

The 2025 General Assembly adjourned March 28th. Per Attorney General opinion OAG 25-05, the effective date of legislation, other than general appropriation bills and acts containing emergency or delayed effective date provisions, passed during this session is Friday, June 27, 2025.

The guidance provided below focuses on education-related bills that the Kentucky Department of Education (KDE) staff identified for your awareness, or as needing additional clarification and support. This non-regulatory document is designed to assist schools and districts by highlighting important legislative changes. This document does not create any new legal obligations or privileges for school districts. Instead, it is intended to assist school districts as they implement the legal requirements set forth in the legislation highlighted below.

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Senate Bills

[SB 9](#) - AN ACT relating to teacher benefit provisions and declaring an emergency.

SB 9 requires that by July 1, 2030, each school district establish a policy to provide up to thirty (30) paid maternity leave days to employees. School district policies may provide more than thirty (30) paid maternity leave days at the discretion of the local board of education.

SB 9 also provides for a new actuarial cost-sharing approach for unused sick leave paid at retirement for those employees who are members of the Teachers Retirement System of Kentucky (TRS). For sick leave accrued after June 30, 2025, and in excess 13 days per year, the last employer compensating the unused sick leave shall pay the actuarial retirement cost for that compensated sick leave. Upon a member's retirement, TRS will bill the last employer for this actuarial cost. SB 9 further requires school districts to annually report accumulated sick leave balances for each TRS member employed by the district, as well as district sick leave policies. Districts may wish to review their current sick leave policies, including provisions regarding rollover to sick leave, to evaluate whether the district will be responsible for the actuarial cost at retirement for providing more than 13 sick leave days per year to TRS members.

Finally, SB 9 clarifies that a school district may adopt policies to make voluntary employer contributions to TRS of \$1,000 for each of the first five years of teaching service in order to attract and retain new teachers. These additional voluntary contributions are categorized within the supplemental benefit component of TRS 4 accounts. Please consult with TRS for additional details.

[SB 19](#) - AN ACT relating to permitted uses of time during the school day.

SB 19 requires each local board of education to establish a policy and develop procedures for the inclusion of a moment of silence during the first class of each day in all public schools. The local policy must meet the following criteria:

- The moment of silence must be at least one minute and may not exceed two minutes.
- During the moment of silence, the local board policy must ensure that all students remain seated and silent.
- During this time, students may be permitted to meditate, pray, or engage in any other silent activity so long as it does not distract from or impede other students' use of the time.
- School personnel may not provide instruction regarding how a student may engage with the moment of silence.

Districts must provide notice to parents of the new policy and procedures and encourage parents to provide guidance to their children as to how the moment of silence should be used. Districts are reminded of their obligations under the Every Student Succeeds Act (ESSA) to protect students' constitutional right to protected prayer and religious expression in public schools. More information about this obligation can be found [here](#).

Section 2 amends KRS 158.200 regarding moral instruction. It provides that a local board of education "may provide an opportunity for pupils to attend moral instruction." Section 2 further provides that pupils shall be "excused for up to one (1) hour on no more than one (1) day each week" which includes travel time. The student's parent or guardian must consent to the student receiving the moral instruction and the moral instruction cannot take place on school property. The bill does not define "moral instruction."

Those seeking to provide moral instruction must submit a written request to the local board of education. For approved requests, the superintendent "shall require each individual identified in the request to submit to a national and state criminal history background check [. . .] and have a clear CA/N check."

Districts will receive funding for the one-hour per week students are participating in moral instruction. To properly track the students, districts will need to give the student a "Moral Instruction – KRS 158.200 (MI)" attendance code for the time out of the building. This is an Absent/Exempt attendance code that will generate funding for the district. Additional information on exempt attendance coding can be found in the Pupil Attendance Manual on the [KDE website](#). Districts will see the Moral Instruction attendance code in their student tracking system prior to the 2025-2026 school year.

Section 2 also requires a local board of education to submit the following information to the Kentucky Department of Education quarterly:

1. The name of each applicant that submitted a request to provide a moral instruction offering;
2. The date of the application;
3. The local board's approval or denial of the application; and
4. If the request was denied, the reason for the denial.

Section 3 repeals KRS 158.210-158.260 which governs moral instruction.

KDE is working on adding a way to collect the required data in Infinite Campus (IC). In the event that does not work, a survey will be developed. In either case, additional information will be provided once the process is finalized.

[SB 68](#) - AN ACT relating to education.

The changes in Sections 1 through 5 are non-substantive in nature as it pertains to districts.

Section 6 amends KRS 424.250 to provide that a school district must also publish a copy of the district's budget on the district's website.

Section 7 amends KRS 158.4414(3) and (4) to change the date school districts may begin employing guardians pursuant to KRS 158.4431 from the 2025-2026 school year to the 2026-2027 school year. A person providing services as a guardian may only include honorably discharged veterans, retired Kentucky state troopers, retired special and sworn law enforcement officers, and former federal law enforcement officers.

Section 8 repeals KRS 158.856 which requires school food service directors to annually assess school nutrition and issue a written report and requires districts to evaluate their physical activity environment and complete a physical activity report. However, please note that districts must still comply with KRS 160.345(11). Also, National School Lunch Program and/or School Breakfast Program Operators are still required to comply with [7 CFR 210.31](#).

[SB 73](#) - AN ACT relating to sexual extortion.

SB 73 creates new crimes and punishments for individuals engaged in sexual extortion and creates new expectations for local school districts regarding increasing awareness of sexual extortion.

Per Section 4, each local school district must provide written notice of the new sexual extortion definitions to all students in grades four and above within the first ten days of each school year. Districts are encouraged to work with their board counsel to determine what age appropriate information related to sexual extortion should look like in their local communities.

