



**Media Contact**

Jenna Jennings, Kentucky PTA  
[jenna.jennings@kypta.org](mailto:jenna.jennings@kypta.org),  
502-226-6607

**Frankfort, KY (September 13, 2021)—The following statement can be attributed to Kentucky PTA President Kathy Smiley:**

Kentucky PTA is disappointed with the passing of SB 1 from the current special session. Not only did it not address majority of the concerns and struggles that Kentucky's public schools are currently facing in the midst of COVID 19; it also did not give enough flexibility to our local school districts in how they handle what works best for the students in their district. Also, by taking away Kentucky Department of Education's (KDE) authority to mandate mask in schools, it puts our students, teachers, and families at a higher risk of catching the Delta variant of COVID 19 and disregards the safety of any child who might be medically fragile or be at higher risk.

While we are disappointed with the outcome of this special session, Kentucky PTA recognizes that each school district has always made a valiant effort to keep our Kentucky students safely in school. The individual school districts know their community best and has always put the best interest of their students first. Kentucky PTA strongly hopes and encourages each district's Superintendent and elected Board of Education members to remember every student, including but not limited to our most fragile and/or vulnerable students and staff members.

Kentucky PTA also recognizes and supports the CDC's current guidelines in how to keep our students, teachers, and staff, healthy and in schools and acknowledges that the best way to do that is to mask and social distance.

The American Academy of Pediatrics recently stated that over 250,000 child COVID cases were reported in the week ending September 2<sup>nd</sup> alone. That roughly is 1 in every 4 Covid cases.

Since the first day of school on August 11<sup>th</sup>, in Kentucky's two largest school districts, Jefferson County and Fayette County, we have had 2,600 students in JCPS

and 1,121 students in FCPS test positive for COVID 19. They have had 12,212 (JCPS) and 7,208 (FCPS) in quarantine. While there is every indication that the mask mandate will stand in those two districts, thanks to the dedication of their Superintendent and elected officials of the Board of Education, the numbers are still staggering. We have had 40 school districts forced to close due to Covid within a month with the statewide mask mandate in place. The concern becomes what happens when that statewide mandate goes away.

A direct quote from *Rose vs Council for Better Education* is as follows” In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.” That was in 1989, where the Kentucky Supreme Court declared Kentucky Education System unconstitutional based off Section 1, 3 and 183 of the Kentucky Constitution. While this court case originated because of the lack of funding and fair education based on location and income, parts could easily be applied with the passing of SB 1 from the Kentucky Legislative Special Session.

In 1989, the Court listed eight conclusions including a few that would still apply to the current events “3. The system of common schools must be efficient. 5. The system of common schools must provide equal education opportunities for all students in the Commonwealth. 8 The system must be equal to and for all students.” The Court went on to say that “The premise for the existence of common schools is that all children in Kentucky have a constitutional right to an adequate education.” Kentucky’s legislators, in this special session, failed to keep in mind the above listed conclusions and the constitutional right of all students.

Over 30 years later we are still advocating and fighting for the rights of *all* Kentucky students.