve as an alternative education program that serves each school district in the Commonwealth and, as such, will be subject to all statutes and regulations relevant to alternative education programs. In accordance with 707 KAR 1:350, placement decisions for students with disabilities, including placement in an alternative education program, are made by the admissions and release committee in conformity with the least restrictive environment provisions. YCP will operate under the direction of the adjutant general or designee, who will appoint a director to oversee the daily management of the program and adopt a strategic plan for the program's schools to ensure continuous improvement.

For purposes of the school assessment and accountability system established in KRS Chapter 158, accountability for any students participating in the YCP will be attributed to the sending district.

### **HB 319**

HB 319 takes various actions which are aimed at combating the teacher shortage.

Section 1 of the bill adopts the Interstate Teacher Mobility Compact, which creates reciprocity among participant states and reduces barriers to license portability and employment. The compact will allow teachers to use an eligible license held in a compact member state to be granted an equivalent license in another compact member state. The compact must be adopted by 10 states before it becomes operational. As of June 2023, only five states have adopted the compact. KDE and the Education Professional Standards Board (EPSB) will continue to monitor the compact and provide additional information once it is operational.

Section 2 of HB 319 requires local boards of education to ensure that each employee that voluntarily leaves the district completes an exit survey that includes the position vacated, the employee's years of service in the position and district, whether the employee is taking a similar position in another district, and the reason for leaving the district. Staff in the KDE Office of Educator Licensure and Effectiveness are working to develop a model survey and a process for districts to report exit survey information. This information will be used to evaluate factors impacting teacher retention. The model survey and information on how to report exit survey information will be distributed to districts in June 2023.

Section 5 creates an eligible for hire letter that candidates can obtain when they are interested in pursuing an alternative route to teacher certification. The alternative routes to teacher certification are contained in KRS 161.048. At its June 2023 meeting, the EPSB will review proposed procedures for the process to obtain an eligible for hire letter. The procedures approved by the EPSB will be available following that meeting.

Section 8 creates a one-year interim teaching certificate for candidates who possess a minimum of a bachelor's degree and four years of work experience in the area in which certification is being sought. If a candidate is pursuing career and technical education certification, they are not required to possess a bachelor's degree. This certificate is not available for teaching special education due to federal Individuals with Disabilities Education Act requirements.

Hiring districts will be required to provide a teacher mentor to candidates holding the one-year interim teaching certificate and no more than 10% of a district's certified staff may possess a one-year interim certificate. At its June 2023 meeting, the EPSB will review a draft regulation establishing the standards and procedures for issuance of this certificate. Additional information will be available following the meeting. Per House Bill 319, the certificate will be available beginning July 1, 2023.

Candidates interested in pursuing this certificate also may qualify for emergency teaching certification or for the Option 1 alternative route to teaching certification. For additional information on emergency certification or the alternative routes to certification, please contact Crystal Hord ([crystal.hord@education.ky.gov](mailto:crystal.hord@education.ky.gov)).

Section 9 amends KRS 161.155 to no longer require an affidavit when a teacher or full-time employee uses sick leave. Teachers and full-time employees must now only provide a personal statement or doctor's certification when absent because of personal illness, illness of a family member or the death of a family member. A personal statement or doctor's certification is required when a staff member uses accumulated sick days prior to the beginning of school.

Section 10 amends KRS 161.154 personal leave requirements for certified school employees. Under the amendment, personal statements are now required rather than affidavits for certified employees using personal leave.

### **HB 331**

HB 331 amends KRS 158.162 to require automated external defibrillators (AED) in every middle and high school and, as funds become available, at every school-sanctioned middle and high

school athletic practice and competition. The bill also requires district emergency plans to include a written cardiac emergency response plan that identifies the location of each AED. The emergency response plan is required to be provided to all staff and shall be rehearsed by simulation prior to the beginning of each athletic season by trainers, school nurses, athletic directors, coaches and athletic team volunteers.

