

1 AN ACT relating to public agencies and declaring an emergency.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 151B IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) The Education and Workforce Development Cabinet shall require a national and*
6 *state criminal background check for every employee of the cabinet or its agencies,*
7 *including contract staff, with access to or use of federal tax information. The*
8 *criminal background investigation shall be by means of a fingerprint check by*
9 *the Department of Kentucky State Police and Federal Bureau of Investigation,*
10 *pursuant to the following requirements:*

11 *(a) The cabinet shall require each employee with access to or use of federal tax*
12 *information to submit a complete and legible set of fingerprints to the*
13 *Department of Kentucky State Police on a fingerprint card issued by the*
14 *Federal Bureau of Investigation;*

15 *(b) The Department of Kentucky State Police shall submit the fingerprint card*
16 *to the Federal Bureau of Investigation for a national criminal background*
17 *check after a state criminal background check is conducted;*

18 *(c) The results of a national and state criminal background check shall not be*
19 *distributed or otherwise released by the cabinet, except that:*

20 *1. The cabinet shall provide an employee the results of his or her*
21 *national and state criminal background check upon request; and*

22 *2. The cabinet may introduce the results, under seal, as evidence in a*
23 *legal proceeding which involves a challenge to any personnel action*
24 *taken by the cabinet which is based in whole or in part on information*
25 *contained in the results; and*

26 *(d) Any fee charged by the Department of Kentucky State Police or the Federal*
27 *Bureau of Investigation shall be an amount no greater than the actual cost*

1 *of processing the request and conducting the background check.*

2 *(2) The cabinet or its agencies shall promulgate administrative regulations in*
3 *accordance with this Act and KRS Chapter 13A to implement this section.*

4 ➔Section 2. KRS 61.826 is amended to read as follows:

5 (1) A public agency may conduct any meeting~~[, other than a closed session,]~~ through
6 video teleconference.

7 (2) Notice of a video teleconference shall comply with the requirements of KRS 61.820
8 or 61.823 as appropriate. In addition, the notice of a video teleconference shall:

9 (a) Clearly state that the meeting will be a video teleconference; and

10 (b) Precisely identify *a primary location of the video teleconference where all*
11 *members can be seen and heard and the public may attend in accordance*
12 *with KRS 61.840*~~[the video teleconference locations as well as which, if any,~~
13 ~~location is primary].~~

14 (3) The same procedures with regard to participation, distribution of materials, and
15 other matters shall apply in all video teleconference locations.

16 (4) Any interruption in the video or audio broadcast of a video teleconference at any
17 location shall result in the suspension of the video teleconference until the broadcast
18 is restored.

19 ➔Section 3. KRS 164A.575 is amended to read as follows:

20 (1) The governing boards of each institution may elect to purchase interest in real
21 property, contractual services, rentals of all types, supplies, materials, equipment,
22 printing, and services, except that competitive bids may not be required for:

23 (a) Contractual services where no competition exists;

24 (b) Food, clothing, equipment, supplies, or other materials to be used in
25 laboratory and experimental studies;

26 (c) Instructional materials available from only one (1) source;

27 (d) Where rates are fixed by law or ordinance;

