

POLICY AND PROCEDURE MANUAL
of the
OLDHAM COUNTY
BOARD OF EDUCATION
Crestwood, Kentucky

As required by law, the District does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), genetic information, disability, age, or limitations related to pregnancy, childbirth, or related medical conditions in its programs and activities and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

THIS MANUAL IS THE PROPERTY OF THE OLDHAM COUNTY BOARD OF EDUCATION.

Policy Manual No. _____

Location: _____

PREFACE

KSBA Codification System. The KSBA Codification System is designed to be accessible while retaining the flexibility for adding or deleting policy. The two digits before the decimal point refer to the major section, and the digits after the decimal refer to the policy as it falls sequentially in the general outline. For example, 03.1231 breaks down thusly:

03. refers to Personnel

03.1 refers to Certified Personnel

03.12 refers to Compensation and Benefits

03.123 refers to Leaves and Absences

03.1231 Personal Leave

Format of Policy. Each policy is printed on a separate page with the code in the upper right-hand corner. Policy pages are numbered as "page 1 of 1, page 1 of 2, etc." Therefore, amendment of one policy does not entail the retyping of several pages; and the superseded policy may easily be removed and replaced with the amended policy.

The most recent date of Board action (either adoption or amendment) and the Board order number authorizing the last amendment will be printed at the end of each policy:

Adopted/Amended: _____

Order # _____

Outline and Indexes. Each manual features a topical (Codification) outline, a Policy Index, and a Statute Index. A complete Codification Outline for the entire manual is located in the front of the manual; a Codification Outline for each chapter is placed at the beginning of the corresponding chapter. The Policy Index, which is also located in the front of the manual, is an alphabetical listing of your District's policies by title. Used in conjunction or separately, the Codification Outline(s) and the Subject Index enable quick access to any policy in question. The Statute Index is a generic document designed to be used as a general reference and may contain policy areas not included in your manual. Outline and index pages are printed on ivory paper to differentiate them from Board policy which is printed on white paper.

KSBA POLICY SERVICE UPDATE CHECKLIST

Oldham County

When adopted by the Board, this POLICY MANUAL was current through KSBA Update #18. This is a current checklist. The last update has been checked for you. Please place this checklist in the front of your manuals.

_____ Update No. 1	<u>✓</u> Update No. 21	<u>✓</u> Update No. 41
_____ Update No. 2	<u>✓</u> Update No. 22	<u>✓</u> Update No. 42
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_____ Update No. 5	<u>✓</u> Update No. 25	<u>✓</u> Update No. 45
_____ Update No. 6	<u>✓</u> Update No. 26	<u>✓</u> Update No. 46
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Oldham County Schools

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161.134	03.121
161.141	01.914
161.145	03.211
161.148	03.6
161.151	03.15/03.25
161.152	03.1232 03.1236/03.2236
161.153	03.1237/03.2237
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161.1590	01.0
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161.180	03.1161/03.2141 03.5 09.221 09.223 09.3 09.35 09.4 09.42 09.423 09.4232 09.43

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161.210	09.14
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161.500	08.3
161.540	03.122 03.175
161.545	03.175
161.555	03.175
161.560	03.175
161.600	03.175
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161.611	03.11 03.4
161.662	03.1234
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161.635	03.175
161.720	03.1 03.115
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KRS	POLICY
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161.810	03.112 03.115
161.990	01.21 03.1324/03.2324

KRS	POLICY
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162.090	04.5 05.1
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162.300	04.5 05.1
162.360	04.5 05.6
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164A.575	04.32
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171.420	01.61 04.41
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171.710	01.61
171.720	01.61
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189.635	06.23
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311.666	05.4
311.667	05.4
311.668	05.4
311.689	05.4
322.360	05.1
335B.020	03.11/03.21
336.134	03.1211/03.2211
337.070	03.121/03.221
337.285	03.221
339.210 339.220 339.230 339.360	09.1221
341.050 342.630	03.124

KRS	POLICY
342.730	03.124/03.224 03.1241/03.2241
Chapter 344	01.1 03.113 03.133/03.233 03.162/03.262 03.212 03.27
365.732	08.2323 09.14
367.515	09.33
365.734	08.2323 09.14
403.720	03.13253/03.23253 09.425
405.025	09.421
405.028	01.0
405.435	03.11/03.21
411.148	05.4
415.050	01.21
415.060	01.21
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424.230	04.91
424.250	04.1
424.260	04.33 05.1 07.13
438.050	03.1327/03.2327 05.31 06.221 09.4232 10.5
438.305	03.1327/03.2327 05.31 06.221 09.4232 10.5
438.345	03.1327/03.2327 05.31 06.221 09.4232 10.5
438.350	03.1327/03.2327 05.31 06.221 09.4232 10.5

KRS	POLICY
456.010	03.13253/03.23253 09.425
500.080	05.48
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503.050	09.2212
503.070	09.2212
503.080	09.2212
503.110	09.2212 10.2
508.075 508.078	05.43 05.48 09.425
508.125	09.2211 09.227
508.150	09.422
508.180	09.422
518.090	05.45 10.21
525.070	05.48 09.2211 09.438
525.080	09.2211 09.422 09.425 09.4261 09.438
527.020	05.48
527.070	09.2211
527.080	09.2211
531.335	09.436
600.020	09.227 10.5
600.070	09.14
610.320	09.14
610.340	09.14
610.345	09.14 09.43
620.030	03.13253/03.23253 08.14 09.2211 09.227 09.425
620.040	09.227
620.050	09.227
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KRS	POLICY
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Oldham County Schools

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Powers and Duties

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Definitions

The following expressions are defined with respect to their intended meanings in the context of this manual:

POLICIES

An expression of the will of the elected Board of Education or the school council. Although other statutes may have Board policy implications, the general scope of Board policies is defined by KRS 160.290 and KRS 160.340. The scope of council policies is defined by KRS 160.345. Board policies cover the general management and governance of school district operations and functions. Within the parameters of the District's legal authority, violations of policy may provide grounds for administrative response or action as relates to students, District employees, parents, and members of the community, but such policies are not intended to heighten standards of care, establish grounds for liability or create rules for immunities enjoyed by defendants in civil judicial actions against the Board, its members, District employees, officers, or volunteers.

ADMINISTRATIVE REGULATIONS

References such as "State Board regulations", "state regulations", and "administrative regulations" shall mean Kentucky Administrative Regulations (KAR) promulgated by the Kentucky Board of Education.

FULL-TIME/PART-TIME STATUS

Employment status shall be determined in compliance with statute and regulation and shall be defined in the employee's contract.¹

SUPERINTENDENT

Policies that charge the Superintendent with preparing and/or implementing provisions of procedures, plans, or programs for Board review also direct any other employee to whom the Superintendent may delegate such charges.

PRINCIPAL/HEAD TEACHER

In this manual the term principal refers to principal or head teacher as appropriate and includes any other employee to whom the principal or head teacher may delegate responsibility for a specific task.

TEACHER

Except for referenced statutes which specify a different definition for the purposes of those statutes, in this manual the term teacher shall refer to any person, other than the Superintendent, for whom certification is required as a basis for employment.

HUSBAND AND WIFE

The term husband and wife, as used in the policy manual, shall be deemed to include a spouse in a legally recognized marriage unless the context otherwise requires.

PARENT OR GUARDIAN

Parent, as used in the policy manual, means parent, legal guardian, or other person authorized by law to act as a parent as the context requires.

GENDER

Unless otherwise noted, all gender references include both male and female.

Definitions**CHILDREN AND YOUTH WITH DISABILITIES**

In compliance with federal law and unless otherwise indicated, use of the terms "handicapped/special education/exceptional" shall refer to children and youth with disabilities.

SCHOOL NUTRITION PROGRAM

Use of the term "food service" shall also refer to the District's School Nutrition Program.

STUDENT ATTENDANCE DAY

Unless otherwise noted, use of the term "instructional day" shall have the same meaning as "student attendance day".

HEALTH PROVIDER

Unless otherwise noted, the terms "health care provider" and "health care practitioner" have the same meaning.

CHARTER SCHOOL

Use of the term "charter school" means a public charter school.

CHARTER SCHOOL AUTHORIZER

A local board of education as defined in KRS 160.1590.

KENTUCKY PUBLIC PENSIONS AUTHORITY

Use of the terms Kentucky Retirement System (KRS) or County Employees' Retirement System (CERS) includes the Kentucky Public Pensions Authority (KPPA).

RELATED POLICIES

The listing of related policies at the bottom of a document is a generic list and may include some policy numbers that this manual does not contain.

REFERENCES

Legal references listed in this manual, such as state and federal statutes and regulations, Kentucky Attorney General Opinions, and court cases are provided as a tool for additional research and are not intended to be viewed as a complete listing of legal resources applicable to a particular topic.

REFERENCES:

¹KRS 157.320; 102 KAR 1:036; 702 KAR 1:035
KRS 78.510 – KRS 78.852
KRS 158.144; KRS 160.1590
KRS 160.290; KRS 160.340; KRS 160.345; KRS 405.028
701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040
702 KAR 6:010; 702 KAR 6:020; 702 KAR 6:040
702 KAR 6:075; 702 KAR 6:090

Adopted/Amended:
Order #:

Legal Status of the Board**CORPORATE POWERS**

1. The school district is under the management and control of the Board of Education consisting of five (5) members.
2. The Board is a body politic and corporate with perpetual succession.
3. The Board shall be known as the “Board of Education of Oldham County, Kentucky.”
4. The Board may sue and be sued; make contracts; expend funds necessary for liability insurance premiums and for the defense of any civil action brought against an individual Board member in his official or individual capacity, or both, on account of an act made in the scope and course of his performance of legal duties as a Board member; purchase, receive, hold, and sell property; issue its bonds to build and construct improvements; and do all things necessary to accomplish the purposes for which it is created.¹

NOTICE OF NONDISCRIMINATION

As required by law, the District does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), genetic information, disability, age, or limitations related to pregnancy, childbirth, or related medical conditions in its programs and activities and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

Notice of the name, work address and telephone number of the Title IX Coordinator and the Section 504 Coordinator for the District shall be provided to employees, applicants for employment, students, parents/guardians, and other beneficiaries such as participants in activities offered to the public.

WEBSITE ACCESSIBILITY

The District is committed to ensuring accessibility of its website for students, employees, visitors, and members of the community with disabilities. All pages on the District’s website shall conform to Level AA of the Web Content Accessibility Guidelines (WCAG) 2.0 developed by the World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI), or updated equivalents of these guidelines.

Under District developed administrative procedures, students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 related to the accessibility of any official District web presence which is developed by, maintained by, or offered through the District or third party vendors and open sources.

Legal Status of the Board

REFERENCES:

¹KRS 160.160
KRS 160.370
KRS Chapter 344
Americans with Disabilities Act
Section 504 of the Rehabilitation Act of 1973
Title VI of the Civil Rights Act of 1964
42 U.S.C. 200e, Civil Rights Act of 1964, Title VII
20 U.S.C. 1681, Education Amendments of 1972, Title IX
Genetic Information Nondiscrimination Act of 2008
20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)
Web Content Accessibility Guidelines
Bostock v. Clayton County, Georgia 140 S.Ct. 1731 (2020)
H.R. 1065 (EH) - Pregnant Workers Fairness Act

RELATED POLICIES:

03.113; 03.212; 03.162; 03.262
05.3; 09.13; 09.3211; 09.42811
10.5

Adopted/Amended:
Order #:

General Powers and Duties of the Board

ESTABLISHMENT OF SCHOOLS

The Board has general control and management of the public schools in its district. The Board may establish schools and provide for courses and other services it deems necessary for the promotion of education and the general health and welfare of pupils, consistent with the administrative regulations of the Kentucky Board of Education.¹

CHARTER SCHOOLS

KRS 160.1590 provides for charter school authorization, application, evaluation of applications and contracts with a charter school Board of Directors. Pursuant to this statute and Kentucky Board of Education regulations, the Board may serve as an authorizer for charter schools in the District.

REQUEST FOR WAIVERS AND EXEMPTIONS

The Board may authorize the Superintendent to request, on behalf of the District, a waiver of state regulations and/or reporting requirements established by a Kentucky Revised Statute requiring paperwork to be submitted to the Kentucky Board of Education or the Department of Education as permitted by statute.

When approved as a District of Innovation by the Kentucky Board of Education, the District is to be granted waivers and exemptions from selected Kentucky Administrative Regulations, Kentucky Revised Statutes, and, for a school of innovation, may be granted waivers of certain Board policies. A school may decide whether it voluntarily chooses to be designated as a school of innovation and, thus, be included in the District's application and plan. However, the Board may require a school identified for comprehensive support and improvement under KRS 160.346 to participate in the District's plan of innovation.¹¹

SCHOOL FUNDS AND PROPERTY

The Board has control and management of all school funds and public school property and may use its funds and property to promote public education.¹

ADMINISTRATION

The Board shall exercise generally all powers prescribed by law in the administration of the public school system, appoint the Superintendent of schools, create and abolish positions, establish job classifications, and fix the compensation of employees.¹

MANAGEMENT

The Board may set goals for the District and shall make and adopt and may amend or repeal policies for its meetings and proceedings for the management of the schools and school property of the district, for the transaction of its business, and for the qualifications and duties of employees and the conduct of pupils.

SUBPOENA

The Board may, in any investigation or proceeding before it, concerning a matter that may be a proper subject of inquiry by it, summon witnesses by subpoena, enforce their attendance, and require that they testify under properly administered oath.²

General Powers and Duties of the Board**INSURANCE**

The Board may set aside funds to provide for liability and indemnity insurance against the negligence of the drivers or operators of school buses, other motor vehicles, and mobile equipment owned or operated by the Board.³ The Board may expend funds necessary for liability insurance premiums and for the defense of any civil action brought against an individual Board member in an official or individual capacity, or both, on account of an act made in the scope and course of the performance of legal duties as a Board member.⁴ The Board shall make available liability insurance coverage for the protection of all members of school councils from liability arising in the course of pursuing their duties as members of the councils.⁹

As long as they pay the full cost of premiums required, Board members may choose to participate in any group life insurance¹² or any group medical or dental insurance provided by the District for employees.¹⁰

FREE SUPPLIES

The Board may furnish necessary school supplies free of charge to indigent children in its school district, or to such other children as it deems advisable, under such rules and regulations as it may adopt.

The Superintendent shall recommend and the Board shall approve a process to waive fees for students who qualify for free and reduced-priced lunches. All students who qualify shall be informed in writing of the fee waiver provisions. Mandatory waiver of fees for qualifying students shall be accomplished in compliance with applicable statutory and regulatory requirements.⁵

REPORTS

The Board shall, on forms prepared by the Commissioner of Education and approved by the Kentucky Board of Education, prepare and submit to the Kentucky Board of Education reports on all phases of its school service. It may prepare and publish for the information of the public a report on the progress of its schools.⁶

LEVY OF TAX RATES

As part of the budgetary process, the Board shall levy tax rates in compliance with statutory and regulatory requirements.⁷

POWER TO BORROW FUNDS

The Board may borrow money on the credit of the Board and issue negotiable notes in anticipation of revenues from school taxes and state revenue for the fiscal year in which the money is borrowed, and may pledge the anticipated revenues for the payment of principal and interest on the loan.⁸

CONTRACT WITH CONSULTANTS

The Board may contract for consulting services to provide specialized advice or assistance to the school system concerning educational, management, or administrative matters.⁴

General Powers and Duties of the Board**CONTRACT WITH CONSULTANTS (CONTINUED)**

Any proposed contracts with consultants shall be submitted to the Board for approval and shall be accompanied by figures showing the estimated cost of the consulting project to the District. Where appropriate, the Board may require bids for consulting services to be sought.

Consultants who serve the District shall exercise no authority over District employees, but will act only as advisor in accordance with their contract.

APPLICATIONS FOR GRANTS

Schools, employees, and school-related groups who are applying for grants on behalf of the District or District schools shall send a copy of the completed application to the Superintendent/designee, who shall present the application to the Board with a recommendation for approval or disapproval. Except as provided by law, such applications shall not be submitted until the Board gives its approval.

NATIONAL MOTTO

The Board shall require each elementary and secondary school to display the national motto, "In God We Trust," in a prominent location which means a school entryway, cafeteria, or common area where students are likely to see it. Per KRS 158.195, the display may take the form of, but is not limited to, a plaque or student artwork.

REFERENCES:

¹KRS 160.290

²KRS 160.300

³KRS 160.310

⁴KRS 160.160

⁵KRS 160.330

⁶KRS 160.340

⁷KRS 160.470

⁸KRS 160.540

⁹KRS 160.345

¹⁰KRS 160.280

¹¹KRS 156.108; KRS 160.107; KRS 160.346; 701 KAR 5:140

¹²KRS 18A.205; KRS 18A.210

KRS 116.200; KRS 156.072; KRS 156.160; KRS 158.195

KRS 160.1590; KRS 160.1592; KRS 160.1593; KRS 160.1594; KRS 160.1595

KRS 160.1599; KRS 161.158; KRS 162.010; KRS 416.560

OAG 91-10; OAG 91-122; OAG 95-10; 702 KAR 3:220

RELATED POLICIES:

01.41; 01.5; 01.7

03.124; 03.224; 04.92

Adopted/Amended:
Order #:

Subpoena**SUBJECT:** _____

The _____ Board of Education commands you to appear before

District Name

the Board at _____, _____, KY

*Street Address**City*on _____ at _____ ☐ AM ☐ PM to testify concerning*Month/Day/Year**Time*

the following matter: _____

*Description of Matter*_____
*Signature of Board Chairperson*_____
Signature of Board Secretary

Upon approval of the Board, the Board Secretary may issue subpoenas and the Superintendent may direct them to be served. Subpoenas may be served to any person eighteen (18) years of age or greater. When a student under the age of eighteen (18) is to be served a subpoena, then a parent of that student must be notified prior to serving the student the subpoena. A parent of the student must also be served.

Affidavit

Comes the affiant and after first being duly sworn states as follows:

That I am over 18 years of age, and this subpoena was served by delivery of a true copy to

_____ this _____.

*Name of Person Being Subpoenaed**Month/Day/Year*_____
Affiant's Signature

STATE OF KENTUCKY, COUNTY OF _____

Subscribed and sworn to before me by _____

*Affiant's Name**Month/Day/Year*

My commission expires: _____

*Month/Day/Year**Notary Public*

NOTE: OAG 05-006 states that a Board cannot issue a subpoena in a classified employee personnel hearing.

Review/Revised:

District Planning

PLANNING COMMITTEE

A District planning committee, representative of the community and the school district, shall be appointed by the Superintendent and approved by the Board to develop, review, and revise annually a Comprehensive District Improvement Plan (CDIP) as stated herein. The committee shall include teachers, Principals, council members, other school leaders, paraprofessionals, Central Office administrators, administrators, Board member(s), classified staff, parents, community representatives, and high school students. The Superintendent shall develop, and present to the Board for review, procedures for appointment and training of the planning committee. The Superintendent shall make the procedures known to the community and school personnel.

Selection of committee members shall reflect reasonable minority representation and encourage active minority participation.¹

The Superintendent shall present to the Board for review and approval the form and function of the District planning process, including format and timelines.

PLANNING CYCLE

The District's planning cycle shall follow a process of continuous improvement as data becomes available. The structure of the CDIP shall include completion of a narrative summary of the current state of the school between August 1 and October 1 of each school year and completion of the needs assessment between October 1 and November 1 of each school year. A process for development of the CDIP is to be completed between November 1 and January 1 of each school year, and a District level plan for providing an equitable education to English Learners is to be completed by May 1 of each school year and other components required by state statutes or regulations. Unless otherwise noted, all additional components of the CDIP must be complete by May 1 of each school year.

PLAN REQUIREMENTS

The District seeking Commissioner approval of the nontraditional instruction (NTI) plan shall annually incorporate it within the CDIP. **The District shall submit the NTI plan to the Department by May 1 for implementation at the beginning of the upcoming school term.**

The primary purposes of the CDIP shall be:

- To improve student achievement on state and federal mandated testing/accountability instruments;
- To eliminate achievement gaps among groups of students; and
- To develop District strategies and services to address deficiencies and/or sustain or strengthen current efforts.

The plan structure shall include the components set out in 703 KAR 5:225, the Every Student Succeeds Act of 2015 (ESSA), and KRS 158.649.

The plan shall be updated on an annual basis, provide assistance in reducing physical, mental health, and academic barriers to learning, and address student equity.

Planning activities shall draw on information from a variety of sources that shall include an opportunity for parents and other citizens of the community to have input into the plan.

District Planning**PLAN REQUIREMENTS (CONTINUED)**

As part of the District planning process, the Board shall review District academic performance on the state assessments for various groups of students in compliance with legal requirements. Upon agreement of the council, or the Principal if there is not a council, and the Superintendent, the Board shall establish an annual target for each school for reducing identified gaps in achievement.²

If the Board determines that a school has not met its target to reduce the identified gap in student achievement for a group of students, the Board shall require the council, or the Principal if no council exists, to submit its revisions to the school improvement plan describing the use of professional development funds and funds allocated for continuing education to reduce the school's achievement gap for review and approval by the Superintendent. The plan shall address how the school will meet the academic needs of the students in the various gap groups.

PUBLIC REVIEW

The plan shall have public review prior to presentation to the Board for final adoption. Opportunity for public and school staff review shall be provided for a period of at least two (2) weeks and shall be advertised in the newspaper of the largest circulation in the District, or as an alternative, post the plan on the District web site and provide for electronic review and feedback.

BOARD APPROVAL

The plan shall be completed between November 1 and January 1 of each school year and presented to the Board for approval. If revisions are needed, the District planning committee shall forward proposed revisions to the Superintendent. Revisions must reflect requirements of Every Student Succeeds Act of 2015 and KRS 158.649. All recommendations for revisions require approval by the Board.

The Superintendent shall submit required assurances to the Kentucky Department of Education no later than September 30 of each year.

IMPLEMENTATION

The District shall maintain a copy of each plan permanently and, consistent with the District's planning cycle, post the current plan on the District's web site.

The plan shall serve as a resource for Board decision making.

SCHOOL PLANS

The District plan shall be broad enough to allow each school to develop its own plan, within the goals and objectives of the District.

DISTRICT REPORT CARDS

The District shall post the District report card on its website, as required by ESSA. District report cards shall be widely accessible to the public, in an understandable and uniform format, and when possible, written in a language that parents can understand.

As outlined in KRS 160.463, a copy of the report card is to be publicized by one of the following methods:

- a. In the newspaper of the largest general circulation in the county;
- b. Electronically on a website of the District; or

District Planning**DISTRICT REPORT CARDS (CONTINUED)**

- c. By printed copy at a prearranged site at the main branch of the public library within the District.

If b or c above is selected, the Superintendent shall cause notification to be published in the newspaper with the largest circulation in the county that includes the electronic address of the website or the address of the library where the report card can be viewed by the public.

The District shall send a District report card to parents containing information about performance as outlined in KRS 158.6453 and 703 KAR 5:140, and information on electronic access to a summary of the results for the District shall be published in the newspaper with the largest circulation in the county.

REFERENCES:

¹KRS 156.500

²KRS 158.649

KRS 158.070; KRS 158.6453; KRS 160.290; KRS 160.340; KRS 160.345; KRS 160.463
701 KAR 5:150; 703 KAR 5:140; 703 KAR 5:225; 703 KAR 5:280; 704 KAR 3:395
P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

02.44; 02.441; 02.442; 04.1; 09.21

Adopted/Amended:
Order #:

District Planning Committee

SCHOOL YEAR _____

MEMBERS APPOINTED BY THE SUPERINTENDENT:

Student(s)	Parent(s) ¹	Community Representative(s) ¹	Board Member(s) ²	Council Member(s)	Other School Leader(s) ³	Teacher(s)	Paraprofessional(s) ³	Principal(s)	Central Office Administrator(s)	Other Administrator(s) ³	Classified Staff

¹The Board may propose to the Superintendent candidates to serve as community and parent representatives.²The Board shall select its representative(s) to the committee.³Additional input as required by Every Student Succeeds Act.

COMMITTEE APPOINTMENTS APPROVED BY THE BOARD ON _____

*Date***ORIENTATION/TRAINING**

Orientation and/or training was provided to committee members on the following topics:

Areas	Facilitator/Trainer	Date(s) Provided
<input type="checkbox"/> Appropriate stakeholder input into the development and review of the plan		
<input type="checkbox"/> Planning skills to assist in developing required plan provisions		
<input type="checkbox"/> Identifying sources of assistance to address reduction of physical and mental health barriers to learning and established gap targets		
<input type="checkbox"/> Including plan elements required by ESSA		
<input type="checkbox"/> Other:		

As appropriate, the Superintendent shall provide the committee with pertinent District data, including but not limited to: student academic performance and noncognitive data, the school facilities plan prepared by the Local Planning Committee, and the most recent annual school report card.

District Planning Committee**PROCESS GUIDELINES**

Consistent with requirements of 703 KAR 5:225 and ESSA, the Committee shall:

1. *Identify data to be collected and analyzed to determine causes and contributing factors*, which must include an annual review of disaggregated student assessment data and a standards-based process for measuring organizational effectiveness.
2. *Review gap targets* established by the Board.
3. *Conduct a needs assessment* between October 1 and November 1 that includes, but is not limited to:
 - A description of the data reviewed and process used to develop the needs assessment;
 - A review of the previous plan and its implementation to inform development of the new plan;
 - Perception data gathered from the administration of a valid and reliable measure of teaching and learning conditions; and
 - Any additional requirements made necessary by the receipt of federal funds authorized by the Elementary and Secondary Education Act.
4. *Use the reporting structure required* by Kentucky Administrative Regulation.
5. *Develop goals, objectives, strategies, and activities* to enhance student achievement based on the needs assessment and analysis, which shall include targets or measures of success, timelines, persons responsible, and a budget that addresses funding and other resources needed.
6. *Schedule a public meeting* at which the information is discussed by various stakeholders (Board and council members, students, District staff, and citizens).
7. *Conduct required implementation and impact checks* each year to evaluate plan activities and achievement of plan goals and objectives, with results to be reported to the Board.

The Committee also shall provide information and updates, as directed by the Superintendent/designee, to promote communication and coordination between the District Planning Committee and school councils.
8. *Schedule a review and update* of the plan at least once a year.
9. *Submit updated plan* to Superintendent and Board, school staff, school councils, and the community for review and comment as directed by Policy 01.111.
10. *Maintain copies of the plan* permanently and other documentation to illustrate compliance with state and federal requirements.

The format of the District plan shall be consistent with parameters set forth in the eProve platform.

Review/Revised:

Board Member Qualifications**ELIGIBILITY**

Board member qualifications are established by applicable provisions of the Kentucky Constitution and Kentucky Statutes. These specific provisions prevail over the following general description. To be eligible for membership on the Board, a person must meet the following qualifications:¹

1. Has attained the age of twenty-four (24) years;
2. Has been a citizen of Kentucky for at least three (3) consecutive years preceding his/her election;
3. Is a legally qualified voter of the division or district (in the case of independent school districts) for which s/he is elected;²
4. Has completed at least the twelfth grade or has been issued a High School Equivalency Diploma;
5. Cannot hold any elective federal, state, county, or city office, serve as an officer or employee of a city or county, hold a federal office of “trust or profit,” or serve as an appointed officer of a special purpose governmental entity with taxation authority unless specifically authorized by statute;
6. As of the date of election, has no interest, direct or indirect, in the sale to the Board of books, stationery or any other property, materials, supplies, equipment, or services for which school funds are expended;
7. Has never been removed from membership on a Board of Education for cause; and
8. Has no relative, as defined in KRS 160.180, employed by the District. This prohibition does not apply to a member holding office on July 13, 1990 who has a relative who was initially employed by the District before the member was elected to the Board.

A Board member shall be eligible for reelection unless s/he becomes disqualified.

REFERENCES:

¹Kentucky Constitution Sections 165, 237; KRS 61.080; KRS 160.180

²Moore v. Tiller, KY., 409 S.W. 2d 813 (1966)
OAG 18-018; OAG 80-234; OAG 88-35

Adopted/Amended:
Order #:

Board Member Disqualifications**CONFLICT OF INTEREST**

If, after the election of any member of the Board, s/he becomes interested in any contract with or claims against the Board, or if s/he moves his/her residence from the district for which s/he was chosen, or if s/he attempts to influence the hiring of any District employee except the Superintendent, Board Attorney, Board Secretary, or Board Treasurer, or if s/he does anything that would render one ineligible for re-election, s/he shall be subject to removal from office pursuant to KRS 415.050 and KRS 415.060.¹

IRREGULAR ATTENDANCE

Any Board member failing to attend three (3) consecutive regular meetings, unless excused by the Board for reason satisfactory to it, shall be removed from office pursuant to KRS 415.050 and KRS 415.060.²

SOLICITATION OF SERVICE

No candidate for the Board shall solicit or accept any political assessment, subscription, contribution, or service of any District employee.³

RESIGNATIONS OR REMOVAL

A Board member who does not meet eligibility standards does not automatically lose his/her position on the Board and his/her acts are valid until s/he either resigns or is removed by action taken by the Attorney General.

REFERENCES:

¹KRS 160.180

²KRS 160.270

³KRS 161.164

KRS 61.080; KRS 62.010

KRS 161.990; KRS 415.050; KRS 415.060

OAG 65-211; OAG 83-369; OAG 85-145; OAG 88-35; OAG 90-141; OAG 92-145

Adopted/Amended:

Order #:

Board Vacancy**APPOINTMENT**

Any vacancy on the Board shall be filled by a majority vote of the remaining members of the Board within sixty (60) days after the vacancy occurs. Within thirty (30) days of the vacancy, the Board shall, for two (2) weeks, solicit applications by posting a notice on the District's website and place an advertisement for two (2) weeks in the newspaper of the largest general circulation in the county to solicit applications.

An applicant shall file a letter of intent with the Board affirming that s/he meets the legal qualifications for the office as established by KRS 160.180. In addition, the applicant shall submit a transcript as evidence of completion of the twelfth (12th) grade or results of a twelfth (12th) grade equivalency exam.

The Board shall select from the applicants who complete this process. Discussions that may lead to the appointment of an individual to fill the vacancy may take place in closed session. Such discussions may include individual interviews and consideration of individual applicants.¹ Final action to fill the vacancy shall be taken in open session.

As the executive agent of the Board, the Superintendent shall provide written notice to the following parties when a vacancy occurs or is expected to occur and also when a vacancy has been filled or has not been filled within the sixty (60) day timeline:

- Kentucky Secretary of State;
- _____ County Clerk;
- Commissioner of Education; and
- Kentucky School Boards Association.

If the Board fails to make the appointment within the subject sixty (60) day timeline, then the Commissioner of Education shall fill the vacancy within sixty (60) days of the Board's failure to appoint. The member, meeting the legal requirements to fill the vacancy, shall hold office until his/her successor is elected and has qualified.

ELECTION

Any vacancy having an unexpired term of one (1) year or more on August 1 shall be filled for the unexpired term by an election to be held at the next regular election after the vacancy occurs. The elected member shall succeed the member chosen by the Board or the Commissioner of Education to fill the vacancy.

If no candidate files a petition of nomination to fill this unexpired term, then a new vacancy shall exist on November 1 and that vacancy shall be filled by the Board as prescribed by law.

If no candidate files a petition of nomination for a new term pursuant to KRS 118.315 and KRS 118.365, then a vacancy shall exist on January 1 and that vacancy shall be filled by the Board as prescribed by law.²

Board Vacancy

REFERENCES:

¹KRS 61.810; The Courier Journal and Louisville Times Company and Keith Runyon v. University of Louisville Board of Trustees, et. al, 596 S.W. 2d 374 (1979)

²KRS 160.190

KRS 118.315; KRS 118.365; KRS 160.180

OAG 81-316

RELATED POLICY:

01.2

Adopted/Amended:
Order #:

Board Vacancy Forms**FORM TO PROVIDE NOTICE THAT A VACANCY EXISTS:**

Date: _____

To Whom it May Concern:

A vacancy exists on the _____ Board of Education, as of _____,¹ in the seat [Division # _____ (*for county school systems*) or the District at large (*for independent school systems*)] formerly held by _____. The unexpired term for this seat is set to end on _____. The Board will proceed to appoint an individual to fill this seat for the unexpired term pursuant to KRS 160.190 and Board Policy 01.3.

Sincerely,

Superintendent/Board Secretary

cc: Secretary of State, State Capitol, 700 Capital Ave., Room #152, Frankfort, KY 40601

_____ County Clerk

Commissioner of Education, Kentucky Department of Education, 300 Sower Blvd.,
Frankfort, KY 40601

Director of Board Team Development, KSBA, 260 Democrat Dr., Frankfort, KY 40601

REFERENCE:¹OAG 81-316

Board Vacancy Forms**SAMPLE NEWSPAPER ADVERTISEMENT ANNOUNCING A BOARD VACANCY****NOTICE OF VACANT _____ BOARD OF EDUCATION SEAT**

The _____ Board of Education ("Board") is seeking applications for appointment to fill a vacancy on the Board representing seat [Division # ____ (*for county school systems*) or the District at large (*for independent school systems*)]. This appointment will be effective until the November ____ regular election (use if the next November regular election is scheduled more than one [1] year prior to end of the remaining term) or the end of the term in ____ (use if the next November regular election is scheduled one [1] year or less prior to end of remaining term).

Responsibilities include: setting policy to govern the District; hiring/evaluating the Superintendent; and levying taxes and adopting the District budget. Board members must:

- Be at least 24 years old and a Kentucky citizen for the last three years;
- Be a registered voter in the particular District of the vacancy;
- Have completed the 12th grade or have a GED certificate;
- Meet all other legal qualifications (KRS 160.180); and
- Complete required annual in-service training.

Applications are available at _____ or online at _____. Mail applications to: Superintendent, ATTN: Board Vacancy, _____, _____, KY _____.

Board Vacancy Forms

FORM TO PROVIDE NOTICE THAT VACANCY HAS BEEN FILLED BY THE BOARD:

Date: _____

To Whom it May Concern:

Pursuant to KRS 160.190, and Board Policy 01.3, the _____ Board of Education, by vote of the Board on _____, has appointed _____ to fill the vacancy created on _____ in the seat [Division # ____ (*for county school systems*) or the District at large (*for independent school systems*)] formerly held by _____.

The appointment is effective immediately. _____'s address is _____

and email address is _____.

The term for this appointment will end on _____.

Sincerely,

Superintendent/Board Secretary

cc: Secretary of State, State Capitol, 700 Capital Ave., Room #152, Frankfort, KY 40601

County Clerk
Commissioner of Education, Kentucky Department of Education, 300 Sower Blvd.,
Frankfort, KY 40601
Director of Board Team Development, KSBA, 260 Democrat Dr., Frankfort, KY 40601

Board Vacancy Forms**FORM LETTER TO NEWLY APPOINTED MEMBER, ON DISTRICT LETTERHEAD:**

Date: _____

Mr./Ms. _____

_____, KY _____

Dear Mr./Ms. _____:

Pursuant to KRS 160.190, and Board Policy 01.3, the _____ Board of Education, by vote of the Board on _____, has appointed you to fill the vacancy created on _____ in the seat [Division # _____ (*for county school systems*) or the District at large (*for independent school systems*) formerly held by _____. The appointment is effective immediately. Upon being duly sworn in, you may assume the duties of the office.

The term of this appointment is set to end _____. Pursuant to KRS 160.190, this seat will be open to election in the November _____ general election. The _____ County Clerk should be consulted for election and candidacy filing information regarding this seat.

All new local Board of Education members must receive a minimum of twelve (12) hours of in-service training annually, per KRS 160.180 and 702 KAR 1:115, on a calendar year basis. These hours shall include certain mandated topics of ethics, finance, and Superintendent evaluation, as well as on various other topics such as Board member roles and responsibilities, and the Board's role in student achievement. Additionally, when the Board, or a collaborative of local school boards including the Board, receives a charter school application, any member of the Board or boards who has not received charter authorization training within twelve (12) months immediately preceding the date the application was received shall receive six (6) hours of in-service training prior to evaluating the charter application. This requirement is separate from, and in addition to, the training required by KRS 160.180. Depending on the date of appointment, special provisions may apply.

The Kentucky School Boards Association (KSBA) provides local Board member in-service training, and maintains the legal records relating to required Board member training completion. KSBA makes efforts to offer training courses that will meet legal requirements for both general training and charter authorizer training. KSBA will contact you soon to begin scheduling training for the current calendar year. You may contact KSBA by calling 1-800-372-2962.

Sincerely,

Superintendent/Board Secretary

cc: Secretary of State, State Capitol, 700 Capital Ave., Room #152, Frankfort, KY 40601

_____ County Clerk

Commissioner of Education, Kentucky Department of Education, 300 Sower Blvd.,
Frankfort, KY 40601

Director of Board Team Development, KSBA, 260 Democrat Dr., Frankfort, KY 40601

Board Vacancy Forms

RELATED PROCEDURE:

01.3 AP.21

Review/Revised:

Application for Board Vacancy

Name of School District: _____			
[Division # ____ (for county school systems) or the District at large (for independent school systems)]			
Name: _____			Birthdate: _____
Last	First	MI	
Address: _____			
Street or Box #		State	Zip Code
Telephone: _____			
Business		Home	Cell
Email Address: _____			

1. Have you been a citizen of Kentucky for a minimum of at least the last three (3) years? ☐ Yes ☐ No
2. Are you registered to vote in the Division (in the case of a county school District) or District (in the case of an independent school District) you wish to serve? ☐ Yes ☐ No
3. Are you an officer of, or employed by, any city, county, consolidated local government, or other municipality? ☐ Yes ☐ No
If yes, please identify. _____
4. Does the School District where you reside presently employ you? ☐ Yes ☐ No
5. Do you have any relatives employed by the District? ☐ Yes ☐ No
If yes, please indicate their relationship to you:
☐ Brother ☐ Sister ☐ Husband ☐ Wife ☐ Son ☐ Daughter ☐ Father ☐ Mother
☐ Other _____
6. Have you ever been a member of any local Board of Education in Kentucky? ☐ Yes ☐ No
If so, which District _____ and when _____?
7. Do you currently hold any elective federal, state, county, or city office? ☐ Yes ☐ No
If yes, please identify. _____
8. Do you own or are you a stockholder in a business involved in sales or other contracts with the Board or with individual schools of the District? ☐ Yes ☐ No
If yes, please identify. _____
9. Do you work for a company that provides any goods or services to the District or with the individual schools of the District? Do you receive any commissions or other benefits as a result of any contracts or business with the District? ☐ Yes ☐ No
If yes, please describe. _____
10. Have you ever been fined or convicted for violation of any law? Are you now facing any charges for any violation of law? ☐ Yes ☐ No
If yes, please describe. _____

Application for Board Vacancy

11. Do you serve on any county, city, or joint agency government boards? ☐ Yes ☐ No
If yes, please describe. _____
12. Do you currently hold a leadership position with any organization that provides financial support or raises funds in the name of the District, a school in the District, or students of the District? ☐ Yes ☐ No
13. Have you completed at least the twelfth (12th) grade or been issued a High School Equivalency Diploma? ☐ Yes ☐ No

14. Please circle the highest level of formal education you have completed:

GRADE SCHOOL	HIGH SCHOOL	COLLEGE	GRADUATE SCHOOL
1 2 3 4 5 6 7 8	9 10 11 12	1 2 3 4	1 2 3 4

Note: Application must include a transcript evidencing completion of the twelfth (12th) grade, or, if appropriate, the results of a twelfth (12th) grade equivalency examination.

High School Attended	Address	Dates Attended/Graduated
----------------------	---------	--------------------------

College/University Attended	Address	Dates Attended/Degree
-----------------------------	---------	-----------------------

Graduate Schools Attended	Address	Dates Attended/Degree
---------------------------	---------	-----------------------

15. List schools or school related activities in which you are currently involved or with which you have had previous involvement: _____

16. Work Experience (Please provide employment history and attach current resume.)

a. _____
Current Employer Address

Date of Employment	Duties
--------------------	--------

b. _____
Previous Employer Address

Date of Employment	Duties
--------------------	--------

c. _____
Previous Employer Address

Date of Employment	Duties
--------------------	--------

Application for Board Vacancy

17. Please describe why you are interested in serving on the local Board of Education:

18. Please describe the benefits that you believe strong public schools bring to a community:

Application for Board Vacancy

19. Please describe one (1) goal or objective that you think the local Board of Education should seek to complete during your service on the Board:

Note: Board members must complete annual in-service training as required by law.

This application constitutes my letter of intent to seek appointment to the Board under KRS 160.190, and I hereby affirm that to the best of my knowledge the information being submitted on this application and any required attachments thereto is accurate and that I am eligible to be appointed to the Board under law.

Signature: _____ Date: _____

Application for Board Vacancy

COUNTY CLERK'S CERTIFICATION

RESIDENCE AND VOTER REGISTRATION FOR SCHOOL BOARD APPOINTMENT

COUNTY CLERK: Please complete this form as it applies to the legal residence status of the applicant for school board appointment.

_____ who resides at _____
Name Address

is a resident and registered voter in _____ School District
[Division # ____ (*for county school systems*) or the District at large (*for independent school systems*).]

Certified by: _____

_____ County Clerk's Office Date: _____

NOTE: This form must be completed by the County Clerk and returned to Central Office along with the other four (4) pages of the application.

RELATED PROCEDURE:

01.3 AP.2

Review/Revised:

Meetings

QUORUM

A majority of the Board shall constitute a quorum for the transaction of business.¹

MAJORITY VOTE

A concurring vote of a majority of the full Board is necessary to take any particular action, unless otherwise specified by statute.²

ABSTENTIONS

Members of the Board who are present but abstain from voting are considered as acquiescing with the majority.²

REFERENCES:

¹KRS 160.270 (1)

²OAG 82-374; Payne v. Petrie, Ky., 419 S.W. (2d) 761 (1967)

OAG 88-35

OAG 92-77

OAG 92-136

03-OMD-006

Adopted/Amended:

Order #:

Organizational Meetings

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

The first meeting in January shall be an organizational meeting for the purpose of electing a chairman and vice-chairman.

TERM OF OFFICE FOR CHAIRMAN AND VICE-CHAIRMAN

The Chairman and Vice-Chairman shall serve one (1)-year terms beginning immediately following their election.

REFERENCE:

KRS 160.160

Adopted/Amended:
Order #:

Duties and Responsibilities of Chairperson and Vice-Chairperson

1. The chairperson of the Board shall preside at meetings.
2. The chairperson may appoint special committees.
3. The chairperson may call special meetings of the Board.¹
4. The chairperson may make or second motions and vote on motions.
5. The chairperson shall countersign all orders of the Board² (including contracts and reports as required by law).
6. When outside agencies send communications and notifications only to the chairperson, s/he shall bring before the Board information intended for all Board members.
7. The vice-chairperson shall perform the duties of the chairperson in his/her absence.

REFERENCES:¹KRS 160.270²KRS 160.440

Adopted/Amended:
Order #:

Board-Appointed Committees

The Board will function and act as a body of the whole. However, the Board may be helped or aided by special committees.

The chairperson may recommend, with the approval of the majority of the Board, committee(s) to perform various functions.

1. Committee(s) may be terminated at any time by a majority vote of the membership of the Board.
2. Committee(s) will follow instructions given to them by the Board.
3. If the committee is required by state or federal law, its composition and appointment shall meet all the guidelines established for that purpose.
4. Committees shall be instructed as to:
 - a) The purpose to be served.
 - b) The length of time each member is being asked to serve.
 - c) The resources the Board will provide.
 - d) The date the Board wishes to receive the report.

RELATED POLICY:

10.2

Review/Revised:

Duties and Responsibilities of the Secretary**RECORDS**

The secretary shall keep the records of the Board and perform other duties imposed by the Board. All orders of the Board must be signed by the secretary and countersigned by the chairperson of the Board. The secretary shall be custodian of all securities, documents, title papers, and other papers of the Board under such conditions as the Board may direct. The secretary, when other than the Superintendent, shall make all records of the Board available to the Superintendent and the Board at any time upon request of the Superintendent or the Board.¹

MEETINGS

The secretary shall be present at the meetings of the Board except when the tenure, salary, or the administration of the office is under consideration and shall record in a book provided for that purpose all its official proceedings, which shall be a public record open to inspection unless otherwise exempted from inspection by law.²

DESIGNATION OF SECRETARY

The secretary shall not be a member of the Board. The Board may appoint the Superintendent as secretary. However, if appointed secretary by the Board, the Superintendent shall not receive compensation in addition to that received for serving as Superintendent. If a person other than the Superintendent is appointed, the Board may fix a reasonable salary for the secretary.

The secretary may be appointed to a term ranging from one to four (1-4) years.

REFERENCES:

¹KRS 160.440

²KRS 160.270

Adopted/Amended:
Order #:

Job Description for Secretary to the Board

Reports to Board of Education

QUALIFICATIONS

1. Holds certificate, license, or other credentials, as appropriate.
2. Has general knowledge of Kentucky school law and Kentucky Board of Education regulations.
3. Works well in stressful situations and ethically handles confidential material.

JOB RESPONSIBILITIES

The Secretary shall be custodian of all securities, documents, title papers, and other papers of the Board under such conditions as the Board may direct.

ADDITIONAL RESPONSIBILITIES

The Secretary shall:

1. Give and publish all legal and public notices as required by law.
2. Attend all meetings of the Board except when the Secretary's tenure, salary, or the administration of the office is under consideration.
3. Keep full and accurate minutes of all meetings of the Board and distribute a copy of such minutes to each member of the Board prior to the next regular meeting.
4. Assist in the preparation of agenda items and supporting documents to be considered at each Board meeting and distribute both to Board members prior to each meeting.
5. Communicate with legal advisors, consultants, and staff members as directed.
6. Perform other tasks assigned by the Board.

RELATED POLICIES:

01.42

01.45

Review/Revised:

Duties and Responsibilities of the Treasurer**BOND**

The treasurer shall execute an official bond for the faithful performance of the duties of the office, to be approved by the local Board and the Commissioner of Education. The bond shall be guaranteed by a surety company authorized to do business in this state and shall be in an amount determined by the Board in accordance with the administrative regulations of the Kentucky Board of Education. The premium on the bond shall be paid by the Board and a copy filed with the Commissioner of Education.¹

DESIGNATION OF TREASURER

The Board shall elect a treasurer for the Board. The Board may elect the secretary to serve as treasurer. The Board may remove the treasurer from office at any time for cause by a vote of a majority of the members of the Board.

DEPOSITS

The treasurer shall receive all monies to which the Board is entitled by the Constitution or by the statutes, except as otherwise provided by law, or which may in any way come into its possession, and deposit such funds in the properly designated depository. The treasurer shall withdraw such funds from the depository only upon proper order of the Board.¹

ACCOUNTS

The treasurer shall keep a full and complete account of all funds in such manner and make such reports concerning them as is required by the Board or by the Kentucky Board of Education. The treasurer shall preserve all records relating to the transactions and duties of the office and turn them over to a successor along with all public funds on hand and all accounts and records after due and proper audit is made by a competent outside agent when s/he is required to do so by the Board.¹

PAYMENTS

The treasurer shall issue checks on the depository for payment of all legal claims, which have been authorized for payment in accordance with policies previously adopted by the Board and approved by the Commissioner of Education.¹

REFERENCES:

¹KRS 160.560
KRS 160.613; KRS 160.614; KRS 160.615; KRS 160.621
KRS 160.625; KRS 160.627; KRS 160.635; KRS 160.637
702 KAR 3:080

RELATED POLICIES:

See section 04

Adopted/Amended:
Order #:

Job Description for Treasurer of the Board

Reports to Board of Education

QUALIFICATIONS

1. Has bookkeeping/accounting work experience and/or education.
2. Has education and/or work experience in electronic data processing.
3. Has a working knowledge of the SEEK funding program.
4. Is willing to become or qualifies as a Notary Public.
5. Has a working knowledge of tax, social security, and retirement laws applicable to the District and its employees.

JOB RESPONSIBILITIES

The treasurer shall be responsible for all District funds under such conditions as the Board may direct.

ADDITIONAL RESPONSIBILITIES

1. Attends all meetings of the Board when financial matters are to be discussed.
2. Acts as custodian of all monies belonging to the District and provides accounting services essential to the preparation, administration, supervision, and control of the budget.
3. Receives, records, and reconciles all monies belonging to the District and distributes them to the appropriate accounts.
4. Deposits funds in a timely manner in the properly designated depository.
5. Gives a bond in such sum as shall be required, the premium on such bond to be paid by the Board.
6. Pays out District monies on written order of designated officials of the Board.
7. Gives detailed accounts of monies received and disbursed at least once a month at the regular meeting of the Board.
8. Renders a full annual report at the end of each fiscal year and provides information to auditors as requested.
9. Is responsible for the payroll of all District employees.
10. Keeps a full and complete account of all funds and makes such reports concerning them as required by the Board or by the State Board or other government agencies.
11. When necessary, serves as Treasurer of the District Financial Corporation.
12. Performs other tasks assigned by the Board.

Review/Revised:

Regular Meetings

TIME AND PLACE

At a meeting in January, the Board shall adopt a schedule of regular meetings for the calendar year, identifying the date, time and place of each meeting. Rescheduled regular meetings shall be noticed and held as special meetings.^{1 & 5}

PUBLICITY

All meetings of the Board, and any committees or subcommittees thereof, shall be held at specified times and places which are convenient to the public. The schedule of regular meetings shall be made available to the public.²

Note: Additional notice requirements applicable to regular meetings held for purposes of adopting the school calendar are located in KRS 158.070 and are covered in Board Policy 08.3.

OPEN MEETINGS

All meetings of a quorum of the members of the Board at which any public business is discussed or at which any action is taken are to be public meetings, open to the public at all times, except as provided in KRS 61.810.³

PUBLIC COMMENT PERIOD

Each regular meeting shall include a public comment period of at least fifteen (15) minutes. Any Board rules and policies regarding conduct during school board meetings shall apply during the public comment period.¹

VIDEO TELECONFERENCES

The Board may conduct its meeting by video teleconference (including closed sessions). Notice of a video teleconference meeting shall comply with the requirements of KRS 61.820 or KRS 61.823 as appropriate. The notice shall clearly state that the meeting will be a video teleconference; provide specific information on how any member of the public or media organization may view the meeting electronically; and in any case where the Board has elected to provide a physical location, or in any circumstance where two (2) or more members of the Board are attending a video teleconference meeting from the same physical location, precisely identify a primary physical location of the video teleconference where all members can be seen and heard and the public may attend in accordance with KRS 61.840.

The same procedures with regard to participation, distribution of materials and other matters shall apply in all video teleconference locations. Members of the Board who participate in a video teleconference shall remain visible on camera at all times that business is being discussed.

Any interruption in the video or audio broadcast of a video teleconference at any location shall result in the suspension of the video teleconference until the broadcast is restored.

If a regular meeting is changed to a video conference, the meeting shall remain a regular meeting if the meeting occurs on the same date and time as originally scheduled and the Board follows the provisions of KRS 61.823 to provide a notice that meets these requirements.⁴

Regular Meetings

REFERENCES:

- ¹KRS 160.270
- ²KRS 61.820; OAG 78-274; OAG 78-614
- ³KRS 61.810
- ⁴KRS 61. 823; KRS 61.826
- ⁵92-OMD-1677; 04-OMD-056
- KRS 61.840; KRS 158.070
- 17-OMD-148

RELATED POLICIES:

01.421; 01.43; 01.44; 08.3; 08.31

Adopted/Amended:
Order #:

Public Participation in Open Meetings**PUBLIC ATTENDANCE**

The public and the news media are permitted to attend all open meetings of the Board. No person may be required to identify himself in order to attend any such meeting.¹

EXCEPTION

The chairman may impose conditions upon attendance at a given meeting only if such conditions are required for the maintenance of order.¹

PUBLIC COMMENT PERIOD

Each regular meeting shall include a public comment period of at least fifteen (15) minutes. Any Board rules and policies regarding conduct during school board meetings shall apply during the public comment period.²

Persons wishing to address the Board must first be recognized by the chairman.

SPEAKERS

The chairman may require the name and address of the speaker. The chairman may rule on the relevance of the topic to the Board's agenda. The chairman may also establish time limits for speakers as may be required to maintain order and to ensure the expedient conduct of the Board's business.

REFERENCE:

¹KRS 61.840

²KRS 160.270

Ison v. Madison Local School District BoE, 3 F.4th 887, (6th Cir., 2021)

RELATED POLICIES:

01.42; 01.45; 10.2

Adopted/Amended:

Order #:

Closed Sessions**AUTHORIZATION**

The Board may at any meeting go into closed session to discuss any matters which it may lawfully discuss at a closed meeting.¹

REQUIREMENTS

Except as provided under KRS 61.810, the following requirements shall be met as a condition for conducting closed session:

1. Notice shall be given in open meetings of the general nature of the business to be discussed in closed session, the reason for the closed session, and the specific provision of KRS 61.810 authorizing the closed session;
2. Closed sessions may be held only after a motion is made and carried by a majority vote in open, public session;
3. No final action may be taken at a closed session, except as permitted by law;²
4. No matters may be discussed at a closed session other than those publicly announced prior to convening the closed session.³

Closed sessions by video teleconference may be held in properly noticed meetings as provided in KRS 61.826.⁴

SERIAL MEETINGS PROHIBITED

No series of meetings of less than a quorum of the Board, where those attending one or more meetings collectively constitute a quorum of the Board, may be held where the meetings are designed to avoid the requirements of the Open Meetings Law. Discussions between individual Board members may be held if the purpose of the discussion is to educate the members on specific issues.

REFERENCES:

¹KRS 61.810

²OAG 81-135

³KRS 61.815

⁴KRS 61.826

15-OMD-090

Adopted/Amended:
Order #:

Special Called Meetings**AUTHORIZATION**

The Board may hold such special meetings as are necessary to expedite its business.¹ A special meeting may be open or closed, and the Board may accordingly conduct any activities in a special meeting that are permitted in an open or closed meeting.² The Board may consider only those subjects set forth in the notice of the meeting and agenda.³

CALL AND NOTICE

A special meeting may be called at any time by the chairperson or on request of three (3) Board members. The secretary shall provide written notice of the special meeting. The notice shall consist of the date, time and place of the special meeting and the agenda. Discussion and action at the meeting shall be limited to items listed on the agenda in the notice.¹

DELIVERY AND TIMING OF NOTICE

Notice of a special meeting must be delivered personally, transmitted by fax, mailed, or, if requested in writing, by electronic mail (email) so that it is received at least twenty-four (24) hours prior to the time of such meeting as specified in the notice. Notice shall be given to each Board member and to each media organization, which has on file with the Board a written request to be notified of special meetings. Written notice shall also be posted at least twenty-four (24) hours before the meeting in a conspicuous place in the building where the meeting will take place and in the Board central office.⁴

EXCEPTION

Requirements for notice, delivery and timing are not required in case of an emergency, which prevents compliance. In such a case reasonable effort shall be made to notify Board members, media organizations that have filed a written request for notification and the public of the emergency meeting. At the beginning of the meeting, the Chairperson shall explain, for the record, the emergency circumstances preventing compliance with notice, delivery and timing requirements. This explanation shall be recorded in the minutes of the meeting. Discussion and action at this meeting shall be limited to the emergency for which the meeting has been called.⁴

REFERENCES:

¹KRS 160.270

²OAG 78-274

³OAG 77-221; OAG 61-24

⁴KRS 61.823

92-OMD-1677

Adopted/Amended:

Order #:

Request to Receive Special Meeting Notification by Email

Name: _____

Agency: _____

Address: _____

Telephone number: _____

Email address: _____

Check if you are: ☐ Member of Board or Council or of Board/Council Committee
☐ Media Organization (with written request on file)

I prefer to receive and specifically authorize the furnishing of electronic mail notification of special called meetings in lieu of notice by personal delivery, facsimile machine, or mail.

*Signature*_____
Date

This form shall be submitted to, and kept on file by, the Central Office or School Office, as appropriate.
--

Review/Revised:

Board Meeting Agenda**PREPARATION**

Agenda for Board meetings shall be prepared by the Superintendent at the direction of, and subject to the approval of, the Chairperson.

Any member of the Board may submit items for the agenda for a regular meeting through the Chairperson or the Superintendent. The agenda shall be closed to Board members ten (10) calendar days preceding the scheduled regular meeting unless the addition of a late item is approved by the Chairperson or by a request of three (3) Board members.

Items may be placed on a proposed special called meeting agenda at the direction of the Chairperson and shall be placed on the proposed agenda if requested by three (3) or more Board members.

The agenda of a regular meeting may be amended at the meeting upon affirmative vote of at least three (3) members. However, once the agenda for a special called meeting is posted or delivered to Board members and requesting media, it may only be amended when a new notice and reposting of the agenda, as amended, is completed prior to the twenty-four (24) hour period before the meeting as required by statute.

To reflect the Board's focus on advancing student achievement, the agenda for regular meetings shall be developed in accordance with the following requirements:

1. At least once each month when school is in session, the agenda shall include a student presentation, performance, or other demonstration of student learning.
2. At each regular meeting, the Board shall recognize the achievements and contributions of students, staff, schools/councils, or community members.
3. The Board shall receive communications from citizens and schools/councils as early as practical in the agenda.
4. Each regular meeting agenda shall contain opportunities for dialogue concerning student achievement issues, including the impact of student learning and support services and an analysis of progress indicators and data.
5. The agenda shall reflect a regular schedule of reports to the Board on the status of District finances, programs, and services.
6. To the extent practicable, standard and/or recurring business shall be organized under a consent provision.

PUBLIC COMMENT PERIOD

Each regular meeting shall include a public comment period of at least fifteen (15) minutes. Any Board rules and policies regarding conduct during school board meetings shall apply during the public comment period.¹

DISTRICT EMPLOYEES/MEMBERS OF THE PUBLIC

District employees and any member of the public may submit items to be considered for the agenda to the Superintendent ten (10) calendar days prior to the date of the meeting by filing the appropriate form. Items may include a request that the Board consider adoption or amendment of a policy for future application.

Board Meeting Agenda**DISTRICT EMPLOYEES/MEMBERS OF THE PUBLIC (CONTINUED)**

District employees and members of the public may address the Board during the period set aside by the Board without submitting an item for the agenda. No action shall be taken during this portion of the meeting on issues raised by employees or the public unless deemed an emergency by the Board.

Employees' concerns dealing with a grievance/communication issue must first be addressed in keeping with the Board's established policy/procedures.

EXCEPTIONS

Any item submitted after the printing of a regular Board meeting agenda, and approved by the Superintendent or Board Chairperson as an item requiring immediate action by the Board, shall be printed as an addendum and considered part of the agenda. The necessity for immediate action shall be listed on the addendum.

REFERENCE:

¹KRS 160.270
KRS 160.290

RELATED POLICIES:

01.42
01.421
01.44
01.5
03.16; 03.26

Adopted/Amended:
Order #:

Request to Place an Item on the Agenda

Name: _____

Address: _____

Telephone number: _____

Name of school children attend, if applicable: _____

Group represented: _____

Check if request was submitted to: ☐ Superintendent ☐ Board Chairperson

Conferred with following administrators (names): _____

Description of Issue: _____

Specific Action Requested: _____

Check if you are: ☐ Board Member ☐ District Employee ☐ Community Member

All requests for items to be placed on the agenda must be submitted to the Superintendent prior to the Board meeting as specified in Board Policy 01.45. Items submitted shall require prior approval of the Superintendent.

Review/Revised:

School Board Policies**TOPICS**

The Board shall file in the Board's office its policies including, but not limited to, the following matters:

1. Transportation of pupils;
2. Discipline and conduct of pupils;
3. Limitations or restrictions on use of school facilities;
4. Conduct of meeting of the Board; including policies on the calling of executive sessions;
5. Personnel policies that apply to certified employees including duties, fringe benefits, salary schedules, non-classroom duties, professional development, teacher-student ratio, hiring, assignment, transfer, dismissal, suspension, reinstatement, promotion and demotion;
6. Employment and evaluation of the Superintendent of schools;
7. Identification and statement of District goals and objectives and establishment of criteria to determine District progress;
8. Evaluation of certified employees;
9. Selection of textbooks and instructional materials;
10. Expenditure and accounting for school funds, including all special funds; and
11. Policies dealing with school-based decision making.¹

INTENTION

It is intended that these policies shall cover matters within the authority and discretion of the Board and not matters otherwise required by law or regulation.¹

UPDATING

Such policies shall be kept up-to-date by filing annual amendments thereto by August 15 and shall be public records.¹

ENACTMENT OF POLICY

Except when indicated by an emergency situation, the Board will not enact or revise policy in the same meeting that it is initially introduced. Additional readings shall not be required if the Board amends the policy proposal under consideration at either the first or second reading.

DISSEMINATION OF POLICY

The Superintendent shall develop and implement a system whereby each employee or student shall have access to Board policies. In addition, each new Board member shall be provided with a copy of the Board policy manual and/or access to the District's online manual.

All Board policies shall be reasonably accessible to all District personnel and to the public at large.

School Board Policies**MAINTENANCE OF POLICY MANUALS**

All copies of the official policy manual shall be numbered, housed in specified locations, and kept current through a system developed and implemented by the Superintendent.

POLICIES ARE BINDING

All policies of the Board are binding on employees of the District, schools, students, and on the Board itself.² Employees and students who fail to comply with Board policies may be subject to disciplinary action.

Exception: Policy exemptions may apply to a participating school of innovation as specified in the District's application for district of innovation status as approved by the Kentucky Board of Education.³

Exception: In the areas specified by KRS 160.345, councils may adopt school policies that differ from Board policy.

REFERENCES:

¹KRS 160.340

²KRS 160.290

³KRS 156.108

KRS 160.107

KRS 160.345

RELATED POLICIES:

01.0

01.11

01.6

01.61

Adopted/Amended:
Order #:

School Board Policies**DISSEMINATION**

Distribution of the Policy Manual makes it readily accessible to staff, students, Board members and the public. When feasible school Board policy will be disseminated during staff/student meetings.

Each site administrator shall notify employees and/or students under his/her supervision, either orally or in writing, when the Board makes a policy change that applies to them. In addition, the Superintendent shall designate an employee or committee to review related documents such as, but not limited to, the student code of conduct and employee/student handbooks to assure consistency with Board policies that are new or that have been revised.

MAINTENANCE

The Superintendent's designee shall maintain a list of numbered hard copies of the Policy Manual and shall distribute manuals and revised policies accordingly.

The Policy Manual will be kept current by periodic revision. It shall be the responsibility of the Superintendent's designee to see that copies of new and revised policies as approved by the Board are placed in proper sequence in the manuals. This shall be accomplished using one (1) of the following methods:

- ☐ The Superintendent/designee shall direct that all Policy Manuals be returned to the Central Office where updated pages will be inserted and outdated pages removed before the manual is returned to the designated holder.
- ☐ Following Board adoption of policy changes, the Superintendent/designee shall forward to each holder of a manual one (1) set of new/revised pages. The holder of a manual may be requested to return the discarded pages to confirm that the manual has been updated.
- ☐ Other (specify): _____

The Update Checklist in each manual shall be marked accordingly when the changes resulting from the KSBA annual policy update have been inserted.

DISTRIBUTION

The Policy Manual was adopted by the Board of Education on _____ order number _____.

Review/Revised:

Administrative Procedures

The Superintendent shall prepare and present to the Board for review and comment, administrative procedures designed to facilitate the implementation of Board policies. Board minutes shall reflect the Board's review and comment process. This oversight process shall be followed when procedures are initially developed and at any time they must be revised.

TIME LINE FOR DEVELOPMENT

When a new or revised policy directs development of administrative procedures, the Superintendent shall present the procedures for Board review within one (1) month of policy adoption/amendment, unless Board minutes specify an alternate date for completion. When the Board adopts an entirely new policy manual or an annual policy update requiring numerous policy and procedure changes, the required new or revised administrative procedures shall be presented within three (3) months of adoption of the policy manual/update, unless Board minutes specify an alternate date for completion.

Adopted/Amended:

Order #:

Code of Ethics

As members of a Kentucky Board of Education and mindful of the pledges made in their oath of office, Board members shall accept the duty to represent their community and their District's students, parents and staff and to improve public education by putting "students first" in their decisions. To that end they will:

1. Govern effectively and with integrity, emphasize student achievement and practice good stewardship of the District's human, financial and property resources;
2. Participate in all Board meetings, insofar as possible, having studied advance materials and, having given careful consideration to input from individuals and/or interested community groups, ready to base decisions on independent judgment;
3. Act as a staunch advocate for high quality schools, instructional curricula and professional staff dedicated to the educational welfare of all children, regardless of their ability, race, creed, sex or social standing and maintain knowledge about educational advances as they evolve;
4. Obey and uphold all laws, rules, regulations and court orders of the Commonwealth of Kentucky and of the United States, reserving the right to bring about needed changes through legal and ethical procedures;
5. Help their constituents to understand the importance of broad community support and involvement in the public schools, especially by encouraging citizen participation in Board meetings, and in turn, serve their constituents by helping ensure accountability of the schools to the community;
6. Recognize their duty to listen as well as to lead, respect opinions which differ from their own, reflect that no one member acts or speaks for the Board, and remember that final actions, made by majority vote in an official meeting, should be supported by all members;
7. Provide community insight to the Superintendent and evaluate the administration's responses to community expectations, work to adopt effective policies which give the administration authority commensurate to its responsibilities, demonstrate the support and respect due the District's skilled, professional employees and shun actions which could be interpreted as an attempt to run the schools through the administration;
8. Avoid even the appearance of conflicts of interest by never performing official acts or otherwise engaging in financial transactions with the school system which could benefit them, accepting gifts of substantial economic value which could be viewed as improper influence, or disclosing or using confidential information acquired in the course of official duties for personal gain.

Adopted/Amended:

Order #:

Board Records

Records of the Board are subject to inspection as provided in the Kentucky Open Records Act.

Records of the Board shall be maintained in the Central Office and shall be under the custody of the Secretary to the Board.¹

The Secretary shall develop and submit for Board review procedures as noted in KRS 61.876 to provide public access to public records and to ensure the security and orderly maintenance of the records. The procedures shall be displayed in a prominent location accessible to the public and posted on the District's website. In addition to the procedures, the web posting shall include the phone number of the District records custodian/designee and the Open Records Request Form issued by the Kentucky Attorney General.

REFERENCES:

¹KRS 160.440
KRS 61.870
KRS 61.872
KRS 61.874
KRS 61.876
KRS 61.878
KRS 61.884
OAG 92-59
OAG 92-131
15-ORD-190
19-ORD-174
96-ORD-159

RELATED POLICY:

10.11

Adopted/Amended:
Order #:

Inspection of Board Records**INSPECTION OF RECORDS**

Residents* of the Commonwealth desiring to examine records that are not exempt from public disclosure may do so during regular working hours. Regular working hours shall be posted at the main entrance of the Central Office.

The principal office of the District is located at _____.

The official custodian/designee to whom requests for access to records should be submitted is at _____ and email address is _____.

Fees for hard copies shall be 10 cents a page. Fees for other media (if applicable) shall be based on actual cost to the District.

The requesting party shall submit a written application that shall:

- be signed;
- include the applicant's name printed legibly;
- include mailing address (and email address if applicable); and
- include a statement of the manner in which the applicant is a resident of the Commonwealth of Kentucky.*

The applicant shall hand deliver, mail, send via facsimile, or send via email the written application to the custodian/designee at the above address describing the records the applicant wishes to access. Written requests comporting with the above or the written form set forth in regulation by the Kentucky Attorney General may be utilized by the requesting party.

Unless a longer period applies under state law or Executive Order, a response by or on behalf of the District is due within five (5) days (not including weekends or holidays) of receipt of the request. If records are in active use or storage or otherwise unavailable, the District response will explain in detail the cause for a delay beyond five (5) days and state the earliest date on which the records will be available. Requests may be denied if the records are exempt from disclosure under KRS 61.878 or if the request imposes an unreasonable burden or is intended to disrupt essential functions of the District as provided in KRS 61.872.

A resident of the Commonwealth may inspect public records during regular office hours. If s/he resides outside the county and precisely describes the responsive records, s/he may receive responsive, nonexempt records by mail upon the District's receipt of copying fees and costs of mailing.

Inspection of Board Records

INSPECTION OF RECORDS (CONTINUED)

Applicants requesting copies of public records for a commercial purpose (KRS 61.874) shall provide a certified statement to the District stating the commercial purpose for which the records shall be used and shall be required to enter into a contract with the District. The contract shall state the fee required by the District to produce copies to be used for a commercial purpose.

*Resident is defined under KRS 61.870(10) as: an individual residing in the Commonwealth; a domestic business entity with a location in the Commonwealth; a foreign business entity registered with the Kentucky Secretary of State; an individual that is employed and works at a location or locations within the Commonwealth; an individual or business entity that owns real property within the Commonwealth; any individual or business entity that has been authorized to act on behalf of an individual or business entity described above; or a news-gathering organization as defined in KRS 189.635(8)(b)1.a. to e.

Review/Revised:

Records Management

RECORDS OFFICER

The Superintendent shall designate a Records Officer who shall inventory, analyze and schedule disposition of District records, as well as maintain a destruction record, noting the authorization for said destruction and the amount of records to be destroyed. Each year, the Records Officer shall provide a copy of this record to the Board (Superintendent) and to the Director of the Division of Archives and Records.¹

An inventory of all public records kept by the District shall be taken, these records to include those made or received by the District in connection with the transaction of school business. Records shall refer to those documents specified in KRS 171.410 and in the Records Retention Schedule, Public School District.

SUPERINTENDENT'S RESPONSIBILITIES

Pursuant to statutory requirements, the Superintendent shall establish procedures to safeguard against the unlawful destruction, removal or loss of records.² The Superintendent shall notify the Department of Libraries and Archives of any actual, impending or threatened unlawful disposition of records and shall initiate action through the Attorney General for recovery of such records.³

RETENTION AND DISPOSAL OF RECORDS

The District shall follow the Records Retention Schedule, Public School District in its management of school records. If a record in question is not listed in this schedule, a written request for disposal of records must be submitted by the Superintendent to the Division of Archives and Records and the request must be approved in writing by the State Librarian.⁴

For record and archival purposes, the Superintendent shall place on permanent file one (1) copy of each Board policy that is rescinded or amended in any manner.

When there is a question whether a particular record or group of records should be destroyed, the state archives and records commission shall have exclusive authority to make this decision.⁵

LITIGATION

After consultation with the Board Attorney as deemed appropriate, the Superintendent should direct that records relevant to pending or threatened litigation, administrative proceedings, or investigations shall not be destroyed even if the retention period for such records has passed.

INFORMATION SECURITY BREACH

Information security breaches shall be handled in accordance with KRS 61.931, KRS 61.932, and KRS 61.933 including, but not limited to, investigations and notifications.

Within seventy-two (72) hours of the discovery or notification of a security breach, the District shall notify the Commissioner of the Kentucky State Police, the Auditor of Public Accounts, the Attorney General, and the Education Commissioner.

The District shall acknowledge to the Board in a public meeting prior to August 31 of each year, that the District has reviewed the Data Security and Breach Notification Best Practice Guide and implemented best practices that meet the needs of personal information reasonable security in the District.

Records Management**RETENTION OF RECORDINGS**

School officials shall retain any digital, video, or audio recording according to the following:

- Retain for a minimum period of one (1) week a master copy of any digital, video, or audio recordings of school activities without editing, altering, or destroying any portion of the recordings, although secondary copies of the master copy may be edited; and
- Retain for a minimum of one (1) month in an appropriate format, a master copy of any digital, video, or audio recordings of activities that include, or allegedly include, injury to students or school employees without editing, altering, or destroying any portion of the recordings.⁶

If an incident is being investigated, retain recordings until investigation and legal activity are completed.

REFERENCES:

¹725 KAR 1:010

²KRS 171.710

³KRS 171.720

⁴725 KAR 1:030; KRS 171.420; KRS 171.570

⁵KRS 171.670; KRS 171.410; KRS 171.660; 725 KAR 1:020

⁶KRS 160.705

KRS 61.931; KRS 61.932; KRS 61.933

725 KAR 1:025; 702 KAR 1:170

Records Retention Schedule, Public School District

Data Security and Breach Notification Best Practice Guide

RELATED POLICIES:

01.5; 04.41; 04.81

Adopted/Amended:
Order #:

Records Management**RETENTION AND DISPOSAL OF SCHOOL RECORDS**

The Superintendent's designated Records Officer shall implement the procedures listed in the *Records Retention/Public School District Schedule*. Any deviation from these procedures shall be submitted in writing by the Superintendent/designee to the Director of Archives and Records. The request must be approved in writing by the State Librarian prior to the disposal or destruction of school records. The following procedures shall be followed in records management:

1. The Superintendent/designee shall notify the Public Records Division in the Department for Libraries and Archives of the name of the District Records Officer who shall represent the District in its relations with that Division.
2. The Records Officer shall prepare a records retention and disposal schedule for the District that is compatible with state statutes and regulations.
3. The Records Officer shall review this schedule with all staff members responsible for school records.
4. Records that have met the retention schedule shall be disposed of by shredding or burning within six (6) months after the required retention period.
5. The disposal or destruction of school records shall be under the supervision of the Records Officer who shall keep a log of all disposed records.
6. Records listed as "permanent" on the schedule shall be kept in a secure location.
7. Both active and inactive records shall be filed in locations that offer reasonable security and accessibility.
8. Electronically received records such as, but not limited to, e-mail, diskettes, CDs, and faxes shall be handled in accordance with the procedures used in the storage, retention, and disposal of other Board records.

Review/Revised:

Notice of Security Breach & Investigation Procedures**PROTECTION AND PREVENTION**

The District will take reasonable security measures in accordance with KRS 61.931 - KRS 61.933, to guard against the foreseeable loss or exposure of personal information that it maintains or possesses.

“Personal information” is defined as an individual’s first and last name or first initial and last name; personal mark; or unique biometric or genetic print or image, along with any data element listed below:

- Account number, credit or debit card number, that, in combination with any required security code, access code, or password would permit access to an account;
- Social Security number;
- Taxpayer identification number that incorporates a Social Security number;
- Driver’s license number, state identification card number, or other individual identification number issued by any agency;
- Passport number or other identification number issued by the United States government; or
- Individually identifiable health information as defined in 45 C.F.R. sec. 160.103 except for education records covered by the Family Educational Rights and Privacy Act, as amended, 20 U.S.C. sec. 1232g.

Personal information does not include information that is lawfully made available to the general public pursuant to state or federal law or regulation.

A “security breach” refers to:

- an unauthorized acquisition, distribution, disclosure, destruction, manipulation, or release of unencrypted or unredacted records or data that compromises or is reasonably believed to compromise the security, confidentiality, or integrity of personal information and results in the likelihood of harm to one (1) or more individuals; or
- an unauthorized acquisition, distribution, disclosure, destruction, manipulation, or release of encrypted records or data containing personal information along with the confidential process or key to unencrypt the records or data that compromises or is reasonably believed to compromise the security, confidentiality, or integrity of personal information and results in the likelihood of harm to one (1) or more individuals.
- A security breach does not include the good-faith acquisition of personal information by an employee, agent, or nonaffiliated third party of the agency for the purposes of the agency if the personal information is used for a purpose related to the agency and is not disclosed to others without authorization.

INITIAL ASSESSMENT/INVESTIGATION OF SECURITY INCIDENT AND NOTICE

When the District receives information or notice prompting a reasonable belief that an event compromising the security of personal information maintained by the District or nonaffiliated third party on behalf of the District may have occurred, the District shall conduct a reasonable initial assessment or investigation to determine whether the event constitutes a “security breach” under the above definition.

Notice of Security Breach & Investigation Procedures**INITIAL ASSESSMENT/INVESTIGATION OF SECURITY INCIDENT AND NOTICE (CONTINUED)**

Once it is determined that a security breach relating to personal information has occurred, the District shall within seventy-two (72) hours: 1) notify the Commissioner of the Kentucky State Police, the Auditor of Public Accounts, the Kentucky Attorney General and the Education Commissioner and 2) begin a reasonable and prompt investigation to determine whether the security breach has resulted or is likely to result in the misuse of personal information.

FOLLOW-UP INVESTIGATION/ASSESSMENT IF SECURITY BREACH CONFIRMED

If it is determined after initial investigation that a security breach has occurred, the District shall complete an investigation and assessment of the incident to determine whether the security breach has resulted or is likely to result in the misuse of personal information, which may include the following:

- Depending on the nature of the breach and sensitivity of information, take reasonable near-term steps to mitigate further unauthorized disclosure of personal information and risk of harm.
- Consider designating a lead investigator and investigative team with expertise keyed to the event (e.g. utilization of available District IT professionals if breach involves electronically maintained information, internet, or web resources).
- Interview relevant individuals to learn about the circumstances surrounding the incident and review logs, tapes or other resources.
- Identify individual(s) affected by the breach.
- Determine what personal information has been compromised and how disclosed.
- If applicable, identify affected machines, devices, and IT resources and preserve backups, images and hardware where possible.
- Estimate the likely impact of the compromised data's exposure.
- Utilize professional assistance and consultation as necessary, analyze the likely cause of the breach.
- Coordinate internal and external communications related to the incident. Emphasize maintaining confidentiality during investigative stages of response activities.
- Seek involvement of law enforcement if there is reason to believe criminal activity has occurred.