HB 331 creates a new section of KRS 158 to require school districts to report the number of AEDs in each school to KDE by Aug. 1 of each year. It requires KDE to publish the number of AEDs in Kentucky schools on its website and to report the results to the Interim Joint Committee on Education and Interim Joint Committee on Health, Welfare and Family Services by Oct. 1 of each year.

### **HB 393**

HB 393 amends KRS 160.160 to permit a local school board to transfer or sell district real or personal property to another governmental or quasi-governmental agency in exchange for money or similar property that equals or exceeds the fair market value of the district property, as determined by an independent appraisal by an unaffiliated appraiser using a generally accepted national or professional standard, or a district employee using a nationally published valuation of property based on the most recent edition of the publication.

### **HB 506**

HB 506 amends KRS 61.637 and 78.5540 to change the required break in employment before a classified employee (a member of the County Employee Retirement System (CERS)) that has retired may return to work with a participating employer from 1 to 3 months. This law does not become effective until Jan. 1, 2024.

### **HB 522**

HB 522 amends KRS 45A.385 and 424.260 to increase the small purchase threshold for local public agencies (including school districts) from \$30,000 to \$40,000. Districts may use small purchase procedures for contracts with an aggregate amount not exceeding \$40,000. Districts operating under KRS Chapter 45A (Model Procurement Code) must have publicly available written procedures and follow all other applicable procurement laws. Districts using KRS 424.260 may contract for materials, supplies, equipment or contractual services other than professional services involving an expenditure not exceeding \$40,000.

### **HB 538**

HB 538 amends KRS 158.150 to require local boards of education to adopt policies “requiring the expulsion from school for a period of at least twelve (12) months for a student who: 1. Is determined by the board through clear and convincing evidence to have made threats that pose a danger to the well-being of students, faculty, or staff of the district; or 2. Is determined by the board to have brought a weapon to a school under its jurisdiction.” HB 538 amended a previous version of KRS 158.150 that allowed local boards of education to modify these expulsion requirements on a case-by-case basis.

With the HB 538 amendments, KRS 158.150 attempts to require local boards of education to expel a student for no less than 12 months for making “threats that pose a danger to the well-being of students, faculty, or staff of the district” or bringing a weapon to school. Adopting and implementing such a policy, however, may violate the constitutional rights of students.

In OAG 23-02, issued by the Office of Attorney General just days before passage of HB 538, the office clarified expulsion issues, stating “the penalty imposed on a student may not be ‘so grossly disproportionate to the offense as to be arbitrary,’ and school discipline may not be arbitrarily or maliciously enforced.” For example, an 11th-grade student who threatens physical assault of school staff is a very different scenario from a 1st-grade student who threatens to hit his classmate. Expelling the 1st-grader for 12 months or longer is likely so “grossly disproportionate to the offense as to be arbitrary.” Disproportionate and arbitrary expulsions expose school districts to liability if challenged by a parent or student. As such, school districts should consult their board counsel prior to adopting or implementing any such expulsion policy.

Furthermore, the legislative amendments to KRS 159.150 may be inconsistent with the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA). Section 8561 of the ESSA requires that, “[e]ach State receiving Federal funds under any title of this Act shall have in effect a State law requiring local educational agencies to expel from school for a period of not less than 1 year a student who is determined to have brought a firearm to a school, or to have possessed a firearm at a school[.]” However, ESSA also requires that, “[s]tate law shall allow the chief administering officer of a local educational agency to modify such expulsion requirement for a student on a case-by-case basis if such modification is in writing.”

As previously stated, HB 538 removed the authority of the local board of education to modify the length of an expulsion to less than 12 months when a student brings a weapon to school. KDE will communicate with the U.S. Department of Education regarding necessary steps to address

this potential conflict with federal law. Districts are reminded that they must annually assure their compliance with this ESSA provision in their application for federal funding.