- 1 (e) Library books;
- 2 (f) Commercial items that are purchased for resale;
- 3 (g) Professional, technical, scientific, or artistic services, but contracts shall be
4 submitted in accordance with KRS 45A.690 to 45A.725;
- 5 (h) All other commodities, equipment, and services which, in the reasonable
6 discretion of the board, are available from only one (1) source; and
- 7 (i) Interests in real property.
- 8 (2) Nothing in this section shall deprive the boards from negotiating with vendors who
9 maintain a General Services Administration price agreement with the United States
10 of America or any agency thereof, provided, however, that no contract executed
11 under this provision shall authorize a price higher than is contained in the contract
12 between General Services Administration and the vendor affected.
- 13 (3) The governing board shall require the institution to take and maintain inventories of
14 plant and equipment.
- 15 (4) The governing board shall establish procedures to identify items of common general
16 usage among all departments to foster volume purchasing. It shall establish and
17 enforce schedules for purchasing supplies, materials, and equipment.
- 18 (5) The governing board shall have power to salvage, to exchange, and to condemn
19 supplies, equipment, and real property.
- 20 (6) Upon the approval of the secretary of the Finance and Administration Cabinet, the
21 governing board may purchase or otherwise acquire all real property determined to
22 be needed for the institution's use. The amount paid shall not exceed the *fair*
23 *market*~~[appraised]~~ value as determined by a qualified appraiser or the value set by
24 the eminent domain procedure. Any real property acquired under this section shall
25 be in name of the Commonwealth for the use and benefit of the institution.
- 26 (7) (a) Notwithstanding KRS 56.806, the governing board may renegotiate the cost
27 of a lease after the expiration of the lease term and any renewal terms

1 provided in the lease prior to any renewal not provided for in the terms of
2 the lease.

3 (b) Except when a lease incorporates a lease-purchase under KRS 56.806, the
4 governing board shall reserve the right to cancel a lease upon at least thirty
5 (30) days' written notice.

6 (c) Notwithstanding KRS 56.823(2) and (3), any lease renewals, except
7 automatic renewals permitted under KRS 56.803, 56.805(2), and 56.806(1),
8 for which the annual rental cost will exceed two hundred thousand dollars
9 (\$200,000) shall be reported to the Capital Projects and Bond Oversight
10 Committee in the same format as set out in KRS 56.823(2).

11 (d) Notwithstanding KRS 56.813, a public college or university may pay for
12 improvements to leased property costing in excess of ten thousand dollars
13 (\$10,000) but less than one million dollars (\$1,000,000) in a lump sum
14 upon approval of its board using non-general fund appropriations and
15 without incurring debt.

16 (8) The governing board shall sell or otherwise dispose of all real or personal property
17 of the institution which is not needed or has become unsuitable for public use, or
18 would be more suitable consistent with the public interest for some other use, as
19 determined by the board. The determination of the board shall be set forth in an
20 order, and shall be reached only after review of a written request by the institution
21 desiring to dispose of the property. Such request shall describe the property and
22 state the reasons why the institution believes disposal should be effected. All
23 instruments required by law to be recorded which convey any interest in any such
24 real property so disposed of shall be executed and signed by the appropriate officer
25 of the board. Unless the board deems it in the best interest of the institution to
26 proceed otherwise, all such real or personal property shall be sold either by
27 invitation of sealed bids or by public auction; provided, however, that the selling

1 price of any interest in real property shall not be less than the *fair*
2 *market*~~[appraised]~~ value thereof as determined by the Finance and Administration
3 Cabinet or the Transportation Cabinet for such requirements of that department.

4 ~~(9)~~~~(8)~~ Real property or any interest therein may, subject to the provisions of KRS
5 Chapter 45A, be purchased, leased, or otherwise acquired from any officer or
6 employee of any board of the institution, based upon a written application by the
7 grantor or lessor approved by the board, that the employee has not either himself or
8 through any other person influenced or attempted to influence either the board
9 requesting the purchase of the property. In any case in which such an acquisition is
10 consummated, the said request and finding shall be recorded and kept by the
11 Secretary of State along with the other documents recorded pursuant to the
12 provisions of KRS Chapter 56.

13 ~~(10)~~~~(9)~~ (a) As used in this section, "construction manager-agency," "construction
14 management-at-risk," "design-bid-build," "design-build," and "construction
15 manager-general contractor" shall have the same meaning as in KRS 45A.030.

16 (b) For capital construction projects, the procurement may be on a total design-
17 bid-build basis, a design-build basis, construction manager-general contractor
18 basis, or construction management-at-risk basis, whichever in the judgment of
19 the board offers the best value to the taxpayer. Best value shall be determined
20 in accordance with KRS 45A.070. Proposals shall be reviewed by the
21 institution's engineering staff to assure quality and value, and compliance with
22 procurement procedures. All specifications shall be written to promote
23 competition. Services for projects delivered on the design-build basis,
24 construction manager-general contractor basis, or construction management-
25 at-risk basis shall be procured in accordance with KRS 45A.180, KRS
26 45A.183, and the regulations promulgated in accordance with KRS 45A.180.
27 Nothing in this section shall prohibit the procurement of construction

1 manager-agency services.