Additionally, each public school must display a sign in a prominent location, such as the front office or entrance vestibule, an 8 ½ x 11 sign that explains, in both English and Spanish, the following:

- An age appropriate definition of sexual extortion;
- Contact information for state or local law enforcement for reporting sexual extortion;
- Contact information for federal enforcement for reporting sexual extortion;
- Contact information for a national suicide prevention hotline; and
- A QR code that directs students to [this website](#) where they can find informational and support resources regarding sexual extortion provided by the National Center for Missing and Exploited Children.

The KDE will post model posters to its [safe schools webpage](#) by July 15, 2025. There will be multiple posters based on grade level bands that districts may (but are not required) use.

[SB 120](#) - AN ACT relating to education.

SB 120 requires that KHSAA participation consent forms contain information for students and parents explaining how allegations of child abuse or neglect may be reported, as well as the duty of adults to report abuse or neglect pursuant to KRS 620.030. SB 120 also requires that KHSAA require athletic coaches and athletic administrators undergo training on the duty and procedures to report child abuse or neglect. During its March 2025 meeting, the Kentucky Board of Education approved changes to 702 KAR 7:065 to address these new requirements.

Finally, SB 120 requires that each public school that includes any grades 6 through 12 post, in both English and Spanish, in a prominent location beginning with the 2025-26 school year information regarding child labor laws, including limited or prohibited occupations for minors as well as permitted working days and hours. This same information must be posted on the school district website. By July 15, 2025, KDE will design and provide a sample notice that meets the requirements of SB 120. Districts may (but are not required to) utilize the notice provided by KDE to satisfy the SB 120 requirements.

KRS 339.400 contains a similar requirement for employers. The Department of Workplace Standards, Division of Wages and Hours, has published a poster regarding Kentucky Child Labor Laws in both [English](#) and [Spanish](#). Although these posters were developed for employers, the requirement in SB 120 Section 2(4) regarding what must be displayed by school districts is similar to the requirement for employers in KRS 339.400. Therefore, a school district may utilize these posters to satisfy the requirements of SB 120 Section 2(4).

[SB 181](#) - AN ACT relating to children.

SB 181 requires a local board of education approved system of communications to be used with students. There is already law, KRS 156.675, and regulation, 701 KAR 5:120, that require districts to use KETS product standards for all district email and internet content management systems for the specific purpose of being able to track and immediately inspect email communications and internet usage of KY K-12 students and adults. While the district's email service continues to be one of the legally required communication tools detailed in this bill, districts must now also consider ALL forms and types of electronic communications used with students.

Section 1 of SB 181 requires each local board of education to designate traceable communication systems as the exclusive means for school district employees and volunteers to communicate with students. The traceable communication systems must trace all

communications sent to or by a student and provide parents an opportunity to access and review those communications. **School district employees and volunteers shall not communicate electronically with a student** outside of the designated traceable communication system or through an unauthorized electronic communication program or application. Exceptions exist for school district employees or volunteers who are family members of the student or for whom the student's parent has submitted written consent to communicate with the student. The principal of each public school shall provide parents with notification of the designated traceable communication systems within the first ten days of the school year. This notice shall include instructions for parents to access and review communications sent through traceable communications systems.

Section 1 of the bill also creates a duty for school district employees and volunteers to report to the supervising principal (or to the superintendent if the principal is the subject of the report), when they receive a report alleging that another school district employee participated in unauthorized electronic communication with a student. If the subject of the report is the superintendent, the employee shall immediately notify the commissioner of education and the chair of the local board of education. Principals and superintendents are required to immediately notify the parents of the students involved, investigate the report, and proceed with the appropriate disciplinary action. If the subject of the report is a certified employee, the principal or superintendent must also notify the Education Professional Standards Board (EPSB).

Section 2 provides the EPSB with 120 days to conduct an initial review of a complaint that alleges unauthorized electronic communications, sexual contact or other sexual misconduct.

Section 3 amends KRS 158.1415 to allow "age-appropriate instruction on child sexual abuse through curriculum or programs in accordance with the standards set forth by the National Children's Alliance and approved by the Children's Advocacy Centers of Kentucky, regardless of grade level," (subsection (4)(b)).

KRS 160.345(2)(g) provides the superintendent with the authority to determine which curriculum, textbooks, instructional materials, and student support services shall be provided in the school.

The KDE is currently working with the KSBA for policy requirements in this language to be included as part of the KSBA model policy update for responsible and acceptable use for the 2025-26 school year.

[SB 207](#) - AN ACT relating to education.

SB 207 provides a new process for requesting waivers from the Kentucky Board of Education (KBE). Local school boards may request waivers from the requirements of an administrative

regulation promulgated by the KBE or from a statute over which the KBE has enforcement authority. Pursuant to SB 207, KBE may not waive any statute or regulation:

- 1) relating to health and safety;
- 2) relating to civil rights;
- 3) required by federal law;
- 4) relating to compulsory attendance;
- 5) establishing certification requirements for teachers, with limited exceptions;
- 6) requiring student participation in state assessments;
- 7) requiring financial audits or other audit requirements;
- 8) requirements under the Open Records and Open Meetings Acts;
- 9) purchasing requirements; or
- 10) requiring instructional time that is not at least equivalent to the instructional year set forth in KRS 158.070.

Waiver requests will need to demonstrate the waiver will improve the school's operation without hindering student academic achievement or improve student academic achievement. KBE will promulgate a regulation setting forth additional details governing this process, including forms to be utilized for waiver requests. It is anticipated these forms will be available for district use beginning mid-August. Any waivers granted utilizing this new process will expire on June 30 of the third full school year after the request is approved unless the KBE renews the waiver.

