

1 AN ACT relating to teachers.

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

3 ➔Section 1. KRS 158.060 is amended to read as follows:

4 (1) Twenty (20) school days, or days in which teachers are actually employed in the
5 schoolroom, shall constitute a school month in the common schools.

6 (2) **(a) Each full-time teacher shall be provided the equivalent of two hundred fifty**
7 **(250) minutes of noninstructional planning time each five (5) day school**
8 **week, which shall be used at the teacher's discretion and may include but is**
9 **not limited to grading, instructional planning, curriculum development, and**
10 **outreach activities involving the teacher's students. If a school week does**
11 **not contain five (5) instructional days, the required minimum number of**
12 **minutes may be reduced proportionally.**

13 **(b)** Each full-time teacher shall be provided with a duty-free lunch period each
14 day during the regularly scheduled student lunch period **in addition to the**
15 **noninstructional planning time described in paragraph (a) of this**
16 **subsection.** The duty-free lunch period shall be not less than the length of the
17 lunch period specified in the school calendar approved by the chief state
18 school officer.

19 **(c) Each full-time teacher shall receive additional compensation of at least his**
20 **or her usual hourly rate of pay for all duties assigned during the**
21 **noninstructional planning time required by paragraph (a) of this subsection**
22 **or duty-free lunch required by paragraph (b) of this subsection.** A full-time
23 teacher may be assigned ~~duties~~[to lunch room duty during the regularly
24 scheduled student lunch period] **during any**[only for an amount of time equal
25 ~~to the~~] noninstructional time in excess of **the minimum time required by**
26 **paragraph (a) of this subsection without additional compensation**[fifty five
27 ~~(55) minutes included in the teacher's daily schedule].~~

1 **(d)** The calculation of **the minimum** noninstructional time **required by paragraph**
2 **(a) of this subsection** shall not include the teacher's duty-free lunch period,
3 the time teachers are required to be at school prior to the start of the student's
4 instructional day, ~~for~~ the time teachers are required to remain at school after
5 the students are dismissed, **or the time teachers are required to coordinate**
6 **and attend a meeting to develop or monitor an individual education plan as**
7 **provided in KRS 157.196, unless such time is compensated in accordance**
8 **with paragraph (c) of this subsection.**

9 (3) Except for children with disabilities and children attending the primary school
10 program who may attend a program of less than six (6) hours per day under policy
11 adopted by the local school district board of education and approved by the
12 commissioner of education and children attending a school district where the local
13 board has approved a schedule that provides at least the equivalent of six (6) hours
14 of daily instruction during the school year, a minimum of six (6) hours of actual
15 school work shall constitute a school day. Kindergarten programs may be operated
16 for less than six (6) hours without state board approval. The Kentucky Board of
17 Education, upon recommendation of the chief state school officer, shall develop and
18 approve regulations governing make up by school districts of whole days missed
19 due to emergencies, or partial days missed as a result of shortening regularly
20 scheduled school days due to emergencies.

21 (4) **(a) Except as provided in paragraph (b) of this subsection,** teachers shall be
22 provided additional time **and shall receive additional compensation of at**
23 **least their usual hourly rate of pay** for nonteaching activities **required by a**
24 **school or school district outside of the teacher's contract hours, including**
25 **but not limited to**. ~~The nonteaching time shall be used to provide teachers~~
26 opportunities for professional development activities as provided in KRS
27 156.095, ~~instructional planning,~~ **coordination of or attendance at a meeting**

1 to develop or monitor an individual education plan as provided in KRS
 2 157.196, school-based decision making as provided in KRS 160.345,
 3 ~~[curriculum development,]~~ and outreach activities involving their students'
 4 families and the community.

5 (b) A school or school district may require a teacher to remain at school outside
 6 of the teacher's contract hours for up to sixty (60) minutes after the students
 7 are dismissed one (1) day a week without providing additional
 8 compensation.

9 (5) Nothing in this section shall be interpreted to:
 10 (a) Limit the ability of a school district to provide teachers noninstructional
 11 time in excess of the minimum required by subsection (2)(a) of this section;
 12 (b) Limit the ability of a school district to compensate teachers for work
 13 performed during noninstructional time or outside of a teacher's contract
 14 hours beyond the teacher's usual hourly rate of pay; or
 15 (c) Reduce any rights of school district employees as set forth in an existing
 16 employer-employee bargained contract.