2 (c) Notwithstanding KRS 45A.185, for all capital construction projects, bidder
3 security for competitive sealed bidding for construction contracts shall only
4 be required when the price is estimated to exceed one million dollars
5 (\$1,000,000).

6 ~~(11)~~~~(10)~~ The governing board shall attempt in every practicable way to insure the
7 institution's supplying its real needs at the lowest possible cost. To accomplish this
8 the board may enter into cooperative agreements with other public or private
9 institutions of education or health care.

10 ~~(12)~~~~(11)~~ The governing board shall have control and supervision over all purchases of
11 energy consuming equipment, supplies, and related equipment purchased or
12 acquired by the institution, and shall designate by regulation the manner in which an
13 energy consuming item will be purchased so as to promote energy conservation and
14 acquisition of energy efficient products.

15 ~~(13)~~~~(12)~~ The governing board may negotiate directly for the purchase of contractual
16 services, supplies, materials, or equipment in bona fide emergencies regardless of
17 estimated costs. The existence of the emergency must be fully explained, in writing,
18 by the vice president responsible for business affairs and such explanation must be
19 approved by the institution~~university~~ president. The letter and approval shall be
20 filed with the record of all such purchases. Where practical, standard specifications
21 shall be followed in making emergency purchases. A good faith effort shall be made
22 to effect a competitively established price for emergency purchases.

23 ~~(14)~~~~(13)~~ (a) All governing boards that purchase agricultural products, as defined by
24 KRS 45A.630, shall, on or before January 1 of each year, provide a report to
25 the Legislative Research Commission and to the Department of Agriculture
26 describing the types, quantities, and costs of each product purchased. The
27 report shall be completed on a form provided by the department.

1 (b) If purchasing agricultural products, a governing board shall encourage the
2 purchase of Kentucky-grown agricultural products in accordance with KRS
3 45A.645. If a governing board purchases agricultural products through a
4 contract with a vendor or food service provider, the contract shall require that
5 if Kentucky-grown agricultural products are purchased, the products shall be
6 purchased in accordance with KRS 45A.645. Only contracts entered into or
7 renewed after July 15, 2008, shall be required to comply with the provisions
8 of this subsection.

9 (c) All governing boards that purchase Kentucky-grown agricultural products
10 shall, on or before January 1 of each year, provide a report to the Legislative
11 Research Commission and to the Department of Agriculture describing the
12 types, quantities, and costs of each product purchased. The report shall be
13 completed on a form provided by the department.

14 **(15) Notwithstanding KRS 45.760, the governing board may authorize a capital**
15 **construction project or a major item of equipment even though it is not**
16 **specifically listed in any branch budget bill, subject to the following conditions**
17 **and procedures:**

18 **(a) The full cost shall be funded solely by non-general fund appropriations;**

19 **(b) Moneys specifically budgeted and appropriated by the General Assembly for**
20 **another purpose shall not be allotted or reallocated for expenditure on the**
21 **project or major item of equipment. Moneys utilized shall not jeopardize**
22 **any existing program and shall not require the use of any current general**
23 **funds specifically dedicated to existing programs; and**

24 **(c) The institution's president, or designee, shall submit the project or major**
25 **item of equipment to the Capital Projects and Bond Oversight Committee**
26 **for review as provided by KRS 45.800.**

27 **(16)**~~(14)~~ Governing boards shall apply the reciprocal resident bidder preference

1 described in KRS 45A.494 prior to the award of any contract.

2 ~~(17)~~~~(15)~~ Governing boards may authorize the use of reverse auctions as defined in
3 KRS 45A.070 for the procurement of goods and leases.