Notice of Security Breach & Investigation Procedures**NOTIFICATION**

Upon conclusion of the investigation, if it is determined that a security breach has occurred and that misuse of personal information has occurred or is likely to occur, the District shall within forty-eight (48) hours notify the Commissioner of the Kentucky State Police, the Auditor of Public Accounts, the Attorney General, the Commissioner of Education, and the Commissioner of the Department of Libraries and Archives. Within thirty-five (35) days of providing these notices, the District shall notify all individuals impacted by the security breach as provided by law.¹

These notices shall be delayed upon written request of a law enforcement agency that the notices would impede an investigation. Security Breach Forms are located on the Kentucky Finance & Administration Cabinet website:

<http://finance.ky.gov/SERVICES/FORMS/Pages/default.aspx>.

If the investigation determines that misuse of personal information has not occurred or is not likely to occur, the above agency contacts shall be provided notice of the determination. In this case, notice to affected individuals is not required, but the District should maintain records reflecting and supporting the determination.

CONTRACTS WITH NONAFFILIATED THIRD PARTIES - INFORMATION SECURITY

On or after January 1, 2015, agreements calling for the disclosure of “personal information” to nonaffiliated third parties shall require the third party contracting with the District to follow information breach and security standards at least as stringent as those applicable to the District.

Contracts with such third parties shall specify how costs of data breach investigations and notices are to be apportioned.

OTHER PRIVATE INFORMATION

In the case of breach of information made private by law that does not fall within the definition of “personal information”, the District may engage in similar investigative, response, or notification activities as provided above. Alternatively, the District may, after reasonable investigation, provide notice to the individual whose restricted personal information has been acquired by an unauthorized person. Notification will be made in the most expedient time frame possible and without unreasonable delay, except when a law enforcement agency advises the District that notification will impede criminal investigation. Notification should be provided to the individual within three (3) working days of discovery of the breach but no later than thirty (30) working days.

Depending on the number of people to be contacted, notification may be in the form of a face-to-face meeting, phone call, posting on a Web site or sending a written notice to each affected person’s home. Notice should include the specific information involved and, when known, an estimate of how long it has been exposed, to whom the information has been released and how the breach occurred. In addition, the individual should be advised whether the information remains in the physical possession of an unauthorized person, if it has been downloaded or copied, and/or, if known, whether it was used by an unauthorized person for identify theft or fraud purposes.

Notice of Security Breach & Investigation Procedures

REFERENCES:

¹KRS 61.933

KRS 61.931; KRS 61.932

702 KAR 1:170

Data Security and Breach Notification Best Practice Guide

Review/Revised:

Board Attorney

The Board may employ an attorney to advise and represent it in legal matters. In special cases the Board may employ additional attorneys as needed.

REFERENCES:

OAG 58-41-216

OAG 56-38-219

Hogan v. Glasscock, Ky.324 SW(2d) 815, 75 ALR 2d 1335 (1959)

Adopted/Amended:

Order #:

Job Description for Board Attorney

REPORTS TO BOARD OF EDUCATION

QUALIFICATIONS

1. Is licensed to practice law in Kentucky.
2. Has specialization in school law (preferred).
3. Has the ability to handle stressful situations regarding parents, students, faculty, and administrators.
4. Has had successful experience as an attorney.

JOB RESPONSIBILITIES

The Board Attorney shall provide direct, professional legal counsel and representation to the Board, Superintendent, and staff on school District matters.

ADDITIONAL RESPONSIBILITIES

1. Attends and provides legal advice at Board meetings and other meetings, when requested.
2. Prepares and conducts litigation and administrative law hearings as directed by the Superintendent and authorized by the Board.
3. Prepares and renders legal opinions upon request to the Superintendent and/or the Board.
4. Prepares or reviews for the Board all invitations to bid, job specifications, and legal contracts.
5. Advises the Board in matters of a legal or technical nature relating to the interpretation of statutes, charters, ordinances, contracts, etc.
6. Assists in the drafting of legal documents.
7. Performs other tasks assigned by the Board.

Review/Revised:

Board Member Expense Reimbursement**PER DIEM**

Board members shall receive a per diem of one-hundred-fifty dollars (\$150) for each day a regular or special Board meeting is attended or for each day a training session required by law is attended, not to exceed \$6,000 per calendar year per member.

IN-DISTRICT EXPENSES

Members shall be reimbursed for actual and necessary expenses incurred within the District while attending to Board business, not to exceed \$6,000 per calendar year per member.

Actual mileage shall be reimbursed at the same rate as that for employees of the District.

Meals incurred inside the District shall not be reimbursed, except for banquets that members attend representing the District.

DEDUCTIONS

At the request of a Board member, deductions from per diem and expense reimbursement may be made for, but not be limited to, membership dues that provide a reasonable business benefit, health insurance purchases, scholarship funds, and contributions to a political action committee.

OUT-OF-DISTRICT TRAVEL

Members of the Board shall be reimbursed for actual and necessary expenditures incurred outside the District. Board members shall obtain Board approval prior to incurring out-of-district expenses. Reimbursement shall be at the same rates and allowable time frames as that for employees of the District and be documented by receipts. Advancements for anticipated expenses shall not be made.

Expenses for personal entertainment shall not be reimbursed.

Expenses not in compliance with this policy shall not be reimbursed or paid by the Board.

CREDIT CARDS

Board members shall not be issued District credit cards.

SPOUSE'S TRAVEL

All travel expenses of spouses shall be paid by the Board member at the time the expense is incurred. There shall be no reimbursement of such expenditures.

REFERENCES:

KRS 160.280; KRS 161.158

OAG 76-329; OAG 80-395; OAG 85-53; OAG 92-136

RELATED POLICIES:

01.4; 03.125; 03.225

Adopted/Amended:
Order #:

Board Member Expense Reimbursement

Approval of and reimbursement for travel expenses shall be accomplished by the completion of the “Travel Request Form” and the “Travel Expense Voucher.” Both forms are found in Chapter 3 and are coded 03.125 AP.21 and 03.125 AP.22.

Review/Revised:

In-Service Training

Annual in-service training for all school board members in office as of December 31, 2014 shall include training on topics required by regulation that meet the minimum number of total training hours as follows:¹

1. Twelve (12) hours for school board members with zero (0) to three (3) years of experience (to include five hours on the following: three (3) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation);
2. Eight (8) hours for school board members with four (4) to seven (7) years of experience (to include four hours on the following: two (2) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation); and
3. Four (4) hours for school board members with eight (8) or more years of experience (to include three hours on the following: one (1) hour of finance and one (1) hour of ethics annually and, one (1) hour of superintendent evaluation biennially).

If a Board member obtains hours through any sources other than KSBA, they shall have local Board approval prior to participation in the training event, and they shall ensure that a copy of proof of attendance including a recitation of the time, date, location, and description of the training is sent by the training provider to KSBA within two (2) weeks of completion of the training.

For Board members who begin initial service on or after January 1, 2015, annual in-service training requirements shall be twelve (12) hours for Board members with zero to eight (0-8) years of experience and eight (8) hours for Board members with more than eight (8) years of experience. Required annual training hours shall include:

1. Three (3) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation for members with zero (0) to three (3) years experience;
2. Two (2) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation for members with four (4) to seven (7) years experience; and
3. One (1) hour of finance, one (1) hour of ethics annually, and one (1) hour of superintendent evaluation biennially for members with eight (8) or more years experience.

IN-SERVICE TRAINING REGARDING CHARTER SCHOOL AUTHORIZATION

Separate and apart from the above in-service training, Board members shall participate in in-service training regarding charter school authorizers as follows:

When the Board, or a collaborative of local school boards including the Board, receives a charter school application, any member of the Board or boards who has not received charter authorization training within twelve (12) months immediately preceding the date the application was received shall receive six (6) hours of in-service training prior to evaluating the charter application. Except for training provided prior to July 15, 2020, the training shall be in addition to the annual in-service training required under KRS 160.180, and the Board shall select the trainer to deliver the training to its members. Charter authorizer training shall not be required of any Board member until a charter application is submitted to the Board or boards.²

In-Service Training**IN-SERVICE TRAINING REGARDING CHARTER SCHOOL AUTHORIZATION (CONTINUED)**

The charter authorizer training requirements shall be approved by the Commissioner of Education and shall address the following topics of authorizer responsibility and charter school formation and operation:

1. Financial governance and transparency;
2. Conflict of interest;
3. Charter application;
4. Charter school contracting;
5. Charter school monitoring;
6. Charter school renewal, nonrenewal, and revocation;
7. Charter school closure;
8. Ethics;
9. Curriculum and instruction;
10. Educational services provided for special needs, at risk, English learner, gifted, and other special population students; and
11. Physical restraint and seclusion of students.

ORIENTATION OF NEW BOARD MEMBERS

The Superintendent/designee and/or the Board Chair shall acquaint new Board members with their duties and obligations and furnish them with a copy of the Board's policy manual and/or access to the District's online manual and such other information and guidance materials as necessary to prepare them for service. Areas should include, but not be limited to, District budgeting, planning and student learning indicators. In addition, new Board members shall be provided assistance in locating training opportunities to help them meet statutory training requirements and to support them in learning their roles and responsibilities.

REFERENCES:

- ¹KRS 160.180
- ²KRS 160.1594
- 701 KAR 8:020
- 702 KAR 1:116
- OAG 85-53; OAG 85-145

Adopted/Amended:
Order #:

Board Committees

(Vacant)

Adopted/Amended:

Order #:

Authorization of Charter Schools

AUTHORIZATION

Approval of charter school applications shall be subject to the Board finding that the school described in the application meets statutory and regulatory requirements and is likely to improve student learning and achievement; that the applicant demonstrates the ability to operate the school in an educationally and fiscally sound manner; and that approval of the application will:

- Improve student learning outcomes by creating additional high-performing schools with high standards for student performance;
- Encourage the use of different, high-quality models of teaching, governing, scheduling, or other aspects of schooling that meet a variety of student needs;
- Close achievement gaps for low-performing groups of public school students;
- Allow schools freedom and flexibility in exchange for exceptional levels of results-driven accountability;
- Increase high-quality educational opportunities within the public education system for all students, especially those at risk of academic failure; and
- Provide students, parents, community members, and local entities with expanded opportunities for involvement in the public education system.

BOARD MISSION AND VISION FOR AUTHORIZING CHARTER SCHOOLS

The Board seeks to authorize high quality charter schools with innovative, unique, and effective academic programs that are designed to increase student performance and achievement in alignment with the strategic priorities of the Board as set forth in the District's vision, mission and strategic plans and is encouraged to give preference to applications that demonstrate the intent, capacity, and capability to provide comprehensive learning experiences to: (a) Students identified by the applicants as at risk of academic failure; (b) Students with special needs as identified in their individualized education program as defined in KRS 158.281; and (c) students who seek career readiness education opportunities.

AUTHORIZER ORGANIZATIONAL CAPACITY

The Board shall allow the Superintendent/designee to file a letter of support or one objecting to approval of each charter application received based on substantial hardship that may result for the students who do not attend the charter school and shall allow comments at the public hearing from the Superintendent/designee if he or she has filed objections to the charter application. Any letter and supporting evidence filed by the Superintendent/designee must be published on the District website within three (3) days.

The Board shall consult with the Superintendent/designee on the timeline for submission, review, decision, and appeal for a charter application and/or request for contract renewal. The Board shall require the Superintendent/designee to provide information and evidence regarding the academic performance of the students identified in the charter application as the targeted community and shall publish the information on the District website within three (3) days of submission by the Superintendent/designee.

Authorization of Charter Schools**AUTHORIZER ORGANIZATIONAL CAPACITY (CONTINUED)**

With respect to charter school applications and monitoring of existing charter schools, the Board shall not execute or renew a charter school contract if fiscal jeopardy or failure to make consistent progress towards the stated objectives of the charter school is evident or a likely outcome. In addition, the Board shall not allow an existing charter school to operate in a manner that would jeopardize the learning, safety, or well-being of its students and shall take appropriate intervention as warranted, up to and including revocation of the charter contract.

The Board shall:

- Receive, review, and take final action concerning all properly submitted charter school applications within the timelines established by all applicable statutes and regulations and shall provide a copy of a submitted charter application to the resident local District Superintendent and to any other authorizer within three (3) days.
- Conduct a comprehensive analysis of the strengths and weaknesses of each charter school application.
- Develop, in cooperation with the applicant, a charter contract that complies with all applicable statutes and regulations, subject to approval of the Board and the Commissioner of Education.
- Submit all required reports to the Kentucky Department of Education within the required timeframe, as established by all applicable statutes and regulations.
- Monitor each charter school's progress towards the goals, objectives, and performance framework established in its charter contract, including but not limited to:
 - Taking reasonable measures to obtain charter school compliance with all applicable statutes and regulations, including, but not limited to, the Kentucky Open Records and Open Meetings laws.
 - Holding the board of directors and officers of the charter school accountable to the Board through student achievement, financial, governance, operational, and climate and culture data that shall be collected throughout the year and provided to the Board.
 - Monitoring the charter school's academic, fiscal, and operational health, as well as school climate and culture, through a transparent accountability system, to include periodic reporting, monitoring visits, and publication of reports via the websites of the Board and the charter school.
 - Documenting, in writing, any discrepancies or deficiencies whether fiscal, educational, operational, or related to school climate and culture of the charter school and the steps and timelines developed by the charter school for correction and conduct additional monitoring. Copies of the documentation shall be provided to the charter school board of directors.

Authorization of Charter Schools

AUTHORIZER ORGANIZATIONAL CAPACITY (CONTINUED)

- Consider, as appropriate and required by law, amendments to as well as renewal, nonrenewal, and/or revocation of a charter contract.
- Publication of required information on the District website as well as each charter school's website, including but not limited to, the charter school's original application, charter contract, and any contract amendments.
- Compliance by each charter school with its charter contract.

Any failure of the authorizer to act on a charter application, renewal, or other appealable decision shall be deemed an approval.

REFERENCES:

KRS 160.1590; KRS 160.1591; KRS 160.1592; KRS 160.1593; KRS 160.1594
KRS 160.1595; KRS 160.1596; KRS 160.1597; KRS 160.1598; KRS 160.1599
701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040

RELATED POLICIES:

01.11; 01.911; 01.9111; 01.912; 01.913; 01.914

Adopted/Amended:
Order #:

Charter School Authorization**AUTHORIZER DUTIES**

Under KRS 160.1594, a public charter school authorizer shall establish an annual timeline consistent with statutory guidelines to:

- Solicit, invite, accept, and evaluate applications;
- Approve new and renewal applications that meet statutory requirements;
- Decline applications that:
 1. Fail to meet statutory requirements; or
 2. Are for a school that would be under the direction of any religious denomination; and
- Negotiate and execute in good faith contracts with each authorized charter school;
- Monitor the performance and compliance of charter schools in accordance with contract terms;
- Determine whether each charter merits renewal or revocation;
- Establish and maintain practices consistent with professional standards for authorizers, including:
 1. Organizational capacity and infrastructure;
 2. Soliciting and evaluating applications;
 3. Performance contracting;
 4. Ongoing public charter school oversight and evaluation; and
 5. Charter approval, renewal, and revocation decision making.

Pursuant to KRS 160.1592, an authorizer shall semiannually consider for approval a charter school's proposed amendments to the contract.

- Authorizers. may consider requests more frequently upon mutual agreement with the charter.
- Denials of amendment requests are appealable under KRS 160.1595.

KRS 160.1596 requires authorizers to collect, analyze, and report to the KBE all state required assessment and achievement data for each charter it oversees.

By August 31, 2023, and annually thereafter, each authorizer must submit to the (1) Commissioner, (2) Education and Workforce Development Secretary, and (3) Interim Joint Committee on Education a report that includes:

- Number of applications received, reviewed, and approved;
- Authorizing duties performed by the authorizer;
- Summary of the academic and financial performance of each charter school;
- Names of each charter school that have not yet begun to operate; and

Charter School Authorization

AUTHORIZER DUTIES (CONTINUED)

- Names of each charter school during the prior academic year that:
 1. Closed during or after the year; and
 2. Had their contract nonrenewed or revoked.

701 KAR 8:020 requires authorizers to publicly report on oversight and services provided to charter schools under its authority and authorizing functions provided by the authorizer, including operating costs and expenses as detailed in an annual audited financial statement.

Review/Revised:

Charter School Application Process**APPLICATION PROCESS**

Eligibility: An application to establish a charter school may be submitted to the Board by teachers, parents, school administrators, community residents, public organizations, nonprofit organizations, or a combination thereof. The Board shall accept and document the date and time of receipt of all charter school applications.

A charter school approved by the Board shall be nonsectarian in its organizational structure and operations. A charter school approved by the Board shall not discriminate against any student, employee, or any other person on the basis of ethnicity, religion, national origin, sex, disability, special needs, athletic ability, academic ability or any other ground that would be unlawful if done by a public school. A charter school approved by the Board may serve any grade or combination of grades from kindergarten through grade twelve (12).

Application: For a charter school application to be considered complete, the application (a) shall be submitted on the form of Kentucky Charter School Application as incorporated by reference in 701 KAR 8:020, (b) shall satisfy the requirements of KRS 160.1593 and 701 KAR 8:020, (c) shall satisfy the requirements of the District and shall also be submitted as a written notification of the application simultaneously to the state board as a record of the filing. Incomplete applications shall be denied. An applicant shall be provided a detailed analysis of the application which shall include any identified deficiencies. The applicant shall be permitted ten (10) calendar days after receipt of such analysis to address any identified deficiencies, including allowing an applicant to request a sixty (60) day extension to seek technical assistance in curing deficiencies from the state board. If supplemental information is not provided to remedy the deficiency, or the supplemental information provided is not sufficient, the application shall be denied by the Board.¹

Request for Charter School Applications: The request shall contain all information that will enable an applicant to submit a complete application to the Board, including but not limited to the form of Kentucky Charter School Application, a description of specific evidences to be provided by the applicant, a Scoring Rubric, and any additional information required by the Board.

An applicant shall complete and file the application on or before October 30.

Capacity: In order for an application to be approved, the applicant must demonstrate the capacity of the applicant's board of directors to operate a high-quality charter school as set forth in the performance contracting requirements. If an applicant intends to contract with an education management organization to operate all or parts of the proposed charter school, the applicant must demonstrate the ability of the applicant's board of directors to operate at arms' length from the education management organization as required in the Kentucky Charter School Application and Addendum.

Charter School Application Process**APPLICATION PROCESS (CONTINUED)**

Charter Authorization: The Board shall approve only a charter school application that has been properly and timely submitted and that demonstrates a strong capacity to establish and sustainably operate a charter school that will provide high quality learning opportunities for all of its students and which satisfies the criteria for approval described in Policy 01.91. The Board shall review the Superintendent's recommendation and related materials and shall by majority vote approve or deny an application within sixty (60) days after the applicant's timely submission. The Board shall not approve a charter application unless the application meets all legal requirements. The Board shall only approve initial charter contracts with a term of five (5) years in length. Within five (5) days of an approval, the Board shall submit the approved charter application to the Commissioner of Education for review and approval.

Appeal: Following any decision to deny an application, the applicant may submit a notice of appeal to the Board and the Kentucky Board of Education. The notice of appeal shall be filed within thirty (30) days after the Board's decision to deny the application. The notice of appeal must comply with the requirements of KRS 160.1595 and 701 KAR 8:030. The requirements for the notice of appeal shall be posted on the District website.²

Conversion Charter Schools: The Board may by a majority vote designate an existing school within the District not scheduled for closure to be converted to a charter school. The processes for submission of a conversion application, community input, the Board's review and vote, the transfer of management and operations of a conversion charter school, and the transition of employees shall adhere to the requirements of KRS 160.1599 and 701 KAR 8:040. The requirements for petitioners advocating for conversion of an existing school within the District shall be posted on the District website.³

REFERENCES:

¹KRS 160.1592; KRS 160.1593; KRS 160.1594; 701 KAR 8:020

²KRS 160.1595; 701 KAR 8:030

³KRS 160.1599; 701 KAR 8:040

RELATED POLICIES:

01.11; 01.91; 01.9111; 01.912; 01.913; 01.914

Adopted/Amended:
Order #:

Charter School Application

The charter school application shall include the following:

1. Performance information, financial information, and closure information for any charter school under the applicant or board of directors;
2. Details and documentation of the outreach the applicant or proposed board of directors has had with the students or community that is the focus of the charter school application;
3. Details of whether the charter application replicates or substantially replicates:
 - a. A charter application that the applicant, proposed board of directors, or another entity previously withdrew from consideration and the reasons it was withdrawn;
 - b. A charter application that was rejected by an authorizer and the reasons the charter application was rejected; or
 - c. A charter school that was previously closed and the reasons for the closure.

The Board shall request and secure a certificate of existence from the Secretary of State for any business entity or its designee included as an applicant or in the proposed board of directors and, if the applicant or board of directors includes a foreign entity, request and secure a certificate of authorization for the entity from the Secretary of State.

The Board shall publish on the District website the names of all persons, and their roles, who are involved in the review of charter applications. Review of charter applications shall be conducted pursuant to requirements of the Open Meetings Act.

The required application is incorporated by reference in regulation and can be accessed via the Kentucky Department of Education:

<https://education.ky.gov/CommOfEd/chartsch/Documents/Charter%20School%20Application%20and%20Addendum.PDF>

REFERENCE:

701 KAR 8:020

Review/Revised:

Charter School Contract

Subject to completion of the charter school application process and prior to negotiating a charter contract with a charter school board of directors, the Board shall verify the charter school board of directors has registered as a non-profit business entity with the Kentucky Secretary of State pursuant to KRS 14A.

Negotiation and entry into a charter contract shall comply with state laws and regulations.

The contract, to be executed within seventy-five (75) days of final approval of an application, shall:

- Become the final authorization for the public charter school;
- Establish the academic and operational performance expectations and measures by which the charter school shall be evaluated; and
- Cover terms required by applicable statutes and regulations (e.g. KRS 160.1596 and 701 KAR 8:020).

The contract may include any other terms and conditions agreed to between the local Board and the charter board of directors but shall not include enrollment caps or operational requirements that place undue constraints on the charter school or which contradict charter school statutes.

REFERENCES:

KRS 160.1590; KRS 160.1591; KRS 160.1592; KRS 160.1593; KRS 160.1594
KRS 160.1595; KRS 160.1596; KRS 160.1597; KRS 160.1598; KRS 160.1599
701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040

RELATED POLICIES:

01.11; 01.91; 01.911; 01.912; 01.913; 01.914

Adopted/Amended:
Order #:

Charter School Contracts**CONTRACT PERFORMANCE**

The District will use academic, financial, operational measures, and performance frameworks for public charter school oversight and evaluation with which the District shall evaluate the charter school's performance under the charter contract.

CONTRACT REQUIREMENTS FOR SCHOOL PRE-OPENING

The Board shall include mutually agreed upon pre-opening requirements or conditions to:

1. Monitor the start-up progress of the newly approved public charter school;
2. Ensure that the charter school is prepared to open timely and smoothly on an agreed upon date; and
3. Ensure that the charter school meets all benchmarks related to facilities, health, safety, insurance, school personnel, enrollment, curriculum and instruction, operations and fiscal management, governance, and other legal requirements for the charter school opening.

Failure by the charter school to comply with these requirements or conditions may result in the immediate revocation of the charter contract. Such failure may result in the delay in the charter school opening by up to one (1) year if the Board does not determine that the charter school is more likely than not to close during the school year. Such failure shall result in the delay in the opening of the charter school by up to one (1) year if the Board does determine that the charter school is more likely than not to close during the school year.

CONTRACT FINANCIAL REQUIREMENTS

The Board shall include the following provisions for charter school financial solvency and sustainability:

1. Requirement that no member of the charter school board of directors, no education service provider, and no charter school employee shall knowingly recommend and no member of the charter school board shall knowingly vote for an expenditure in excess of the charter school's income and revenue of any fiscal year, as shown by the budget adopted the charter school board of directors and approved by the local Board;
2. Requirement that a member of the charter school board of directors, an education service provider, or a charter school employee who knowingly expends or authorizes such an expenditure of charter school funds or who knowingly authorizes or executes any employment, purchase, or contract in violation of these requirements, shall be jointly and severally liable in person and upon any official fidelity bond given to the local Board to the extent of any payments on the void claim;

Charter School Contracts**CONTRACT FINANCIAL REQUIREMENTS (CONTINUED)**

3. Requirement that, if at any time during any fiscal year of the charter school's existence, a member of the charter school board of directors, an education service provider, or a charter school employee, knows or reasonably should know that the charter school has or will become unable to pay in full its projected expenses as they fall due, the charter school shall immediately advise the Kentucky Department of Education and the local Board and provide the Department and the local Board with all financial information relating to revenues and expenses of the charter school necessary to determine the extent and cause of any potential operating deficit.

Failure to provide the notice to or cooperate with the Department and the local Board as required in this section in the production of financial information pursuant to this section shall result in:

- a. The local Board shall determine whether grounds exist to revoke the charter contract;
 - b. The knowingly acting member of the charter school board of directors, the education service provider, or the charter school employee may be subject to liability;
4. Requirement that the charter school board of directors maintain separate accountings of all funds received and disbursed by each charter school under the charter school board of directors.

CONTRACT REQUIREMENTS FOR SCHOOL CLOSURE

The local Board shall include specific, exclusive reasons and timelines for closure initiated by the charter school board of directors, closure protocol including policies and procedures applicable to the school closure, as well as requirements pursuant to state statutes or regulations.

CONTRACT ENROLLMENT REQUIREMENTS

The Board shall require that the charter school shall not prohibit a student from attending and shall not unenroll or withdraw a student unless the charter school has complied with KRS 158.150.

CONTRACT REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS

The Board shall require in the charter contract that any contract between a charter school board of directors and an education service provider (ESP) shall be approved by the local Board prior to execution of the contract between the charter board and the ESP. The contract between the charter board and the ESP shall comply with the following:

1. Clear establishment of the primacy of the charter contract with the local Board over the contract between the charter board and the ESP;
2. Clearly identifies the charter school board of directors as the party ultimately responsible for success or failure of the charter school and defines the ESP as a vendor of services;

Charter School Contracts**CONTRACT REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS (CONTINUED)**

3. Prohibits the ESP from selecting, approving, employing, compensating, or serving as members of the charter school board of directors;
4. Requirement that the charter school board of directors directly select, retain, and compensate the charter school's legal counsel, finance staff, audit firm, and school leader;
5. Provision for payments to the charter school to be made to an account controlled by the charter school board of directors, not the ESP;
6. All instruction materials, furnishings, and equipment purchased or developed with charter school funds be the property of the charter school, not the ESP;
7. Identification and description of roles and responsibilities of the charter school board of directors and the ESP, including all services to be provided under the contract between the charter school board of directors and the ESP;
8. Identification and description of performance measures and consequences by which the charter school board of directors shall hold the ESP accountable for performance, aligned with the performance measures in the contract between the local Board and the charter school board of directors;
9. Identification and specific description of all compensation to be paid to the ESP, including all fees, bonuses, and conditions, consideration, and restrictions on such compensation;
10. Identification and description of terms of any facility agreement that may be part of any relationship between the charter school board and the ESP;
11. Identification and description of financial reporting requirements and provisions for the charter school board of directors' financial oversight of the ESP and the charter school;
12. Identification and description of all other financial terms of the contract, including disclosure and documentation of all loans or investments by the ESP to the charter school board, and provision for the disposition of assets upon closure;
13. Assurances that the charter school board shall maintain independent fiduciary oversight and authority over the charter school budget and ultimate responsibility for the charter school's performance including that:
 - a. The charter school board of directors shall be structurally independent from the ESP and shall set and approve charter school policies;
 - b. The terms of the contract between the charter school board and the ESP are reached through arm's-length negotiations in which the charter school board is represented by legal counsel that does not also represent the ESP;

Charter School Contracts

CONTRACT REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS (CONTINUED)

14. Provisions for contract termination without penalties for the charter school without costs beyond the pro-rated value of the services provided by the education service provider; and
15. Respective responsibilities of the charter school board and the ESP in the event of school closure.

The contract between the local Board and the charter school board shall prohibit delegation of the charter school board of directors' responsibilities in this section to the ESP.

CONTRACT APPROVAL BY THE COMMISSIONER OF EDUCATION

The local Board shall not enter a charter contract for start-up, conversion, renewal of a charter school, or agree to any charter contract or contract amendment unless submitted to the Commissioner of Education who shall approve or deny but include reasons and any suggestions for remedy of those reasons. Failure to meet the Commissioner's requirements for approval shall render the contract or amendment void.

Review/Revised:

Charter School Monitoring, Assessment, and Annual Reports**PERFORMANCE MONITORING**

The local Board may use the charter contract performance framework developed by the Kentucky Department of Education. The framework shall include academic, financial, and organizational frameworks and the following targets:

1. Student assessment and accountability;
2. Student graduation rates;
3. Student attendance rates;
4. Student admission and enrollment in postsecondary institutions; and
5. Other outcomes.

Where a charter school board of directors has governance over more than one (1) charter school and has failed to meet statutory requirements, the local Board shall begin an investigation to determine if the charter school board is in compliance with any charter contract(s) for other school(s) under the local Board's jurisdiction.

The local Board shall also monitor the performance of contracts between the charter board and any Educational Service Provider (ESP). If the local Board believes there is an issue with any aspect of performance of the charter contract or compliance with statutory or regulatory requirements, then the local Board shall begin an investigation.

Verification of an issue with any aspect of performance of the charter contract or compliance with statutory or regulatory requirements shall result in notification to the Commissioner by the local Board who may request assistance in addressing and remedying the issue. The local Board shall also notify the charter school of the issue and take necessary action, which may include unilateral imposition of conditions on the charter school, revocation, or nonrenewal of the charter contract. The local Board shall provide notice of such an issue and resolution to all charter school students, parents, persons with custody or charge, and the Kentucky Department of Education.

FINANCIAL MONITORING

The local Board shall at least monthly review the financial budget reports of the charter school.

If budget projects indicate the charter school's annual operating expenses may at any time during the school year cause annual operating revenues to fall below two percent (2%) of the total projected annual operating revenues in the school's approved budget, the charter school shall provide specific notice to the local Board and the local Board shall take the following action:

1. Require the school to implement a cash management plan approved by the local Board;
2. Begin a more in-depth review, and audit if necessary, of the school's financial budget reports, expenditures, and revenues;
3. Request financial management assistance for the charter school from the Department; and
4. Restrict the school's expenditures and obtain the local Board's approval prior to expenditure of school funds for the remainder of the year.

Charter School Monitoring, Assessment, and Annual Reports**FINANCIAL MONITORING (CONTINUED)**

If the school defaults on a financial obligation or if the local Board suspects the school may close prior to the end of the school year or the charter contract term, the local Board shall take the following action:

1. Consult with the Commissioner of Education;
2. Communicate with the charter school board to determine the need for charter contract revocation;
3. Commence the same action as required as if annual operating revenues fall below the two percent (2%) of total projected operating revenue;
4. Review closure protocol and charter contract termination provisions and communicate such with the charter board; and
5. Notify students and resident local school districts as soon as necessary to ensure they are provided adequate preparation time for student transition and to provide free and appropriate public education to any returning students.

REFERENCES:

KRS 160.1590; KRS 160.1591; KRS 160.1592; KRS 160.1593; KRS 160.1594
KRS 160.1595; KRS 160.1596; KRS 160.1597; KRS 160.1598; KRS 160.1599

RELATED POLICIES:

01.0; 01.11; 01.6; 01.61; 01.61
01.91; 01.911; 01.9111; 01.913; 01.914

Adopted/Amended:
Order #:

Charter School Renewal, Non-Renewal, Revocation, and Closure**CONTRACT RENEWAL, NON-RENEWAL, AND REVOCATION**

The local Board shall not approve an application, contract with, or renew a contract with a charter school board of directors for a charter school that does not:

- a. Operate a breakfast program under the 42 U.S.C. 1773, as amended (CNA), and a lunch program under 42 U.S.C. 1751 et seq. (NSLA); or
- b. Operate a breakfast and lunch program with provision of meals at no cost to students who qualify for free meals under the CAN and NSLA and with the provision of meals at a reduced cost to students who qualify for reduced price meals under the CAN and NSLA; or
- c. Provide initial and continuing evidence and assurances of the charter school's financial solvency and financial sustainability, as demonstrated initially by the financial plan in the charter application, to cover the expenses of start-up or conversion, operation, and any foreseen or unforeseen closure of the charter school during the fiscal year or during the contract term.

The local Board shall also require:

- a. Inclusion of at least two (2) local school District resident parents or persons with custody or charge of local school District resident students who will attend the charter school on the charter school board of directors;
- b. That any exercise of the charter school board of directors authority to incur debt in anticipation of receipt of funds or encumber assets for loans and extensions of credit is permitted only as allowed for the local Board per KRS 160.540; and
- c. Participation of all members of the charter board in annual training requirements, approved by the Commissioner of the Education on topics required by state law and regulations.

The charter board or any education service provider shall provide to the local Board information and copies of all records of:

- a. Use of the Individual with Disabilities Education Act dispute resolution procedures, 707 KAR 1:340;
- b. Use of physical restraint or seclusion of charter school students;
- c. Allegations received or substantiated of violation of any health, safety, civil rights, and disability rights of students, staff, or parents or persons with custody or charge.
- d. Attendance records and data at least monthly during the school year.

The charter board shall adhere to any prohibitions and/or restrictions on expenditure of school resources and funds as required in state laws and statutes. The charter board shall obtain written consent of the local Board and amendment of the charter contract prior to any addition to or moving of any location of the charter school.

Charter School Renewal, Non-Renewal, Revocation, and Closure**CONTRACT RENEWAL, NON-RENEWAL, AND REVOCATION (CONTINUED)**

The charter school shall provide reports to the local Board on student enrollment and attendance at least twice a month. The local Board shall require continuous enrollment at the charter school of at least eighty percent (80%) of the charter contract minimum student enrollment requirements. The local Board shall monitor the reports. Failure of the charter school to maintain the minimum enrollment requirements shall result in immediate review by the local Board of:

1. The charter school's operations;
2. The charter school's financial solvency and financial sustainability through the end of the school year and the end of the charter contract term;
3. Potential for closure;
4. Violation of the charter contract; and
5. The need for imposition of unilateral conditions, amendment, non-renewal, or revocation of the charter contract, or immediate revocation of the charter contract pursuant to KRS 160.1598.¹

The local Board shall revoke or non-renew a charter school contract if the Commissioner of Education has determined a member of the charter board, or an education service provider at the direction of a charter board member, or an employee at the direction of a board member, has knowingly violated 703 KAR 5:080 or KRS 160.1592 related to performance framework of the charter contract or the state accountability system.

The local Board shall remove a member of a charter school board of directors that has been convicted of a crime described in KRS 61.040 and remove any or all of the members of the charter school board in connection with ensuring a smooth and orderly closure when the member(s) threaten the health, safety, civil rights, or disability rights of the students or the community pursuant to KRS 160.1598.¹ This removal authority may be confirmed in charter school corporate governance documents or the charter contract.

Prior to renewing a charter school contract, the local Board shall hold a public hearing in the resident local school District and allow oral or written comments at the hearing as well as written comments to be submitted prior the hearing. The local Board shall allow comment by the resident Superintendent who has filed an objection to the charter application.

CLOSURE

The charter school shall provide contact information and resident local school district information for all parents, persons with custody or charge, adult students, and emancipated youth students to the local Board. Notification to these parties by the charter school shall include:

1. The closure decision and closure process;
2. Information on student instruction and reassignment;
3. Information on courses, levels, and credits completed by the student;

Charter School Renewal, Non-Renewal, Revocation, and Closure**CLOSURE (CONTINUED)**

4. Information on the process for obtaining a copy of the student's education records; and
5. Contact information for additional information.

The charter school notification to the resident local school district(s) and the department shall include:

1. The closure decision and closure process;
2. The closure timeline and dates;
3. Information on student instruction and reassignment;
4. Employment, payroll, and benefits information;
5. Transfer of federal and state funds and assets according to the federal and state requirements; and
6. Contact information for additional information.

Additional and final charter school notification to parents and resident local school district(s) shall include:

1. Information on the existence and role of any appeal of the closure;
2. Identifying the last student day;
3. Detailing end of the year activities and transition activities for students; and
4. Providing information and assistance for reassignment of students.

The local Board's charter school closure protocol shall also include notification and reporting requirements regarding financial records and accounting and other requirements for the charter school as applicable in state laws and regulations.

REFERENCES:

¹701 KAR 8:020

KRS 160.1590; KRS 160.1591; KRS 160.1592; KRS 160.1593; KRS 160.1594

KRS 160.1595; KRS 160.1596; KRS 160.1597; KRS 160.1598; KRS 160.1599

KRS 160.540

701 KAR 8:010; 701 KAR 8:030; 701 KAR 08.040

707 KAR 1:340

42 U.S.C. 1751 et seq.; 42 U.S.C. 1773

RELATED POLICIES:

01.11; 01.91; 01.911; 01.9111; 01.912; 01.914

Adopted/Amended:
Order #:

Conversion to Charter Schools**PETITION FOR CONVERSION**

Public schools that are eligible for conversion to public charter schools through the petition process as indicated in statute, shall be published annually on the Kentucky Department of Education (KDE) website by school level.

Prior to circulation of a conversion petition, the petitioner shall file a notice of intent with the Board.

A valid application and petition for a conversion charter school shall be submitted to the Board on or before October 30 preceding the academic year in which students will be enrolled and no later than ninety (90) days after the date of the first signature on the petition.

Timelines and standards covering the submission, processing and action on notices of intent, petitions, and applications relating to the conversion of a public school to a public charter school are as set forth in KRS 160.1599 and 701 KAR 8:040.

CONVERSION

No conversion public charter school shall begin operation after the beginning of a school year.

Upon Board approval of the conversion of an existing public school to a public charter school or the completion of the petition process and meeting statutory and regulatory requirements including Board approval, the Superintendent shall:

1. Cause notice to be provided to resident students of the existing public school of the conversion including provide information regarding student application to the conversion charter school during the time that information on other school programs within the District is provided;
2. Create, with the conversion charter school board of directors, a conversion plan including, but not limited to, timelines, roles, responsibilities, and notification requirements for the following:
 - a. Coordination of student application, lottery, enrollment, and transfer to and from the conversion charter school; and
 - b. Transfer of management and operation of the conversion charter school in the same public school facility for the school years included in the conversion charter school's operation under the charter school's contract.
3. Meet during the first year of the charter contract with the charter school board of directors to coordinate student application, lottery, enrollment, and transfer of students; and
4. Meet throughout the charter contract with the charter school board of directors regarding the usage and maintenance of the facility by the charter school board of directors.

Execution of a lease for the public school facility between the Board and the charter school entity through its board of directors is required prior to operation of a conversion public school.

Conversion to Charter Schools**RESIDENT STUDENTS NOT ATTENDING THE CONVERSION CHARTER SCHOOL**

The District shall provide to the students and parents or guardians of students attending the existing public school but who choose not to attend the conversion charter school any information and plan the District uses to address their educational needs and placement.

OPERATION OF CONVERSION CHARTER SCHOOLS

The Board may renew, non-renew, revoke, or take other action regarding a conversion charter school as provided in KRS 160.1590 to KRS 160.1599, KRS 161.141, and 701 KAR 8:010 to 701 KAR 8:040.

With any closed conversion charter school reverting to its former status as a non-charter school, the Board shall solicit feedback on the future of the school from parents, guardians, adult students, and emancipated youth students prior to reversion.

REFERENCES:

KRS 160.1590; KRS 160.1591; KRS 160.1592; KRS 160.1593; KRS 160.1594
KRS 160.1595; KRS 160.1596; KRS 160.1597; KRS 160.1598; KRS 160.1599
KRS 161.141
701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040

RELATED POLICIES:

01.0; 01.11; 01.6; 01.61; 01.91
01.911; 01.9111; 01.912; 01.913

Adopted/Amended:
Order #:

02	Administration
02.1	Recruitment and Appointment of Superintendent
02.11	Qualifications of Superintendent
02.12	Duties of Superintendent
02.131	Contract of Superintendent
02.1311	Contract Renewal of Superintendent
02.1314	Dismissal for Cause of Superintendent
02.14	Evaluation (Superintendent)
02.14 AP.2	Evaluation of the Superintendent
02.3	Management
02.31	School Resource Officers (SROs)
02.31 AP.1	School Resource Officers (SROs) Procedures
02.413	Exemption (SBDM)
02.414	Alternative Models (SBDM)
02.421	Election of School Council Members (SBDM)
02.422	School Council Authority (SBDM)
02.423	School Council Meetings (SBDM)
02.423 AP.1	School Council Records
02.4231	School Council Relationships (SBDM)
02.4241	School Council Policies (SBDM)
02.42411	Appeal of Decisions (SBDM)
02.4242	School Budget and Purchasing (SBDM)
02.4242 AP.21	Expenditure of Funds/Purchase Requisition Form
02.4244	School Hiring (SBDM)
02.4244 AP.2	Nondisclosure Agreement (SBDM)
02.431	Training of School Council Members (SBDM)
02.432	Waiver of Board Policies (SBDM)
02.432 AP.2	Request for Waiver of Board Policy
02.433	Other Board Policy (SBDM)
02.4331	School Staffing (SBDM)
02.44	Accountability (SBDM)
02.441	Assessment of Student Progress (SBDM)
02.442	Comprehensive School Improvement Plan
02.442 AP.21	Comprehensive School Improvement Plan Reports

Recruitment and Appointment of Superintendent

When a vacancy occurs in the position of Superintendent, the following shall define the authority and responsibility of the Board and the screening committee.

BOARD RESPONSIBILITIES

The Board shall be responsible for:

1. Providing notice to teachers, principals and parent-teacher organizations regarding an impending vacancy in the office of Superintendent;
2. Deciding whether to use professional search consultants or additional committees;
3. Establishing a timeline for all phases of the search process;
4. Developing position criteria for the Superintendent and instructing the screening committee regarding the same;
5. Advertising the position;
6. Establishing procedures for receiving applications, corresponding with applicants and insuring the confidentiality of applications and related materials;
7. Providing the screening committee with the original, or a copy, of all applicant materials on or before the closing date for applications;
8. Charging the committee regarding applicant confidentiality;
9. Establishing the date for the screening committee to report to the Board;
10. Receiving and giving consideration to the report of the screening committee;
11. Interviewing such candidates as the Board sees fit; and
12. Hiring the Superintendent and establishing the conditions of his/her contract.

SCREENING COMMITTEE

The screening committee shall be established and shall function in accordance with statutory requirements.¹

The Board shall not pay stipends to screening committee members for service on the committee.

COMMITTEE RESPONSIBILITIES

The screening committee shall have the following responsibilities:

1. Screen all candidates;
2. Employ any reasonable means it chooses to screen candidates;
3. Report its recommendations to the Board on the prescribed date; and
4. Consider additional responsibilities as assigned by the Board.

The committee shall not obligate the Board financially without the Board's prior approval.

APPOINTMENT

After considering the recommendations of the screening committee, the Board shall appoint as its executive officer a certified Superintendent of Schools.

REFERENCES:

¹KRS 160.352

KRS 160.350; KRS 160.370, OAG 91-3

Adopted/Amended:
Order #:

Qualifications of Superintendent**CERTIFICATION**

Before the Superintendent assumes duties, s/he shall provide the Board with a copy of a “Certificate for School Superintendent” issued by the Education Professional Standards Board or its legal predecessor. S/he shall hold a valid certificate throughout the period of employment.¹

OTHER REQUIREMENTS

The Superintendent shall meet all requirements specified in statute and administrative regulations.¹
&2

REFERENCES:

¹KRS 160.350; OAG 97-36

²KRS 156.111; 704 KAR 3:406

Adopted/Amended:

Order #:

Duties of Superintendent**PROFESSIONAL ADVISOR**

The Superintendent shall be the professional advisor to the Board. As advisor to the Board, the Superintendent shall recommend policies to the Board for its consideration and should advise and counsel the Board on all matters.¹

EXECUTIVE OFFICER

The Superintendent shall be the executive officer of the District. As executive officer, the Superintendent is responsible for carrying out all policies and rules and regulations established by the Board.¹

SPECIFIC DUTIES

The Superintendent shall:

1. Meet with the Board except when the Superintendent's tenure, salary, or the administration of the Superintendent's office is under consideration;¹
2. See that the laws relating to the schools, the administrative regulations of the Kentucky Board of Education, and the policies of the Board are carried into effect;¹
3. Prepare, under the direction of the Board, all rules, procedures, bylaws, and statements of policy for review, approval and/or adoption by the Board;¹
4. Have general supervision, subject to the control of the Board, of the general conduct of the schools, the management of business affairs and, in accordance with state law, the course of instruction, and the discipline of pupils;¹
5. Make all appointments, promotions, and transfers of principals, supervisors, teachers, and other public school employees, and at the next Board meeting notify the Board of all personnel actions taken;²
6. Exercise general supervision of the schools, examine their condition and progress, and keep informed of the progress in other districts;³
7. Prepare or have prepared all budgets, salary schedules, and reports required by the Board and by the Kentucky Board of Education;³
8. Determine the need of extension of the school system of the district;³
9. Receive and examine reports from teachers and other school officers;³
10. Make reports from time to time as directed by the Board;³
11. Be responsible to the Board for the general condition of the schools;³ and
12. Meet all training and continuing education requirements specified in statute and administrative regulations.⁴

REFERENCES:

¹KRS 160.370; OAG 78-274; OAG 82-604

²KRS 160.380

³KRS 160.390

⁴KRS 156.111; 704 KAR 3:406

KRS 15.257; KRS 160.395

Adopted/Amended:
Order #:

Contract of Superintendent**CONTRACT**

Except for individuals serving in an interim or acting capacity, the Superintendent shall be granted a contract by the Board for a term of one (1), two (2), three (3), or four (4) years in accordance with statutory requirements.¹

The Board shall establish and approve the Superintendent's salary and length of term before entering into a contract for his/her employment. In determining compensation for the Superintendent, the Board shall consider the District's financial resources, current economic conditions, employee performance, and salary data for similar positions at relevant organizations within the region.

The Board shall approve the salary, benefits and other conditions of employment to be provided to the Superintendent in an open and public meeting. All such payments, benefits, and conditions shall be clearly documented in the Superintendent's current employment contract and in any contractual extensions approved by the Board thereafter.

VACANCY

In case of a vacancy in the office of Superintendent prior to the expiration of the term set by the Board, the term shall expire on the date the vacancy occurs.

When a vacancy occurs between a school Board election and the time that new members take office, the vacancy may not be filled until the new members take office. The Board may appoint an acting Superintendent during that period for a term not to exceed six (6) months. Such term may be renewed once for a period not to exceed three (3) months.

RESIGNATION

No Superintendent may resign his/her term prior to its expiration date and accept a new term from the same Board.

REFERENCE:

¹KRS 160.350

Adopted/Amended:
Order #:

Contract Renewal of Superintendent**REVIEW OF CONTRACT**

As early as practical in the calendar year in which the Superintendent's contract expires, the Board may meet to consider the performance and to consider whether to renew the Superintendent's contract. This provision shall not be interpreted as prohibiting the Board from reviewing the Superintendent's performance and considering the renewal of the Superintendent's contract at an earlier date as may be permitted by law.

The Board may grant an extension of the Superintendent's contract as permitted by law.

NEW CONTRACT

The Board may agree to enter into a new contract with the Superintendent at any time so long as the term of no Board member will expire in the interim between the making of a contract and its effective date.¹ The new contract cannot become effective until the expiration of the present contract.

REFERENCES:

¹KRS 160.350

OAG 78-274; 12-OMD-145

Board of Education of McCreary City v. Nevels, Ky App., 551 S.W.2d 15

Adopted/Amended:

Order #:

Dismissal for Cause of Superintendent

NOTICE REQUIRED

Following an appropriate due process hearing, the Superintendent may be removed for legal cause by vote of four-fifths (4/5) of the membership of the Board and upon approval by the Commissioner of Education. Notice setting out the charge on which removal is proposed shall be given to the Superintendent, as provided by statute.

REFERENCE:

KRS 160.350

Adopted/Amended:

Order #:

Evaluation

DEVELOPMENT AND APPROVAL

The Board and Superintendent shall develop procedures and forms for the evaluation of the Superintendent in compliance with applicable statutes and regulations. This policy and related procedures must be approved by the Kentucky Department of Education.

FREQUENCY OF EVALUATION

The Superintendent shall be evaluated annually in writing by the Board, and the summative evaluation shall be made available to the public on request. The evaluation criteria and evaluation process to be used shall be explained to and discussed with the Superintendent no later than the end of the first month of reporting for employment for each fiscal year.

PROCESS

Any preliminary discussions relating to the evaluation of the Superintendent by the Board or between the Board and the Superintendent prior to the summative evaluation shall be conducted in closed session.

The summative evaluation of the Superintendent shall be discussed and adopted in an open meeting of the Board and reflected in the minutes.

REFERENCES:

KRS 156.557
704 KAR 3:370

RELATED POLICY:

03.18

Adopted/Amended:
Order #:

Evaluation of the Superintendent

PROCESS

1. At the beginning of each contract year, the Board reviews the plan and expectations with the Superintendent prior to implementing the evaluation plan.
2. The Board and Superintendent collaboratively determine the evaluation process, timelines, and forms including the type of performance rating system to be used – numerical (4-1), descriptive (Exemplary, Accomplished, Developing, Improvement Required), or both. The Board will get more effective evaluation data through thoughtful discussions in determining a descriptive performance rating, but using and averaging numbers is an option.
3. Using the following Superintendent Evaluation instrument, the Superintendent conducts a self-assessment and reflects on his/her own performance levels in terms of the standards, indicators, and local District goals.
4. Each Board member uses the following Superintendent Evaluation instrument to reflect on Superintendent progress and performance levels on standards, indicators and District goals. Board members should also consider areas of emphasis on previous evaluations.
5. Each Board member should rate all the performance standards to create a comprehensive evaluation of the job, keeping in mind that factors such as experience and organizational structure may determine the level of focus on each standard. Performance indicators are listed below every standard. These performance indicators suggest objective measures to consider. Do not rate each performance indicator separately; only rate the overall performance standard.
6. Written comments in support of your rating are recommended as they provide clarity and are helpful during the Board discussions of the evaluation.
7. Each Board member's forms should be returned to the Board Chair or designee for compiling.
8. The entire Board and Superintendent meet to discuss individual and/or compiled reflection/assessment results. This conversation shall be held in a closed session and may include identifying commonalities and differences as well as developing and agreement on performance expectations.
9. The Board and Superintendent determine expectations relating to performance standards and District goals. Throughout the year the Superintendent collects and retains evidence of performance for areas of emphasis as well as standards and District goals. S/he shares evidence with the Board throughout the year to demonstrate efforts toward increased competencies in these areas.
10. The Board considers and incorporates Superintendent evidences into the Superintendent annual performance evaluation and collectively, with one voice, determines the Superintendent performance level for each standard and goal.
11. The final evaluation (summative) of the Superintendent shall be discussed and adopted in an open meeting of the Board and reflected in the meeting minutes.

Evaluation of the Superintendent

PERFORMANCE RATING LEVELS

The following performance levels will be used to indicate the progress of a Superintendent toward the seven standards and District goals.

- (4) Exemplary:** Exceeds the standard
- (3) Accomplished:** Meets the standard
- (2) Developing:** Making progress toward meeting the standard
- (1) Improvement Required:** Progress toward meeting the standard/goal is unacceptable; standard/goal is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent.

Comments are recommended to support performance levels for each standard and District goal and necessary when performance is determined to be Improvement Required.

Evaluation of the Superintendent**EVALUATION INSTRUMENT****STANDARD 1: STRATEGIC LEADERSHIP**

The Superintendent leads the development and implementation of District vision, mission, and goals while creating conditions to ensure that every student graduates high school with the knowledge and skills necessary to be successful in the 21st century.

PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

- 1.1 With direction from the Board, the Superintendent facilitates a community process to develop and implement a shared vision that focuses on improving student achievement.
- 1.2 Empowers all stakeholders to reach high levels of performance and achieve the District's vision.
- 1.3 Communicates high expectations for student achievement while promoting academic rigor that focuses on learning and excellence.
- 1.4 Develops, implements, promotes, and monitors continuous improvement processes.
- 1.5 Assists the Board in developing, implementing, and monitoring District goals.
- 1.6 Understands and demonstrates that District and school improvement goals are connected to student learning goals.

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
- ☐ **(3) Accomplished:** Meets the standard
- ☐ **(2) Developing:** Making progress toward meeting the standard
- ☐ **(1) Improvement Required:** Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:

Evaluation of the Superintendent**STANDARD 2: INSTRUCTIONAL LEADERSHIP**

The Superintendent supports and builds a system to effectively use District resources and research-based best practices for curriculum, instruction, and assessment in reducing achievement gaps and continuously improving teaching, learning, and student achievement.

PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

- 2.1 Communicates student achievement expectations to staff and stakeholders.
- 2.2 Demonstrates the need to identify and remove barriers to student learning.
- 2.3 Proposes appropriate recommendations for programs and curricula in anticipating adjustments of occupational trends and school-to-career needs.
- 2.4 Develops, implements, promotes, and monitors continuous improvement processes with faculty and stakeholders to ensure alignment of curriculum, instruction and assessment.
- 2.5 Encourages the use of technology in educational programming.
- 2.6 Using a variety of techniques, work with principals and administrators to formulate plans to assess and analyze the effectiveness of instruction through student progress. These may include monitoring, evaluating and reporting student achievement and performance gaps; observing teaching methods and classroom management; and research, assessments, feedback, and reflection.
- 2.7 Understands data analysis, including how it applies to school and District student achievement goals, how to address curricular gaps and how to use data to prioritize decisions and drive change that will improve student learning.
- 2.8 Ensures school and District progress in the areas of: proficiency, growth, graduation rate, closing achievement gaps, transition readiness, opportunity, and access.

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
- ☐ **(3) Accomplished:** Meets the standard
- ☐ **(2) Developing:** Making progress toward meeting the standard
- ☐ **(1) Improvement Required:** Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:

Evaluation of the Superintendent**STANDARD 3: CULTURAL LEADERSHIP**

The Superintendent understands the history, tradition, and multicultural differences of the District. S/he empowers all stakeholders to assist in shaping District culture and climate as they support efforts to improve teaching and learning for all.

PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

- 3.1 Creates and supports a community of learners that empowers others to reach high levels of performance to achieve the school's vision.
- 3.2 Promotes understanding and celebrating of school/community cultures.
- 3.3 Promotes and expects a school-based climate of tolerance, acceptance and civility.
- 3.4 Advocates, nurtures and sustains school culture and instructional programming conducive to student learning.
- 3.5 Models and demonstrates multicultural and ethnic practices and is responsive to the needs of diverse populations.
- 3.6 Encourages instructional strategies that include cultural diversity and differences in learning styles.

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
- ☐ **(3) Accomplished:** Meets the standard
- ☐ **(2) Developing:** Making progress toward meeting the standard
- ☐ **(1) Improvement Required:** Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:

Evaluation of the Superintendent**STANDARD 4: HUMAN RESOURCE LEADERSHIP**

The Superintendent leads the District in developing professional learning communities among a highly effective and diverse staff. S/he assists in the planning of professional development opportunities for all staff and develops and implements an effective staff performance evaluation system. If applicable, the Superintendent provides technical advice to the Board to administer and negotiate labor contracts.

PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

- 4.1 Demonstrates use of system and staff evaluation data for personnel policies, decision-making, career growth and professional development.
- 4.2 Understands and demonstrates that professional development needs to be aligned to the analysis of test data.
- 4.3 Demonstrates understanding of continual improvement processes for teacher and principal effectiveness systems, and implements them.
- 4.4 Identifies and applies appropriate policies, criteria, and processes for the recruitment, selection, induction, compensation, support, evaluation, development, and retention of a high-performing, diverse staff.
- 4.5 Mentors and coaches' administrators throughout the District.

If applicable:

- 4.6 Develops bargaining strategies based upon collective bargaining laws and processes.
- 4.7 Identifies contract language issues and proposes modifications.
- 4.8 Participates in the collective bargaining processes as determined by the Board, establishing productive relationships with bargaining groups while effectively managing contracts.

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
- ☐ **(3) Accomplished:** Meets the standard
- ☐ **(2) Developing:** Making progress toward meeting the standard
- ☐ **(1) Improvement Required:** Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:

Evaluation of the Superintendent**STANDARD 5: MANAGERIAL LEADERSHIP**

The Superintendent uses data analysis in budgeting, staffing, and problem solving to make recommendations to the Board as they effectively and efficiently allocate resources and establish support systems for all District stakeholders.

PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

5.1 Demonstrates understanding and comprehends the importance of managing the District budget, including financial forecasting, planning, cash-flow management, account auditing, and monitoring that results in the following:

- A balanced operational budget for school programs and activities.
- Utilization of District resources to attain the highest and most efficient use to improve student learning, while maintaining compliance with legal, ethical and policy standards.
- Effective communication of the District's budget and resource allocation to the Board and constituents.
- Meeting reporting deadlines as required by statute, regulatory agency, local policy or Board action.

5.2 Ensures sound management of the organization, operations, and resources for a safe, efficient, and effective learning environment.

5.3 Secures and uses a variety of appropriate school and community resources to support learning.

5.4 Understands and monitors the District technology plan, making informed decisions about computer hardware and software, as well as related staff development and training needs.

5.5 Demonstrates knowledge of school facilities and develops a process that builds internal and public support for facility needs, including bond issues.

5.6 Establishes procedures and practices to assist all stakeholders in implementing and monitoring emergency plans for District safety and security practices for weather, threats, violence and trauma in collaboration with local, state, and federal agencies.

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
- ☐ **(3) Accomplished:** Meets the standard
- ☐ **(2) Developing:** Making progress toward meeting the standard
- ☐ **(1) Improvement Required:** Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:

Evaluation of the Superintendent**STANDARD 6: COLLABORATIVE LEADERSHIP**

The Superintendent maintains a positive relationship with Board members as they work together to establish community support for the District's goals through effective two-way communications with students, staff, parents, business representatives, government leaders, community members, and the media.

PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

- 6.1 Understands and articulates the system of public school governance and differentiates between policy-making and administrative roles.
- 6.2 Develops effective Superintendent/Board interpersonal and working relationships.
- 6.3 Understands and interprets the role of federal, state and regional governments, policies, and politics and their relationships to local Districts and schools.
- 6.4 Effectively uses legal resources (e.g. local Board attorney) to protect the District from civil and criminal liabilities.
- 6.5 Collaboratively develops, implements and monitors processes to improve student learning and teaching.
- 6.6 Uses formal and informal techniques to gain perceptions of District from all stakeholders, internal and external.
- 6.7 Demonstrates effective communication skills (written, verbal and non-verbal), in formal and informal settings, large and small group and one-on-one environments.
- 6.8 Establishes effective school/community relations, school/business partnerships and a positive working relationship with the media; and promotes involvement of all stakeholders to fully participate in the process of education.

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
- ☐ **(3) Accomplished:** Meets the standard
- ☐ **(2) Developing:** Making progress toward meeting the standard
- ☐ **(1) Improvement Required:** Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:

Evaluation of the Superintendent**STANDARD 7: INFLUENTIAL LEADERSHIP**

The Superintendent uses his/her position in the District and community to work with local, state and federal officials to influence policies affecting the political, social, economic, legal, cultural, and ethical governance of public education.

PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

- 7.1 Understands and interprets the role of federal, state and regional governments; policies; and politics and their relationships to local Districts and schools.
- 7.2 Provides input on critical education issues at the local, state and federal levels.
- 7.3 Continually models a professional code of moral and ethical standards, and demonstrates personal integrity.
- 7.4 Explores and develops ways to find common ground in dealing with difficult and divisive issues.
- 7.5 Promotes the establishment of moral and ethical practices in every classroom, every school, and throughout the District.

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
- ☐ **(3) Accomplished:** Meets the standard
- ☐ **(2) Developing:** Making progress toward meeting the standard
- ☐ **(1) Improvement Required:** Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:

Evaluation of the Superintendent**DISTRICT GOALS**

Part of the Superintendent's job is to guide the District toward successful completion of District goals collaboratively developed by the Board and Superintendent and to report progress toward goals on a regular, prescribed basis. Goals may also be developed as part of the Superintendent's performance expectations.

1. Attached are the forms to be completed by each Board member rating the Superintendent's performance in meeting the goals agreed to by the Superintendent and the Board at the beginning of the year. Each goal statement should be inserted into a separate page for completion.
2. Each Board member should rate the performance level for each goal.
3. Written comments in support of your rating are recommended as they provide clarity and are helpful during the Board discussions of the evaluation.
4. Each Board member's forms should be returned to the Board Chairperson or designated Board member for compiling.

Evaluation of the Superintendent

GOAL 1:

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
- ☐ **(3) Accomplished:** Meets the standard
- ☐ **(2) Developing:** Making progress toward meeting the standard
- ☐ **(1) Improvement Required:** Progress toward meeting the goal is unacceptable; goal is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this goal:

Evaluation of the Superintendent

GOAL 2:

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
- ☐ **(3) Accomplished:** Meets the standard
- ☐ **(2) Developing:** Making progress toward meeting the standard
- ☐ **(1) Improvement Required:** Progress toward meeting the goal is unacceptable; goal is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this goal:

Evaluation of the Superintendent

GOAL 3:

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
- ☐ **(3) Accomplished:** Meets the standard
- ☐ **(2) Developing:** Making progress toward meeting the standard
- ☐ **(1) Improvement Required:** Progress toward meeting the goal is unacceptable; goal is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this goal:

Review/Revised:

Management**STANDARDS OF PERSONNEL MANAGEMENT**

Supervisors shall observe the following standards in providing direction to employees under their supervision:

1. Supervisors shall endeavor to establish an atmosphere of cooperation and professional courtesy.
2. Supervisors shall direct employees under their supervision in keeping with Board policies, administrative procedures and other legal requirements.
3. Supervisors shall assist employees in solving problems that arise in the workplace in a timely and supportive manner. This shall include providing information to help the employee to communicate to a higher level an employee's complaint, grievance or suggestion to improve performance of assigned tasks.
4. Supervisors shall monitor employee performance to document training needs and share this information with the Superintendent/designee.

Supervisors shall receive appropriate training to equip them to meet the standards in this policy.

In addition, the Superintendent shall establish a process to monitor personnel management practices to include the opportunity for employees to communicate their concerns and recommendations about the working environment.

RELATED POLICIES:

03.113/03.212
03.132/03.232
03.16/03.26
03.162/03.262
03.19/03.29

Adopted/Amended:
Order #:

School Resource Officers (SROs)**DEFINITION**

“School resource officer” or “SRO” means an officer whose primary job function is to work with youth at a school site who has specialized training to work with youth at a school site and is:

- (a)
 - 1. A sworn law enforcement officer; or
 - 2. A special law enforcement officer appointed pursuant to KRS 61.902; or
 - 3. A police officer appointed as a certified SRO; and
- (b) Employed:
 - 1. Through a contract between a local law enforcement agency and a school district;
 - 2. Through a contract as secondary employment for an officer, as defined in KRS 16.010, between the Department of Kentucky State Police and a school district; or
 - 3. Directly by a local Board of Education.¹

PURPOSE

The purpose of the SRO program is to: promote and foster a safe environment in schools, at school-sponsored events, and on school transportation; provide a law enforcement presence on school property and at school-sponsored events; enhance educational programs relating to safety and positive behaviors; and provide a liaison to community and law enforcement agencies. The purpose of the program is not to enforce or administer matters of school discipline and student conduct which are the responsibility of other District or school personnel.

ROLES AND EXPECTATIONS

- An SRO will have such training, certification, and commission as is required by provisions of KRS Chapters 15, 61, and 158. Per KRS 158.4414, an SRO who fails to successfully and timely complete SRO training requirements shall lose his/her SRO certification and shall no longer serve in the capacity of an SRO in a school. An SRO is also expected to obtain training on the use of physical restraint and seclusion as required of all school personnel except additional training applicable to “core team” school personnel designated to respond to dangerous behavior.²
- An SRO is vested with law enforcement jurisdiction and authority as described in KRS 61.902 to KRS 61.930 and other applicable law, including, but not limited to, investigating and responding to possible criminal offenses and to health or safety threats to students or school personnel.
- As authorized under the Family Educational Rights and Privacy Act (“FERPA”), SROs are designated as the District’s “law enforcement unit” possessing the law enforcement authority and exercising safety and security functions described in state law and referenced above. Records created and maintained by an SRO for a law enforcement purpose do not constitute education records under FERPA.³ District staff other than law enforcement personnel are not responsible for the creation of law enforcement records and are expected to observe restrictions on access to such records. An SRO is expected to provide guidance and insight to District officials and staff on such restrictions.

School Resource Officers (SROs)**NATURE OF EMPLOYMENT**

An SRO who is directly employed by the District is a classified employee. An SRO is therefore generally covered by District classified employee policies, including, but not limited to, policies regarding terms and conditions of employment; fringe benefits; employee discipline; and reductions in force.⁴ However, as applied to an SRO, such general District classified employee policies may be subject to the terms of his/her contract with the District; his/her job description; and his/her authority to carry out certain law enforcement functions as permitted by law, including, but not limited to, statutory provisions permitting officers to carry and use weapons.⁵

ASSIGNMENT

By August 1, 2022, the Board shall ensure, for each campus in the District, that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus. If sufficient funds and qualified personnel are not available for this purpose for every campus, the Board shall fulfill the requirements on a per campus basis, as approved in writing by the State School Security Marshal, until a certified SRO is assigned to and working on-site full-time on each campus in the District.

BOARD MAY AUTHORIZE POLICE DEPARTMENT

KRS 158.471 provides that the Board is authorized to establish a police department for the District, appoint police officers and other employees, prescribe distinctive uniforms for the police officers of the District, and designate and operate emergency vehicles. Police officers appointed shall take an appropriate oath of office in the form and manner consistent with the constitution of Kentucky. Police officers shall be granted with the protections provided in KRS 15.520 and shall be certified in accordance with KRS 15.380.⁷

If the Board establishes a police department, the Superintendent/designee shall develop standard operating procedures governing the department.

TRAINING REQUIREMENTS

All School Resource Officers (SROs) with active SRO certification shall successfully complete forty (40) hours of annual in-service training that has been certified or recognized by the Kentucky Law Enforcement Council for SROs. Any SRO who fails to successfully complete training requirements within the specified time periods, including approved extensions, shall lose his/her SRO certification and shall no longer serve in the capacity of an SRO in a school.

FIREARM REQUIREMENT

Each SRO shall be armed with a firearm, notwithstanding any provision of local board policy, local school council policy, or memorandum of agreement.⁶

SUPERINTENDENT TO REPORT

No later than November 1 of each year, the Superintendent shall report to the Center for School Safety the number and placement of SROs in the District. The report shall include the source of funding and method of employment for each position.

School Resource Officers (SROs)

REFERENCES:

¹KRS 158.441

²704 KAR 7:160

³20 U.S.C. 1232(g)(a)(4)(ii); 34 C.F.R. § 99.8

⁴KRS 161.011

⁵KRS 61.902 – KRS 61.930; KRS 527.020; KRS 527.070; KRS 70.290

⁶KRS 158.4414

⁷KRS 158.471

KRS 15.380; KRS 15.520

KRS 158.4415

KRS 158.471; KRS 158.473; KRS 158.475; KRS 158.477; KRS 158.479; KRS 158.481

RELATED POLICIES:

05.48; 09.14; 09.2211; 09.227; 09.422; 09.425; 09.4361

Adopted/Amended:
Order #:

School Resource Officers (SROs)**DEFINITION**

"School resource officer" or "SRO" means an officer who has specialized training to work with youth at a school site and is:

- (a)
 - 1. A sworn law enforcement officer; or
 - 2. A special law enforcement officer appointed pursuant to KRS 61.902; or
 - 3. A police officer appointed as a certified SRO; and
- (b) Employed:
 - 1. Through a contract between a local law enforcement agency and a school district;
 - 2. Through a contract as secondary employment for an officer, as defined in KRS 16.010, between the Department of Kentucky State Police and a school district; or
 - 3. Directly by a local Board of Education.¹

ROLES AND EXPECTATIONS

This procedure describes the roles and expectations in addition to the matters covered in Policy 02.31, of SROs directly employed by the District as well as other school employees who work with SROs as follows.¹

- An SRO, as assigned and coordinated with the Central Office administration or Principal, is expected to provide or assist with presentations, trainings, and instruction to students, faculty, administration, and school-related groups regarding law enforcement, safety, drug education and prevention, crime prevention and emergency preparedness, and laws intended to protect the safety and well-being of students, staff, and the community. An SRO is expected to develop appropriate, positive relationships to promote crime prevention, good citizenship, and healthy behaviors intended to prevent the need for disciplinary or law enforcement interventions.
- An SRO will not be responsible for enforcement or administration of discipline of students by other school staff, the Superintendent, school administration, or the Board, nor are SROs responsible for discipline of school employees. Other school employees are likewise not responsible for law enforcement functions or investigations and are not vested with criminal law enforcement authority.
- In furtherance of the promotion of school safety and security, and consistent with Policy 09.14 and corresponding procedures/notices under the Family Educational Rights and Privacy Act ("FERPA"), an SRO may access personally identifiable information ("PII") contained in student records in which s/he has a legitimate educational interest as a "school official." An SRO is expected to observe prohibitions on the redisclosure of PII to which s/he is permitted access unless a FERPA exception applies.

School Resource Officers (SROs)**ROLES AND EXPECTATIONS (CONTINUED)**

- An SRO is expected to assist other school staff as needed in order to determine whether conduct implicates a criminal reporting standard under KRS 158.154; KRS 158.155, or KRS 158.156. After receiving assistance from an SRO regarding the conduct at issue, the staff person and SRO may jointly contact outside law enforcement where it is determined that such a report is required.¹
- In the event an SRO is involved in an interview of a student or others, an SRO or other law enforcement officer is expected to determine within his/her discretion whether *Miranda* warnings are required and for administering such warnings.²
- An SRO is expected to consult and provide input as requested by the Superintendent, Principal, the District School Safety Coordinator and other school staff on school safety issues and requirements including, but not limited to, physical security measures, emergency planning, drills and trainings, school safety plans, security risk assessments, and threat assessment planning and implementation.
- An SRO is expected to serve as a liaison to outside law enforcement, first responders, the court system and other state and local agencies in coordination with and under the direction of the Principal or Superintendent/designee.
- An SRO is expected to solicit support and develop understanding of the SRO program, as requested by the Superintendent/designee. An SRO is expected to be available for conferences with students, parents, and faculty members in furtherance of the purposes of the SRO program.
- An SRO is expected to become familiar with community agencies and school-based resources, which offer assistance to youth and their families such as mental health and drug intervention and counseling services in order to make or assist with referrals to such resources when necessary.

REFERENCES:

¹KRS 158.154; KRS 158.155; KRS 158.156

²N.C. vs. Commonwealth, Ky. 386 S.W.3d 852 (2013)
KRS 158.471

RELATED POLICIES:

09.14; 09.2211; 09.227; 09.422; 09.425; 09.4361

Review/Revised:

Exemption (SBDM)

On or after January 1 and prior to March 1 of each calendar year, a school required to implement school-based decision making pursuant to KRS 160.345 may seek an SBDM exemption by submitting a written request to the Commissioner for consideration by the Kentucky Board of Education (KBE). Any school performing above its threshold level requirement as determined by the Kentucky Department of Education under KRS 158.6455 may apply to the Kentucky Board of Education for exemption from SBDM. Any school that requests such exemption shall inform the Superintendent and the Board. Implementation of an approved school-based decision making exemption shall begin on July 1 unless otherwise specified in the written request submitted to and approved by the KBE. An SBDM exemption approved by the KBE shall be valid for one (1) school year; however, a school may annually re-apply for an SBDM exemption if it meets the requirements set forth in KRS 160.345.

Any District-operated school not defined as a “school” by KRS 160.345 (1) (b) is not eligible to operate under School Based Decision Making.

PETITION

Faculty members of a school who no longer wish to remain under SBDM shall present a written petition to the Principal signed by a minimum of twenty-five percent (25%) of the faculty members, indicating their desire for a vote on the matter.

Under guidelines established by its membership, the parent/teacher organization of the school or, if none exists, the largest organization of parents formed for this purpose may also submit a petition to the Principal, calling for a vote on whether to apply for an exemption.

SCHEDULING

On receiving a petition the Principal shall set the date, time and place of a faculty meeting for the purpose of voting on whether to apply for an exemption. This meeting shall be held not less than five (5) and not more than ten (10) school days from the Principal's receipt of the petition.

NOTICE

Notice of the meeting shall be provided to all faculty members assigned to the school at least five (5) days in advance of the meeting.

MEETINGS

The Principal shall chair the meeting at which the vote is taken by the faculty. Voting shall be by secret ballot. Ballots shall offer faculty members the opportunity to vote for or against applying for an exemption. The Principal and at least two (2) teachers chosen by the faculty shall count the ballots and announce the results at the conclusion of the meeting.

The parent vote on applying for an exemption shall be conducted by the parent/teacher organization of the school or, if none exists, the largest organization of parents formed for this purpose.

An affirmative vote of the majority of the faculty and a majority of at least twenty-five (25) voting parents of students enrolled in the school shall be required to apply for an exemption from SBDM. The Principal shall forward results of the faculty and parent elections to the Superintendent and the Board.

A vote to apply for an exemption shall be held not more than once every sixty (60) calendar days.

Exemption (SBDM)**VOTE TO RETURN**

An exemption, once granted by the Kentucky Board of Education, shall continue unless the school fails to meet threshold requirements or votes to return to SBDM.

A vote to enter into SBDM shall be held no more than once every sixty (60) calendar days. Faculty members of a school who wish to re-enter School Based Decision Making (SBDM) shall present a written petition to the Principal, signed by a minimum of twenty-five (25%) percent of the faculty members, indicating their desire for a vote on the matter.

The Principal shall chair the meeting at which the vote is taken. Voting shall be by secret ballot. Ballots shall offer faculty members the opportunity to vote for or against re-entering SBDM. The Principal and at least two (2) teachers chosen by the faculty shall count the ballots and announce the results at the conclusion of the meeting.

If two-thirds (2/3) of the faculty vote to re-enter SBDM, the school will do so. The Principal shall forward results of the vote to the Superintendent and the Board. Organization of elections to select teacher and parent representatives for the school council shall be conducted in accordance with Board Policy 02.421.

SCHOOLS OF INNOVATION

In a designated school of innovation participating in a district of innovation application and plan, the council may request a waiver from KRS 160.345 or specific provisions within that statute by conducting a vote as set out in KRS 160.107.

REFERENCES:

KRS 156.108; KRS 158.6455
KRS 160.107; KRS 160.345
701 KAR 5:100
OAG 94-51

RELATED POLICIES:

02.421
02.4241

Adopted/Amended:
Order #:

Alternative Models (SBDM)

A school may develop an alternate form of School-Based Decision Making (SBDM) under the following process.

On or after January 1 and prior to March 1 of each calendar year, a school choosing to develop an alternative model for SBDM pursuant to KRS 160.345 shall submit a completed Alternative School-Based Decision Making Application through the Board to the Commissioner for consideration by the Kentucky Board of Education. Alternate models may address membership, organization, duties and responsibilities of the council. The alternate model shall be developed by a committee composed of representatives of parents, students, teachers and administrators. The composition of the committee shall be three (3) parents, three (3) teachers, one (1) student and one (1) administrator who shall be the Principal of the school. The parent representatives shall be appointed by the parent teacher organization. If no parent teacher organization exists at the school, then the parent representatives of the committee shall be elected under the procedures set out for electing parents to the school council. The student representative shall be appointed by the student government organization. If no student government organization exists at the school then the Principal shall appoint the student representative. The teacher representatives shall be elected by the teachers of the school.

APPROVAL

Any model developed by this committee must be approved by two-thirds (2/3) of the school faculty. An alternative model shall not eliminate or reduce the proportion of parent representatives on the council.

REVIEW

On recommendation of the Principal or on a two-thirds (2/3) vote of the certified staff, the alternate model may be reviewed by the establishment of a review committee whose membership shall be as described above. The review committee may propose amendments to the alternate model which must be approved by two-thirds (2/3) of the faculty of the school prior to its presentation to the Board.

Approved models or amendments shall be presented to the Board for review and transmitted to the Commissioner of Education and the Kentucky Board of Education. The date of implementation of the alternative SBDM model is July 1.

REFERENCES:

KRS 160.345; 701 KAR 5:100; OAG 93-52

Adopted/Amended:
Order #:

Election of School Council Members (SBDM)**COUNCIL ELECTIONS**

Council elections may allow voting to occur over multiple days and via electronic means.

ELECTION OF TEACHER MEMBERS

Teachers assigned to a school shall organize the election to select teacher council members. Teachers may request the Principal to provide administrative assistance in preparing for the election.

Teachers may nominate themselves or another teacher. A written ballot containing the names of all qualified teachers nominated shall be prepared and kept on file with other council records. The teachers attending the meeting shall choose a chairperson to chair the meeting to elect teacher members to the council. Balloting will continue until three (3) teachers are elected. Teacher members must be employees of the District and currently assigned to the school where they are elected as council member. For the purpose of electing teacher council members, a Principal or Assistant Principal, may not vote or serve as a teacher council member. Election shall be by majority vote of all teachers assigned to the school.