Please note that the waiver process set forth in Section 1 applies to waiver requests related to district facilities. Section 2 amends KRS 156.160(2) to remove the current waiver process for administrative regulations.

Section 4 amends KRS 157.360(5)(d) to provide that a waiver may be requested pursuant to Section 1 of SB 207 instead of pursuant to KRS 156.160(2).

Section 7 amends the waiver request process in KRS 158.854(1) to be subject to Section 1 of SB 207 and provides that any waiver related to KRS 158.854 shall be reviewed on an annual basis.

Section 9 amends KRS 160.380(2)(c) to provide that this waiver from the Commissioner of Education is "outside of the process established in Section 1."

Sections 11-29 amend outdated statutes provided in KRS Chapter 156 related to textbooks and the State Textbook Commission to reflect the current needs of local school districts in selecting and implementing K-12 [high-quality instructional resources \(HQIRs\)](#).

SB 207, Section 14(1) amends KRS 156.405 to repurpose the State Textbook Commission and establishes the State Quality Curriculum Task Force for the purposes of:

- Promoting increased access to high quality instructional materials;
- Supporting school districts in the evaluation, selection, and use of high quality instructional materials;
- Providing a state-approved list of current high quality instructional materials for use by local school districts;
- Providing consumer guides to aid in the selection of high quality instructional materials; and
- Providing for public participation in the review process.

Section 11 requires the KDE to establish an instructional materials repository for use by superintendents in selecting and purchasing instructional materials approved for use by the State Quality Curriculum Task Force. The repository allows for fair pricing across the state with opportunities for school districts to access samples of the selected resources from publishers in addition to improved digital materials for selection committees, educators and community stakeholders. Section 11 further provides that the KDE may designate an entity to carry out the responsibilities of the repository.

For grades K-3, statute already requires the adoption of a common comprehensive reading program ([KRS 158.305](#)) and an evidence-based curriculum along with high-quality instructional resources for mathematics ([KRS 158.8402](#)) that is determined by the KDE to be reliable, valid and aligned to the *Kentucky Academic Standards (KAS)*.

The KDE's 2025 approved K-12 HQIR lists can be found online for [reading and writing](#) and [mathematics](#).

Section 22(2) amends KRS 156.445 to allow superintendents to submit an off-list notification to the KDE for approval of a Tier 1 core comprehensive instructional resource that is not included on a state-approved list. Districts must demonstrate the resource meets selection criteria identified by the State Quality Curriculum Taskforce, specifically including both substantial evidence of KAS alignment (using the [Instructional Resource Alignment Rubrics](#), as applicable, or a vendor crosswalk to the KAS) and a research-basis demonstrating external validity and reliability. The resource selection and accompanying evidence basis will need to be shared as an off-list notification to kdetextbooks@education.ky.gov. Please note: This notification process is required for off-list Tier 1 core comprehensive resources only, not supplemental resources.

The KDE has designed the following guidance for district leaders on implementing a systematic process for developing a local curriculum, including the evaluation and selection of an HQIR aligned to the KAS:

- *Model Curriculum Framework, Section 1: [Curriculum Development Process](#)*

- [Consumer guides](#) for reading/writing, math and science; and
- [Alignment rubrics](#) for social studies, health and physical education, and visual and performing arts.

Section 28(2)(m) provides that the “Education Professional Standards Board (EPSB) shall, as a condition of program approval, require teacher preparation programs to align curriculum with the expectations set forth in the state’s academic content standards.”

The requirements provided in Sections 11-29 do not take effect in law until July 1, 2026. To date, no state funds have been allocated to support local school districts in purchasing and implementing HQIRs. The KDE will provide comprehensive supplemental guidance to schools and districts closer to the July 1, 2026, implementation date.

House Bills

[HB 48](#) - AN ACT relating to education.

Section 1 of House Bill 48 amends KRS 156.557 changing requirements to summative evaluation cycles for tenured educators below the level of superintendent.

Due to the changes required in HB 48, districts must modify Certified Evaluation Plans (CEP) to ensure all teachers, other professionals, principals, assistant principals, and other certified administrators, that have attained continuing service status under KRS 161.740 or continuing status under KRS 156.800(7) are evaluated on a five-year summative cycle.

Updating the District CEP

Districts should convene the district 50/50 Committee to discuss revisions to the CEP to accommodate a five-year summative cycle for all certified personnel.

During the 50/50 Committee meeting, members should:

- Discuss any needed changes to sources of evidence
- Discuss frequency or timelines for sources of evidence
- Discuss requirements for formative years
- Discuss any impact or revisions to decision rules
- Discuss other changes that impact practice and policy
- Make recommendations for local Board of Education (BOE) approval.

Following approval by the local BOE, districts shall submit to the KDE the updated, approved CEP and Certified Evaluation Assurances by **September 1, 2025** using the provided [Google form](#).

Please contact Todd Davis at todd.davis@education.ky.gov with questions related to Certified Evaluation.

Section 2 amends KRS 158.060 to require that “each teacher shall be provided access to a copy of his or her employment contract upon request.”

Section 3(2) amends KRS 156.095 to require all certified school district employees to “complete at least one (1) hour of each of the following trainings within twelve (12) months of initial hire and at least once every four years thereafter.”

- a) How to respond to an active shooter situation training prepared by the Department of Criminal Justice Training;
- b) Child abuse and neglect prevention, recognition, and reporting training from the list of trainings approved by the department;
- c) High-quality, evidence-based suicide prevention training, including risk factors, warning signs, protective factors, response procedures, referral, postvention, and the recognition of signs and symptoms of possible mental illness; and
- d) Self-study review of seizure disorder materials.