4 **(18) (a) Notwithstanding KRS 56.070, the governing board may obtain private**
5 **insurance to cover any state property in the institution's possession against**
6 **loss by fire and other hazards. The level of private insurance coverage shall**
7 **be commensurate with or greater than the insurance coverage provided**
8 **through the state fire and tornado insurance fund. An institution whose**
9 **governing board elects to obtain private insurance shall notify the secretary**
10 **of the Finance and Administration Cabinet at least six (6) months before**
11 **terminating the institution's insurance coverage through the state fire and**
12 **tornado insurance fund.**

13 **(b) No later than January 1 of each year, an institution whose governing board**
14 **elects to obtain private insurance instead of insurance coverage provided**
15 **through the state fire and tornado insurance fund shall certify, in writing,**
16 **to the secretary of the Finance and Administration Cabinet that the**
17 **property is insured in accordance with paragraph (a) of this subsection and**
18 **shall attach a copy of the private insurance policy.**

19 ➔Section 4. KRS 164.020 is amended to read as follows:

20 The Council on Postsecondary Education in Kentucky shall:

- 21 (1) Develop and implement the strategic agenda with the advice and counsel of the
22 Strategic Committee on Postsecondary Education. The council shall provide for and
23 direct the planning process and subsequent strategic implementation plans based on
24 the strategic agenda as provided in KRS 164.0203;
- 25 (2) Revise the strategic agenda and strategic implementation plan with the advice and
26 counsel of the committee as set forth in KRS 164.004;
- 27 (3) Develop a system of public accountability related to the strategic agenda by

- 1 evaluating the performance and effectiveness of the state's postsecondary system.
- 2 The council shall prepare a report in conjunction with the accountability reporting
- 3 described in KRS 164.095, which shall be submitted to the committee, the
- 4 Governor, and the General Assembly by December 1 annually. This report shall
- 5 include a description of contributions by postsecondary institutions to the quality of
- 6 elementary and secondary education in the Commonwealth;
- 7 (4) Review, revise, and approve the missions of the state's universities and the
- 8 Kentucky Community and Technical College System. The Council on
- 9 Postsecondary Education shall have the final authority to determine the compliance
- 10 of postsecondary institutions with their academic, service, and research missions;
- 11 (5) Establish and ensure that all postsecondary institutions in Kentucky cooperatively
- 12 provide for an integrated system of postsecondary education. The council shall
- 13 guard against inappropriate and unnecessary conflict and duplication by promoting
- 14 transferability of credits and easy access of information among institutions;
- 15 (6) Engage in analyses and research to determine the overall needs of postsecondary
- 16 education and adult education in the Commonwealth;
- 17 (7) Develop plans that may be required by federal legislation. The council shall for all
- 18 purposes of federal legislation relating to planning be considered the "single state
- 19 agency" as that term may be used in federal legislation. When federal legislation
- 20 requires additional representation on any "single state agency," the Council on
- 21 Postsecondary Education shall establish advisory groups necessary to satisfy federal
- 22 legislative or regulatory guidelines;
- 23 (8) Determine tuition and approve the minimum qualifications for admission to the
- 24 state postsecondary educational system. In defining residency, the council shall
- 25 classify a student as having Kentucky residency if the student met the residency
- 26 requirements at the beginning of his or her last year in high school and enters a
- 27 Kentucky postsecondary education institution within two (2) years of high school

1 graduation. In determining the tuition for non-Kentucky residents, the council shall
2 consider the fees required of Kentucky students by institutions in adjoining states,
3 the resident fees charged by other states, the total actual per student cost of training
4 in the institutions for which the fees are being determined, and the ratios of
5 Kentucky students to non-Kentucky students comprising the enrollments of the
6 respective institutions, and other factors the council may in its sole discretion deem
7 pertinent;

