

1 AN ACT relating to high school students pursuing military careers.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO  
4 READ AS FOLLOWS:

5 **(1) Each public high school shall provide, not less than annually, students in grades**  
6 **ten (10) through twelve (12) the opportunity to take the Armed Services**  
7 **Vocational Aptitude Battery (ASVAB) test.**

8 **(2) Students shall receive counseling relating to the ASVAB test results, which shall**  
9 **be reflected in, and guided by, any individualized learning plans developed to**  
10 **guide students to academic and career goals, and the students shall be allowed**  
11 **access to counseling from the ASVAB Career Exploration Program.**

12 **(3) Students meeting with a counselor from the ASVAB Career Exploration**  
13 **Program, consulting with a military recruiter, or pursuing enlistment in a branch**  
14 **of the Armed Forces of the United States or the Kentucky National Guard shall**  
15 **be allowed up to four (4) excused absences pursuant to Section 2 of this Act.**

16 ➔Section 2. KRS 159.035 is amended to read as follows:

17 (1) Notwithstanding the provisions of any other statute, any student in a public school  
18 who is enrolled in a properly organized 4-H club shall be considered present at  
19 school for all purposes when participating in regularly scheduled 4-H club  
20 educational activities, provided, the student is accompanied by or under the  
21 supervision of a county extension agent or the designated 4-H club leader for the 4-  
22 H club educational activity participated in.

23 (2) Notwithstanding the provisions of any other statute, any student in a public school  
24 shall be considered present for all purposes for up to ten (10) days while attending  
25 basic training required by a branch of the United States Armed Forces.

26 (3) Except as provided in paragraph (e) of this subsection, a public school principal  
27 shall give a student an excused absence of up to ten (10) school days to pursue an

1 educational enhancement opportunity determined by the principal to be of  
2 significant educational value, including but not limited to participation in an  
3 educational foreign exchange program or an intensive instructional, experiential, or  
4 performance program in one (1) of the core curriculum subjects of English, science,  
5 mathematics, social studies, foreign language, and the arts. *A public school*  
6 *principal shall give a student an excused absence of up to four (4) school days to*  
7 *consult with a military recruiter, receive counseling from the Armed Services*  
8 *Vocational Aptitude Battery Career Exploration Program, or pursue enlistment*  
9 *in a branch of the Armed Forces of the United States or the Kentucky National*  
10 *Guard pursuant to subsection (3) of Section 1 of this Act.*

11 (a) A student receiving an excused absence under this subsection shall have the  
12 opportunity to make up school work missed and shall not have his or her class  
13 grades adversely affected for lack of class attendance or class participation due  
14 to the excused absence.

15 (b) Educational enhancement opportunities under this subsection shall not include  
16 nonacademic extracurricular activities, but may include programs not  
17 sponsored by the school district.

18 (c) If a request for an excused absence to pursue an educational enhancement  
19 opportunity is denied by a school principal, a student may appeal the decision  
20 to the district superintendent, who shall make a determination whether to  
21 uphold or alter the decision of the principal. If a superintendent upholds a  
22 principal's denial, a student may appeal the decision to the local board of  
23 education, which shall make a final determination. A principal,  
24 superintendent, and local board of education shall make their determinations  
25 based on the provisions of this subsection and the district's school attendance  
26 policies adopted in accordance with KRS 158.070 and KRS 159.150.

27 (d) A student receiving an excused absence under the provisions of this

1 subsection shall be considered present in school during the excused absence  
2 for the purposes of calculating average daily attendance as defined by KRS  
3 157.320 under the Support Education Excellence in Kentucky program.

4 (e) A student shall not be eligible to receive an excused absence under the  
5 provisions of this subsection for an absence during a school's testing window  
6 established for assessments of the state assessment developed under KRS  
7 158.6453 or during a testing period established for the administration of  
8 additional district-wide assessments at the school, except if a principal  
9 determines that extenuating circumstances make an excused absence to pursue  
10 an educational enhancement opportunity appropriate.

11 (4) (a) If a student's parent, de facto custodian, or other person with legal custody or  
12 control of the student is a member of the United States Armed Forces,  
13 including a member of a state National Guard or a Reserve component called  
14 to federal active duty, a public school principal shall give the student:

- 15 1. An excused absence for one (1) day when the member is deployed;
- 16 2. An additional excused absence for one (1) day when the service member  
17 returns from deployment; and
- 18 3. Excused absences for up to ten (10) days for visitation when the member  
19 is stationed out of the country and is granted rest and recuperation leave.

20 (b) A student receiving an excused absence under this subsection shall have the  
21 opportunity to make up school work missed and shall not have his or her class  
22 grades adversely affected for lack of class attendance or class participation due  
23 to the excused absence.

24 (c) A student receiving an excused absence under this subsection shall be  
25 considered present in school during the excused absence for the purposes of  
26 calculating average daily attendance as defined by KRS 157.320 under the  
27 Support Education Excellence in Kentucky program.