Nothing in the bill prohibits school districts from choosing to require the training more than once every four years.

Section 3(3) maintains the requirement of each local school district superintendent to appoint a certified school employee to fulfill the role and responsibilities of a professional development coordinator but allows the local board of education to determine the manner of appointment, qualifications, and other duties of the professional development coordinator instead of the Kentucky Board of Education.

While the KDE recommends that local district professional development coordinators continue to participate in annual trainings provided by the KDE, amendments provided under Section 3(3)(c) do not require participation. Annual training ensures that professional development coordinators receive essential, up-to-date information needed to ensure that the responsibilities of the coordinator, as provided in law, are maintained.

Section 3(6) permits school districts to request assistance from the KDE in the development of long-term school and district improvement plans that include multiple strategies for professional development based on the assessment of needs at the school.

Section 4 requires that each school prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services, the National Human Trafficking Hotline Number administered by the United States Department for Health and

Human Services, and the Safe Haven Baby Boxes Crises Line number administered by the Safe Haven Baby Boxes national organization.

Section 8 of HB 48 amends KRS 161.031 by encouraging rather than requiring school districts to provide an induction program for new teachers. This section also adds a new requirement for the Education Professional Standards Board (EPSB) to identify in its annual report to the Legislative Research Commission (LRC) any school districts that have not implemented an induction program that aligns with the EPSB established standards and guidance.

[HB 132](#) - AN ACT relating to home and hospital instruction.

HB 132 amends KRS 158.033 to provide that “[f]or a student admitted to an inpatient facility, the student may receive home or hospital instruction effective on the day of admittance.” Therefore, the requirement in [702 KAR 7:150](#) Section 1(4) which provides that “[h]ome or hospital instruction shall be used only for a student for whom there is an expectation of an inability to attend regular school for more than five (5) consecutive school days” will not apply to students in an inpatient facility.

HB 132 provides that the local board of education is still required to comply with the documentation requirements of [KRS 159.030](#)(2)(a) which requires a signed statement to be submitted to the local board of education from the student’s medical or mental health provider as specified in KRS 159.030(2)(a).

HB 132 did not change how districts receive funding for home or hospital instruction provided to students in an inpatient facility. KRS 158.033 still provides that a student must receive a minimum of two instructional sessions a week with a minimum of one hour of instruction per session by a certified teacher to equal the student attending five days in school. Districts should continue to follow home or hospital attendance tracking outlined in the [Pupil Attendance Manual](#).

HB 132 also did not change any requirements regarding students with disabilities which is now set forth in KRS 158.033(5).

[HB 190](#) - AN ACT relating to advanced educational opportunities.

Section 1 amends KRS 158.6453(21) to require school districts, **no later than December 1, 2025**, to establish policies by grade level for students in grades 4-12 that promote advanced coursework and accelerated learning in language arts, mathematics, social studies and science.

Section 1 defines “advanced coursework” as “educational programs or opportunities designed to challenge students with more rigorous content beyond the standard curriculum, including but not limited to advanced placement, International Baccalaureate, and honors courses.”

Per Section 1, subsection (21)(b), the district advanced placement or accelerated learning policy **must** include the following:

1. Be published on a publicly accessible location on the district website;
2. Describe the strategies and approach to advanced coursework or accelerated learning options by grade level for grades 4-12 in the areas of language arts, mathematics, social studies and science;
3. Require that service delivery options for students identified as gifted and talented in language arts, mathematics, social studies, and science include the following for each grade level and subject area:
 - a. i. Accelerated learning or
ii. Advanced coursework; and
 - b. At least one (1) of the following service delivery options:
 - i. Collaborative teaching and consultation services;
 - ii. Special counseling services;
 - iii. Differentiated study experiences for individuals and cluster groups in the regular classroom;
 - iv. Distance learning;
 - v. Enrichment services that are not extracurricular during the school day;
 - vi. Independent study;
 - vii. Mentorships;
 - viii. Resource services delivered in a pull-out classroom or other appropriate instructional setting;
 - ix. Seminars;
 - x. Travel study options; or
 - xi. Special schools or self-contained classrooms for students in grades four (4) through twelve (12) only.

Subsection (21)(c) further provides that the district policy **may** include the following:

- Auto-enrollment in available advanced coursework for students scoring distinguished in any subject area, or corresponding subject area, on the most recent statewide assessment;
- Eligibility criteria for all other students;
- Parental consent for an eligible student to withdraw or be excluded from advanced placement (or allow for the principal to withdraw the student only after a good faith attempt to contact the parent or guardian is unsuccessful); and
- Permit a principal to withdraw a student without parental consent if participation in advanced coursework will have an adverse educational impact on the student.

The KDE encourages districts to prioritize open enrollment in advanced or accelerated coursework for any student who demonstrates an interest in more rigorous opportunities. The individual learning plan (ILP), established under 704 KAR 3:305, helps to eliminate barriers by ensuring *all* students receive information and guidance on the availability of advanced coursework, not just those meeting certain scores or eligibility criteria. For additional considerations, visit the [KDE's Advanced Coursework webpage](#).

Recommendations for consistent use of preliminary assessment data and other criteria to identify students will be provided to local schools and districts by December 1, 2025, as required in subsection (22)(b).

[HB 193](#) - AN ACT relating to dual credit scholarships.

This bill combines the Dual Credit Scholarship and the Work Ready Dual Credit Scholarship programs under KRS 164.786 and provides that the Dual Credit Scholarship may be awarded on a first-come, first-served basis by application date.

HB 193 amended KRS 164.786 to provide that approved dual credit courses include general education courses that meet the statewide general education core as approved by the Council on Postsecondary Education (CPE). Per Section 1(4)(c), eligible high school students may receive a dual credit scholarship for a maximum of two Career and Technical Education (CTE) dual credit courses per academic year and two general education dual credit courses over the junior and senior year.