Itinerant teachers may vote at all schools to which they are assigned and may serve on the council of any of those schools.

Teachers elected to a council shall not be involuntarily transferred during their term of office.

ELECTION OF PARENT MEMBERS

Parents of students assigned to a school shall organize the election to select parent council members. They may request the Principal to provide administrative assistance required to conduct the election.

The president of the parent-teacher organization shall organize and oversee the election of parent council members. If the school does not have a parent-teacher organization, then parents shall set the date and time for parents to elect parent council members and shall provide notice of the election to parents.

A parent council member shall be a parent, stepparent, or foster parent of a student to be enrolled in the school during the parent's term of council service. Parent shall also mean a person who has legal custody of a student pursuant to a court order and with whom the student resides. A parent council member shall not be an employee or the relative of an employee of the school in which that parent serves, nor shall the parent representative be an employee or a relative of an employee in the District administrative offices. A parent representative shall not be a local Board member or Board member's spouse. Relative shall mean father, mother, brother, sister, husband, wife, son, and daughter.

A parent council member shall submit to a state and national fingerprint-supported criminal history background as required by KRS 160.380. In addition, the parent council member shall provide a clear CA/N check. A parent member may serve prior to the receipt of the criminal history background check and CA/N check, but shall be removed from the council on receipt by the District of a report documenting a record of abuse or neglect, or a sex crime or criminal offense against a victim who is a minor as defined in KRS 17.500 or as a violent offender as defined in KRS 17.165 and no further procedures shall be required.

Election of School Council Members (SBDM)**ELECTION OF PARENT MEMBERS (CONTINUED)**

Link to DPP-156 Central Registry Check and more information on the required CA/N check:

<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx>

MINORITY REPRESENTATIVES

If the council formed under the elections described above does not have a minority member, and the school has eight percent (8%) or greater enrollment of minority students, the Principal shall be responsible for carrying out the following:

1. The Principal shall organize a special election no sooner than ten (10) and no later than twenty (20) calendar days following the elections described above to elect a minority parent to the council by ballot. The Principal shall notify all parents of the date, time, and location of the election. The notice shall call for nominations of minority parents for the ballot. The election shall be conducted using the same procedures as the election of the two (2) other parent members of the council.
2. The Principal shall call a meeting of all teachers in the building within seven (7) days following the initial election of parent and teacher council members. The teachers shall select one (1) minority teacher to serve as a teacher member on the council.

If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. Procedures for election of the teacher representative shall be the same as the procedures for election of the other three (3) teacher members of the council.

TERMS

Terms of school council members shall be for one (1) year and shall begin on July 1 and end on June 30 of the following year. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. Term limitations shall not apply for a minority teacher member who is the only minority on faculty. Annual elections for the following year's terms should be held no later than the preceding May, but the specific date shall be set by the council.

COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS

When a new school is opened or schools are consolidated, these guidelines shall be followed:

- If a school is scheduled for closing, there is no need to hold council elections for the upcoming school year.
- Council members of a school being consolidated with another school may not carry over a term of office to the newly consolidated school's council but may stand for election if otherwise qualified.
- Following the opening of a new or consolidated school, elections shall be held to form a council.

Election of School Council Members (SBDM)

CONFLICT OF INTEREST

Council members shall not have a conflict of interest pursuant to KRS Chapter 45A, except the salary paid to District employees.

REMOVAL OF COUNCIL MEMBERS

On recommendation of the Commissioner of Education and pursuant to statutory requirements, the Board may remove a council member for cause by a vote of four-fifths (4/5) of the Board's membership.

VACANCIES

Council vacancies shall be filled at a special called election and shall follow the guidelines set forth in this policy.

REFERENCES:

KRS 17.165; KRS 17.500; KRS 156.132
KRS 160.345; KRS 160.347; KRS 160.380
OAG 91-148; OAG 91-192; OAG 91-206
OAG 92-88; OAG 93-49; OAG 94-41

Adopted/Amended:
Order #:

School Council Authority (SBDM)**AUTHORITY**

The council is a policy making body established by Board policy per KRS 160.345. Outside of a legally called council meeting, no council member, other than the Principal, has decision making or administrative authority conferred by office on the council. The Principal is the school's primary administrator and instructional leader.

REFERENCES:

OAG 93-55
KRS 160.345

RELATED POLICY:

02.4241

Adopted/Amended:
Order #:

School Council Meetings (SBDM)**OPEN MEETING AND OPEN RECORD REQUIREMENTS**

All meetings of the council are open to the public and subject to the open meetings law. Council records are also subject to open records law and the Records Retention Schedule, Public School District.

SCHEDULE

The first meeting of the council shall be called by the Principal; thereafter, the council shall set its own meeting schedule. At this meeting, the council shall adopt a schedule of regular meetings for the fiscal year, identifying the date, time and place of each meeting. Any change to this schedule shall be a special-called meeting.¹

All meetings of the council, and any committees or subcommittees thereof, shall be held at specified times and places which are convenient to the public. The schedule of regular meetings shall be made available to the public.²

PUBLIC MEETINGS

All meetings of a quorum of the members of the council at which any public business is discussed or at which any action is taken are to be public meetings, open to the public at all times, except as provided in KRS 61.810.³

OPEN RECORDS

The Principal shall be the Chair of the council and shall be responsible for securing minutes that record the council's actions. Minutes shall be approved by the council, kept in a permanent file along with other council records, and open to public inspection. A copy of the minutes of each council meeting shall be forwarded by the Principal to the Superintendent who shall keep the Board informed of council actions.

REFERENCES:

¹92-OMD-1677

²KRS 61.820; OAG 78-274, OAG 78-614

³KRS 61.810

KRS 61.805; KRS 61.815; KRS 61.823; KRS 61.826

KRS 61.835; KRS 61.840; KRS 61.846

KRS 61.848; KRS 61.850; KRS 61.870; KRS 61.872

KRS 61.874; KRS 61.876; KRS 61.884

Records Retention Schedule, Public School District

RELATED POLICIES:

01.43, 01.44, 10.11

Adopted/Amended:

Order #:

School Council Records

To request access to School Council records, use Procedure 01.6 AP.2/Inspection of Board Records.

Review/Revised:

School Council Relationships (SBDM)**COMMITTEE MEMBERSHIP**

If a school council establishes committees, it shall adopt a policy to facilitate the participation of interested persons, including, but not limited to classified employees and parents. The policy shall include the number of committees, their jurisdiction, composition, and the process for membership selection.¹

Committees established by the council shall comply with requirements of the Open Meetings Law.

COMMUNITY PARTICIPATION

Councils shall encourage parent, citizen and community participation in council meetings and school activities and shall cooperate with independent school groups such as booster and parent organizations to assist them in their service to the school.

OTHER SCHOOLS

The school council shall cooperate with other schools and with local, state, and regional agencies and organizations to:

1. Seek solutions of educational problems of common concern;
2. Offer support services to students;
3. Equalize educational opportunities for students;
4. Acquire federal and state grants; and
5. Promote local school system involvement in state and federal decision making.

The cooperation may extend to research, services for students with disabilities and other student and staff development programs, curriculum development, and exchange of information.

REFERENCES:

¹KRS 160.345; OAG 92-57
KRS 61.800; KRS 61.805; KRS 61.810
KRS 61.815; KRS 61.820; KRS 61.823
KRS 61.826; KRS 61.835; KRS 61.840
KRS 61.846; KRS 61.848; KRS 61.850

RELATED POLICIES:

02.424
02.4241
10.3

Adopted/Amended:
Order #:

School Council Policies (SBDM)**ADOPTION OF POLICY**

The school council shall have the responsibility to set school policy that shall be consistent with District Board Policy and which shall provide an environment to enhance the students' achievement and help the school meet the goals established by KRS 158.645 and KRS 158.6451 and goals established by the Board to be implemented by the Principal in each of the following areas of responsibility:

1. Curriculum responsibilities under KRS 158.6453;
2. Assignment of all instructional and non-instructional staff time;
3. Assignment of students to classes and programs within the school;
 - Placement of students from the household of an active duty service member or civilian military employee transferring into the District before or during the school year shall be based initially on enrollment in courses offered at the sending school and/or educational assessments conducted at that school. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advance Placement, Cambridge Advanced International, vocational, technical, and career pathways courses. Initial placement does not preclude the District/school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of students in the course(s).
 - Each secondary school-based decision making council shall establish a policy on the recruitment and assignment of students to Advanced Placement (AP), International Baccalaureate (IB), Cambridge Advanced International, dual enrollment, and dual credit courses that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum.
4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar, and transportation requirements established by the Board;
5. Determination of the use of school space during the school day related to improving classroom teaching and learning;
6. Planning and resolution of issues regarding instructional practices;
7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and Principal;

As reflected in the District Code of Acceptable Behavior and Discipline, loss of physical activity periods shall not be used as a disciplinary consequence.
8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;

The school shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.
9. Adoption of a school emergency plan and implementation of safety practices required by KRS 158.162;

School Council Policies (SBDM)**ADOPTION OF POLICY (CONTINUED)**

10. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;
11. Commitment to a parent involvement process that provides for:
 - a. Establishing an open, parent-friendly environment;
 - b. Increasing parental participation;
 - c. Improving two-way communication between school and home, including what their child will be expected to learn; and
 - d. Developing parental outreach programs.
12. Procedures to assist the council with consultation in the selection of the Principal by the Superintendent, and the selection of personnel by the Principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.
13. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)

The Superintendent/designee shall provide assistance in identifying strategies and options to promote daily moderate to vigorous physical activity for students, which may include those that increase strength and flexibility, speed heart rate and breathing and stress activities such as stretching, walking, running, jumping rope, dancing, and competitive endeavors that involve all students.

As an alternative to adopting separate policies, school councils may adopt Board policy or standards established by the Board as council policy in the above areas, or they may delegate responsibility for developing a policy to the Principal.

REVIEW OF POLICIES

Before final adoption of a council policy, it shall be reviewed by the Superintendent who may request that the proposed policy be reviewed by the Board Attorney. Any concerns shall be shared with the council within ten (10) working days of the Superintendent's receipt of the draft policy. If there are concerns, the Superintendent shall provide a copy of the council policy to the Board for review, along with any concerns s/he and the Board Attorney may have noted, such as possible conflicts with state and federal laws or contractual obligations, liability and/or health and safety questions, and budgetary issues.

The review process is not intended to interfere with a council's authority to adopt and implement legally and operationally permissible policies. Therefore, it is the Board's intent that information resulting from the review process be shared with the council in a timely manner.

School Council Policies (SBDM)**COMPLIANCE WITH BOARD POLICY**

In the development and application of school policies as permitted by statute, schools operating under SBDM shall comply with those policies that fall within the authority of the Board, including but not limited to those prohibiting discrimination based on age, race, sex, color, religion, national origin, political affiliation, or disability.

WAIVER OF STATE REGULATIONS

School councils who decide to request a waiver of state regulations and/or reporting requirements established by a Kentucky Revised Statute requiring paperwork to be submitted to the Kentucky Board of Education or the Department of Education shall submit the supporting information to the Superintendent as required by law. The Superintendent shall then forward the request to the Kentucky Board of Education.

SCHOOLS OF INNOVATION

In a designated School of Innovation participating in a District of Innovation application and plan, the council may request a waiver from KRS 160.345 or specific provisions within that statute by conducting a vote as set out in KRS 160.107.

The school council shall vote and be responsible for conducting a vote to determine if the school shall be an applicant as a School of Innovation in the District's application for District of Innovation status and to approve the school's plan of innovation before it is submitted to the District. The vote shall be taken by secret ballot among eligible employees as defined in KRS 160.107. At least seventy percent (70%) of those casting votes in the affirmative shall be required before the school requests to be included in the District's plan and to approve the school's plan of innovation.

REFERENCES:

KRS 156.072; KRS 156.108; KRS 156.160; KRS 156.730; KRS 156.735
KRS 158.162; KRS 158.197; KRS 158.645; KRS 158.6451; KRS 158.6453
KRS 160.107; KRS 160.345; KRS 160.348
OAG 93-55; OAG 94-29; 701 KAR 5:140; 702 KAR 7:140; 704 KAR 3:510
Board of Educ. of Boone County v. Bushee, Ky., 889 S.W. 2d 809 (1994)
U. S. Dept. of Agriculture's *Dietary Guidelines for Americans*

RELATED POLICIES:

01.11; 02.422; 02.4231; 03.112; 08.1
09.126 (re requirements/exceptions for students from military families)

Adopted/Amended:
Order #:

Appeal of Decisions

ELIGIBILITY PROCESS

Any resident of the District or a parent, student or employee of the school may appeal council decisions. Appealing a decision made by a school council shall include the following procedure:

1. An appeal must be filed within ten (10) working days following a council decision.
2. An appeal on a decision made by a school council must first be reviewed by the school council, which shall make a timely response to the appealing party.
3. If the matter is not satisfactorily resolved by the council, the appeal may then be submitted in writing to the Superintendent.
4. If, within ten (10) calendar days, the matter is not satisfactorily resolved by the Superintendent, the appealing party may, within twenty (20) calendar days, appeal to the Board. The Board shall afford the affected parties an opportunity to be heard within thirty (30) calendar days of the appeal to the Board.
5. The Board shall issue a final written decision on the appeal with its rationale no later than sixty (60) calendar days from the date of the presentation to the Board.
6. At any point in the process the Board may direct a review and report on the issues, but shall not extend its decision beyond sixty (60) calendar days from the date of the presentation to the Board without the agreement of the affected parties.

BASIS FOR REVIEW

The Board will determine whether the issue on appeal falls within the authority granted to the council by KRS 160.345.

Actions that fall within the statutory authority of the council will be reviewed on appeal based on whether the council action raises liability and/or health and safety concerns, exceeds budgetary limitations, conflicts with contractual obligations, or was otherwise unlawful under state or federal law.

Actions that fall within the authority of the Board will be reviewed on appeal based on whether the council action lacks educational merit, is inconsistent with District goals, violates District policy, exceeds the authority of the council, raises liability and/or health and safety concerns, exceeds budgetary limitations, conflicts with contractual obligations, or is otherwise unlawful under state or federal law.

BOARD ACTION

When the appeal issue falls within statutory council authority, the Board shall either (1) affirm the council decision or (2) refer the appeal back to the council with documentation of its concerns and suggestions.

When the appeal issue falls within the authority of the Board to decide, the Board shall either (1) uphold the council decision or (2) reverse any council action found to violate any of the review standards.

REFERENCE:

KRS 160.345

Adopted/Amended:
Order #:

School Budget and Purchasing (SBDM)**BOARD ALLOCATIONS**

The Board shall appropriate to each school an amount equal to or greater than that specified by the formula prescribed in 702 KAR 3:246. School councils shall be provided notice of allocations for the next budget year in accordance with the timelines required by regulation.¹

An amount for professional development shall be allocated as required by Kentucky Administrative Regulation.

The Board shall allocate Section 7 funds according to the options provided in 702 KAR 3:246. Notice of the Section 7 allocation shall be provided in accordance with that regulation. Based on the needs assessment conducted by the school, the council shall forward to the Board a list of those priorities no later than January 1 each year.

SCHOOL RESPONSIBILITY

The school shall, in expending allocated funds, comply with all state and Board budgeting, purchasing and reporting laws, regulations, policies and procedures. Board purchasing procedures shall be followed in the expenditure of these funds. Expenditure of these funds, with the exception of personnel salaries, shall be accomplished only by completing a central office purchase order.

The Board allocation is the total financial resource available to that school in those budget categories for the fiscal year. The council may reassign these funds to alternate budget categories for purposes consistent with its responsibilities. The school shall not expend or commit to expend any funds in excess of those allocated to the school. Should this occur, the employee(s) responsible shall be subject to appropriate disciplinary action, and the Superintendent may require the school/council to present, for Board approval, a plan to reimburse the District for the amount spent in excess of the allocation.

All state allocated funds managed by the school but not expended by the end of the fiscal year, shall revert to the District general fund, unless the school council has received Board approval to escrow the funds to be used at a future date for an approved project.

BOARD APPROPRIATION

The Superintendent shall determine which curriculum, textbooks, instructional materials, and student support services shall be provided in the school after consulting with the Board, the Principal, and the school council and after a reasonable review and response period for stakeholders in accordance with Board policy.

PURCHASING

In order to comply with state accounting and bidding requirements, all purchases of goods and services shall be made in conformity with Board policy.

SUPERINTENDENT'S RESPONSIBILITY

The Superintendent/designee shall prepare and provide the school a monthly statement of the current financial status of funds allocated to the school. This statement shall include the beginning unencumbered balance for each category of authorized expenditure, an itemized listing of purchase orders paid, an itemized listing of purchase orders authorized but not paid, and the end-of-the-month unencumbered balance of funds allocated.

School Budget and Purchasing (SBDM)

EXPENDITURE OF FUNDS

In schools where SBDM has been implemented, the school council shall determine the expenditure of funds allocated to the school. In schools not operating under SBDM, the District administration shall determine the expenditure of these funds.

REFERENCES:

¹702 KAR 3:246; School Council Allocation Formula
704 KAR 3:510; KRS 160.345
OAG 91-10; OAG 91-206; OAG 92-59

RELATED POLICY:

04.1

Adopted/Amended:
Order #:

Expenditure of Funds/Purchase Requisition Form

Requisition for SBDM (Instructional) Purchasing Only	School _____	Date: _____ P.O. #: _____ Dept./Program: _____		
Vendor: _____ Address: _____ _____ _____ Ship to: _____ Attention: _____ Address: _____ _____		This vendor was chosen from: _____ State Bid List: _____ Price Contracts: # _____ Consortium: _____ Bidding Procedure: _____ Specialty Item: _____ Emergency: _____ Other: _____		

Quantity	Item Code	Description/Supply Source, if Known	Unit Price	Total Cost

Gross Total: _____
Less _____ **% discount**
Transportation: _____
Total Net Cost: _____

P.O. Authorized by: _____ **Title:** _____

Name

Review/Revised:

School Hiring (SBDM)**PRINCIPAL SELECTION**

The Superintendent shall fill the vacancy after consultation with the council.¹

Prior to consultation with the school council, each member shall sign a nondisclosure agreement forbidding the disclosure of information shared and discussions held during consultation.

A person who believes a violation of the nondisclosure agreement occurred may file a written complaint with the Kentucky Board of Education (KBE). A council member found to have violated the nondisclosure agreement may be subject to removal from the council by the KBE.

No Principal who has been previously removed from a position in the District for cause may be considered for appointment as Principal.

A vacancy is created in the position of Principal by the resignation, removal, transfer, retirement or death of the current Principal.

OTHER VACANCIES

When the position to be filled in the school is other than that of Principal, the Principal, after consulting with the council in accordance with procedures established by the council, shall fill the position from a list of qualified applicants provided by the Superintendent. The Superintendent shall provide names of all additional applicants to the Principal upon request when qualified applicants are available.

The Superintendent may forward to the Principal names of qualified applicants who have certification pending from the Education Professional Standards Board pursuant to state law. Applicants subsequently employed shall provide evidence they are certified prior to assuming the duties of their position.

If the applicant is the spouse of the Superintendent and meets the requirements of KRS 160.380, s/he shall only be employed upon the recommendation of the Principal and the approval of a majority vote of the school council.

REFERENCES:

¹KRS 160.345
KRS 61.810; KRS 61.878
KRS 160.380
OAG 91-149; OAG 92-131; OAG 92-78
OAG 95-10; OAG 96-38

RELATED POLICIES:

02.4241; 03.11; 03.21

Adopted/Amended:
Order #:

Nondisclosure Agreement (SBDM)

This Nondisclosure Agreement (the "Agreement") is entered into by and between the members of the _____ School Based Council ("SBDM") and _____ School District, for the purpose of preventing the unauthorized disclosure of Confidential Information as defined below.

For purposes of this Agreement, "Confidential Information" shall include all information, written material whether hardcopy or digital, media, communications, other files, or discussions that are part of the consultation between the Superintendent and the SBDM related to the hiring of the school Principal.

For purposes of this Agreement, "Confidential Information" shall NOT include information that is publicly known at the time of disclosure, or information that is publicly disclosed by the Superintendent.

For purposes of this Agreement, "Consultation" means the act of discussing or deliberating together where information is exchanged between the Superintendent and the SBDM and its members.

SBDM MEMBER

By: _____

Printed Name: _____

Title: _____

Dated: _____

Review/Revised:

Training of School Council Members (SBDM)

School council members shall meet all training requirements established by law.

TRAINING DESIGNATED BY COUNCIL

The Board shall provide a budget allocation for training council members. Councils shall designate the training areas and programs for council members within the budget allocation.

TRAINING PROVIDED BY BOARD

The Board shall offer annual training to council members in various areas of common concern. Such training shall be optional for council members and shall be paid for with Board funds.

REFERENCE:

KRS 160.345

Adopted/Amended:

Order #:

Waiver of Board Policies

PROCESS

The Principal may submit to the Superintendent a written request to waive Board policy for areas outside the authority of the council. It shall not be necessary to request a waiver when the council has authority for a policy area, as authorized by KRS 160.345.

The Superintendent shall present the request to the Board along with a recommendation to approve or deny the request. The council shall have the opportunity to address the Board directly to support the request.

CRITERIA

The decision to approve or deny the request shall include but not be limited to a consideration of the following:

1. The legality of waiving Board policy;
2. If District goals will be advanced by the waiver;
3. If student outcomes will be promoted;
4. If District uniformity is required in the circumstances under consideration; and/or
5. If the larger interests of the public will be served.

REQUIREMENTS

Waiver of Board policies shall include the following procedures:

1. The Board shall afford the council an opportunity to be heard within thirty (30) calendar days from the date of the request for a waiver of Board policy, unless a process to review and report the issues has been initiated.
2. The Board shall issue a written decision with its rationale not later than thirty (30) calendar days from the date of the council's presentation to the Board.
3. At any point in the process the Board may direct a review and report on the issues, but shall not extend its decision beyond thirty (30) calendar days from the date of the council's presentation to the Board without the agreement of the requesting council.

If the request for waiver is denied, the grounds for denial will be recorded in Board minutes.

REFERENCES:

KRS 158.645; KRS 158.6451

Adopted/Amended:
Order #:

Request for Waiver of Board Policy

School Council

Date

Name of Policy to Be Waived

*Policy Number***Proposal:**

Rationale:

Principal's Signature

(AREA BELOW THIS LINE IS TO BE COMPLETED BY THE SUPERINTENDENT)

Board Decision:

Rationale:

Superintendent's Signature

Date

Board Chairperson's Signature

Date

Review/Revised:

Other Board Policy

All Board policies shall be reviewed and amended, as necessary, to conform to the requirements of SBDM.

It is the intention of the Board for all Board policies to be implemented utilizing procedures to allow professional staff members to be involved in the decision making process as they work to meet the educational goals established by statute.

REFERENCES:

KRS 158.645

KRS 158.6451

KRS 160.340

KRS 160.345

RELATED POLICIES:

01.5

Chapter 08

Adopted/Amended:

Order #:

School Staffing (SBDM)**BOARD ALLOCATION NOTICES**

In accordance with 702 KAR 3:246, the Board shall provide each council with both a tentative and a final/updated allocation for school staffing for the next fiscal year. The notifications shall include the Board-approved guidelines used in determining the allocations and the formulas utilized in calculating numbers of positions. Allocations, at a minimum, shall budget funds sufficient for the council to meet the following staffing needs of the school:

A. Certified Staff:

1. Statutory class size caps based on projected student enrollment to the nearest one-tenth position minus all state enrollment deductions;
2. Pupil contact hours as required by law; and
3. All other certified staff positions generated by District guidelines approved annually by the Board, excluding fringe benefits, categorical programs, exceptional children services, itinerant, extra duty and extended employment positions, and positions allocated that are not required by statutory cap size requirements.

B. Classified Staff:

1. All school-based positions approved annually by the Board in non-categorical programs.

C. All Positions:

1. To provide salaries including adjustments for any salary changes made by the Board; and
2. To budget for vacant positions at 95% of the average District salary for the job classification.

Any revisions made to the District's policy/guidelines (whichever contains specific formula information) for the next school year shall be forwarded to the Kentucky Department of Education by May 1 of each year.

COUNCIL AUTHORITY

After receiving notification of the final financial allocation for the school from the Board, the council shall determine, within the funds allocated, the number of persons to be employed at the school in each school level job classification. The council shall not have the authority to recommend transfers or dismissals. The council shall not alter the staffing of District instructional services provided to all schools, including exceptional children teachers and itinerant teachers.

For existing school level vacancies, the council may choose to reassign funds from one Board approved school level job classification to another, or to use these funds for other purposes consistent with its responsibilities. Funds remaining from the school's staffing allocation at the end of the year shall revert to the District's general fund, unless the council receives Board approval to escrow the funds to be used at a future date for an approved project.

School Staffing (SBDM)**COUNCIL TO REPORT**

By the date specified by the Superintendent/designee, the council shall report to the Board the number of persons to be employed at the school in each job classification.

ADJUSTMENTS

Adjustments to the final staffing allocation may be made due to increases in salary schedules, salary adjustments or changes in enrollment. However, any such adjustments shall be made by September 15 and the council notified if the adjustment represents a change.

IMPACT ON DISTRICT BUDGET

The funding allocation to a school in future District budgets shall not be altered by council action.

In assigning funding of vacant positions to alternate Board-approved job classifications, a council may choose to spend more than the amount allocated by the Board and provide the difference from discretionary council funds. However, the Board shall not be obligated to increase allocations in future District budgets to cover this increased expenditure.

If the salary of new certified personnel is less than 95% of the District average certified teacher's salary or if the actual salary of new classified personnel is less than 95% of the District's average classified salary for the personnel job classification, the difference shall revert to the District budget for possible reallocation to schools under Section 7 of 702 KAR 3:246.

REFERENCES:

KRS 157.360; KRS 160.345
702 KAR 3:246
OAG 96-38

RELATED POLICIES:

02.4242; 02.4244
03.11; 03.21
04.1

Adopted/Amended:
Order #:

Accountability (SBDM)

As directed by Policy 02.442, each school shall provide to the Board a Comprehensive School Improvement Plan to include, but not be limited to, the school's goals and objectives and its plan for achieving them.

ANNUAL REPORT

By June 30 of each year, each school/school council shall make an annual report at a public meeting of the Board. The report shall describe the school's progress in meeting the educational goals set forth in KRS 158.6451 and District goals established by the Board.

REVIEW OF ACHIEVEMENT GAP PLANS

By February 1 of each year, each school-based decision making council, or the Principal if there is not a council, shall, with the involvement of parents, faculty, and staff, set the school's targets for eliminating any achievement gap and submit them to the Superintendent.

Annually, the Board shall review in a public meeting the portion of each school's Comprehensive Improvement Plan that sets forth the activities and schedule to reduce the achievement gaps among various groups of students.¹

REFERENCES:

¹KRS 160.340; KRS 160.345
KRS 158.645; KRS 158.6451; KRS 158.6458
KRS 158.649
KRS 160.290

RELATED POLICIES:

01.111
02.442

Adopted/Amended:
Order #:

Assessment of Student Progress

REVIEW OF ASSESSMENT DATA

By January 1 of each year and in keeping with the improvement planning process and timeline, the school council shall review student assessment data provided annually by the Kentucky Department of Education. After reviewing the data, the council shall adopt, modify, or revise the school's plan to assist each student in making progress toward statutory goals. This process shall address achievement gaps between various groups of students as required by law. In addition, the plan shall be submitted to the Superintendent and Board for review. In a school without a council, the Principal shall complete the review and planning process with the involvement of parents, faculty, and staff.

PROFILE REPORTS

By October 1, each school Principal shall complete the school profile report, have it signed by members of the school council, or Principal if no council exists, and Superintendent, and submit it to the Kentucky Department of Education. The report shall be transmitted electronically with the original maintained on file at the Board office and available to the public upon request.

REPORT TO BOARD

The Superintendent shall devise a schedule for Principals to present written reports to the Board regarding progress being made toward their school's educational objectives. The reports shall be in a format easily understood by parents and the community and shall make comparisons with the school's performance the previous year and any data available that compares the school to state or national standards.

The information to be reported shall include, but not be limited to, results on the state-mandated accountability test(s), college entrance exams (high school only), Advanced Placement/International Baccalaureate Exams/Cambridge Advanced International (high school only), and summaries of grades assigned by teachers.

SUMMARY REPORT TO COMMUNITY AND PARENTS

The information reported to the Board shall be put in summary format and shall be reported to parents of each student and made available to the community. The Superintendent shall devise the format to be used.

INDIVIDUAL REPORTS

Each year, an individual student report shall be provided to parents of students in grades three through eight (3-8) in accordance with statutory requirements. Teachers and parents/guardians of each primary student shall be informed of results from reading and mathematics diagnostic assessments and prompts.

REFERENCES:

KRS 158.645; KRS 158.6451; KRS 158.6453; KRS 158.6455; KRS 158.6457
KRS 158.6459; KRS 158.649; KRS 160.345

RELATED POLICIES:

02.442; 08.221; 08.222; 08.5

Adopted/Amended:
Order #:

Comprehensive School Improvement Plan

RESPONSIBILITY

Each school council, or Principal, in a school without a council, shall develop, review, and revise annually a Comprehensive School Improvement Plan (CSIP) by January 1 of each school year.

In an SBDM school, the school council shall organize a planning process, consistent with District's established planning process. The structure of the CSIP shall include completion of a narrative summary of the current state of the school between August 1 and October 1 of each school year and completion of the needs assessment between October 1 and November 1 of each school year. A process for development of the CSIP is to be completed between November 1 and January 1 of each school year, and other components required by state statutes or regulations. Unless otherwise noted, all additional components of the CSIP may be complete by May 1 of each school year.

In a school without a council, the Principal shall appoint a School Planning Committee comprised, at a minimum, of four (4) teachers, four (4) parents, and a community representative. The high school(s) shall include a student on the committee. The community representative shall not be a teacher, spouse of a teacher, or a parent of child(ren) attending the District schools.

The primary purposes of the CSIP shall be:

- To improve student achievement on state and federal mandated testing/accountability instruments; and
- To eliminate achievement gaps among groups of students.

FORM

Unless the school planning committee requests and is granted a waiver by the Board, the school committee shall use any improvement plan format that has been established and approved by the Board. The CSIP structure shall include the components set out in 703 KAR 5:225, Every Student Succeeds Act of 2015 (ESSA) and the elements required by KRS 158.649.

In addition, the school council, or school planning committee appointed by the Principal if there is no council, shall review annually the school's disaggregated student data and revise the school's improvement plan, as required by applicable statute and regulation, to address any achievement gaps between various groups of students.

The plan shall also address reduction of physical and mental health barriers to learning, student equity, District safety and student discipline assessments, and District goals established by the Board.

The school plan shall serve as a resource for school/council decision making and shall be posted to the school's web site.

PUBLIC REVIEW

The Principal shall convene a public meeting at the school to present and discuss the plan prior to submitting it to the Superintendent and Board.

Comprehensive School Improvement Plan**SCHOOL REPORT CARDS**

Each school shall post its school report card on its website as required by ESSA. School report cards shall be widely accessible to the public, in an understandable and uniform format, and when possible, written in a language that parents can understand.

As outlined in KRS 160.463, a copy of the report card is to be publicized by one of the following methods:

- a. In the newspaper of the largest general circulation in the county;
- b. Electronically on a website of the District; or
- c. By printed copy at a prearranged site at the main branch of the public library within the District.

If b or c above is selected, the Superintendent shall be directed to publish notification in the newspaper with the largest circulation in the county. The notification shall include the electronic address of the website or the address of the library where the report card can be viewed by the public.

Each school shall send to parents a school report card containing information about school performance as outlined in KRS 158.6453 and 703 KAR 5:140, and information on electronic access to a summary of the results for the District shall be published in the newspaper with the largest circulation in the county.

BOARD REVIEW

The school's plan for eliminating achievement gaps among various groups of students shall be presented to the Board for its review and comment. The Board may share its comments, in writing, with the council.

In keeping with Board Policy 02.44, each School Council or School Planning Committee shall annually report to the Board regarding the progress toward achieving the goals and desired outcomes and meeting the needs identified in the improvement/plan, including those for student groups for whom data indicate an achievement gap exists.

REFERENCES:

KRS 158.645; KRS 158.6451; KRS 158.6453; KRS 158.649
KRS 160.290; KRS 160.345; KRS 160.463
703 KAR 5:140; 703 KAR 5:225; 703 KAR 5:280
P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

01.111; 02.432; 02.44

Adopted/Amended:
Order #:

Comprehensive School Improvement Plan Reports

The council, or Principal in a school without a council, shall organize the school improvement planning process in accordance with Board policy and the following procedures. Selection of committee members shall reflect reasonable minority representation and encourage active minority participation and include input from parents, faculty and staff.

PROCESS GUIDELINES

Consistent with requirements of 703 KAR 5:225 and the Every Student Succeeds Act of 2015 (ESSA), the council/committee shall:

1. *Analyze performance data* for the school's students, including an annual review of disaggregated assessment data.
2. *Review gap targets* established by the Board. (Upon agreement of the Superintendent and SBDM council, or the Principal if there is not a council, the Board shall establish an annual target for the school for reducing identified gaps in achievement.)
3. *Conduct a comprehensive needs assessment for the school.*
4. *Document progress notes* to evaluate plan activities and achievement of plan goals and objectives, with results to be reported to the council/committee and to the Board via the Superintendent.

The council/committee also shall provide information and updates, as directed by the Superintendent/designee, to promote communication and coordination between the District Planning Committee and school councils.

5. *Schedule a review and update* of the plan by the council/committee at least once a year, as determined by the committee.
6. *Submit updated plan* to Superintendent, Board and community for review and comment.
7. *Submit school's Section 7 allocation requests* to the Board, aligned with the CSIP and as approved by the council/committee or Principal.
8. *Maintain copies of the plan* permanently and other documentation to illustrate compliance with state and federal requirements.

Comprehensive School Improvement Planning**FORMAT OF WRITTEN PLAN**

COMPONENT	PERSON(S) RESPONSIBLE	TARGET DATE	DATE COMPLETED
MISSION STATEMENT			
GOALS (FOCUSING ON STUDENT PERFORMANCE AND ACHIEVEMENT GAPS)			
OBJECTIVES (SCHOOL CHANGES NEEDED TO REACH GOALS)			
PRIORITY NEEDS: <ul style="list-style-type: none"> ▪ addressing student performance weaknesses ▪ closing achievement gaps 			
ACTION COMPONENTS (STRATEGIES & ACTIVITIES) CONSISTENT WITH BOARD/COUNCIL ROLES			
PLAN ACTIVITIES/METHOD TO EVALUATE PLAN			
SCHEDULED IMPLEMENTATION & IMPACT CHECK(S) INCLUDING REPORTS TO COUNCIL/COMMITTEE AND BOARD – RECOMMENDED AT LEAST ONCE ANNUALLY			
ASSURANCE OF PROCESS USED TO DEVELOP PLAN			
OTHER PROCESS COMPONENTS REQUIRED BY 703 KAR 5:225 OR ESSA:			

Review/Revised:

03	Personnel
03.1	Certified Personnel
03.11	Hiring (Certified)
03.11 AP.1	Hiring
03.11 AP.21	Job Vacancy Notice
03.11 AP.22	Application Evaluation
03.11 AP.23	Interview Evaluation
03.11 AP.24	Application/Interview Summary
03.11 AP.242	Verification of Employment
03.11 AP.25	Recommendation for Employment
03.11 AP.252	Criminal Records Release Authorization
03.11 AP.2521	Criminal History Record Information
03.11 AP.253	Driving Records Release Authorization
03.11 AP.26	Letter of Intent
03.111	Medical Examination (Certified)
03.111 AP.2	Medical Examination Form
03.111 AP.21	Request for Protected Health Information
03.112	Certification and Records (Certified)
03.112 AP.21	Application for Elective Certification Determination
03.112 AP.22	ESSA Qualification Notifications
03.113	Equal Employment Opportunity (Certified)
03.114	Contract
03.115	Transfer of Tenure
03.1161	Coaches and Assistant Coaches
03.117	Re-employment of Retirees (Vacant)
03.12	Compensation and Benefits (Certified)
03.121	Salaries (Certified)
03.121 AP.1	Salaries
03.121 AP.21	Personal Data Form
03.121 AP.22	Personnel Documents
03.121 AP.23	Certification of Time
03.1211	Salary Deductions (Certified)
03.1212	Reduction in Salary and Responsibility (Certified)
03.1213	Cafeteria Plan (Certified)
03.122	Holidays and Annual Leave (Certified)

03**Personnel**

03.123	Leaves and Absences (Certified)
03.123 AP.2	Leave Request Form and Statement
03.1231	Personal Leave (Certified)
03.1231	Personal Leave (Certified)
03.1232	Sick Leave (Certified)
03.1232 AP.21	Request to Donate Sick Leave
03.1232 AP.22	Request to Receive Donated Sick Leave
03.12321	Sick Leave Bank
03.12321 AP.21	Sick Leave Bank Deposit Authorization
03.12321 AP.22	Sick Leave Bank Usage Application
03.12321 AP.23	Sick Leave Bank Medical Certification Form
03.12322	Family and Medical Leave (Certified)
03.12322 AP.1	Family and Medical Leave Compliance
03.12322 AP.21	Request for Family and Medical Leave of Absence
03.12323	Quarantine Leave
03.1233	Maternity Leave (Certified)
03.1234	Extended Disability Leave (Certified)
03.1235	Educational/Professional Leave (Certified)
03.1235 AP.2	Educational/Professional Leave Request
03.1236	Emergency Leave (Certified)
03.1236	Emergency Leave (Certified)
03.1237	Jury Leave (Certified)
03.1238	Military/Disaster Services Leave (Certified)
03.124	Insurance (Certified)
03.1241	Workers' Compensation Payments (Certified)
03.125	Expense Reimbursement (Certified)
03.125 AP.21	Travel Request Form
03.125 AP.22	Travel Expense Voucher
03.131	Assignment (Certified)
03.1311	Transfer (Certified)
03.1311 AP.2	Voluntary Transfer Request Form
03.1312	Promotion (Certified)
03.1313	Demotion (Certified)
03.132	Supervision (Certified)
03.1321	Use of School Property (Certified)
03.1321 AP.1	Staff Use of Telecommunication Devices

03**Personnel**

03.13214	Use of Personal Cell Phones/Telecommunication Devices
03.1324	Political Activities (Certified)
03.13241	Employee Religious Expression
03.1325	Disrupting the Educational Process (Certified)
03.13251	Drug-Free/Alcohol-Free Schools (Certified)
03.13251 AP.1	Drug-Free Workplace Notice
03.13253	Domestic/Dating Violence Reporting and Education
03.1327	Use of Tobacco, Alternative Nicotine, or Vapor Products (Certified)
03.133	Duties (Certified)
03.1331	Outside Employment or Activities (Certified)
03.1332	Hours of Duty (Certified)
03.1332 AP.1	Hours of Duty Procedures (Certified) (Vacant)
03.1335	Staff Meetings
03.14	Health and Safety (Certified)
03.14 AP.1	Health and Safety-Contagious Diseases
03.14 AP.2	Maintenance Request
03.15	Personnel Records (Certified)
03.15 AP.21	Request to Access Personnel Records
03.15 AP.22	Log of Inspection of Personnel Records
03.16	Grievances (Certified)
03.16 AP.1	Grievance Procedures
03.16 AP.2	Grievance Initiation Form
03.162	Harassment/Discrimination (Certified)
03.162 AP.1	Notice to Individuals Complaining of Harassment/Discrimination
03.162 AP.2	Harassment/Discrimination Reporting Form
03.162 AP.21	Harassment/Discrimination Investigation and Appeals
03.162 AP.22	Witness Disclosure Form
03.162 AP.23	Resolution Response
03.1621	Title IX Sexual Harassment
03.1621 AP.2	Title IX Sexual Harassment Grievance Procedures
03.17	Termination/Nonrenewal/Separation by Employee
03.17 AP.1	Notice of Personnel Actions
03.17 AP.21	Notice of Employee Separation
03.171	Reduction in Force (Certified)
03.172	Sanctions
03.1721	Conflict of Interests (Certified)

03**Personnel**

03.173	Suspension (Certified)
03.174	Reinstatement
03.175	Retirement (Certified)
03.18	Evaluation (Certified)
03.18 AP.11	Appeals/Hearings
03.18 AP.12	Confidentiality of Records
03.18 AP.21	Evaluation Appeal Form
03.18 AP.22	Evaluation Committee/Evaluators and Observers
03.19	Professional Development
03.19 AP.1	Professional Development
03.19 AP.21	Professional Meeting Request
03.19 AP.23	District Training Requirements
03.1911	Professional Meetings (Certified)
03.1911 AP.1	Professional Leave Requests (Vacant)
03.1912	Instructional Leadership Program
03.2	Classified Personnel
03.21	Hiring (Classified)
03.21 AP.1	Hiring
03.21 AP.21	Job Vacancy Notice
03.21 AP.22	Application Evaluation
03.21 AP.23	Interview Evaluation
03.21 AP.24	Application/Interview Summary
03.21 AP.242	Verification of Employment
03.21 AP.25	Recommendation for Employment
03.21 AP.252	Criminal Records Release Authorization
03.21 AP.2521	Criminal History Record Information
03.21 AP.253	Driving Records Release Authorization
03.21 AP.254	Driving Record Violations and Personnel Actions
03.21 AP.26	Letter of Intent
03.211	Medical Examination (Classified)
03.211 AP.2	Medical Examination Form
03.211 AP.21	Request for Protected Health Information
03.212	Equal Employment Opportunity (Classified)
03.2141	Nonteaching Coaches and Assistant Coaches
03.22	Compensation and Benefits (Classified)
03.221	Salaries (Classified)

03

Personnel

03.221 AP.1	Salaries
03.221 AP.11	Compliance with FLSA Requirements
03.221 AP.21	Personal Data Form
03.221 AP.22	Personnel Documents
03.221 AP.23	Certification of Time
03.221 AP.24	Overtime Approval Form
03.221 AP.241	Change in Licensure
03.2211	Salary Deductions (Classified)
03.2212	Cafeteria Plan (Classified)
03.222	Holidays (Classified)
03.223	Leaves and Absences (Classified)
03.223 AP.2	Leave Request Form and Statement
03.2231	Personal Leave (Classified)
03.2232	Sick Leave (Classified)
03.22321	Sick Leave Bank (Classified)
03.22321 AP.2	Sick Leave Bank Forms
03.22322	Family and Medical Leave (Classified)
03.22322 AP.1	Family and Medical Leave Compliance
03.22322 AP.2	Family and Medical Leave Forms
03.22323	Quarantine Leave
03.2233	Maternity Leave (Classified)
03.2234	Extended Disability Leave (Classified)
03.2235	Educational Leave (Classified)
03.2236	Emergency Leave (Classified)
03.2236	Emergency Leave (Classified)
03.2237	Jury Leave (Classified)
03.2238	Military/Disaster Services Leave (Classified)
03.224	Insurance (Classified)
03.2241	Workers' Compensation Payments (Classified)
03.225	Expense Reimbursement (Classified)
03.225 AP.2	Travel Request/Voucher Forms
03.231	Assignment (Classified)
03.2311	Transfer (Classified)
03.2311 AP.2	Voluntary Transfer Request Form
03.2312	Promotion (Classified)
03.2313	Demotion (Classified)

03

Personnel

03.232	Supervision (Classified)
03.2321	Use of School Property (Classified)
03.23214	Use of Personal Cell Phones/Telecommunication Devices
03.2324	Political Activities (Classified)
03.23241	Employee Religious Expression
03.2325	Disrupting the Educational Process (Classified)
03.23251	Drug-Free/Alcohol-Free Schools (Classified)
03.23251 AP.1	Drug-Free Workplace Notice
03.23253	Domestic/Dating Violence Reporting and Education
03.2327	Use of Tobacco, Alternative Nicotine, or Vapor Products (Classified)
03.233	Duties (Classified)
03.2331	Outside Employment or Activities (Classified)
03.24	Health and Safety (Classified)
03.24 AP.1	Health and Safety-Contagious Diseases
03.24 AP.2	Maintenance Request
03.25	Personnel Records (Classified)
03.25 AP.2	Access to Personnel Records Forms
03.26	Grievances (Classified)
03.26 AP.1	Grievance Procedures
03.262	Harassment/Discrimination (Classified)
03.262 AP.1	Notice to Individuals Complaining of Harassment/Discrimination
03.262 AP.2	Harassment/Discrimination Forms
03.2621	Title IX Sexual Harassment
03.27	Discipline, Suspension and Dismissal of Classified Employee
03.27 AP.1	Personnel Action Procedures
03.27 AP.21	Employee Request for Hearing
03.27 AP.22	Notice of Employee Separation
03.27 AP.23	Exit Interview Form
03.271	Reduction in Force (Classified)
03.271 AP.21	Continuous Active Service List
03.2711	Nonrenewal (Classified)
03.2711 AP.21	Notification of Nonrenewal (Classified)
03.272	Separation by Employee
03.2721	Conflict of Interests (Classified)
03.273	Retirement (Classified)
03.28	Evaluation (Classified)

03

Personnel

03.28 AP.1	Evaluation Process
03.28 AP.12	Confidentiality of Records
03.28 AP.21	Classified Personnel Evaluation
03.28 AP.22	Evaluation Appeal Form
03.29	Staff Development
03.29 AP.1	Employment-Related Staff Development
03.29 AP.2	Employment-Related Meetings Request
03.29 AP.23	District Training Requirements
03.3	Student Teachers
03.4	Substitute Teachers
03.5	Paraprofessionals
03.5 AP.1	ESSA Qualifications Notification
03.6	Volunteers
03.6 AP.22	Volunteer Recruitment and Assignment

- CERTIFIED PERSONNEL -

Certified Personnel

DEFINITION

Certified personnel are those employees holding positions for which Kentucky teacher certification is required.¹

REFERENCES:

¹KRS 161.720 (1); KRS 161.020; KRS 161.030

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Hiring****SUPERINTENDENT'S RESPONSIBILITIES**

All appointments, promotions, and transfers of certified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes.

When a vacancy occurs, the Superintendent shall submit the job posting to the statewide job posting system fifteen (15) days before the position is to be filled.

When a vacancy needs to be filled in less than fifteen (15) days to prevent disruption of necessary instructional or support services of the school District, the Superintendent may seek a waiver of the fifteen (15)-day advance notice requirement from the Commissioner of Education. If the waiver is approved, the appointment shall not be made until the person selected by the Superintendent has been approved by the Commissioner of Education.

EFFECTIVE DATE

Personnel actions shall not be effective until the employee receives written notice of such action from the Superintendent. Certified employees may be appointed by the Superintendent for any school year at any time after February 1 next preceding the beginning of the school year.

QUALIFICATIONS

The Superintendent shall employ only individuals who are certified for the positions they will hold and who possess qualifications established by law, regulation and Board policy, except in the case where no individual applies who is properly certified and/or who meets established qualifications set by Board policy.

Hiring of certified personnel who have previously retired under TRS shall be in compliance with applicable legal requirements.²

All teachers shall meet applicable certification or licensure requirements as defined by state and federal regulation.³

CRIMINAL BACKGROUND CHECK AND TESTING

Applicants, employees, and student teachers assigned within the District shall undergo records checks and testing as required by applicable statutes and regulations.¹

Each application form provided by the employer to an applicant for a certified position shall conspicuously state the following:

"FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND A LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT HAS NO ADMINISTRATIVE FINDINGS OF CHILD ABUSE OR NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET FOR HEALTH AND FAMILY SERVICES."

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

Initial employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have an administrative finding of child abuse or neglect in records maintained by the Cabinet.

“Administrative finding of child abuse or neglect” means a substantiated finding of child abuse or neglect issued by the Cabinet for Health and Family Services that is:

1. Not appealed through an administrative hearing conducted in accordance with KRS Chapter 13B;
2. Upheld at an administrative hearing conducted in accordance with KRS Chapter 13B and not appealed to a Circuit Court; or
3. Upheld by a Circuit Court in an appeal of the results of an administrative hearing conducted in accordance with KRS Chapter 13B.¹

Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender.

Link to DPP-156 Central Registry Check and more information on the required CA/N check:

<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANCHECKSANDCentralRegistryChecks.aspx>

Criminal records checks on persons employed in Head Start programs shall be conducted in conformity with 45 C.F.R. § 1302.90.

REPORT TO SUPERINTENDENT

An employee shall report to the Superintendent if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal.

JOB REGISTER

The Superintendent or the Superintendent's designee shall maintain in the Central Office a job register listing all current job openings in the District. The register shall describe the duties and qualifications for each opening, and District employment policies shall be attached to the register. The job register shall be open to public inspection during Central Office business hours.

VACANCIES POSTED

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted in the Central Office and in each school building on a timely basis and shall refer interested persons to the Central Office job register for additional information. Postings of vacancies may be made with other agencies, as appropriate.

When a vacancy for a teaching position occurs in the District, the Superintendent shall conduct a search to locate minority candidates to be considered for the position.

Hiring

REVIEW OF APPLICATIONS

Under procedures developed by the Superintendent, each application shall be reviewed and each applicant so notified upon initial application. Applications for candidates not employed shall be retained for three (3) years.

RELATIONSHIPS

The Superintendent shall not employ a relative of a member of the Board.

A relative may be employed as a substitute for a certified or classified employee if the relative is not:

1. A regular full-time or part-time employee of the District;
2. Accruing continuing contract status or any other right to continuous employment;
3. Receiving fringe benefits other than those provided other substitutes; or
4. Receiving preference in employment or assignment over other substitutes.¹

A relative of the Superintendent shall not be employed except as provided by KRS 160.380.

CONTRACT

Except for noncontracted substitute teachers, all certified personnel shall enter into written contracts with the District.

JOB DESCRIPTION

All employees shall receive a copy of their job description and responsibilities.

INTENT

Under procedures developed by the Superintendent, employees may be requested to indicate their availability for employment for the next school year.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

Each year all full-time and part-time certified employees shall be notified in writing by the last day of school if they have reasonable assurance of continued employment for the following school year.

Certified employees assigned extra duties such as coaching shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.

EMPLOYEES SEEKING A JOB CHANGE

Other than the routine transmission of administrative and personnel files, District employees are prohibited from assisting a school employee, contractor, or agent in obtaining a new job if the individual knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law and such school employee, contractor, or agent does not meet the exceptions outlined in 20 U.S.C. § 7926.

Hiring

REFERENCES:

¹KRS 160.380
²KRS 161.605; 702 KAR 1:150
³P. L. 114-95, (Every Student Succeeds Act of 2015)
20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)
45 C.F.R. § 1302.90
KRS Chapter 13B
KRS 17.160; KRS 17.165
KRS 156.106; KRS 160.345; KRS 160.390; KRS 161.042; KRS 161.611
KRS 161.750; KRS 335B.020; KRS 405.435
OAG 18-017; OAG 73-333; OAG 91-10; OAG 91-149; OAG 91-206
OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6
16 KAR 9:080; 702 KAR 3:320; 704 KAR 7:130
Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.132

Adopted/Amended:
Order #:

Hiring

The following procedures shall apply in the recruitment, selection, and employment of all classified and certified personnel hired in the District.

RECRUITMENT

Recruiting shall be the responsibility of the Superintendent/designee. Efforts shall be made to recruit a quality staff to include, but not be limited to:

1. Working through placement bureaus of regional and state colleges and universities;
2. Conducting orientation meetings with students at the high school relating to future employment opportunities with the District;
3. Working with state educational associations and the state department of education;
4. Conducting recruitment programs through parent-teacher organizations; and
5. Advertising through appropriate media.

POSTING

Vacancies shall be posted in the Central Office, in each school building during the school year, and in the following as appropriate:

- ☐ Local and/or state newspapers,
- ☐ Predetermined locations in the community,
- ☐ Professional publications, and/or
- ☐ Campus recruiting offices.

NOTE: Districts are required to post all certified vacancies on the Kentucky Department of Education's web site.

All postings at the local level shall be made within five (5) working days of each certified vacancy opening. The closing date for receiving applications shall be listed when vacancies are posted.

CERTIFIED VACANCIES

The Superintendent/designee shall notify the Chief State School Officer of the vacancy at least fifteen (15) days prior to filling the position. When such a vacancy needs to be filled in fewer than fifteen (15) days to prevent disruption of necessary instructional or support services, a waiver may be requested from the Chief State School Officer. If the waiver is approved, the appointment shall not be made until the person selected has been approved by the Chief State School Officer.

APPLICATIONS

Completed applications should be filed in the Superintendent's office and accompanied by transcripts and certificates, as appropriate.

The Superintendent/designee shall review each application for completeness and shall send a notice to each applicant indicating (a) the date of the review and (b) any additional materials requested.

Hiring**SELECTION FACTORS**

The Superintendent/designee shall screen applicants based on the following factors:

1. Certification (when required for the position)
2. Educational background
3. Previous work experience
4. Recommendations
5. Personal characteristics exhibited during the interview process:
 - a. Ability to communicate
 - b. Ability to work cooperatively with others
 - c. Applicant's educational philosophy
 - d. Knowledge of work area or subject matter
6. Results from required testing

EMPLOYMENT

For SBDM schools, hiring shall follow statutory guidelines and the provisions of Policy 02.4244, and the Superintendent shall complete the hiring process. Decisions on Central Office and District-wide personnel shall be made by the Superintendent/designee. The Superintendent shall inform the Board of the appointment of all personnel.

CONTRACT

Personnel hired by the Superintendent shall be notified of their contractual obligations by letter. The contract must be signed and returned to the Personnel Office within two (2) weeks. If not returned within this time frame, the contract may be considered null and void.

Review/Revised:

- CERTIFIED PERSONNEL -**Job Vacancy Notice****To:** Superintendent/designee**From:** _____ **Date:** _____**SCHOOL/DEPARTMENT:** _____**CLASSIFICATION OF JOB TO BE POSTED:** _____**CLASS CODE, IF APPLICABLE** _____ **HOURS PER DAY** _____ **DAYS PER YEAR** _____**STARTING DATE:** _____ **RATE OF PAY:** _____**CHECK ONE:** ☐ **FULL-TIME** ☐ **PART-TIME** ☐ **FLEX** ☐ **TEMPORARY****IS THIS A NEW POSITION?** ☐ **YES** ☐ **NO****JOB REQUIREMENTS:** _____

APPLICATION DEADLINE: _____*(Unless otherwise noted, all certified positions shall be posted for fifteen [15] calendar days.)***ADDITIONAL INFORMATION:** _____

*All requests for job vacancy postings must be submitted in writing on this form to the Superintendent/designee.***Signature:** _____ **Date:** _____**The Board of Education does not discriminate on the basis of race, color, national origin, age, religion, sex, genetic information, limitations due to pregnancy, childbirth, or related medical conditions, or disability in employment, educational programs or activities.**

Review/Revised:

- CERTIFIED PERSONNEL -**Application Evaluation**

NAME OF APPLICANT _____ POSITION _____

The Superintendent/designee shall:

1. rate the application.
2. determine the need for further action based on the outcome of the application evaluation.
3. sign and date the application evaluation document.
4. file the application evaluation in the applicant's folder located in the Central Office.

Certification		
Concentration in area to be taught	5 points	
Major in vacancy areas/supportive major	4 points	
Two or more related minors	3 points	
One related minor	0 points	
TOTAL		

COMMENTS/SUGGESTIONS _____

Transcript		
3.5+ Overall	10 points	
3.0 Overall	8 points	
2.5 Overall	6 points	
2.0 Overall	0 points	
TOTAL		

COMMENTS/SUGGESTIONS: _____

Professional Improvement/In-Service		
Strongly related to position	5 points	
Moderately related to position	4 points	
Somewhat related to position	3 points	
Not related/no experience	0 points	
TOTAL		

COMMENTS/SUGGESTIONS: _____

Application Evaluation

Work Experience		
Experience strongly related to position	5 points	
Experience somewhat related to position	4 points	
Unrelated experience	3 points	
No experience	0 points	
TOTAL		

COMMENTS/SUGGESTIONS: _____

Experience Competency Statement		
Outstanding content and style	5 points	
Outstanding content and acceptable style	4 points	
Acceptable content and style	3 points	
Unacceptable content and style	0 points	
TOTAL		

COMMENTS/SUGGESTIONS: _____

References		
Majority are superior	5 points	
Majority are excellent	4 points	
Majority are good	3 points	
Majority are poor	0 points	
TOTAL		

TOTAL SCORE _____

COMMENTS/SUGGESTIONS: _____

*Signature of Evaluator*_____
Date

Review/Revised:

PERSONNEL

03.11 AP.23

- CERTIFIED PERSONNEL -

Interview Evaluation

NAME OF APPLICANT _____ POSITION _____

Rating Description - 1) Unsatisfactory 2) Barely Satisfactory 3) Satisfactory Performance 4) Better Than Average Performance 5) Superior Performance

		1	2	3	4	5
1.	Stability/Rapport - Appears poised, mature, kind, cheerful, and positive and capable of promoting warm, open, honest, and candid relationships with students, fellow staff and administrators					
2.	Attitude Toward Work - Appears to be dedicated to and enthusiastic, positive, and creative toward the demands of teaching					
3.	Attitude Toward Schools - Displays a willingness to involve parents and resource people					
4.	Attitude Toward Community Relations - Projects positive attitude toward promoting the school programs within the community					
5.	Ability to Motivate Students - Has knowledge of techniques and the ability to motivate students to want to learn					
6.	Classroom Management - Demonstrates knowledge of effective discipline procedures					
7.	Attitude Toward Extra-Curricular Activities - Demonstrates a desire to sponsor/provide leadership in extra-curricular activities					
8.	Personal Appearance - Well-groomed and dressed appropriately					
9.	Communication Skills - Uses proper English, responses stated clearly and succinctly					
10.	Grade Point Average in Undergraduate Studies: 2.5 - 2.7 = 1; 2.8 - 3.0 = 2; 3.1 - 3.3 = 3; 3.4 - 3.6 = 4; 3.7 - 4.0 = 5					
Total Points						

Length of Interview _____

Interviewer's Signature/Date _____

COMMENTS/SUGGESTIONS:

Review/Revised:

- CERTIFIED PERSONNEL -

Application/Interview Summary

POSITION _____ DATE _____

Applicant’s Name	Application Evaluation Score	Interview Evaluation	Teacher Perceiver Score	NTE/other test scores, if applicable	Comments/Recommendations

RELATED PROCEDURES:
03.11 AP.22; 03.11 AP.23

Review/Revised:

Verification of Employment

Date: _____

The following individual, who has applied for employment in the _____ School District, has reported that s/he was formerly employed by your school district/agency:

*Name of Former Employee*_____
Social Security #

We request that you verify years of experience and provide other information as noted below. Please return this form in the postage-paid envelope provided.

*Signature of Person Requesting Information*_____
Position/Title

This is to certify that the employee listed above was employed by:

- ☐ _____ Schools
- ☐ _____ College/University
- ☐ Kentucky Department of Education, Department of _____
- ☐ Other; please specify: _____

Beginning Date (Month/Day/Year)	Ending Date (Month/Day/Year)	Part-time or Full-time Status	Position(s) Held

Continuing Contract Status (if applicable): ☐ YES ☐ NO

OPEN RECORDS REQUEST

Please provide any information contained in this individual's personnel record evidencing any disciplinary action taken while s/he was employed by your district/agency.

- ☐ Information enclosed/attached ☐ No disciplinary action on record for this individual

*Name & Title of Person Completing Form
(Please Print/Type)*_____
*Signature*_____
Date

Review/Revised:

- CERTIFIED PERSONNEL -**Recommendation for Employment****To:** Superintendent/designee**From:** _____ **Date:** _____**SCHOOL/DEPARTMENT:** _____**NAME OF APPLICANT:** _____**ADDRESS OF APPLICANT:** _____**CLASSIFICATION:** _____**CLASS CODE, IF APPLICABLE** _____ **HOURS PER DAY** _____ **DAYS PER YEAR** _____**STARTING DATE:** _____ **RATE OF PAY:** _____**CHECK ONE:** ☐ **FULL-TIME** ☐ **PART-TIME** ☐ **FLEX** ☐ **TEMPORARY****IS THIS AN ITINERANT POSITION** ☐ **YES** ☐ **No****IS THIS APPLICANT CURRENTLY EMPLOYED BY THE DISTRICT?** ☐ **YES** ☐ **No****ADDITIONAL INFORMATION:** _____

All employment recommendations must be submitted on this form. Please return to the Superintendent/designee at the Central Office.

Signature: _____ **Date:** _____

The Board of Education does not discriminate on the basis of race, color, national origin, age, religion, sex, genetic information, limitations due to pregnancy, childbirth, or related medical conditions, or disability in employment, educational programs or activities.

Review/Revised:

Criminal Records Release Authorization

In order to obtain required state and national background checks, District employees and student teachers assigned within the District must complete the Kentucky State Police Criminal Records Release Authorization form, which is available from the Kentucky State Police. The District will submit the required payments.

Student teachers may submit and provide a copy of a national and state criminal background check by the Kentucky State Police and the Federal Bureau of Investigation through an accredited teacher education institution in which the student teacher is enrolled and who have a clear CA/N check.

Review/Revised:

Criminal History Record Information

PURPOSE

The District may use Criminal History Record Information (CHRI) obtained from the Kentucky State Police (KSP) to check qualification for employment or service as provided in KRS 160.380 and related policies and for authorizing personnel who will make fitness determinations. CHRI may not be used for any other purpose.

AUTHORITY

The District has the authorization to submit fingerprints to KSP for a fee-based state and federal background check pursuant to KRS 160.380.

NONCRIMINAL JUSTICE AGENCY CONTACT (NAC) & LOCAL AGENCY SECURITY OFFICER (LASO)

The Superintendent will designate employee(s) to serve as the NAC and LASO points of contact with KSP through which communication regarding audits, District personnel changes, training, and security are conducted. The NAC and LASO will receive and disseminate communication from KSP to all authorized District personnel. Additionally, the LASO shall where applicable:

1. Identify who is using the Criminal Justice Information Services (CJIS) Systems Agency (CSA) approved hardware, software, and firmware and ensure no unauthorized individuals or processes have access to the same.
2. Identify and document how the equipment is connected to the state system.
3. Ensure that personnel security screening procedures are being followed as stated.
4. Ensure approved and appropriate security measures are in place and working as expected.
5. Support policy compliance and ensure the CSA Information Security Officer is promptly informed of security incidents.

AUTHORIZED PERSONNEL

Authorized personnel will be given access to view and handle CHRI after completing the required Security Awareness Training and any additional training required by KSP. Only authorized personnel may access, discuss, use, possess, disseminate, or destroy CHRI.

The District will keep an updated list of authorized personnel that will be available to the KSP Auditor during the audit process.

TRAINING OF AUTHORIZED PERSONNEL

The District will ensure all persons authorized to have CHRI access will complete Security Awareness Training via CJIS Online immediately upon hire or appointment to access CHRI. The NAC will keep on file the Security Awareness Training certificate on all authorized personnel.

The District will ensure authorized users complete recertification of Security Awareness Training every twelve (12) months.

Authorized personnel will review the KSP website Noncriminal Justice Agency (NCJA) section for policies, procedures, and forms necessary for CHRI handling and fitness determination.

Criminal History Record Information**FINGERPRINT CARD PROCESSING**

The District requires that all covered persons for whom fingerprint check is required must provide a valid, unexpired form of government-issued photo identification prior to fingerprinting to verify their identity.

A copy of the FBI Privacy Rights Notification will be provided to the covered persons prior to fingerprinting. Covered persons will also be advised of the process regarding a challenge of the criminal history record.

Covered persons that have disclosed a conviction must still be fingerprinted. Proper reason for fingerprinting must be documented in the "Reason for Fingerprinting" box.

Proper chain of custody procedures protecting the integrity of the covered person's fingerprints prior to submission will include maintaining fingerprints in a secure environment, in a sealed envelope.

COMMUNICATION

Authorized personnel may discuss the CHRI results with covered persons in a secure, private area. Extreme care will be taken to prevent overhearing, eavesdropping, or interception of communication.

The District will not allow a covered person to have a copy of their record or take a picture of it with an electronic device.

The District will provide the covered person with required forms and options to obtain their record if a record is to be challenged.

PHYSICAL SECURITY

The District will ensure that information system hardware, software, and media are physically protected through access control measures by ensuring the perimeter of a physically secured location shall be prominently posted and separated from non-secure locations by physical controls. The District will control all access points (except for those areas within the facility officially designated as publicly accessible) and will verify individual access authorizations before granting access. The District will control physical access to information system distribution and transmission lines within the physically secure location. The District will control physical access to information system devices that display Criminal Justice Information (CJI) and will position information system devices in such a way as to prevent unauthorized individuals from accessing and viewing CJI. The District will monitor physical access to the information system to detect and respond to physical security incidents. The District will control physical access by authenticating visitors before authorizing escorted access to the physically secure location (except for those areas designated as publicly accessible) and will escort visitors in a secured location.

Criminal History Record Information**STORAGE AND RETENTION OF CHRI**

The fingerprint results from KSP should only be handled by authorized personnel.

During the fitness determination:

- CHRI will be stored in a locked drawer/container at the Central Office and only accessible to authorized personnel.
- CHRI will be stored in a separate file that cannot be released for any public records request and will not be archived in a publicly accessible location.
- CHRI results will be stored electronically the agency using proper security and encryption methods.
- If stored electronically, the District will ensure compliance of CJIS Security Policy for the Network Infrastructure to include the following:
 1. Network Configuration
 2. Personally Owned Information Systems
 3. Publicly Accessible Computers
 4. System Use Notification
 5. Identification/User ID
 6. Authentication
 7. Session Lock
 8. Event Logging
 9. Advance Authentication
 10. Encryption
 11. Dial-up Access
 12. Mobile Devices
 13. Personal Firewalls
 14. Bluetooth Access
 15. Wireless (802.11x) Access
 16. Boundary Protection
 17. Intrusion Detection Tools and Techniques
 18. Malicious Code Protection
 19. Spam and Spyware Protection
 20. Security Alerts and Advisories
 21. Patch Management
 22. Voice over Internet Protocol (VoIP)
 23. Partitioning and Virtualization
 24. Cloud Computing
- Per KRS 61.878, CHRI is not subject to disclosure under the Kentucky Open Records Act and will not be archived in a publicly accessible location.

Criminal History Record Information**MEDIA TRANSPORT**

The District will protect and control digital and physical media during transport outside of controlled areas and will restrict the activities associated with transport of such media to authorized personnel.

DISPOSAL OF MEDIA CHRI

The District will properly sanitize or destroy physical or electronic CHRI per the Kentucky Department of Libraries and Archives (KDLA) Public School District Records Retention Schedule. If a third party performs the destruction, an authorized person shall accompany the CHRI through the destruction process. For electronic media, the District shall overwrite three (3) times or degauss digital media prior to disposal or release, inoperable digital media shall be destroyed; cut up, shredded, etc. The District shall ensure the sanitation or destruction is witnessed or carried out by authorized personnel.

MISUSE OF CHRI

In the event of deliberate or unintentional misuse of CHRI, the District will subject the employee to disciplinary action per Board policy and procedures, up to and including termination, or request for criminal investigation/charges.

Review/Revised:

Driving Records Release Authorization

Name _____				
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>		
Address _____				
<i>Street/Apartment #/P.O. Box</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	
Maiden Name, if applicable _____				
Birthdate _____		Social Security Number _____		
Position to be filled in the School District _____				

In accordance with policy 03.1321, I hereby authorize the Kentucky Department of Transportation to release the results of a Driving Records Check to school district personnel.

Signature of Applicant *Date*

=====

Subscribed and sworn to before me by _____ *this* ____ *day of* _____, 2____.

Applicant Name

My commission expires: _____

Month/Day/Year *Notary Public*

This form shall be completed

- ☐ annually
- ☐ upon request
- ☐ upon initial employment
- ☐ other, specify _____

District personnel should ensure that all information is complete.

Forward a check made payable to the Kentucky State Treasurer in the amount of **\$3.00** for each submitted form. Send this form and check to **Kentucky Department of Transportation, Division of Driver Licensing, 200 Mero Street, Frankfort, KY 40622.**

Review/Revised:

- CERTIFIED PERSONNEL -**Letter of Intent****ANNUAL SURVEY**

Each employee must complete the following Letter of Intent signifying his/her desire to be reemployed for the coming school year and return it to the building Principal/designee, who will forward it to the Superintendent/designee, as appropriate. This should be completed by

- ☐ March 1
- ☐ March 15
- ☐ April 1

DISTRICT SUPERINTENDENT/DESIGNEE:

To assist in staffing personnel for the _____ school year, I hereby notify the District of the following:

- ☐ I plan to return to the school district for the next year.
- ☐ I do not plan to return to the school district for the next year.
- ☐ My rank will remain the same.
- ☐ My rank will change to _____, and I will submit the appropriate documentation.

Employee's Signature

Date

RELATED PROCEDURE:

03.121 AP.22

Review/Revised:

- CERTIFIED PERSONNEL -**Medical Examination****NEWLY EMPLOYED PERSONNEL**

All newly employed certified personnel, including substitute teachers, shall present documentation in the form of a medical examination performed by a designated licensed physician, physician assistant (PA), or Advanced Practice Registered Nurse or by a licensed medical practitioner of the employee's choice. Through appropriate personnel documents, such as handbooks and/or job applications, employees shall be notified as to who will pay for medical examinations required for initial employment. Medical examinations performed within a ninety (90)-day period prior to initial employment will be accepted.

REPORT

The medical examination shall be reported on the form required by Kentucky Administrative Regulation or an electronic medical record that includes all of the data equivalent to that on the Medical Examination of School Employees form. A copy of the form or electronic medical record and a statement indicating the employee's medical status must be filed with the Superintendent prior to assuming assigned duties.

TUBERCULOSIS SCREENING/TESTING

Each medical examination shall include a risk assessment for tuberculosis as required by Kentucky Administrative Regulation. Individuals identified by that assessment as being high risk for TB shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by 702 KAR 1:160. A person who tests positive for TB shall be required to comply with the directives of the Board, local board of health and the Kentucky Department for Public Health, Cabinet for Health and Family Services, for further evaluation and treatment of the tuberculosis infection.^{1&2}

PRESENT PERSONNEL

When, in the opinion of the Superintendent, there is evidence that an employee is no longer able to perform satisfactorily the assigned duties because of health problems or when the employee poses a health threat to students or other employees, the Superintendent may, consistent with the Americans with Disabilities Act and the Family Medical Leave Act, require the employee to provide evidence of fitness in the form of an examination and report by a physician of the Superintendent's choosing.

The Board shall bear the cost of this examination.¹

SCHOOL TO REPORT

Local school authorities shall report immediately all known or suspected cases of communicable disease to the local health department. Diseases to be reported shall not include those considered confidential, such as HIV/AIDS, as set forth in Kentucky Administrative Regulation.²

Medical Examination

MEDICAL CONFIDENTIALITY

Signed consent of the employee designating personnel to be informed shall be required before the Superintendent advises personnel of the employee's medical condition.

The Superintendent shall determine which employees are to have access to medical information. This determination shall be made on a need-to-know basis.

REFERENCES:

²702 KAR 1:160; 902 KAR 2:020; KRS 214.181; KRS 214.625
OAG 65-560
Genetic Information Nondiscrimination Act of 2008
Americans with Disabilities Act
Family and Medical Leave Act of 1993

RELATED POLICIES:

¹03.1234, 03.14

Adopted/Amended:
Order #:

Medical Examination Form

Medical examinations for District employees, including substitute teachers, must be completed using the form required by Kentucky Administrative Regulation (“Medical Examination of School Employees”) or an electronic medical record that includes all of the data equivalent to that on the Medical Examination of School Employees form.

Review/Revised:

Request for Protected Health Information

This form may be used to grant release of a patient's protected health information by the health care provider for an employee or student for purposes other than treatment, payment or health care operations.

I, _____, hereby authorize _____
Name of Employee, Student 18 or older, or Parent/Guardian *Name of Physician/Practice*
 to use and/or disclose my protected health information described below to _____.
School District

My protected health information will be used or disclosed upon request for the following purposes (name and explain each purpose): _____

This authorization for use and/or disclosure applies to the following information (please mark those that apply):

- ☐ Any and all records in the possession of the above-named physician or physician's practice, including mental health, HIV, and/or substance abuse records. (Please cross out any item you do not authorize to be released.)
- ☐ Records regarding treatment for the following condition or injury _____
 on or about _____.
- ☐ Records covering the period of time _____ to _____.
- ☐ Other (Specify and include dates.) _____.

I understand that I have the right to revoke this authorization, in writing, at any time by sending such written notification to above-named physician/practice. I also understand that my revocation is not effective to the extent that the persons I have authorized to use and/or disclose my protected health information have acted in reliance upon this authorization.

I understand that I do not have to sign this authorization and that the above-named physician/practice may not condition treatment or payment on whether I sign this authorization.

I understand that information used or disclosed pursuant to this authorization may be subject to re-disclosure by the recipient and no longer protected by federal laws and regulations regarding the privacy of my protected health information. **NOTE:** Redislosure of HIV information shall comply with KRS 214.181 and KRS 214.625, which impose additional limitations on release of such information.

This authorization expires on the following date or event: _____

I certify that I have received a copy of this authorization.

Signature of Patient or Legally Recognized Representative

Date

Name of Patient or Legally Recognized Representative

Legally Recognized Representative's Authority

Review/Revised:

- CERTIFIED PERSONNEL -**Certification and Records****CERTIFICATION**

The Board shall set certification requirements for teachers of all grades/courses, including elective courses, in compliance with applicable legal requirements.

All persons appointed to positions requiring Kentucky certification shall present to the Superintendent a copy of the required certificate prior to assuming the duties of the position.

It shall be the responsibility of the employee to see that the required certification is on file in the Superintendent's Office and is kept current at all times.

NOTICE TO PARENTS OF TEACHER'S QUALIFICATIONS/CERTIFICATION

If the school receives Title I funds, the District shall notify parents of students attending the school annually that they may request the District to provide information regarding the professional qualifications of their child's classroom teachers. In complying with such requests, the District shall provide the information designated by federal law.

Schools receiving Title I funds shall notify parents when their child has been assigned to, or has been taught for four (4) or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

CERTIFICATION FOR TEACHING ELECTIVE COURSES

The Principal/designee shall forward to the Superintendent the course description for proposed new or revised elective courses, with a proposal for certification requirements for teachers of the course. The Superintendent shall present this information, along with a recommendation for certification requirements, to the Board for its approval.

In determining certification requirements for elective courses, the Board shall observe the following standards:

1. A teacher's preparation program should align with the basic structure of the elective course.
2. Teachers of interdisciplinary electives should be certified in at least one (1) of the disciplines included in the course.

REFERENCES:

KRS 160.350; KRS 161.020; KRS 161.048
KRS 161.730; KRS 161.740; KRS 161.750
KRS 161.760; KRS 161.780; KRS 161.790
KRS 161.800; KRS 161.810
16 KAR 1:030; 702 KAR 3:320
34 C.F.R. 200.61
P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

02.4241; 03.11; 03.5

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Application for Elective Certification Determination**

The school council or, if the school has no council, the teaching staff shall complete and submit this application to the Principal, who shall submit it to the Superintendent for Board approval. Applications are due by June 1 for a first semester course and by October 1 for a second semester course.

For SBDM schools: Please attach a copy of the council minutes of the meeting at which this application was approved. For all schools: Provide information to thoroughly address each section. Attach and label separate sheets as needed.

COURSE TITLE AND DESCRIPTION: _____

IF THIS IS AN INTERDISCIPLINARY COURSE, LIST THE CONTENT AREAS: _____

LIST THE CORE CONTENT THAT THE COURSE WILL EMPHASIZE: _____

WHEN WILL THIS COURSE BE TAUGHT? Check the appropriate box and enter the year.

☐ Fall Semester, _____ ☐ Spring Semester, _____ ☐ Both Semesters, _____

WHAT CERTIFICATION REQUIREMENTS ARE PROPOSED FOR TEACHERS OF THIS ELECTIVE? _____

DOES THE PROPOSED CERTIFICATION ALIGN WITH THE BASIC STRUCTURE OF THE ELECTIVE COURSE?

☐ Yes ☐ No

Describe how: _____

HOW MANY CREDITS WILL THIS COURSE GENERATE? _____

Principal's Signature

School

*Date of SBDM Approval
(If applicable)*

Superintendent's Signature

Date of Board Approval

Review/Revised:

- CERTIFIED PERSONNEL -**ESSA Qualification Notifications****ANNUAL NOTIFICATION - OPTION TO REQUEST PROFESSIONAL QUALIFICATIONS**

TO: _____ <i>Parent's Name</i>
FROM: _____ <i>School Name</i>
REGARDING: _____ <i>Student's Name</i>
DATE: _____ GRADE _____

Dear Parent/Guardian,

Because our District receives federal funds for Title I programs as a part of the Every Student Succeeds Act (ESSA), you may request information regarding the professional qualifications of your child's teacher(s) and paraprofessional(s), if applicable.

If you would like to request this information, please contact _____
by phone at _____ or by e-mail at _____.