17 (6) Character education programs and activities shall be considered valuable and
 18 legitimate components of the actual school work constituting a school day under
 19 subsection (3) of this section.

20 ➔Section 2. KRS 164.787 is amended to read as follows:

21 (1) The General Assembly hereby establishes the Work Ready Kentucky Scholarship
 22 Program to ensure that all Kentuckians who have not yet earned a postsecondary
 23 degree have affordable access to an industry-recognized certificate, diploma, or
 24 associate of applied science degree and, for students with intellectual disabilities
 25 enrolled in comprehensive transition and postsecondary programs, affordable
 26 access to meaningful credentials to prepare for competitive integrated employment.

27 (2) For purposes of this section:

- 1 (a) "Academic term" means a fall, spring, or summer academic term or other time
2 period specified in an administrative regulation promulgated by the authority;
- 3 (b) "Academic year" means July 1 through June 30 of each year;
- 4 (c) "Approved dual credit course" means a dual credit course developed in
5 accordance with KRS 164.098 that is a career and technical education course
6 within a career pathway approved by the Kentucky Department of Education
7 that leads to an industry-recognized credential;
- 8 (d) "Dual credit tuition rate ceiling" means the same as defined in 164.786;
- 9 (e) "Eligible institution" means an institution defined in KRS 164.001 that:
- 10 1. Actively participates in the federal Pell Grant program;
- 11 2. Executes a contract with the authority on terms the authority deems
12 necessary or appropriate for the administration of its programs;
- 13 3. Charges no more than the dual credit tuition rate ceiling per credit hour,
14 including any additional fees, for any dual credit course it offers to any
15 Kentucky public or nonpublic high school student; and
- 16 4. Is a:
- 17 a. Kentucky Community and Technical College System institution;
- 18 b. Kentucky public university; or
- 19 c. College, university, or vocational-technical school that is
20 accredited by a recognized regional or national accrediting body
21 and licensed to operate at a site in Kentucky;
- 22 (f) "Eligible program of study" means a program approved by the authority that
23 leads to:
- 24 1. An industry-recognized certificate, diploma, or associate of applied
25 science degree in one (1) of Kentucky's top five (5) high-demand
26 workforce sectors identified by the Kentucky Workforce Innovation
27 Board and the Education and Labor Cabinet or a program of study in a

1 comprehensive transition and postsecondary program that leads to a
2 credential, certificate, diploma, or degree; or

3 2. A bachelor's degree in education in a critical shortage area as
4 determined by the Department of Education;

5 (g) "Fees" means mandatory fees charged by an eligible institution for enrollment
6 in a course, including but not limited to online course fees, lab fees, and
7 administrative fees. "Fees" does not include tools, books, or other
8 instructional materials that may be required for a course; and

9 (h) "Tuition" means the in-state tuition charged to all students as a condition of
10 enrollment in an eligible institution.

11 (3) In consultation with the Education and Labor Cabinet, the Kentucky Department of
12 Education, and the Council on Postsecondary Education, the Kentucky Higher
13 Education Assistance Authority shall administer the Work Ready Kentucky
14 Scholarship Program and promulgate administrative regulations in accordance with
15 KRS Chapter 13A as may be needed for the administration of the scholarship.

16 (4) An eligible high school student shall:

17 (a) Be a Kentucky resident;

18 (b) Be enrolled in a Kentucky high school;

19 (c) Be enrolled, or accepted for enrollment, in an approved dual credit course at
20 an eligible institution; and

21 (d) Complete and submit a Work Ready Kentucky Scholarship dual credit
22 application to the authority.