8 (9) Devise, establish, and periodically review and revise policies to be used in making
9 recommendations to the Governor for consideration in developing
10 recommendations to the General Assembly for appropriations to the universities,
11 the Kentucky Community and Technical College System, and to support strategies
12 for persons to maintain necessary levels of literacy throughout their lifetimes
13 including but not limited to appropriations to the Kentucky Adult Education
14 Program. The council has sole discretion, with advice of the Strategic Committee on
15 Postsecondary Education and the executive officers of the postsecondary education
16 system, to devise policies that provide for allocation of funds among the universities
17 and the Kentucky Community and Technical College System;

18 (10) Lead and provide staff support for the biennial budget process as provided under
19 KRS Chapter 48, in cooperation with the committee;

20 (11) (a) Except as provided in paragraph (b) of this subsection, review and approve all
21 capital construction projects covered by KRS 45.750(1)(f), including real
22 property acquisitions, and regardless of the source of funding for projects or
23 acquisitions. Approval of capital projects and real property acquisitions shall
24 be on a basis consistent with the strategic agenda and the mission of the
25 respective universities and the Kentucky Community and Technical College
26 System.

27 (b) The organized groups that are establishing community college satellites as

1 branches of existing community colleges in the counties of Laurel, Leslie, and
2 Muhlenberg, and that have substantially obtained cash, pledges, real property,
3 or other commitments to build the satellite at no cost to the Commonwealth,
4 other than operating costs that shall be paid as part of the operating budget of
5 the main community college of which the satellite is a branch, are authorized
6 to begin construction of the satellite on or after January 1, 1998;

- 7 (12) Require reports from the executive officer of each institution it deems necessary for
8 the effectual performance of its duties;
- 9 (13) Ensure that the state postsecondary system does not unnecessarily duplicate services
10 and programs provided by private postsecondary institutions and shall promote
11 maximum cooperation between the state postsecondary system and private
12 postsecondary institutions. Receive and consider an annual report prepared by the
13 Association of Independent Kentucky Colleges and Universities stating the
14 condition of independent institutions, listing opportunities for more collaboration
15 between the state and independent institutions and other information as appropriate;
- 16 (14) Establish course credit, transfer, and degree components as required in KRS
17 164.2951;
- 18 (15) Define and approve the offering of all postsecondary education technical, associate,
19 baccalaureate, graduate, and professional degree, certificate, or diploma programs in
20 the public postsecondary education institutions. The council shall expedite wherever
21 possible the approval of requests from the Kentucky Community and Technical
22 College System board of regents relating to new certificate, diploma, technical, or
23 associate degree programs of a vocational-technical and occupational nature.
24 Without the consent of the General Assembly, the council shall not abolish or limit
25 the total enrollment of the general program offered at any community college to
26 meet the goal of reasonable access throughout the Commonwealth to a two (2) year
27 course of general studies designed for transfer to a baccalaureate program. This

- 1 does not restrict or limit the authority of the council, as set forth in this section, to
2 eliminate or make changes in individual programs within that general program;
- 3 (16) Eliminate, in its discretion, existing programs or make any changes in existing
4 academic programs at the state's postsecondary educational institutions, taking into
5 consideration these criteria:
- 6 (a) Consistency with the institution's mission and the strategic agenda;
7 (b) Alignment with the priorities in the strategic implementation plan for
8 achieving the strategic agenda;
9 (c) Elimination of unnecessary duplication of programs within and among
10 institutions; and
11 (d) Efforts to create cooperative programs with other institutions through
12 traditional means, or by use of distance learning technology and electronic
13 resources, to achieve effective and efficient program delivery;
- 14 (17) Ensure the governing board and faculty of all postsecondary education institutions
15 are committed to providing instruction free of discrimination against students who
16 hold political views and opinions contrary to those of the governing board and
17 faculty;
- 18 (18) Review proposals and make recommendations to the Governor regarding the
19 establishment of new public community colleges, technical institutions, and new
20 four (4) year colleges;
- 21 (19) Postpone the approval of any new program at a state postsecondary educational
22 institution, unless the institution has met its equal educational opportunity goals, as
23 established by the council. In accordance with administrative regulations
24 promulgated by the council, those institutions not meeting the goals shall be able to
25 obtain a temporary waiver, if the institution has made substantial progress toward
26 meeting its equal educational opportunity goals;
- 27 (20) Ensure the coordination, transferability, and connectivity of technology among

