

**156.031 Existing State Board for Elementary and Secondary Education to remain active until successor board appointed.**

- (1) Effective until the Governor appoints and the Senate and the House of Representatives of the General Assembly confirm the State Board for Elementary and Secondary Education as established in KRS 156.029, there is within the Department of Education a State Board for Elementary and Secondary Education which shall consist of thirteen (13) members. Seven (7) members shall be appointed, one (1) from each Supreme Court district, as established by KRS 21A.010, and six (6) members from the state at large, by the Governor to serve for terms of four (4) years.
- (2) The terms of the appointees shall expire on June 30 in the appropriate year, and the terms of each new member appointed thereafter shall begin on July 1.
- (3) Vacancies in the membership of the board shall be filled by the Governor for unexpired terms. Appointments shall be made without reference to occupation, political affiliation, or similar consideration. No member at the time of his appointment or during the term of his service shall be engaged as a professional educator.
- (4) At the first regular meeting of the board in each fiscal year, a chairperson shall be elected from its voting membership.
- (5) The Superintendent of Public Instruction or his designee shall be the executive officer of the board.
- (6) The primary function of the board shall be to develop and adopt policies and administrative regulations by which the Department of Education shall be governed in planning, coordinating, administering, supervising, operating, and evaluating the educational programs, services, and activities within the Department of Education which are within the jurisdiction of the board. Existing administrative regulations relating to statutes that are repealed and reenacted in the Kentucky Education Reform Act of 1990, 1990 Ky. Acts ch. 476, and that have not been objected to in the administrative review process as provided for in KRS Chapter 13A shall remain in effect until amended or repealed. Regulations promulgated under newly created or amended statutes in the Kentucky Education Reform Act of 1990, 1990 Ky. Acts ch. 476, shall be promulgated, reviewed, or amended, if necessary, and resubmitted to the Legislative Research Commission, prior to December 30, 1990, except for regulations that are to be promulgated at another date in accordance with other provisions of the Kentucky Education Reform Act of 1990, 1990 Ky. Acts ch. 476.

**Effective:** July 13, 1990

**History:** Amended 1990 Ky. Acts ch. 476, Pt. II, sec. 34, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 361, sec. 3, effective July 15, 1988. -- Created 1982 Ky. Acts ch. 381, sec. 2, effective July 15, 1982.

**Legislative Research Commission Note (7/15/96).** Under 1996 Ky. Acts ch. 362, sec. 6, references to the "State Board for Elementary and Secondary Education" in this statute have been left unchanged although the name of that board has been changed by that Act to the "Kentucky Board of Education."

**Legislative Research Commission Note.** As enacted, subsection (1) of this section states that the State Board of Education consists of fourteen members. However, it provides for the appointment of only thirteen members. The Reviser of Statutes, pursuant to KRS 7.136, has made a technical correction in subsection (1) by inserting thirteen in lieu of fourteen.

Pursuant to Executive Order 80-624, the terms of those members appointed on July 30, 1980 shall expire on June 30, as follows: three in 1981; three in 1982; four in 1983; and three in 1984.