Sincerely, _____
Principal/designee

ESSA Qualification Notifications**NOTIFICATION RE: TEACHER QUALIFICATIONS**

TO: _____ <i>Parent's Name</i>
FROM: _____ <i>School Name</i>
REGARDING: _____ <i>Student's Name</i>
DATE: _____ GRADE: _____

Dear Parent/Guardian,

Our school is dedicated to providing the best instructional staff we can to teach our students. However, because our school receives Title I federal funds, the federal Every Student Succeeds Act (ESSA) requires us to inform you that your child has been assigned to a teacher who does not meet applicable State certification or licensure requirements to teach the subject at your child's grade level. Your child

- ☐ has been assigned to _____ for _____
Name of teacher Subject and grade level
for this school year.
- ☐ has been assigned to _____ for _____
Name of teacher Subject and grade level
for the past four (4) weeks (20 instructional days.)

Please let me know if you have questions about this information (_____).
Telephone #

Sincerely, _____
Principal/designee

Review/Revised:

- CERTIFIED PERSONNEL -**Equal Employment Opportunity****NONDISCRIMINATION**

As required by Title IX, the District does not discriminate on the basis of sex regarding admission to the District or in the educational programs or activities operated by the District. Inquiries regarding Title IX Sexual Harassment may be referred to the District Title IX Coordinator (TIXC), the Assistant Secretary for Civil Rights, or both.¹

The Superintendent shall adhere to a policy of equal employment opportunity in all personnel matters. No person shall be subjected to discrimination in regard to employment, retention, promotion, demotion, transfer or dismissal because of race, color, religion, sex (including sexual orientation or gender identity), genetic information, national or ethnic origin, political affiliation, age, disabling condition, or limitations related to pregnancy, childbirth, or related medical conditions.²

INDIVIDUALS WITH DISABILITIES

No qualified person with a disability, as defined by law, shall, on the basis of the disability, be subject to discrimination in employment.³

District employment practices shall be in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

No human immunodeficiency virus (HIV) related test shall be required as a condition of hiring, promotion, or continued employment, unless the absence of HIV infection is a bona fide occupational qualification for the job in question as defined in KRS 207.135.

REASONABLE ACCOMMODATION

Employees who have a long-term or permanent disability may request the District supervisor to provide reasonable accommodations necessary for them to perform the essential duties of the position. Medical information obtained as part of an employee request shall be confidential.⁴

If assistive technology is deemed necessary for an employee, every effort will be made to obtain that technology in a timely fashion.

The District shall engage in a timely, good faith and interactive process to determine reasonable accommodations for an employee's limitations related to pregnancy, childbirth, or related medical conditions. Reasonable accommodation shall be provided as required by law.

ADVISING EMPLOYEES

The Superintendent shall inform all school employees of the provisions of this policy.¹

Equal Employment Opportunity

REFERENCES:

¹34 C.F.R. § 106.8

²KRS 161.164; KRS Chapter 344; 42 U.S.C. 2000e, Civil Rights Act of 1964, Title VII

³29 U.S.C.A. 794

⁴29 U.S.C. section 1630.14

KRS 207.135

34 C.F.R. 104.3 - 104.14

42 C.F.R. 2000e-2; 42 C.F.R. 2000(k)

Americans with Disabilities Act

Kentucky Education Technology System (KETS)

Section 504 of the Rehabilitation Act of 1973

Title IX of the Education Amendments of 1972

Genetic Information Nondiscrimination Act of 2008

Bostock v. Clayton County, Georgia 140 S.Ct. 1731 (2020)

RELATED POLICIES:

03.133; 03.1621; 03.212; 03.2621; 05.11

Adopted/Amended:
Order #:

-CERTIFIED PERSONNEL-

Contract

CONTRACT

All certified employees (Superintendent excepted) shall receive either a limited or a continuing contract.¹

Contracts for certified personnel shall not exceed two hundred sixty-one (261) days per fiscal year.²

VOCATIONAL

Vocational agriculture teachers shall be allotted sufficient days of extended employment to provide for twelve (12) months instructional salary per year.³

REFERENCES:

- ¹KRS 161.730
- ²KRS 161.220
- ³KRS 157.360
- 16 KAR 4:040

RELATED POLICY:

03.121

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Transfer of Tenure**

The continuing service contract status of a teacher shall not be terminated when the teacher leaves employment, all provisions of KRS 161.720 to KRS 161.810 to the contrary notwithstanding, and the continuing service contract status shall be transferred to the next school district, for a period of up to seven (7) months from the time employment in the first school district has terminated.

All teachers employed who have attained continuing service contract status from another Kentucky district shall serve a one (1)-year probation period before being considered for continuing service contract status in the school District.

REFERENCE:

KRS 161.740

KRS 161.720 to KRS 161.810

Smith v. Bennett, 644 S.W.3d 516 (Ky. App. 2021)

Adopted/Amended:

Order #:

- CERTIFIED PERSONNEL -**Coaches and Assistant Coaches**

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a cardiopulmonary resuscitation (CPR) course that includes the use of an automated external defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.² All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.³

Nonfaculty coaches and nonfaculty assistants shall complete District training that includes information on the physical and emotional development of students of the age with which they will be working, the District's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.¹

REFERENCES:

¹KRS 161.185

²702 KAR 7:065

³KRS 158.162

KRS 156.070

KRS 160.445

KRS 161.180

RELATED POLICIES:

03.2141

09.311

Adopted/Amended:

Order #:

PERSONNEL

03.117

- CERTIFIED PERSONNEL -

Re-employment of Retirees

(Vacant)

Adopted/Amended:
Order #:

-CERTIFIED PERSONNEL-

Compensation and Benefits

ESTABLISHMENT

The Board shall annually establish salary schedules and employee benefits for all certified personnel.

COBRA

At the time of initial employment an employee shall be given the first COBRA notification. Second notification and continuation of benefits shall be contingent upon the employee's notifying the district of a qualifying event.¹

REFERENCES:

- ¹Consolidated Omnibus Budget Reconciliation Act
- 26 CFR Part 1
- KRS 157.320 (12)
- KRS 160.290 (1)
- KRS 160.340 (2e)
- 702 KAR 3:070

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Salaries****SINGLE-SALARY BASIS**

All salaries for certified personnel shall be based on a single-salary schedule providing, at minimum, for the number of working days required by law.

A District may provide monetary compensation, in addition to that provided through the single salary schedule, to all classroom teachers employed in a school that is identified by the Kentucky Department of Education as being in targeted or comprehensive support and improvement status.

Although a school may submit a request for an increment for an extended employment position, extra service, or related adjustments, the Board must set increments in pay for positions requiring services beyond those normally expected of other positions if the duties rendered extend beyond the regular school day or require extended days.

EXTENDED EMPLOYMENT

Compensation for employment contracted beyond the minimum number of working days required by law shall be prorated.

Extended employment positions shall be established in a position job description, funded in the District budget, and specified in an addendum to the employee's contract.

Addition of days to be worked beyond the original contract or additional days of extended employment for a position require prior Board approval before the change goes into effect.

EXTRA SERVICES, SUPPLEMENTS AND SUPERVISION

The Board shall annually establish a schedule of compensation for extra services, special duty supplements and supervision.

NATIONAL BOARD CERTIFIED TEACHER (NBCT) SUPPLEMENT

As provided under law, teachers who attain certification from the National Board for Professional Teaching Standards on or before July 1, 2020, shall be given an annual salary supplement of two thousand dollars (\$2,000) for the life of the certificate. A teacher who attains certification after July 1, 2020, shall be given an annual salary supplement for the life of the certificate, in accordance with the amount appropriated for this purpose by the General Assembly. If an annual supplement amount appropriated by the General Assembly is less than two thousand dollars (\$2,000), the Board may provide an additional supplement up to the amount required for the total annual supplement to equal two thousand dollars (\$2,000).

RANK AND EXPERIENCE

The rank and experience of certified personnel shall be determined at time of hire. The Board shall direct the Superintendent to validate all experience of professional personnel employed in the District.

Changes in rank and experience shall be determined on September 15 of each year.

To assist with the budgeting process, candidates for NBCT certification shall notify the Superintendent/designee in writing prior to September 15 that certification is pending in order for the employee to receive any rank-related increase retroactive to the beginning of the school year.

Salaries**EXCEPTION**

The Superintendent's salary may be established without regard to the above-mentioned schedules.

PAYROLL DISTRIBUTION

Checks will be issued according to a schedule approved annually by the Board. The District shall furnish the employee with either a paper or electronic statement. If statements are provided electronically, employees shall be provided access to a computer and printer for review and printing of their statement.

At the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary prior to the end of the fiscal year.

QUALIFICATIONS

Employees shall be responsible for providing the Superintendent with all required certificates, health examinations, and verifications of experience prior to beginning work.

NOTICE OF SALARY

Not later than forty-five (45) days before the first student attendance day of the succeeding school year or June 15, whichever occurs earlier, the Superintendent shall notify all certified personnel of the best estimate of the salary for the coming year.

PAYROLL DEDUCTIONS

The Board shall approve all payroll deductions as specified by KRS 161.158 and Board Policy 03.1211.

REFERENCES:

KRS 157.075; KRS 157.320; KRS 157.350; KRS 157.360
KRS 157.390; KRS 157.395; KRS 157.397; KRS 157.420
KRS 160.290; KRS 160.291
KRS 161.1211; KRS 161.134; KRS 161.168; KRS 161.760
KRS 337.070; KRS 424.120; 16 KAR 1:040; OAG 97-25
702 KAR 3:060, 702 KAR 3:070; 702 KAR 3:100; 702 KAR 3:310
29 C.F.R. Section 541.303; 29 C.F.R. Section 541.602; 29 C.F.R. Section 541.710

RELATED POLICIES:

03.114; 03.1211; 03.4

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Salaries****SALARY SCHEDULE DEVELOPED AND APPROVED**

The Board shall approve a single-salary schedule, a separate salary schedule or index system for extra services and supervision, and a salary schedule for substitute teachers during or before the June Board meeting.

The single-salary schedule shall meet state requirements for Ranks I, II, III, IV, and V, provide employment for the school term as set by the Board in keeping with statutory requirements, and contain experience categories.

Extra services compensation shall be based on expanded duties and responsibilities, time demands and expertise, and shall be paid only upon documentation of services rendered.

A District may provide monetary compensation, in addition to that provided through the single salary schedule, to all classroom teachers employed in a school that is identified by the Kentucky Department of Education as being in targeted or comprehensive support and improvement status.

The substitute salary schedule shall be a per-diem schedule based on rank and experience but may be lower than the rate of pay for regular full-time teachers. Checks shall be issued on paydates designated in the salary schedule.

SALARY FOR PERSONNEL WHO RESIGN

Certified personnel who resign during the school year or at the end of the school year will be paid in full on the regular payday of the month following the resignation. Final payment will be calculated as follows: Annual salary divided by the number of days of employment times number of days taught minus salary previously received, equals balance due at time of resignation. Staff may be paid only for those holidays occurring prior to resignation.

EXTENDED EMPLOYMENT

Extended employment is defined as the number of days certified personnel are contracted to work in addition to the minimum school term. Extended employment will be approved only for those activities that are necessary to improve the educational programs in the school district. The length of employees' regular work day shall be established by the Board and reflected in the job description for each position. Saturday and Sunday will be placed on the calendar as workdays only with approval of the Superintendent.

EXTENDED CALENDAR WORK PLAN

An individual calendar and extended work plan shall be prepared by the employee who has been employed by the Board for a period exceeding the minimum school term. The plan shall be approved by the Principal (if applicable) and submitted to the Superintendent.

AMENDMENT TO EXTENDED CALENDAR WORK PLAN

Amendments to the extended employment calendar and/or the work plan for teachers must be approved by the building Principal. Changes for all other personnel must be approved by the Superintendent.

Review/Revised:

- CERTIFIED PERSONNEL -**Personal Data Form**NAME _____
Last First Middle Maiden

STREET ADDRESS _____ PHONE _____

CITY/STATE _____ ZIP _____

DATE OF BIRTH _____ SOCIAL SECURITY NUMBER _____

MARITAL STATUS (FOR TAX PURPOSES) _____

POSITION _____ WORK SITE _____

EMERGENCY CONTACT: NAME _____ PHONE # _____

NUMBER OF EXEMPTIONS DESIRED FOR TAX WITHHOLDING _____

Individuals who are employed after the first day of the school calendar or who are employed for less than the number of days required by law or the Board will be paid on the basis of their daily rate multiplied by the number of days worked during the payroll period.

INDICATE HERE IF YOU ARE CHANGING RANK THIS YEAR. ☐ IF SO, NEW RANK _____

LIST ANY EXTRA SERVICE: _____

STARTING SALARY \$ _____ ENDING SALARY \$ _____

TRANSFERS _____

REMARKS _____

TYPE OF CERTIFICATE HELD: ☐ ELEMENTARY ☐ MIDDLE SCHOOL ☐ HIGH SCHOOL
☐ STANDARD ☐ PROVISIONAL

INDICATE HIGHEST DEGREE HELD: ☐ B.S./B.A. ☐ M.A. ☐ 30 OR ABOVE

RANK _____ NUMBER OF YEARS EXPERIENCE _____
In this System In Other Systems

=====

NEW EMPLOYEES COMPLETE THE FOLLOWING

List below the names and addresses of all other systems in which you have previously taught:

Dates	Months Taught	Name of System	Address

Review/Revised:

- CERTIFIED PERSONNEL -**Personnel Documents****EMPLOYEE'S NAME** _____ **POSITION/WORK SITE** _____**REQUIREMENTS**

Employment shall be contingent upon meeting all requirements (state and local) for the position. Employees shall provide the following documents to the Central Office.

- ☐ **TEACHING CERTIFICATE:** An official copy of the certified staff member's certificate or a cover letter that is valid for the current year from the Department of Education, Division of Certification.
- ☐ **TRANSCRIPTS:** Official copies of college/university credits and standardized test results.
- ☐ **APPLICATION (INCLUDING REFERENCES, A LIST OF STATES OF FORMER RESIDENCE AND DATES OF RESIDENCY, AND PICTURE IDENTIFICATION)**
- ☐ **SIGNED CONTRACT (WITH LETTER OF NOTIFICATION OF EMPLOYMENT)**
- ☐ **RANK STATUS:** Verification of current Rank Status.
- ☐ **VERIFICATION OF EXPERIENCE:** Verification from each school district or the Kentucky Department of Education for which there is past teaching or administrative experience. (This must be on file before salary can be received based on that experience). Central Office personnel will write for verification after the names of the school districts have been provided.
- ☐ **HEALTH CERTIFICATION:** Each employee, including substitutes, must have a medical examination, which shall include a tuberculin risk assessment, prior to initial employment, and proof shall be filed with the Central Office. Individuals identified as being at high risk for TB shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by 702 KAR 1:160. Health certification records shall also include results from Hepatitis B vaccinations, if the position so requires.
- ☐ **MEMBERSHIP APPLICATION TO THE TEACHERS' RETIREMENT SYSTEM:** Each regular full time certified employee must file a membership application with teacher retirement if they are not already a member or if they have previously withdrawn their account.
- ☐ **TAX WITHHOLDING EXEMPTION CERTIFICATES:** Each employee is to complete a copy of Form K-4 (State) and Form W-4 (Federal) for their file. (New certificates must be completed any time the employee makes a change in the number of exemptions claimed or the amount to be deducted.)
- ☐ **VERIFICATION OF TRANSFERABLE SICK LEAVE:** Certified employees may transfer days of accumulated sick leave from one Kentucky district or the Kentucky Department of Education to another Kentucky district when place of employment changes. There cannot be a break in service for sick leave to transfer.
- ☐ **CRIMINAL RECORDS CHECK FORM:** Required by state. Form will be mailed to the State Police by Central Office personnel. New certified employees must be fingerprinted at the Central Office.

Personnel Documents**REQUIREMENTS (CONTINUED)**

- ☐ **LETTER FROM CABINET FOR HEALTH AND FAMILY SERVICES:** Applicants (hired on or after April 4, 2018) must provide a letter from the Cabinet for Health and Family Services stating that there are no administrative findings of child abuse or neglect on record.
- ☐ **DRIVING RECORDS CHECK FORM:** Required by the state for all bus drivers and by the District, if applicable for other certified personnel. Form will be mailed by Central Office personnel to the Kentucky Transportation Cabinet, Division of Driver Licensing.
- ☐ **I-9 FORM:** Required by federal law to determine eligibility for employment in the United States.
- ☐ **SSA-1945:** The Social Security Administration requires that this form be used to inform, prior to employment, new certified employees that will participate in TRS that the position is not covered by Social Security.
- ☐ **CAFETERIA BENEFIT PLAN APPLICATION, if applicable:** Must be completed by every full-time employee of the School District. (This is usually done shortly after the opening of school by a person who visits each school to have the forms completed.)

Personnel records also may include the following: evaluation documents; documentation of personnel actions (promotions, transfers, demotions, disciplinary actions, nonrenewals, terminations); record of professional development activities, and other payroll-related information (insurance forms/deductions and direct deposit authorizations).

Review/Revised:

Certification of Time

These forms are to be completed and sent to the Central Office at the time designated by Central Office personnel.

Payroll Period: From _____ to _____

Certified Employee's Name	Number of Days Worked	Number of Days Absent	Name of Substitute (if required)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			

I certify the above time sheet to be a true record of the time worked by the employees assigned to this school/work site. This time sheet shall be used to certify work time for certified (exempt) employees.

Principal/designee's Signature

Date

Certification of Time

Each hourly employee shall complete and submit this form to the immediate supervisor for each pay period at the time designated by Central Office personnel.

EMPLOYEE'S NAME: _____ POSITION/DEPARTMENT: _____

SCHOOL/WORK SITE: _____ PAY PERIOD BEGINNING: _____ PAY PERIOD ENDING: _____

DATE	TIME IN	TIME OUT	ACTUAL HOURS WORKED ¹		TOTAL HOURS	LEAVE TYPE/ AMOUNT USED ³	DATE	TIME IN	TIME OUT	ACTUAL HOURS WORKED ¹		TOTAL HOURS	LEAVE TYPE/ AMOUNT USED ³
			Regular	Overtime ²						Regular	Overtime ²		
										TOTAL HOURS FOR PAY PERIOD			

¹Supervisor will direct employee how to calculate in terms of breaks, lunch period, etc.

²Overtime shall be authorized in accordance with policy 03.221.

I hereby certify that this time sheet is a correct statement of actual hours worked during this pay period.

Signature of Employee

Date

Signature of Supervisor

Date

³LEAVE KEY

E=emergency	P=personal
H=holiday	S=sick
J=jury	U=unpaid
M=military/disaster	V=vacation

Review/Revised:

- CERTIFIED PERSONNEL -**Salary Deductions****MANDATORY DEDUCTIONS**

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational tax, when applicable;
3. The Teachers' Retirement System of the State of Kentucky;
4. Any deductions required as a result of judicial process, e.g., salary attachments, etc.;
5. Medicare (FICA), for employees newly hired after 3/31/86.

OPTIONAL DEDUCTIONS

Pursuant to the provisions of KRS 161.158, the following optional payroll deductions are authorized by the Board for those employees who choose to participate:

1. Board approved health/life insurance program;
2. Board approved Tax Sheltered Annuity program;
3. Board approved credit union;
4. State approved deferred compensation plan;
5. United Way; and
6. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans.

REFERENCES:

KRS 160.291; KRS 161.158; KRS 336.134
702 KAR 1:035; OAG 72-802

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Reduction in Salary and Responsibility**

Salaries for teachers shall not be less than the preceding year unless such reduction is part of a uniform plan affecting all teachers in the entire District or unless there is a reduction of responsibilities.

Reduction of responsibility for teachers may be accompanied by a corresponding reduction in salary. Written notice that states the specific reason(s) for the reduction shall be furnished teachers no later than ninety (90) days before the first student attendance day of the school year or May 15, whichever occurs earlier.

REFERENCE:

KRS 161.760

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -

Cafeteria Plan

Certified personnel shall be eligible to participate in a cafeteria plan of benefits.

The Superintendent shall develop and make available to employees a list of benefits and procedures consistent with the regulations as listed in 26 C.F.R, Part I, 1.125.1. This listing, or any amendments thereto, shall be subject to review and final approval by the Board.

REFERENCE:

26 C.F.R., Part I, 1.125.1

Adopted/Amended:
Order #:

-CERTIFIED PERSONNEL -**Holidays and Annual Leave**

All certified employees shall be paid for four (4) holidays which shall be designated in the official school calendar. These are part of the school year required by state law.¹

ANNUAL LEAVE

Certified personnel who are employed for more than _____ days annually shall be entitled to accumulate a maximum of sixty (60) days of annual leave. Compensation for accrued annual leave shall be made at time of retirement at a rate not to exceed the daily salary rate calculated from the employee's last annual compensation.²

In the event of retirement, resignation, or termination, annual leave shall be prorated and accrue on a monthly basis at the rate of 1/10 of the eligible annual leave per month, not to exceed total leave time available.

Recognition of annual leave for TRS purposes shall be governed by applicable statutes and regulations. For an individual who became a member of TRS on or after July 1, 2008, payment for annual or compensatory leave shall not be included in determining the member's last annual compensation.

REFERENCES:

¹KRS 158.070

²KRS 160.291

KRS 161.220

KRS 161.540

KRS 2.110

KRS 2.190

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Leaves and Absences****APPROVAL**

Authorization of leave and time taken off from one's job shall be in accordance with specific leave policy. Absence from work that is not based on appropriate leave for which the employee is qualified may lead to disciplinary consequences, up to and including termination of employment.

NOTIFICATION

Employees on leave covered by the related policies listed below shall notify the Superintendent in writing by April 1 of the year the leave terminates of the date of their intent to return to the school system. Employees who fail to notify the Superintendent of their return by April 1 cannot be guaranteed employment for the following school year. If an employee on leave has not contacted the Superintendent by April 1, the Superintendent is authorized to fill the position for the following school year. Where an employee in the final year of leave fails to contact the Superintendent by April 1, to either request an extension of leave or to provide a date of return, the Superintendent may determine whether personnel action is required.

LEAVE FOLLOWING ASSAULT

The District shall provide leave with pay for employees assaulted while performing their assigned duties when the assault results in injuries that qualify the employee for workers' compensation benefits. The period of leave shall not exceed one (1) calendar year following the assault. During that period, the employee shall not experience loss of income or benefits, including sick leave, under terms and conditions set forth in KRS 161.155.

PLACEMENT UPON RETURN

Employees taking any long term leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

FMLA

Eligible employees may apply for leave under the provisions of the Family and Medical Leave Act of 1993.

REQUEST FOR MEDICAL INFORMATION

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

REFERENCES:

KRS 161.155; KRS 161.770
OAG 01-9
Family and Medical Leave Act of 1993

RELATED POLICIES:

03.1232, 03.12322, 03.1233, 03.1234, 03.1235, 03.124, 03.17

Adopted/Amended:
Order #:

Leave Request Form and Statement

NAME: _____	LOCATION: _____
DATE SUBMITTED: _____	

=====

☐ **PERSONAL LEAVE: REQUESTED UNDER THE TERMS OF POLICIES 03.1231/03.2231. (SEE NEXT PAGE FOR REQUIRED STATEMENT)**

DATE(S) OF PERSONAL LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

=====

☐ **SICK LEAVE: REQUESTED UNDER THE TERMS OF POLICIES 03.1232/03.2232. (SEE NEXT PAGE FOR STATEMENT THAT MAY BE REQUIRED)**

DATE(S) OF SICK LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

CHECK ONE: ☐ EMPLOYEE'S ILLNESS ☐ ILLNESS OF FAMILY MEMBER* ☐ MOURNING

IS SICK LEAVE BEING USED FOR EMERGENCY LEAVE PURPOSES, PURSUANT TO POLICY? ☐ YES ☐ NO

=====

☐ **MATERNITY/ADOPTION/CHILDREARING LEAVE: REQUESTED UNDER THE TERMS OF POLICIES 03.1233/03.2233.**

ESTIMATED DATE(S) OF LEAVE _____ TO _____ SUBSTITUTE NEEDED ☐

☐ PAID MATERNITY LEAVE /NUMBER OF SICK LEAVE DAYS _____ ☐ UNPAID MATERNITY LEAVE

☐ PAID BIRTH OR ADOPTION LEAVE (NOT TO EXCEED 30 DAYS) /NUMBER OF SICK LEAVE DAYS _____

☐ UNPAID CHILDREARING LEAVE _____

=====

☐ **JURY LEAVE: REQUESTED UNDER THE TERMS OF POLICIES 03.1237/03.2237.**

DATE(S) OF JURY LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

☐ EMPLOYEE WILL SIGN OVER COURT-ISSUED JURY PAY CHECK TO DISTRICT.

☐ EMPLOYEE WILL REIMBURSE DISTRICT FOR ANY JURY PAY RECEIVED.

=====

☐ **MILITARY/DISASTER SERVICES LEAVE: REQUESTED UNDER THE TERMS OF POLICIES 03.1238/03.2238.**

DATE(S) OF LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

=====

☐ **EMERGENCY LEAVE: REQUESTED UNDER THE TERMS OF POLICIES 03.1236/03.2236. (SEE NEXT PAGE FOR REQUIRED STATEMENT)**

DATE(S) OF EMERGENCY LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

☐ BEREAVEMENT ☐ DISASTERS ☐ COURT /LEGAL ☐ OTHER, SPECIFY: _____

IS SICK LEAVE BEING USED FOR EMERGENCY LEAVE PURPOSES, PURSUANT TO POLICY? ☐ YES ☐ NO

=====

I understand that if I have provided information that is not true, I may be subject to disciplinary action.

Employee's Signature

Date

Superintendent/designee's Signature Approving Leave as Requested

Date

Leave Request Form and Statement

A personal statement is required for the use of personal leave, the use of emergency leave, and the use of sick leave for the purpose of mourning a member of the employee's immediate family.* Either a personal statement or a certificate of a physician supporting the need for sick leave is required for the use of sick leave if the employee was absent due to his/her own personal illness or for the purpose of attending to an immediate family member* who was ill. If an employee who requests to use sick leave for his/her own personal illness or to attend to an immediate family member* who is ill does not submit a supporting physician's certificate, s/he must submit a supporting personal statement. Requirements for use of sick leave following childbirth and adoption are stated in Policies 03.1233/03.2233.

LEAVE STATEMENT**(KRS 161.152, KRS 161.154, KRS 161.155)**

I am submitting this request for the use of leave for the following purpose(s) (check applicable boxes); that the facts supporting the request for leave as indicated below are true and correct; and that to the best of my knowledge, information, and belief, I am qualified for the leave requested pursuant to applicable state statute and Board policy.

- ☐ - Sick leave based on personal illness Date(s): _____
- ☐ - Sick leave to attend to an immediate family member* who was ill Date(s): _____
- ☐ - Sick leave to mourn the death of an immediate family member* Date(s): _____
- ☐ - Personal leave in compliance with and subject to qualifications set forth in Policy 03.1231/03.2231. This leave is personal in nature. Date(s): _____
- ☐ - Emergency leave in compliance with and subject to conditions set forth in Policy 03.1236/03.2236
- ☐ Bereavement ☐ Disasters ☐ Court /Legal
- ☐ Other, specify: _____

Employee's Signature

Date

Employee's Name (Print or Type)

*Immediate family member shall mean the employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, brothers and sisters, parents, spouse's parents, grandparents, and spouse's grandparents, without reference to the location or residence of said relative and any other blood relative who resides in the employee's home.

Review/Revised:

- CERTIFIED PERSONNEL -

Personal Leave

NUMBER OF DAYS

Full-time certified employees shall be entitled to ____ (0,1,2,3) days of personal leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized personal leave days calculated to the nearest one-half (1/2) day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized personal leave days equivalent to their normal working day.

APPROVAL

The employee's immediate supervisor must approve the leave date, but no reasons shall be required for the leave.

Approval shall be contingent upon the availability of qualified substitute employees. Those employees making earliest application shall be given preference.

STATEMENT

Employees taking personal leave must file a personal statement on their return to work stating that the leave was personal in nature.

ACCUMULATION

Personal leave days not taken during the school year shall not accumulate.

REFERENCE:

KRS 161.154

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Sick Leave****NUMBER OF DAYS**

Full-time certified employees shall be entitled to ten (10) days of sick leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized sick leave days calculated to the nearest one-half (1/2) day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

ACCUMULATION

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation to the credit of the certified employee to whom they were granted.

DEFINITION

Sickness shall mean personal illness, including illness or temporary disabilities arising from pregnancy.

FAMILY ILLNESS/MOURNING

Sick leave can also be taken for illness in the immediate family or for the purpose of mourning a member of the employee's immediate family. Immediate family shall mean the employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, brothers and sisters, parents, spouse's parents, grandparents, and spouse's grandparents, without reference to the location or residence of said relative and any other blood relative who resides in the employee's home.

TRANSFER OF SICK LEAVE

Teachers coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the District.

SICK LEAVE DONATION PROGRAM

Under procedures developed by the Superintendent, certified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee's sick leave balance to less than fifteen (15) days.

Certified employees are eligible to receive donated days if they meet the criteria established in statute.

Any sick leave not used shall be returned on a proportionate/pro-rated basis to employees who donated days.

SICK LEAVE BANK

The Board may adopt a plan for a sick leave bank. Such a plan may include limitations upon the number of days an employee may annually contribute to and draw from the bank. Only those employees who contribute to the bank may draw upon the bank. Days contributed will be deducted from the days available to the contributing employee. The sick leave bank shall be administered according to the policy adopted by the Board.

Sick Leave

STATEMENT

Upon return to work a certified employee claiming sick leave must file a personal statement or a certificate of a physician stating that the employee was ill or that the employee was absent for the purpose of attending to a member of the immediate family who was ill.¹

REFERENCES:

¹KRS 161.155; KRS 161.152; OAG 79-148
OAG 93-39
Family & Medical Leave Act of 1993

RELATED POLICIES:

03.12322; 03.1233; 03.124; 03.175 (Retirement Compensation)

Adopted/Amended:
Order #:

Request to Donate Sick Leave

AN EMPLOYEE WISHING TO DONATE SICK LEAVE DAYS TO ANOTHER DISTRICT EMPLOYEE SHALL COMPLETE THE TOP PORTION OF THIS FORM AND SUBMIT IT TO THE CENTRAL OFFICE. THE RECEIVING EMPLOYEE SHALL BE RESPONSIBLE FOR PROVIDING ANY REQUIRED STATEMENT OF NEED CERTIFIED BY A LICENSED PHYSICIAN.

NAME: _____ **SCHOOL/WORK SITE:** _____

EMPLOYEE IDENTIFICATION NUMBER: _____

NUMBER OF SICK LEAVE DAYS I WISH TO DONATE: _____

***NOTE:** The number donated may not reduce the employee's accumulated sick leave balance to less than fifteen (15) days.*

DISTRICT EMPLOYEE TO WHOM I WISH TO DONATE DAYS: _____

Employee's Signature

Date

=====

TO BE COMPLETED BY CENTRAL OFFICE DESIGNEE

The employee to whom sick leave days are to be donated ☐ is eligible ☐ is not eligible to receive the days based on the following criteria.

Check each requirement below that is met:

- ☐ The donating employee's sick leave balance will not fall below fifteen (15) days.
- ☐ The receiving employee suffers from a catastrophic loss to his/her personal or real property, due to either a natural disaster or fire, that either has caused or will likely cause the employee to be absent for at least ten (10) consecutive working days; and/or
- ☐ The receiving employee or a member of his/her immediate family suffers from a medically certified illness, injury, impairment, or physical or mental condition that has caused or is likely to cause the employee to be absent for at least ten (10) days.
- ☐ As appropriate, the receiving employee's need for the absence and use of sick leave are certified by a licensed physician (as attached).
- ☐ The receiving employee has exhausted his/her accumulated sick leave and any other paid leave granted by the Board.
- ☐ The receiving employee has complied with the District's policies governing the use of sick leave.

Signature of Superintendent/designee

Date

Review/Revised:

Request to Receive Donated Sick Leave

AN EMPLOYEE REQUESTING TO RECEIVE DONATED SICK LEAVE MUST MEET ALL OF THE ELIGIBILITY CRITERIA LISTED BELOW AND MUST FILE THIS FORM WITH THE SUPERINTENDENT/DESIGNEE.

Name of Receiving Employee _____

School/Work Site _____

Social Security/Employee Identification Number _____

ELIGIBILITY CRITERIA TO BE VERIFIED BY SUPERINTENDENT/DESIGNEE

- ☐ The receiving employee suffers from a catastrophic loss to his/her personal or real property, due to either a natural disaster or fire, that either has caused or will likely cause the employee to be absent for at least ten (10) consecutive working days; and/or
- ☐ The employee or a member of his/her immediate family suffers from a medically certified illness, injury, impairment, or physical or mental condition that has caused or is likely to cause the employee to be absent for at least ten (10) days.
- ☐ The employee has completed and returned the "Request to Receive Donated Sick Leave" form and, when the reason can be certified medically, attached to this form a statement from a licensed physician certifying the need for the absence and use of leave.
- ☐ The employee has exhausted his/her accumulated sick leave, personal leave, emergency leave, and any other paid leave granted by the Board.
- ☐ The employee has complied with the District's policies governing the use of sick leave.

I hereby give my permission to the Superintendent/designee to notify District employees of my need for the use of donated sick leave days, including a general description of the reason for the need. _____

Employee's Signature

Date

I certify that the above-mentioned criteria have been met by this employee and that his/her name and a general description of the reason for need will be given to supervising administrators for circulation to District employees. _____

Superintendent/designee's Signature

Date

TO BE COMPLETED BY SUPERINTENDENT/DESIGNEE

Leave shall be granted as follows:

- ☐ Entire/successive days
- ☐ Partial/successive days
- ☐ Intermittent leave
- ☐ Entire days, intermittent leave
- ☐ Partial days, intermittent leave
- ☐ Other (explain) _____

Review/Revised:

- CERTIFIED PERSONNEL -**Sick Leave Bank****MEMBERSHIP**

Upon receipt by the Superintendent of a signed statement of intent, any certified employee may participate in the sick leave bank. The commitment to participate in the bank must be made by September 15 of any school year. Once participation has been declared, the employee shall be annually enrolled in the bank until s/he withdraws via written request.

CONTRIBUTIONS

Each employee who is a member shall contribute one (1) of his/her annual sick days to the bank for each year that s/he is a member. The day, once contributed to the bank, becomes the property of the bank and may not be reclaimed by the employee except as specified in this policy. Only employees who are members of the sick leave bank in any given year shall be eligible to draw on the sick leave bank.

ELIGIBILITY

After an employee has exhausted all of his/her accumulated sick leave and other available paid leave days, s/he may draw on the sick leave bank without limit for such time as s/he is sick as per policy 03.1232.

ACCUMULATION

Unused days in the bank shall accumulate without limit.

DISCONTINUATION

In the event that the Board discontinues the bank, all employees who are members of the bank at the time of discontinuation shall remain members without additional contributions until all days in the bank are exhausted.

REFERENCE:

KRS 161.155

Adopted/Amended:
Order #:

Sick Leave Bank Deposit Authorization

NAME: _____

TITLE: _____

SCHOOL/LOCATION: _____

EMPLOYEE IDENTIFICATION NUMBER: _____

I do hereby voluntarily agree to contribute one (1) of my accumulated sick leave days to the Sick Leave Bank. I understand that this will qualify me to apply for using days from the Sick Leave Bank according to approved procedures. I understand that my accumulated sick leave account will be reduced by one (1) day for each day that I am required to contribute to participate as a member in the Sick Leave Bank and that I must apply to the Sick Leave Bank Usage Approval Committee to use days from the Sick Leave Bank. I understand that I still must submit the regular sick leave cards through normal channels required by the school system.

If requested, I agree to submit a completed medical certification form to the Sick Leave Bank Usage Approval Committee for verification of medical condition. I further agree that the decision of the Usage Approval Committee shall be final.

If you wish to voluntarily participate in the Sick Leave Bank, complete and return this form to the Superintendent/designee by the date specified by the Site Administrator. Employees who are hired after that date who wish to participate in the Sick Leave Bank must return this completed form to the Superintendent/designee within ten (10) working days of employment.

*Employee's Signature*_____
Date

Review/Revised:

Sick Leave Bank Usage Application

NAME: _____

TITLE: _____

SCHOOL/LOCATION: _____

EMPLOYEE IDENTIFICATION NUMBER: _____

NUMBER OF DAYS REQUESTED: _____

REASON FOR REQUEST:

- ☐ Serious accident by the employee requiring extended work absences;
- ☐ Serious illness of the employee;
- ☐ Extended hospitalization of the employee; or
- ☐ Other serious, extenuating circumstances normally allowed for sick leave approved by the Sick Leave Bank Committee.

STARTING DATE OF LEAVE: _____ ENDING DATE OF LEAVE: _____

NATURE OF ILLNESS OR INJURY: Please provide specific information for which the sick leave is requested.

If requested, you must attach a detailed statement from your attending physician stating the nature of the illness and the date that your physician anticipates releasing you to return to work. If this request is due to an illness of a family member, please provide the same documentation.

=====

DECISION OF SICK LEAVE BANK USAGE COMMITTEE

☐ **APPROVED** **NUMBER OF DAYS:** _____ **BEGINNING DATE:** _____

☐ **DENIED** **REASON:** _____

Signature, Committee Chairperson

Date

Sick Bank members may appeal the Committee's decision. (See 03.16 AP.1 and 03.16 AP.2.)

Review/Revised:

Sick Leave Bank Medical Certification Form

RETURN THIS FORM TO THE SICK LEAVE BANK USAGE APPROVAL COMMITTEE.
--

Name of Patient _____

Name of Physician _____

Physician's specialty _____

Office address _____

City _____ State _____ ZIP _____ Phone () _____

Date patient needs to be (or was) confined to hospital, other medical facility, or home:

Anticipated beginning: _____ Ending: _____

Type of illness or injury: _____

*I hereby certify that it is/was medically necessary for the above patient to be confined to hospital,
other medical facility, or home as stated above.*

Physician's Signature_____
Date

Review/Revised:

- CERTIFIED PERSONNEL -**Family and Medical Leave****REASONS**

In compliance with the Family and Medical Leave Act of 1993 and under procedures developed by the Superintendent, leave shall be granted to eligible employees for the following reasons:

1. For the birth and care of an employee's newborn child or for placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child, or parent who has a serious health condition, as defined by federal law;
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job;
4. To address a qualifying exigency (need) defined by federal regulation arising out of the covered active duty or call to active duty involving deployment to a foreign country of the employee's spouse, son, daughter, or parent who serves in a reserve component or as an active or retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and
5. To care for a covered service member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated a serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

NOTICES AND DEADLINES

- Employees who may be eligible for or who request leave for any of the above reasons shall be provided an FMLA notice of eligibility and rights and responsibilities. Requests for family and medical leave should be made in writing but verbal requests may be made to the immediate supervisor or other designated administrator who shall then document the request. The District may require that a request for leave be supported by a certification for health care or military-related situations as permitted by federal law, but such requirements must be set out in the required notice.

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of District receipt of a request or the District being made aware of a potentially qualifying reason.

NOTE: Only the District's human resources professional, leave administrator, or personnel director may contact an employee's health care provider to clarify or authenticate an FMLA certification in support of an FML request about which there are questions. The employee's direct supervisor shall not contact the provider.

- The District shall designate an employee's leave, paid or unpaid, as FMLA-qualifying and shall provide a designation notice indicating whether the request is approved or if additional information is needed. Leave may be delayed if the employee does not provide proper notice (30 days advance notice for a foreseeable leave); otherwise, notice as soon as the need becomes known).

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of learning that an FMLA reason supports the leave.

Family and Medical Leave**ELIGIBILITY**

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the District for twelve (12) months, have worked at least 1,250 hours during the twelve (12) months preceding the start of the leave, and otherwise qualify for family and medical leave. When family and medical military caregiver leave is taken based on a serious illness or injury of a covered service member, an eligible employee may take up to twenty-six (26) workweeks of leave during a single twelve-month period. This provision also applies to covered service members/veterans that have been on active duty within the past five (5) years as defined by federal regulation.

Full-time teachers are presumed to have worked at least 1,250 hours during a school year. In determining whether returning veterans meet the minimum 1,250 hour standard, hours actually worked for the District during the twelve-month period are to be combined with hours they would have worked for the District had they not been called for military service.

In situations involving both the Americans with Disabilities Act (ADA) and FMLA, the District shall apply the law affording the employee the greater benefit.

RESTRICTIONS

To the extent that an employee is entitled to any paid leave, such leave shall be taken and it shall run concurrently with family and medical leave, except that the employee may request to reserve ten (10) days of sick leave. (This requirement shall not apply to employees taking workers' compensation leave.) However, when an employee's work-related injury/medical state qualifies as a serious health condition, worker's compensation leave shall run concurrently with the twelve (12) work week entitlement.

Paid leave used by the employee as required under this policy shall count, as applicable, against the twelve (12) or twenty-six (26) FMLA workweek entitlement.

Entitlement to family and medical leave for the birth and care of a newborn child or placement of a child shall expire twelve (12) months after the date of such birth or placement.

When both spouses are employed by the District, the combined amount of family and medical leave for reasons other than personal illness or illness of a child shall be limited to twelve (12) workweeks. In cases of personal illness or illness of a child, each spouse is entitled to twelve (12) workweeks of family and medical leave.

Exception: The limit on the combined amount of family and medical leave shall be twenty-six (26) workweeks when both eligible spouses are employed by the District and are eligible for leave that involves a covered Armed Forces service member/veteran.

Depending on the date family and medical leave is to begin, instructional employees as designated by federal regulation may be required to continue on leave until the end of the school term to avoid disruption.

Unused family and medical leave shall not accumulate from year to year.

INTERMITTENT LEAVE/REDUCED HOURS

Family and medical leave may be taken intermittently (when medically necessary) or on a reduced hours basis.

Family and Medical Leave**CONTINUATION OF BENEFITS**

While on family and medical leave, employees shall be entitled to all employment benefits accrued prior to the date on which the leave commenced. Health insurance for an employee on family and medical leave shall continue to be provided by the state on the same basis had the employee not taken leave. Other employment benefits and seniority shall not accrue during unpaid family and medical leave.

RETURN TO WORK

As noted by the required notice of eligibility and rights and responsibilities when family and medical leave is taken due to an employee's own serious health condition, the employee shall provide fitness-for-duty certification before returning to work. This may include certification by the health care provider that the employee is able to perform essential functions specific to the job, as noted by the District in a list attached to the certification form.

Upon return to work, the employee shall be entitled to his/her same position (or an equivalent position with equivalent pay) with corresponding benefits and other terms and conditions of employment.

NOTICE

The District shall notify employees of family and medical leave provisions by posting appropriate notices in conspicuous places in the Central Office and each worksite and distributing notices as required by law.

REFERENCES:

Family and Medical Leave Act of 1993, 29 U.S.C. 2601-2654
Title I of the FMLA, as amended by the National Defense Authorization Act
Code of Federal Regulations, Title 29, Part 825
OAG 17-022

RELATED POLICIES:

03.123, 03.1232, 03.1233, 03.1234, 03.1238, 03.124

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Family and Medical Leave Compliance****REQUIRED NOTICES**

As required by law, the District shall post information and distribute notices using documents prepared by the United States Department of Labor (DOL) to implement the federal Family and Medical Leave Act. The FMLA poster provided by the DOL must be displayed in a conspicuous place at all locations where employees and applicants for employment can see it, including those work locations to which no eligible employees are assigned.

Posters, notices to provide to employees, and designated forms may be downloaded from the following (DOL) web site:

<http://www.dol.gov/dol/topic/benefits-leave/fmla.htm>

These include the following:

- FMLA Poster (PDF) - <http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>
- WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition - <http://www.dol.gov/whd/forms/WH-380-E.pdf>
- WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition - <http://www.dol.gov/whd/forms/WH-380-F.pdf>
- WH-381 Notice of Eligibility and Rights & Responsibilities - <http://www.dol.gov/whd/forms/WH-381.pdf>
- WH-382 Designation Notice - <http://www.dol.gov/whd/forms/WH-382.pdf>
- WH-384 Certification of Qualifying Exigency for Military Family Leave - <http://www.dol.gov/whd/forms/WH-384.pdf>
- WH-385 Certification for Serious Injury or Illness of Covered Servicemember - <http://www.dol.gov/whd/forms/WH-385.pdf>
- WH-385-V Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave - <https://www.dol.gov/whd/forms/wh385V.pdf>

Review/Revised:

Request for Family and Medical Leave of Absence**FAMILY AND MEDICAL LEAVE SHALL BE GRANTED UNDER THE TERMS OF POLICIES 03.12322/03.22322.****Name** _____ **Position/School** _____ **Hire Date** _____

I request Family and Medical Leave for the following reason:

- | | |
|--|--|
| <input type="checkbox"/> My personal serious health condition
<input type="checkbox"/> Serious health condition of my parent
<input type="checkbox"/> Birth and care of my newborn child
<input type="checkbox"/> Placement by the state of a child with me for foster care
<input type="checkbox"/> Serious health condition of my child
<input type="checkbox"/> Serious health condition of my spouse
<input type="checkbox"/> Adoption of a child(ren) | <input type="checkbox"/> Qualified exigency in connection with a family member's covered active duty or call to active duty in the Armed Forces/Reserves:
<input type="checkbox"/> spouse <input type="checkbox"/> child <input type="checkbox"/> parent
<input type="checkbox"/> Covered service member or veteran has incurred or aggravated a serious injury or illness that I believe qualifies me to take FMLA military caregiver leave:
<input type="checkbox"/> spouse <input type="checkbox"/> child <input type="checkbox"/> parent <input type="checkbox"/> next-of-kin |
|--|--|

☐ Extension of leave requested earlier on _____*Date*

The leave/extension requested will begin on _____ and end on _____.

*Date**Date*

If the request is for Family and Medical Leave on a reduced or intermittent basis for recurring medical treatments for a child, parent, spouse, or yourself, specify dates requested.

*Employee's Signature*_____
*Date***IF YOUR SPOUSE IS EMPLOYED BY THE DISTRICT AND ALSO IS REQUESTING FMLA LEAVE CONCURRENT WITH YOURS FOR THE SAME REASON, PLEASE COMPLETE THE FOLLOWING INFORMATION.****Spouse's Name** _____ **Position/School** _____ **Hire Date** _____S/he has requested Family and Medical Leave for the following reason: ☐ Birth/care of child☐ Illness of child ☐ Adoption/foster care of a child(ren) ☐ Military service injury/illness_____
*Spouse's Signature*_____
Date

This form was received by the following person:

*Superintendent's/designee's Signature*_____
*Date**Attach completed copy of certification required by notice of eligibility and rights and responsibilities.***NOTES**

- FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement that provides greater family or medical leave rights.
- Employees may file a complaint with the U.S. Department of Labor concerning an FMLA issue.

Review/Revised:

- CERTIFIED PERSONNEL –**Quarantine Leave****BOARD SHALL PROVIDE**

Each eligible full or part-time employee in the District shall receive at least ten (10) days paid leave per school year for quarantine due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school District or the Department for Public Health.

This leave shall be in addition to any other leave provided by statute or Board policy.

ELIGIBILITY

In order to be eligible for leave under this section, the employee shall:

- (a) Be ordered to quarantine by a licensed treating physician, physician assistant, or advanced practice registered nurse, the Department for Public Health, or a local health department due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school District or the Department for Public Health; and
- (b) Have exhausted all accumulated sick leave provided to the employee pursuant to KRS 161.155 and Board policies, or be ineligible to utilize accumulated sick leave provided to the employee pursuant to KRS 161.155 and Board policies.

The District shall require the employee to provide written documentation from the entity ordering the employee to quarantine due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school district or the Department for Public Health.

The District, at its discretion, may determine quarantine leave is unnecessary if an employee can fulfill his or her job duties remotely during the quarantine period.

Leave granted pursuant to this section shall be on a day-by-day basis, as needed, and shall not accumulate or carry over year-to-year, and shall not be transferrable to any other classification of paid leave established by KRS 161.155, KRS 161.154, or Board policy.

REFERENCES:

702 KAR 1:191; 902 KAR 2:020
KRS 156.160; 160.290; KRS 160.291; KRS 161.154; KRS 161.155

RELATED POLICY:

03.1232

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Maternity Leave****PAID SICK LEAVE**

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232.

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement.

UNPAID MATERNITY LEAVE (KRS 161.770)

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed the remainder of the school year in which the birth or placement occurred. Thereafter, leave may be extended in increments of no more than one (1) year.

Employees on maternity leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

Employees taking a maternity leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

FMLA

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

REQUEST FOR MEDICAL INFORMATION

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

REFERENCES:

KRS 161.155; KRS 161.770
OAG 80-151; OAG 84-43; OAG 86-66
Family and Medical Leave Act of 1993

RELATED POLICIES:

03.123; 03.1232; 03.12322

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Extended Disability Leave**

This policy shall be applied in a manner consistent with policy 03.113 and the Americans with Disabilities Act (ADA), when those provisions are applicable.

UNPAID LEAVE

Unpaid disability leave shall be granted by the Board, upon written request, for the remainder of the school year. Thereafter, leave may be extended by the Board in increments of no more than one (1) year.

FMLA

In compliance with the Family and Medical Leave Act of 1993, medical leave shall be granted in accordance with Board Policy 03.12322.

NOTIFICATION OF RETURN

Employees on extended disability leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

VERIFICATION

The Superintendent may require the employee to secure a licensed physician's verification of disability.

REQUEST FOR MEDICAL INFORMATION

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

PLACEMENT UPON RETURN

Employees taking disability leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

INVOLUNTARY DISABILITY LEAVE

When, in the opinion of the Board, there is evidence that a teacher or the Superintendent is no longer able to perform satisfactorily the assigned duties, the Board may require the employee to provide evidence of ability to perform the essential functions of the position in the form of an examination and report by a physician of the Board's choosing. The Board shall bear the cost of this examination.

Extended Disability Leave**INVOLUNTARY DISABILITY LEAVE (CONTINUED)**

The Board may suspend the employee temporarily pending the physician's examination and may grant an involuntary leave of absence and renewals thereof following the physician's examination.

The employee shall have the right to a hearing on such involuntary leave and its renewal or extension in accordance with the provisions for hearing and appeal in KRS 161.790.¹

RETIREMENT DISABILITY

Retirement disability shall be handled in accordance with KRS 161.662.²

REFERENCES:

¹KRS 161.790; OAG 65-560, KRS 161.770

²KRS 161.662, OAG 80-151

OAG 84-43

Consolidated Omnibus Budget Reconciliation Act

Family & Medical Leave Act of 1993

Americans with Disabilities Act

RELATED POLICIES:

03.111

03.113

03.123

03.12322

03.173

Adopted/Amended:

Order #:

- CERTIFIED PERSONNEL -**Educational/Professional Leave****EDUCATIONAL/PROFESSIONAL PURPOSE**

Upon written request of a teacher or the Superintendent, the Board may grant leave (without pay) not to exceed two (2) consecutive years for educational or professional purposes. Leave may be granted for full-time attendance at universities or other training or professional activities approved by the Board when those activities are related to the employee's job or to other jobs an employee might hold in the school system. Leave will not be granted for part-time educational activities.

EMPLOYMENT WITH A CHARTER SCHOOL

The Board shall grant a two (2) year leave of absence (without pay) to a teacher under a continuing service contract who has been offered employment with a charter school. A teacher who submits a timely request for return to a teaching position in the District within the two (2) years of leave, shall be allowed to do so at the appropriate salary for their experience and educational level. After two (2) years on leave, the relationship between the teacher and the Board shall be determined by the Board and the Board shall notify the teacher of the decision.

CONVERSION CHARTER SCHOOL

A teacher with continuing status shall notify the District of the teacher's intent to work in the converted charter school or to return to employment with the District the next school year by April 15 of each year of the granted leave.

LIMITATIONS

No more than two percent (2%) of the certified employees may be on educational/professional leave at one time. When requests exceed two percent (2%), those submitting the earliest requests will be given first consideration.

TIME OF APPLICATION

Written application for educational/professional leave must be made at least sixty (60) days before the leave is to begin.

NOTIFICATION OF RETURN

Employees on educational/professional leave, including those on professional leave serving in charter schools, shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123 or April 15 in the case of employees serving in conversion charter schools. Teachers working in charter schools during a second year of leave shall provide written notice by the applicable date to the Superintendent and the Board Chairperson. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

PLACEMENT UPON RETURN

Employees taking an educational/professional leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

Educational/Professional Leave

REFERENCES:

KRS 158.782; KRS 160.1592; KRS 161.770
701 KAR 8:040
OAG 79-106
OAG 84-43
OAG 91-134

RELATED POLICY:

03.123

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Educational/Professional Leave Request**

CERTIFIED EMPLOYEES MAY BE GRANTED A LEAVE OF ABSENCE FROM THE DISTRICT FOR ONE (1) YEAR AT NO COST TO THE DISTRICT, PURSUANT TO THE TERMS OF POLICY 03.1235. THIS COMPLETED FORM MUST BE RECEIVED AND ACTED UPON ☐ SIXTY (60) DAYS ☐ OTHER, SPECIFY _____ PRIOR TO THE OPENING OF THE AFFECTED SCHOOL TERM.

Employee's Name _____

Position/School _____

Leave is requested for the _____ school year.

Number of years employed in the District? _____

Previously received educational leave in this District? ☐ No ☐ Yes, when _____

If granted, what will be the purpose of this leave? _____

How will the granting of this leave enhance your professional skills to the benefit of the District?

If this leave request is approved by the Board, I understand that my return to employment in the District is subject to the provisions of Policies 03.123, 03.1235, and the terms of my employment contract.

Employee's Signature

Date

Supervisor's Signature

Date

Superintendent's/designee's Signature

Date

LEAVE REQUEST WAS ☐ APPROVED ☐ DENIED BY BOARD AT ITS _____ MEETING.
Date

Review/Revised:

-CERTIFIED PERSONNEL-**Emergency Leave****NUMBER OF DAYS**

Full-time certified employees shall be entitled to ____ (1, 2, or 3) days of emergency leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized emergency leave days calculated to the nearest one-half (1/2) day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized emergency leave days equivalent to their normal working day.

OPTION/EMERGENCY LEAVE

Consistent with the following provisions, certified personnel may use ____ (0, 1, 2 or 3) sick leave days per year for emergency leave.

Emergency leave shall be granted for the following reasons:

BEREAVEMENT

Death of a relative or personal friend.

DISASTERS

Personal disasters of the magnitude of tornadoes, fires, floods, etc. This applies only in cases not covered by sick leave.

COURT/LEGAL

Appearances as a witness or to produce documents when the employee's presence is required by subpoena. This is not to include appearances in actions in which the employee is a party and the subpoena is obtained by or on behalf of the employee. This also does not include jury duty. (See Policy 03.1237.)

OTHER

Such other reasons of an emergency or extraordinary nature as approved by the Superintendent.

REQUEST FOR LEAVE

Emergency leave must be requested through the Superintendent or designee who will determine if the leave requested meets the Board's criteria.

STATEMENT

Persons taking emergency leave must file a personal statement upon their return to work stating the specific reasons for their absence.

ACCUMULATION

Emergency leave days not taken during the school year shall not accumulate.

PERSONNEL

03.1236
(CONTINUED)

Emergency Leave

REFERENCES:

KRS 161.152, KRS 161.155
OAG 72-348; OAG 74-770; OAG 76-427

RELATED POLICIES:

03.1232; 03.1237

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -

Jury Leave

SALARY

Any employee who serves on a jury in a duly constituted local, state, or federal court shall be granted leave with full compensation, less any compensation received as jury pay (except expense monies), for the period of his actual jury service.

NOTICE

Persons who will be absent from work to serve on juries must give advance notice to their immediate supervisors.

REFERENCES:

KRS 161.153
OAG 78-696

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Military/Disaster Services Leave**

Military leave will be granted to certified personnel under the provisions and conditions specified in law.

Employees who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or the reserve corps of the United States Public Health Service shall be entitled to military leave, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which they are entitled. In any one (1) federal fiscal year, employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued. Determination of the period of military leave to be granted shall be made according to statutory requirements.

The employee is responsible for notifying his/her immediate supervisor as soon as s/he is notified of an impending military-related absence.¹

The Board may grant disaster services leave to requesting eligible employees. An “eligible employee” means one who is a certified disaster services volunteer of the American Red Cross. Disaster services leave shall be with pay and shall not exceed thirty (30) work days in any twelve (12)-month period.²

REFERENCES:

¹KRS 61.373, KRS 61.375, KRS 61.377, KRS 61.394, KRS 61.396

²KRS 61.395

KRS 161.168

KRS 161.740 (3)

702 KAR 3:070

OAG 76-316

OAG 74-258

OAG 82-305

Adopted/Amended:

Order #:

- CERTIFIED PERSONNEL -**Insurance****INSURANCE**

The Board shall provide unemployment insurance¹, workers' compensation² and liability insurance for all certified personnel. In addition, the State provides group health and life insurance to employees who are eligible as determined by Kentucky Administrative Regulation.³

WORKERS' COMPENSATION

Employees who qualify for workers' compensation benefits following an assault and injury while performing assigned duties should refer to Policy 03.123.

Employees who qualify for Workers' Compensation may be offered the opportunity to participate in an Early Return to Work Program. Transition employment need not be in the same job classification or location, but must comply with the treating physician's restrictions and amendments until the participating employee achieves maximum medical recovery.

REFERENCES:

¹KRS 341.050

²KRS 342.630

³702 KAR 1:035

KRS 161.158; OAG 83-151

Consolidated Omnibus Budget Reconciliation Act

Kentucky Constitution (Section 3); KRS 161.155; KRS 342.730(6)

RELATED POLICIES:

03.1211, 03.123, 03.12322, 03.1241, 03.14

Adopted/Amended:

Order #:

- CERTIFIED PERSONNEL -**Workers' Compensation Payments****COORDINATION WITH SICK LEAVE**

Employees shall not be required to use sick leave in connection with a work related injury. However, employees claiming workers' compensation income benefits who have sick leave available may choose to use sick leave in order to maintain the equivalent of full salary for the days they are unable to work. Employees shall not be entitled to payment in excess of one hundred percent (100%) of contracted salary.

EMPLOYEE ELECTION

In order to maintain full salary, employees may voluntarily elect to use sick leave to which they are entitled. To coordinate benefits in connection with the employee's election to use sick leave¹, the employee shall pay to the District a sum equal to workers' compensation income benefits received for the same period that the employee uses sick leave. The employee may make such payment by endorsing the workers' compensation benefits check to the District or by paying the District by personal check or cash. The employee's sick leave balance shall then be reinstated to the extent of such payment.

REFERENCES:

¹KRS 161.155, KRS 342.730

RELATED POLICIES:

03.1232
03.12322

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Expense Reimbursement**

Provided the Superintendent/designee has given prior approval to incur necessary and appropriate expenses, the Board shall reimburse school personnel for school-related travel when such travel is a required part of the duties of the employee or for school-related activities approved by the Superintendent and, when appropriate, the School Council. Travel expenses of school-based personnel in SBDM schools shall be paid from Council funds. In the case of expenses reimbursed from internal accounts, the Principal shall be the authority for approving reimbursement. Travel expenses for guests of employees shall not be reimbursed.

The expense reimbursement process shall require documentation of the funding source/category used to pay expenses for all approved trips.

The Board will be responsible only for actual expenses. Allowable expenses are:

MILEAGE

Actual mileage between official work stations within the school system and actual mileage for trips outside the school system which have been approved by the Superintendent and the Council in SBDM schools will be reimbursed at the rate of twenty-two (22) cents per mile when the employee uses his/her own vehicle.

GASOLINE

Actual cost of gasoline and oil purchased and placed in a Board-owned vehicle by an employee while engaged in school-related travel. Purchase must be substantiated by a receipt showing total gallons and total charges.

TOLLS AND FEES

All tolls and parking fees incurred in school-related travel. Parking fees must be substantiated by a ticket or receipt. (Tolls are not to be charged for District vehicles being operated in state in an official capacity.)

CAR RENTAL

Car rental charges when approved by the Superintendent and the Council in SBDM schools. Charges must be substantiated by a receipt.

COMMON CARRIERS

All charges or fares for necessary travel on common carriers (plane, bus, train, subway, taxi, ferry, etc.). Sight-seeing and pleasure tours are not reimbursable.

OUT-OF-STATE TRAVEL

Reimbursement for out-of-state travel by privately owned vehicles shall be made on the basis of airplane coach fare or mileage rate, whichever is the lesser amount.

FOOD

Actual monies spent for food while on out-of-District trips, when an overnight stay is required. Any meal exceeding \$5 must be substantiated by an itemized receipt. Maximum allowable food expenditure per day shall be \$20 unless an exception is approved by the Board.

Expense Reimbursement**LODGING**

Hotel or motel charges (not including food or other charges) incurred in school-related travel. Charges must be substantiated by a receipt.

EMERGENCY REPAIRS TO VEHICLES

Reimbursement will be made for emergency repairs or road service to Board-owned vehicles if incapacitated while out of District. Drivers may not obligate the Board for major repairs without the permission of the Director of Transportation or Superintendent.

REIMBURSEMENT FORM

Travel vouchers shall be submitted within one (1) week of the travel. No requests for travel reimbursement will be considered unless filed on the proper form and accompanied by itemized receipts.

Without proper documentation, individuals shall not receive reimbursement, and, if it is determined that reimbursement was made based on incomplete or improper documentation, the individual may be required to reimburse the District.

SUPERINTENDENT'S TRAVEL EXPENSES

Prior to granting approval for payment, the Board shall review itemized reimbursement requests for the Superintendent's travel expenses in an open board meeting.

REFERENCES:

KRS 160.290; KRS 160.410; KRS 175.525

OAG 80-395

United States v. Correll, 389 U.S. 299 (1967)

Accounting Procedures for Kentucky School Activity Funds

Adopted/Amended:
Order #:

Travel Request FormName _____ ☐ Board Member ☐ Employee ☐ Other, as specified _____

School/Work Site _____ Conference/Workshop _____

Date(s) _____ Departure Time _____ Return Time _____

Rationale for Attendance: _____

_____Expenses paid by: ☐ Individual ☐ Board ☐ Special Education ☐ KEA ☐ Co-Op☐ School Council ☐ Other, as specified _____Substitute Needed? ☐ No ☐ Yes Number of Days _____Registration Reimbursement Requested ☐ No ☐ Yes Amount: _____

Estimated Mileage Total Miles: _____ Total Cost \$ _____

Mileage will be reimbursed at ☐ 20¢ ☐ 22¢ ☐ 25¢ ☐ 28¢ ☐ 30¢ ☐ Other, as specified _____Lodging Reimbursement Requested ☐ No ☐ YesAmount per night _____ ☐ Regular Rate ☐ Business Rate ☐ Conference Rate**The District will not reimburse for lodging expenses for guests/traveling companions.**Meals Reimbursement Requested: ☐ No ☐ Yes Total Daily Meal Expense Limit \$ _____Breakfast limit ☐ \$ 5.00 ☐ \$6.00 ☐ Other \$ _____Lunch limit ☐ \$ 8.00 ☐ \$7.00 ☐ Other \$ _____Dinner limit ☐ \$ 15.00 ☐ \$15.00 ☐ Other \$ _____

Meal limits do not include gratuities. The District will not reimburse employees for gratuities exceeding 15% of the meal charge.

Receipts required for ☐ all expenditures **OR** those in excess of ☐ \$2.00 ☐ \$4.00 ☐ Other, \$ _____

After Conference/Workshop, turn in expenses for Registration, Lodging, Meals, and other related charges on a Standard Invoice and attach receipts, as appropriate.

*Signature of Applicant*_____
*Date*_____
*Signature of Superintendent/Designee*_____
*Date***RELATED PROCEDURE:**

04.31 AP.2 (District procurement cards)

Review/Revised:

Travel Expense Voucher

FUND	UNIT	FUNCTION	PROGRAM	INST. LEVEL	PROJECT	WORKSITE	EMPLOYEE ID#

Name _____ ☐ Board Member ☐ Employee ☐ Itinerant Employee Date Submitted _____

Home Address _____ City _____, State _____ Zip _____

DATE	TIME		LOCATION/PURPOSE	MILEAGE		FOOD		LODGING	REGISTRATION	OTHER	TOTAL
	Depart	Return		# of Miles	\$ Amount	Meals	Tips*				
Totals											
<u>GRAND TOTAL:</u>											

* Tips in excess of 15% of the cost of food will not be approved.

Mileage will be reimbursed at ☐ 20¢ ☐ 22¢ ☐ 25¢ ☐ 28¢ ☐ Other, Specify. _____

Please attach all receipts for expense reimbursement. Reimbursement will be made ☐ monthly ☐ other, specify _____

Employee's Signature

Date

Signature of Superintendent/designee

Date

Review/Revised:

- CERTIFIED PERSONNEL -**Assignment**

The assignment of all certified personnel shall be made by the Superintendent.¹ The Superintendent shall make all appointments, promotions, and transfers of certified personnel for positions authorized by the Board and, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

The Superintendent shall assign personnel who are certified for the positions they will hold and who possess qualifications established by Board policy, except in the case where no individual applies who is properly certified and/or who meets qualifications set by Board policy.

The Superintendent shall not assign the relative of a school Principal to the school where the Principal is assigned.¹

The Superintendent shall not assign a certified employee to an alternative education program as defined in KRS 160.380 as part of any disciplinary action pursuant to KRS 161.790 or as part of a corrective action plan established pursuant to the District's evaluation plan.

REFERENCES:

¹KRS 160.380
KRS 156.095; KRS 158.060
KRS 160.345; KRS 160.390
KRS 161.760; KRS 161.790
OAG 11-001; OAG 78-266
OAG 91-28; OAG 91-149
OAG 92-1; OAG 92-135

RELATED POLICY:

02.4244

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Transfer**

Transfers of certified personnel shall be made by the Superintendent who, at the first meeting following the transfer, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

Transfer or reassignment of certified personnel will be made no later than thirty (30) days before the first student attendance day of the school year except to fill vacancies created by illness, death, or resignations; to reduce or increase personnel because of a shift in school population; to make personnel adjustments after consolidation or merger; or to assign personnel according to their major or minor fields of training.¹

TRANSFER OF EMPLOYEES CHARGED WITH A FELONY

Notwithstanding any other policy provision, the Superintendent may transfer an employee charged with a felony offense as permitted under KRS 160.380.

REFERENCES:

¹KRS 161.760; OAG 78-266
KRS 160.380; KRS 161.720
OAG 76-360
OAG 91-149
OAG 92-1
OAG 91-115
OAG 92-135
OAG 92-78

RELATED POLICY:

02.4244

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Voluntary Transfer Request Form**

This form must be submitted to the Superintendent/designee by ☐ May 1 ☐ June 1 ☐ July 1 for the coming school year. This transfer request form must be renewed annually if the employee still requests a transfer to another location within the District.

Name _____

Certification _____ Current Contract Status: ☐ Limited ☐ Continuing

Current Position/Location _____

Transfer requested to position/location _____

State below your reason for requesting this transfer. _____

Employee's Signature

Date

Signature of Superintendent/designee

Date

Review/Revised:

- CERTIFIED PERSONNEL -**Promotion**

The promotion of certified personnel shall be made by the Superintendent, who at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

The Superintendent shall not promote a personal relative or the relative of a Board member who continues employment in the District under provisions of KRS 160.380.

The promotion of personnel shall be based on qualifications, success in past assignments, and potential for success in the new position.

REFERENCES:

KRS 160.380

OAG 76-360

OAG 91-149

OAG 92-1

RELATED POLICY:

02.4244

Adopted/Amended:

Order #:

- CERTIFIED PERSONNEL -**Demotion**

In accordance with statutory provisions, the demotion of certified personnel shall be made by the Superintendent, who at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

REFERENCES:

KRS 161.164
KRS 161.760
KRS 161.765
OAG 76-360
OAG 91-149
OAG 92-1
OAG 92-135

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Supervision****IMMEDIATE SUPERVISOR**

Supervision shall be provided for all certified employees. Employees shall be informed as to whom their immediate supervisor is and to whom they will be responsible.

JOB DESCRIPTION

Each employee shall be provided a job description, which shall delineate all essential functions and the general duties and responsibilities of the position held by the employee. Job descriptions shall not be considered all-inclusive descriptions of the job but shall indicate the general parameters of the duties and responsibilities of the position. The immediate supervisor may, as needed, assign other reasonable duties to the employee.

REFERENCE:

KRS 160.290(1)

RELATED POLICY:

03.133

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Use of School Property**

All personnel shall be responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. Any damaged, lost, stolen, or vandalized property shall be reported to the employee's immediate supervisor, who shall then report it to the Superintendent/designee once it is confirmed that the item cannot be recovered.

In addition, employees shall not perform personal services for themselves or for others for pay or profit during work time and/or using District property or facilities. District property being used for unauthorized purposes shall be reported to that employee's immediate supervisor.

OUTSIDE WORK

An employee shall not use any District facility, vehicle, electronic communication system, equipment, or materials in performing outside work. These items (including security codes and electronic records, such as E-mail) are property of the District and shall be used solely for job-related purposes.

ELECTRONIC COMMUNICATIONS

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. Employees cannot expect confidentiality or privacy as to information entered or stored in their E-mail accounts. Authorized District personnel may monitor the use of electronic equipment from time to time.

DRIVING RECORD

Employees who have occasion to drive any Board-owned vehicle and/or transport students shall annually provide the Superintendent with a copy of their driving record from the Kentucky Department of Transportation. Any traffic citation received during the year shall be reported to the Superintendent prior to driving a Board-owned vehicle or transporting students.

USE OF ASSIGNED TELECOMMUNICATION DEVICES

The Board authorizes the purchase and employee use of telecommunication devices, as deemed appropriate by the Superintendent. These devices shall include, but are not limited to, pagers and digital or cell phones. Telecommunication devices may be assigned or made available on a temporary or on-going basis when it is determined that:

1. Assignment of a device to an employee is a prudent use of District resources.
2. The employee's job responsibilities require the ability to communicate frequently and access to a District or public telephone is not readily available.
3. The employee's job involves situations where immediate communication is necessary to ensure the security of District property or safety of students, staff or others while on District property or engaged in District-sponsored activities.

District-owned telecommunication devices shall be used primarily for authorized District business purposes. However, occasional personal use of such equipment is permitted.

PERSONNEL

03.1321
(CONTINUED)

Use of School Property

REFERENCES:

KRS 160.290; KRS 189.292
KRS 281A.205; 702 KAR 5:080
15-ORD-190

Adopted/Amended:
Order #:

Staff Use of Telecommunication Devices

Employees issued a telecommunication device are responsible for its safekeeping at all times. Defective, lost or stolen equipment (pagers, digital or cell phones, etc.) are to be reported immediately to the Central Office so that the service provider may be notified.

Telecommunication devices issued to employees are to be returned to the Central Office designee at the conclusion of the school year, activity or as otherwise specified.

RESTRICTIONS

All drivers shall comply with applicable legal requirements concerning use of cellular telephones and other personal communication devices while operating a Board-owned vehicle.

- Employees shall not engage in activities that distract them from safely operating a vehicle.
- Except for communications made to and from a central dispatch, school transportation department, or its equivalent, drivers shall not use a telecommunication device, including those used for calling, texting or emailing while operating a Board-owned vehicle unless the vehicle is parked or unless there is a bona fide emergency, which shall include, but not be limited to the following actions:
 1. Report illegal activity;
 2. Summon medical help;
 3. Summon a law enforcement or public safety agency; or
 4. Prevent injury to a person or property.
- Except for emergencies, telecommunication devices are not to be used for conversations involving District information of a confidential nature.
- Board-owned telecommunication devices are not to be loaned to others.

Review/Revised:

- CERTIFIED PERSONNEL -**Use of Personal Cell Phones/Telecommunication Devices**

Due to privacy concerns, and except for emergency situations, personally owned recording devices are not to be used to create video or audio recordings or to take pictures while on duty or working with students except with prior permission from the Principal/designee or immediate supervisor.

An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena.

Such devices include, but are not limited to, personal cell phones and tablets.

Adopted/Amended:

Order #:

- CERTIFIED PERSONNEL -**Political Activities**

No District employee shall promote, organize, or engage in political activities while performing his/her duties or during the work day. Promoting or engaging in political activities shall include, but not be limited to, the following:

1. Encouraging students to adopt or support a particular political position, party, or candidate; or
2. Using school property or materials to advance the support of a particular political position, party, or candidate.

"Political positions" shall not be defined to include communications approved by the Superintendent to be distributed to parents or the community concerning District needs or proposed actions by the Board. Examples of such communications may include, but not be limited to, those addressing designation of attendance zones/areas and District facility and financial needs.

SCHOOL BOARD ELECTIONS

The Superintendent shall inform all District employees of the provisions of KRS 161.164.

REFERENCES:

KRS 161.164; KRS 161.990
OAG 72-700; OAG 63-572
OAG 92-145

RELATED POLICY:

03.113

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Employee Religious Expression****“ON DUTY”**

Per KRS 158.193, "on duty" means those times when an employee is:

1. Required by the District to be on campus or at another designated location and required to perform the scope of the employee's duties; or
2. Otherwise acting as a designated representative of the District.

The District shall not punish or prohibit an employee from, or punish an employee for, engaging in private religious expression otherwise protected by the First Amendment to the United States Constitution absent a showing that the employee has engaged in actual coercion.

EMPLOYEE MAY

While an employee is on duty, the employee may, at a minimum:

1. Engage in religious expression and discussions and share religious materials with other employees at the same time and in the same manner that employees are permitted to engage in nonreligious expression and discussions outside the scope of duties;
2. Engage in private religious expression at a time when it is otherwise permissible for an employee to engage in private expressive conduct or act outside the scope of duties;
3. Meet with other District employees for prayer or religious study during times that the employee is allowed to act outside the scope of duties, including but not limited to employee breaks, time before school, and during lunch;
4. Work as a sponsor of a student religious club or organization and assist students in planning meetings, activities, and events to the same extent that employee sponsors of nonreligious clubs or organizations are permitted to do so;
5. Wear religious clothing, symbols, or jewelry, provided that such items otherwise comply with any dress code implemented by the District;
6. Decorate their desk and other personal spaces with personal items that reflect their religious beliefs to the same extent that other employees are permitted to decorate their desk and other personal spaces with personal items; and
7. During noninstructional time, engage in religious expression and share religious materials to the same extent that other employees may engage in private expression permitted under the First Amendment to the United States Constitution.

AUTHORITY

This shall not be construed to authorize the state or any other governmental organization to:

1. Require any person to participate in prayer or any other religious activity; or
2. Violate the constitutional rights of any person.

Employee Religious Expression

AUTHORITY (CONTINUED)

This shall not be construed to limit the District's authority to:

1. Maintain order and discipline on school property in a content-neutral and viewpoint-neutral manner;
2. Protect the safety of students, employees, and visitors; and
3. Adopt and enforce policies and procedures regarding student speech at school that respect the rights of students.

REFERENCES:

KRS 158.193

Kennedy v. Bremerton School District 142 S.Ct. 2407 (2022)

RELATED POLICIES:

03.1325; 03.2325; 09.32; 09.34; 09.426

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Disrupting the Educational Process**

Any employee who participates in or encourages activities that disrupt the educational process, whether on school property or at school-sponsored events and activities, may be subject to disciplinary action, including termination of contract.

For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct that threatens the health, safety, or welfare of others;
2. Conduct that may damage public or private property, including the property of students or staff;
3. Illegal activity;
4. Conduct that interferes with a student's access to educational opportunities or programs, including ability to attend, participate in, and benefit from instructional and extracurricular activities; or
5. Conduct that disrupts delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 03.162, which addresses harassment/discrimination allegations.

REFERENCES:

KRS 160.290

KRS 161.790

RELATED POLICIES:

03.113, 03.162, 03.17, 09.422, 10.21

Adopted/Amended:

Order #:

- CERTIFIED PERSONNEL -**Drug-Free/Alcohol-Free Schools****DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

District employees shall not manufacture, distribute, dispense, be under the influence of, purchase, possess, use, or attempt to purchase or obtain, sell or transfer any of the following in the workplace or in the performance of duties:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and
3. Substances that look like a controlled substance. In instances involving look-alike substances, there must be evidence of the employee's intent to pass off the item as a controlled substance.

In addition, employees shall not possess prescription drugs for the purpose of sale or distribution.

DEFINITIONS

Controlled substance shall mean any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by the Kentucky Cabinet for Health and Human Services under regulations pursuant to KRS 218A.020.

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

AUTHORIZED DRUGS

Employees who personally use or who are designated to administer to a student a drug authorized by and administered in accordance with a prescription from a health professional shall not be considered in violation of this policy.

WORKPLACE DEFINED

Workplace shall mean the site for the performance of work done for the District including any place where work on a District program, project or activity is performed, including, but not limited to, a school building or other school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. "Workplace" shall also include school-sponsored or school-approved activities, events or functions which are held off school property and in which students are under District jurisdiction including, but not limited to, field trips and athletic events.

SUSPENSION/TERMINATION/NON-RENEWAL

Any employee who violates the terms of this policy may be suspended, non-renewed or terminated. In addition, violations may result in notification of appropriate legal officials.

Drug-Free/Alcohol-Free Schools**ALTERNATIVE**

As an alternative, the Superintendent may choose that an employee who violates the terms of the District's drug-free/alcohol-free workplace policies shall satisfactorily participate in a Board-approved drug/alcohol abuse assistance or rehabilitation program. If the employee fails to satisfactorily participate in such a program, the employee may be suspended, non-renewed or terminated.

