

Andy Beshear
Governor



Jamie Link
Secretary, Education and
Labor Cabinet

Jason E. Glass, Ed.D.
Commissioner of Education and Chief Learner

KENTUCKY DEPARTMENT OF EDUCATION
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February 9, 2023

Senator Max Wise
700 Capital Ave.
Frankfort, Kentucky 40601

Dear Senator Wise:

The Kentucky Department of Education (KDE) has reviewed Senate Bill 150 and respectfully provides the following feedback.

The KDE has a statutory responsibility to provide ongoing technical assistance and support to schools and districts. Our guidance represents the KDE's interpretation of current law through the lens of evidence-based best practices for education. Restricting the KDE's ability to provide ongoing technical assistance puts districts at risk as they will be required to expend additional staff time and fiscal resources to review the evidence and make an informed decision on their own. Schools and districts are not required to adhere to the guidance produced by the KDE; rather, we view guidance as tools that should be used in combination with their own local contexts and practitioner knowledge to make an informed decision.

The KDE is supportive of SB150s requirement that parents be notified of medical or mental health treatment that occurs at school. In fact, most districts already adhere to this protocol through their local policies. It is important to note that school staff licensed by boards other than the Education Professional Standards Board (EPSB) have ethical responsibilities to maintain confidentiality as defined by their respective licensure boards.

Regarding the use of pronouns at school, the bill contradicts itself. Section 1(4) of the bill requires school district personnel to respect the rights of parents regarding the upbringing of their child, while Section 1(5)(c) prohibits districts from adopting policies that require teachers to use the pronouns requested by the family. The KDE stands ready to assist the legislature in remedying this contradiction.

Finally, the Kentucky Department of Education is supportive of SB150s first amendment protections for teachers and its explicit allowance for teachers to include LGBTQI+ individuals within the context of history and its protection of the teacher's ability to respond to questions from students.

Sincerely,

A handwritten signature in blue ink that reads "Jason E. Glass".

Jason E. Glass, Ed.D.
Commissioner of Education and Chief Learner