- 1 postsecondary institutions in the Commonwealth including the development and
2 implementation of a technology plan as a component of the strategic agenda;
- 3 (21) Approve the teacher education programs in the public institutions that comply with
4 standards established by the Education Professional Standards Board pursuant to
5 KRS 161.028;
- 6 (22) Constitute the representative agency of the Commonwealth in all matters of
7 postsecondary education of a general and statewide nature which are not otherwise
8 delegated to one (1) or more institutions of postsecondary learning. The
9 responsibility may be exercised through appropriate contractual relationships with
10 individuals or agencies located within or without the Commonwealth. The authority
11 includes but is not limited to contractual arrangements for programs of research,
12 specialized training, and cultural enrichment;
- 13 (23) Maintain procedures for the approval of a designated receiver to provide for the
14 maintenance of student records of the public institutions of higher education and the
15 colleges as defined in KRS 164.945, and institutions operating pursuant to KRS
16 165A.310 which offer collegiate level courses for academic credit, which cease to
17 operate. Procedures shall include assurances that, upon proper request, subject to
18 federal and state laws and regulations, copies of student records shall be made
19 available within a reasonable length of time for a minimum fee;
- 20 (24) Monitor and transmit a report on compliance with KRS 164.351 to the director of
21 the Legislative Research Commission for distribution to the Health and Welfare
22 Committee;
- 23 (25) (a) Develop in cooperation with each public university and the Kentucky
24 Community and Technical College System a comprehensive orientation and
25 education program for new members of the council and the governing boards
26 and continuing education opportunities for all council and board members.
27 For new members of the council and institutional governing boards, the

1 council shall:

- 2 1. Ensure that the orientation and education program comprises six (6)
3 hours of instruction time and includes but is not limited to information
4 concerning the roles of the council and governing board members, the
5 strategic agenda and the strategic implementation plan, and the
6 respective institution's mission, budget and finances, strategic plans and
7 priorities, institutional policies and procedures, board fiduciary
8 responsibilities, legal considerations including open records and open
9 meetings requirements, ethical considerations arising from board
10 membership, and the board member removal and replacement provisions
11 of KRS 63.080;
- 12 2. Establish delivery methods by which the orientation and education
13 program can be completed in person or electronically by new members
14 within one (1) year of their appointment or election;
- 15 3. Provide an annual report to the Governor and Legislative Research
16 Commission of those new board members who do not complete the
17 required orientation and education program; and
- 18 4. Invite governing board members of private colleges and universities
19 licensed by the Council on Postsecondary Education to participate in the
20 orientation and education program described in this subsection;
- 21 (b) Offer, in cooperation with the public universities and the Kentucky
22 Community and Technical College System, continuing education
23 opportunities for all council and governing board members; and
- 24 (c) Review and approve the orientation programs of each public university and
25 the Kentucky Community and Technical College System for their governing
26 board members to ensure that all programs and information adhere to this
27 subsection;