REPORTING

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

NOTIFICATION BY EMPLOYEE

Any employee convicted of a workplace violation of criminal drug statutes shall, within five (5) working days, provide notification of the conviction to the Superintendent.

POST-DISCIPLINE DRUG TESTING

Following determination by an administrative or judicial proceeding that s/he engaged in misconduct involving the illegal use of controlled substances, a teacher who has been reprimanded or disciplined for misconduct involving illegal use of controlled substances shall submit to random or periodic drug testing in accordance with applicable Kentucky Administrative Regulation for a period not to exceed twelve (12) months from the date of such reprimand or disciplinary action.

PREVENTION PROGRAM

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all employees which shall include notice of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/employee assistance programs; and
5. Penalties that may be imposed upon employees for violations of this policy.

PERSONNEL

03.13251
(CONTINUED)

Drug-Free/Alcohol-Free Schools

REFERENCES:

KRS 160.290; KRS 160.380
KRS 161.120; KRS 161.175; KRS 161.790
KRS 217.900; KRS 218A.1430; KRS 218A.1447
16 KAR 1:030; 701 KAR 5:130; 34 C.F.R. Part 85

RELATED POLICIES:

03.1325; 08.1345; 09.2241

Adopted/Amended:
Order #:

Drug-Free Workplace Notice

All employees shall receive the following notice as a partial implementation of Policies 03.13251/03.23251 and Federal Regulation 54 CFR 4946.

NOTICE TO ALL EMPLOYEES

YOU ARE HEREBY NOTIFIED that it is a violation of Policies 03.13251 and 03.23251 of this school District for any employee to unlawfully manufacture, distribute, dispense, be under the influence of, possess, or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, as defined in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 CFR 1300.11 through 1300.15.

“Workplace” is defined as the site for the performance of work done for the district. That includes any place where work on a school district program, project or activity is performed, including a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

YOU ARE FURTHER NOTIFIED that it is a condition of your continued employment with this District that you will comply with the above policies of the school District and will notify your supervisor of your conviction of any criminal drug statute for a violation occurring in the workplace no later than five (5) days after such conviction.

An employee who violates the terms of the school District’s drug-free workplace policies may be nonrenewed or his/her employment may be suspended or terminated. As an alternative the Superintendent may choose that an employee who violates the terms of the school District’s drug-free workplace policies shall satisfactorily participate in a drug-abuse assistance or rehabilitation program approved by the Board. If the employee fails to satisfactorily participate in such program, the employee shall be nonrenewed or his/her employment may be suspended or terminated.

Review/Revised:

- CERTIFIED PERSONNEL –**Domestic/Dating Violence Reporting and Education**

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child pursuant to KRS 620.030. This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

If individual school personnel has reasonable cause to believe that a victim with whom s/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, s/he shall provide educational materials to the victim relating to such form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the school District's area.

REFERENCES:

KRS 209A:020; KRS 209A.100; KRS 209A.110
KRS 209A.130; KRS 209.160; KRS 211.160
KRS 403.720; KRS 456.010; KRS 620.030

RELATED POLICIES:

09.14; 09.2211; 09.227; 09.425

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Use of Tobacco, Alternative Nicotine, or Vapor Products****USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED**

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.¹

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. A person in violation of this policy shall be subject to discipline or penalties as set forth by the Board.

REFERENCES:

¹KRS 438.345
KRS 160.290; KRS 160.340
KRS 438.050; KRS 438.305
OAG 81-295
OAG 91-137
P .L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.2327; 05.31; 06.221; 09.4232; 10.5

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Duties**

All employees are expected to use sound judgment in the performance of their duties and to take reasonable measures to protect the health, safety, and well-being of others, as well as District property.

JOB DESCRIPTION

Prior to the authorization of any personnel position in the District budget, the Superintendent, collaborating with other District authorities with personnel assignment responsibilities, shall develop, for Board approval, a job description which establishes all essential functions of the position. The description shall encompass supervision responsibilities, completion of records and reports, and achievement of professional goals identified to enhance student achievement and help the school and/or District meet goals established by statute and/or Board policy. Certified personnel shall also be held responsible for cooperation with students, professional associates, parents, staff, and community groups.

INVESTIGATIONS

All employees shall cooperate fully with all investigations conducted by the District as authorized by policy or law. Failure to comply may be considered insubordination.

ACCOMMODATION

Reasonable accommodation shall be provided each qualifying employee with a disability or limitations related to pregnancy, childbirth, or related medical conditions to comply with the requirements of law and regulation.¹

REFERENCES:

- ¹Americans With Disabilities Act (ADA); KRS Chapter 344
- P. L. 101-336
- Rehabilitation Act of 1973; P. L. 93-112 Sec. 504
- KRS 158.645; KRS 158.6451
- 16 KAR 1:020 (Code of Ethics); OAG 91-10; OAG 92-1

RELATED POLICY:

03.113

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Outside Employment or Activities****OUTSIDE EMPLOYMENT**

Certified employees shall not accept outside employment or activities which will prevent them from fulfilling regularly assigned school duties and obligations.

Employees shall not perform any duties related to an outside job during their regular working hours.

EXCEPTION

While performing service or undergoing training, employees who are members of the National Guard, any reserve component of the U.S. armed forces, or reserve corps of the U.S. Public Health Service shall be entitled to leave of absence from their respective duties.¹

REFERENCES:

¹KRS 61.394, KRS 61.396
KRS 160.290
KRS 160.291 (4)

RELATED POLICIES:

03.122
03.1238

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -

Hours of Duty

REGULAR HOURS

Certified employees shall be prompt in attendance and shall remain on duty as specified by school policy or their immediate supervisor.

No certified employee shall leave his/her job assignment during duty hours without the express approval of his/her immediate supervisor.

ADDITIONAL HOURS

Certified employees may be required to perform additional duties as directed by school policy or assigned by their immediate supervisor.

REFERENCES:

KRS 158.060
KRS 160.290 (2)
OAG 77-718
OAG 65-179
OAG 55-37, 675

RELATED POLICY:

03.121

Adopted/Amended:
Order #:

PERSONNEL

03.1332 AP.1

- CERTIFIED PERSONNEL -

Hours of Duty Procedures

(Vacant)

Review/Revised:

- CERTIFIED PERSONNEL -**Staff Meetings**

Unless they are on leave or have been excused by the Principal/designee, staff members shall attend meetings called by the Principal or other authorized administrator.

SCHEDULE OF REGULAR STAFF MEETINGS

The Principal and administrative staff shall develop and present to the council for its review and comment a proposed schedule of routine staff meetings that will take place after the end of the regular instructional school day. The schedule shall include the projected dates and anticipated time frames for the meetings.

The final meeting schedule shall then be shared with staff members by the Principal/designee in a timely manner.

Changes may be made to the approved schedule and additional staff meetings may be called on short notice to address urgent school problems. Every reasonable effort shall be made to give appropriate advance notice in such cases.

REFERENCE:

KRS 160.345

RELATED POLICIES:

02.4241

03.1332

Adopted/Amended:

Order #:

- CERTIFIED PERSONNEL -**Health and Safety****SAFETY**

It is the intent of the Board to provide a safe and healthful working environment for all employees. Employees shall report any conditions they believe to be unsafe to their immediate supervisor, who shall examine the situation and take appropriate action.

The District shall develop, maintain and implement health and safety plans in compliance with state and federal law.

HAZARD COMMUNICATION PLAN

The Superintendent/designee shall develop a District Hazard Communication Plan. The plan shall include:

1. The assignment of a District employee to be responsible for the implementation and coordination of the Hazard Communication Plan;
2. The inventory of all chemicals used at each school and worksite;
3. The identification of each chemical in the inventory that is covered by the OSHA Hazard Communication Standard;
4. Maintenance of a Safety Data Sheet (SDS) for each substance on the chemical inventory list for as long as the District uses the substance, plus thirty (30) years;
5. Labeling of all containers of each chemical identified as required by the Hazard Communication Standard;
6. The development of an employee Hazard Communication Information and Training Program; and
7. The development, implementation and maintenance of a written Hazard Communication Program.

BLOODBORNE PATHOGEN CONTROL

The Superintendent/designee shall develop an Exposure Control Plan to eliminate or minimize District occupational exposure to bloodborne pathogens. The plan shall address:

1. Identification of employees at-risk of occupational exposure and their assigned tasks and procedures which could lead to such exposure;
2. Communication of hazards to employees;
3. Vaccinations of at-risk employees for Hepatitis B at no cost to these employees;
4. Determination of universal precautions to be observed, including adequate engineering controls and housekeeping procedures;
5. Appropriate training of employees;

Health and Safety**BLOODBORNE PATHOGEN CONTROL (CONTINUED)**

6. Provision of personal protective equipment including an opportunity provided annually for employees who use medical sharps in performance of their duties to identify, evaluate and select engineering and work practice controls to be implemented by the District, as appropriate;
7. Maintenance of a sharps injury log;
8. Medical follow-up and counseling for employees after a work-site exposure;
9. Maintenance of confidential records of each exposure incident; and
10. A schedule for implementing all provisions required by the OSHA standard.

The Superintendent/designee shall review and update the Exposure Control Plan at least once each year and when needed to reflect new or modified tasks and procedures that affect occupational exposure or new or revised employee positions with occupational exposure. The review and update shall also address:

1. Changes in technology that eliminate or reduce exposure to bloodborne pathogens; and
2. Annual documentation that appropriate, commercially available and effective safer medical devices that are designed to eliminate or minimize occupational exposure have been obtained and are now in use.

LOCKOUT/TAGOUT

The Superintendent/designee shall develop a lockout/tagout program to eliminate or minimize the unexpected startup or release of stored energy in mechanical or electrically powered equipment. The plan shall address:

1. Assignment of a District employee to be responsible for implementation and coordination of the lockout/tagout program;
2. A written program consisting of energy control procedures;
3. Development, documentation and utilization of energy control procedures for the control of potentially hazardous energy when employees are engaged in servicing and maintaining equipment;
4. Periodic review of the lockout/tagout program to assure authorized employees are properly controlling unexpected startup or release of stored energy; and
5. Annual training of employees authorized to use lockout/tagout to emphasize program procedures and retraining whenever a periodic review reveals deficiencies in employee performance.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Each year, the Superintendent/designee shall conduct a hazard assessment to determine when and where the use of personal protective equipment (PPE) is necessary. The hazard assessment shall address:

1. Assignment of a District employee responsible for assessing the workplace for hazards;

Health and Safety**PERSONAL PROTECTIVE EQUIPMENT (PPE) (CONTINUED)**

2. Selection of appropriate PPE to safeguard employees from hazards that cannot be eliminated;
3. A training program to be conducted to educate employees about the need for PPE and when it must be worn;
4. Training of employees on the use and care of PPE, how to recognize deterioration and failure and the need for replacement; and
5. Requiring employees to wear designated PPE as deemed necessary by the hazard assessment.

REPORTING FATALITIES, AMPUTATIONS, HOSPITALIZATIONS, OR LOSS OF EYE

The District shall, within eight (8) hours from when reported to the District, make an oral report to the Kentucky Labor Cabinet of the death of an employee as a result of a work-related incident, including death resulting from a heart attack.

The District shall, within seventy-two (72) hours from when reported to the District, make an oral report to the Kentucky Labor Cabinet of an amputation suffered by an employee, an employee's loss of an eye, or the hospitalization of an employee, including hospitalization resulting from a heart attack.²

ASBESTOS MANAGEMENT

The District shall conduct school inspection and re-inspection activities as required by state and federal law¹ to identify the status of asbestos. The District shall maintain an updated asbestos management plan that shall include, but not be limited to, applicable current and/or future inspection activities, response actions and surveillance activities and a description of steps taken to inform staff and parents about any such activities. Each school shall maintain in its administrative office an updated copy of the management plan for that school. Annual written notice of the availability of the plan shall be provided to parent, teacher, and employee organizations. In the absence of any such organizations, the District shall provide written notice of plan availability to parents, teachers, or employees, as applicable.

Any custodial or maintenance personnel who may work in a building with asbestos-containing building materials (ACBM) shall have a minimum of two (2) hours of asbestos awareness training. New custodial or maintenance staff who may work in the areas above shall be trained within sixty (60) days of hire. Maintenance and custodians who will be involved in activities that will involve a disturbance of ACBM shall receive an additional fourteen (14) hours of asbestos training.

Health and Safety

REFERENCES:

¹401 KAR 58:010: 40 C.F.R. Part 763

²803 KAR 2:181

Kentucky Department for Public Health

Centers for Disease Control and Prevention

Kentucky Labor Cabinet; 803 KAR 2:308; 803 KAR 2:404

OSHA 29 C.F.R. 1910

132 PPE Hazard Assessment

147 Lockout/Tagout

1001 Asbestos-ACBM

1200 Hazard Communication

1030 Bloodborne Pathogens

Adopted/Amended:
Order #:

Health and Safety - Contagious Diseases

POST IN APPROPRIATE LOCATIONS THROUGHOUT THE SCHOOL BUILDING OR WORKSITE.
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In order to reduce the risk of the transmission of infectious diseases the following procedures will be followed in cleaning up body fluids. Body fluids include: blood, drainage from scrapes and cuts, feces, respiratory secretions, saliva, semen, urine, and vomitus.

1. Avoid direct skin contact with body fluids, when possible. Disposable gloves should be worn when direct hand contact with body fluids is anticipated (e.g. treating bloody noses, handling clothes soiled by bodily discharges, cleaning up small spills by hand).
2. When direct skin contact occurs, vigorously wash hands and other affected skin areas with soap under a stream of water for at least ten (10) seconds.
3. Contaminated disposable items such as paper towels, tissues, plastic gloves, and diapers should be secured in plastic bags and placed in the garbage.
4. A custodian should be called to clean and disinfect all soiled surfaces.
5. The spilled body fluids and accompanying material should be cleaned up by:
 - a) Using sanitary absorbent agents specifically intended for cleaning body fluid spills or using a wet mop with proper disinfectant.
 - b) Placing the contaminated material in a plastic bag and putting it in the garbage or, if suitable flushing it down the drain.
 - c) Vacuuming or sweeping up the dry absorbent material that was applied to the area. The vacuum bag or sweepings should be disposed of in a plastic bag. The broom, dust pan and/or mop should be rinsed in a disinfectant. No special handling is required for vacuuming equipment.
 - d) Promptly applying a disinfectant such as household bleach (diluted 1 part bleach and 10 parts water) to hard surfaces that have to be disinfected.
 - e) Applying a sanitary absorbent agent to carpets that are to be disinfected and vacuumed after the carpet has been allowed to dry. A germicidal rug shampoo should be applied with a brush and the carpet revacuumed.
6. Food that may be contaminated with body fluids shall be discarded.
7. Nondisposable cleaning equipment (dust pans, mops, buckets, brushes etc.) should be thoroughly rinsed in the disinfectant (see 5-d). Clothing, towels and other launderable items may be secured in plastic bags until items can be washed in the hot water cycle in the washing machine.
8. Disposable gloves and plastic bags are available in elementary classrooms, the Principal's office, the food service office, or the custodian's storage area.

THIS INFORMATION AND THESE RECOMMENDED PROCEDURES WERE ADAPTED FROM THOSE DEVELOPED AND COMPILED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION, THE U.S. PUBLIC HEALTH SERVICE, AND THE KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES.

Review/Revised:

Maintenance Request

To report needed maintenance, use Procedure 05.2 AP.22/Maintenance Request Form.

Review/Revised:

- CERTIFIED PERSONNEL -**Personnel Records**

One (1) master personnel file, documenting employment history and including information maintained in electronic format, shall be maintained for each employee. This file shall be maintained in the Central Office and shall be under the custody of the Superintendent or the Superintendent's designee. This file may be inspected by the employee.¹ The Superintendent shall develop procedures to ensure the security of the files.²

The Principal/supervisor may maintain a personnel folder for each person under his/her supervision. These folders may contain:

1. Items used as reference and not forwarded to the master personnel file in the Central Office,
2. The employee's evaluation and other school-related correspondence to or from the employee, and
3. Other informational items that may or may not be maintained in the Central Office master personnel file.

PUBLIC INSPECTION

Those portions of personnel records containing material of a personal nature, the disclosure of which would constitute an invasion of privacy, are not open for public inspection.³

MEDICAL INFORMATION

Medical information shall be maintained separately from an employee's personnel file.

District acquisition and disclosure of applicant and employee genetic information shall comply with applicable legal requirements.⁴

REFERENCES:

¹KRS 61.884

²KRS 61.876

³KRS 61.878

⁴Genetic Information Nondiscrimination Act of 2008

KRS 61.870; KRS 61.872; KRS 61.874; KRS 160.705; KRS 161.151

704 KAR 3:370

OAG 77-394; OAG 85-109; OAG 86-15; OAG 89-90; OAG 91-161; OAG 91-176

Kentucky Education Technology System (KETS)

Records Retention Schedule, Public School District

Americans with Disabilities Act; (P.L. 101-336); 42 U.S.C. 12112

RELATED POLICIES:

03.111, 10.11

Adopted/Amended:

Order #:

Request to Access Personnel Records

**PERSONNEL RECORDS MAY BE INSPECTED ONLY BY THE EMPLOYEE AND BY DISTRICT
SUPERVISORY PERSONNEL HAVING A LEGITIMATE EDUCATIONAL INTEREST.**

I, _____, WISH TO EXAMINE MY PERSONNEL FILE.
Name (please print)

Employee's Signature

Date

RELATED PROCEDURE:

03.15 AP.22

Review/Revised:

Log of Inspection of Personnel Records

Employee's Name: _____

Employee Identification Number: _____

NOTICE: Those portions of personnel records containing material of a personal nature, the disclosure of which would constitute an invasion of privacy, are not open for public inspection.

Date	Name of Person Inspecting Records	Agency Represented, if Applicable	List Records Accessed	List Action # #1 Inspected #2 Reviewed #3 Copied	Specify Reason Records Were Accessed

RELATED PROCEDURES:

03.15 AP.21; 03.25 AP.2

Review/Revised:

- CERTIFIED PERSONNEL -**Grievances****PROCEDURES**

The Superintendent shall develop specific grievance procedures to include, but not be limited to, the opportunity for grievances to be addressed and resolved at each level of the chain of command from the point of origin, time limitations for the filing and the appeal of a grievance, and procedures for the orderly review and appeal of each individual grievance.

Grievances are individual in nature and must be brought by the individual grievant.

The Board shall take action only on those grievances that fall within the authority of the Board.

GENERAL GRIEVANCES

The Board will hear grievances only after unsuccessful resolution by the employee's supervisors.

PERSONNEL ISSUES

The Board will not hear any grievance concerning personnel actions taken by the Superintendent/designee, unless the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions.

Before accepting a grievance appeal, the Board shall seek the advice of the Board Attorney as to whether the appeal falls within the requirements of this policy. Any personnel grievance not falling within those requirements shall be appealed only to the level of the Superintendent.

The Board shall not hear grievances concerning simple disagreement or dissatisfaction with a personnel action.

EXCEPTION

Harassment/Discrimination allegations shall be governed by Policy 03.162.

REFERENCE:

OAG 78-204

RELATED POLICY:

03.162

Adopted/Amended:
Order #:

Grievance Procedures

Employees wishing to initiate a formal grievance about an alleged violation of a constitutional, statutory, or regulatory provision, of a Board policy, administrative rule, or procedure shall use a Grievance Initiation Form (03.16 AP.2).

CONDITIONS

1. All grievances are individual in nature and must be brought by the individual grievant.
2. All grievance proceedings shall be conducted outside the regular school day and at a time and place mutually agreed upon.
3. The grievant shall be permitted to have one (1) representative.
4. To the extent possible, all attendant records shall be filed in the office of the immediate supervisor and/or Superintendent and shall be considered private information and separate from the individual employee's folder. All records will be kept for a minimum of three (3) years.
5. No reprisal shall be taken against any aggrieved person because of the filing of a grievance.

TIME LIMITS

1. Employees must file their grievance within fifteen (15) working days following the alleged violation. However, depending on the nature of the grievance, the Superintendent may recommend an extension of the filing deadline to twenty (20) working days if the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions.
2. Days referred to in the grievance initiation form shall be working days, except for any days which are designated as holidays, professional meeting days, national, state, or local disaster or mourning days and any days during the school term on which schools are closed.
3. The time limits stated in various sections of these procedures may be extended by mutual consent of the Board, its authorized agents, and the grievant.
4. If no extension occurs and the grievant does not file an appeal to the next level within ten (10) working days of receiving a response, the grievance shall be considered to have been settled and terminated at the previous level, and the answer given at that level shall stand.

SUPERINTENDENT'S/DESIGNEE'S INVOLVEMENT

1. When appropriate, the grievant shall give his/her communication directly to the Superintendent, thus bypassing the immediate supervisor. This action shall be taken only in those instances where the matter communicated is of such a personal and private nature that it cannot be effectively communicated at a lower level or in those instances where the nature of the grievance would require the initial response of the Superintendent.
2. The Superintendent reserves the right to redirect the communicator to the appropriate level.

Grievance Procedures**BOARD OF EDUCATION'S INVOLVEMENT**

1. If the employee, after reviewing the Superintendent's response, desires direct communication with the Board of Education, the employee may present his/her written communication to the Superintendent for transmittal to the Board of Education, or notify the Superintendent ten (10) working days prior to the meeting of the Board at which the employee wishes the grievance presented. Employees are not authorized to contact Board members individually about grievances.

The Board shall consider grievances concerning personnel actions in accordance with parameters set out in policy.

2. If the Board decides to review the grievance, the employee will then be afforded an opportunity to appear before the Board at the next regular meeting for relevant discussion of the employee's communication. If the employee does not wish to make a verbal presentation, the employee's right to refrain from such activity will be respected.
3. The Superintendent or the grievant shall present the communication to the Board of Education at its next regularly scheduled meeting.
4. The Board of Education will consider the grievance, and will provide the employee a written response within ten (10) working days after the next regularly scheduled meeting of the Board, following the meeting of the Board at which the grievance was initially presented. The decision of the Board of Education shall be final.

RELATED PROCEDURE:

03.16 AP.2

Review/Revised:

Grievance Initiation Form

This form shall be used by an employee who wishes to allege a violation of a constitutional, statutory, or regulatory provision, Board policy, or administrative rule or procedure and to secure at the lowest administrative level an equitable and prompt resolution.

Grievant

Employee Name _____ Date _____

Home Address _____

Work Location _____ Title _____

GRIEVANCE

Identify the provision that you allege was violated. Use full names, dates, exact location, and specific occurrence, if appropriate. (Use additional sheet if necessary.)

What results are you seeking from this grievance initiation? (Use additional sheet if necessary)

Employee's Signature

Date

LEVEL ONE: IMMEDIATE SUPERVISOR

Name: _____ Title: _____

Date grievance received at this level _____

IMMEDIATE SUPERVISOR'S RESPONSE (USE ADDITIONAL SHEET IF NECESSARY.)

Supervisor's Signature

Date

THIS RESPONSE SHALL BE PRESENTED TO THE GRIEVANT WITHIN TEN (10) WORKING DAYS OF RECEIPT OF THIS GRIEVANCE AT THIS LEVEL.

=====

Grievance Initiation Form

BOARD POLICY ALLOWS FOR APPEAL OF THE IMMEDIATE SUPERVISOR'S DECISION AND THE OPPORTUNITY TO ADDRESS THE GRIEVANCE TO A HIGHER LEVEL OF AUTHORITY IF THE IMMEDIATE SUPERVISOR IS AN ALLEGED PARTY IN THE COMPLAINT.

LEVEL TWO: SUPERINTENDENT/DESIGNEE

Name: _____ Title: _____

Date grievance received at this level _____

SUPERINTENDENT'S/DESIGNEE'S RESPONSE (USE ADDITIONAL SHEET IF NECESSARY.)

Superintendent's/Designee's Signature *Date*

THIS RESPONSE SHALL BE PRESENTED TO THE GRIEVANT WITHIN TEN (10) WORKING DAYS OF RECEIPT OF THIS GRIEVANCE AT THIS LEVEL.

=====

THE BOARD WILL NOT HEAR ANY GRIEVANCE CONCERNING PERSONNEL ACTIONS UNLESS THE GRIEVANCE CONCERNS AN ALLEGED VIOLATION OF CONSTITUTIONAL, STATUTORY, REGULATORY, OR POLICY PROVISIONS.

LEVEL THREE: BOARD OF EDUCATION

Note: The Board shall not take action on any grievance that does not fall within the authority of the Board, nor shall the Board hear grievances concerning simple disagreement or dissatisfaction with a personnel action.

Date grievance received at this level _____

BOARD OF EDUCATION'S RESPONSE (USE ADDITIONAL SHEET IF NECESSARY.)

Board Chairperson's Signature *Date*

THIS RESPONSE SHALL BE PRESENTED TO THE GRIEVANT WITHIN TEN (10) WORKING DAYS OF RECEIPT AFTER THE NEXT REGULARLY SCHEDULED BOARD MEETING.

Review/Revised:

- CERTIFIED PERSONNEL -**Harassment/Discrimination****DEFINITION**

Harassment/Discrimination of employees is unlawful behavior based on the race, color, national origin, age, religion, sex (including sexual orientation or gender identity), genetic information, disability, or limitations related to pregnancy, childbirth, or related medical conditions of an employee involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred or prejudice.

PROHIBITION

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

DISCIPLINARY ACTION

Employees who engage in harassment/discrimination of another employee or a student on the basis of any of the areas mentioned above shall be subject to disciplinary action including, but not limited to, termination of employment.

GUIDELINES

Employees who believe they or any other employee, student, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.¹

Harassment/Discrimination**GUIDELINES (CONTINUED)**

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) working days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.
2. The Superintendent/designee may take interim measures to protect complainants during the investigation.
3. A process to identify and implement, within five (5) working days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
4. A process to be developed and implemented to communicate requirements of this policy to all staff, which may include, but not be limited to, the following:
 - written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets;
 - postings in the same location as are documents that must be posted according to state/federal law; and/or
 - such other measures as determined by the Superintendent/designee.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy.

5. Annual training explaining prohibited behaviors and the necessity for prompt reporting of alleged harassment/discrimination; and
6. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

PROHIBITED CONDUCT

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;

Harassment/Discrimination**PROHIBITED CONDUCT (CONTINUED)**

4. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve individuals with disabilities in antisocial, dangerous, or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

CONFIDENTIALITY

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of all parties involved.

APPEAL

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the Superintendent.

If a supervisory staff member is an alleged party in the harassment/discrimination complaint, provision shall be made for addressing the complaint to a higher level of authority.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy or to take corrective action shall be cause for disciplinary action.

RETALIATION PROHIBITED

No one shall retaliate against an employee or student because s/he submits a grievance, assists, or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 03.113, 03.1325 and/or 09.422.

Harassment/Discrimination

REFERENCES:

¹KRS 158.156; KRS Chapter 344; 42 USC 2000e, Civil Rights Act of 1964, Title VII,
29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC) Regulations
Implementing Title VII
20 U.S.C. 1681, Education Amendments of 1972, Title IX
34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights
Regulations Implementing Title IX
Genetic Information Nondiscrimination Act of 2008
Age Discrimination Act, 42 U.S.C. 6101-6107; 34 C.F.R. 110.25
Bostock v. Clayton County, Georgia 140 Sect. 1731 (2020)
H.R. 1065 (EH) - Pregnant Workers Fairness Act

RELATED POLICIES:

03.113; 03.1325; 03.16; 09.2211; 09.422; 09.42811

Adopted/Amended:
Order #:

Notice to Individuals Complaining of Harassment/Discrimination

Please refer to Procedure 09.42811 AP.1 for a copy of the District's notice.

RELATED PROCEDURE:

09.42811 AP.1

Review/Revised:

Harassment/Discrimination Reporting Form

This form provides the opportunity for an employee to report violation(s) of Board Policy 03.162 or 03.262 and to secure an equitable and prompt resolution. This procedure shall be implemented in compliance with Board policy and shall be used to document all complaints, whether addressed informally or formally.

Employee's Name _____	<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
Employee's Address _____	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Employee's Home Phone Number _____	Daytime Phone # _____		
Work Site _____			

CONFIDENTIALITY

Information regarding an investigation of alleged harassment/discrimination shall be kept confidential to the extent possible. Individuals involved in the investigation shall not discuss information regarding the complaint outside of the investigation process.

HARASSMENT/DISCRIMINATION COMPLAINT (USE ADDITIONAL SHEETS IF NECESSARY.)

Date(s)/approximate time of the alleged incident(s): _____

Place alleged incident(s) occurred: _____

What type of harassment or discrimination was involved in the alleged incident?

- ☐ sexual ☐ racial ☐ on the basis of national origin ☐ on the basis of disability
☐ limitations due to pregnancy, childbirth, or related medical conditions
☐ other type of harassment/discrimination? If other, specify: _____

Name of person you believe is guilty of harassment or discrimination: _____

Position: _____

If the alleged behavior was directed toward another person, name that person: _____

Describe the alleged incident as clearly as possible, including such information as verbal statements (i.e. slurs, threats, other verbal or physical abuse or prohibited requests), what physical contact, if any was involved, what force, if any was used. _____

List any witnesses to these events: _____

PLEASE ATTACH ANY EXHIBITS OR OTHER TANGIBLE EVIDENCE (I.E., NOTES).

WHAT RESULTS ARE YOU SEEKING BY FILING THIS FORM? _____

I agree that all information reported here is complete, accurate and true to the best of my knowledge and affirm that I honestly believe that the person named harassed or discriminated against me or another person.

Signature of Employee

Date

Received by

Date

Harassment/Discrimination Reporting Form

NOTE:

- Employees wishing to initiate a complaint concerning discrimination in the delivery of benefits or services in the District's school nutrition program should go to the link below or mail a written complaint to the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, or email, program.intake@usda.gov.

http://www.ascr.usda.gov/complaint_filing_cust.html

Review/Revised:

Harassment/Discrimination Investigation and Appeals

(FOR INTERNAL ADMINISTRATIVE TRACKING PURPOSES ONLY)

EMPLOYEE COMPLAINANT _____

*Last Name**First Name**Middle Initial*

WORK SITE _____

The Superintendent shall appoint an investigator who is not an alleged party in the complaint to investigate allegations of harassment/discrimination. The investigator shall be trained in this area, and her/his duties shall be assigned by the Superintendent/designee or, for contractors, set out in a contract, as appropriate. If the Superintendent is the alleged party, the Board shall designate an outside investigator and, after presentation of the final investigative report, determine when and how it is to be released. All instances involving suspected child abuse or criminal conduct shall be reported as required by law.

ALLEGED HARASSER/DISCRIMINATING PARTY: _____

Investigator: _____ Date Complaint Form is Received: _____

INFORMAL PROCEDURE

If both parties agree, prior to a formal grievance process an administrator may facilitate a conversation between the complainant and the party alleged to have harassed or discriminated against the complainant. Both the complainant and the accused party may be accompanied by a person of their choice. If both parties feel that a resolution has been achieved, no further action need be taken. The results of an informal resolution shall be reported by the facilitator, in writing, to the Principal/immediate supervisor, along with a signed agreement, if one is reached. If any of the interested parties choose not to utilize the informal procedure, or feel that it has been unsuccessful, s/he may opt to proceed to the formal grievance procedure. However, any complaints directed at District employees or alleging criminal acts must be formally investigated and/or reported to state authorities as required by law.

Was this complaint resolved informally, as indicated by an agreement signed by both parties?

☐ Yes ☐ No Date: _____ Facilitator _____**FORMAL PROCEDURE**

Employees should make their complaint to their Principal/immediate supervisor, who shall immediately, without screening or beginning an investigation, inform the Superintendent of receipt of the complaint. Otherwise, the complaint can be filed directly with the Superintendent or, in cases involving sexual harassment/discrimination, with the Title IX/Equity Coordinator. Employees who have knowledge of alleged or observed harassment/discrimination shall immediately notify the alleged victim's Principal, immediate supervisor, or the Superintendent.

The Superintendent shall designate an individual to investigate the complaint. If necessary, the investigator will seek assistance from District administrators. In some instances it may be necessary to involve legal counsel, when authorized by the Superintendent or by the Board if the Superintendent is the subject of the complaint.

TIMELINE

The investigator shall provide the complainant and the accused with a copy of the District's Policy 03.162 or 03.262 and Notice to Individuals Complaining of Harassment/Discrimination and inform the complainant and the accused of required timelines that have been established for initiation and completion of an investigation.

Harassment/Discrimination Investigation and Appeals**FORMAL PROCEDURE (CONTINUED)****CORRECTIVE ACTION**

If corrective action is needed, the investigator shall recommend to the Superintendent, or to the Superintendent's designee if the alleged harasser is a classified employee, and, if so instructed by the Superintendent, the type of corrective action and methods to prevent reoccurrence of the harassment/discrimination.

USING THE DESIGNATED FORM (03.162 AP.23), A RESPONSE SHALL BE PRESENTED TO THE COMPLAINANT WITHIN TEN (10) WORKING DAYS OF COMPLETION OF THIS LEVEL OF INVESTIGATION.

Board policy allows for appeal of the investigator's decision and the opportunity to address the complaint to a higher level of authority. An appeal must be made within ten (10) working days of receipt of a response at this level.

Is this complaint to be referred/appealed to a higher level of authority? ☐ Yes ☐ No

If yes, to whom will the complaint be referred? _____ Date: _____

FIRST APPEAL LEVEL

EMPLOYEE COMPLAINANT _____ <div style="text-align: center;"><i>Last Name</i></div>	<div style="text-align: center;"><i>First Name</i></div>	<div style="text-align: center;"><i>Middle Initial</i></div>
WORK SITE _____		

ALLEGED HARASSER/DISCRIMINATING PARTY: _____

Superintendent/designee who will consider appeal: _____

Date appeal and related data received by Superintendent/designee: _____

In some instances it may be necessary to involve legal counsel at the appeal level, when authorized by the Superintendent or by the Board if the Superintendent is the subject of the complaint.

CORRECTIVE ACTION

If corrective action is needed, the investigator shall recommend to the Superintendent, or to the Superintendent's designee if the alleged harasser is a classified employee, and, if so instructed by the Superintendent, the type of corrective action and methods to prevent reoccurrence of the harassment/discrimination.

USING THE DESIGNATED FORM (03.162 AP.23), A RESPONSE SHALL BE PRESENTED TO THE COMPLAINANT WITHIN TEN (10) WORKING DAYS OF COMPLETION OF THIS LEVEL OF INVESTIGATION.

Board policy allows for appeal of the decision made at this level and the opportunity to address the complaint to the Board of Education. An appeal must be made within ten (10) working days of receipt of a response at this level.

Is this complaint to be referred/appealed to a higher level of authority? ☐ Yes ☐ No

If yes, to whom will the complaint be referred? _____ Date: _____

Harassment/Discrimination Investigation and Appeals**SECOND APPEAL LEVEL****EMPLOYEE COMPLAINANT** _____*Last Name**First Name**Middle Initial***WORK SITE** _____**ALLEGED HARASSER/DISCRIMINATING PARTY:** _____

Board Chairperson: _____

Date appeal and related data received by the Chairperson on behalf of the Board: _____

CORRECTIVE ACTION

If corrective action is needed, the investigator shall recommend to the Superintendent, or to the Superintendent's designee if the alleged harasser is a classified employee, and, if so instructed by the Superintendent, the type of corrective action and methods to prevent reoccurrence of the harassment/discrimination.

USING THE DESIGNATED FORM (03.162 AP.23), A RESPONSE SHALL BE PRESENTED TO THE COMPLAINANT WITHIN TEN (10) WORKING DAYS OF COMPLETION OF THIS LEVEL OF INVESTIGATION.

GUIDELINES

1. The Board shall not hear grievances concerning personnel actions taken by the Superintendent/designee, unless the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions.
2. In some instances it may be necessary to involve legal counsel, when authorized by the Board.
3. The Superintendent/designee shall implement corrective action as determined by the Superintendent or by the Board, as appropriate under law, after appeal rights have been exhausted. If the Superintendent is subject to corrective action, the Board shall implement the action.
4. The District is prohibited from disclosing personally identifiable information contained in student discipline records under the Federal Educational Rights and Privacy Act and corresponding state law.
5. Employee evaluation and private reprimand information generally is confidential and may require consent of the employee prior to release.

RELATED POLICIES:

09.2211, 09.227

RELATED PROCEDURES:

09.227 AP.1, 03.162 (all procedures)

Review/Revised:

Witness Disclosure Form

Witness' Name _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
Witness' Address _____			
<i>City</i>	<i>State</i>	<i>ZIP Code</i>	
Witness' Phone Number _____			
Is witness a <input type="checkbox"/> student, <input type="checkbox"/> school employee, or <input type="checkbox"/> other? If other, specify _____			
School (if a student): _____ Grade _____ Homeroom/Classroom _____			
Work Site (if an employee): _____			
Witness' relationship, if any, to the complainant: _____			
Witness' relationship, if any, to the accused: _____			

On the date(s) of _____, an employee has claimed to be the target of harassment or discrimination on the basis of _____. Did you observe or are you aware of such an incident? ☐ Yes ☐ No

If yes, describe the incident(s) that you witnessed as clearly as possible, including such information as the following:

- What verbal statements, if any, were made (i.e., slurs, threats, other verbal or physical abuse or prohibited requests)?
- What physical contact, if any, was involved?
- What force, if any, was used?
- Did other actions occur? If so, please describe.

(Use additional sheets if necessary.) _____

LIST ANY OTHER WITNESSES TO THESE EVENTS: _____

- *I understand that Board policy prohibits retaliation against witnesses who assist or participate in an investigation.*
- *I agree that all information reported here is accurate and true to the best of my knowledge and, by my signature, agree to its release.*

_____ <i>Signature of Witness</i>	_____ <i>Date</i>
_____ <i>Received by</i>	_____ <i>Date</i>

Review/Revised:

Resolution Response

This completed form shall be provided to both the complainant and the accused party.

COMPLAINANT _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
ACCUSED PARTY _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
COMPLAINT/APPEAL RECEIVED _____		RESPONSE DELIVERED _____	
<i>Date</i>		<i>Date</i>	
INVESTIGATOR'S NAME _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	

The investigation of harassment/discrimination complaint/appeal referenced above has now been completed, and the following determinations have been made:

Did the alleged incident(s) occur based on substantiated information? ☐ Yes ☐ No

If "yes", what type of resolution will be implemented by the District? (Check all that apply.)

- ☐ Personnel action
 ☐ Measures to protect the complainant
☐ Action against a visitor
 ☐ Action against a student offender

If corrective actions were necessary, have they been initiated? ☐ Yes ☐ No

Investigator's Signature *Date*

Superintendent/designee's Signature *Date*

NO ONE SHALL RETALIATE AGAINST AN EMPLOYEE OR STUDENT BECAUSE S/HE FILES A GRIEVANCE, ASSISTS OR PARTICIPATES IN AN INVESTIGATION, PROCEEDING, OR HEARING REGARDING THE CHARGE OF HARASSMENT/DISCRIMINATION OF AN INDIVIDUAL OR BECAUSE S/HE HAS OPPOSED LANGUAGE OR CONDUCT THAT VIOLATES BOARD POLICY.

Review/Revised:

- CERTIFIED PERSONNEL -**Title IX Sexual Harassment****INTRODUCTION AND SCOPE**

A United States Department of Education regulation published on May 19, 2020 defines sexual harassment for purposes of Title IX (sometimes referred to in policy and procedure as “Title IX Sexual Harassment”). In addition to numerous other matters, the regulation sets forth grievance procedure requirements that apply (including the initiation of a “formal complaint”) before there is a determination that an employee is responsible for Title IX Sexual Harassment. The applicable definition of sexual harassment describes serious sexual misconduct. If the alleged actions that are the subject of a formal complaint do not descend to the level of conduct described in the definition of Title IX Sexual Harassment; do not take place in a “program or activity” of the school District within the meaning of Title IX; or do not take place in the United States, the formal complaint must be dismissed.

Such a dismissal does not mean that the alleged offending party cannot be the subject of investigation or discipline on grounds other than “Title IX Sexual Harassment” as addressed in Board policy or law, including conduct allegedly constituting sexual harassment or other sexual misconduct that does fall within the definition of “Title IX Sexual Harassment.”¹

PROHIBITION

Title IX Sexual Harassment in educational programs or activities of the District is prohibited.

GRIEVANCE PROCEDURE

The District shall provide a Title IX Sexual Harassment grievance procedure that treats complainants and respondents equitably as required by Federal Regulation.²

DEFINITIONS**TITLE IX SEXUAL HARASSMENT**

“Title IX Sexual Harassment” means conduct on the basis of sex that satisfies one or more of the following:

- 1) An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct (i.e., quid pro quo sexual harassment);
- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity;

Title IX Sexual Harassment**DEFINITIONS (CONTINUED)****TITLE IX SEXUAL HARASSMENT (CONTINUED)**

- 3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30). For purposes of this definition, “sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is an act directed against another person, without the consent of the second person, including instances where the second person is incapable of giving consent.³

The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be based on the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

Consent

“Consent” means a voluntary expression of willingness, permission, or agreement to engage in sexual activity throughout a sexual encounter. Consent cannot be granted by an individual: who is less than the statutory age of consent under Kentucky criminal law, has a mental or physical condition or incapacity that prevents the giving of consent; or from whom ostensible “consent” is extracted through threat, coercion, or forcible compulsion.

Complainant

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. This applies to such individual even if no formal complaint is filed. Only a complainant who is participating or attempting to participate in the District’s educational programs or activities may file a formal complaint.

Respondent

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. This applies to such individual even if no formal complaint is filed. Only a person in his or her individual capacity is subject to a Title IX investigation.

Title IX Sexual Harassment**DEFINITIONS (CONTINUED)****Title IX Coordinator (TIXC)**

The TIXC is the individual or individuals designated and authorized to coordinate District Title IX programs. The TIXC is expected to engage in activities intended to provide a fair and neutral process for all parties, including implementation of supportive measures and remedies where appropriate. The District may use co-coordinators and/or deputy coordinators.

Formal Complaint

“Formal complaint” means a document filed by a complainant or signed by the TIXC alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. A formal complaint may be filed with the TIXC in person, by mail, or by electronic mail, by using the contact information provided by the District. The complaint document may be physical or electronic, shall contain the complainant’s physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint. Where the TIXC signs a formal complaint, the TIXC is not “the complainant” or otherwise considered a party, but is to comply with applicable procedures.

Supportive Measures

“Supportive measures” mean nondisciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, unilateral restrictions on contact that are not unreasonably burdensome on a respondent, changes in work or housing locations, authorized leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Supportive measures shall be confidential, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. The TIXC is responsible for coordinating the effective implementation of supportive measures.

Education Program or Activity

“Education program or activity” means District operations and includes locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

Preponderance of the Evidence

“Preponderance of evidence” means evidence that is of greater weight or more convincing that an asserted fact or facts occurred than evidence in opposition to such facts. It is evidence which as a whole shows that an assertion to be proven is more likely than not.

Title IX Sexual Harassment**REGULATION AND POLICY DOES NOT AFFECT PARENT RIGHTS**

Absent a court order or other legal requirement to the contrary, a parent or guardian is authorized to act on behalf of a minor student regarding decision-making and the exercise of rights under the Title IX Sexual Harassment policy and procedure, including the opportunity to accompany a minor student to meetings and interviews.

SEGREGATION OF FUNCTIONS / CONFLICT OF INTEREST

The TIXC, investigator, decisionmaker(s), and any informal resolution facilitator shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. These individuals are to serve impartially without prejudgment of the facts at issue. The investigative, initial decision-making, appellate decision-making, and resolution functions must be performed by different trained individuals, who may be District employees or contractors.

CONFIDENTIALITY

With respect to its administration of Title IX Sexual Harassment policies and corresponding procedures, the District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted under FERPA⁵, required by law, or to carry out Title IX purposes, including the conduct of any investigation, hearing or Title IX judicial proceedings.

Investigative evidence directly related to the allegations of a formal complaint gathered by the District is subject to inspection and review by the parties but is not to be disseminated to the public. The United States Department of Education rule commentary provides that under the applicable FERPA definition of “education records” a parent of a complainant or respondent (or eligible student) has a right to inspect and review any witness statement that is directly related to the student, even if that statement contains information that is also directly related to another student, if the information cannot be segregated or redacted without destroying its meaning.⁴

EMPLOYEES SHALL REPORT

Employees who believe or have been made aware that they or any other employee, student, or visitor has been subject to Title IX Sexual Harassment shall report it to the TIXC. Failure to make such a report shall be grounds for discipline up to and including termination. If the knowledge of the reporting party gives rise to reasonable cause to believe that the reported conduct constitutes child abuse Policy 09.227 or a reportable criminal offense Policy 09.2211, notification of state officials shall be made as required by law.⁶

FALSE REPORTS PROHIBITED

Employees or students who intentionally make false reports related to the District’s administration of this policy and the corresponding procedures, are subject to disciplinary sanctions under applicable District policy, law, or the Code of Acceptable Behavior and Discipline.

Title IX Sexual Harassment**RELATED EVIDENCE RULES SUMMARY**

The following rules apply to the District investigation and grievance process under the Title IX Sexual Harassment regulation:

- a) The District shall not require, allow, rely upon, or otherwise use questions or evidence that constitutes or seeks disclosure of information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.
- b) The District cannot access, consider, disclose, or otherwise use a party's records made or maintained in connection with provision of treatment to the party by medical or mental health professionals or paraprofessionals unless the District obtains written consent from the party.
- c) Questions and evidence about the complainant's sexual predisposition or prior behavior are not relevant unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct or, such questions or evidence are offered to prove consent.

RETALIATION PROHIBITED

No District or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any Title IX investigation, proceeding, or hearing.

REFERENCES:

²34 C.F.R. § 106.45

³KRS 510.020

⁴85 Fed. Reg. 30433 (May 19, 2020)

Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)

Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)

Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106

Clery Act (20 U.S.C. §1092(f)(6)(A)(v))

Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v))

34 U.S.C. § 12291(a)(10)

34 U.S.C. §12291(a)(3)

34 U.S.C. §12291(a)(8)

RELATED POLICIES:

¹03.162; 03.262; 09.42811

⁵09.14

⁶09.227; 09.2211

03.2621; 09.428111

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -

Title IX Sexual Harassment Grievance Procedures

Refer to Procedure 09.428111 area for Title IX Sexual Harassment Notices, Grievance Procedures, and Reporting Forms.

RELATED PROCEDURES:

03.2621 AP.2; 09.428111 (all procedures)

Review/Revised:

- CERTIFIED PERSONNEL -**Termination/Nonrenewal/Separation by Employee**

Termination and nonrenewal of contracts shall be the responsibility of the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

CODE OF ETHICS

Employees who violate provisions of the Professional Code of Ethics for Kentucky School Certified Personnel may be subject to disciplinary action, up to and including termination.

TERMINATION

No contract shall be terminated except upon notification of the Board by the Superintendent. Prior to notification of the Board, the Superintendent shall furnish the teacher with a written statement specifying in detail the charge against the teacher.¹

Termination of contracts of certified personnel shall be made in compliance with the requirements of KRS 161.790.

ALTERNATIVES TO TERMINATION

As an alternative to termination, the Superintendent, upon notifying the Board and providing written notification to the teacher, may impose sanctions in accordance with KRS 161.790.

NONRENEWAL

The Principal/immediate supervisor shall provide the Superintendent with notice of recommended nonrenewals by March 15. Nonrenewal of limited contracts of certified personnel shall be made no later than May 15 in compliance with the requirements of KRS 161.750.

SEPARATION BY EMPLOYEE

Certified employees seeking to resign or terminate contracts in force shall do so in compliance with KRS 161.780.

A certified employee who voluntarily leaves the District shall complete an exit survey that includes, but is not limited to the position vacated, the employee's years of service in the position and in the District, if the employee is taking a similar position in another district, and the reason(s) provided for leaving the District. This information shall be reported to the Kentucky Department of Education (KDE) by the District in a system developed by KDE without providing personally identifiable information.

REPORTING

The Superintendent shall comply with the reporting requirements of KRS 161.120.

Termination/Nonrenewal/Separation by Employee

REFERENCES:

¹KRS 161.790
KRS 160.382
KRS 161.120; KRS 161.750; KRS 161.780
16 KAR 1:020 (Code of Ethics)
Consolidated Omnibus Budget Reconciliation Act
701 KAR 5:090
OAG 83-362; OAG 92-135

RELATED POLICY:

03.172

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -

Notice of Personnel Actions

With assistance as necessary from the Board Attorney, the Superintendent shall provide written notification to an employee of personnel actions, including but not limited to, termination, nonrenewal, reduction in force, sanctions, suspension, and reinstatement.

Review/Revised:

Notice of Employee Separation

The employee named below was separated today: _____

Date of Separation

Employee's Name _____	Last Name	First Name	Middle Initial
Employee's ID # _____	Job Title _____		
Job Description: _____			

Wages Reported to State of _____

First Day Worked: _____

Starting Rate of Pay: _____

Last Day Worked: _____

Ending Rate of Pay: _____

REASON FOR SEPARATION – CHECK ONE (1) AND EXPLAIN UNDER “REMARKS”.

LACK OF WORK <input type="checkbox"/> No other information <input type="checkbox"/> Reduction in force <input type="checkbox"/> Job eliminated <input type="checkbox"/> Reorganization <input type="checkbox"/> End of temporary employment <input type="checkbox"/> End of seasonal employment <input type="checkbox"/> Project completed <input type="checkbox"/> Casual <input type="checkbox"/> Partially unemployed/reduced hours <input type="checkbox"/> On call <input type="checkbox"/> Temporary <input type="checkbox"/> Work site closed Remarks:	DISCHARGE <input type="checkbox"/> No other information <input type="checkbox"/> Insubordination <input type="checkbox"/> Violation of company rules or policies <input type="checkbox"/> Violation of safety rules <input type="checkbox"/> Reported under influence of alcohol <input type="checkbox"/> Reported under influence of drugs <input type="checkbox"/> Destruction of company property—willful <input type="checkbox"/> Destruction of company property—carelessness <input type="checkbox"/> Fighting on company property <input type="checkbox"/> Leaving work station <input type="checkbox"/> Falsification of employment application <input type="checkbox"/> Dishonesty-falsified company records <input type="checkbox"/> Dishonesty-unauthorized removal of company property <input type="checkbox"/> Dishonesty—monetary theft <input type="checkbox"/> Dishonesty—other <input type="checkbox"/> Absenteeism--unreported <input type="checkbox"/> Absenteeism—excessive and/or unauthorized <input type="checkbox"/> Tardiness—frequent <input type="checkbox"/> Failed to maintain union status <input type="checkbox"/> Excessive garnishments <input type="checkbox"/> Quality of work <input type="checkbox"/> Quantity of work <input type="checkbox"/> Poor performance <input type="checkbox"/> Probationary – not qualified for job <input type="checkbox"/> Poor judgment – no misconduct <input type="checkbox"/> Lack of technical knowledge <input type="checkbox"/> Inability to work – illness <input type="checkbox"/> Failure to pass physical Remarks:	VACATION <input type="checkbox"/> No other information <input type="checkbox"/> Scheduled vacation with pay <input type="checkbox"/> Shutdown for vacation <input type="checkbox"/> Shutdown for vacation; eligible for vacation pay <input type="checkbox"/> Shutdown for vacation; eligible for partial vacation pay Remarks:
NOT SEPARATED <input type="checkbox"/> Not separated <input type="checkbox"/> Disciplinary lay-off <input type="checkbox"/> Change in other employment <input type="checkbox"/> Inclement weather Remarks:	LEAVE OF ABSENCE <input type="checkbox"/> No other information <input type="checkbox"/> Illness <input type="checkbox"/> Maternity <input type="checkbox"/> Injury – work-connected <input type="checkbox"/> Injury – not work-connected <input type="checkbox"/> Military <input type="checkbox"/> Family obligations <input type="checkbox"/> Personal <input type="checkbox"/> School <input type="checkbox"/> Other Remarks:	RETIREMENT Disability Retirement <input type="checkbox"/> Yes <input type="checkbox"/> No Retirement <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks:
QUIT <input type="checkbox"/> Reason unknown <input type="checkbox"/> Abandoned job <input type="checkbox"/> Walked off job <input type="checkbox"/> Did not return from leave <input type="checkbox"/> Did not return from layoff <input type="checkbox"/> Personal – not job-related <input type="checkbox"/> School <input type="checkbox"/> Marriage <input type="checkbox"/> Relocate <input type="checkbox"/> Family obligations <input type="checkbox"/> Unable to obtain babysitter <input type="checkbox"/> Transportation <input type="checkbox"/> Accept another job <input type="checkbox"/> Go into own business <input type="checkbox"/> Illness <input type="checkbox"/> Maternity <input type="checkbox"/> Enter military <input type="checkbox"/> Dissatisfaction – work hours <input type="checkbox"/> Dissatisfaction - salary <input type="checkbox"/> Dissatisfaction – working conditions <input type="checkbox"/> Dissatisfaction – performance review <input type="checkbox"/> Dissatisfaction - supervisor <input type="checkbox"/> Dissatisfaction – company policies Remarks:	LABOR DISPUTE <input type="checkbox"/> No other information <input type="checkbox"/> Member of striking union <input type="checkbox"/> Refused to cross picket line <input type="checkbox"/> Strike – other union <input type="checkbox"/> Company lockout <input type="checkbox"/> Unsanctioned strike Remarks:	MISCELLANEOUS <input type="checkbox"/> No information whatsoever <input type="checkbox"/> Refusal to work <input type="checkbox"/> Change of status <input type="checkbox"/> Transfer to new location <input type="checkbox"/> Death Remarks:

SPECIFY ANY REMUNERATION PAID AFTER SEPARATION: ☐ (a) salary ☐ (b) benefits ☐ (c) retirement

Review/Revised:

- CERTIFIED PERSONNEL -**Reduction in Force**

When, by reasons noted in KRS 161.800,¹ it becomes necessary to reduce the number of certified personnel, the Superintendent shall do so in compliance with the statute. The Superintendent, at the first meeting following the reduction in force, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

REFERENCES:

¹KRS 161.800
OAG 82-135
OAG 80-150

RELATED POLICY:

03.1212

Adopted/Amended:
Order #:

-CERTIFIED PERSONNEL-**Sanctions**

As an alternative to the termination of a teacher's contract and in accordance with KRS 161.790, the Superintendent, upon notifying the Board and providing written notification to the teacher of the charge, may impose sanctions including but not limited to suspension without pay, or public or private reprimand.

REFERENCES:

KRS 160.380
KRS 161.760
KRS 161.790
701 KAR 5:090

RELATED POLICIES:

03.1311
03.17
03.173
03.174

Adopted/Amended:

Order #:

- CERTIFIED PERSONNEL -**Conflict of Interests****PECUNIARY INTEREST PROHIBITED**

No administrator or other employee of the District with decision-making authority over the financial position of the school District shall have any pecuniary interest, either directly or indirectly, in an amount exceeding twenty-five dollars (\$25.00) per year, at the time of or after appointment, in supplying any goods, services, property or merchandise for which school funds are expended. Nor shall any such person receive directly or indirectly any gift, reward, or promise of reward for goods, services, property, or merchandise of any kind for which school funds are expended.¹

No administrator or other employee shall solicit for personal financial remuneration from students, parents and other staff during the school day or during school events.

Unless prior arrangements are made with the Board, any device, publication or any other item to be copyrighted/developed during the employee's paid time shall be District property.

Employees shall not profit monetarily through use of confidential information gained in the course of or by reason of their position of employment with the District.

EXCEPTION

This policy shall not prohibit the Board from approving non-contracted personal services for the benefit of the District.

REFERENCES:

- ¹KRS 156.480
- KRS 45A.455
- OAG 77-228
- OAG 71-474

Adopted/Amended:
Order #:

-CERTIFIED PERSONNEL -**Suspension****PENDING TERMINATION ACTION**

The Superintendent may suspend a certified employee without pay pending final action to terminate the contract if the character of the charges warrants such action. If a tribunal hearing is requested and the decision of the tribunal is against termination of the contract, the suspended teacher shall be paid full salary for the period of such suspension, except that the Board may appeal the tribunal's decision to the circuit court.

SANCTIONS

The Superintendent may suspend a teacher without pay as a disciplinary measure in accordance with KRS 161.790.

BOARD NOTIFICATION

The Superintendent, at the first meeting following the suspension without pay, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

TEMPORARY SUSPENSION WITH PAY PENDING INVESTIGATION

An employee shall be suspended with pay only when the Superintendent determines there is a justifiable need for an investigation of alleged employee actions necessary to protect the safety of students and staff or to prevent significant disruption of the workplace and/or educational process. The period of suspension with pay shall not exceed the time needed to determine whether the employee is to return to active service or face disciplinary action; however, suspension with pay shall not exceed ten (10) working days. If circumstances arise that require an investigation or other proceedings that may extend beyond ten (10) working days, the Superintendent may lengthen the period of suspension not to exceed an additional fifteen (15) working days.

Employees suspended with pay shall remain available for immediate recall to active service.

REFERENCES:

KRS 160.390; KRS 161.790
701 KAR 5:090
OAG 92-135, OAG 96-3
938 S.W.2d 880 (Ky. 1996)

RELATED POLICIES:

03.1234; 03.172; 03.174

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Reinstatement****FOLLOWING TERMINATION HEARING**

When a certified employee has been suspended, pending action to terminate the contract, and the tribunal, if requested, decides against termination after a hearing, the employee shall be reinstated in compliance with KRS 161.790, except that the Board may appeal the tribunal's decision to the circuit court.

SANCTIONS

A teacher who has been suspended for disciplinary measures may be reinstated by the tribunal in accordance with KRS 161.790.

REFERENCES:

KRS 161.790
938 S.W.2d 880 (Ky. 1996)

RELATED POLICIES:

03.172
03.173

Adopted/Amended:
Order #:

-CERTIFIED PERSONNEL-**Retirement****DEFINITION**

Retirement means retirement as determined by Teachers' Retirement System guidelines.

NOTICE

Persons retiring should give the Superintendent notice as far in advance as possible but not less than two (2) weeks prior to retirement.

RESPONSIBILITY

Retirement benefits shall be solely a matter of contract between the employee and the Teachers' Retirement System and shall not be the responsibility of the Board except that the Board shall deduct and send to the Teachers' Retirement System in the manner prescribed, those amounts required under law.

UNUSED SICK DAYS

The Board may compensate certified employees only upon initial retirement, or their estate, for each unused sick day at a rate not to exceed 30% of the daily salary. This calculation is based on the employee's last annual salary. For personnel who begin employment with a local school district on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under KRS 161.155 shall not exceed 300 days. For personnel who become members of the Teachers' Retirement System on or after January 1, 2022, payment for unused sick leave days shall not be incorporated into the annual compensation used to calculate the retirement allowance in the foundational benefit but may be deposited into the member's supplemental benefit component.¹

The District shall provide compensation for unused sick leave days when the employee provides proof s/he qualifies as an annuitant who will receive a retirement or disability allowance from the Teachers' Retirement System. Upon death of an employee in active contributing status who was eligible to retire by reason of service, the District shall compensate the estate of the employee.

ESCROW ACCOUNT

The Board shall create an escrow account to maintain the funds necessary to reimburse teachers or employees who qualify for the retirement benefit.

REFERENCES:

- ¹KRS 161.155
- KRS 157.420; KRS 161.220
- KRS 161.540; KRS 161.545
- KRS 161.560; KRS 161.600
- KRS 161.633; KRS 161.635
- OAG 81-1; OAG 83-191; OAG 97-28
- 29 U.S.C. 631

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Evaluation****DEVELOPMENT OF SYSTEM**

The Superintendent shall recommend for approval by the Board and the Kentucky Department of Education a personnel evaluation system, developed by an evaluation committee, for all certified employees below the level of District Superintendent, which is in compliance with and which shall be implemented consistent with applicable statute and regulation. The District's certified evaluation plan shall be aligned with the Kentucky Framework for Personnel Evaluation.¹

PURPOSE

The purpose of the personnel evaluation system shall be to: support and improve performance of all certified school personnel and to inform individual personnel decisions. The District certified evaluation plan for certified personnel assigned to the District level for purposes of evaluation shall be specific to the evaluatee's job category.

FREQUENCY OF SUMMATIVE EVALUATIONS

At a minimum, summative evaluations shall occur annually for certified employees below the level of superintendent who have not attained continuing service status. Summative evaluations shall occur at least once every three (3) years for a teacher or other professional who has attained continuing service status, as well as principals, assistant principals, and other certified administrators.

REPORTING

Results of evaluations shall not be included in the accountability system under KRS 158.6455.

NOTIFICATION

The evaluation criteria and evaluation process to be used shall be explained to and discussed with certified school personnel no later than the end of the evaluatee's first thirty (30) calendar days of the school year as provided in regulation.

CONFIDENTIALITY

Evaluation data on individual classroom teachers shall not be disclosed under the Kentucky Open Records Act.

REVIEW

All employees shall be afforded an opportunity for a review of their evaluations. All written evaluations shall be discussed with the evaluatee, and he/she shall have the opportunity to submit a written response to be included in the certified employee's personnel record. Both the evaluator and evaluatee shall sign and date the evaluation instrument.

All evaluations shall be maintained in the employee's personnel file.²

APPEAL PANEL

The District shall establish a panel to hear appeals from summative evaluations as required by law.¹

ELECTION

Two (2) members of the panel shall be elected by and from the certified employees of the District. Two (2) alternates shall also be elected by and from the certified employees, to serve in the event an elected member cannot serve. The Board shall appoint one (1) certified employee and one (1) alternate certified employee to the panel.

Evaluation

TERMS

All terms of panel members and alternates shall be for one (1) year and run from July 1 to June 30. Members may be reappointed or reelected.

CHAIRPERSON

The chairperson of the panel shall be the certified employee appointed by the Board.

APPEAL TO PANEL

Any certified employee who believes that he or she was not fairly evaluated on the summative evaluation may appeal to the panel within five (5) working days of the receipt of the summative evaluation. Both the evaluator and the evaluatee shall be given the opportunity, at least five (5) days in advance of the hearing to review documents that are to be presented to the District evaluation appeals panel, and may have representation of their choosing.

APPEAL FORM

The appeal shall be signed and in writing on a form prescribed by the District evaluation committee. The form shall state that evaluation records may be presented to and reviewed by the panel.

CONFLICTS OF INTERESTS

No panel member shall serve on any appeal panel considering an appeal for which s/he was the evaluator.

Whenever a panel member or a panel member's immediate family appeals to the panel, the member shall not serve for that appeal. Immediate family shall include father, mother, brother, sister, spouse, son, daughter, uncle, aunt, nephew, niece, grandparent, and corresponding in-laws.

A panel member shall not hear an appeal filed by his/her immediate supervisor.

BURDEN OF PROOF

The certified employee appealing to the panel has the burden of proof. The evaluator may respond to any statements made by the employee and may present written records which support the summative evaluation.

HEARING

The panel shall hold necessary hearings. The evaluation committee shall develop necessary procedures for conducting the hearings.

PANEL DECISION

The panel shall deliver its decision to the District Superintendent, who shall take whatever action is appropriate or necessary as permitted by law. The panel's written decision shall be issued within fifteen (15) working days from the date an appeal is filed. No extension of that deadline shall be granted without written approval of the Superintendent.

Evaluation**REVISIONS TO PREVIOUSLY APPROVED DISTRICT EVALUATION PLAN**

If a revision adding or removing a source of evidence or changing a decision rule or calculation in the summative rating formula in the District's certified evaluation plan is made by the local certified evaluation committee, the revised certified evaluation plan shall be reviewed and approved by the Board. If the Board determines that changes do not meet the requirements of KRS 156.557, the certified evaluation plan shall be returned to the certified evaluation committee for revision. The Superintendent shall submit proposed revisions to the evaluation plan to the Board for its review to ensure compliance with applicable statute and regulation. Upon adoption, all revisions to the plan shall be submitted to the Kentucky Department of Education for approval.

REFERENCES:

¹KRS 156.557; 704 KAR 3:370
703 KAR 5:225
OAG 92-135; Thompson v. Board of Educ., Ky., 838 S.W.2d 390 (1992)

RELATED POLICIES:

²02.14; 03.15; 03.16

Adopted/Amended:
Order #:

-CERTIFIED PERSONNEL-**Appeals/Hearings****PURPOSE**

An Appeals Panel shall be established in accordance with KRS Chapter 156 and 704 KAR 3:370. Based on issues identified in an employee's appeal documentation, the Panel shall determine whether the employee has demonstrated that a procedural violation has occurred under the District's evaluation plan and whether the summative evaluation is supported by the evidence.

The burden of proof that an employee was not fairly and/or correctly evaluated on the summative evaluation rests with the employee who appeals to the Panel.

APPEALS

Pursuant to Board Policy 03.18, any certified employee who believes that s/he was not fairly evaluated on the summative evaluation may appeal to the Evaluation Appeals Panel in accordance with the following procedures:

1. Both the evaluatee and evaluator shall submit three (3) copies of any appropriate documentation to be reviewed by members of the Appeals Panel in the presence of all three (3) members. The parties will exchange copies of documentation by or before the day it is submitted to the Panel. The members of the Appeals Panel will be the only persons to review the documentation. All documentation will be located in a secure place in the Central Office except during Appeals Panel meetings. Confidentiality will be maintained. Copies of the documentation as submitted to the Panel shall not be carried away from the established meeting by either parties involved or the Panel members.
2. The Panel will meet, review all documents, discuss, and prepare questions to be asked of each party by the Chairperson. Additional questions may be posed by Panel members during the hearing.
3. The Panel will set the time and place for the hearing, and the Chairperson will provide written notification to the appealing employee and his/her evaluator of the date, time, and place to appear before the Panel to answer questions.
4. Legal counsel and/or chosen representative may be present during the hearing to represent either or both parties.
5. The hearing will be audiotaped and a copy provided to both parties if requested in writing. The original will be maintained by the District.
6. Only Panel members, the evaluatee and evaluator, legal counsel, witnesses, and the employee's chosen representative will be present at the hearing.
7. Witnesses may be presented, but will be called one at a time and will not be allowed to observe the proceedings.

Appeals/Hearings**HEARINGS**

The following procedures will be implemented during the hearings:

1. The Chairperson of the Appeals Panel will convene the hearing, review procedures, and clarify the Panel's responsibilities.
2. Each party will be allowed to make a statement of claim. The evaluatee will begin.
3. The evaluatee may present relevant evidence in support of the appeal.
4. The evaluator may present evidence in support of the summative evaluation.
5. The Panel may question the evaluatee and evaluator.
6. The Chairperson may disallow materials and/or information to be presented or used in the hearing when s/he determines that such materials and/or information is not relevant to the appeal or when the materials were not exchanged between the parties as provided in this procedure.
7. Each party (evaluator and evaluatee) will be asked to make closing remarks.
8. The chairperson of the Panel will make closing remarks.
9. The decision of the Panel, after sufficiently reviewing all evidence, may include, but not be limited to, the following:
 - a. Upholding all parts of the original evaluation.
 - b. Voiding the original evaluation or parts of it.
 - c. Ordering a new evaluation by a second certified employee who shall be a trained evaluator.
10. The chairperson of the Panel shall present the Panel's decision to the evaluatee, evaluator, and the Superintendent within fifteen (15) working days from the date the appeal is filed.
11. The Superintendent may take appropriate action consistent with the Panel's decision.
12. The Panel's decision and the original summative evaluation form shall be placed in the employee's evaluation file. In the case of a new evaluation, both evaluations shall be included in the employee's personnel file.
13. The Panel's decision may be appealed to the Kentucky Board of Education based on grounds and procedures contained in statute and regulation.

Review/Revised:

- CERTIFIED PERSONNEL -**Confidentiality of Records**

Personnel evaluation records, specifically the personnel evaluation folder and its contents, will be kept as a part of the employee's personnel file and will be treated as confidential as required by law. During an appeal/hearing, evaluation records will be kept in a secure location designated by the Superintendent.

ACCESSIBILITY

Evaluation records will be accessible only to:

1. Members of the District Evaluation Appeals Panel when an employee has appealed his/her summative evaluation to the Panel.
2. Administrators who supervise, or share the supervision of, the evaluatee. Generally, these administrators will include the Principal/Assistant Principal in the evaluatee's building, the Superintendent, and other District-level administrative staff members, as designated by the Superintendent.
3. The Board on advice of legal counsel and upon a majority vote when access to the information is required for lawful District purposes. Access may be permitted without a vote when such records are relevant and necessary to hearing matters or proceedings before the Board such as in the case of a demotion hearing under KRS 161.765. Except as otherwise required or authorized by law, access shall take place in closed session.
4. Records may be subpoenaed in cases where litigation occurs.

REFERENCES:

KRS 61.878
KRS 156.557
KRS 161.765
704 KAR 3:370

RELATED PROCEDURE:

03.18 AP.11

Review/Revised:

- CERTIFIED PERSONNEL -**Evaluation Appeal Form****INSTRUCTIONS**

This form is to be used by certified employees who wish to appeal their performance evaluations to the Appeal Panel.

Employee's Name _____		
Home Address _____		
Job Title _____	Building _____	Grade or Department _____

What specifically do you object to or why do you feel you were not fairly evaluated? _____

If additional space is needed, attach extra sheet.

Date you received the summative evaluation _____

Name of Evaluator _____ Date _____

I hereby give my consent for my evaluation records to be presented to the members of the Evaluation Appeal Panel for their study and review.

Employee's Signature *Date*

RELATED PROCEDURES:

03.18 AP.11

03.18 AP.12

Review/Revised:

-CERTIFIED PERSONNEL-**Evaluation Committee/Evaluators and Observers****EVALUATION COMMITTEE**

An Evaluation Committee consisting of an equal number of teachers and administrators shall develop the certified evaluation plan, the personnel evaluation procedures and forms meeting all requirements of the Kentucky Framework for Personnel Evaluation.

TRAINING AND TESTING OF EVALUATORS

In meeting the evaluation requirements of KRS 156.557 and 704 KAR 3:370, evaluators shall be trained, tested, and approved according to the District's certified evaluation plan.

Evaluator training shall include:

- a) Initial certified evaluation training and testing provided by the Kentucky Department of Education or provider approved by the Department;
- b) Training on KRS 156.557 and 704 KAR 3:370;
- c) Training in effective observation and conferencing techniques, in providing clear and timely feedback, in establishing and assisting with a professional growth plan, and in summative decision techniques; and
- d) A minimum of six (6) hours annually of personnel evaluation system training approved by the Instructional Leadership Improvement Act established in 704 KAR 3:325.

TRAINING AND TESTING OF OBSERVERS

The District certified evaluation plan may require the use of additional trained administrative personnel to observe and provide information to the evaluator. Peer observations may be used as a source of evidence only if requested by the teacher or other professional and would be used to inform summative ratings.

The District shall require authorized peer observations be performed by individuals who are trained in peer observation techniques and responsibilities prior to the first such observation. Peer observation training shall include training in effective observation and conferencing techniques and the roles and responsibilities of peer observers, evaluatees, and certified school personnel.

Review/Revised:

- CERTIFIED PERSONNEL -**Professional Development****PROGRAM TO BE PROVIDED**

The Board shall provide a high quality, personalized, and evidence based professional development (PD) program that meets the goals established in KRS 158.6451, the Every Student Succeeds Act (ESSA), and in the local needs assessment. At the direction of the Superintendent or designee and in conjunction with each school, the PD coordinator shall facilitate the development and implementation of this program for all certified employees. Programs may also include classified staff and parent members of school councils and committees.

The PD program for the District and each school shall be incorporated into the Comprehensive School/District Improvement Plan. Prior to the implementation of the program, the school PD plan shall be made public, and the District PD plan shall be posted to the District web site.

The program shall be based on a Board-approved PD plan for the District, which is designed;

1. to help achieve student capacities established by KRS 158.645 and goals established by KRS 158.6451;
2. to support the District's mission, goals and assessed needs; and
3. to increase teachers' understanding of curriculum content and methods of instruction appropriate for each content area based on individual school plans.

The PD plan shall reflect individual needs of schools and be aligned with the Comprehensive School/District Improvement Plan, ESSA requirements, and teacher growth plans.

ACTIVE SHOOTER SITUATIONS

By November 1, annually, a minimum of one (1) hour of training on how to respond to an active shooter situation shall be required for all District employees with job duties requiring direct contact with students. The training shall be provided either in person, by live streaming, or via a video recording prepared by the Kentucky Department of Criminal Justice Training in collaboration with the Kentucky Law Enforcement Council, the Kentucky Department of Education, and the Center for School Safety and may be included in the four (4) days of professional development under KRS 158.070. When a staff member subject to the training requirements of this subsection is initially hired after the training has been provided for the school year, the District shall provide materials on how to respond to an active shooter situation.

SCHOOL RESPONSIBILITIES

Each school shall plan professional development with the PD coordinator and, when appropriate, with other schools to maximize training opportunities. In addition, each school's PD plan shall be submitted to the Board for review and comment.

Professional Development**DOCUMENTATION**

The school/District PD plan shall include the method for evaluating impact on student learning and using evaluation results to improve professional learning.

Documentation of completed professional development, including a written evaluation, shall be required. Unless an employee is granted leave under an appropriate Board policy, failure to complete and document the required hours of professional development during the academic year shall result in a reduction in salary and may be reflected in the employee's evaluation.

REFERENCES:

KRS 156.095; KRS 156.553
KRS 158.070; KRS 158.645; KRS 158.6451; KRS 160.345
704 KAR 3:035; 704 KAR 3:325
P. L. 114-95 (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.1911; 09.22

Adopted/Amended:
Order #:

- CERTIFIED PERSONNEL -**Professional Development****DEFINITIONS**

Professional development is defined as professional learning that is an individual and collective responsibility, that fosters shared accountability among the entire education workforce for student achievement, and:

1. Aligns with Kentucky Academic Standards in 704 KAR 3:303, educator effectiveness standards, individual professional growth goals, and school, district, and state goals for student achievement;
2. Focuses on content and pedagogy, as specified in certification requirements, and other related job-specific performance standards and expectations;
3. Occurs among educators who share responsibility for student growth;
4. Is facilitated by school and district leaders, including curriculum specialists, principals, instructional coaches, competent and qualified third-party facilitators, mentors, teachers or teacher leaders;
5. Focuses on individual improvement, school improvement, and plan implementation; and
6. Is on-going.

Professional development program means a sustained, coherent, relevant, and useful professional learning process that is measurable by indicators and provides professional learning and ongoing support to transfer that learning to practice.

Every Student Succeeds Act of 2015 (ESSA) defines professional development as activities that are an integral part of school and local educational agency strategies for providing educators with the knowledge and skills necessary to enable students to succeed in a well-rounded education and to meet the challenging State academic standards; and that are sustained (not stand-alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused.

PROFESSIONAL DEVELOPMENT PROGRAM

The school and District, under the direction of the Professional Development Coordinator (PDC), shall develop and implement plans of continuing professional development. The plans shall include, but not be limited to, the following components:

1. A clear statement of the school or District mission;
2. Evidence of representation of all persons affected by the Professional Development plan;
3. A needs assessment analysis;
4. PD objectives that are focused on the school or District mission, derived from needs assessment, and that specify changes in educator practice needed to improve student achievement; and
5. A process for evaluating impact on student learning and improving professional learning, using evaluation results.

Professional development activities shall be in accordance with federal guidelines and Kentucky State Regulation.

Professional Development**CERTIFIED STAFF RESPONSIBILITIES**

In addition to job-embedded professional learning included in the Professional Development Plan, it is the responsibility of each full-time certified staff member to complete the twenty-four (24) hours of professional development required in the District calendar. Part-time employees shall complete the appropriate portion of the twenty-four (24) hours.

NEW TEACHER ORIENTATION

Prior to the opening of school all teachers new to the District shall be required to attend an orientation session to acquaint new personnel with Board policies, administrative procedures, Central Office staff, and the Principal(s) to whom they are assigned. The Superintendent/designee will be responsible for the program and all arrangements.

REQUIREMENT MUST BE FULFILLED

Professional development is ongoing. However the twenty-four (24) hours required by statute must be fulfilled by May 1 of each year. If it is not, repayment for the appropriate hours will be deducted from the individual's paycheck.

It is the responsibility of the individual to provide appropriate documentation for all completed professional development. Internal offerings are documented by sign-in sheets. For activities outside the District, it is the responsibility of the individual to obtain the appropriate form prior to attendance, have it completed and return it to the PDC. Registration costs, meals, and mileage are the responsibility of the individual unless supplemental funds are provided by another source.