The Dual Credit Scholarship is administered by KHEAA. Please contact [KHEAA](#) for additional information.

[HB 208](#) - AN ACT relating to technology in public schools.

HB 208 amends KRS 158.165 to require that local boards of education adopt policies that, at a minimum, prohibit a student's use of a personal telecommunication devices with some exceptions.

The new language in the bill presents two main components and both contain exceptions:

1. Prohibiting student personal telecommunications devices (cell phones, etc.)
2. Prohibiting student social media access

Personal Telecommunications Devices: Responsible and acceptable use policies will need to be updated to prohibit personal device use during instructional time, with exception to:

- use during an emergency,

- for instructional purposes as directed by a teacher,
- when authorized by a teacher, or
- any device a student is authorized to use pursuant to the Individuals with Disabilities Education Act, the Americans with Disabilities Act, or the Rehabilitation Act of 1973.

The definition of a personal telecommunications device has not changed and “personal” should be read to mean “not provided by or assigned by a school or district.” Modern examples are personally owned: cell phones, smart phones, tablets, smart watches, etc. Essentially, any personal device that emits an audible signal, vibrates, displays a message, or otherwise sends or receives a communication.

Social Media Access: The Kentucky Board of Education has already established a regulation to prevent the transmission of social media and sexually explicit material through school-managed technology systems through 701 KAR 5:120. Within that regulation, schools and districts are required to use the latest filtering technology to block access to social media and explicit material. Also, a provision within the regulation, the department provides state-of-the-art software to schools and districts, free of charge, to help prevent access to social media and explicit material.

In current practice, a significant number of local school districts already prohibit student access to social media while using district-provided devices. However, at district discretion, access to social media for adults on the school/district/KDE-provided internet services is permitted. Local school districts already have established policy for student internet use, including parental consent, teacher supervision, and monitoring procedures to ensure technology is not used to access inappropriate content. With this new bill, local school districts will also need to define social media as it is NOT defined in the bill. Districts may want to think of social media (and social networking) differently than educational media (e.g., YouTube) or instructional media. Districts may want to consider the main social media apps or sites that students spend the most time on and are the most distracting/destructive while at school (e.g., TikTok, SnapChat, Instagram, Facebook, Discord, WhatsApp, X/Twitter, Twice, as cited by [Teens, Social Media and Technology 2023 | Pew Research Center](#)) to prevent access to, as well as consider if the teachers in the district see these as a major distraction for students and don’t see the added instructional value.

Note: The restrictions on social media access are interpreted to apply to students (not teachers) and do not apply to students when a teacher authorizes its use for instructional purposes.

The KDE will continue to work with the KSBA through the model policy update process as the annual model policy package is distributed to districts. Additionally, KDE will provide further guidance for how districts utilize the existing internet content management tools to prevent access to locally defined social media sites, apps, and services.

[HB 240](#) - AN ACT relating to primary school.

This bill amends KRS 158.305 to provide schools with additional options to consider when retaining students in kindergarten or grade 1. Section 1 requires that a universal screener, determined by the KDE to be reliable and valid, be given within the final fourteen (14) instructional days of the school year to all students in kindergarten and grade 1. A list of the approved screeners can be accessed on the KDE's [Early Literacy Screening Assessments webpage](#).

While KRS 158.031(6) already establishes the authority for schools and districts to “advance a student through the primary program when it is determined to be in the student’s best educational interest,” amendments in Section 1(9) provide additional options schools may consider, beginning in the 2025-2026 school year, when determining if a student should be retained in kindergarten or grade 1.

Per HB 240, Section 1(9):

A student in **kindergarten** who had a reading improvement plan for the school year **may** remain in kindergarten for an additional school year if a school determines that the student:

- a. Did not meet grade level benchmarks in reading while in kindergarten as determined by the universal screener given in the final fourteen (14) instructional days of the school year;
- b. Did not master the *Kentucky Academic Standards (KAS) for Reading and Writing* for kindergarten students based on assessments given in accordance with KRS 158.6453(8); or
- c. Is not properly prepared to be successful in the first grade.

A student in **grade 1** who had a reading improvement plan for the school year **shall** remain in first grade for an additional school year if a school determines that the student:

- a. Did not meet grade level benchmarks in reading while in first grade as determined by the universal screener given in accordance with subsection (6) of this section;
- b. Did not master the Kentucky reading academic standards for first grade students based on assessments given in accordance with KRS 158.6453(8); or
- c. Is not properly prepared to be successful in the second grade.

Placement decisions for students eligible for special education and related services shall be determined by the admissions and release committee (ARC).

Decisions related to promotion or retention are best determined by using strategic data-based decision making within a comprehensive screening and assessment system paired with evidence-based instruction, intervention and supports.

For more information on supporting students through a multi-level prevention system designed to maximize student achievement, visit [kyMTSS.org](https://www.kyMTSS.org).

[HB 241](#) - AN ACT relating to education and declaring an emergency.

Section 1 is the school calendar portion of HB241, which KDE already released guidance on. That document is available [here](#).

Section 2 of HB 241 amends KRS 157.320 to define a virtual program as “a program offered by a public school district in which all courses in the program are virtual, do not include regular in-person instruction, and are designed as an alternative to traditional in-person school programs.”