23 (5) An eligible workforce student shall:

24 (a) Be a citizen or permanent resident of the United States;

25 (b) Be a Kentucky resident as determined by the eligible institution in accordance
26 with criteria established by the Council on Postsecondary Education for the
27 purposes of admission and tuition assessment;

- 1 (c) 1. Have earned a high school diploma or a High School Equivalency
2 Diploma or be enrolled in a High School Equivalency Diploma
3 program; or
4 2. For a student enrolled in a comprehensive transition and postsecondary
5 program, have received an alternative high school diploma described in
6 KRS 158.140(2)(b) or have attended a Kentucky public high school and
7 is a student with an intellectual disability as defined in 34 C.F.R. sec.
8 668.231;
- 9 (d) Not have earned an associate's degree or higher level postsecondary degree;
- 10 (e) Complete the Free Application for Federal Student Aid for the academic year
11 in which the scholarship is awarded;
- 12 (f) Complete and submit a Work Ready Kentucky Scholarship application to the
13 authority;
- 14 (g) Enroll in an eligible program of study at an eligible institution;
- 15 (h) Not be enrolled in an ineligible degree program, such as a bachelor or
16 unapproved associate program, at any postsecondary institution;
- 17 (i) Following the first academic term scholarship funds are received, achieve and
18 maintain satisfactory academic progress as determined by the eligible
19 institution; and
- 20 (j) Not be in default on any program under Title IV of the federal act or any
21 obligation to the authority under any program administered by the authority
22 under KRS 164.740 to 164.7891 or 164.7894, except that ineligibility for this
23 reason may be waived by the authority for cause.
- 24 (6) (a) Beginning with the 2019-2020 academic year, the authority shall award a
25 Work Ready Kentucky Scholarship each academic term to any person who
26 meets the requirements of this section to the extent funds are available for that
27 purpose.

1 (b) The scholarship amount awarded to an eligible workforce student for an
2 academic term shall be the amount remaining after subtracting the student's
3 federal and state grants and scholarships from the maximum scholarship
4 amount. The maximum scholarship amount shall be the per credit hour in-
5 state tuition rate at the Kentucky Community and Technical College System
6 multiplied by the number of credit hours in which the student is enrolled and
7 the fees charged to the student. The authority shall promulgate an
8 administrative regulation in accordance with KRS Chapter 13A to specify the
9 maximum amount to be awarded for fees, except that for the 2019-2020
10 academic year the amount awarded for fees shall not exceed four hundred
11 dollars (\$400).

12 (c) The scholarship award for an eligible high school student shall be limited to
13 two (2) approved dual credit courses per academic year. The scholarship
14 amount awarded shall be equal to the amount charged by an eligible
15 institution for an approved dual credit course, in accordance with subsection
16 (2)(e)3. of this section.

17 (7) (a) Except as provided in paragraph (b) of this subsection, an eligible workforce
18 student's eligibility for the scholarship shall terminate upon the earlier of:

- 19 1. Receiving the scholarship for a total of sixty (60) credit hours; or
- 20 2. Obtaining an associate's degree.

21 (b) For an eligible workforce student enrolled in a comprehensive transition and
22 postsecondary program, eligibility for the scholarship shall terminate upon the
23 earlier of completing the program or receiving the scholarship for up to nine
24 (9) academic terms within three (3) academic years.

25 (8) The authority shall annually provide a report on the Work Ready Kentucky
26 Scholarship Program, prepared in collaboration with the Office for Education and
27 Workforce Statistics, to the secretary of the Education and Labor Cabinet that

1 includes, by academic term, academic year, institution, and workforce sector, the
2 number of:

- 3 (a) Students served by the scholarship and the total amount disbursed;
4 (b) Credits, certificates, diplomas, and associate of applied science degrees earned
5 by students receiving the scholarship; and
6 (c) Students receiving the scholarship who are enrolled in a comprehensive
7 transition and postsecondary program and credentials earned by those
8 students.

9 (9) The authority shall report Work Ready Kentucky Scholarship program data to the
10 Office for Education and Workforce Statistics for analysis of the program's success
11 in meeting the goal of increasing skilled workforce participation rates.

12 (10) (a) The Work Ready Kentucky Scholarship fund is hereby created as a trust fund
13 in the State Treasury to be administered by the authority for the purpose of
14 providing scholarships as described in this section.

15 (b) The trust fund shall consist of state general fund appropriations, gifts and
16 grants from public and private sources, and federal funds. All moneys
17 included in the fund shall be appropriated for the purposes set forth in this
18 section.

19 (c) Any unallotted or unencumbered balances in the trust fund shall be invested
20 as provided in KRS 42.500(9). Income earned from the investments shall be
21 credited to the trust fund.

22 (d) Notwithstanding KRS 45.229, any fund balance at the close of the fiscal year
23 shall not lapse but shall be carried forward to the next fiscal year and
24 continuously appropriated only for the purposes specified in this section.