RELATED PROCEDURES:

03.125 AP.21

03.19 AP.21

Review/Revised:

- CERTIFIED PERSONNEL -**Professional Meeting Request**

Employee's Name _____ Date of Request _____

School/Location _____

Name of Conference/Workshop _____

Date(s) of Workshop _____ Time(s) of Workshop _____

Rationale for Attendance: _____

ARE YOU REQUESTING PROFESSIONAL DEVELOPMENT CREDIT? ☐ YES ☐ NOHas the credit been approved by the Professional Development Coordinator/Committee? ☐ Yes ☐ No**ARE YOU REQUESTING INSTRUCTIONAL LEADERSHIP CREDIT?** ☐ YES ☐ NOHas the credit been approved by Superintendent/designee? ☐ Yes ☐ No**WILL YOU BE PARTICIPATING AS A CONSULTANT?** ☐ YES ☐ NOIf yes, will you be paid for your services? ☐ Yes ☐ No**HOW WILL YOU SHARE INFORMATION GAINED WITH COLLEAGUES?** __________

*Superintendent/designee's Signature*_____
Date

* PERSONNEL REQUESTING APPROVAL FOR ATTENDANCE AT PROFESSIONAL MEETINGS THAT REQUIRE EXPENSE REIMBURSEMENT MUST COMPLETE THE TRAVEL REQUEST FORM, 03.125 AP.21 AND SUBMIT THE COMPLETED FORM TO THE SUPERINTENDENT/DESIGNEE FOR APPROVAL PRIOR TO ATTENDANCE/REGISTRATION.

* AFTER ATTENDING PROFESSIONAL MEETINGS, PERSONNEL MUST COMPLETE THE TRAVEL EXPENSE VOUCHER, 03.125 AP.22 AND SUBMIT THE COMPLETED VOUCHER AND ALL REQUIRED RECEIPTS TO THE SUPERINTENDENT/DESIGNEE FOR REIMBURSEMENT OF EXPENSES.

RELATED PROCEDURES:

03.125 AP.21; 03.125 AP.22

Review/Revised:

District Training Requirements**SCHOOL YEAR:** _____

This form may be used to track completion of local and state employee training requirements that apply across the District and maintain a record for the information of the Superintendent and Board.

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
District planning committee members.		01.111			✓	
Board member training hours.	KRS 160.180; 702 KAR 1:115; 701 KAR 8:020	01.83			✓	
Superintendent training program to be completed within two (2) years of taking office.	KRS 160.350	02.12			✓	
Certified Evaluation Training.	KRS 156.557; 704 KAR 3:370	02.14/03.18	✓		✓	
Supervisors shall receive appropriate training to equip them to meet the standards of Personnel Management.		02.3			✓	
All School Resource Officers (SROs) shall successfully complete forty (40) hours of annual in service training that has been certified or recognized by the Kentucky Law Enforcement Council for SROs.	KRS 158.4414	02.31			✓	
Council member training hours.	KRS 160.345	02.431			✓	
Employees authorized to use Criminal History Record Information (CHRI) will complete Security Awareness Training via Criminal Justice Information Services (CJIS)	KRS 160.380	03.11 AP.2521			✓	
Initial/follow-up training for coaches of interscholastic athletic activities or sports.	KRS 160.445; KRS 161.166; KRS 161.185; 702 KAR 7:065	03.1161 03.2141 09.311			✓	
Asbestos Containing Building Material (ACBM), Lockout/Tagout and personal protective equipment (PPE) training for designated employees.	40 C.F.R. Part 763 401 KAR 58:010 803 KAR 2:308 OSHA 29 C.F.R. 1910.132 29 C.F.R. 1910.147 29 C.F.R. 1910.1200	03.14/03.24			✓	
Bloodborne pathogens.	OSHA 29 C.F.R. 1910.1030	03.14/03.24		✓		
Behaviors prohibited/required reporting of harassment/discrimination.	34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Guidance	03.162/03.262		✓		

District Training Requirements

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
Title IX Sexual Harassment	34 C.F.R. § 106.45	03.1621/03.2621/09.428111		✓		
Teacher professional development/learning.	KRS 156.095	03.19	✓			
Active Shooter Situations.	KRS 156.095	03.19/03.29			✓	
Instructional leader training.	KRS 156.101	03.1912			✓	
The Superintendent shall develop and implement a program for continuing training for selected classified personnel.		03.29			✓	
Training of the instructional teachers' aide with the certified employee to whom s/he is assigned.	KRS 161.044	03.5			✓	
Orientation materials for volunteers.	KRS 161.048	03.6			✓	
Integrated Pest Management (7a) Certification.	302 KAR 29:060	05.11			✓	
Training for designated personnel on use and management of equipment.		05.4			✓	
Automated external defibrillators (AEDs), training on use of such.	KRS 158.162 KRS 311.667	03.1161/03.2241 05.4/09.311/09.224			✓	
School Safety Coordinator (SSC) training program developed by the Kentucky Center for School Safety (KCSS) School Principal training on procedures for completion of the required school security risk assessment.	KRS 158.4412	05.4			✓	
Fire drill procedure system.	KRS 158.162	05.41		✓		
Lockdown drill procedure system.	KRS 158.162 KRS 158.164	05.411		✓		
Severe Weather/Tornado drill procedure system.	KRS 158.162 KRS 158.163	05.42		✓		
Earthquake drill procedure system.	KRS 158.162 KRS 158.163	05.47		✓		
First Aid and Cardiopulmonary Resuscitation (CPR) Training.	702 KAR 5:080	06.221			✓	
Annual in-service school bus driver training.	702 KAR 5:030	06.23			✓	
Designated training for School Nutrition Program Directors and food service personnel.	KRS 158.852 7 C.F.R. §210.31	07.1 07.16			✓	
Teachers of gifted/talented students required training on identifying and working with gifted/talented students. All other personnel working with gifted students shall be prepared through appropriate professional development to address the individual needs, interests, and abilities of the students.	704 KAR 3:285	08.132	✓		✓	

District Training Requirements

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
KDE to provide training to address the characteristics and instructional needs of students at risk of school failure and most likely to drop out of school.	KRS 156.095	08.141	✓		✓	
Student training on appropriate online behavior on social networking sites and cyberbullying awareness and response.	47 U.S.C. 254/Children's Internet Protection Act; 47 C.F.R. 54.520	08.2323			✓	
Confidentiality of student record information.	34 C.F.R. 300.623	09.14		✓		
Student suicide prevention training: Minimum of one (1) hour in-person, live stream, or via video recording every year including the recognition of signs and symptoms of possible mental illness. New hires during off year to receive suicide prevention materials to review. [Employees with job duties requiring direct contact with students in grades six (6) through twelve (12).]	KRS 156.095; KRS 158.070	09.22			✓	
At least one (1) hour of self-study review of seizure disorder materials required for all principals, guidance counselors, and teachers by July 1, 2019, and for all principals, guidance counselors, and teachers hired after July 1, 2019.	KRS 158.070	09.22			✓	
Training for school personnel authorized to give medication.	KRS 158.838 KRS 156.502 702 KAR 1:160	09.22 09.224 09.2241			✓	
Training on employee reports of criminal activity.	KRS 158.148; KRS 158.154; KRS 158.155; KRS 158.156; KRS 620.030	09.2211		✓		
Personnel training on restraint and seclusion and positive behavioral supports.	704 KAR 7:160	09.2212		✓	✓	
Personnel training child abuse and neglect prevention, recognition, and reporting.	KRS 156.095	09.227	✓		✓	
Age appropriate training for students during the first month of school on behaviors prohibited/required reporting of harassment/discrimination.	34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Guidance	09.42811			✓	

District Training Requirements

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
Training to build capacity of staff and administrators to deliver high-quality services and programming in the District's Alternative Education Program.	704 KAR 19:002	09.4341			✓	
Student discipline code.	KRS 158.148; KRS 158.156; KRS 158.444; KRS 525.070; KRS 525.080	09.438		✓		
Intervention and response training on responding to instances of incivility.		10.21		✓		
Training for Supervisors of Student Teachers.	16 KAR 5:040				✓	
Career Tech – If funds available, High School teachers to receive training regarding embedding reading, math, and science in career tech courses.	KRS 158.818				✓	
Committee for Mathematics Achievement – training for teachers based on available funds.	KRS 158.832		✓			
KDE to provide or facilitate statewide training for teachers and administrators regarding content standards, integrating performance assessments, communication, and higher order thinking.	KRS 158.6453 (SB 1)		✓			
Grants regarding training for state-funded community education directors.	KRS 160.156				✓	
Local Board to develop and implement orientation program for adjunct instructors.	KRS 161.046				✓	
KDE shall provide technical assistance and training for multi-tiered system of supports upon District request.	KRS 158.305				✓	

THIS IS NOT AN EXHAUSTIVE LIST – CONSULT OSHA/ADA AND BOARD POLICIES FOR OTHER TRAINING REQUIREMENTS.

For training provided in person, participants should sign in at the end of the meeting to document their attendance. The sign-in sheet shall be maintained in paper or electronic format as required by the Kentucky Records Retention/Public School District Schedule.

Review/Revised:

- CERTIFIED PERSONNEL -**Professional Meetings****DEFINITION**

Professional meeting shall refer to any meeting that is not included in the school/District professional development plan and that relates to the condition, improvement and/or operation of the schools or any meeting held by a professional education organization, which specifically addresses job efficiency, safety or performance.

AUTHORIZATION TO ATTEND

Employees shall obtain prior authorization to attend professional meetings as specified by council policy and District procedures. The requesting employee shall submit a written application to attend the meeting, with or without pay and/or expense reimbursement, to the Principal/immediate supervisor, who shall forward approved requests to the Superintendent/designee.

Approval of the Superintendent/designee shall be contingent on:

1. Whether the meeting meets the definition established by this policy;
2. Skills required by the employee's job description or goals of his/her growth plan; and
3. Availability of funds and substitutes.

EXPENSES

Expenses for school-based employees to attend professional meetings, including the cost of substitutes, shall be paid from the school's allocated funds, except when attendance is requested or required by the Superintendent/designee.

REFERENCES:

KRS 156.190, KRS 156.095, KRS 160.345, KRS 160.410
702 KAR 3:246

RELATED POLICIES:

03.125
03.19

Adopted/Amended:
Order #:

PERSONNEL

03.1911 AP.1

- CERTIFIED PERSONNEL -

Professional Leave Requests

(Vacant)

Review/Revised:

- CERTIFIED PERSONNEL -**Instructional Leadership Program**

Instructional leaders, as defined by the Educational Professional Standards Board (EPSB), shall participate in a continuing intensive training program designed especially for instructional leaders.

REQUIRED HOURS

Each school year an instructional leader shall complete no less than twenty-one (21) participant hours in an intensive training program approved by the Kentucky Board of Education. As required by Kentucky Administrative Regulation, the District shall report the name of any instructional leader who fails to complete the required twenty-one (21) hours of training.¹

PROBATION

Failure to participate in the required training shall result in a one-year probation. Those instructional leaders who fail to complete the training hours for the prior year and the current year during the probationary period shall have their administrative certificates revoked by the Education Professional Standards Board.²

REFERENCES:

¹KRS 156.101

²704 KAR 3:325

704 KAR 3:035

Adopted/Amended:

Order #:

-CLASSIFIED PERSONNEL-**Classified Personnel****DEFINITION**

Classified personnel are all those employees who hold positions not requiring teacher certification.¹

SUBSTITUTE EMPLOYEES

Solely for purposes of the County Employees Retirement System, substitute employees shall serve a probationary period not to exceed twelve (12) months during which they shall not participate in CERS.

REFERENCES:

¹KRS 161.011 (1)
KRS 78.510
KRS 78.615
702 KAR 1:035

RELATED POLICY:

03.273

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Hiring****SUPERINTENDENT'S RESPONSIBILITIES**

All appointments, promotions, and transfers of classified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes.

EFFECTIVE DATE

Personnel actions shall not be effective until the employee receives written notice of such action from the Superintendent.

CRIMINAL BACKGROUND CHECK AND TESTING

Applicants and employees shall undergo records checks and testing as required by applicable statutes and regulations.^{1&2} Bus drivers and applicants requiring a Commercial Driver's License (CDL) must undergo additional background and substance use checks per Board Policy 06.221.

Each application form provided by the employer to an applicant for a classified position shall conspicuously state the following:

"FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND A LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT HAS NO ADMINISTRATIVE FINDINGS OF CHILD ABUSE OR NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET FOR HEALTH AND FAMILY SERVICES."

Initial employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have an administrative finding of child abuse or neglect in records maintained by the Cabinet.

"Administrative finding of child abuse or neglect" means a substantiated finding of child abuse or neglect issued by the Cabinet for Health and Family Services that is:

1. Not appealed through an administrative hearing conducted in accordance with KRS Chapter 13B;
2. Upheld at an administrative hearing conducted in accordance with KRS Chapter 13B and not appealed to a Circuit Court; or
3. Upheld by a Circuit Court in an appeal of the results of an administrative hearing conducted in accordance with KRS Chapter 13B.¹

Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender.

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

Link to DPP-156 Central Registry Check and more information on the required CA/N check:

<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx>

Criminal records checks on persons employed in Head Start programs shall be conducted in conformity with 45 C.F.R. § 1302.90.

REPORT TO SUPERINTENDENT

An employee shall report to the Superintendent if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal.

EDUCATIONAL REQUIREMENTS

No person shall be initially hired unless s/he holds at least a high school diploma or high school certificate of completion or High School Equivalency Diploma or is provided an opportunity by the District upon employment to obtain a High School Equivalency Diploma at no cost to the employee. Licenses or credentials issued by a government entity that require specialized skill or training may also substitute for this requirement. Employees shall hold the qualifications for the position as established by the Commissioner of Education.³

☐ Existing and new paraprofessionals who provide instructional service or support in programs supported by Title I funds ☐ All paraprofessionals shall satisfy educational requirements specified by federal law.⁴

JOB REGISTER

The Superintendent or the Superintendent's designee shall maintain in the Central Office a job register listing all current job openings in the District. The register shall describe the duties and qualifications for each opening, and District employment policies shall be attached to the register. The job register shall be open to public inspection during Central Office business hours.

VACANCIES POSTED

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted in the Central Office and in each school building on a timely basis and shall refer interested persons to the Central Office job register for additional information.

REVIEW OF APPLICATIONS

Under procedures developed by the Superintendent, each application shall be reviewed and each applicant so notified. Applications for candidates not employed shall be retained for three (3) years.

HIRING RELATIONSHIPS

The Superintendent shall not employ a relative of a member of the Board. A relative may be employed as a substitute for a certified or classified employee if the relative is not:

Hiring**HIRING RELATIONSHIPS (CONTINUED)**

1. A regular full-time or part-time employee of the District;
2. Accruing continuing contract status or any other right to continuous employment;
3. Receiving fringe benefits other than those provided other substitutes; or
4. Receiving preference in employment or assignment over other substitutes.¹

A relative of the Superintendent shall not be employed except as provided by KRS 160.380.¹

EMERGENCY HIRING

During emergency situations, job openings may be filled without listing in the job register or posting in District buildings.

JOB DESCRIPTION

All employees shall receive a copy of their job description and responsibilities.

CONTRACT

All regular full-time and part-time employees shall receive a contract.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

Each year, all full-time and part-time classified employees, including substitutes, shall be notified in writing by the last day of school if they have reasonable assurance of continued employment for the following school year.

Classified employees assigned extra duties such as coaching shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.

EMPLOYEES SEEKING A JOB CHANGE

Other than the routine transmission of administrative and personnel files, District employees are prohibited from assisting a school employee, contractor, or agent in obtaining a new job if the individual knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law and such school employee, contractor, or agent does not meet the exceptions outlined in 20 U.S.C. § 7926.

Hiring

REFERENCES:

¹KRS 160.380
²702 KAR 5:080
³KRS 161.011
⁴P. L. 114-95, (Every Student Succeeds Act of 2015)
20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)
34 C.F.R. § 200.58; 45 C.F.R. § 1302.90
49 C.F.R. § 382.701; 49 C.F.R. § 382.703
KRS Chapter 13B
KRS 17.160; KRS 17.165; KRS 156.070; KRS 160.345; KRS 160.390
KRS 335B.020; KRS 405.435
OAG 18-017; OAG 91-10; OAG 91-149; OAG 91-206
OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6
Kentucky Local District Classification Plan
13 KAR 3:030; 702 KAR 3:320
Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244
03.232; 03.27; 03.5; 06.221

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -

Hiring

See Procedure 03.11 AP.1 for the recruitment, selection, and employment process for all personnel hired by the District.

RELATED PROCEDURE:

03.11 AP.1

Review/Revised:

- CLASSIFIED PERSONNEL -

Job Vacancy Notice

To: Superintendent/designee

From: _____ **Date:** _____

SCHOOL/DEPARTMENT: _____

CLASSIFICATION OF JOB TO BE POSTED: _____

CLASS CODE, IF APPLICABLE _____ **HOURS PER DAY** _____ **DAYS PER YEAR** _____

STARTING DATE: _____ **RATE OF PAY:** _____

CHECK ONE: ☐ FULL-TIME ☐ PART-TIME ☐ FLEX ☐ TEMPORARY

IS THIS A NEW POSITION? ☐ YES ☐ NO

JOB REQUIREMENTS: _____

APPLICATION DEADLINE: _____

(Unless otherwise noted, all classified positions shall be posted in accordance with policy 03.21.)

ADDITIONAL INFORMATION: _____

All requests for job vacancy postings must be submitted in writing on this form to the Superintendent/designee.

Signature: _____ **Date:** _____

The Board of Education does not discriminate on the basis of race, color, national origin, age, religion, sex, genetic information, limitations due to pregnancy, childbirth, or related medical conditions, or disability in employment, educational programs or activities.

Review/Revised:

- CLASSIFIED PERSONNEL -

Application Evaluation

NAME OF APPLICANT _____ POSITION _____

The Superintendent/designee shall:

1. rate the application.
2. determine the need for further action based on the outcome of the application evaluation.
3. sign and date the application evaluation document.
4. file the application evaluation in the applicant's folder located in the Central Office.

Professional Improvement/In-Service		
Strongly related to position	5 points	
Moderately related to position	4 points	
Somewhat related to position	3 points	
Not related/no experience	0 points	
TOTAL		

COMMENTS/SUGGESTIONS: _____

Work Experience		
Experience strongly related to position	5 points	
Experience somewhat related to position	4 points	
Unrelated experience	3 points	
No experience	0 points	
TOTAL		

COMMENTS/SUGGESTIONS: _____

References		
Majority are superior	5 points	
Majority are excellent	4 points	
Majority are good	3 points	
Majority are poor	0 points	
TOTAL		

TOTAL SCORE _____

COMMENTS/SUGGESTIONS: _____

OTHER RELEVANT QUALIFICATIONS, AS SPECIFIED _____

*Signature of Evaluator*_____
Date

Review/Revised:

PERSONNEL

03.21 AP.23

- CLASSIFIED PERSONNEL -

Interview Evaluation

NAME OF APPLICANT _____ **POSITION** _____

Rating Description - 1) Unsatisfactory 2) Barely Satisfactory 3) Satisfactory Performance 4) Better Than Average Performance 5) Superior Performance

		1	2	3	4	5
1.	Stability - Demonstrates maturity and ability for the position					
2.	Attitude Toward Work - Appears to be dedicated to and enthusiastic, positive, and creative toward the demands of the position					
3.	Attitude Toward Schools - Displays a willingness to cooperate with parents and resource people					
4.	Attitude Toward Community Relations - Projects positive attitude toward promoting the school programs within the community					
5.	Ability to Relate to Students - Has ability to work successfully with students, as required					
6.	Student Management, where applicable - Demonstrates effective discipline, as necessary					
7.	Attitude Toward School Activities, where applicable - Demonstrates a willingness to support school activities in his/her work					
8.	Personal Appearance - Is well-groomed and dresses appropriately for the position					
9.	Communication Skills - Communicates effectively					
Total Points						

Length of Interview _____

Interviewer's Signature/Date _____

COMMENTS/SUGGESTIONS

Review/Revised:

- CLASSIFIED PERSONNEL -

Application/Interview Summary

POSITION _____ DATE _____

Applicant’s Name	Application Evaluation Score	Interview Evaluation	Required certificates, licenses, etc., where applicable	Comments/Recommendations

RELATED PROCEDURES:

03.21 AP.22; 03.21 AP.23

Review/Revised:

Verification of Employment

See existing Procedure 03.11 AP.242, Verification of Employment form.

Review/Revised:

- CLASSIFIED PERSONNEL -

Recommendation for Employment

To: Superintendent/designee

From: _____ **Date:** _____

SCHOOL/DEPARTMENT: _____

NAME OF APPLICANT: _____

ADDRESS OF APPLICANT: _____

CLASSIFICATION: _____

CLASS CODE, IF APPLICABLE _____ **HOURS PER DAY** _____ **DAYS PER YEAR** _____

STARTING DATE: _____ **RATE OF PAY:** _____

CHECK ONE: ☐ **FULL-TIME** ☐ **PART-TIME** ☐ **FLEX** ☐ **TEMPORARY**

IS THIS AN ITINERANT POSITION? ☐ **YES** ☐ **NO**

IS THIS APPLICANT CURRENTLY EMPLOYED BY THE DISTRICT? ☐ **YES** ☐ **NO**

ADDITIONAL INFORMATION: _____

All employment recommendations must be submitted on this form. Please return to the Superintendent/designee at the Central Office.

Signature: _____ **Date:** _____

The Board of Education does not discriminate on the basis of race, color, national origin, age, religion, sex, genetic information, limitations due to pregnancy, childbirth, or related medical conditions, or disability in employment, educational programs or activities.

Review/Revised:

Criminal Records Release Authorization

See existing Procedure 03.11 AP.252 for Criminal Records Release Authorization.

RELATED PROCEDURE:

03.11 AP.252

Review/Revised:

Criminal History Record Information

See existing Procedure 03.11 AP.2521 for Criminal History Record Information.

RELATED PROCEDURE:

03.11 AP.2521

Review/Revised:

Driving Records Release Authorization

See existing Procedure 03.11 AP.253 for Driving Records Release Authorization.

RELATED PROCEDURE:

03.11 AP.253

Review/Revised:

Driving Record Violations and Personnel Actions**NEW/RETURNING SCHOOL BUS DRIVERS**

The District shall perform a driving history check on school bus drivers prior to initial employment and after a break in service (excluding summers). Decisions to employ or re-employ an individual shall be contingent on receipt of records revealing no driving history convictions that would, as determined by the Superintendent, affect the individual's ability to perform the job. Driver applicants and current drivers are subject to checks of the Federal Motor Carrier Safety Administration Clearinghouse (FMCSA) and related rules as described in Policy 06.221.

A person shall not be employed as a school bus driver if convicted within the past five (5) years of driving a motor vehicle under the influence or driving while intoxicated.

CURRENT EMPLOYEES

Current bus drivers shall undergo driving records checks at intervals determined by Board policy. Those whose driving record checks reveal the following violations are subject to appropriate disciplinary action, up to and including, termination/nonrenewal.

1. Speeding/major - speeding more than sixteen (16) miles per hour faster than the speed limit within the last two (2) years;
2. Speeding/minor – speeding less than sixteen (16) miles faster than the speed limit more than once within the last two (2) years;
3. Collision resulting in a citation being issued to applicant for being at fault;
4. Under the influence of alcohol or any illegal drugs while on duty or with remaining driving responsibilities that same day;
5. Revocation of driver's license;
6. Conviction for driving under the influence (DUI) or driving while intoxicated (DWI);
7. Conviction for reckless driving;
8. Citation for any moving motor vehicle violation including driving under the influence (DUI) or driving while intoxicated (DWI) and reckless driving;
9. Citation for violation of state or local law governing motor vehicle traffic control other than a parking violation;
10. Conviction for a felony sex crime or as a violent offender as defined in KRS 17.165;
11. Failure to notify the Superintendent if the classified employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal; or
12. Other criminal or moving vehicle violation, as determined by Superintendent/ designee to bear a reasonable relationship to the ability of the individual to perform the job.

NOTE: 702 KAR 5:080 requires school bus drivers to immediately report to the Superintendent/designee any violations falling under points five through nine (5-9) above.

Review/Revised:

- CLASSIFIED PERSONNEL -**Letter of Intent****ANNUAL SURVEY**

Each employee must complete the following Letter of Intent signifying his/her desire to be reemployed for the coming school year and return it to the building Principal/designee, who will forward it to the Superintendent/designee, as appropriate. This should be completed by

- ☐ March 1
- ☐ March 15
- ☐ April 1

DISTRICT SUPERINTENDENT/DESIGNEE:

I understand that employment in the district is for the contract period only and that completion of this document does not guarantee re-employment in the district.

However, to assist in staffing preparations for the _____ school year, I hereby notify the District of the following:

- ☐ I plan to be available for employment for the next contract year.
- ☐ I do not plan to be available for employment for the next contract year.

Employee's Signature

Date

Review/Revised:

- CLASSIFIED PERSONNEL -**Medical Examination****BUS DRIVERS**

As a condition of employment, each school bus driver, including substitute drivers, shall pass a medical examination on initial employment and every two (2) years thereafter in accordance with KRS 281A.175, 702 KAR 5:030, and 702 KAR 5:080.

Before being allowed to drive a bus, the driver must be free of any medical condition which could endanger the health or safety of students in the performance of duties.

OTHER NEWLY EMPLOYED CLASSIFIED PERSONNEL

As a condition of initial employment, all classified employees (except bus drivers), including substitute employees, shall pass a medical examination as indicated in 702 KAR 1:160. The examination shall be provided by a licensed physician, physician assistant (PA), or Advanced Practice Registered Nurse designated by the Board. If the employee elects to be examined by a private practitioner, the cost of examination shall be borne by the employee.¹

REPORT REQUIREMENTS

Unless a new employee is hired after the beginning of the school year, examinations shall be conducted prior to August 1 of the school year in which the person is employed.

Medical examinations performed within a ninety (90)-day period prior to initial employment will be accepted.

The medical examination shall be reported on the form required by Kentucky Administrative Regulation or an electronic medical record that includes all of the data equivalent to that on the Medical Examination of School Employees form. A copy of the form or electronic medical record and a statement indicating the employee's medical status must be filed with the Superintendent prior to assuming assigned duties.

TUBERCULOSIS (TB) SCREENING/TESTING

Each medical examination shall include a risk assessment for TB as required by Kentucky Administrative Regulation. Individuals identified by that assessment as being at high risk for TB shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by 702 KAR 1:160. A person who tests positive for TB shall be required to comply with the directives of the Board, local board of health and the Kentucky Department for Public Health, Cabinet for Health and Family Services, for further evaluation and treatment of the TB infection.^{1, 2 & 3}

REQUIRED EXAMINATION FOR PRESENT PERSONNEL

When, in the opinion of the Superintendent, there is evidence that an employee is no longer able to perform satisfactorily the assigned duties because of health problems or when the employee poses a health threat to students or other employees, the Superintendent may, consistent with the Americans with Disabilities Act and the Family Medical Leave Act, require the employee to provide evidence of fitness in the form of an examination and report by a physician of the Superintendent's choosing. The Board shall bear the cost of this examination.³

Medical Examination**SCHOOL TO REPORT**

Local school authorities shall report immediately all known or suspected cases of communicable disease to the local health department. Diseases to be reported shall not include those considered confidential, such as HIV/AIDS, as set forth in Kentucky Administrative Regulation.²

MEDICAL CONFIDENTIALITY

Signed consent of the employee designating personnel to be informed shall be required before the Superintendent advises personnel of the employee's medical condition.

The Superintendent shall determine which employees are to have access to medical information. This determination shall be made on a need-to-know basis.

REFERENCES:

¹KRS 161.145; 702 KAR 5:080

²702 KAR 1:160; 902 KAR 2:020; KRS 214.181; KRS 214.625
702 KAR 5:030; KRS 281A.175

OAG 91-1

Genetic Information Nondiscrimination Act of 2008

Americans with Disabilities Act

Family Medical Leave Act of 1993

RELATED POLICIES:

³03.2234; 03.24

Adopted/Amended:
Order #:

Medical Examination Form

Medical examinations for District employees must be completed using the form required by Kentucky Administrative Regulation (“Medical Examination of School Employees”) or an electronic medical record that includes all of the data equivalent to that on the Medical Examination of School Employees form.

Review/Revised:

Request for Protected Health Information

See existing Procedure 03.111 AP.21 the form to use in requesting protected health information from health care providers.

RELATED PROCEDURE:

03.111 AP.21

Review/Revised:

- CLASSIFIED PERSONNEL -**Equal Employment Opportunity****NONDISCRIMINATION**

As required by Title IX, the District does not discriminate on the basis of sex regarding admission to the District or in the educational programs or activities operated by the District. Inquiries regarding Title IX Sexual Harassment may be referred to the District Title IX Coordinator (TIXC), the Assistant Secretary for Civil Rights, or both.¹

The Superintendent shall adhere to a policy of equal employment opportunity in all personnel matters. No person shall be subjected to discrimination in regard to employment, retention, promotion, demotion, transfer or dismissal because of race, color, religion, sex (including sexual orientation or gender identity), genetic information, national or ethnic origin, political affiliation, age, disabling condition, or limitations related to pregnancy, childbirth, or related medical conditions.²

INDIVIDUALS WITH DISABILITIES

No qualified person with a disability, as defined by law, shall, on the basis of the disability, be subject to discrimination in employment.³

District employment practices shall be in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

No human immunodeficiency virus (HIV) related test shall be required as a condition of hiring, promotion, or continued employment, unless the absence of HIV infection is a bona fide occupation qualification for the job in question as defined in KRS 207.135.

REASONABLE ACCOMMODATION

Employees who have a long-term or permanent disability may request the District supervisor to provide reasonable accommodations necessary for them to perform the essential duties of the position. If assistive technology is deemed necessary for an employee, every effort will be made to obtain that technology in a timely fashion. Medical information obtained as part of an employee request shall be confidential.⁴

The District shall engage in a timely, good faith and interactive process to determine reasonable accommodations for an employee's limitations related to pregnancy, childbirth, or related medical conditions. Reasonable accommodation shall be provided as required by law.

ADVISING EMPLOYEES

The Superintendent shall inform all school employees of the provisions of this policy.¹

Equal Employment Opportunity

REFERENCES:

¹34 C.F.R. § 106.8

²KRS 161.164; KRS Chapter 344; 42 U.S.C. 2000e, Civil Rights Act of 1964, Title VII

³29 U.S.C.A. 794

⁴29 U.S.C. section 1630.14

KRS 207.135

34 C.F.R. 104.3 - 104.14

Americans with Disabilities Act

Kentucky Education Technology System (KETS)

Section 504 of the Rehabilitation Act of 1973

Title IX of the Education Amendments of 1972

Genetic Information Nondiscrimination Act of 2008

Bostock v. Clayton County, Georgia 140 S.Ct. 1731 (2020)

RELATED POLICIES:

03.113; 03.1621; 03.233; 03.2621; 05.11

Adopted/Amended:

Order #:

- CLASSIFIED PERSONNEL –**Nonteaching Coaches and Assistant Coaches**

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a cardiopulmonary resuscitation (CPR) course that includes the use of an automated external defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.² All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.³

Nonfaculty coaches and nonfaculty assistants shall complete District training that includes information on the physical and emotional development of students of the age with which they will be working, the District's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.¹

REFERENCES:

¹KRS 161.185

²702 KAR 7:065

³KRS 158.162

KRS 156.070

KRS 160.445

KRS 161.180

RELATED POLICIES:

03.1161

09.311

Adopted/Amended:

Order #:

-CLASSIFIED PERSONNEL-

Compensation and Benefits

ESTABLISHMENT

The Board shall annually establish schedules for salaries and benefits for all classified personnel.

COBRA

At the time of initial employment an employee shall be given the first COBRA notification. Second notification and continuation of benefits shall be contingent upon the employee's notifying the district of a qualifying event.¹

REFERENCES:

- ¹Consolidated Omnibus Budget Reconciliation Act
- 26 CFR Part 1
- KRS 160.290 (1)

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Salaries****HOURLY OR SALARY BASIS**

All regular and substitute classified personnel shall be paid on an hourly or salary basis as established by the Board.

WORK DAY/WORK WEEK

The length of the work day shall be established for each position by the Board. The work week for hourly (non-exempt) employees shall not exceed forty (40) hours per week, unless overtime is authorized as provided by this policy.

QUALIFICATIONS

Employees shall be responsible for providing the Superintendent with all required certificates, other credentials, health examinations, and verifications of experience prior to beginning work.

DETERMINATION OF EXPERIENCE

Upon initial employment or transfer of a classified employee, the Superintendent shall determine experience credit to be granted from any previous employment consistent with applicable salary schedules adopted by the Board and, in the absence of the issue being addressed in such schedules, experience credit shall be determined as follows:

1. Previous experience in the District.

Credit for years of experience in one (1) classified position with the District will transfer with the employee when assuming another classified position within the District, if there is no break in employment.

2. Previous experience in an equivalent position in another school district.

Years of experience in an equivalent position may be transferred from another school district.

3. Previous private sector experience in a job of a similar nature.

In determining whether previous experience is applicable to a District position, similar experience shall refer to the essential functions, licensing/training requirements, and/or daily job responsibilities of the positions being similar.

PAYROLL DISTRIBUTION

Checks will be issued according to a schedule approved annually by the Board. The District shall furnish the employee with either a paper or electronic statement. If statements are provided electronically, employees shall be provided access to a computer and printer for review and printing of their statement.

At the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary prior to the end of the fiscal year.

PAYROLL DEDUCTION

The Board shall approve all payroll deductions as specified by KRS 161.158 and Board Policy 03.2211.

Salaries

OVERTIME

Overtime work shall be approved in advance by the Superintendent or designee. Hourly employees required to work in excess of forty (40) hours per week will be paid at the rate of 1½ times the regular rate for all hours beyond 40 as provided by law for overtime work.

REFERENCES:

KRS 78.615; KRS 160.291; KRS 161.011
KRS 337.070; KRS 337.285; KRS 424.120
702 KAR 3:320; 803 KAR 1:060, 803 KAR 1:070
Fair Labor Standards Act
Garcia v. San Antonio Metropolitan Transit Authority, 105 S.Ct. 1005 (1985)

RELATED POLICY:

03.2211

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Salaries****SALARY SCHEDULE DEVELOPED AND APPROVED**

The Board shall approve salary schedules for each category of classified personnel during or before the June Board meeting. These schedules shall be based on skills required, training, longevity, and supervisory responsibilities.

The substitute salary schedule shall be a per diem schedule but may be lower than the rate of pay for regular full-time employees. Checks shall be issued on pay dates designated in the schedule approved annually by the Board.

OFFICIAL WORK SCHEDULE

Each year the Superintendent shall develop a schedule of days worked for all employees and these are distributed to each administrator, who then notifies the classified employees under his/her supervision. No deviations shall be made from these work schedules without approval from the Central Office.

Holidays shall be established in the official school calendar. Eligibility for paid holidays shall be determined per policy 03.222.

Employees shall not be paid for:

- ☐ Scheduled lunch periods
- ☐ Overtime, unless approved in advance per policy 03.221
- ☐ Unapproved early arrivals/late departures
- ☐ Days when schools are closed for inclement weather or other emergencies, unless otherwise approved in advance by the Superintendent/designee
- ☐ Other, specify _____

SALARY FOR PERSONNEL WHO RESIGN

Classified personnel who resign during the contract period will be paid in full for the actual days worked during the pay period on the regular payday of the month following the resignation. Staff shall be paid only for those holidays occurring prior to resignation.

Review/Revised:

- CLASSIFIED PERSONNEL -**Compliance with FLSA Requirements**

IMMEDIATE SUPERVISORS AND OTHER STAFF RESPONSIBLE FOR MAINTENANCE OF RECORDS CONCERNING HOURS WORKED AND OVERTIME PAYMENTS MADE SHALL ADHERE TO THE FOLLOWING GUIDELINES.

- Place required FLSA posters in conspicuous places where non-exempt employees can readily see them. Posters may be obtained online at the following address:
<http://www.dol.gov/whd/resources/posters.htm>
- Require non-exempt employees to reflect *actual time worked* on their pay period timesheet, not hours *scheduled*. Certification of time worked shall be signed by both the employee and the immediate supervisor.
- Inform employees of policy 03.221 provisions concerning approval for working overtime, and implement provisions accordingly. Although the district cannot avoid paying for overtime worked without authorization, violation of policy provisions may serve as grounds for disciplinary action that will discourage recurring problems with unauthorized overtime.
- Assure that required breaks are twenty (20) minutes or more long in order for the time not to be compensable. Also, the lunch period must be duty free, or the employee must be compensated for the time.
- Train supervisory staff and bookkeepers regarding proper completion and retention of time records (All time records must be retained for at least the minimum amount of time set by federal regulation and document retention requirements).
- Minimize or avoid dual employment where the combined number of hours worked by one individual will exceed forty (40) hours per workweek. This may require examining the structure of after-school programs that are co-sponsored (or authorized by the district and are held on school property). When calculating overtime wages for an employee who holds two (2) jobs with the District that have different rates of pay, the correct calculation is one-and-one-half the weighted average of the two (2) rates.
- Carefully track hours non-exempt employees work at after-school events or school programs. Example: employees staying on after scheduled hours because they are taking tickets at an athletic event later in the day.
- Pay maintenance employees for overtime for actual hours worked, not on a “per call” basis (for example, in responding to a school alarm or emergency).
- Do not permit a non-exempt employee to “volunteer” for activities within the school, unless his or her child is involved *and* not if the activity is the same as the employee’s job, i.e., a bus driver ‘volunteering’ to drive for a school-sponsored trip for his/her child’s class.
- Request that the Superintendent/designee consult with the Board Attorney or other source about questions concerning FLSA compliance.

Review/Revised:

- CLASSIFIED PERSONNEL -

Personal Data FormNAME _____
Last First Middle Maiden

STREET ADDRESS _____ PHONE _____

CITY/STATE _____ ZIP _____

DATE OF BIRTH _____ SOCIAL SECURITY NUMBER _____

MARITAL STATUS (FOR TAX PURPOSES) _____

POSITION _____ WORK SITE _____

EMERGENCY CONTACT: NAME _____ PHONE # _____

NUMBER OF EXEMPTIONS DESIRED FOR TAX WITHHOLDING _____

Individuals who are employed after the first day of the school calendar or who are employed for less than the number of days required by law or the Board will be paid on the basis of their daily rate multiplied by the number of days worked during the payroll period.

LIST ANY APPLICABLE CERTIFICATION(S) FOR POSITION: _____

LIST ANY EXTRA SERVICE: _____

STARTING SALARY \$ _____ ENDING SALARY \$ _____

TRANSFERS _____

REMARKS _____

=====

NEW EMPLOYEES COMPLETE THE FOLLOWING

List below the names and addresses of all other systems in which you have previously worked:

Dates	Months Worked	Name of System	Address

Review/Revised:

- CLASSIFIED PERSONNEL -

Personnel Documents

EMPLOYEE'S NAME _____ POSITION/WORK SITE _____

REQUIREMENTS

Employment shall be contingent upon meeting all requirements (state and local) for the position. Employees shall provide the following documents to the Central Office.

- ☐ **HIGH SCHOOL DIPLOMA (OR HIGH SCHOOL EQUIVALENCY DIPLOMA FOR STAFF EMPLOYED AFTER 7/31/90.)** Licenses or credentials issued by a government entity that require specialized skill or training may also substitute for this requirement.
- ☐ **APPLICATION (INCLUDING REFERENCES, A LIST OF STATES OF FORMER RESIDENCE AND DATES OF RESIDENCY, AND PICTURE IDENTIFICATION)**
- ☐ **CERTIFICATION (I.E., CDL FOR BUS DRIVERS) OR LICENSURE, WHERE APPLICABLE**
- ☐ **SIGNED CONTRACT (WITH LETTER OF NOTIFICATION OF EMPLOYMENT)**
- ☐ **VERIFICATION OF EXPERIENCE:** Verification from each school district or the Kentucky Department of Education for which there is experience. (This must be on file before salary can be received based on that experience). Central Office personnel will write for verification after the names of the school districts have been provided.
- ☐ **HEALTH CERTIFICATION:** Each regular or substitute employee must have a medical examination, which shall include a tuberculin risk assessment, prior to initial employment, and proof shall be filed with the Central Office. Individuals identified as being at high risk for TB shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by 702 KAR 1:160. This form is required every two (2) years for school bus drivers. Drug testing results are required each year. Health certification records shall also include results from Hepatitis B vaccinations, if the position so requires.
- ☐ **MEMBERSHIP APPLICATION TO THE COUNTY EMPLOYEES' RETIREMENT SYSTEM:** Each regular full time classified employee must file a membership application with the County Employees' Retirement System if they are not already a member or if they have previously withdrawn their account.
- ☐ **TAX WITHHOLDING EXEMPTION CERTIFICATES:** Each employee is to complete a copy of Form K-4 (State) and Form W-4 (Federal) for their file. (New certificates must be completed any time the employee makes a change in the number of exemptions claimed or the amount to be deducted.)
- ☐ **CRIMINAL RECORDS CHECK FORM:** Required by state. Form will be mailed to the State Police by Central Office personnel. New classified employees must be fingerprinted at the Central Office.
- ☐ **LETTER FROM CABINET FOR HEALTH AND FAMILY SERVICES:** Applicants (hired on or after April 4, 2018) must provide a letter from the Cabinet for Health and Family Services stating that there are no administrative findings of child abuse or neglect on record.

Personnel Documents**REQUIREMENTS (CONTINUED)**

- ☐ **DRIVING RECORDS CHECK FORM:** Required by state for all bus drivers and by the District, if applicable, for other classified personnel. Form will be mailed by Central Office personnel to the Kentucky Transportation Cabinet, Division of Driver Licensing.
- ☐ **I-9 FORM:** Required by federal law to determine eligibility for employment in the United States.
- ☐ **COMMERCIAL DRIVER'S LICENSE:** Must be presented to the Superintendent's designee by each regular or substitute bus driver employed by the District prior to assuming the duties of the position.
- ☐ **CAFETERIA BENEFIT PLAN APPLICATION, if applicable:** Must be completed by every full-time employee of the School District. (This is usually done shortly after the opening of school by a person who visits each school to have the forms completed.)
- ☐ **FOOD SAFETY TRAINING CERTIFICATE, if applicable:** Must be presented to the Superintendent's designee by each regular or substitute food service employee of the School District prior to assuming the duties of the position, if required by the county/district Health Department.

Personnel records also may include the following: evaluation documents; documentation of personnel actions (promotions, transfers, demotions, disciplinary actions, nonrenewals, terminations); record of professional development activities, and other payroll-related information (insurance forms/deductions and direct deposit authorizations).

Review/Revised:

Certification of Time

For a record of hours worked for each classified employee, District personnel should use existing Procedure 03.121 AP.23.

RELATED PROCEDURE:

03.121 AP.23

Review/Revised:

Overtime Approval Form

Change in Licensure

To report a change in licensure, use Procedure 03.121 AP.24.

Review/Revised:

- CLASSIFIED PERSONNEL -**Salary Deductions****MANDATORY DEDUCTIONS**

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational tax, when applicable;
3. Social security, when applicable;
4. County Employees' Retirement System of the State of Kentucky, when applicable;
5. Any deductions required as a result of judicial process, e.g., salary attachments, etc.;
6. Medicare (FICA), when applicable.

OPTIONAL DEDUCTIONS

Pursuant to the provisions of KRS 161.158, the following optional payroll deductions are authorized by the Board for those employees who choose to participate:

1. Board approved health/life insurance program;
2. Board approved Tax Sheltered Annuity program;
3. Other state approved deferred compensation plan;
4. Board approved credit union;
5. United Way; and
6. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans.

REFERENCES:

KRS 78.610; KRS 161.158; KRS 336.134
702 KAR 1:035
OAG 72-802

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -

Cafeteria Plan

Classified personnel shall be eligible to participate in a cafeteria plan of benefits.

The Superintendent shall develop and make available to employees a list of benefits and procedures consistent with the regulations as listed in 26 C.F.R., Part I, 1.125.1. This listing, or any amendments thereto, shall be subject to review and final approval by the Board.

REFERENCE:

26 C.F.R. Part I, 1.125.1

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Holidays**

Classified personnel who qualify shall be eligible for the four (4) paid holidays designated in the official school calendar. These are part of the school year required by state law.¹

EXCEPTION

The Superintendent may require, for security or other reasons, certain classified personnel to work on holidays. In this case, the employee shall be granted the holiday on another day.

CONTRACTED DAYS

Employees shall work the days specified in their contracts. Use of noncontracted days must be approved in advance by the Superintendent or the Superintendent's designee. Noncontracted days shall not accumulate.

REFERENCES:

- ¹KRS 158.070
- KRS 160.291
- KRS 161.154
- KRS 2.110
- KRS 2.190

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Leaves and Absences****APPROVAL**

Authorization of leave and time taken off from one's job shall be in accordance with specific leave policy. Absence from work that is not based on appropriate leave for which the employee is qualified may lead to disciplinary consequences, up to and including termination of employment.

NOTIFICATION OF RETURN

Employees on leave covered by the related policies listed below shall notify the Superintendent in writing by April 1 of the year the leave terminates of the date of their intent to return to the school system. Failure to do so will render the position vacant.

LEAVE FOLLOWING ASSAULT

The District shall provide leave with pay for employees assaulted while performing their assigned duties when the assault results in injuries that qualify the employee for workers' compensation benefits. The period of leave shall not exceed one (1) calendar year following the assault. During that period, the employee shall not experience loss of income or benefits, including sick leave, under the terms and conditions set forth in KRS 161.155.

FMLA

Eligible employees may apply for leave under the provisions of the Family and Medical Leave Act of 1993.

REFERENCES:

KRS 161.155

Family and Medical Leave Act of 1993

RELATED POLICIES:

03.2232, 03.22322, 03.2233, 03.2234, 03.224

Adopted/Amended:

Order #:

Leave Request Form and Statement

See Procedure 03.123 AP.2/Leave Request Form and Statement.

Review/Revised:

- CLASSIFIED PERSONNEL -**Personal Leave****NUMBER OF DAYS**

Full-time classified employees shall be entitled to three (3) days of personal leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized personal leave days calculated to the nearest one-half (1/2) day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized personal leave days equivalent to their normal working day.

APPROVAL

The Superintendent or designee must approve the leave date, but no reasons shall be required for the leave.

Approval shall be contingent upon the availability of qualified substitute employees. Those employees making earliest application shall be given preference.

STATEMENT

Employees taking personal leave must file a personal statement on their return to work stating that the leave was personal in nature.

ACCUMULATION

On June 30, personal leave days not taken during the current school year shall be transferred and credited to the employee's accumulated sick leave account.

REFERENCES:

KRS 161.154

OAG 77-115

RELATED POLICY:

03.2232

Adopted/Amended:

Order #:

- CLASSIFIED PERSONNEL -**Sick Leave****NUMBER OF DAYS**

All full-time classified personnel shall be entitled to ten (10) days of sick leave with pay per year. Classified staff on 260 day contracts receive two (2) additional days.

Persons employed for less than a full year contract shall receive a prorata part of the authorized sick leave days calculated to the nearest one-half (1/2) day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

ACCUMULATION

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation to the credit of the classified employee to whom they were granted.

DEFINITION

Sickness shall mean personal illness, including illness or temporary disabilities arising from pregnancy.

FAMILY ILLNESS/MOURNING

Sick leave can also be taken for illness in the immediate family or for the purpose of mourning a member of the employee's immediate family. Immediate family shall mean employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, brothers and sisters, parents, spouse's parents, grandparents, and spouse's grandparents, without reference to the location or residence of said relative and any other blood relative who resides in the employee's home.

TRANSFER OF SICK LEAVE

Classified employees coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the District.

SICK LEAVE DONATION PROGRAM

Under procedures developed by the Superintendent, classified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee's sick leave balance to less than fifteen (15) days.

Classified employees are eligible to receive donated days if they meet the criteria established in procedures.

Any sick leave not used shall be returned on a proportionate/pro-rated basis to employees who donated days.

STATEMENT

Upon return to work, an employee claiming sick leave must file a personal statement or a certificate of a physician stating that the employee was ill or that the employee was absent to attend a member of the immediate family who was ill.

Sick Leave

REFERENCES:

KRS 161.155
OAG 79-148
OAG 93-39
Family & Medical Leave Act of 1993

RELATED POLICIES:

03.22322; 03.2233; 03.224; 03.273

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Sick Leave Bank****MEMBERSHIP**

Upon receipt by the Superintendent of a signed statement of intent, any classified employee may participate in the sick leave bank. The commitment to participate in the bank must be made by September 15 of any school year. Once participation has been declared, the employee shall be annually enrolled in the bank until s/he withdraws via written request.

CONTRIBUTIONS

Each employee who is a member shall contribute one (1) of his/her annual sick days to the bank for each year that s/he is a member. The day, once contributed to the bank, becomes the property of the bank and may not be reclaimed by the employee except as specified in this policy. Only employees who are members of the sick leave bank in any given year shall be eligible to draw on the sick leave bank.

ELIGIBILITY

After an employee has exhausted all of his/her accumulated sick leave and other available paid leave days, s/he may draw on the sick leave bank without limit for such time as s/he is sick as per policy 03.2232.

ACCUMULATION

Unused days in the bank shall accumulate without limit.

DISCONTINUATION

In the event that the Board discontinues the bank, all employees who are members of the bank at the time of discontinuation shall remain members without additional contributions until all days in the bank are exhausted.

REFERENCE:

KRS 161.155

Adopted/Amended:
Order #:

Sick Leave Bank Forms

When applying for the use of sick leave bank days, see Procedure(s) 03.12321 AP.21/Sick Leave Bank Deposit Authorization, 03.12321 AP.22/Sick Leave Bank Usage Application, and 03.12321 AP.23/Sick Leave Bank Medical Certification Form.

Review/Revised:

- CLASSIFIED PERSONNEL -**Family and Medical Leave****REASONS**

In compliance with the Family and Medical Leave Act of 1993 and under procedures developed by the Superintendent, leave shall be granted to eligible employees for the following reasons:

1. For the birth and care of an employee's newborn child or for placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child, or parent who has a serious health condition, as defined by federal law;
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job;
4. To address a qualifying exigency (need) defined by federal regulation arising out of the covered active duty or call to active duty involving deployment to a foreign country of the employee's spouse, son, daughter, or parent who serves in a reserve component or as an active or retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and
5. To care for a covered service member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated a serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

NOTICES AND DEADLINES

- Employees who may be eligible for or who request leave for any of the above reasons shall be provided an FMLA notice of eligibility and rights and responsibilities. Requests for family and medical leave entitlement should be made in writing but verbal requests may be made to the immediate supervisor or other designated administrator who shall then document the request. The District may require that a request for leave be supported by a certification for health care or military-related situations as permitted by federal law, but such requirements must be set out in the required notice.

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of District receipt of a request or the District being made aware of a potentially qualifying reason.

NOTE: Only the District's human resources professional, leave administrator, or personnel director may contact an employee's health care provider to clarify or authenticate an FMLA certification in support of an FML request about which there are questions. The employee's direct supervisor shall not contact the provider.

- The District shall designate an employee's leave, paid or unpaid, as FMLA-qualifying and shall provide a designation notice indicating whether the request is approved or if additional information is needed. Leave may be delayed if the employee does not provide proper notice (30 days advance notice for a foreseeable leave; otherwise, notice as soon as the need becomes known).
- *Deadline for Notice to be Provided:* Absent extenuating circumstances, within five (5) business days of learning that an FMLA reason supports the leave.

Family and Medical Leave**ELIGIBILITY**

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the District for twelve (12) months, have worked at least 1,250 hours during the twelve (12) months preceding the start of the leave, and otherwise qualify for family and medical leave. When family and medical military caregiver leave is taken based on a serious illness or injury of a covered service member, an eligible employee may take up to twenty-six (26) workweeks of leave during a single twelve-month period. This provision also applies to covered service members/veterans that have been on active duty within the past five (5) years as defined by federal regulation.

In determining whether returning veterans meet the minimum 1,250 hour standard, hours actually worked for the District during the twelve-month period are to be combined with hours they would have worked for the District had they not been called for military service.

In situations involving both the Americans with Disabilities Act (ADA) and FMLA, the District shall apply the law affording the employee the greater benefit.

RESTRICTIONS

To the extent that an employee is entitled to any paid leave, such leave shall be taken and it shall run concurrently with family and medical leave, except that the employee may request to reserve ten (10) days of sick leave. (This requirement shall not apply to employees taking workers' compensation leave.) However, when an employee's work-related injury/medical state qualifies as a serious health condition, worker's compensation leave shall run concurrently with the twelve (12) workweek entitlement.

Paid leave used by the employee as required under this policy shall count, as applicable, against the twelve (12) or twenty-six (26) FMLA workweek entitlement.

Entitlement to family and medical leave for the birth and care of a newborn child or placement of a child shall expire twelve (12) months after the date of such birth or placement.

When both spouses are employed by the District, the combined amount of family and medical leave for reasons other than personal illness or illness of a child shall be limited to twelve (12) workweeks. In cases of personal illness or illness of a child, each spouse is entitled to twelve (12) workweeks of family and medical leave.

Exception: The limit on the combined amount of family and medical leave shall be twenty-six (26) workweeks when both eligible spouses are employed by the District and are eligible for leave that involves a covered Armed Forces service member/veteran.

Unused family and medical leave shall not accumulate from year to year.

INTERMITTENT LEAVE/REDUCED HOURS

Family and medical leave may be taken intermittently (when medically necessary) or on a reduced hours basis.

Family and Medical Leave**CONTINUATION OF BENEFITS**

While on family and medical leave, employees shall be entitled to all employment benefits accrued prior to the date on which the leave commenced. Health insurance for an employee on family and medical leave shall continue to be provided by the state on the same basis had the employee not taken leave. Other employment benefits and seniority shall not accrue during unpaid family and medical leave.

RETURN TO WORK

As noted by the required notice of eligibility and rights and responsibilities, when family and medical leave is taken due to an employee's own serious health condition, the employee shall provide fitness-for-duty certification before returning to work. This may include certification by the health care provider that the employee is able to perform essential functions specific to the job, as noted by the District in a list attached to the certification form.

Upon return to work, the employee shall be entitled to his/her same position (or an equivalent position with equivalent pay) with corresponding benefits and other terms and conditions of employment.

NOTICE

The District shall notify employees of family and medical leave provisions by posting appropriate notices in conspicuous places in the Central Office and each worksite and distributing notices as required by law.

REFERENCES:

Family and Medical Leave Act of 1993, 29 U.S.C. 2601-2654
Title I of the FMLA, as amended by the National Defense Authorization Act
Code of Federal Regulations, Title 29, Part 825
OAG 17-022

RELATED POLICIES:

03.223; 03.2232
03.2233; 03.2234
03.2238; 03.224

Adopted/Amended:
Order #:

Family and Medical Leave Compliance

Please refer to Procedure 03.12322 AP.1 for procedures to comply with the Family and Medical Leave Act.

RELATED PROCEDURE:

03.12322 AP.1

Review/Revised:

Family and Medical Leave Forms

When applying for Family and Medical Leave, see Procedure(s) 03.12322 AP.21/Request for Family and Medical Leave of Absence.

Review/Revised:

- CLASSIFIED PERSONNEL -**Quarantine Leave****BOARD SHALL PROVIDE**

Each eligible full or part-time employee in the District shall receive at least ten (10) days paid leave per school year for quarantine due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school District or the Department for Public Health.

This leave shall be in addition to any other leave provided by statute or Board policy.

ELIGIBILITY

In order to be eligible for leave under this section, the employee shall:

- (a) Be ordered to quarantine by a licensed treating physician, physician assistant, or advanced practice registered nurse, the Department for Public Health, or a local health department due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school District or the Department for Public Health; and
- (b) Have exhausted all accumulated sick leave provided to the employee pursuant to KRS 161.155 and Board policies, or be ineligible to utilize accumulated sick leave provided to the employee pursuant to KRS 161.155 and Board policies.

The District shall require the employee to provide written documentation from the entity ordering the employee to quarantine due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school district or the Department for Public Health.

The District, at its discretion, may determine quarantine leave is unnecessary if an employee can fulfill his or her job duties remotely during the quarantine period.

Leave granted pursuant to this section shall be on a day-by-day basis, as needed, and shall not accumulate or carry over year-to-year, and shall not be transferrable to any other classification of paid leave established by KRS 161.155, KRS 161.154, or Board policy.

REFERENCES:

702 KAR 1:191; 902 KAR 2:020
KRS 156.160; 160.290; KRS 160.291; KRS 161.154; KRS 161.155

RELATED POLICY:

03.2232

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Maternity Leave****PAID SICK LEAVE**

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.2232.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.2232.

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement.

UNPAID MATERNITY LEAVE

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed the remainder of the school year in which the birth or placement occurs. Thereafter, leave may be extended in increments of no more than one (1) year.

Employees on maternity leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.223. Failure to do so will render the position vacant.

Employees taking a maternity leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

FMLA

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

REFERENCE:

Family & Medical Leave Act of 1993

RELATED POLICIES:

03.223

03.2232

03.22322

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Extended Disability Leave**

This policy shall be applied in a manner consistent with policy 03.212 and the Americans with Disabilities Act (ADA), when those provisions are applicable.

UNPAID LEAVE

Unpaid disability leave may be granted by the Board, upon written request, for the remainder of the contract year. Thereafter, leave may be extended by the Board in one (1) year periods.

FMLA

In compliance with the Family and Medical Leave Act of 1993, leave shall be granted in accordance with Board Policy 03.22322.

VERIFICATION

The Superintendent may require the employee to secure a licensed physician's verification of disability.

NOTIFICATION OF RETURN

Employees on extended disability leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.223. Failure to do so will render the position vacant.

PLACEMENT UPON RETURN

Employees taking disability leave will, on return, be entitled to a comparable position for which they are qualified. Placement in the same position or the same building cannot be guaranteed.

INVOLUNTARY DISABILITY LEAVE

When, on advice of the Superintendent, there is evidence that an employee is no longer able to perform satisfactorily the assigned duties, the Board may require the employee to provide evidence of ability to perform the essential functions of the position in the form of an examination and report by a physician of the Board's choosing. The Board shall bear the cost of this examination.

REFERENCES:

Consolidated Omnibus Budget Reconciliation Act
Family & Medical Leave Act of 1993
Americans with Disabilities Act

RELATED POLICIES:

03.211
03.212
03.223
03.22322

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -

Educational Leave

Upon recommendation of the Superintendent, the Board may grant classified personnel short-term leave with pay for the purpose of obtaining training to enhance the skills required in performing their job or to obtain training in anticipation of a different position with the school system.

REFERENCE:

OAG 84-43

Adopted/Amended:

Order #:

- CLASSIFIED PERSONNEL -**Emergency Leave****NUMBER OF DAYS**

Full-time classified employees shall be entitled to ____ (1,2,3) days of emergency leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized emergency leave days calculated to the nearest one-half (1/2) day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized emergency leave days equivalent to their normal working day.

OPTION/EMERGENCY LEAVE

Consistent with the following provisions, classified personnel may use ____ (1,2,3) sick leave days per year for emergency leave.

Emergency leave shall be granted for the following reasons:

BEREAVEMENT

Death of a relative or personal friend/close personal friend.

DISASTERS

Personal disasters of the magnitude of tornadoes, fires, floods, etc. This applies only in cases not covered by sick leave.

COURT/LEGAL

Appearances as a witness or to produce documents when the employee's presence is required by subpoena. This is not to include appearances in actions in which the employee is a party and the subpoena is obtained by or on behalf of the employee. This also does not include jury duty. (See policy 03.2237.)

OTHER

Such other reasons of an emergency or extraordinary nature as approved by the Superintendent or designee.

REQUEST FOR LEAVE

Emergency leave must be requested through the Superintendent or designee who will determine if the leave requested meets the Board's criteria.

STATEMENT

Persons taking emergency leave must file a personal statement upon their return to work stating the specific reasons for their absence.

ACCUMULATION

Emergency leave days not taken during the school year shall not accumulate.

PERSONNEL

03.2236
(CONTINUED)

Emergency Leave

REFERENCES:

KRS 161.152; KRS 161.155
OAG 72-348; OAG 74-770; OAG 76-427

RELATED POLICIES:

03.2232
03.2237

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -

Jury Leave

SALARY

Any employee who serves on a jury in a duly constituted local, state, or federal court shall be granted leave with full compensation, less any compensation received as jury pay (except expense monies), for the period of his actual jury service.

NOTICE

Persons who will be absent from work to serve on juries must give advance notice to their immediate supervisors.

REFERENCES:

KRS 161.153
OAG 78-696

Adopted/Amended:
Order #:

-CLASSIFIED PERSONNEL-**Military/Disaster Services Leave**

Military leave will be granted to classified personnel under the provisions and conditions specified in law.

Employees who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or of the reserve corps of the United States Public Health Service shall be entitled to military leave, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which they are entitled. In any one (1) federal fiscal year, employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued. Determination of the period of military leave to be granted shall be made according to statutory requirements.

The employee is responsible for notifying his/her immediate supervisor as soon as s/he is notified of an impending military-related absence.¹

The Board may grant disaster services leave to requesting eligible employees. An “eligible employee” means one who is a certified disaster services volunteer of the American Red Cross. Disaster services leave shall be with pay and shall not exceed thirty (30) work days in any twelve (12)-month period.²

REFERENCES:

¹KRS 61.373, KRS 61.375, KRS 61.377, KRS 61.394, KRS 61.396

²KRS 61.395

KRS 161.168; KRS 161.740 (3)

702 KAR 3:070

OAG 76-316

OAG 74-258

OAG 82-305

Adopted/Amended:

Order #:

- CLASSIFIED PERSONNEL -**Insurance****INSURANCE**

The Board shall provide unemployment insurance, workers' compensation, and liability insurance for all classified personnel. In addition, the State provides group health and life insurance to employees who are eligible as determined by Kentucky Administrative Regulation.¹

WORKERS' COMPENSATION

Employees who qualify for workers' compensation benefits following an assault and injury, while performing assigned duties, should refer to Policy 03.223.

Employees who qualify for Workers' Compensation may be offered the opportunity to participate in an Early Return to Work Program. Transition employment need not be in the same job classification or location, but must comply with the treating physician's restrictions and amendments until the participating employee achieves maximum medical recovery.

REFERENCES:

¹702 KAR 1:035

KRS 161.158

Consolidated Omnibus Budget Reconciliation Act

Kentucky Constitution (Section 3); KRS 161.155; KRS 342.730(6)

RELATED POLICIES:

03.2211, 03.223, 03.22322, 03.2241, 03.24

Adopted/Amended:

Order #:

- CLASSIFIED PERSONNEL -**Workers' Compensation Payments****COORDINATION WITH SICK LEAVE**

Employees shall not be required to use sick leave in connection with a work related injury. However, employees claiming workers' compensation income benefits who have sick leave available may choose to use sick leave in order to maintain the equivalent of full salary for the days they are unable to work. Employees shall not be entitled to payment in excess of one hundred percent (100%) of contracted salary.

EMPLOYEE ELECTION

In order to maintain full salary, employees may voluntarily elect to use sick leave to which they are entitled. To coordinate benefits in connection with the employee's election to use sick leave¹, the employee shall pay to the District a sum equal to workers' compensation income benefits received for the same period that the employee uses sick leave. The employee may make such payment by endorsing the workers' compensation benefits check to the District or by paying the District by personal check or cash. The employee's sick leave balance shall then be reinstated to the extent of such payment.

REFERENCES:

¹KRS 161.155, KRS 342.730

RELATED POLICIES:

03.2232
03.22322

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Expense Reimbursement**

Provided the Superintendent/designee has given prior approval to incur necessary and appropriate expenses, the Board shall reimburse classified employees for job-related travel when such travel is a required part of the duties of the employee or for job-related activities approved by the Superintendent and, when appropriate, the School Council. Travel expenses of school-based personnel in SBDM schools shall be paid from Council funds. In the case of expenses reimbursed from internal accounts, the Principal shall be the authority for approving reimbursement. Travel expenses for guests of employees shall not be reimbursed.

The expense reimbursement process shall require documentation of the funding source/category used to pay expenses for all approved trips.

The Board will reimburse only actual expenses. Allowable expenses are:

MILEAGE

Actual mileage between official work stations within the District and actual mileage for trips outside the District which have been approved by the Superintendent and the Council in SBDM schools will be reimbursed at the rate of twenty-two (22) cents per mile when the employee uses his/her own vehicle.

GASOLINE

Actual costs of gasoline and oil purchased and placed in a Board-owned vehicle by an employee while engaged in job-related travel. Purchase must be substantiated by a receipt showing total gallons and total charges.

TOLLS AND FEES

All tolls and parking fees incurred in school-related travel. Parking fees must be substantiated by a ticket or receipt. (Tolls are not to be charged for District vehicles being operated in state in an official capacity.)

CAR RENTAL

Car rental charges when approved by the Superintendent and the Council in SBDM schools. Charges must be substantiated by a receipt.

COMMON CARRIERS

All charges or fares for necessary travel on common carriers (plane, bus, train, subway, taxi, ferry, etc.). Sight-seeing and pleasure tours are not reimbursable.

OUT-OF-STATE TRAVEL

Reimbursement for out-of-state travel by privately owned vehicles shall be made on the basis of airplane coach fare or mileage rate, whichever is the lesser amount.

FOOD

Any monies spent for food while on out-of-District trips, when an overnight stay is required. Any meal exceeding \$5.00 must be substantiated by an itemized receipt. Maximum allowable food expenditure per day shall be \$20 unless an exception is approved by the Board.

Expense Reimbursement**LODGING**

Hotel or motel charges (not including food or other charges) incurred in school-related travel. Charges must be substantiated by a receipt.

EMERGENCY REPAIRS TO VEHICLES

Reimbursement will be made for emergency repairs or road service to Board-owned vehicles if incapacitated while out of District. Drivers may not obligate the Board for major repairs without the permission of the Director of Transportation or Superintendent.

REIMBURSEMENT FORMS

Travel vouchers shall be submitted within one (1) week of the travel. No request for travel reimbursement will be considered unless filed on the proper form and accompanied by itemized receipts.

Without proper documentation, individuals shall not receive reimbursement, and, if it is determined that reimbursement was made based on incomplete or improper documentation, the individual may be required to reimburse the District.

REFERENCES:

KRS 160.290; KRS 160.410; KRS 175.525

OAG 80-395

United States v. Correll, 389 U.S. 299 (1967)

Accounting Procedures for Kentucky School Activity Funds

Adopted/Amended:
Order #:

Travel Request/Voucher Forms

Travel expense forms can be found as Procedures coded 03.125 AP.21/Travel Request Form and 03.125 AP.22/Travel Expense Voucher. These forms are to be used by Board members, certified personnel, and classified personnel.

Review/Revised:

- CLASSIFIED PERSONNEL -**Assignment**

The assignment of classified personnel shall be made by the Superintendent, who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

The Superintendent shall assign personnel only in positions for which they are qualified.

The Superintendent shall not assign the relative of a school Principal to the school where the Principal is assigned.¹

The Superintendent shall not assign a classified employee to an alternative education program as defined in KRS 160.380 as part of any disciplinary action pursuant to KRS 161.011 or as part of a corrective action plan established pursuant to the District's evaluation plan.

REFERENCES:

¹KRS 160.380
KRS 160.390
KRS 161.011
OAG 91-28
OAG 92-1
OAG 92-135

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Transfer**

The transfer of classified personnel shall be made by the Superintendent who, at the first meeting following the transfer, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

TRANSFER OF EMPLOYEES CHARGED WITH A FELONY

Notwithstanding any other policy provision, the Superintendent may transfer an employee charged with a felony offense as permitted under KRS 160.380.

REFERENCES:

KRS 160.380

KRS 160.390

OAG 92-135

OAG 92-1

Adopted/Amended:

Order #:

- CLASSIFIED PERSONNEL -**Voluntary Transfer Request Form**

This form must be submitted to the Superintendent/designee by ☐ May 1 ☐ June 1 ☐ July 1 for the coming school year. This transfer request form must be renewed annually if the employee still requests a transfer to another location within the District.

Name _____

Current Position/Location _____

Transfer requested to position/location _____

State below your reason for requesting this transfer. _____

Employee's Signature

Date

Supervisor's Signature

Date

Review/Revised:

- CLASSIFIED PERSONNEL -**Promotion**

The promotion of classified personnel shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

The promotion of personnel shall be based on qualifications, success in past assignments, and potential for success in the new position.

The Superintendent shall not promote a personal relative or the relative of a Board member who continues employment in the District under the provisions of KRS 160.380.

REFERENCES:

KRS 160.380

OAG 92-1

Adopted/Amended:

Order #:

- CLASSIFIED PERSONNEL -**Demotion**

The demotion of classified personnel shall be made by the Superintendent, who at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

REFERENCES:

KRS 161.164

OAG 92-1

OAG 92-135

Adopted/Amended:

Order #:

- CLASSIFIED PERSONNEL -**Supervision****SUPERVISION**

Supervision shall be provided for all classified employees. Each employee shall be informed as to whom his/her immediate supervisor is and to whom s/he will be responsible.

JOB DESCRIPTION

Each employee shall be provided a job description which shall delineate all essential functions and the general duties and responsibilities of the position. Job descriptions shall not be considered all-inclusive descriptions of the job but shall indicate the general parameters of the duties and responsibilities of the position. The immediate supervisor may, as needed, assign other reasonable duties to the employee.

REFERENCE:

KRS 160.290

RELATED POLICY:

03.233

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Use of School Property**

All personnel shall be responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. Any damaged, lost, stolen, or vandalized property shall be reported to the employee's immediate supervisor, who shall then report it to the Superintendent/designee once it is confirmed that the item cannot be recovered.

In addition, employees shall not perform personal services for themselves or for others for pay or profit during work time and/or using District property or facilities. District property being used for unauthorized purposes shall be reported to that employee's immediate supervisor.

OUTSIDE WORK

An employee shall not use any District facility, vehicle, electronic communication system, equipment, or materials in performing outside work. These items (including security codes and electronic records, such as E-mail) are property of the District and shall be used solely for job-related purposes.

ELECTRONIC COMMUNICATIONS

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. Employees cannot expect confidentiality or privacy as to information entered or stored in their E-mail accounts. Authorized District personnel may monitor the use of electronic equipment from time to time.

DRIVING RECORD

Employees who have occasion to drive a Board-owned vehicle and/or to transport students shall annually provide the Superintendent with a copy of their driving records from the Kentucky Department of Transportation. Any traffic citation received during the year shall be reported to the Superintendent prior to driving a Board-owned vehicle or transporting students.

USE OF ASSIGNED TELECOMMUNICATION DEVICES

The Board authorizes the purchase and employee use of telecommunication devices, as deemed appropriate by the Superintendent. These devices shall include, but are not limited to, pagers and digital or cell phones.

Telecommunication devices may be assigned or made available on a temporary or on-going basis when it is determined that:

1. Assignment of a device to an employee is a prudent use of District resources.
2. The employee's job responsibilities require the ability to communicate frequently and access to a District or public telephone is not readily available.
3. The employee's job involves situations where immediate communication is necessary to ensure the security of District property or safety of students, staff or others while on District property or engaged in District-sponsored activities.

District-owned telecommunication devices shall be used primarily for authorized District business purposes. However, occasional personal use of such equipment is permitted.

PERSONNEL

03.2321
(CONTINUED)

Use of School Property

REFERENCES:

KRS 160.290; KRS 189.292
KRS 281A.205; 702 KAR 5:080
15-ORD-190

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -

Use of Personal Cell Phones/Telecommunication Devices

Due to privacy concerns, and except for emergency situations, personally owned recording devices are not to be used to create video or audio recordings or to take pictures while on duty or working with students except with prior permission from the Principal/designee or immediate supervisor.

An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena.

Such devices include, but are not limited to, personal cell phones and tablets.

Adopted/Amended:

Order #:

- CLASSIFIED PERSONNEL -**Political Activities**

No District employee shall promote, organize, or engage in political activities while performing his/her duties or during the work day. Promoting or engaging in political activities shall include, but not be limited to, the following:

1. Encouraging students to adopt or support a particular political position, party, or candidate; or
2. Using school property or materials to advance the support of a particular political position, party, or candidate.

"Political positions" shall not be defined to include communications approved by the Superintendent to be distributed to parents or the community concerning District needs or proposed actions by the Board. Examples of such communications may include, but not be limited to, those addressing designation of attendance zones/areas and District facility and financial needs.

SCHOOL BOARD ELECTIONS

The Superintendent shall inform all District employees of the provisions of KRS 161.164.

REFERENCES:

KRS 161.164; KRS 161.990
OAG 72-700; OAG 63-572
OAG 92-145

RELATED POLICY:

03.212

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Employee Religious Expression****“ON DUTY”**

Per KRS 158.193, "on duty" means those times when an employee is:

1. Required by the District to be on campus or at another designated location and required to perform the scope of the employee's duties; or
2. Otherwise acting as a designated representative of the District.

The District shall not punish or prohibit an employee from, or punish an employee for, engaging in private religious expression otherwise protected by the First Amendment to the United States Constitution absent a showing that the employee has engaged in actual coercion.

EMPLOYEE MAY

While an employee is on duty, the employee may, at a minimum:

1. Engage in religious expression and discussions and share religious materials with other employees at the same time and in the same manner that employees are permitted to engage in nonreligious expression and discussions outside the scope of duties;
2. Engage in private religious expression at a time when it is otherwise permissible for an employee to engage in private expressive conduct or act outside the scope of duties;
3. Meet with other District employees for prayer or religious study during times that the employee is allowed to act outside the scope of duties, including but not limited to employee breaks, time before school, and during lunch;
4. Work as a sponsor of a student religious club or organization and assist students in planning meetings, activities, and events to the same extent that employee sponsors of nonreligious clubs or organizations are permitted to do so;
5. Wear religious clothing, symbols, or jewelry, provided that such items otherwise comply with any dress code implemented by the District;
6. Decorate their desk and other personal spaces with personal items that reflect their religious beliefs to the same extent that other employees are permitted to decorate their desk and other personal spaces with personal items; and
7. During noninstructional time, engage in religious expression and share religious materials to the same extent that other employees may engage in private expression permitted under the First Amendment to the United States Constitution.

AUTHORITY

This shall not be construed to authorize the state or any other governmental organization to:

1. Require any person to participate in prayer or any other religious activity; or
2. Violate the constitutional rights of any person.

Employee Religious Expression

AUTHORITY (CONTINUED)

This shall not be construed to limit the District's authority to:

1. Maintain order and discipline on school property in a content-neutral and viewpoint-neutral manner;
2. Protect the safety of students, employees, and visitors; and
3. Adopt and enforce policies and procedures regarding student speech at school that respect the rights of students.

REFERENCES:

KRS 158.193

Kennedy v. Bremerton School District 142 S.Ct. 2407 (2022)

RELATED POLICIES:

03.1325; 03.2325; 09.32; 09.34; 09.426

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Disrupting the Educational Process**

Any employee who, while under the authority of the Superintendent, participates in or encourages activities that disrupt the educational process, whether on school property or at school-sponsored events and activities, may be subject to disciplinary action, including termination of contract.

For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct that threatens the health, safety, or welfare of others;
2. Conduct that may damage public or private property, including property of students or staff;
3. Illegal activity;
4. Conduct that interferes with a student's access to educational opportunities or programs, including ability to attend, participate in, and benefit from instructional and extracurricular activities; or
5. Conduct that disrupts delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 03.262, which addresses harassment/discrimination allegations.

REFERENCES:

KRS 160.290
KRS 161.790

RELATED POLICIES:

03.212, 03.262, 03.27, 09.422, 10.21

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Drug-Free/Alcohol-Free Schools****DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

District employees shall not manufacture, distribute, dispense, be under the influence of, purchase, possess, use or attempt to purchase or obtain, sell or transfer any of the following in the workplace or in the performance of duties:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the employee's intent to pass off the item as a controlled substance.

In addition, employees shall not possess prescription drugs for the purpose of sale or distribution.

DEFINITIONS

Controlled substance shall mean any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by the Kentucky Cabinet for Health and Human Services under regulations pursuant to KRS 218A.020.

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

AUTHORIZED DRUGS

Employees who personally use or who are designated to administer to a student a drug authorized by and administered in accordance with a prescription from a health professional shall not be considered in violation of this policy.

WORKPLACE DEFINED

Workplace shall mean the site for the performance of work done for the District including any place where work on a District program, project or activity is performed, including, but not limited to, a school building or other school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. "Workplace" shall also include school-sponsored or school-approved activities, events or functions which are held off school property and in which students are under District jurisdiction including, but not limited to, field trips and athletic events.

Drug-Free/Alcohol-Free Schools**SUSPENSION/TERMINATION/NON-RENEWAL**

Any employee who violates the terms of this policy may be suspended, non-renewed or terminated. In addition, violations may result in notification of appropriate legal officials.

ALTERNATIVE

As an alternative, the Superintendent may choose that an employee who violates the terms of the District's drug-free/alcohol-free workplace policies shall satisfactorily participate in a Board-approved drug/alcohol abuse assistance or rehabilitation program. If the employee fails to satisfactorily participate in such a program, the employee may be suspended, non-renewed or terminated.

REPORTING

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

NOTIFICATION BY EMPLOYEE

Any employee convicted of a workplace violation of criminal drug statutes shall, within five (5) working days, provide notification of the conviction to the Superintendent.

PREVENTION PROGRAM

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all employees which shall include notice of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/employee assistance programs; and
5. Penalties that may be imposed upon employees for violations of this policy.

REFERENCES:

KRS 160.290; KRS 217.900; KRS 218A.1430; KRS 218A.1447
34 C.F.R. Part 85

RELATED POLICIES:

03.2325; 08.1345; 09.2241

Adopted/Amended:
Order #:

Drug-Free Workplace Notice

See Procedure 03.13251 AP.1 for Drug-Free Workplace Notice for all personnel.