- The intent of this definition includes full-time students in all school classifications (A1, A5, A8, etc.) whose entire course load is made up of virtual courses and emphasizes programs where students are not in-person (students who generally are not required come to a school campus).
- This is NOT intended to include:
 - part-time enrolled (less than full-time) students
 - students with a portion of their course load as in-person courses and the remainder as virtual courses
 - Example: A student attends block 1 of the day in-person at the ATC in their pathway courses but the remainder of their schedule is virtual courses they complete in accordance with the district’s performance-based policy
 - in-person “credit recovery” strategies supplemented by a digital learning content provider or digital platform

Section 3 amends KRS 157.360 to outline new class size loads for middle and high school virtual programs. For middle and high school, teachers cannot exceed the equivalent of three hundred (300) pupil hours per day except in vocal and instrumental music and physical education classes. Pupil hours should be calculated for each teacher by adding the total pupil hours for each course the teacher is assigned in a day. The pupil hours per course is calculated by multiplying the time of a class taught by a teacher by the number of pupils enrolled in the class. The class size maximums set forth in KRS 157.360 are unchanged. That is, by increasing the number of pupil hours per day for teachers in virtual programs from 150 to 300 for middle and high school, the teacher can teach more classes. But, the class sizes must still comply with the

statutory maximums provided in KRS 157.360. Section 3 also provides that kindergarten aids are not *required* for virtual programs.

Section 4 amends KRS 158.120 to establish an enrollment cap for the number of nonresident students in virtual programs. Beginning in the 2025-26 school year, virtual programs must adhere to the following requirements regarding nonresident students in grades kindergarten through grade twelve (12):

1. Enrollment Limit:

- Statewide non-resident student enrollment in virtual programs cannot exceed one percent (1%) of the previous year's total statewide student enrollment in all districts.
 - Example: If the total statewide student enrollment for the previous year is 650,000, the 1% enrollment cap of nonresident students would be 6,500.

2. Monitoring and Reporting:

- The KDE publish on its website both the previous year's total statewide student enrollment number and the 1% value of that number. each year by July 1.
- Districts must identify nonresident students upon enrollment, including the student's resident district, utilizing the statewide student information system.
 - The [enrollment data standard](#) includes specific details on setting "resident district".

3. Alerts & Provisional Enrollment:

- If statewide non-resident virtual enrollments reach **0.85% of the previous year's total statewide student enrollment**, the KDE will alert all districts operating virtual programs that the limit is close.
- New enrollments after the alert, and until the number of statewide non-resident virtual students drops below the 0.85% threshold, are only **provisional** until the KDE confirms it doesn't exceed the limit.
 - KDE is required to respond within two (2) business days, or the pupil can be enrolled without verification from KDE.
 - Provisional enrollments require students to remain enrolled in their current district until KDE confirms that their enrollment in the virtual program will not exceed the 1% limit.

4. What Happens When the Cap is Reached:

- If the 1% limit is hit, KDE must notify all school districts operating virtual programs and districts are no longer permitted to enroll additional nonresident students into virtual programs until the nonresident student enrollment falls below the enrollment cap.
- If the number of nonresident students falls back below the enrollment cap, KDE must notify districts operating virtual programs that nonresident student

enrollment in virtual programs may resume, but nonresident students shall be provisionally enrolled following the same process as outlined above.

5. Exceptions to the 1% Limit (districts are responsible for verifying these exceptions):

- The cap **does not apply** to:
 - Siblings of current students already enrolled in the virtual program;
 - A pupil who is a dependent of a member of the Armed Forces of the United States; or
 - A pupil with a medical condition for which enrolling into the virtual program may be beneficial to the pupil, which shall be evidenced in a written statement signed by the pupil's physician.
- Documentation of these exceptions must be maintained by the school district enrolling the student and noted in the student information system. Additional guidance on how to identify these exceptions in the student information system will be provided by KDE.
-

Section 4 provides that enrollment of non-resident students into virtual programs shall cease after June 30, 2028, unless permission is granted in the future by the General Assembly.

Section 5 amends KRS 158.100 to provide that a school district may establish a virtual program and requires the local board to adopt policies “to address a student's failure to complete state-mandated assessments, including but not limited to kindergarten readiness screeners or assessments required under KRS 158.6453” if the district establishes a virtual program.

Local boards of education may wish to consider referencing requirements in Kentucky law and under the federal [Every Student Succeeds Act of 2015](#) (ESSA) when developing these policies. Kentucky’s statewide accountability system depends on the testing of every student to ensure that all schools and districts are serving all students and that gaps in categories of students are identified, addressed, and closed. Kentucky statute [KRS 158.6453](#) and Kentucky regulation [703 KAR 5:240](#) were promulgated to ensure the system and the data produced were faithful to these goals. [Opting out of state testing is not an option in Kentucky](#).

Pursuant to KRS 158.6453 and 703 KAR 5:240, all students enrolled in a Kentucky public school, virtual program, or alternative program are required to participate at the appropriate grade level in the state required assessments; this includes students in the Alternate Assessment program. English learners must also participate in the annual English proficiency exam, as required by ESSA.

In addition, districts are required to administer the statewide kindergarten entry screener to all students entering kindergarten or repeating kindergarten, per [704 KAR 5:070](#).

There is no remote option for any state-required assessment or the common kindergarten entry screener. Students must participate during an in-person, proctored administration within the district testing window for each assessment. Off-site in-person testing (not at a public school/district) is allowed at locations approved by KDE or test vendors, such as a university, community college, local library, etc.

Students who do not participate in statewide testing and have not been approved for a medical exemption will receive the lowest reportable score on the relevant test, impacting school achievement and accountability outcomes.

Local boards can set clear expectations for all staff involved in the testing process by outlining specific goals, procedures, and compliance requirements such as

- Ensure school and district staff who provide leadership to the virtual schools understand that implementing state testing requirements must fully comply with all state and federal laws and regulations.
- Provide the superintendent and staff with the resources and support needed to implement testing policies.
- Ensure compliance with state and federal laws and regulations by reviewing and approving test administration plans.
- Require staff to provide a report or presentation to the board after administration on the outcomes and processes of the testing period.
- Collaborate with the board attorney to develop a comprehensive student, parent, and school contract that clearly outlines testing expectations and responsibilities.