In lieu of expulsion, or once the expulsion period has expired, a superintendent can place a student into an alternative program or setting if the superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the education process or constitutes a threat to the safety of other students or school staff. However, this action cannot be taken until the parent, guardian or other person with legal custody or control of the student has had an opportunity for a hearing before the school board or appeals committee, if the board has established an appeals committee. Action to place a student into an alternative program or setting following return from expulsion should be discussed with the district's legal counsel to avoid penalizing students twice for a single offense.

If an alternative program or setting is utilized, it may be provided virtually. Students placed in an alternative program or setting will be counted in attendance and membership for state funding purposes and are also subject to compulsory attendance requirements. Districts will need to assign staff to monitor student progress, attendance, participation and accountability as necessary, if not already allocated through existing virtual programming. Students placed in an alternative program or setting for this reason must have their placement reviewed at least once a year to determine if the placement should continue. Schools and districts also must ensure that any action pursued for students with disabilities must be in compliance with applicable federal law, including providing services required by individual education programs or Section 504 of the Rehabilitation Act.

HB 538 permits a principal to establish procedures for a student's removal from and re-entry to the classroom when the student's behavior "disrupts the classroom environment and education process, or the student challenges the authority of a supervising adult." The statutory amendment indicates that a student who is removed from the same classroom three times within 30 days is considered "chronically disruptive" and may be suspended for this reason alone.

At any time during the school year, when a disruptive student has been moved from the classroom for the reasons outlined above, the principal may require a review of the classroom issues with the teacher and parent/guardian to determine a course of action related to the student's continued placement in the classroom. The amendment also provides that a principal may permanently remove a student from the classroom for the remainder of the year if the principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students. The principal may determine whether the student

may be placed in another classroom at the school or an alternative program or setting (including a virtual setting).

Any permanent action taken by the principal is subject to an appeal process in accordance with board policy, which are to be included in the district behavior and discipline policies. Any action taken by a principal should be in accordance with the district's trauma-informed approach to school discipline, given that many students who have experienced trauma may become disruptive and/or challenge perceived authority figures as part of the trauma response. Principals should refer to the KDE Trauma-Informed Toolkit, particularly the Trauma-Informed Discipline Response and Behavior System tool, for additional guidance on addressing disruptive and/or "chronically disruptive" students. Principals also should be aware of requirements under the Individuals with Disabilities Education Act (IDEA) regarding disciplinary removal of students with disabilities. Additional information regarding these requirements can be found in a [July 2022 guidance document issued by the U.S. Department of Education](#).

The amended statute requires that within 30 days prior to the end of a student's expulsion, a local board of education must review the "details of the expulsion and current factors and circumstances, including if ending the expulsion will substantially disrupt the education process or constitute a threat to the safety of students or school staff, to determine if the expulsion shall be extended for a period not to exceed twelve (12) months." Prior to extending any expulsion under HB 538, local boards of education should work closely with board counsel to avoid penalizing a student twice for the same offense.

HB 538 provides that, "Any action under this section related to students with disabilities shall be in compliance with applicable federal law." This includes the provisions about the suspension of exceptional children and manifestation determinations. The legislation specifically acknowledges that students with disabilities must continue to receive all the protections established by IDEA. The U.S Department of Education's Office of Special Education and Rehabilitative Services and Office for Civil Rights released a [discipline package](#) that is designed to help schools support students with disabilities and avoid discriminatory use of discipline.

School boards will need to revise district policies and discipline practices to match the practices outlined in HB 538. Changes should be communicated to stakeholders. Districts will need to have plans in place for alternative settings and virtual settings if they will be utilized for chronically disruptive students.

### **HB 540**

HB 540 extends existing processes for the recruitment of school resource officers (SRO) to non-public schools. These schools may contract with local law enforcement agencies and the

Department of Kentucky State Police (DKSP) to acquire SRO staff. Non-public schools must work directly with their local agencies or the DKSP if they wish to procure an SRO through this method.

#### HB 547

HB 547 prohibits a school district from punishing an employee for engaging in private religious expression otherwise protected by the First Amendment absent a showing of engaging in actual coercion.