Review/Revised:

- CLASSIFIED PERSONNEL -**Domestic/Dating Violence Reporting and Education**

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child pursuant to KRS 620.030. This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

If individual school personnel has reasonable cause to believe that a victim with whom s/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, s/he shall provide educational materials to the victim relating to such form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the school District's area.

REFERENCES:

KRS 209A:020; KRS 209.160; KRS 209A100
KRS 209A.110; KRS 209A.130; KRS 211.160
KRS 403.720; KRS 456.010; KRS 620.030

RELATED POLICIES:

09.14; 09.2211; 09.425

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Use of Tobacco, Alternative Nicotine, or Vapor Products****USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED**

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.¹

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. A person in violation of this policy shall be subject to discipline or penalties as set forth by the Board.

References:

¹KRS 438.345
KRS 160.290; KRS 160.340
KRS 438.050; KRS 438.305
OAG 81-295; OAG 91-137
P.L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.1327; 05.31; 06.221; 09.4232; 10.5

Adopted/Amended:

Order #:

- CLASSIFIED PERSONNEL -**Duties**

All employees are expected to use sound judgment in the performance of their duties and take reasonable measures to protect the health, safety, and well-being of others, as well as District property.

JOB DESCRIPTION

Prior to the authorization of any personnel position in the District budget, the Superintendent, collaborating with other District authorities with personnel assignment responsibilities, shall develop, for Board approval, job descriptions which establish all essential functions of each position. The description shall encompass job responsibilities, completion of records and reports, and achievement of goals identified to enhance student achievement and help the school and/or District meet goals established by statute and/or Board policy.

INVESTIGATIONS

All employees shall cooperate fully with all investigations conducted by the District as authorized by policy or law. Failure to comply may be considered insubordination.

ACCOMMODATION

Reasonable accommodation shall be provided each qualifying employee with a disability or limitations related to pregnancy, childbirth, or related medical conditions to comply with the requirements of law and regulation.¹

REFERENCES:

¹Americans With Disabilities Act (ADA); Rehabilitation Act of 1973; KRS Chapter 344
P. L. 93-12 Sec. 504; P. L. 101-336
KRS 158.645; KRS 158.6451
OAG 91-10

RELATED POLICY:

03.212

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -

Outside Employment or Activities

OUTSIDE EMPLOYMENT

Classified employees shall not accept outside employment or activities which will prevent them from fulfilling regularly assigned school duties and obligations.

Employees shall not perform any duties related to an outside job during their regular working hours.

EXCEPTION

While performing service or undergoing training, employees who are members of the National Guard, any reserve component of the U.S. armed forces, or reserve corps of the U.S. Public Health Service shall be entitled to leave of absence from their respective duties.¹

REFERENCES:

¹KRS 61.394, KRS 61.396
KRS 160.290
KRS 160.291 (4)

RELATED POLICIES:

03.222
03.2238

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Health and Safety****SAFETY**

It is the intent of the Board to provide a safe and healthful working environment for all employees. Employees shall report any conditions they believe to be unsafe to their immediate supervisor, who shall examine the situation and take appropriate action.

The District shall develop, maintain and implement health and safety plans in compliance with state and federal law.

HAZARD COMMUNICATION PLAN

The Superintendent/designee shall develop a District Hazard Communication Plan. The plan shall include:

1. The assignment of a District employee to be responsible for the implementation and coordination of the Hazard Communication Plan;
2. The inventory of all chemicals used at each school and worksite;
3. The identification of each chemical in the inventory that is covered by the OSHA Hazard Communication Standard;
4. Maintenance of a Safety Data Sheet (SDS) for each substance on the chemical inventory list for as long as the District uses the substance, plus thirty (30) years;
5. Labeling of all containers of each chemical identified as required by the Hazard Communication Standard;
6. The development of an employee Hazard Communication Information and Training Program; and
7. The development, implementation and maintenance of a written Hazard Communication Program.

BLOODBORNE PATHOGEN CONTROL

The Superintendent/designee shall develop an Exposure Control Plan to eliminate or minimize District occupational exposure to bloodborne pathogens. The plan shall address:

1. Identification of employees at-risk of occupational exposure and their assigned tasks and procedures which could lead to such exposure;
2. Communication of hazards to employees;
3. Vaccinations of at-risk employees for Hepatitis B at no cost to these employees;
4. Determination of universal precautions to be observed, including adequate engineering controls and housekeeping procedures;
5. Appropriate training of employees;
6. Provision of personal protective equipment including an opportunity provided annually for employees who use medical sharps in performance of their duties to identify, evaluate and select engineering and work practice controls to be implemented by the District, as appropriate;

Health and Safety**BLOODBORNE PATHOGEN CONTROL (CONTINUED)**

7. Maintenance of a sharps injury log;
8. Medical follow-up and counseling for employees after a work-site exposure;
9. Maintenance of confidential records of each exposure incident; and
10. A schedule for implementing all provisions required by the OSHA standard.

The Superintendent or designee shall review and update the Exposure Control Plan at least once each year and when needed to reflect new or modified tasks and procedures that affect occupational exposure or new or revised employee positions with occupational exposure. The review and update shall also address:

1. Changes in technology that eliminate or reduce exposure to bloodborne pathogens; and
2. Annual documentation that appropriate, commercially available and effective safer medical devices that are designed to eliminate or minimize occupational exposure have been obtained and are now in use.

LOCKOUT/TAGOUT

The Superintendent/designee shall develop a lockout/tagout program to eliminate or minimize the unexpected startup or release of stored energy in mechanical or electrically powered equipment. The plan shall address:

1. Assignment of a District employee to be responsible for implementation and coordination of the lockout/tagout program;
2. A written program consisting of energy control procedures;
3. Development, documentation and utilization of energy control procedures for the control of potentially hazardous energy when employees are engaged in servicing and maintaining equipment;
4. Periodic review of the lockout/tagout program to assure authorized employees are properly controlling unexpected startup or release of stored energy; and
5. Annual training of employees authorized to use lockout/tagout to emphasize program procedures and retraining whenever a periodic review reveals deficiencies in employee performance.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

The Superintendent/designee shall conduct a hazard assessment to determine when and where the use of personal protective equipment (PPE) is necessary. The hazard assessment shall address:

1. Assignment of a District employee responsible for assessing the workplace for hazards;
2. Selection of appropriate PPE to safeguard employees from hazards that cannot be eliminated;
3. A training program to be conducted to educate employees about the need for PPE and when it must be worn;

Health and Safety**PERSONAL PROTECTIVE EQUIPMENT (PPE) (CONTINUED)**

4. Training of employees on the use and care of PPE, how to recognize deterioration and failure and the need for replacement; and
5. Requiring employees to wear designated PPE as deemed necessary by the hazard assessment.

REPORTING FATALITIES, AMPUTATIONS, HOSPITALIZATIONS, OR LOSS OF EYE

The District shall, within eight (8) hours from when reported to the District, make an oral report to the Kentucky Labor Cabinet of the death of an employee as a result of a work-related incident, including death resulting from a heart attack.

The District shall, within seventy-two (72) hours from when reported to the District, make an oral report to the Kentucky Labor Cabinet of an amputation suffered by an employee, an employee's loss of an eye, or the hospitalization of an employee, including hospitalization resulting from a heart attack.²

ASBESTOS MANAGEMENT

The District shall conduct school inspection and re-inspection activities as required by state and federal law¹ to identify the status of asbestos. The District shall maintain an updated asbestos management plan that shall include, but not be limited to, applicable current and/or future *inspection activities, response actions and surveillance activities and a description of steps taken* to inform staff and parents about any such activities. Each school shall maintain in its administrative office an updated copy of the management plan for that school. Annual written notice of the availability of the plan shall be provided to parent, teacher, and employee organizations. In the absence of any such organizations, the District shall provide written notice of plan availability to parents, teachers, or employees, as applicable.

Any custodial or maintenance personnel who may work in a building with asbestos-containing building materials (ACBM) shall have a minimum of two (2) hours of asbestos awareness training. New custodial or maintenance staff who may work in the areas above shall be trained within sixty (60) days of hire. Maintenance and custodians who will be involved in activities that will involve a disturbance of ACBM shall receive an additional fourteen (14) hours of asbestos training.

REFERENCES:

¹401 KAR 58:010: 40 C.F.R. Part 763

²803 KAR 2:181

Kentucky Department for Public Health

Centers for Disease Control and Prevention

Kentucky Labor Cabinet; 803 KAR 2:308; 803 KAR 2:404

OSHA 29 C.F.R. 1910

132 PPE Hazard Assessment

147 Lockout/Tagout

1001 Asbestos-ACBM

1200 Hazard Communication

1030 Bloodborne Pathogens

Adopted/Amended:
Order #:

Health and Safety - Contagious Diseases

See Procedure 03.14 AP.1/Health and Safety - Contagious Diseases for a posting document of cleanup procedures for all personnel.

Review/Revised:

Maintenance Request

To report needed maintenance, use Procedure 05.2 AP.22/Maintenance Request Form.

Review/Revised:

- CLASSIFIED PERSONNEL -**Personnel Records**

One (1) master personnel file, documenting employment history and including information maintained in electronic format, shall be maintained for each employee. This file shall be maintained in the Central Office and shall be under the custody of the Superintendent or the Superintendent's designee. This file may be inspected by the employee.¹ The Superintendent shall develop procedures to ensure the security of the files.²

The Principal/supervisor may maintain a personnel folder for each person under his/her supervision. These folders may contain:

1. Items used as reference and not forwarded to the master personnel file in the Central Office,
2. The employee's evaluation and other school-related correspondence to or from the employee, and
3. Other informational items that may or may not be maintained in the Central Office master personnel file.

PUBLIC INSPECTION

Those portions of personnel records containing material of a personal nature, the disclosure of which would constitute an invasion of privacy, are not open for public inspection.³

MEDICAL INFORMATION

Medical information shall be maintained separately from an employee's personnel file.

District acquisition and disclosure of applicant and employee genetic information shall comply with applicable legal requirements.⁴

REFERENCES:

¹KRS 61.884

²KRS 61.876

³KRS 61.878

⁴Genetic Information Nondiscrimination Act of 2008

KRS 61.870; KRS 61.872; KRS 61.874; KRS 160.705; KRS 161.151

OAG 77-394; OAG 85-109; OAG 86-15; OAG 89-90

OAG 91-161; OAG 91-176; 704 KAR 3:370

Kentucky Education Technology System (KETS)

Records Retention Schedule, Public School District

Americans with Disabilities Act; (P.L. 101-336); 42 U.S.C. 12112

RELATED POLICIES:

03.211; 10.11

Adopted/Amended:
Order #:

Access to Personnel Records (Forms)

For accessing individual personnel records, employees shall use Procedures 03.15 AP.21/Request to Access Personnel Records and 03.15 AP.22/Log of Inspection of Personnel Records.

Review/Revised:

- CLASSIFIED PERSONNEL -**Grievances****PROCEDURES**

The Superintendent shall develop specific grievance procedures to include, but not be limited to, the opportunity for grievances to be addressed and resolved at each level of the chain of command from the point of origin, time limitations for the filing and the appeal of a grievance, and procedures for the orderly review and appeal of each individual grievance.

Grievances are individual in nature and must be brought by the individual grievant.

The Board shall take action only on those grievances that fall within the authority of the Board.

GENERAL GRIEVANCES

The Board will hear grievances only after unsuccessful resolution by the employee's supervisors.

PERSONNEL ISSUES

The Board will not hear any grievance concerning personnel actions taken by the Superintendent/designee, unless the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions.

Before accepting a grievance appeal, the Board shall seek the advice of the Board Attorney as to whether the appeal falls within the requirements of this policy. Any personnel grievance not falling within the requirements shall be appealed only to the level of the Superintendent.

The Board shall not hear grievances concerning simple disagreement or dissatisfaction with a personnel action.

EXCEPTION

Harassment/Discrimination allegations shall be governed by policy 03.262.

REFERENCE:

OAG 78-204

RELATED POLICY:

03.262

Adopted/Amended:
Order #:

Grievance Procedures

Employees wishing to initiate a formal grievance about the application of a Board policy, administrative rule, or procedure shall refer to Procedure 03.16 AP.1/Grievance Procedures and use the form provided by Procedure 03.16 AP.2/Grievance Initiation Form.

Review/Revised:

- CLASSIFIED PERSONNEL -**Harassment/Discrimination****DEFINITION**

Harassment/Discrimination of employees is unlawful behavior based on the race, color, national origin, age, religion, sex (including sexual orientation or gender identity), genetic information, disability, or limitations related to pregnancy, childbirth, or related medical conditions of an employee involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred or prejudice.

PROHIBITION

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

DISCIPLINARY ACTION

Employees who engage in harassment/discrimination of another employee or a student on the basis of any of the areas mentioned above shall be subject to disciplinary action including but not limited to termination of employment.

GUIDELINES

Employees who believe they or any other employee, student, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.¹

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) working days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency;

Harassment/Discrimination**GUIDELINES (CONTINUED)**

The Superintendent/designee may take interim measures to protect complainants during the investigation.

2. A process to identify and implement, within five (5) working days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report;
3. A process to be developed and implemented to communicate requirements of this policy to all staff, which may include, but not be limited to the following:
 - written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets;
 - postings in the same location as are documents that must be posted according to state/federal law; and/or
 - such other measures as determined by the Superintendent/designee.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy.

4. Annual training explaining prohibited behaviors and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

PROHIBITED CONDUCT

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials, or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;

Harassment/Discrimination**PROHIBITED CONDUCT (CONTINUED)**

6. Seeking to involve individuals with disabilities in antisocial, dangerous, or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

CONFIDENTIALITY

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of all parties involved.

APPEAL

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the Superintendent.

If a supervisory staff member is an alleged party in the harassment/discrimination complaint, provision shall be made for addressing the complaint to a higher level of authority.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, or to take corrective action shall be cause for disciplinary action.

RETALIATION PROHIBITED

No one shall retaliate against an employee or student because s/he submits a grievance, assists, or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 03.212, 03.2325 and/or 09.422.

REFERENCES:

- ¹KRS 158.156; KRS Chapter 344; 42 USC 2000e, Civil Rights Act of 1964, Title VII
- 29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC) Regulations Implementing Title VII
- 20 U.S.C. 1681, Education Amendments of 1972, Title IX
- 34 C.F.R. 106.1-106.71, U. S. Department of Education Office for Civil Rights Regulations Implementing Title IX
- Genetic Information Nondiscrimination Act of 2008
- Age Discrimination Act, 42 U.S.C. 6101-6107; 34 C.F.R. 110.25
- Bostock v. Clayton County, Georgia 140 S.Ct. 1731 (2020)
- H.R. 1065 (EH) - Pregnant Workers Fairness Act

PERSONNEL

03.262
(CONTINUED)

Harassment/Discrimination

RELATED POLICIES:

03.212; 03.2325; 03.26; 09.2211; 09.422; 09.42811

Adopted/Amended:
Order #:

Notice to Individuals Complaining of Harassment/Discrimination

Please refer to Procedure 09.42811 AP.1 for a copy of the District's notice.

RELATED PROCEDURE:

09.42811 AP.1

Review/Revised:

Harassment/Discrimination Forms

Please refer to procedures coded to the 03.162 policy area. Those procedures provide the opportunity for an employee to report violation(s) of Board Policy 03.262 and to secure at the lowest administrative level an equitable and prompt resolution.

Review/Revised:

- CLASSIFIED PERSONNEL -

Title IX Sexual Harassment

INTRODUCTION AND SCOPE

A United States Department of Education regulation published on May 19, 2020 defines sexual harassment for purposes of Title IX (sometimes referred to in policy and procedure as “Title IX Sexual Harassment”). In addition to numerous other matters, the regulation sets forth grievance procedure requirements that apply (including the initiation of a “formal complaint”) before there is a determination that an employee is responsible for Title IX Sexual Harassment. The applicable definition of sexual harassment describes serious sexual misconduct. If the alleged actions that are the subject of a formal complaint do not descend to the level of conduct described in the definition of Title IX Sexual Harassment; do not take place in a “program or activity” of the school District within the meaning of Title IX; or do not take place in the United States, the formal complaint must be dismissed.

Such a dismissal does not mean that the alleged offending party cannot be the subject of investigation or discipline on grounds other than “Title IX Sexual Harassment” as addressed in Board policy or law, including conduct allegedly constituting sexual harassment or other sexual misconduct that does fall within the definition of “Title IX Sexual Harassment.”¹

PROHIBITION

Title IX Sexual Harassment in educational programs or activities of the District is prohibited.

GRIEVANCE PROCEDURE

The District shall provide a Title IX Sexual Harassment grievance procedure that treats complainants and respondents equitably as required by Federal Regulation.²

DEFINITIONS

TITLE IX SEXUAL HARASSMENT

“Title IX Sexual Harassment” means conduct on the basis of sex that satisfies one or more of the following:

- 1) An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct (i.e., quid pro quo sexual harassment);
- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity;

Title IX Sexual Harassment**DEFINITIONS (CONTINUED)****TITLE IX SEXUAL HARASSMENT (CONTINUED)**

- 3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30). For purposes of this definition, “sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is an act directed against another person, without the consent of the second person, including instances where the second person is incapable of giving consent.³

The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be based on the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

Consent

“Consent” means a voluntary expression of willingness, permission, or agreement to engage in sexual activity throughout a sexual encounter. Consent cannot be granted by an individual: who is less than the statutory age of consent under Kentucky criminal law, has a mental or physical condition or incapacity that prevents the giving of consent; or from whom ostensible “consent” is extracted through threat, coercion, or forcible compulsion.

Complainant

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. This applies to such individual even if no formal complaint is filed. Only a complainant who is participating or attempting to participate in the District’s educational programs or activities may file a formal complaint.

Respondent

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. This applies to such individual even if no formal complaint is filed. Only a person in his or her individual capacity is subject to a Title IX investigation.

Title IX Sexual Harassment**DEFINITIONS (CONTINUED)****Title IX Coordinator (TIXC)**

The TIXC is the individual or individuals designated and authorized to coordinate District Title IX programs. The TIXC is expected to engage in activities intended to provide a fair and neutral process for all parties, including implementation of supportive measures and remedies where appropriate. The District may use co-coordinators and/or deputy coordinators.

Formal Complaint

“Formal complaint” means a document filed by a complainant or signed by the TIXC alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. A formal complaint may be filed with the TIXC in person, by mail, or by electronic mail, by using the contact information provided by the District. The complaint document may be physical or electronic, shall contain the complainant’s physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint. Where the TIXC signs a formal complaint, the TIXC is not “the complainant” or otherwise considered a party, but is to comply with applicable procedures.

Supportive Measures

“Supportive measures” mean nondisciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, unilateral restrictions on contact that are not unreasonably burdensome on a respondent, changes in work or housing locations, authorized leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Supportive measures shall be confidential, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. The TIXC is responsible for coordinating the effective implementation of supportive measures.

Education Program or Activity

“Education program or activity” means District operations and includes locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

Preponderance of the Evidence

“Preponderance of evidence” means evidence that is of greater weight or more convincing that an asserted fact or facts occurred than evidence in opposition to such facts. It is evidence which as a whole shows that an assertion to be proven is more likely than not.

Title IX Sexual Harassment**REGULATION AND POLICY DOES NOT AFFECT PARENT RIGHTS**

Absent a court order or other legal requirement to the contrary, a parent or guardian is authorized to act on behalf of a minor student regarding decision-making and the exercise of rights under the Title IX Sexual Harassment policy and procedure, including the opportunity to accompany a minor student to meetings and interviews.

SEGREGATION OF FUNCTIONS / CONFLICT OF INTEREST

The TIXC, investigator, decisionmaker(s), and any informal resolution facilitator shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. These individuals are to serve impartially without prejudgment of the facts at issue. The investigative, initial decision-making, appellate decision-making, and resolution functions must be performed by different trained individuals, who may be District employees or contractors.

CONFIDENTIALITY

With respect to its administration of Title IX Sexual Harassment policies and corresponding procedures, the District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted under FERPA³, required by law, or to carry out Title IX purposes, including the conduct of any investigation, hearing or Title IX judicial proceedings.

Investigative evidence directly related to the allegations of a formal complaint gathered by the District is subject to inspection and review by the parties but is not to be disseminated to the public. The United States Department of Education rule commentary provides that under the applicable FERPA definition of “education records” a parent of a complainant or respondent (or eligible student) has a right to inspect and review any witness statement that is directly related to the student, even if that statement contains information that is also directly related to another student, if the information cannot be segregated or redacted without destroying its meaning.⁴

EMPLOYEES SHALL REPORT

Employees who believe or have been made aware that they or any other employee, student, or visitor has been subject to Title IX Sexual Harassment shall report it to the TIXC. Failure to make such a report shall be grounds for discipline up to and including termination. If the knowledge of the reporting party gives rise to reasonable cause to believe that the reported conduct constitutes child abuse Policy 09.227 or a reportable criminal offense Policy 09.2211, notification of state officials shall be made as required by law.⁶

FALSE REPORTS PROHIBITED

Employees or students who intentionally make false reports related to the District’s administration of this policy and the corresponding procedures, are subject to disciplinary sanctions under applicable District policy, law, or the Code of Acceptable Behavior and Discipline, as applicable.

Title IX Sexual Harassment**RELATED EVIDENCE RULES SUMMARY**

The following rules apply to the District investigation and grievance process under the Title IX Sexual Harassment regulation:

- a) The District shall not require, allow, rely upon, or otherwise use questions or evidence that constitutes or seeks disclosure of information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.
- b) The District cannot access, consider, disclose, or otherwise use a party's records made or maintained in connection with provision of treatment to the party by medical or mental health professionals or paraprofessionals unless the District obtains written consent from the party.
- c) Questions and evidence about the complainant's sexual predisposition or prior behavior are not relevant unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct or, such questions or evidence are offered to prove consent.

RETALIATION PROHIBITED

No District or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any Title IX investigation, proceeding, or hearing.

REFERENCES:

²34 C.F.R. § 106.45

³KRS 510.020

⁴85 Fed. Reg. 30433 (May 19, 2020)

Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)

Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)

Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106

Clery Act (20 U.S.C. §1092(f)(6)(A)(v))

Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v))

34 U.S.C. § 12291(a)(10)

34 U.S.C. §12291(a)(3)

34 U.S.C. §12291(a)(8)

RELATED POLICIES:

¹03.162; 03.262; 09.42811

⁵09.14

⁶09.227; 09.2211

03.1621; 09.428111

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Discipline, Suspension and Dismissal of Classified Employees****DISCIPLINARY OPTIONS**

Classified employees may be subject to the following actions, to include, but not limited to:

1. Verbal warning or reprimand by Superintendent/designee
2. Written warning or private reprimand by Superintendent/designee
3. Probation imposed by Superintendent/designee
4. Reassignment (temporary or permanent) by Superintendent
5. Public reprimand by Superintendent
6. Suspension without pay by Superintendent
7. Nonrenewal by Superintendent
8. Dismissal (termination of contract) by Superintendent

ACTIONS WHICH MAY REQUIRE HEARING PROCEDURES

Only the Superintendent may issue a public reprimand, suspend without pay or terminate a classified employee. Subject to the employee's exercise of applicable hearing rights, these personnel actions shall be effective on the employee's receipt of written notice from the Superintendent. Subject to the completion of any pending administrative hearing procedure on the action, the Superintendent shall notify the Board at the first meeting following a public reprimand, suspension without pay, or termination and such notification shall be recorded in the Board minutes.

TEMPORARY SUSPENSION WITH PAY PENDING INVESTIGATION

An employee may be relieved from duty for the remainder of the work day (without loss of pay for the affected portion of the day) by the immediate supervisor, pending a review of the facts or allegations, when such time is needed to protect health or welfare of students or staff or to prevent disruption of the educational process.

An employee shall be suspended with pay only when the Superintendent determines there is a justifiable need to protect the health, safety, or welfare of students and staff or to prevent significant disruption of the workplace and/or educational process. The period of suspension with pay shall not exceed the time needed to conduct an investigation and to determine whether the employee is to return to active service or face disciplinary action. However, suspension with pay shall not exceed ten (10) working days. If circumstances arise that require an investigation or other proceedings that may extend beyond ten (10) days, the Superintendent may lengthen the period of suspension, not to exceed an additional fifteen (15) working days.

Employees suspended with pay shall remain available for immediate recall to active service.

CAUSES FOR ACTION

Any classified employee may be subject to appropriate disciplinary or job action for one (1) or more of the following reasons:

1. Dishonesty, neglect of duty, incompetence, inefficiency or insubordination.

Discipline, Suspension and Dismissal of Classified Employees**CAUSES FOR ACTION (CONTINUED)**

2. Reporting to work under the influence of or use or possession of alcohol or controlled substances while on duty, or the illegal use or possession of controlled substances at any time.
3. Unsatisfactory evaluation of any factor on the employee's performance evaluation report.
4. Repeated unexcused absence, tardiness, absence without notification or abuse of sick leave.
5. Violation of or refusal to obey local policies or state regulations adopted by the Kentucky Board of Education or by the Board.
6. Refusal to comply with safety directives.
7. Falsifying information supplied to the District including information on application forms, absence reports, or any other information.
8. Violation of local policy, state, or federal statutes or regulations that apply to assigned duties.
9. Failure to notify the Superintendent if the classified employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal.
10. Being convicted of or entering an "Alford" plea or plea of nolo contendere to a felony or any crime (including misdemeanors) involving moral turpitude or illegal transactions with minors or students.
11. Immorality, misconduct, or conduct unbecoming a school employee.
12. Loss of licensure or certification required for the position; failure to provide cooperation or consents necessary to serve or continue serving in positions requiring licensure; or being disqualified from serving in a licensed position based on information obtained by the District from the Federal Motor Carrier Safety Administration (FMCSA) drug and alcohol electronic "Clearinghouse" or otherwise.
13. Failure to maintain the confidentiality of information about students or staff obtained in the course of employment, unless disclosure serves a legitimate job-related purpose or is required by law.
14. Engaging in any sexually related behavior with a student with or without consent, including, but not limited to, behavior such as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape, threats of physical harm; and sexual assault.
15. Physical or mental disability, consistent with applicable laws protecting employees with disabilities.¹

Discipline, Suspension and Dismissal of Classified Employees**DUE PROCESS PROVISIONS (SUSPENSION WITHOUT PAY/TERMINATION)**

The Superintendent shall develop/adopt procedures to provide adequate due process, covering matters that may result in public reprimand, suspension without pay or termination of classified employees. The procedures shall address, but are not limited to notice, opportunity to be heard, right to counsel, conducting a hearing (if requested), and the rendition of a decision or action.

Employees shall be provided written notification of the charges that may result in a public reprimand, suspension without pay or termination. The notification shall include a statement of the right to a hearing and a form, the signing and filing of which with the Superintendent shall constitute a demand for a hearing and a denial of the charges. If an employee wishes to request a hearing, the employee shall present the appropriate form to the Superintendent within ten (10) calendar days of the receipt of the written notification of the charges. If the employee does not file the demand for a hearing within the ten (10) day period, final personnel action may be taken or completed without a hearing or further proceedings.

OTHER DISCIPLINARY ACTIONS

When disciplinary actions other than public reprimand, suspension without pay or termination, are at issue, employees may submit a written response, which shall be placed in their file along with any documentation of the disciplinary action.

REFERENCES:

¹Americans with Disabilities Act
42 U.S.C. § 12111 et seq.
49 C.F.R. § 382.701; 49 C.F.R. § 382.703
KRS Chapter 344
KRS 160.380; KRS 160.390; KRS 161.011
OAG 76-290; OAG 92-135; OAG 96-3; OAG 05-006
Consolidated Omnibus Budget Reconciliation Act

RELATED POLICIES:

03.212; 03.23251; 03.26; 03.271; 03.2711
07.162; 09.14; 09.42811

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Personnel Action Procedures**

The Superintendent shall provide written notification of personnel actions to an employee, including but not limited to, public reprimand, suspension without pay, and termination.

WARNING NOTICES

It is not necessary for warning notices to be given to an employee before s/he may be publicly reprimanded, suspended without pay, or terminated. Where a supervisor/Superintendent determines that a warning is the appropriate response to an individual instance of conduct, the supervisor/Superintendent may issue warning notices for reasons listed in Board Policy 03.27. Such notices shall be issued in accordance with the following provisions:

1. Prior to the issuance of a warning notice, the supervisor/Superintendent shall hold an informal conference with the employee.
2. The supervisor shall retain a copy and forward a copy to the Superintendent/designee, as appropriate.

PROCEDURE FOR PUBLIC REPRIMAND/SUSPENSION/DISMISSAL OF CLASSIFIED EMPLOYEES

When the Superintendent becomes aware of allegations that, if true, are believed to warrant public reprimand, suspension without pay, or termination of a classified employee, the Superintendent may seek advice of counsel as deemed appropriate and shall determine whether s/he is in a position to serve as an impartial hearing officer concerning the allegations. If the Superintendent determines that s/he is able to serve as an impartial hearing officer, s/he should follow Procedure A; if not, s/he shall follow Procedure B.

PROCEDURE A (TO BE UTILIZED WHEN SUPERINTENDENT SERVES AS HEARING AUTHORITY)

1. The Superintendent shall direct an administrator to investigate and make a written report to him/her as the designated "Investigator." The Superintendent will not conduct the investigation or prepare the report. The Superintendent will not be involved in the investigation except as may be necessary for procedural matters such as scheduling, facilities availability, etc.
2. The post-investigative report shall state whether the Investigator concludes in his or her professional judgment that the employee engaged in conduct in violation of one or more of the "Causes for Action" set forth in policy 03.27 and shall describe the facts in support of any violation in detail. The Investigator may include a recommendation for suspension without pay pending disposition of any employee request for a hearing in the report if s/he determines that the conduct at issue gives rise to the need to protect the health, welfare, or safety of staff and/or students or the orderly, efficient, and lawful operation of the educational process. If the Investigator recommends a suspension without pay pending disposition of any employee request for a hearing, the Investigator shall provide the employee an opportunity for a conference to discuss the allegations and potential suspension without pay.

This opportunity for a conference shall be provided before the Superintendent imposes a suspension without pay pending disposition of any employee request for a hearing. In the conference, the Investigator will provide oral or written notice of the violation of the "Causes for Action" constituting cause for the suspension without pay pending disposition of any employee request for a hearing, an explanation of the evidence supporting such violation if the employee denies it, and an opportunity for the employee to present his/her version of the facts relating to the violation.

Personnel Action Procedures**PROCEDURE A (CONTINUED)**

3. The report shall not be binding on the Superintendent. Upon a determination that the report warrants initiation of hearing procedures on a potential public reprimand, suspension without pay or termination, the Superintendent shall provide written notice to the classified employee of the opportunity for a hearing. The notice may include a suspension without pay pending final administrative action on any classified employee-hearing request. If, after the hearing, the decision is against a suspension without pay or termination, the employee shall receive his/her full pay for any period of suspension. The notice will include a copy of the investigative report and will advise the employee of the sanctions the Superintendent may impose if the employee does not request a hearing.
4. The employee may request a hearing by filing the proper form with the Superintendent within ten (10) calendar days after receiving the notification of an opportunity for a hearing.
5. If the employee fails to file the hearing request form on time, the Superintendent will review the report and if s/he concludes further action is warranted, take final personnel action based on such report, which may include, but shall not be limited to, public reprimand, and/or suspension without pay and/or termination. Any such action shall be set forth in writing and shall be effective on the employee's receipt of the written notice.
6. If the employee files a timely request, a hearing shall be conducted at a time and place not less than twenty (20) and not more than forty-five (45) calendar days after the employee's receipt of the written notice of the opportunity for a hearing.
7. The employee shall be given the opportunity to hear evidence on the report and the alleged violations described in such report and shall be given the opportunity to cross-examine witnesses. No later than five (5) calendar days before the hearing is scheduled to commence, the following shall be exchanged:
 - a. A list of witnesses expected to testify and copies of exhibits to be submitted in support of the report on behalf of the District; and
 - b. A list of witnesses expected to testify and copies of exhibits to be submitted by the employee in defense of alleged violations.
8. The employee may be represented by counsel at his or her own expense. However, the hearing may be continued if the employee does not provide written notice of his or her intention to be represented by counsel to the Investigator and Superintendent at least seventy-two (72) hours before the hearing is scheduled to commence. The hearing shall be conducted by the Superintendent, who may utilize the assistance of an attorney as hearing advisor. Evidence and testimony shall be presented in support of the report first. The employee shall be given the opportunity to present evidence and testimony in his/her defense and the opportunity to present rebuttal evidence may be extended.
9. The Superintendent shall issue his/her written decision setting forth the reasons for the decision and describing the evidence relied upon within five (5) working days after the conclusion of the hearing. The Superintendent's decision shall be final, shall be effective on the employee's receipt of written notice of the decision and shall be maintained in the classified employee's file.

Personnel Action Procedures**PROCEDURE B (TO BE UTILIZED ONLY WHEN SUPERINTENDENT DOES NOT SERVE AS HEARING AUTHORITY)**

1. If the Superintendent determines, after consultation with counsel as is deemed necessary, that s/he may not be in a position to serve as an impartial Hearing Officer, s/he may delegate authority to hear a classified employee disciplinary matter to an independent hearing officer and may issue such delegation to a Hearing Officer appointed by the Kentucky Commissioner of Education ("Commissioner"). Any such delegation shall be in writing and shall be made as soon as reasonably possible after the Superintendent's receipt of a classified employee's request for a hearing under Policy 03.27.

If the Superintendent chooses to utilize a Hearing Officer made available by the Commissioner, s/he shall send a written request to the Commissioner. The request for the appointment shall be accompanied by copies of the charges and the employee's request for a hearing. All costs associated with payment for services of the Hearing Officer shall be the responsibility of the District.

The Superintendent shall not utilize a Hearing Officer who is an employee of the Kentucky Department of Education or the District.

2. If the Superintendent determines s/he will not serve as Hearing Officer, s/he may investigate classified employee conduct or activities that may warrant a public reprimand, suspension without pay, or termination, and may cause charges to be brought against the employee setting forth the Superintendent's intent to impose a public reprimand, suspension without pay, or termination, subject to the employee's exercise of hearing rights under this policy. The charges shall describe conduct giving rise to a violation of one or more "Causes For Action" as set forth in detail in Policy 03.27 and may include a suspension without pay pending final administrative action on a classified employee hearing request.

If after the hearing the decision is against a suspension without pay or termination, the employee shall receive his/her full pay for any period of suspension. In determining to impose a suspension without pay pending disposition of any employee request for a hearing, the Superintendent shall review whether the conduct at issue gives rise to the need to protect the health, welfare, or safety of staff and/or students or the orderly, efficient, and lawful operation of the educational process. Prior to imposing a suspension without pay pending disposition of any employee hearing request, the Superintendent shall provide the employee an opportunity for a conference to discuss the allegations and potential suspension without pay. In the conference, the Superintendent will provide oral or written notice of violation of "Causes For Action" constituting cause for the suspension without pay pending any employee request for a hearing, an explanation of the evidence supporting such violation if the employee denies it, and an opportunity to the employee to present his version of the facts relating to the violation.

3. The employee may request a hearing by filing the proper form with the Superintendent within ten (10) calendar days after receiving notice of the charges. If the employee fails to request a hearing on time, the Superintendent's action as set forth in the charges shall be final.
4. If the employee files a timely request, a hearing shall be conducted at a time and place not less than twenty (20) calendar days after the employee's receipt of the charges.

Personnel Action Procedures**PROCEDURE B (CONTINUED)**

5. The employee shall be given the opportunity to hear evidence on the charges and to cross-examine witnesses. No later than five (5) calendar days before the hearing is scheduled to commence, the following shall be exchanged:
 - a. A list of witnesses expected to testify and copies of exhibits to be submitted in support of the charges on behalf of the District; and
 - b. A list of witnesses expected to testify and copies of exhibits to be submitted by the employee in defense of charges.
6. The employee may be represented by counsel at his/her own expense. However, the hearing may be continued if the employee does not provide written notice of his/her intention to be represented by counsel to the Superintendent and Hearing Officer at least seventy-two (72) hours before the hearing is scheduled to commence.
7. Evidence and testimony shall be presented in support of the charges first. The employee shall be given the opportunity to present evidence and testimony in his/her defense and an opportunity to present rebuttal evidence may be provided.
8. The Hearing Officer shall issue his/her written decision setting forth the reasons for the decision and describing the evidence relied upon after conclusion of the hearing. Upon receipt of the Hearing Officer's decision, the Superintendent shall take action consistent with the decision by providing written notice to the classified employee and such action shall be effective upon the employee's receipt of such notice. The Superintendent may seek advice of counsel regarding the form and content of such notice. The Superintendent's written notice shall be maintained in the classified employee's file.

Review/Revised:

- CLASSIFIED PERSONNEL -

Employee Request for Hearing

EMPLOYEE'S NAME _____ POSITION _____ CURRENT WORK SITE _____

Having received notification of charges relative to my ☐ public reprimand ☐ suspension without pay ☐ termination and the statement of my right to meet to discuss the charges, I hereby deny the charge(s) listed below for the reason(s) noted:

CHARGE	REASON(S) FOR DENIAL (ATTACH ADDITIONAL SHEETS, IF NEEDED.)
1. _____ _____ _____	_____ _____ _____
2. _____ _____ _____	_____ _____ _____
3. _____ _____ _____	_____ _____ _____
4. _____ _____ _____	_____ _____ _____

Having denied the charge(s) as noted above, I request a hearing as permitted by policy. I understand that the decision rendered after that hearing shall be final.

*Employee's Signature*_____
Date

THIS FORM MUST BE RETURNED TO THE SUPERINTENDENT WITHIN THE TIME FRAME SPECIFIED IN POLICY.
--

Review/Revised:

- CLASSIFIED PERSONNEL -

Notice of Employee Separation

An employee separation form can be found as Procedure 03.17 AP.21/Notice of Employee Separation.

Review/Revised:

Exit Interview Form

See Procedure 03.17 AP.22 for an exit interview form.

Review/Revised:

- CLASSIFIED PERSONNEL -**Reduction in Force****PROCESS**

During the budgeting process the Board shall determine the number of classified positions to be funded by the District.

If it becomes necessary to reduce the number of classified employees within the budget year, the Superintendent may at any time make a reduction in the number of classified employees due to the following:

1. Reduction in funding,
2. Reduction in enrollment of students,
3. Changes in the District or school boundaries, or
4. Other compelling reasons as determined by the Superintendent.

The Superintendent shall provide at least thirty (30) calendar days written notification to employees affected.

Reduction in force of classified employees shall be defined as total separation from employment in the District. A change in duties or non-renewal of a part-time position when an employee holds more than one (1) position shall not be considered a reduction in force.

ORDER OF REDUCTION

Employees who have less than four (4) years of continuous active service shall be reduced first.

In the event it is necessary to reduce classified employees who have more than four (4) years of continuous active service, the Superintendent shall make reductions within each job classification affected based on the following:

1. Seniority in the District and qualifications required for the position, such as specialty license/training and whether the position is full-time or part-time, based on District needs.
2. Seniority and qualifications being equal, the classified employee who has the highest evaluation ratings will be retained.

RE-EMPLOYMENT

Employees with more than four (4) years of continuous active service in the District shall have the right of recall, if positions become available for which they are qualified. Recall of those individuals shall be implemented according to District seniority with restoration of primary benefits, including all accumulated sick leave and appropriate rank and step on the current salary schedule based on total number of years of service in the District. In addition, should these employees be subject to a reduction in force, they shall be granted continuation of benefits under COBRA.

Reduction in Force**RE-EMPLOYMENT (CONTINUED)**

When employees with less than four (4) years of continuous active service in the District are selected for reduction, they shall no longer be considered an employee and shall have no employee rights or benefits other than those granted under COBRA. These individuals may reapply for employment with the District if positions open in the future. However, a reduction in force does not guarantee future employment with the District or any preference or recall right in the employment process for employees with less than four (4) years of District experience.

REFERENCE:

KRS 161.011

RELATED POLICIES:

02.4331

03.22

03.224

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Continuous Active Service List**

By September 15th of each school year, the _____ shall complete this list for each classified job classification. This list shall be
Position
 kept current throughout the year. By December 15, a copy shall be forwarded to the Superintendent/designee that is current through November 30.

JOB CLASSIFICATION: _____				SCHOOL YEAR: _____				PAGE _____ OF _____		
NAME	EMPLOYEE ID #	DATE OF HIRE	DATES/BREAKS IN-SERVICE	FULL/ PART-TIME	JOB SITE	PAY GRADE	CERTIFICATION/ LICENSURE	MORE THAN 4 YEARS SERVICE?	NOTIFICATION DATE*	COMMENTS
				<input type="checkbox"/> F <input type="checkbox"/> P				<input type="checkbox"/> Yes <input type="checkbox"/> No		
				<input type="checkbox"/> F <input type="checkbox"/> P				<input type="checkbox"/> Yes <input type="checkbox"/> No		
				<input type="checkbox"/> F <input type="checkbox"/> P				<input type="checkbox"/> Yes <input type="checkbox"/> No		
				<input type="checkbox"/> F <input type="checkbox"/> P				<input type="checkbox"/> Yes <input type="checkbox"/> No		
				<input type="checkbox"/> F <input type="checkbox"/> P				<input type="checkbox"/> Yes <input type="checkbox"/> No		
				<input type="checkbox"/> F <input type="checkbox"/> P				<input type="checkbox"/> Yes <input type="checkbox"/> No		
				<input type="checkbox"/> F <input type="checkbox"/> P				<input type="checkbox"/> Yes <input type="checkbox"/> No		
				<input type="checkbox"/> F <input type="checkbox"/> P				<input type="checkbox"/> Yes <input type="checkbox"/> No		
				<input type="checkbox"/> F <input type="checkbox"/> P				<input type="checkbox"/> Yes <input type="checkbox"/> No		

* **RIF/Nonrenewal Notice**

Review/Revised:

- CLASSIFIED PERSONNEL -**Nonrenewal**

The Principal/immediate supervisor shall provide the Superintendent with notice of recommended nonrenewals by March 15.

Nonrenewal of contracts for classified personnel shall be made in compliance with the requirements of KRS 161.011, with written notice being mailed or provided to the employee by the Superintendent no later than May 15.

BASIS FOR NONRENEWAL (LESS THAN FOUR YEARS OF SERVICE)

The Superintendent may nonrenew the contracts of classified employees with less than four (4) years of continuous active service in the District for any legal reason.

BASIS FOR NONRENEWAL (FOUR OR MORE YEARS OF SERVICE)

Classified employees with four (4) or more years of continuous active service in the District may be nonrenewed for the following reasons:

1. Incompetency,
2. Neglect of duty,
3. Insubordination,
4. Inefficiency,
5. Misconduct,
6. Immorality,
7. Other grounds contained in Board policy, including, but not limited to, causes for action set forth in Board policy 03.27,
8. Loss or reduction of funding, or
9. A position becomes obsolete or redundant due to program reorganization, changes to program requirements, elimination or reduction of a program, including a council decision that fewer employees are needed at the school, or any other change in District personnel staffing policies or guidelines.

REFERENCE:

KRS 161.011

RELATED POLICIES:

03.27

03.271

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Notification of Nonrenewal**

Employees must be provided or mailed written notice of nonrenewal no later than May 15.

FOR EMPLOYEES WITH LESS THAN FOUR YEARS OF CONTINUOUS ACTIVE SERVICE:

(Sample Notice)

Date: _____

Dear _____,

(Name of classified employee)

As required by Kentucky Revised Statute 161.011, you are hereby notified that your contract with the District will not be renewed for next school year.

You may request, in writing, that I provide you with written reasons for the nonrenewal. You must make the request within ten (10) days of receipt of this notice.

If you have questions about this notice, please call me at my office (_____
(telephone number)

Sincerely,

Superintendent's Signature

FOR EMPLOYEES WITH AT LEAST FOUR YEARS CONTINUOUS ACTIVE SERVICE:

(Sample Notice)

Date: _____

Dear _____,

(Name of classified employee)

As required by Kentucky Revised Statute 161.011, you are hereby notified that your contract with the District will not be renewed for next school year due the following reason(s):

☐ incompetency

☐ inefficiency

☐ neglect of duty

☐ insubordination

☐ misconduct

☐ immorality

☐ As stated in Board Policy 03.2711: _____

You may request, in writing, that I provide you with a specific and complete written statement of the grounds for the nonrenewal. You must make the request within ten (10) days of receipt of this notice. Following receipt of that statement, you have ten (10) days to respond in writing. If you want a hearing on the grounds for nonrenewal, you must include a request for a hearing in your written response.

If you have questions about this notice, please call me at my office (_____
(telephone number)

Sincerely,

Superintendent's Signature

Notification of Nonrenewal**PROCESS (APPLICABLE TO EMPLOYEES WITH FOUR OR MORE YEARS OF SERVICE)**

- 1 Classified employees with four (4) or more years of continuous active service may be nonrenewed for reasons stated in KRS 161.011 and Board policy. The notice provided or mailed shall specify the reasons for the nonrenewal.
- 2 If the employee requests a written statement of grounds within ten (10) days after receipt of the notice of nonrenewal, the Superintendent may direct the supervisor/designee who provided information supporting the notice of nonrenewal to prepare the specific and complete written statement of grounds and may furnish a copy to the employee, or the Superintendent may prepare and furnish the statement of grounds.
- 3 The employee has ten (10) days to respond in writing to the statement of grounds. If the employee wants a hearing on the statement of grounds, s/he must include a request for a hearing in the written response to the statement.
- 4 If the employee files a timely request for a hearing, the Superintendent shall make appropriate arrangements for a hearing to be held upon reasonable notice to the employee. At the hearing, the employee shall have the following rights:
 - a. To appear and produce evidence,
 - b. To call witnesses and conduct cross-examination,
 - c. To have counsel of the employee's choosing at his/her expense,
 - d. To be heard by an impartial decision-maker, and
 - e. To receive a statement of basis for the ultimate decision.
- 5 If the Superintendent is in a position to serve as an impartial hearing officer, s/he may do so. If the Superintendent determines that s/he is not able to serve, s/he shall arrange for the appointment of an impartial hearing officer.
- 6 Following the hearing, the Superintendent or impartial hearing officer shall issue his/her written decision setting forth the reasons for the decision within five (5) working days after conclusion of the hearing. The decision shall be final, shall be effective on the employee's receipt of written notice of the decision, and shall be maintained in the classified employee's file.

NOTE: Under KRS 161.011, the Superintendent may terminate at any time the contract of a classified employee for causes stated in that statute or Board policy. The hearing process specified in 03.27 and any corresponding administrative procedures shall apply to a termination.

Review/Revised:

- CLASSIFIED PERSONNEL -**Separation by Employee**

A classified employee who voluntarily leaves the District shall complete an exit survey that includes, but is not limited to the position vacated, the employee's years of service in the position and in the District, if the employee is taking a similar position in another district, and the reason(s) provided for leaving the District. This information shall be reported to the Kentucky Department of Education (KDE) by the District in a system developed by KDE without providing personally identifiable information.

REFERENCE:

KRS 160.382

RELATED POLICY:

03.27

Adopted/Amended:

Order #:

- CLASSIFIED PERSONNEL -**Conflict of Interests****PECUNIARY INTEREST PROHIBITED**

No administrator or other employee of the District with decision-making authority over the financial position of the school District shall have any pecuniary interest, either directly or indirectly, in an amount exceeding twenty-five dollars (\$25.00) per year, at the time of or after appointment, in supplying any goods, services, property or merchandise for which school funds are expended. Nor shall any such person receive directly or indirectly any gift, reward, or promise of reward for goods, services, property, or merchandise of any kind for which school funds are expended.¹

No administrator or other employee shall solicit for personal financial gain from students, parents and other staff during the school day or during school events.

Unless prior arrangements are made with the Board, any device, publication or any other item to be copyrighted/developed during the employee's paid time shall be District property.

Employees shall not profit monetarily through the use of confidential information gained in the course of or by reason of their position of employment with the District.

EXCEPTION

This policy shall not prohibit the Board from approving non-contracted personal services for the benefit of the District.

REFERENCES:

KRS 156.480
KRS 45A.455
OAG 77-228
OAG 71-474

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -

Retirement

RETIREMENT

Retirement means retirement from the County Employees' Retirement System.

NOTICE

Persons retiring should give the Superintendent notice as far in advance as possible but not less than two (2) weeks prior to retirement.

REFERENCES:

29 U.S.C. 631
KRS 61.545
KRS 78.610; KRS 78.616
KRS 161.155
OAG 81-72
OAG 83-191
OAG 97-28

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Evaluation**

Each classified employee shall be evaluated at least once each year. This evaluation shall be performed by the Principal or the immediate supervisor and shall be based upon a formal procedure approved by the Superintendent for that specific position or class of positions. The administrator performing the evaluation shall share and discuss the evaluation report with the employee. The employee shall have the right to comment in writing on the evaluation report. The employee's written comments shall be attached to the evaluation report, and the report shall be filed with the Superintendent.

Adopted/Amended:
Order #:

- CLASSIFIED PERSONNEL -**Evaluation Process****FREQUENCY AND TIME**

Each classified employee shall be evaluated at least once each year. This evaluation shall be performed by the Principal or the Immediate Supervisor by

☐ March 1

☐ April 1

☐ May 1.

EVALUATION PROCEDURE

The evaluations shall be made in writing, and the evaluator shall hold a conference with the evaluatee. The employer's written comments (if any) shall be attached to the report and the report filed with personnel records in the Central Office. An appeal process is available to employees who wish to appeal their evaluation.

EVALUATION APPEAL

An employee may appeal his/her evaluation as follows:

1. The employee may request a review of his/her evaluation with the immediate supervisor.
2. If a review is requested, the Superintendent/designee shall set the time and place of the review with the employee and immediate supervisor.
3. During the review process, the employee shall be given the opportunity to present any evidence or testimony supporting his/her position.
4. Within ten (10) working days of the hearing, the Superintendent/designee shall prepare and forward to the employee and the employee's supervisor a written response to the appeal.
5. All information relating to the employee's evaluation shall be placed in the employee's appropriate personnel file.
6. Time limits set forth in this section may be extended by the written mutual agreement of the employee and the Superintendent.

RELATED PROCEDURES:

03.28 AP.21

03.28 AP.22

Review/Revised:

~~—CLASSIFIED PERSONNEL—~~

Confidentiality of Records

Personnel evaluation records, specifically the personnel evaluation folder and its contents, will be kept as a part of the employee's personnel file and will be treated with the same confidentiality as other personnel records. During an appeal/hearing, evaluation records will be kept in a secure location designated by the Superintendent.

Review/Revised:

- CLASSIFIED PERSONNEL -**Classified Personnel Evaluation**

EMPLOYEE'S NAME _____ SCHOOL YEAR _____

WORKSITE/SCHOOL _____ SUPERVISOR _____

POSITION:☐ BUS DRIVER☐ SCHOOL NUTRITION EMPLOYEE☐ CUSTODIAN☐ MAINTENANCE PERSONNEL☐ INSTRUCTIONAL ASSISTANT☐ BUS MECHANIC☐ CLERICAL PERSONNEL☐ OTHER, SPECIFY _____**EXPLANATION OF THE SCALE:**

SATISFACTORY (S)

UNSATISFACTORY (U)

IMPROVEMENT NEEDED (IN)

NOT APPLICABLE (NA)

JOB KNOWLEDGE:

Evaluate skill/knowledge of the information, procedures, materials, equipment, techniques, etc., required for the position.

- (a) Has necessary skills to complete tasks required in current job.
- (b) Understands and completes all records, reports, and documents required.
- (c) Has working knowledge of equipment/material that is necessary for completion of assigned task.
- (d) Attends appropriate in-service programs.
- (e) Adheres to Board policies.

S	IN	U	NA

Comments: _____

PRODUCTIVITY AND QUALITY OF WORK:

Rate the completion, accuracy, timeliness, and volume of work.

- (a) Completes the required tasks.
- (b) Completes tasks accurately.
- (c) Completes tasks in a timely manner.
- (d) Uses proper safety measures when working.
- (e) Takes initiative in seeking and completing tasks without supervision.

S	IN	U	NA

Comments: _____

Classified Personnel Evaluation**RESPONSIBILITY, DEPENDABILITY, AND ATTENDANCE:**

Consider efforts to ensure the successful completion of tasks, extra efforts made to meet work demands, attendance, dependability, and general assistance.

- (a) Uses discretion with confidential or privileged information.
- (b) Follows directions.
- (c) Uses good judgment in performing responsibilities.
- (d) Organizes work responsibilities and sets priorities.
- (e) Has a good attendance record.
- (f) Reports to work punctually.
- (g) Returns to work from break and/or lunch punctually.

S	IN	U	NA

Comments: _____

INTERPERSONAL RELATIONS:

Consider relationships with other employees, students, and the community, and willingness to perform required duties and to help others accomplish tasks.

- (a) Deals with students and parents in a positive, constructive manner.
- (b) Deals with colleagues and supervisors in a positive, constructive manner.
- (c) Cooperates in accomplishing school and District goals and objectives.
- (d) Handles problems in a constructive and fair manner.
- (e) Works through line/staff relationships when addressing problems.
- (f) Offers differing opinions in a constructive and helpful manner.
- (g) Demonstrates effective written and verbal communication skills.

S	IN	U	NA

Comments: _____

SUMMARY

Overall job performance on applicable items.

S	IN	U	NA

Classified Personnel Evaluation

Overall, does the employee meet the designated performance standards? ☐ Yes ☐ No

Comment: _____

Growth and Development: Activities in which the employee has participated which could increase job effectiveness. _____

Improvement in the areas noted on this evaluation can be achieved by the following:

This review has been discussed with the employee who has been given a copy. Signatures acknowledge completion of the evaluation and not necessarily agreement.

Employee's Signature

Date

Supervisor's Signature

Date

Employee's Comments: _____

RELATED PROCEDURE:

03.28 AP.22

Review/Revised:

- CLASSIFIED PERSONNEL -**Evaluation Appeal Form****INSTRUCTIONS**

This form is to be used by classified employees who wish to appeal their final summative evaluation. If you feel that you were not fairly evaluated you may submit an appeal to the Superintendent by completing this form and returning it to the Superintendent within five (5) working days of the receipt of your summative evaluation.

EMPLOYEE'S NAME _____

HOME ADDRESS _____ ZIP CODE _____

WORKSITE/SCHOOL _____

POSITION:☐ **BUS DRIVER**☐ **SCHOOL NUTRITION EMPLOYEE**☐ **CUSTODIAN**☐ **MAINTENANCE PERSONNEL**☐ **INSTRUCTIONAL ASSISTANT**☐ **BUS MECHANIC**☐ **CLERICAL PERSONNEL**☐ **OTHER, SPECIFY** _____

WHAT SPECIFICALLY DO YOU OBJECT TO OR WHY DO YOU FEEL YOU WERE NOT FAIRLY EVALUATED?
IF ADDITIONAL SPACE IS NEEDED, ATTACH ADDITIONAL SHEET.

DATE YOU RECEIVED THE EVALUATION _____

EVALUATOR'S NAME _____

*Employee's Signature*_____
*Date***RELATED PROCEDURES:**

03.28 AP.1

03.28 AP.21

Review/Revised:

- CLASSIFIED PERSONNEL -**Staff Development**

The Superintendent shall develop and implement a program for continuing training for selected classified personnel.

ACTIVE SHOOTER SITUATIONS

By November 1, annually, a minimum of one (1) hour of training on how to respond to an active shooter situation shall be required for all District employees with job duties requiring direct contact with students. The training shall be provided either in person, by live streaming, or via a video recording prepared by the Kentucky Department of Criminal Justice Training in collaboration with the Kentucky Law Enforcement Council, the Kentucky Department of Education, and the Center for School Safety and may be included in the four (4) days of professional development under KRS 158.070. When a staff member subject to the training requirements of this subsection is initially hired after the training has been provided for the school year, the District shall provide materials on how to respond to an active shooter situation.

REFERENCES:

KRS 156.095; KRS 158.070

P. L. 114-95, (Every Student Succeeds Act of 2015)

34 C.F.R. 200.58

Adopted/Amended:

Order #:

- CLASSIFIED EMPLOYEES -**Employment-Related Staff Development****ONGOING**

Classified employees shall be involved in ongoing staff development to improve their performance and the assistance they provide to the instructional program.

NEEDS ASSESSMENT

Supervisors of classified employees shall conduct a prioritized needs assessment which shall be forwarded to the Superintendent/designee or school-based council, as appropriate.

SUPERVISORY EMPLOYEES

Classified personnel who hold supervisory positions shall be involved in regularly scheduled meetings with their Central Office Supervisors.

PROFESSIONAL LEAVE

Classified personnel, upon approval by the Superintendent/designee, may be granted professional leave with expenses reimbursed by the Board for the purpose of attending approved meetings/conferences which relate to their areas of employment.

REQUIRED IN-SERVICE

Transportation employees, including bus drivers, and food service employees shall receive in-service training in accordance with the requirements specified in state statutes and regulations.

ALL OTHER CLASSIFIED STAFF

Appropriate training may be provided throughout the school year for custodians/housekeepers, clerical staff members, maintenance personnel, and teacher aides.

RELATED PROCEDURES:

03.225 AP.2

03.29 AP.2

Review/Revised:

- CLASSIFIED EMPLOYEES -**Employment-Related Meetings Request**

Employee's Name _____ Date of Request _____

School/Location _____

Name of Conference/Workshop _____

Date(s) of Workshop _____ Time(s) of Workshop _____

Rationale for Attendance: _____

_____Are you requesting in-service credit? ☐ Yes ☐ NoHas the credit been approved by the Superintendent/designee? ☐ Yes ☐ NoWill you be participating as a consultant? ☐ Yes ☐ NoIf yes, will you be paid for your services? ☐ Yes ☐ No

How will you share information gained with colleagues? _____

*Superintendent/designee's Signature*_____
Date

* PERSONNEL REQUESTING APPROVAL FOR ATTENDANCE AT EMPLOYMENT-RELATED MEETINGS THAT REQUIRE EXPENSE REIMBURSEMENT MUST COMPLETE THE TRAVEL REQUEST FORM, 03.125 AP.21 AND SUBMIT THE COMPLETED FORM TO THE SUPERINTENDENT/DESIGNEE FOR APPROVAL PRIOR TO ATTENDANCE/ REGISTRATION.

* AFTER ATTENDING EMPLOYMENT-RELATED MEETINGS, PERSONNEL MUST COMPLETE THE TRAVEL EXPENSE VOUCHER, 03.125 AP.22 AND SUBMIT THE COMPLETED VOUCHER AND ALL REQUIRED RECEIPTS TO THE SUPERINTENDENT/DESIGNEE FOR REIMBURSEMENT OF EXPENSES.

RELATED PROCEDURES:

03.225 AP.21; 03.225 AP.22

Review/Revised:

PERSONNEL

03.29 AP.23

- CLASSIFIED EMPLOYEES -

District Training Requirements

See existing Procedure 03.19 AP.23.

Review/Revised:

Student Teachers

The Superintendent/designee shall oversee the utilization of student teachers in the District in keeping with the agreement established with teacher education institutions.

REFERENCES:

KRS 160.380
KRS 161.010
KRS 161.042
16 KAR 5:040

Adopted/Amended:
Order #:

Substitute Teachers

QUALIFICATIONS

All substitute teachers shall meet background records check requirements (including a letter from the Cabinet for Health and Family Services provided by the individual documenting that the individual does not have an administrative finding of child abuse or neglect in records maintained by the Cabinet) and medical examination requirements as specified in policies 03.11 and 03.111. In addition, substitutes serving in a position on a long-term/extended basis must meet all certification requirements established by the Education Professional Standards Board.

Link to DPP-156 Central Registry Check and more information on the required CA/N check:

<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx>

SUBSTITUTE LIST

The Superintendent or designee shall maintain a list of qualified substitute teachers. The Superintendent or designee shall engage substitutes from this list. Refusal of assignment as a substitute shall be documented, along with any reason provided.

RETIRED TEACHERS

Retired teachers may be reemployed as a part-time, temporary, or substitute teacher in keeping with requirements of the Teachers' Retirement System.

LENGTH OF DUTY

Substitute teachers shall observe the same hours of duty as the regular teacher. The substitute will continue to report for duty until relieved by the Superintendent or designee.

Substitute teachers shall follow daily lesson plans as outlined by the regular teacher and leave a written record of the work completed during their length of duty.

SUBSTITUTE SALARY AND PAYMENT SCHEDULE

Substitutes shall be paid on a per diem basis according to the salary schedule approved by the Board. The salary schedule may reflect adjustments for long-term/continuous assignment substitutes.

Payment shall be made on the next scheduled paydate for substitutes.

EMPLOYMENT NOTIFICATION

Each year, substitute teachers on the District's substitute list shall be notified in writing by the last day of school if they have reasonable assurance of continued employment for the following school year.

Nonrenewal of substitute teachers on limited contracts shall be made in compliance with the requirements of KRS 161.750.

Substitute Teachers

REFERENCES:

KRS 17.160; KRS 17.165; KRS 156.106; KRS 160.380; KRS 161.605; KRS 161.611
16 KAR 2:030; 16 KAR 2:120; 102 KAR 1:030
702 KAR 1:035; 702 KAR 3:075; OAG 69-296

RELATED POLICIES:

03.11; 03.111; 03.121

Adopted/Amended:
Order #:

Paraprofessionals

SUPERINTENDENT MAY EMPLOY

The Superintendent may employ paraprofessionals for supplementary instructional and non-instructional duties in the education program in positions authorized by the Board.¹

DEFINITION

As used in this policy and in relation to required training and qualifications for instructional personnel, the term “paraprofessional” is interchangeable with the term “paraeducator,” which means an adult school employee who works under the direction of the professional administrative and teaching staff in performing, within the limitations of training and competency, certain instructional and non-instructional functions in the school program.²

EDUCATIONAL REQUIREMENTS

☐ Existing and new paraprofessionals who provide instructional services or support in programs supported by Title I funds ☐ All paraprofessionals shall satisfy educational requirements specified by federal law.²

NOTICE TO PARENTS OF PARAPROFSSIONAL’S QUALIFICATIONS/CERTIFICATION

If the school receives Title I funds, the District shall notify parents of students attending the school annually that they may request the District to provide information regarding the professional qualifications of their child’s paraprofessionals, if applicable.

SUPERVISION

Paraprofessionals shall be under the direct supervision of certified teachers.^{1&2} Each paraprofessional shall have a job description that limits assigned duties to the scope of the individual's competencies.

EVALUATION

The Superintendent shall develop and implement procedures for an annual evaluation and professional development of paraprofessionals. Evaluation results shall be a factor in future employment decisions.

REFERENCES:

¹KRS 161.044; OAG 76-555; OAG 86-43

²P. L. 114-95, (Every Student Succeeds Act of 2015); KRS 161.010
34 C.F.R. 200.58
Kentucky High School Athletic Association (KHSAA)
KRS 17.160; KRS 17.165
KRS 156.095; KRS 160.380; KRS 161.180
OAG 73-206

RELATED POLICIES:

03.21 (Hiring)
03.232 (Job Description)
03.28 (Evaluation)
03.6

Adopted/Amended:
Order #:

ESSA Qualification Notification

See Procedure 03.112 AP.22/ESSA Qualification Notification form.

Review/Revised:

Volunteers

DEFINITION

Volunteers are persons who do not receive compensation for assisting in school or District programs. Volunteers are encouraged to use their time and effort to support school and District programs. The Superintendent shall develop procedures that encourage volunteers to assist in school and/or District programs and to facilitate effective communication with persons who volunteer.

Teacher education students or students enrolled in an educational institution and who participate in observations and educational activities under direct supervision of a local school teacher or administrator in a public school shall not be considered volunteers.

SUPERVISION

All volunteers shall provide assistance only under the direction and supervision of a member of the professional administrative and teaching staff.¹

Volunteers who assist in the District on a scheduled and/or continuing basis shall be provided with the same liability insurance coverage as a District employee and shall be provided with a written task description detailing responsibilities and expectations, as well as specific qualifications that may be required.

RECORDS CHECK

The District shall conduct, at District expense, a state criminal records check on all volunteers who have contact with students on a regularly scheduled and/or continuing basis, or who have supervisory responsibility for children at a school site or on school-sponsored trips.

Pursuant to KRS 160.380, the Superintendent/designee also may require volunteers to submit to a state and national criminal (fingerprint) history background check and to provide a clear CA/N check. With prior approval of the Superintendent/designee, the background checks will be conducted at District expense. Otherwise, except as stated previously, the volunteer must pay for the background checks.

No volunteer shall be utilized to supervise students, or deemed to have the authority to supervise students, unless the volunteer has been designated to supervise students by the Principal and approved by the Superintendent/designee, and the volunteer has undergone the required records check.

Link to DPP-156 Central Registry Check and more information on the required CA/N check:

<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANCChecksandCentralRegistryChecks.aspx>

WORK-BASED SITE SUPERVISORS

Work-based learning site supervisors are considered volunteers. Pursuant to KRS 160.380 and KRS 161.148, prior to being assigned to supervise a student for more than one (1) day in a work-based learning experience, the site supervisor shall have undergone a state criminal background check either as required by their employer at time of employment or within the past twelve (12) months, whichever is the more recent.

Volunteers**ORIENTATION**

The Superintendent/designee shall develop orientation materials to be provided to all volunteers who have contact with students on a regularly scheduled or continuing basis. These materials shall include, but not be limited to, pertinent policies and safety and emergency procedures.

REFERENCES:

¹KRS 161.148
KRS 160.380
KRS 161.044

RELATED POLICIES:

03.5
08.113; 08.1131

Adopted/Amended:
Order #:

Volunteer Recruitment and Assignment

RECRUITMENT

Each school shall develop a plan for the recruitment of volunteers. Recruitment goals shall include but not be limited to:

- ☐ Establishing an open, community-friendly environment
- ☐ Creating an awareness of the need for community participation
- ☐ Improving communication between the school and the community
- ☐ Developing outreach programs
- ☐ Developing orientation materials to be provided to all volunteers who have contact with students on a regularly scheduled or continuing basis

Persons interested in participating in the volunteer program should contact the Principal/designee.

SELECTION/PLACEMENT

The Principal and/or school council shall review data to determine the need for volunteers. Once a need has been identified and approved by the building Principal, the Principal shall screen the volunteers and place them according to the determined need.

ACCOUNTABILITY

Schools shall keep a record of each volunteer's assignment, the hours s/he has volunteered, and the effectiveness of the services provided.

Review/Revised:

04	Fiscal Management
04.0	Finance Officer Qualifications
04.1	Budget Planning and Adoption
04.1 AP.1	Needs Assessment
04.1 AP.2	Budget Planning Timeline
04.11	Administrative Procedures (Budget Planning)
04.11 AP.1	Budget Implementation
04.12	Internal Account Budgets
04.12 AP.1	Internal Account Budgets
04.2	Depositories
04.2 AP.1	Depositories
04.21	District Accounts (Depositories)
04.31	Authority to Encumber and Expend Funds
04.31 AP.1	Purchasing
04.31 AP.2	Use of District Purchasing Card(s)
04.311	District Accounts (Accounting)
04.3111	District Issuance of Checks
04.3114	District Petty Cash
04.312	School Activity Funds
04.312 AP.1	Internal School Accounts
04.3122	Internal Petty Cash
04.32	Model Procurement Code Purchasing
04.32 AP.1	Procurement
04.32 AP.2	Bidding/Procurement (Vacant)
04.32 AP.21	Purchase Certification
04.4	Bonding of Employees
04.41	Fraud Prevention
04.5	Revenue Bonds
04.6	Investments
04.61	Gifts and Donations
04.7	Inventories
04.7 AP.2	Inventory Form
04.8	Disposal of School Property
04.8 AP.1	Disposal of School Property
04.81	Management of Financial Records

04

Fiscal Management

04.81 AP.1	Management of Financial Records
04.9	Audits
04.9 AP.1	Audits
04.91	Financial Statements and Reports
04.92	Uniform Guidance

Finance Officer Qualifications

All finance officers shall meet the qualifications of and be in compliance with the certification requirements noted in 702 KAR 3:320.

REFERENCES:

KRS 160.431
702 KAR 3:320

Adopted/Amended:
Order #:

Budget Planning and Adoption

PLANNING

The Superintendent shall establish procedures to provide for annual community, parent, school and, where appropriate, student input in the development of recommendations to be considered for the District budget. These procedures shall include a needs assessment process to identify, confirm, reassess and/or prioritize recommendations regarding District goals for future financial emphasis. The plan shall provide for reviewing the achievement of established goals and academic expectations of the District.

PREPARATION OF BUDGETS

As part of the annual budget process, the Board shall determine priorities to guide the Superintendent in developing draft budgets for the next fiscal year. Prior to the Board setting budget priorities, the Superintendent shall provide the Board with the estimated amounts that will be received from available sources, including tax rate(s) necessary to generate such amounts. In setting budget priorities, the Board shall consider the following:

1. Results of the current needs assessment, recommendations resulting from that process, and current District/school improvement and/or long-range plans.
2. Revenue projections for the coming year.

After receiving the Board's budget priorities, the Superintendent shall prepare for Board consideration and action proposed District budgets for all active MUNIS fund accounts. Budgets shall address the educational needs of the District as reflected by priorities established by the Board and shall show the amount of money needed and source of funds for the upcoming school year.

Each year, school councils shall review the budgets for all categorical programs and provide comments to the Board prior to the adoption of the budgets.

TIMELINE

On or before January 31, the Board shall formally and publicly examine a detailed estimate of revenues and proposed expenditures by line item for the following fiscal year. On or before May 30, the Board shall adopt a tentative working budget, which includes a minimum reserve of two percent (2%) of the total budget. When permitted by the Kentucky executive branch budget, the District may adopt, and the Kentucky Board of Education may approve, a working budget that includes a minimum reserve less than two percent (2%) of the total budget.

Within thirty (30) days of receipt of property assessment data, the Board shall levy tax rates for the District and forward them to the Kentucky Board of Education for approval or disapproval. By September 30, the Board shall adopt a close estimate or working budget for the District.

REFERENCES:

KRS 156.160; KRS 157.330; KRS 157.350; KRS 157.360
KRS 157.440; KRS 160.370; KRS 160.390
KRS 160.460; KRS 160.470; KRS 160.530; KRS 424.250
702 KAR 3:100; 702 KAR 3:110; 702 KAR 3:246; OAG 67-510

RELATED POLICIES:

01.11; 02.4242; 02.4331; 04.91

Adopted/Amended:
Order #:

Needs Assessment

SCHOOL NEEDS ASSESSMENT

By the end of the second month of the school year, each site administrator shall conduct and submit to the Superintendent a needs assessment. In SBDM schools the administrator shall conduct the assessment at the direction of the council.

If the school has developed a strategic plan or improvement plan, items identified in those plans should help determine needs. As the school develops its improvement plan, as outlined by the Department of Education, the needs assessment will assist in determining the contents of that plan.

GUIDELINES FOR SCHOOL ASSESSMENTS

The annual needs assessment shall identify existing programs, strengths of the school, and where needs exist. Examples of needs to be addressed are:

1. Instructional program
2. Student support services (counselors, music teachers, etc.)
3. Major equipment (science, technology, etc.)
4. Major maintenance (roof, heating and cooling, painting, door replacement, etc.)

DOCUMENTS TO BE REVIEWED

In preparing the District needs assessment, the Superintendent shall include a review of pertinent information, including but not limited to:

- Student academic assessment results (state-mandated tests, AP scores, nationally normed tests, SAT, ACT, etc.)
- Student noncognitive variables (attendance, drop-out rates, retention rates, etc.)
- District strategic plan or recommendations from the District's long-range plan
- Goals and objectives established by the Board and those set out in statute
- Needs assessments of individual schools
- Capital outlay needs of the District, including major maintenance needs
- Personnel salaries (Specific salary increases should not be included in the needs assessment.)
- Recommendations of accrediting associations such as the Southern Association for Elementary and Secondary Schools
- Staffing levels (The needs assessment should review staffing and programs included or funded in the schools' and District budgets.)

PRESENTATION TO THE BOARD

By December 1 the Superintendent shall have completed the District needs assessment, tabulated the results, and presented a summary report to the Board for its review and utilization in developing budget priorities. The report shall include the estimated cost for each item, and costs shall be within the revenues available to the District.

The Superintendent, at his/her discretion, may involve a committee to assist in development of the District needs assessment.

Needs Assessment**DISTRICT NEEDS ASSESSMENT (ESSA TITLE IV)**

As needed to qualify for a federal Title IV grant, the District needs assessment must be conducted once every three (3) years as specified in Every Student Succeeds Act of 2015 (ESSA). The needs assessment shall be done with input from stakeholders, including, but not limited to: parents, teachers, principals, school and community leaders, local government representatives, and others with relevant and demonstrated expertise in the area. The assessment shall examine needs for improvement of the following:

1. Access to, and opportunities for, a well-rounded education for all students;
2. School conditions for student learning in order to create a healthy and safe school environment; and
3. Access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.

REFERENCE:

20 U.S.C. § 7116(d)

Review/Revised:

Budget Planning Timeline

Month	Due Dates/Event	Date Completed
END OF 1ST SCHOOL MONTH	Each school site administrator records that school's official student enrollment for the current school year.	
OCTOBER	15 - The Superintendent projects the enrollment for the next five (5) years for each school site and gives that enrollment figure to the school's administrator. Each site administrator, under the direction of the school council in SBDM schools, shall conduct a needs assessment of program and support services, facility, and maintenance.	
NOVEMBER	15 - School needs assessment presented to the Superintendent.	
DECEMBER	1 - The Superintendent completes the District needs assessment and presents a summary report to the Board.	
	31 - Superintendent presents to the Board revenue projections for the District for the ensuing year.	
JANUARY	15 - Superintendent presents draft District budget plan, including estimated salary increases, to the Board. Board reviews District priorities along with the educational plan/needs assessment for the District.	
	*31 - Board reviews draft budget plan and establishes budget parameters for the ensuing school year.	
MARCH	*1 - Board provides tentative notice of allocations to school councils.	
	2 - Based on the educational plan/needs assessment developed earlier, the site administrator begins work with parent and teacher groups on development of the school budget.	
APRIL	1 - School council adopts school working budget and presents to the Superintendent.	
	15 - Superintendent and/or council members present school council budgets to the Board for review.	
MAY	*1 - Board provides final notice of allocations to school councils.	
	*15 - Superintendent notifies certified staff of any reduction(s) in responsibilities no later than ninety (90) days before the first student attendance day of the school year or May 15, whichever comes first.	
	*30 - Board adopts tentative working budget, including salary schedules.	
JUNE	30 - By this date, each school/school council shall make an annual report at a public meeting of the Board describing the school's progress in meeting the educational goals set forth in KRS 158.6451 and District goals established by the Board. (KRS 160.345)	
JULY	*1 - Board sets tax rates. (Date may vary, depending when tax rates are certified by the Chief State School Officer per KRS 160.470.) Board must levy rates and send them to KDE within 30 days of receiving assessment data.	
	25 - Annual financial report and balance sheet submitted electronically to KDE.	
SEPTEMBER	*15 - Staffing allocations to school councils are adjusted if changes in enrollment occur.	
	*30 - Board adopts a working budget to be submitted electronically to KDE.	
*Board action required by statute and/or regulation		

Review/Revised:

Administrative Procedures

DEVELOPMENT OF PROCEDURES

The Superintendent shall develop administrative procedures necessary to implement the fiscal management policies of the Board.

REFERENCES:

KRS 160.290

KRS 160.370

Adopted/Amended:

Order #:

Budget Implementation

MUNIS FUND ACCOUNT BUDGETS

The Superintendent shall prepare the draft District Budget and the MUNIS Fund Account Budgets annually. These budgets will:

1. Provide an educational program that will meet the educational needs of the students in the District.
2. Estimate the revenue—local, state, and federal—for the fiscal year.
3. Present a spending program to implement the educational plan and other necessary expenditures.
4. Determine the local tax rate needed.

BUDGET ADMINISTRATION

After the MUNIS Fund Account Budgets have been adopted, they will be transferred to the accounting system with copies made for staff members responsible for budget administration. Expenditures must stay within the budget, and the Superintendent/designee must give written approval if major expenditure categories are to be exceeded.

BUDGET APPRAISAL

The budget document will be appraised throughout the fiscal year using the following criteria:

1. Was the educational plan implemented to a high degree?
2. Were revenue receipts within reasonable proximity of the amount estimated?
3. Were the budgeted amounts appropriately distributed?
4. Was budget administration a problem?
5. Was the format functional?
6. Were the audit comments and suggestions helpful?

Review/Revised:

Internal Account Budgets**PREPARATION OF BUDGETS**

Each school council or Principal, as appropriate, shall prepare a budget for all internal accounts for the school year. The budget shall include a complete financial forecast of anticipated receipts and expenditures for the school year for each activity fund and shall be prepared on the state-required forms.

DUE DATE

Each club and organization shall prepare a tentative budget of receipts and expenditures for the next school year to be submitted to the Principal by April 15 on the state required form. The Principal shall submit the internal accounts budgets to the Superintendent no later than May 15 for submission to the Board.