Additional suggestions that could be included in a local board policy that addresses a student's failure to complete state-mandated assessments:

- Incorporate assessment compliance into enrollment contracts, specifying that failure to complete assessments without valid reasons may result in removal from the virtual program consistent with applicable policies, regulations and other legal requirements.
- Establish a probationary enrollment status for students who fail to complete assessments, paired with corrective actions or interventions to address the issue.
- Require newly enrolled students and parents to attend a virtual orientation session that emphasizes the importance of state assessments and explains testing procedures and consequences of non-compliance.
- Clearly outline potential consequences (e.g., limited access to certain programs, changes to enrollment status, etc.).

- Develop proactive support, such as providing advanced notice in writing of all upcoming state-mandated assessments including clear instructions on how and when the assessments are to be completed.

Section 6 sets forth an enrollment cap for “an independent school district with a virtual program enrollment of greater than 2,000 students on the effective date this Act and that has an elementary school in the lowest-performing five percent of all schools in its level based on the school's performance in the state accountability system for the 2023-2024 school year.” Section 6 also sets forth an enrollment cap for “[a]n independent school district with a virtual program enrollment of greater than 2,000 students on the effective date of this Act and that has a middle or high school in the lowest-performing five percent of all schools in its level based on the school's performance in the state accountability system for any school year prior to June 30, 2028[.]”

Given the scope of the changes to full-time virtual programs, additional guidance is likely to be forthcoming.

[HB 263](#) - AN ACT relating to teacher scholarships.

Section 1 of House Bill 263 amends the Student Teacher Stipend Program to allow funds to be dispersed to eligible students directly. It also allows the Kentucky Higher Education Assistance Authority (KHEAA) to establish the criteria for approving a student teacher stipend for an eligible student who is student teaching outside of Kentucky.

Sections 2 and 3 of the bill remove expected family income from the selection criteria for the Teacher Scholarship. Both the Student Teacher Stipend Program and the Teacher Scholarship are administered by KHEAA. Please contact [KHEAA](#) for additional information.

[HB 298](#) - AN ACT relating to schools identified for comprehensive support and improvement in schools.

HB 298 makes changes to how KDE identifies and responds to schools identified for Comprehensive Support and Improvement (CSI) status under the Every Student Succeeds Act (ESSA).

Under HB 298, schools will be identified for CSI status annually. Once identified, all CSI schools will now be served by the KDE throughout the turnaround process. The turnaround vendor list has been removed from the statute. It is important to note that even though this option has been removed from the law, local districts may continue to use their local, state, and federal funds to seek additional outside support to aid in the turnaround process.

HB 298 added an “assessment and recommendation to the superintendent regarding the principal’s capacity to lead the turnaround effort in the school” to the diagnostic review process. Some form of this assessment has been included in the diagnostic review process for many years and the KDE does not intend to dramatically change what the process looks like. Once a diagnostic review is complete, the local superintendent must collaborate with the KDE to establish a turnaround team. That turnaround team must be approved by the local board of education.

The bill also created two new requirements for schools identified as CSI. First, schools must participate in KDE developed professional learning activities related to evidence-based practices in instruction, instructional materials implementation, and assessment for reading and mathematics. Similarly, they must adopt an evidence-based curriculum and select high-quality instructional resources that have been determined by the KDE to be reliable, valid, and aligned to Kentucky academic standards.

When CSI schools are identified this fall, the KDE will work directly with local leaders to assist in the implementation of this new language and provide further guidance.

[HB 342](#) - AN ACT relating to financial literacy.

HB 342 amends KRS 158.1411 to require, beginning with students entering grade 9 on or after July 1, 2025, successful completion of a one credit course in financial literacy for high school graduation. This requirement also applies to students participating in the Early Graduation Program (EGP) established in KRS 158.142.

Per subsection (4), the course must align to the student’s individual learning plan (ILP) and include, but not be limited to, instruction in the following areas:

- Budgeting;
- Saving and investing;
- Credit and debt;
- Insurance and risk management, including but not limited to personal insurance policies;
- Taxes; and
- The necessity of critical review and understanding of documents prior to signing agreement or approval and the ability to provide a signature in cursive.

Principals have the authority under KRS 160.345(2)(i)2 to assign students to classes and programs within the school. While HB 342 provides that the financial literacy course must be accepted as an elective course requirement for high school graduation, schools are encouraged to consider maximum flexibility that aligns with the student’s ILP. Therefore, when assigning students to courses, local boards of education have the authority to award credit toward high

school graduation based on a standards-based Carnegie unit or a performance-based credit aligned to the Kentucky Academic Standards as established in 704 KAR 3:305.

Considerations for credit types:

Per 704 KAR 3:305, Section 6(6), a board of education with an established performance-based credit policy “may award standards-based, performance-based credit toward high school graduation for:

- (a) Standards-based course work that constitutes satisfactory demonstration of learning in any high school course, consistent with this administrative regulation;
- (b) Standards-based course work that constitutes satisfactory demonstration of learning in a course for which the student failed to earn credit when the course was taken previously;
- (c) Standards-based portfolios, projects, or capstones;
- (d) Standards-based online or other technology mediated courses;
- (e) Standards-based dual credit or other equivalency courses; or
- (f) Standards-based internship, cooperative learning experience, or other supervised experience in the school or the community.”