- 1 (26) Develop a financial reporting procedure to be used by all state postsecondary
2 education institutions to ensure uniformity of financial information available to state
3 agencies and the public;
- 4 (27) Select and appoint a president of the council under KRS 164.013;
- 5 (28) Employ consultants and other persons and employees as may be required for the
6 council's operations, functions, and responsibilities;
- 7 (29) Promulgate administrative regulations, in accordance with KRS Chapter 13A,
8 governing its powers, duties, and responsibilities as described in this section;
- 9 (30) Prepare and present by January 31 of each year an annual status report on
10 postsecondary education in the Commonwealth to the Governor, the Strategic
11 Committee on Postsecondary Education, and the Legislative Research Commission;
- 12 (31) Consider the role, function, and capacity of independent institutions of
13 postsecondary education in developing policies to meet the immediate and future
14 needs of the state. When it is found that independent institutions can meet state
15 needs effectively, state resources may be used to contract with or otherwise assist
16 independent institutions in meeting these needs;
- 17 (32) Create advisory groups representing the presidents, faculty, nonteaching staff, and
18 students of the public postsecondary education system and the independent colleges
19 and universities;
- 20 (33) Develop a statewide policy to promote employee and faculty development ~~in all~~
21 ~~postsecondary institutions and in~~ state and locally operated secondary area
22 technology centers through the waiver of tuition for college credit coursework in the
23 public postsecondary education system. Any regular full-time employee of ~~a~~
24 ~~postsecondary public institution or~~ a state or locally operated secondary area
25 technology center may, with prior administrative approval of the course offering
26 institution, take a maximum of six (6) credit hours per term at any public
27 postsecondary institution. The institution shall waive the tuition up to a maximum

1 of six (6) credit hours per term. **The employee shall complete the Free Application**
2 **for Federal Student Aid to determine the level of need and eligibility for state and**
3 **federal financial aid programs. The amount of tuition waived shall not exceed the**
4 **cost of tuition at the institution less any state or federal grants received, which**
5 **shall be credited first to the student's tuition;**

6 (34) Establish a statewide mission for adult education and develop a twenty (20) year
7 strategy, in partnership with the Kentucky Adult Education Program, under the
8 provisions of KRS 164.0203 for raising the knowledge and skills of the state's adult
9 population. The council shall:

10 (a) Promote coordination of programs and responsibilities linked to the issue of
11 adult education with the Kentucky Adult Education Program and with other
12 agencies and institutions;

13 (b) Facilitate the development of strategies to increase the knowledge and skills
14 of adults in all counties by promoting the efficient and effective coordination
15 of all available education and training resources;

16 (c) Lead a statewide public information and marketing campaign to convey the
17 critical nature of Kentucky's adult literacy challenge and to reach adults and
18 employers with practical information about available education and training
19 opportunities;

20 (d) Establish standards for adult literacy and monitor progress in achieving the
21 state's adult literacy goals, including existing standards that may have been
22 developed to meet requirements of federal law in conjunction with the
23 Collaborative Center for Literacy Development: Early Childhood through
24 Adulthood; and

25 (e) Administer the adult education and literacy initiative fund created under KRS
26 164.041;

27 (35) Participate with the Kentucky Department of Education, the Kentucky Board of

1 Education, and postsecondary education institutions to ensure that academic content
2 requirements for successful entry into postsecondary education programs are
3 aligned with high school content standards and that students who master the high
4 school academic content standards shall not need remedial courses. The council
5 shall monitor the results on an ongoing basis;

6 (36) Cooperate with the Kentucky Department of Education and the Education
7 Professional Standards Board in providing information sessions to selected
8 postsecondary education content faculty and teacher educators of the high school
9 academic content standards as required under KRS 158.6453(2)(1);

10 (37) Cooperate with the Office for Education and Workforce Statistics and ensure the
11 participation of the public institutions as required in KRS 151B.133;

12 (38) Pursuant to KRS 63.080, review written notices from the Governor or from a board
13 of trustees or board of regents concerning removal of a board member or the entire
14 appointed membership of a board, investigate the member or board and the conduct
15 alleged to support removal, and make written recommendations to the Governor and
16 the Legislative Research Commission as to whether the member or board should be
17 removed; and

18 (39) Exercise any other powers, duties, and responsibilities necessary to carry out the
19 purposes of this chapter. Nothing in this chapter shall be construed to grant the
20 Council on Postsecondary Education authority to disestablish or eliminate any
21 college of law which became a part of the state system of higher education through
22 merger with a state college.

23 ➔Section 5. Whereas the state and federal background checks authorized in this
24 Act are vital for ensuring ongoing federal education funding compliance, an emergency is
25 declared to exist, and this Act takes effect upon its passage and approval by the Governor
26 or upon its otherwise becoming a law.