Course code considerations for financial literacy include, but are not limited to:

- Options for elective credit:
 - Money Skills – 201010
 - Personal Finance – 060170
- Options for personalized credit (beyond Algebra 1 and Geometry) in both math and financial literacy:
 - Money Skills for Mathematics – 201011
 - Personal Finance (mathematics credit) – 080719

A full listing of available course codes and options that schools may consider will be provided by the KDE at a later date.

HB 430 - AN ACT relating to school transportation and declaring an emergency.

Section 1 amends KRS 189.540 to be consistent with KRS 156.153 and adds language regarding passenger vehicles. Section 1 amends KRS 189.540 to provide that “[a]ny person operating a school bus or passenger vehicle to transport students under contract with a school district who fails to comply with any of the administrative regulations shall be guilty of breach of contract and the contract shall be canceled after proper notice and a hearing by the responsible officers of such school district.”

Section 1 also amends KRS 189.540 to provide that a school district shall be exempt from providing regular instruction of students in school bus safety as set forth in Kentucky Board of Education administrative regulations promulgated under KRS 189.540 or KRS 156.160 if:

1. The school district had a gross average daily attendance of transported pupils under KRS 157.370 for the previous school year of forty-eight (48) pupils or fewer without any additional factors included;
2. The school district's local board of education adopts a policy for instructing pupils on school bus safety prior to the pupil's use of a district-owned or privately contracted school bus; and
3. The local board of education submits a copy of the district's policy to the Kentucky Department of Education.

Section 2 amends KRS 156.153 to provide that non-school bus passenger vehicles that are not for daily use shall not be required to undergo a safety inspection more frequently than once every three (3) months.

[HB 441](#) - AN ACT relating to reemployment after retirement in the Teachers' Retirement System.

Section 1 amends KRS 161.605 to remove subsection (3) in its entirety. Subsection (3) provided that reemployment of a retired member was permitted only if the employer certified to the Teachers' Retirement System (TRS) that no other qualified applicants were available. Section 1 also amended KRS 161.605 to change the 3% cap on the number of retired members being employed full-time to a 10% cap. Section 1 also removes the requirement that prohibited a district from submitting a written request to exceed its quota no sooner than two weeks after the start of the school year.

Section 1 also amends KRS 161.605 to provide that school districts may employ retired members in full-time or part-time teaching or administrative positions in critical shortage areas and that those individuals are not subject to the compensation limitation in KRS 161.605(1) and (2). Section 1 also removed the limitation that there must be no other qualified applicants. The number of individuals that can be employed under this provision was increased to no more than four per school district or ten percent of the total active members employed by the school district, whichever is greater.

Section 1 also deletes KRS 161.605(11) in its entirety. Section 3 provides that "retired members participating in the retirement waiver program established by KRS 161.605(11) prior to the effective date of this Act may continue to participate in the program."

Section 2 amends KRS 156.106 to update administrative regulation requirements to remove the requirement that a retired teacher or administrator not be hired until the superintendent has

attempted to recruit an active teacher or administrator for the position on an annual basis. Section 2 also updates the requirement regarding the salary paid to provide that the minimum salary requirement only applies to a retired teacher or administrator appointed to a position in a critical shortage area. Section 2 also deletes KRS 156.106(3) in its entirety. Teachers should consult with the Teachers Retirement System (TRS) for specific questions regarding any potential impacts to their retirement accounts.

[HB 544](#) - AN ACT relating to disaster relief, making an appropriation therefor, and declaring an emergency.

HB 544 establishes the 4860 SAFE Fund to provide financial support related to the [Presidential Declaration of a Major Disaster, designated FEMA-4860-DR-KY](#) which covers the period of February 14, 2025 to March 7, 2025. A list of the designated areas can be found here: <https://www.fema.gov/disaster/4860/designated-areas>. The 4860 SAFE Fund is administered by the Department of Military Affairs, Division of Emergency Management.

KDE will provide additional information regarding HB 544 to impacted school districts.

[HB 566](#) - AN ACT relating to the Kentucky Horse Racing and Gaming Corporation and declaring an emergency.

Section 28 amends KRS 238.535 (Effective July 1, 2025) to permit a local school district to apply for a charitable gaming license and provides that a “common school, a program or organization affiliated with a common school, or any combination of common schools and programs affiliated with common schools located within a local school district may conduct charitable gaming under the local school district's charitable gaming license[.]”

Section 46 amends KRS 238.536(1) (Effective July 1, 2025) to add “a local school district.”

Section 47 amends KRS 238.550(4) (Effective July 1, 2025) to add “a local school district.”

[HB 622](#) - AN ACT relating to fiscal matters and declaring an emergency.

Section 6 amends the budget bill, which is codified in 2024 KY. Acts ch. 175, regarding school resource officers to provide the following:

Once each local district has staffed and continues to maintain one school resource officer for each campus in that district, the local district is then eligible to apply for reimbursement for additional assistance in funding salaries for school resource officers, except that the assistance allowed under this paragraph shall be limited to:

1. Funding available in this subsection; and

2. No more than one school resource officer for each academic building.

Monthly grants shall first be applied to the per campus requirement across all local districts and then to districts that meet the per campus requirement and have additional school resource officers, but only to the extent that funding is available.

KDE will provide additional information regarding this language at a later date.

Section 9 amends HJR 32 as noted below.

[HJR 32](#) - A JOINT RESOLUTION authorizing the release of funds.

HJR 32 authorizes funding from the School Facility Assistance Fund to specific school districts. HB 622 (R.S. 2025) Section 9 amends HJR 32 to provide that the funding provided for in HJR 32 “shall not be more than 50 percent of the certified gap identified in the audit, and the cost to construct shall not deviate from the amount listed in the audit, and any amounts not covered shall be locally funded.”