REFERENCES:

KRS 160.160

KRS 160.290

KRS 160.340

OAG 60-1149

702 KAR 3:130; Accounting Procedures for Kentucky School Activity Funds

RELATED POLICY:

04.312

Adopted/Amended:

Order #:

Internal Account Budgets

PREPARATION

Internal account budgets shall be prepared in compliance with the dates specified in Procedure 04.1 AP.2.

FUND BALANCE

In the preparation and administration of internal school account budgets, Principals shall endeavor to establish a fund balance at the end of the fiscal year to accommodate a potential cash flow problem at the beginning of the next year.

Review/Revised:

Depositories**SELECTION**

The depository(ies) for all school funds, including internal accounts of schools, shall be determined annually by the Board. The depository(ies) so selected shall be accessible, capable of handling short-term investments, capable of providing those services necessary for the efficient operation of the schools, and subject to the requirements of KRS 160.570.

The Board shall issue an invitation to bid banking services prior to selection of depositories.

Written agreement(s) with the depository(ies) shall designate types of interest bearing accounts available and how the rate(s) of interest on deposits will be determined.

COLLATERAL

In accordance with KRS 41.240 and Kentucky Board of Education administrative regulations, each depository selected shall, before entering upon its duties, provide collateral to be approved by the Board and by the Commissioner of Education.

REFERENCES:

KRS 41.240

KRS 160.570

702 KAR 3:090

Accounting Procedures for Kentucky School Activity Funds

Adopted/Amended:

Order #:

Depositories**SELECTION OF DEPOSITORY(IES)**

The Superintendent shall notify the Board if a depository or depositories (up to 3) are to be selected with an effective date of July 1.

INVITATION TO BID

The Superintendent shall recommend to the Board for its approval an invitation to bid for bank depository services. Following consideration of bids received, selection of depository(ies) to provide services will be placed on the Board agenda as an action item no later than the June Board meeting.

BIDDING

Prior to the June Board meeting, the Superintendent/designee shall prepare and send the bid documents to local financial institutions meeting the requirements of KRS 160.570 and capable of providing the necessary services.

Review/Revised:

District Accounts**MANAGEMENT**

The Superintendent shall have general supervision, subject to the control of the Board, for the management of District business affairs.¹ The District treasurer shall fulfill the duties of the position as set out in KRS 160.560.² The Board secretary shall be custodian of District securities.³

CAPITAL OUTLAY FUND

The expenditure of public school capital outlay funds shall be determined by the Board on the recommendation of the Superintendent and in accordance with the provisions set out in KRS 157.420⁴ and applicable state budget provisions.

REFERENCES:

¹KRS 160.370

²KRS 160.560

³KRS 160.440

⁴KRS 157.420

KRS 160.476

KRS 157.620

RELATED POLICIES:

01.412

01.413

02.12

Adopted/Amended:

Order #:

Authority to Encumber and Expend Funds**FINANCIAL STATEMENT**

The daily administration of the budget shall be the responsibility of the Superintendent. The Superintendent shall provide the Board with a monthly financial statement. This shall include a report of receipts and disbursements and estimated status by major budget category, the cash balance on hand, and the amount of invested funds at the end of the immediate preceding month.

EXPENDITURE OF FUNDS

Expenditures from any District fund shall be made in accordance with the budgets approved by the Board. All purchases shall require the prior approval of the Superintendent or the Superintendent's designee.

AUTHORITY TO OBLIGATE

Administrators designated by the Superintendent may initiate a purchase order, subject to the limits of their designated budgeted funds and approval by their supervisor.

The Board shall not be responsible for expenditures not properly authorized and not made according to the purchasing procedures developed by the Superintendent.

REVIEW OF CREDIT CARD TRANSACTIONS

The Superintendent shall establish a process consistent with Board policy to regulate use of credit cards and credit card accounts. This process will include procedures for recovery of District funds for any unauthorized purchases.

Employees shall report immediately any District/school credit card that is lost. Personal purchases on District/school credit cards are prohibited. Unauthorized charges made by employees to District/school credit cards may result in disciplinary action.

BOARD APPROVAL REQUIRED

Prior Board approval shall be required in order for the District to participate in any cash management, bond issuance, tax revenue anticipation note, or other program involving commitment of District funds. The Board shall designate the fiscal agent and bond counsel.

REFERENCES:

KRS 160.340; KRS 160.370
KRS 160.390; KRS 160.470
KRS 160.530; KRS 160.550
702 KAR 3:050; 702 KAR 3:120
702 KAR 3:246; 702 KAR 3:300
School Council Allocation

RELATED POLICIES:

02.4242; 04.311; 04.3111

Adopted/Amended:
Order #:

Purchasing**SCHOOL PURCHASING**

1. Funds for expenditures authorized by the approved budget are to be made available to each Principal and school council who will advise staff of the available appropriations.
2. Principal/school council shall budget the allocations available to the school. Purchases made from these allocations shall be on Board purchase orders.
3. Purchase orders are to be completed by the department head or teacher and sent to the Principal /designee for approval.

A standard invoice, copy of a contract, or some documentation of approval for the payment must be attached if no purchase order has been issued.

4. If the purchase order is approved, the Principal/designee shall record the date, vendor, and amount of the purchase on the appropriate record form (computer or binder).
5. The purchase order is then forwarded to the school/Central Office designee.
6. Unless otherwise specified, copies of the purchase order shall be forwarded to the vendor, the school/District finance officer, and the person who placed the order.
7. When an order arrives, the person who placed the order checks the items received and signs and dates the receiving report or packing slip. A notation is made on the receiving report or packing slip as to the condition of the items received and any shortage in the shipment. The receiving report or packing slip is then returned to the school/District finance officer to be matched with the invoice.
8. The school/District finance officer clears the invoice for payment and charges the expenditure to the appropriate school account. The Superintendent/designee shall send a budget update to each school at least once each quarter.
9. If a purchase needs to be made on an emergency basis as defined by the Principal/designee, the employee shall complete a purchase order, obtain the signature of the Principal/designee, and arrange for the purchase. The employee shall then complete all other purchasing procedures.

All orders for the current fiscal year must be approved by the Principal/designee by

☐ March ☐ April ☐ May.

10. All invoices for the current fiscal year must be presented to the school/Central Office designee by ☐ April ☐ May ☐ June.

Purchasing**DISTRICT PURCHASING**

1. Expenditures authorized in the approved budget are made available to authorized Central Office personnel who make purchases.
2. Purchase orders shall be completed and sent to the Superintendent/designee for approval.
3. If approved, the order is placed, copies of the purchase order are distributed, as appropriate, and a record of the purchase is completed.
4. When an order arrives, the person who placed the order checks the items received and signs and dates the appropriate copy of the purchase order. A notation is made on the receiving report as to the condition of the items received and any shortage in the shipment. The receiving report is then returned to the District finance officer for payment.
5. If a purchase needs to be made on an emergency basis as defined by the Superintendent/designee, the employee shall complete a purchase order, obtain the signature of the Superintendent/designee, and arrange for the purchase. The employee shall then complete all other purchasing procedures.
6. All orders for the current fiscal year must be approved by the Superintendent/designee by ☐ March ☐ April ☐ May.
7. All invoices for the current fiscal year must be presented to the Central Office designee by ☐ March ☐ June ☐ June 30.

Review/Revised:

Use of District Purchasing Card(s)

CREDIT CARD

Credit cards shall be issued in the name of the District and used by employees to purchase food, lodging, transportation, and other items incurred in the course of District/school business as approved by the Superintendent/designee. Personal items, spouse/family expenses, etc., are not to be charged to the District credit card even if later reimbursed to the District.

SURPLUS PROPERTY AUTHORIZATION CARD

The Superintendent or Central Office designee is authorized by Board action to use the District's Surplus Property Authorization Card. Other District employees must have a letter of authorization from the Superintendent or Central Office designee to present with the card to make purchases charged to the Board account. Purchases charged by schools must be reimbursed to the Board account, unless otherwise authorized by the Superintendent or designee. Surplus property items purchased for District use become District property.

SECURING

All individuals using the District purchasing card(s) shall complete the following purchasing card checkout form.

NOTE: Instead of this form, please use the form provided in the KDE document, Accounting Procedures for School Activity Funds, when using a District credit card to make a school activity fund expenditure.

District purchasing cards may not be lent to or used by anyone other than the individual to whom it is issued.						
Individuals using a District purchasing card shall submit a detailed receipt, in addition to a purchasing card receipt, indicating the date, purpose, and nature of the expense for each claim item. Failure to provide a proper receipt shall make the individual responsible for expenses incurred.*						
Name	Purpose/PO #	Purchasing Card Name	Purchasing Card #	Date Out	Date In	Initials of Superintendent/Designee

*In exceptional cases, the Superintendent or Board may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances shall be considered part of the District's record of claims.

RELATED POLICIES:

01.821; 03.125; 03.225

Review/Revised:

District Accounts**SYSTEM OF ACCOUNTING**

The Board intends that accounting practices follow state and federal laws and regulations and generally accepted accounting principles. Therefore, the District shall follow a uniform financial accounting system provided by the Kentucky Department of Education.

As advised by the Board's auditor/Certified Public Accountant, determination of liabilities and assets, prioritization of expenditures of governmental funds, and provisions for accounting disclosures shall be made in accordance with governmental accounting standards. This process shall include leave accumulated by employees and all Board properties and funds, including those that have been escrowed.

ELECTRONIC FUNDS TRANSFER (EFT)

The District may participate in EFTs. Properly approved electronic payments on behalf of the District may be made in accordance with applicable laws and regulations. The Board authorizes schools to accept electronic receipts and make payments in accordance with Accounting Procedures for Kentucky School Activity Funds and applicable laws and regulations.

REFERENCES:

KRS 157.060

KRS 160.340

KRS 160.560

702 KAR 3:120; KETS District Administrative System Chart of Accounts and Chart of Accounts Descriptions

702 KAR 3:130; Accounting Procedures for Kentucky School Activity Funds
Governmental Accounting Standards Board (GASB)

Adopted/Amended:
Order #:

District Issuance of Checks**AUTHORIZATION**

The treasurer shall prepare warrants or "Orders of the Treasurer" to be acted upon at each regular Board meeting. Except for situations as defined below providing for subsequent Board approval, before checks are issued, the treasurer shall have received the approved warrant or "Orders", or approved equivalent properly executed, which shall include signatures of the chairperson and secretary of the Board.

The Board shall designate one (1) or more Board members to review bills before a meeting for items that may need clarification prior to presentation for final approval for payment.

PAYMENT OF BILLS

With the exception of recurring monthly payments such as utilities and fixed charges, no bill shall be paid without the following supportive information:

1. A purchase order signed by the Superintendent or his designated representative;
2. An invoice as to goods or services received; and
3. Confirmation that invoiced materials were received in accurate quantity and in good order.

BOARD MINUTES

The original copy of warrants or "Orders" shall be maintained on file as a part of the official Board minutes.

SUBSEQUENT APPROVAL

The Board shall give subsequent approval to all budgeted disbursements made between meetings of the Board. Payments made between regular Board meetings shall be confined to the following:

1. contract salaries,
2. payments to take advantage of discounts,
3. payments made to prevent penalties and disruption of services, and
4. payments for approved purchases made in accordance with District policy and procedures to avoid invoices being more than thirty (30) days past due as of the date of the Board meeting.

REFERENCES:

KRS 160.290; KRS 160.340
KRS 160.370; KRS 160.560
OAG 79-321; 702 KAR 3:120
Accounting Procedures for Kentucky School Activity Funds

Adopted/Amended:
Order #:

District Petty Cash**PETTY CASH FUND**

In order to facilitate refunds of minor purchases, the Board authorizes a petty cash fund in the Board office. The custodian for such account will be the Superintendent or his designated representative. The petty cash fund shall not exceed \$50.

PURPOSES

Petty cash funds shall be used for the following purposes: miscellaneous, postage, collect deliveries, and other small disbursements. The petty cash fund will be replenished as imprest funds and is to be reimbursed to each account through accounts payable. Each transaction must be supported with proper receipts by the account custodian. Petty cash funds must be reconciled at the end of each month.

REFERENCES:

KRS 160.340

KRS 160.290

Adopted/Amended:

Order #:

School Activity Funds

School activity funds may be expended for purposes which contribute generally to the benefit of the students, provided expenditures are consistent with requirements set out in Accounting Procedures for Kentucky School Activity Funds (Redbook). Based on a schedule developed by the Superintendent, the Board shall review the status of school activity funds at least twice each fiscal year.

UNIFORM ACCOUNTING

All personnel shall comply with the uniform financial accounting system¹ and activity fund accounting procedures set out in Kentucky Administrative Regulation.²

TWO SIGNATURES REQUIRED

The Principal, or school councils in SBDM schools, shall be responsible for the manner in which accounts are kept and preserved. Two (2) signatures shall be required on each check drawn against school activity funds, neither of which may be a signature stamp. The two (2) signatures shall be the manual signatures of the Principal/designee and the school treasurer.

PURCHASE ORDERS

Activity funds may only be expended as authorized in the Accounting Procedures for Kentucky School Activity Funds.

Activity fund purchases must be supported by a properly executed purchase request and authorization for payment by the Principal.

Because no school activity fund is permitted to end the fiscal year with a deficit balance, the school shall not expend or commit to expend any activity fund in excess of revenue received for the fiscal year. Should this occur, the employee(s) responsible shall be subject to appropriate disciplinary action, and the Superintendent may require the school/council to present for Board approval a plan for reimbursement of any deficit amount.

FINANCIAL REPORTS

Each month the Principal shall provide the District Finance Officer with a financial report for activity fund accounts. On or before July 25, following the end of the fiscal year, the Principal shall submit to the District Finance Officer an annual financial report for those accounts.

DEFINITION OF SCHOOL ACTIVITY FUNDS

School activity funds refer to all school funds including funds derived from fund-raising activities and Board approved fees sponsored under the auspices of the school by student clubs or student organizations. Funds raised or received by organizations that do not come under the direct supervision of school authorities shall not be considered school activity funds.

DEFINITION OF DISTRICT ACTIVITY FUNDS

Non-student generated funds collected at the school level to be used for operating costs. Operating costs are the expenses which are related to the operation of a District, or to the operation of a device, component, or a piece of equipment or facility. They are the cost or resources used by a District just to maintain its existence.¹

Funds carry over at year end subject to board policy.

School Activity Funds**DONATIONS**

With the Principal's approval, schools may receive donations, including gifts of personal property, for the benefit of the school or for the students of the school, that are valued at an amount as determined by the Board in Policy 04.61 and hold and use as requested. Donations valued at more than that amount must be approved by the Board.

Donations specifically for instructional materials or operating expenses must be sent to the District as District Activity Funds.

Donations valued at \$250 or more require a Donation Acceptance Form be completed.

A listing of all donations shall be submitted to the Board at the end of each fiscal year.

AUDIT OF FUNDS

All school activity funds shall be audited annually by a certified public accountant. All audit reports shall be reviewed and appropriate action taken as required by Kentucky Administrative Regulation.¹

SUPPORT/BOOSTER CLUBS

Parent-teacher associations and booster club funds are not subject to deposit and accounting procedures as school activity funds.³ However, each year the Principal shall be provided the following from all support/booster club organizations as required by state activity fund accounting procedures:

1. Within the first thirty (30) days of the school year or within thirty (30) days of the first transaction for the group:
 - a. Names of club officers;
 - b. Federal Employer Identification Number (FEIN); and
 - c. A copy of the annual budget.
2. An annual financial report by July 25 for the year ending June 30 reporting receipts, expenditures, and beginning and ending balances;¹ and
3. All other information required by Accounting Procedures for Kentucky School Activity Funds.

External support/booster organization officers are solely responsible for ensuring that their group is in compliance with District policies, external support/booster organization guidelines in the Redbook, and state and federal regulations. The District, including any District employee, shall not be held responsible for any deficiencies by the external support/booster organization.

All support/booster organizations wishing to be recognized by and/or affiliated with the District shall comply with the following:

- Adhere to applicable state and federal laws, including taxable income reporting requirements, when conducting fund-raising activities to benefit the school or District; and

School Activity Funds**SUPPORT/BOOSTER CLUBS (CONTINUED)**

- Conduct fund-raising activities to benefit the entire group and not permit credit to be earned through fund-raising for an individual student.

Each year the Superintendent shall report to the Board when all support/booster organizations have been informed of requirements from the Accounting Procedures for Kentucky School Activity Funds that apply to them.

External support/booster organizations shall obtain prior Board approval to establish and lend support, seek assistance, and/or raise funds in the name of the District or school or students or a District or school program.

All funds expended by a support/booster organization shall be from their fund-raising activities and donations. No dues, fees, or charges shall be assessed to students or parents, except for the PTA forwarding membership fees to national/state/district/local chapters.

External support/booster organizations cannot reimburse District employees for personal and booster club purchases.

Although they may be general members, Board members and employees shall not serve as the treasurer or any other officer with check-signing authority on a bank account for an external support/booster organization. Employees may serve as a member of the executive board of an organization.

FUND-RAISING PROJECTS

Schoolwide fund-raising projects must be approved by the Board.⁴

Proof of general liability insurance for external support/booster organizations must be submitted to the Principal prior to commencing any fund-raising activities.

All fund-raising activities conducted by school-sponsored groups shall be for the benefit of the entire school or group.

REFERENCES:

¹702 KAR 3:130; Accounting Procedures for Kentucky School Activity Funds

²702 KAR 3:120

³OAG 79-556

⁴KRS 158.290

KRS 139.497; KRS 156.070; KRS 160.290; KRS 160.340

RELATED POLICIES:

04.61; 09.33

Adopted/Amended:
Order #:

Internal School Accounts

ACCOUNTING

Accounting for internal accounts shall be in accordance with the Department of Education's Manual, *Accounting Procedures for School Activity Funds*.

Review/Revised:

Internal Petty Cash**PETTY CASH FUND**

In order to facilitate refunds of minor purchases, the Board authorizes a petty cash fund in each school. The custodian for such account will be the Principal or his designated representative. The petty cash fund shall not exceed \$50.

PURPOSES

Petty cash funds shall be used for the following purposes: miscellaneous, postage, collect deliveries, and other small disbursements. The petty cash fund will be replenished as imprest funds and is to be reimbursed to each account through accounts payable. Each transaction must be supported with proper receipts by the account custodian. Petty cash funds must be reconciled at the end of each month.

REFERENCES:

KRS 160.290

702 KAR 3:130

Accounting Procedures for Kentucky School Activity Funds

Adopted/Amended:

Order #:

Model Procurement Code Purchasing

AUTHORITY

Purchasing procedures shall conform to the Model Procurement Code, KRS 45A.345 – KRS 45A.460.¹ All contracts or purchases shall be awarded by competitive sealed bidding or competitive negotiation, both of which may include the use of a reverse auction, except as otherwise provided by law.²

All purchases of Kentucky Education Technology System (KETS) components shall adhere to KETS architectural standards and procedures.

The District may purchase supplies and/or equipment outside an established price contract of the federal government (GSA), the State Division of Purchases, a cooperative agency bid approved by the Board, or a District bid if:

1. The supplies and/or equipment meet the specifications of contracts awarded by the Division of Purchases, a federal agency (GSA), a cooperative agency, or a District bid;
2. The supplies and/or equipment are available for purchase at a lower price;
3. The purchase does not exceed \$2,500⁴ & ⁸; and
4. The District's finance or purchasing officer has certified compliance with the first and second requirements.

Prior to purchase of education technology components defined in the master technology plan, the Department of Education must certify that the items to be purchased meet or exceed the specifications of components of the original equipment of manufacturers currently holding Kentucky price contracts.⁴

PUBLIC-PRIVATE PARTNERSHIPS

The Board may utilize a public-private partnership delivery method. Public-private partnerships shall comply with KRS 65.028 and other applicable state laws and regulations.

FEDERAL AWARDS/CONFLICT OF INTEREST

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.⁷

The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. In determining whether an activity constitutes an impermissible acceptance of a gratuity or item of monetary value, the definition of "gratuity" (covering anything of more than fifty dollars [\$50] value) set forth in KRS 45A.445 shall apply. Violation of these standards may result in disciplinary action including, but not limited, to suspension, dismissal, or removal.

Model Procurement Code Purchasing**ETHICAL STANDARDS**

To avoid conflicts that may arise during the decision-making process for procurement of services and products for the District, employees shall adhere to the ethical standards set out in KRS 45A.455.

PREFERENCE FOR RESIDENT BIDDERS

For all contracts funded in whole or in part by the District, the Board shall apply the reciprocal preference for resident bidders required by law. Geographical preferences relating to school nutrition service purchases may be utilized only as permitted by applicable federal law.³

EXEMPTIONS

Federal regulatory requirements do not provide a bidding exception for purchase of perishables using school nutrition service funds. Such purchases must follow applicable federal regulations.⁷

PRICE REDUCTIONS

Price reductions may be accepted on supplies and/or equipment being offered by the vendor with whom a price agreement has been made if the supplies and/or equipment meet all terms and conditions specified in the price agreement except for price and if the price reduction is offered to all participants in the price agreement. Price reductions may be accepted even if the reduced price requires the purchase of a specified quantity of units different from the quantity stated in the original price agreement.

SMALL PURCHASES

District small purchase procedures may be used for any contract in which the aggregate amount does not exceed \$40,000.00.⁵

BACKGROUND CHECKS

The Superintendent shall require an adult who is permitted access to school grounds on a regularly scheduled and continuing basis pursuant to a written agreement for the purpose of providing services directly to a student or students as part of a school-sponsored program or activity to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and to provide a clear CA/N check in keeping with KRS 160.380.⁶

Link to DPP-156 Central Registry Check and more information on the required CA/N check:

<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANCChecksandCentralRegistryChecks.aspx>

Model Procurement Code Purchasing

REFERENCES:

¹KRS 45A.343

²KRS 45A.345; KRS 160.290; KRS 45A.380

³KRS 160.303; 200 KAR 5:400; KRS 45A.494

⁴KRS 156.076

⁵KRS 45A.385

⁶KRS 160.380

⁷2 C.F.R. 200.318

⁸KRS 45A.360

KRS 45A.352; KRS 45A.365; KRS 45A.370

KRS 45A.420; KRS 45A.445; KRS 45A.455; KRS 45A.460; KRS 45A.620

KRS 65.027; KRS 65.028; KRS 160.151; KRS 164A.575; KRS 176.080

200 KAR 5:355

OAG 79-501; OAG 82-170; OAG 82-407

Kentucky Educational Technology Systems (KETS)

RELATED POLICIES:

05.6; 06.4; 07.13

Adopted/Amended:
Order #:

Procurement

- A. Conditions, including emergencies, and procedures under which purchases may be made by means other than competitive sealed bids.

Purchasing officers are authorized to acquire goods, services, or construction through noncompetitive negotiation under the following circumstances, providing a written determination is made that competitive bidding is not feasible. If available, quotes from three (3) suppliers shall be secured if for purchases exceeding \$1,000. At least one (1) of the following conditions shall be met:

1. An emergency has been determined.

An emergency condition is a situation that creates a threat to public health, welfare, or safety such as may arise by reason of floods, epidemics, riots, and equipment failures. The existence of such a condition creates an immediate and serious need to supplies, services, or construction that cannot be met through normal procurement procedures and the lack of which would seriously threaten (a) the functioning of the District; (b) the preservative or protection of property; (c) the health or safety of any person. When such conditions exist, the Superintendent and designated purchasing agents are authorized to purchase through noncompetitive negotiation. The determination of an emergency and the details of the procurement shall be stated in writing and reported to the Board at its next regular meeting.

2. The product or service to be procured is available from a single source.
3. A necessity is temporarily unavailable from the contracted supplier.

When a particular necessity is temporarily unavailable from the contract supplier and the purchasing officer makes a written determination to that effect, the purchasing officer has the authority to treat such items as a single source of services or products and has authority to proceed to procure the same by noncompetitive negotiation.

4. Contracts for services.

The District may contract for the services of licensed professionals such as attorney, physician, psychiatrist, psychologist, certified public accountant, registered nurse, or educational specialist; technicians such as plumber, electrician, carpenter, or mechanic; or an artist such as a sculptor, aesthetic painter, or musician; printers for special projects. This provision shall not apply to architects or engineers providing construction management services rather than professional architect or engineer services.

Noncompetitive negotiations for services of licensed professionals shall occur only when specialized training is required of the contractor, when a specific program or service can be delivered by only one or a few individuals, or when travel costs and time dictate constraints on the bidding process.

5. The contract is for the purchase of perishable items, as indicated in applicable federal and state law, purchased with funds other than school nutrition service funds on a weekly or more frequent basis.

Purchase of such items with school nutrition service funds shall be done consistent with methods authorized by federal regulation (7 C.F.R. §3016.36).

Procurement

6. The contract or purchase is for replacement parts where the need cannot be reasonably anticipated and stockpiling is not feasible.
7. The contract is for proprietary items for resale.
8. Items for resale include printed documents; stocks and inventories for school bookstores; candies; soft drinks, and, all other items that are sold to students and to the general public. Supplies that must be processed prior to resale such as food purchases for the lunchroom are not included as items for resale.
9. The contract or purchase relates to an enterprise in which the buying or selling by students is a part of the educational experience.
10. The contract or purchase is for expenditures made on authorized trips outside the boundaries of the service area of the agency.
11. The contract or purchase is for purchase of supplies that are sold at public auction or by receiving sealed bids.
12. The contract is for group life insurance, group health and accident insurance, group professional liability insurance, worker's compensation insurance, or unemployment insurance.
13. The contract or purchase is for a sale of supplies at reduced prices that will afford a purchase at savings to the school district.
14. The contract or purchase is from a state, U.S. Government, or other public agency.
15. The contract or purchase is from a state, U.S. Government, or other public agency price contract.
16. Specifications cannot be made sufficiently specific to permit an award on the basis of either the lowest bid price or the lowest evaluated bid price.
17. Sealed bidding is inappropriate because the available sources of supply are limited.
18. The bid prices received through sealed bidding are unresponsive or unreasonable.

B. Reverse Auction

Competitive bidding or competitive negotiation for goods and leases may include use of a reverse auction, which is to be conducted as provided in KRS 45A.365 (competitive sealed bidding) or KRS 45A.370 (competitive negotiation).

C. Rejection of bids, consideration of alternate bids, and waiver of informalities in offers.

The conditions for bidding shall be applicable to and incorporated in all invitations for bids. Failure to comply with such conditions shall be cause for rejection of the bid. The Board or its designee retains the right to waive any informalities in offer.

D. Confidentiality of technical data and trade secrets information submitted by actual and prospective bidders or offerors.

Technical data and trade secrets information submitted by actual and prospective bidders are exceptions to the open records requirements and shall be rated confidentially.

Procurement

E. Partial, progressive and multiple awards.

The District purchasing officer is authorized, when feasible, to advertise for bids as a discount from a price list or catalog. The conditions shall state that multiple awards may be made. When such multiple awards are made, purchases at the contract discount may be made from such price lists or catalogs without further negotiation. However, any changes in the price list exceeding ten percent (10%) during the period of the contract shall disqualify such items from purchase.

F. Supervision of store rooms and inventories, including determination of appropriate stock levels, and the management, transfer, sale or other disposal of government-owned property shall be the responsibility of the purchasing officer of the district.

G. Definitions and classes of contractual services and procedures for acquiring them.

The District may obtain the services of various classes of professionals, technicians, and artists by noncompetitive negotiation when specialized training is required of the contractor, when a specific program or service can be delivered by only one or a few individuals, or when travel costs and time dictate constraints on the bidding process.

H. Procedures for the verification and auditing of local public agency procurement records.

The Superintendent shall maintain sufficient records for the Board to verify all purchasing agreements and purchases made through such agreements. Financial records of all transactions related to the purchase of goods and services for the District or individual schools are subject to an annual financial audit.

I. Annual reports from those vested with purchasing authority as may be deemed advisable in order to insure that the requirements of this policy are complied with.

1. Each staff member authorized to approve purchase orders shall:

- a) Keep a copy of all purchase orders issued.
- b) Maintain a log to include the name of the vendor from which products or services were obtained.
- c) Record the purpose of the product or service.
- d) Record how the decision was made to purchase from the vendor (bid, negotiation, single source, state price contract, etc.)
- e) List other vendors contacted and their cost for the product or service.

2. All Board policies and District procedures pertaining to procurement, whether promulgated under KRS 45A.345 to 45A.460 or otherwise, shall be maintained in the District Central Office and shall be available to the public upon request at a cost not to exceed the cost of reproduction.

J. Except as permitted by law, every invitation for bid or request for proposals shall provide that an item equal to that named or described in the specifications may be furnished.

Review/Revised:

Bidding/Procurement

(Vacant)

Review/Revised:

Purchase Certification

PROVIDED THIS FORM IS CERTIFIED BY THE DISTRICT FINANCE OFFICER PRIOR TO THE PURCHASE, DISTRICT/SCHOOL PERSONNEL MAY MAKE PURCHASES OF UP TO \$2,500 OUTSIDE ESTABLISHED PRICE CONTRACT AGREEMENTS.

School Name: _____

Requested By: _____

Purchase Date: _____ (Certification date precede purchase date.)

Vendor Name: _____

List below the item(s) to be purchased:

Description	Cost (*)	Contract (**)
TOTAL		

(*) Cost from the vendor named above.

(**) Cost on GSA, State Price, or other Board-approved bid contract

=====

I certify that this purchase will not exceed \$2,500 and that the item(s) listed above meet or exceed the standards and specifications fixed by the following (Check appropriate box.):

☐ Federal (GSA) Price Contract number _____

☐ State Price Contract number _____

☐ Cooperative Agency Bid number _____

☐ Other Entity Bid Entity Name _____

Bid number _____

I further certify that the sales price of this purchase is lower than the sales price in the noted bid and/or contract.

Finance Officer/Designee's Signature **Date**

Review/Revised:

Bonding of Employees**FIDELITY BOND REQUIRED**

The treasurer of the Board shall be bonded in an amount sufficient to meet the requirements of Kentucky Administrative Regulation.

The finance officer and all others who hold similar positions and are responsible for District funds and who receive and expend funds on behalf of the District also shall be covered by a fidelity bond provided by the Board.

Each year on advice of the Commissioner of Education, the Board shall determine the amount of the fidelity bond of the treasurer of the Board and other school employees responsible for District funds. No later than July 31 of each year, the Board shall submit the fidelity bonds to the Commissioner of Education for approval.

REFERENCES:

KRS 160.560; KRS 160.640
702 KAR 3:080

Adopted/Amended:
Order #:

Fraud Prevention

All employees, Board members, consultants, vendors, contractors and other parties maintaining a business relationship with the District shall act with integrity and due diligence in matters involving District fiscal resources.

DEFINITION

As used in this policy, “fraud” refers to intentionally misrepresenting, concealing, or misusing information in an attempt to commit fiscal wrongdoing. Fraudulent actions include, but are not limited to:

- Behaving in a dishonest or false manner in relation to District assets, including theft of funds, securities, supplies, or other District properties.
- Forging or altering financial documents or accounts illegally or without proper authorization.
- Improper handling or reporting of financial transactions.
- Personally profiting as a result of insider knowledge.
- Disregarding confidentiality safeguards concerning financial information.
- Violating Board conflict of interest policies.
- Mishandling financial records or District assets (destroying, removing, or misusing).

STAFF RESPONSIBILITIES

Employees who suspect that financial fraud, impropriety or irregularity has occurred shall immediately report those suspicions to their immediate supervisor and/or the Superintendent/designee who shall have the primary responsibility for initiating necessary investigations. If the Superintendent is an alleged party in the fraud complaint, provision shall be made for addressing the complaint to the Board chairperson.

Investigations shall be conducted in coordination with legal counsel and other internal or external departments and agencies as appropriate.

The Superintendent/designee shall inform employees with financial/accounting responsibilities of the following anti-fraud standards established by the Board:

1. The District shall operate in a culture of honesty and ethical behavior with employees doing all within their power to further that goal.
2. Employees shall comply with all laws, rules, regulations and court orders of the Commonwealth of Kentucky and of the United States, as well as Board policy addressing fiscal matters.
3. Employees shall practice good stewardship of District financial resources, including timely reporting of fraudulent expenditures.
4. Employees with financial/accounting responsibilities shall support and follow sound business practices to the best of their ability and in keeping with their assigned responsibilities and job-related training by:
 - a. Maintaining and protecting District financial records;
 - b. Performing one’s job with the highest attention to detail to minimize and prevent error, falsification of accounting records, and omission of transactions;

Fraud Prevention**STAFF RESPONSIBILITIES (CONTINUED)**

- c. Reporting knowledge of fraud or suspected fraud, including intentional misstatements and omissions of amounts or disclosures;
- d. Guarding against misappropriation of assets;
- e. Refusing to reveal investment activities engaged in or contemplated by the District to unauthorized persons or agencies; and
- f. Resisting incentives, pressures, and negative attitudes that detract from performance of assigned responsibilities.

INTERNAL CONTROLS/INVESTIGATIONS

The Superintendent/designee shall be responsible for developing internal controls to aid in preventing and detecting fraud or financial impropriety or irregularity within the District. Reports of suspected fraudulent activities shall be investigated in a manner that protects the confidentiality of the parties and avoid unfounded accusations. Employees involved in the investigation shall be advised to keep information about the investigation confidential.

If an investigation substantiates occurrence of a fraudulent activity, the Superintendent/designee shall issue a report to appropriate personnel and to the Board of Education. Final disposition of the matter and any decision to file a criminal complaint or refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with legal counsel. Results of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate need to know.

REFERENCES:

Governmental Accounting Standards
KRS 7.410; KRS 158.155
725 KAR 1:030; KRS 171.420
Records Retention Schedule, Public School District

RELATED POLICIES:

01.61
03.17/03.27
03.1721/03.2721
04.8; 04.81

Adopted/Amended:
Order #:

Revenue Bonds**SALE**

The sale of any school revenue or school-voted bond issues is subject to the approval of the Commissioner of Education.

ISSUANCE

School revenue or school-voted bonds will be issued in accordance with 702 KAR 3:020 and KRS Chapter 162.

FISCAL AGENTS

The Board shall select the fiscal agent for the proposed bond issue. The fiscal agent shall employ appropriate bond counsel subject to the approval of the Board.

REFERENCES:

702 KAR 3:020
KRS 162.080; KRS 162.090; KRS 162.100
KRS 162.170; KRS 162.180; KRS 162.185
KRS 162.190; KRS 162.200; KRS 162.280
KRS 162.290; KRS 162.300; KRS 162.360
KRS 162.385; KRS 162.520; KRS 162.580
KRS 162.600; KRS 162.620; KRS 162.990

Adopted/Amended:
Order #:

Investments

EXCESS FUNDS

Funds that are temporarily in excess of operating needs shall be invested by the Finance Officer. Such funds shall be invested in one (1) or more of the following:

1. Obligations of the United States and of its agencies and instrumentalities, including obligations subject to repurchase agreements, provided that delivery of these obligations subject to repurchase agreements is taken either directly or through an authorized custodian;
2. Obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States or a United States government agency;
3. Obligations of any corporation of the United States government;
4. Certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution having a physical presence in Kentucky which are insured by the Federal Deposit Insurance Corporation or similar entity or which are collateralized, to the extent uninsured, including surety bonds, by any obligations permitted by KRS 41.240(4);
5. Uncollateralized certifications of deposit issued by any bank or savings and loan institution having a physical presence in Kentucky rated in one (1) of the three (3) highest categories by a competent rating agency;
6. Bankers' acceptances for banks rated in one (1) of the three (3) highest categories by a competent rating agency;
7. Commercial paper rated in the highest category by a competent rating agency;
8. Bonds or certificates of indebtedness of this state and of its agencies and instrumentalities;
9. Securities issued by a state or local government or any instrumentality of agency thereof, in the United States, and rated in one (1) of the three (3) highest categories by a competent rating agency;
10. Shares of mutual funds and exchange traded funds, as permitted by law;¹
11. Individual equity securities if the funds being invested are managed by a professional investment manager regulated by a federal regulatory agency. The individual equity securities shall be included within the Standard & Poor's 500 Index, and a single sector shall not exceed twenty five percent (25%) of the equity allocation; and
12. Individual high-quality corporate bonds that are managed by a professional investment manager that are issued, assumed, or guaranteed by a solvent institution created and existing under the laws of the United States; have a standard maturity of no more than ten (10) years; and are rated in the three (3) highest rating categories by at least two (2) competent credit rating agencies.

Investments**EXCESS FUNDS (CONTINUED)**

The Board shall not purchase any investment on a margin basis or through the use of any similar leveraging technique. In addition, the amount of money the District invests at any time in one (1) or more of the categories/options 5, 6, 7, 11, and 12 listed above shall not exceed twenty percent (20%) of the total amount of money invested. The amount of money the District invests in categories/options 10, 11, and 12 above shall not, aggregately, exceed forty percent (40%) of the total money invested, unless the investment is in a mutual fund consisting solely of the investments authorized above, or any combination thereof.

At the time the investment is made, no more than five percent (5%) of the total amount of money invested by the District shall be invested in any one (1) issuer unless:

1. The issuer is the United States government or an agency or instrumentality of the United States government, or an entity which has its obligations guaranteed by either the United States government or an entity, agency, or instrumentality of the United States government;
2. The money is invested in a certificate of deposit or other interest-bearing accounts as authorized by law;
3. The money is invested in bonds or certificates or indebtedness of this state and its agencies and instrumentalities as authorized by law; or
4. The money is invested in securities issued by a state or local government, or any instrumentality or agency thereof, in the United States as authorized by law.

GUIDELINES

The primary objectives of investment activities, in priority order, shall be:

1. *Legality* - All investments shall be made in accordance with applicable legal requirements.
2. *Safety* - The Finance Officer shall consider safety of principal, along with reduction of credit and interest rate risk, in making investment decisions.
3. *Liquidity* - Investments shall remain sufficiently liquid to meet reasonably anticipated operating requirements. To promote this objective, the Finance Officer shall develop a fiscal year anticipated cash flow projection schedule.
4. *Yield* - The Finance Officer shall select investments or recommend investments with the objective of attaining the maximum rate of return.

Prior to investment, the Finance Officer shall ascertain the current rate of interest payable for the investment at all financial institutions approved by the Board.

Investments**GUIDELINES (CONTINUED)**

At the next regular Board meeting following the investment, the Board shall be informed as to the amount invested, type of investment, date of investment, rate of interest, length of investment, and current market value of the funds invested. The Finance Officer also shall provide a monthly report to the Board of the total amount invested at the end of the previous month, the maturity date of those investments and the rate of interest being earned.

The Finance Officer shall prepare for Board review an annual review of the District's investment program, which shall summarize the information that has been presented monthly.

REFERENCES:

¹KRS 66.480
KRS 160.570
KRS 41.240
KRS 160.431
702 KAR 3:090

RELATED POLICIES:

04.2
04.21

Adopted/Amended:
Order #:

Gifts and Donations

The Board may directly accept gifts or donations that are restricted by the grantor to be used in furtherance of lawful school safety, security, and student health purposes to the extent allowed by applicable laws and shall use any accepted gift or donation for the purpose for which it was granted.¹

DONATIONS

With the Principal's approval, schools may receive any gifts of real or personal property for the benefit of the school or for the students of the school that is valued less than \$1000 and hold and use it as requested. Donations valued at more than \$1000 must be approved by the Board.

A listing of all donations shall be submitted to the Board at year-end.

FAMILY RESOURCE AND YOUTH SERVICE CENTERS

The District may accept monetary donations for the operation and maintenance of Family Resource and Youth Service Centers (FRYSCs). Any donations given to the District for operation and maintenance of FRYSCs shall be used for that purpose only.²

REFERENCES:

¹KRS 160.580; 158.4461

²KRS 156.496

Accounting Procedures for Kentucky School Activity Funds (Redbook)

RELATED POLICY:

04.312

Adopted/Amended:

Order #:

Inventories

EQUIPMENT AND ASSETS

The District shall adhere to the property inventory procedures developed by the Kentucky Department of Education. Principals and other supervisors designated by the Superintendent are accountable for inventory, control and maintenance of all assets and equipment in their area of responsibility.

Each school year, results of inventories shall be reconciled, coordinated and reported to the Superintendent and the Board as required by the Finance Officer.

A complete, up-to-date inventory of the following shall be maintained:

1. Fixed assets (real property) with an acquisition value of \$5,000 or more that has a useful life of more than one (1) year;
2. ALL computer workstations and laptops, regardless of value; and
3. Any additional items designated by the Superintendent/designee.

The Superintendent shall develop procedures and forms for the annual inventory and be responsible for maintaining the inventory.

CAPITAL ASSETS

The District shall refer to the KDE Capital Asset Guide for guidance in establishing capitalization threshold amounts.

TRANSFER AND DISPOSAL

Fixed assets no longer needed or useable shall be returned to a designated central location and transferred or disposed of in compliance with Board policy, District inventory procedures and applicable legal requirements.

CAREER AND TECHNICAL EDUCATION PROGRAM

Inventory management and control for equipment purchased with state funds for use in the career and technical program shall be administered in compliance with applicable legal requirements.¹

REFERENCES:

¹780 KAR 7:060

KRS 160.290

Kentucky Education Technology System

Accounting Procedures for Kentucky School Activity Funds

KDE Capital Asset Guide

RELATED POLICIES:

04.8

05.21

Adopted/Amended:

Order #:

Inventory Form

SUBMIT THIS FORM TO THE PRINCIPAL OR CENTRAL OFFICE DESIGNEE BEFORE THE LAST DAY OF THE SCHOOL YEAR.

SCHOOL/WORKSITE _____ DATE _____

LOCATION (ROOM #, LABORATORY, OFFICE, STORAGE, ETC.) _____

EMPLOYEE'S NAME (PLEASE PRINT): _____

Item	ID/Tag#	General Condition of Item	Location (room # or name of area)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			
22.			
23.			
24.			
25.			

I certify the above to be a true and accurate record. _____

Employee's Signature

Review/Revised:

Disposal of School Property

BIDS OR AUCTION

The Superintendent shall advise the Board when certain properties are no longer needed for public school purposes. Upon receiving this report, the Board may, at such time as it deems proper and after compliance with applicable state¹ or federal regulations, authorize the disposal of school properties through closed sealed bids, public auction, or sale for at least the fair market value established by certified appraisal. The Board reserves the right to reject any and all bids.

DISPOSITION OF REAL PROPERTY

School property proposed for disposal shall be surplus to the educational program need of the District as determined by the effective District facility plan. Surplus property includes real property designated as a "Transitional Center" or not listed on the effective District facility plan. Request for approval to dispose of real property shall be submitted in writing to the Kentucky Department of Education. The request shall identify the property by its address and last reported name and include a plan for resolving mortgage liens or other encumbrances. Upon receipt of written contingent approval from the Department, the District may start the disposal process using one of the following methods that secures the fair market value for the property and ensures that the District retains no residual interest as owner or lender:

- (a) By public auction;
- (b) By accepting sealed bids; or
- (c) By setting a minimum acceptable price, which is at least the fair market value of the property.

Dependent upon the method of disposal above, the District shall follow the requirements specified in 702 KAR 4:090.

CONFLICT OF INTEREST

If the Board uses a third party to dispose of or lease property, the third party shall not have any financial interest in the transaction or adjacent property beyond a standard commission approved by the Board. If the third party has any financial interest in the transaction or adjacent property beyond a standard commission, the third party shall publicly disclose his or her conflict of interest to the Board and the conflict shall be spread on the Board's meeting minutes. The Board shall provide minutes of any such meeting to the Department when requesting approval.²

REFURBISHED SURPLUS TECHNOLOGY

If the District receives a written determination that surplus technology does not meet Kentucky Education Technology System standards, it may choose to distribute the refurbished surplus property to eligible low-income students.

First priority shall be given to eligible students in the free or reduced lunch program, and they or their parent/guardian must request the property in writing.

Disposal of School Property**REFURBISHED SURPLUS TECHNOLOGY (CONTINUED)**

Efforts will be made to involve local businesses and organizations to participate in refurbishing efforts with career and technical programs and student organizations.

The Superintendent shall designate the staff member(s) who shall review requests and make recommendations for approval of the Superintendent/designee. The District shall document to whom the technology is distributed.

REFERENCES:

¹KRS 160.290
²702 KAR 4:090; KRS 160.335; KRS 45A.425
704 KAR 3:455
OAG 76-291; OAG 91-85
34 CFR 80.32

Adopted/Amended:
Order #:

Disposal of School Property**REAL PROPERTY**

School property that is no longer needed for school purposes will be disposed of as follows:

1. The latest Effective Facility Plan or amendment lists the property as surplus to educational need.
2. A request is made in writing to the Chief State School Officer to dispose of property.
3. Official approval is granted.
4. The property is appraised by qualified appraiser.
5. The Board now advertises the property for sale and disposes of it as directed by Policy 04.8.
6. The Board may accept or reject any or all bids.

FURNITURE, EQUIPMENT, VEHICLES

Furniture, equipment and vehicles will be disposed of as follows:

1. Designated personnel shall present in writing to the Superintendent a complete description of items no longer needed for school purposes.
2. The Superintendent shall advise the Board that certain furniture, equipment, and vehicles are no longer needed for public school purposes.
3. Once the Board declares the property surplus, the Superintendent/designee shall advertise the property for sale as directed in Policy 04.8.
4. The Board may accept or reject any and all bids.

Review/Revised:

Management of Financial Records**RETENTION AND DISPOSAL**

Unless otherwise provided for in Kentucky Administrative Regulation, the Board shall retain or dispose of financial records as outlined in the Records Retention Schedule, Public School District.¹ Financial records shall include those documents specified in this document and in KRS 171.410.

PERMANENT RECORDS

Financial records, including annual financial reports, funds ledgers, annual audit reports, bond record files, and annual approved budgets shall be retained permanently by the District.

REFERENCES:

¹725 KAR 1:030; Records Retention Schedule, Public School District
KRS 171.410
725 KAR 1:061

RELATED POLICIES:

01.61
04.41
10.11

Adopted/Amended:
Order #:

Management of Financial Records

Active financial records are under the management of the ☐ Finance Officer ☐ Finance Coordinator ☐ Superintendent ☐ Other _____.

1. **Current financial records that are designated as “permanent” shall include, but not be limited to:**

Annual Financial Report	Annual Audit Report
Annual Approved Budget	Funds Ledger
Bond Record File	

After audit the ☐ Finance Officer ☐ Finance Coordinator ☐ Superintendent ☐ Other _____ shall file those financial records designated as “permanent” in an approved space in the Central Office.

2. **Current financial records that are designated as “indefinite” shall include, but not be limited to:**

Budget Draft/Proposal	Budget Work Papers
Cancelled Bonds and Coupons	Bid Files-Successful
Contracts and Service Agreements	Payroll Personnel File
Assets/Equipment Inventory File	

The retention period for indefinite records is defined by the explanation found in the Disposition Instructions column of the Records Retention Schedule/Public School District.

3. **The District may dispose of certain financial records marked as “destroy after audit” in the Disposition Instruction, which indicates that such records shall only be destroyed after the retention period has expired and an official audit has been performed.**

For complete information about retention and disposal of school/District financial records, consult the Records Retention Schedule/Public School District, which may be accessed online at:

<http://kdla.ky.gov/records/recretentionschedules/Documents/Local%20Records%20Schedules/PublicSchoolDistrictRecordsRetentionSchedule.pdf>

Review/Revised:

Audits

The Superintendent shall recommend for Board approval a CPA firm to conduct annual audits of all accounts under the jurisdiction of the Board. Before any audit is initiated, the Superintendent shall secure the necessary approval from the appropriate state agencies. The Superintendent shall be responsible for the distribution of copies of each audit to members of the Board and appropriate state agencies. The Board shall see that actions are taken to respond to significant deficiencies and material weaknesses identified in the audit report.

All audits shall be conducted in compliance with requirements for local school districts established by the State Committee for School District Audits.

REFERENCES:

702 KAR 3:130; 702 KAR 3:150

KRS 156.255; KRS 156.265

KRS 156.275; KRS 156.285

KRS 160.290

OAG 61-407

Governmental Accounting Standards Board, Statement on Auditing Standards (SAS) No. 112

Adopted/Amended:

Order #:

Audits

BOARD ACCOUNTS

All accounts under Board control shall be audited annually by an approved CPA/CPA firm. The following procedures will be implemented:

1. The Board shall request audit proposals containing criteria set forth by appropriate state agencies.
2. The Superintendent shall review the proposals and through competitive negotiations recommend for Board approval a CPA/CPA firm to conduct the audit. The recommendation shall include a cost estimate.
3. The CPA/CPA firm shall meet requirements imposed by the State Committee for School District Audits (Committee) and the contract with the CPA/CPA firm shall be subject to approval by the Committee.

The Board may request to meet with the auditor prior to the audit to discuss expectations.

4. The CPA/CPA firm shall conduct the audit as soon as possible after the close of the fiscal year. Copies of the audit report shall be sent to Board members prior to the auditor's presentation of the report to the full Board.

Unless the CPA/CPA firm obtains authorization from the State Committee for School District Audits for a later date, the audit report shall be presented to the Board at the October meeting.

5. Following presentation of the audit report, the Superintendent/designee shall present to the Board for its approval, internal control strategies to respond to significant deficiencies and material weaknesses identified in writing by the auditor. In addition, a timeline for taking action and reporting progress back to the Board shall be established.
6. A written report is made to the Chief State School Officer of any audit exceptions and the progress made to correct them.
7. Copies of the audit report shall be distributed to Board members and to appropriate state agencies by the date in November designated by KDE (unless an extension has been granted at District request). The audit report shall be accompanied by a management letter from the auditor to the Superintendent and other documents required by the State Committee for School District Audits. File copies are placed in the office of the Principal(s) and in the office of the Superintendent and shall be open for public inspection.

An exit conference shall be held between the auditing staff and District staff, with two (2) Board members in attendance.

8. When funding is available, a request is made to the state for reimbursement.

Review/Revised:

Financial Statements and Reports

The Superintendent shall cause financial statements and annual financial reports to be produced and reported in accordance with KRS 160.431 and KRS 160.463. Annual financial reports shall be posted on the District website as required by law.

The finance officer shall present a detailed monthly financial report for Board approval to include the previous month's revenues and expenditures of the District. Financial reports shall be posted on the District website as required by law.

REFERENCES:

KRS 160.431

KRS 160.463

KRS 424.230

Governmental Accounting Standards Board

RELATED POLICY:

04.1

Adopted/Amended:

Order #:

Uniform Guidance

Federal funds received by the District are to be administered and federally funded personnel expenses documented in accordance with applicable Uniform Grant Guidance requirements.¹

REFERENCES:

¹2 C.F.R 200.430(i)
2 C.F.R. Part 200

RELATED POLICIES:

01.11
08.1345

Adopted/Amended:
Order #:

05

School Facilities

05.1	Construction
05.1 AP.1	Construction
05.11	Alterations of Buildings and Grounds
05.11 AP.1	Alterations to Buildings and Grounds
05.11 AP.11	Integrated Pest Management Application and Notification
05.11 AP.21	Integrated Pest Management Notification
05.12 AP.1	Facility Planning Procedures (Vacant)
05.2	Maintenance (School Facilities)
05.2 AP.1	Maintenance
05.2 AP.21	Maintenance Checklist
05.2 AP.22	Maintenance Request Form
05.2 AP.23	Before Winter Checklist
05.2 AP.24	During Cold Weather
05.21	Responsibility for School Property
05.21 AP.2	Playground Inspection Checklist
05.22	Compliance with FCC Regulations
05.23	Energy Management
05.3	Community Use of School Facilities
05.3 AP.1	Community Use of School Facilities
05.31	Rental Application and Contract
05.31 AP.1	District Facility Usage Forms (Vacant)
05.31 AP.21	Application and Agreement for Use of District Property
05.31 AP.22	Reporting Form for Employee Extra Pay
05.32	Public Sales on School Premises
05.32 AP.1	Public Sales on School Premises
05.4	Safety (Facilities)
05.4 AP.1	Use of Automated External Defibrillators (AEDs)
05.4 AP.21	Monthly Facility Safety Inspection Report
05.4 AP.22	Monthly Food Service Facility Safety Inspection Report
05.4 AP.23	Compliance with Automated External Defibrillator (AED) Requirements
05.4 AP.231	Automated External Defibrillator (AED) Reporting Form
05.4 AP.232	Automated External Defibrillator Inspection Log
05.41	Fire Drills
05.41 AP.1	Fire Drills

05**School Facilities**

05.41 AP.2	Drill and/or Disaster Report
05.411	Building Lockdowns
05.411 AP.1	Building Lockdowns
05.42	Severe Weather/Tornado Drills
05.42 AP.1	Severe Weather Drills
05.43	Bomb Threats
05.43 AP.1	Bomb Threat Drills/Response
05.43 AP.2	Bomb Threat Checklist
05.45	Crowd Control
05.45 AP.1	Crowd Control
05.47	Earthquakes
05.47 AP.1	Earthquakes
05.48	Weapons
05.5	Security (Facilities)
05.5 AP.1	Building Security
05.5 AP.2	Monthly Facility Security Inspection Report
05.6	Property Insurance
05.6 AP.1	Property Insurance
05.7	Recycling

Construction**ADVICE SOUGHT**

When the Board engages in a major construction project, it will seek the advice of employees and citizens of the school district, as appropriate, in determining the scope and educational specifications of the construction project.¹

FACILITIES PLAN

In compliance with applicable statutes and administrative regulations, the Local Planning Committee shall prepare a school facilities plan for approval by the Board.²

CONSTRUCTION OVERSIGHT

Construction projects shall be undertaken and conducted in compliance with standards set forth in applicable statutes and regulations, including, but not limited to, rules covering the capital construction process.²

REFERENCES:

¹Kentucky School Facilities Planning Manual

²702 KAR 4:160

KRS 157.615; KRS 157.620; KRS 157.622; KRS 158.447

KRS 162.060; KRS 162.070; KRS 162.080; KRS 162.090

KRS 162.100; KRS 162.120; KRS 162.160

KRS 162.290; KRS 162.300; KRS 322.360

KRS 424.260; KRS Chapter 45A

702 KAR 4:005; 702 KAR 4:050; 702 KAR 4:100

702 KAR 4:170; 702 KAR 4:180

750 KAR 1:010; 750 KAR 1:030

Adopted/Amended:

Order #:

Construction

CAPITAL CONSTRUCTION PROCESS

The capital construction process shall be conducted in compliance with applicable statutes and regulations (refer to Policy 05.1).

PAYING FOR BUILDING PROGRAM

When planning a capital construction project, the Superintendent and the Board shall analyze the District's financial capabilities to determine debt retirement schedule, state aid available, trend of property assessment, additional local tax, funds for debt retirement, and method of financing.

Review/Revised:

Alterations of Buildings and Grounds**APPROVAL NEEDED**

Any change or modification to be made in the landscape of school grounds, construction of driveways or roads across such grounds; renovation of the school buildings or the alteration of any part thereof; or the construction of buildings, playing fields, tennis courts, or the erection of lighting systems for such fields or courts shall be done only after the approval of the project by the Board and appropriate state agencies.

INTEGRATED PEST MANAGEMENT

In compliance with applicable Kentucky Administrative Regulation (302 KAR Chapter 29), the District shall implement a program of Integrated Pest Management (IPM) with the primary goal of controlling pests, general pests, and wood-destroying organisms with judicious use of pesticides.

The IPM program shall include, but not be limited to, the following components:

- Persons who apply pesticides in any District school building shall be certified in keeping with applicable statutes and regulations.
- Notification in compliance with Kentucky Administrative Regulation.

REFERENCES:

KRS 158.447
KRS 160.290
KRS 162.060
302 KAR 29:010; 302 KAR 29:020
302 KAR 29:050; 302 KAR 29:060
702 KAR 4:180

Adopted/Amended:
Order #:

Alterations to Buildings and Grounds**AMENDMENTS TO THE LOCAL FACILITIES PLAN**

When there is a major change in enrollment or curriculum or a major disaster or other unforeseen occurrence that takes place during the District's planning cycle, the District may request an amendment to the District Facilities Plan. In making the request, the District shall follow the amendment process set out in the Kentucky School Facilities Planning Manual.

ALTERATIONS IN GENERAL

Any structural alteration of a building shall require the approval of the Board and appropriate state agencies.

Any alteration to a building or its grounds that significantly changes the appearance of the building or grounds shall require Board approval.

A consulting engineer, architect, or other qualified person shall review and/or approve playground equipment and/or other construction projects for safety in design and construction techniques.

EQUIPMENT OWNED BY OUTSIDE GROUPS

Equipment owned by a school-related organization such as, but not limited to, PTA/PTO shall meet all applicable safety standards as verified by the Superintendent/designee.

SIGNS

The Superintendent/designee shall grant prior approval for the erection of new signs or repainting of existing signs on school property.

Review/Revised:

Integrated Pest Management Application and Notification

“Children are present” means the designated time period between two (2) hours before the start time and forty-five (45) minutes after the dismissal time of the regularly scheduled school day as determined by the school authority under the calendar set by the school Board.

Notification by the school to parents or guardians on the registry shall be required if the school authority, after consultation with the certified applicator, determines that a pesticide application is necessary when children are present in the school.

For pesticide applications made when children are present, the school authority shall provide the notification to persons listed on the registry at least one (1) hour prior to the making of the application.

Pesticides may be applied without notification indoors and to outside areas when children are not present.

The area where the point of application of a pesticide occurred shall be posted by the certified applicator regardless of the absence or presence of children

Review/Revised:

Integrated Pest Management Notification

WRITTEN NOTICE IN THE FOLLOWING FORM SHALL BE SENT OR GIVEN AT THE BEGINNING OF THE SCHOOL YEAR. A COPY OF THE NOTIFICATION SHALL BE MAINTAINED BY THE SCHOOL AUTHORITY FOR TWENTY FOUR (24) MONTHS AFTER THE NOTICE IS ISSUED AND SHALL BE SUBJECT TO INSPECTION UPON REQUEST BY KENTUCKY DEPARTMENT OF AGRICULTURE PERSONNEL.

Date

Dear Parent or Guardian:

Each school district in the Commonwealth is required to implement a program of "integrated pest management" with the primary goal of preventing and controlling pests through strategies that may include judicious use of pesticides. The application of pesticides in the school or on school grounds during times when children are present is limited by state regulation, but there may be occasions when, after consulting with a certified pesticide applicator, the school administration determines that a pesticide application is necessary when children are present in the school. As required by state regulation, we have created a registry for parents or guardians who wish to receive an electronic message or telephone call prior to the application of pesticides in the school when children are present. Please provide the school administration your email address or phone number if you wish to be placed on this registry.

Name: _____ School: _____

Phone Number: _____ Email Address: _____

For more information, please contact _____ at _____.
Name Phone Number

Review/Revised:

Facility Planning Procedures

(Vacant)

Review/Revised:

Maintenance**DEVELOPMENT OF PROGRAM**

The Superintendent shall be responsible for developing a maintenance program for all property under the jurisdiction of the Board. This program shall be presented annually to the Board for approval, and the Superintendent shall report periodically to the Board on the status of the maintenance program. The maintenance program shall include provisions which will minimize "down-time" on network file servers.

REFERENCES:

KRS 160.290
KRS 198B.650
815 KAR 8:010
902 KAR 45:150
Kentucky Education Technology System (KETS)

Adopted/Amended:
Order #:

Maintenance

The maintenance program is designed to keep school property in good repair in order that the instructional program can be carried out efficiently, students can have a safe environment in which to work, and maintenance costs are minimized.

SUPERINTENDENT

The Superintendent/designee coordinates the maintenance program and approves all major maintenance projects.

PRINCIPALS

Principals and their school safety committees report needed repairs and/or maintenance problems to the Superintendent/designee.

MAINTENANCE TEAM

The maintenance plan is a team approach with team members being the Superintendent and/or designated Central Office administrators, building principals, school custodial staff, general maintenance person(s), outside service personnel, as needed, contracted maintenance/custodial agency, where applicable.

MAINTENANCE PERSONNEL

☐ General maintenance/utility personnel, ☐ the maintenance supervisor ☐ school custodian ☐ building Principal/designee ☐ other, as specified _____ shall examine the school buildings monthly to determine the need for repairs and preventive maintenance. General maintenance personnel and the custodial staff shall make repairs and perform minor maintenance in keeping with the responsibilities specified in their job descriptions.

AUTHORIZATION TO CALL OUTSIDE SERVICE

Superintendent/designee is authorized to call outside service agencies (from a list approved by the Superintendent) for minor maintenance work beyond the maintenance team's level of training and expertise.

Review/Revised:

Maintenance Checklist

School/Site _____ Date _____

Inspector _____

This form is a reminder of general areas and items to be inspected. Check each item "acceptable" or "needs attention."
 All "needs attention" items shall include location, and the date corrected shall be noted. This form shall be sent to the
 District ☐ Maintenance supervisor ☐ Superintendent ☐ School Safety Coordinator.
 A copy shall be kept by the employee making the inspection.

Area Inspected	Location(s)	Condition		
		Acceptable	Needs Attention	Date Corrected
<u>Inside Electrical</u>				
Switches				
Receptacles				
Lights				
<u>Inside Plumbing</u>				
Toilets				
Sinks				
Drains				
Fixtures				
<u>Inside Carpentry</u>				
Windows				
Doors				
Floors				
Painting				
<u>Outside Electrical</u>				
Lights				
Power				
Lines and Poles				
<u>Outside Plumbing</u>				
Sewer				
Gutter				
Drains				
Downspouts				
<u>Outside Carpentry</u>				
Roof				
Painting				
Doors				
Windows				

Maintenance Checklist

Area Inspected	Location(s)	Condition		
		Acceptable	Needs Attention	Date Corrected
<u>Grounds</u>				
Shrubs				
Trees				
Fencing				
Playground				
Playground Equipment				
Playground Poles				
Downspouts				
<u>Other</u>				

Comments: _____

A COPY OF THIS CHECKLIST SHALL BE FORWARDED TO THE PRINCIPAL/SITE SUPERVISOR_____
*Signature of Recipient*_____
Date Received

Review/Revised:

Maintenance Request Form

EMPLOYEE'S NAME _____ DATE _____

POSITION/TITLE _____ SCHOOL/WORKSITE _____

IDENTIFY BELOW THE NEED FOR MAINTENANCE. INCLUDE LOCATION (ROOM NUMBER, STAIRWELL, SPECIFIC PIECE OF EQUIPMENT, ETC.).

Employee's Signature

Date

Principal/Site Supervisor or designee's Signature

Date

=====

For Central Office Use

Approved by: _____ Date _____

Return this form to: _____

Order of Importance:

- ☐ Must do now.
- ☐ As soon as possible.
- ☐ As time permits.

Maintenance Personnel Assigned: _____

=====

For School/Site Use

Date Work Completed _____

Principal/Site Supervisor or designee's Signature

Date

Review/Revised:

Before Winter Checklist

School/Site _____ Date _____

Inspector _____

This form is a reminder of general areas and items to be inspected. Check each item “acceptable” or “needs attention.” All “needs attention” items shall include location, and the date corrected shall be noted. This form shall be sent to the District ☐ Maintenance Supervisor ☐ Superintendent ☐ School Safety Coordinator. A copy shall be kept by the employee making the inspection.

Area Inspected	Location(s)	Checked by Personnel		
		YES	NO	DATE
<u>GENERAL PREPARATION</u>				
Develop Action Plan; train employees.				
Designate “Weather Watcher” to implement plan.				
Outline Emergency Organization responsibilities such as snow removal from roads, sidewalks, doorways, roofs.				
Prepare snow removal equipment.				
Establish heat system priorities.				
Locate ordinary thermometers in hard to heat areas.				
Make provisions to monitor unattended facilities.				
<u>BUILDINGS</u>				
Building shell in good condition.				
Close unnecessary openings.				
Design/protect heating/insulation systems prone to freeze damage to maintain minimum temperature of 40 degrees Fahrenheit (4 degrees Celsius).				
Prepare heating systems to maintain building temps above 40 degrees Fahrenheit (4 degrees Celsius).				
Provide safe, emergency heating equipment in areas prone to freezing; set to be activated automatically or by assigned personnel.				
Identify /prepare concealed spaces, such as crawl space to allow heat passage during cold spell.				
<u>ROOFING</u>				
Inspect roof framework for weaknesses.				
Assess roof’s capacity for snow loading.				
Develop plan for Emergency Organization /others to handle snow and ice loading on roof.				
Remove debris from drains.				

Before Winter Checklist

Area Inspected	Location(s)	Checked by Personnel		
		YES	NO	DATE
<u>EQUIPMENT</u>				
<i>Boilers</i>				
Completely drain idle equipment.				
Flush with proper antifreeze solution.				
Clear lines with compressed air.				
Remove slow points and dead ends where possible.				
Install steam traps on piping/equipment with drain valves.				
Install low-water fuel cutoffs with minimum piping exposed to ambient temperature.				
Consider/install heat tracing lines for piping that carries water to the water glass, low-water fuel cutoff column, and feed water regulator.				
<i>Other Equipment</i>				
Provide adequate heat, locate in heated enclosure, or provide the proper antifreeze solution for water cooled equipment such as compressors, pumps, etc.				
Apply lubricants suitable for low-temp applications in equipment such as pumps, blowers, compressors.				
Remove water from oil coolers and water jackets and drain condensers of chilling units.				
Provide adequate fuel supplies.				
Check pressure vessel vents, relief valves and safety valves to assure functional moving parts.				
Construct wind breaks to protect open piping/instruments.				
<u>FIRE PROTECTION EQUIPMENT</u>				
Place thermostats inside buildings to monitor temps.				
For dry-pipe sprinkler systems:				
Maintain dry-pipe valve room temp 40 degrees F (4 degrees Celsius).				
Check piping pitch and all pipe hangers.				
Drain all low points and install more drains, if necessary.				
Drain system thoroughly after annual trip test.				
Insulate enclosure/install heater to maintain temps above 40 degrees F (4 degrees Celsius).				
Take dry air supply for compressor from dry, room-temperature source.				

A COPY OF THIS CHECKLIST SHALL BE FORWARDED TO THE PRINCIPAL/SITE SUPERVISOR

*Signature of Recipient*_____
Date

Review/Revised:

During Cold Weather

School/Site _____ Date _____

Inspector _____

This form is a reminder of general areas and items to be inspected. Check each item “acceptable” or “needs attention.” All “needs attention” items shall include location, and the date corrected shall be noted. This form shall be sent to the District ☐ Maintenance Supervisor ☐ Superintendent ☐ School Safety Coordinator. A copy shall be kept by the employee making the inspection.

Area Inspected	Location(s)	Checked by Personnel		
		YES	NO	DATE
<u>GENERAL EQUIPMENT</u>				
Weather watcher informs Emergency Organization informed of impending cold snaps.				
Employee/Security guard monitors/records temps in hard-to-heat areas, especially during idle periods.				
<u>BUILDINGS</u>				
Provide temporary interior openings to allow heat into concealed spaces during unusual cold spells.				
Check indicator post for tightness and repair leaks.				
Consider non-freezing/multipurpose dry chemical fire extinguishers in areas where freezeups are a concern.				
<u>ROOFING</u>				
Activate snow watch/removal crew to monitor snow depths and remove unsafe accumulations from roofs.				
Clear drains of ice and snow. If roof is pitched and without drains, open paths to eaves to ensure drainage and prevent ponding.				
<u>EQUIPMENT</u>				
When freeze is expected, drain water-cooled equipment that is not otherwise protected.				
Frequently drain condensed moisture from compressed air lines.				
Maintain air-drying equipment of air supply system for instrumentation and air-actuated equipment.				
Install safe, continuous flow-through piping where insufficient cover is present for buried piping or where it is otherwise impractical to protect piping.				
Check pressure vessel vents, relief/safety valves to make sure parts are functional and openings are not obstructed.				
Thaw frozen piping and equipment carefully to avoid damage. Do not use open flames to avoid fire hazard.				
<u>If complete loss of heat occurs:</u>				
Drain equipment such as process piping, mill-use lines, heat exchangers, process equipment, compressors, etc.				
Institute emergency procedures for processes that are dependent on steam water supply to avoid solidification or runaway condition.				

During Cold Weather

Area Inspected	Location(s)	Checked by Personnel		
		YES	NO	DATE
<u>FIRE PROTECTION EQUIPMENT</u>				
Routinely check building thermometers to assess interior temperatures.				
Keep fire pump intake screens clear of ice.				
Make sure hydrants, hose houses, pumper connections, indicator posts and other outdoor sprinkler system valves remain visible and accessible (free of ice and snow).				
If heat is lost, check all water-based extinguishers for possible freeze damage.				
If underground mains freeze, thaw them promptly				
For wet-pipe sprinkler systems:				
Check for broken pipe fittings, cracked piping, and any distorted/leaking sprinklers.				
After unusually cold weather, open inspector's test connection; if there is no flow, water in the piping is probably frozen.				
For dry-pipe sprinkler systems				
Regularly check air pressure and temps in dry-pipe enclosure.				
Use moisture traps and desiccants in the air supply piping if the system has a history of heavy condensation buildup.				

A COPY OF THIS CHECKLIST SHALL BE FORWARDED TO THE PRINCIPAL/SITE SUPERVISOR.

Signature of Recipient

Date

Review/Revised:

Responsibility for School Property**BUILDINGS AND GROUNDS**

The Principal/designee, under the direction of the Superintendent, shall have charge of and be responsible for the assigned school buildings, the furniture, books, equipment, apparatus, and supplies belonging thereto. Inspection of playgrounds and equipment shall be performed by the Superintendent's designee.

PLAYGROUNDS AND EQUIPMENT

The Superintendent's designee shall monitor the condition of all playgrounds and play apparatus at the school, periodically inspect playgrounds and play apparatus, and report the results in writing to the Superintendent.

School personnel shall work with this individual to assure that playground equipment to be purchased by, or donated to, the school meets District standards and is approved prior to installation. Only commercial grade equipment, suitable for use by children and accompanied by appropriate surface materials, shall be installed in school playgrounds.

MAINTENANCE

As the Principal observes or is notified of needed maintenance of the building, equipment and grounds, s/he shall report it to the Superintendent/designee in writing.

REFERENCES:

KRS 160.290

KRS 160.340

702 KAR 1:160

Handbook for Public Playground Safety, U.S. Consumer Product Safety Commission

Adopted/Amended:

Order #:

Playground Inspection Checklist

This checklist shall be submitted as directed to the Superintendent/designee.
--

NAME OF INSPECTOR: _____ DATE OF INSPECTION: _____

SCHOOL SITE: _____

AREA/ITEM	Benches/Seating	Merry-go-round	Swings	See - Saws	Monkey Bars	Chin-up Bars	Basketball Goal	Slides	Jungle Gym	Paved Areas	Playscape	OTHER (Specify): _____ _____ _____
Concrete footings exposed												
Supports/anchors broken or missing												
Handrails, rungs/steps/seats are broken/ loose/missing												
Nails, screws, bolts, etc., exposed												
Nuts/bolts, caps, etc., loose or missing												
Bearings worn												
Parts need lubrication												
Graffiti/vandalism												
Paint needed												
Wood splintered												
Surface materials insufficient												
Cannot be repaired												
Unauthorized equipment present												
Other, specify: _____												

COMMENTS:

Signature of Inspector_____
Date Submitted

Review/Revised:

Compliance With FCC Regulations

ELECTRONIC

The use of technology shall comply with Federal Communication Commission (FCC) Rules and Regulations regarding Radio Frequency (RF) emission limits to provide an interference free radio frequency spectrum.

REFERENCES:

Kentucky Education Technology System (KETS)
Federal Communication Commission (FCC) Rules and Regulations

Adopted/Amended:
Order #:

Energy Management

In order to use energy resources in a safe and efficient manner with an on-going focus on identifying and implementing cost saving measures and developing staff and student commitment to identified energy management practices, the Board may participate in energy-saving measures to implement an effective energy management program.

Adopted/Amended:

Order #:

Community Use of School Facilities**WHO MAY USE**

The Board may grant the use of school facilities to responsible and organized groups for purposes that provide demonstrable benefit to the schools or to the community as a whole. School facilities shall not be used for personal or commercial activities.

The Board may authorize the use of school property by public members of the community during non-school hours for the purpose of recreation, sport, academic, literary, artistic, or community uses as defined in KRS Chapter 162 pursuant to this and other policies adopted by the Board and related procedures established by the Superintendent.¹

AVAILABILITY

The Board shall determine when and which facilities will be available to the community and establish reasonable fees for their rental.

APPLICATION AND CONTRACT

The Board shall adopt an official application form and an official rental contract, both of which shall detail the conditions of usage. Persons authorized to represent officially the renting organization must sign the application and contract. Approval of a request to use District facilities does not signify District sponsorship, endorsement or approval of an organization or activity.

LIABILITY

The Board shall require a renting organization to assume all liability for injury to individuals by reason of the lease of Board property and that the organization indemnify and save harmless the Board from any loss or damage thereby.

INSURANCE

If the non-school related activity sponsored by the community group involves admission or is designated as a high-risk activity by the Superintendent or designee, the community group shall provide a certificate of liability insurance naming the Board as additional insured under the policy for the activity.

EXCEPTION

Activities that are sponsored by approved student organizations, faculty groups, school-related parent groups may use school facilities without charge when approved by the Principal and supervised by school personnel.

REFERENCES:

¹KRS 162.055

KRS 158.183; KRS 160.290; KRS 160.293; KRS 160.340; KRS 162.050

OAG 60-389; OAG 80-78

P. L. 114-95, (Every Student Succeeds Act of 2015)

20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)

RELATED POLICY:

10.3

Adopted/Amended:
Order #:

Community Use of School Facilities**PRIMARY PURPOSE**

School facilities are for the primary purpose of meeting the educational needs of school-age youth in the district. However, with reasonable policies and procedures, the school can assist the community in meeting social, civic, recreational and cultural needs by effective utilization of school facilities.

PRIORITY FOR USE OF SCHOOL FACILITIES

Priority	Examples of Groups	Approval	Scheduling	Fees Charged	Proof of Liability Insurance
I - School Groups	<p>Educational programs that are an outgrowth of classroom instruction including, but not limited to, science fairs, plays, exhibits and concerts.</p> <p>Interscholastic activities including athletic teams, speech and debate, band competition and academic competition.</p> <p>Any school group that requires a faculty sponsor including, but not limited to, all school-sponsored clubs, homerooms, honor societies and student council.</p>	Principal/ designee	Principal/ designee	None	None required
II - School-Related Groups	<p>District Adult/Community education programs</p> <p>Parent-Teacher Association/ Organization</p> <p>Booster Groups - academic, athletic and band</p> <p>4-H Clubs</p> <p>Scout groups</p> <p>County Recreation Programs</p> <p>Little League and/or comparable groups including, but not limited to, YMCA</p> <p>Adult farmers</p>	Superintendent/ designee	Principal/ designee	Custodial fees, if designated in contract	<p><input type="checkbox"/> As specified in the contract</p> <p><input type="checkbox"/> None required</p> <p><input type="checkbox"/> For activities designated by the Superintendent/designee</p> <p>NOTE: All external support/booster organizations are required to carry separate insurance for general liability with appropriate coverage to operate their organization. (<u>Accounting Procedures for Kentucky School Activity Funds</u>)</p>

Community Use of School Facilities**PRIORITY FOR USE OF SCHOOL FACILITIES (CONTINUED)**

Priority	Examples of Groups	Approval	Scheduling	Fees Charged	Proof of Liability Insurance
III - Community Interest Groups	Civic clubs Industrial groups Church groups Homemakers Farm Bureau Historical Society	<input type="checkbox"/> Board <input type="checkbox"/> Superintendent/designee <input type="checkbox"/> Principal/designee	<input type="checkbox"/> Superintendent/designee <input type="checkbox"/> Principal/designee	Usage and custodial fees, as designated in contract	<input type="checkbox"/> As specified in the contract <input type="checkbox"/> None required <input type="checkbox"/> For activities designated by the Superintendent/designee Organizations will be required to sign a release and indemnity agreement relieving the Board of any liability in accordance with Board policy 05.3.
IV - Meetings of General Public	General meetings of various community groups including, but not limited to, political parties.	<input type="checkbox"/> Board <input type="checkbox"/> Superintendent/designee <input type="checkbox"/> Principal/designee	<input type="checkbox"/> Superintendent/designee <input type="checkbox"/> Principal/designee	Usage and custodial fees, as designated in contract	<input type="checkbox"/> As specified in the contract <input type="checkbox"/> None required <input type="checkbox"/> For activities designated by the Superintendent/designee Organizations will be required to sign a release and indemnity agreement relieving the Board of any liability in accordance with Board policy 05.3.

FOOD SERVICE

Eligible groups may contract for meals to be served in school dining areas. Use of kitchen equipment requires the presence of a School Food Service employee.

PUBLIC ELECTIONS

School facilities may be used for public elections without charge.

SPECIAL/EMERGENCY USE

Special/emergency use of facilities may be approved by the Superintendent/designee with explanation made to the Board at its next regular meeting.

Review/Revised:

Rental Application and Contract**CONDITIONS OF RENTAL**

All rental of school facilities is subject to the following conditions:

1. An official application shall be made to the Superintendent or the Superintendent's designee.
2. Rentals will be made only to responsible and organized groups, and responsible officers of that group must sign the application and the contract.
3. Conditions of that contract shall include:
 - a. Acceptance of responsibility by officials of the renting organization for any damage or loss resulting from the rental;
 - b. Agreement that renting organizations, and officers thereof, shall assume all liability for any personal injuries incurred during their use of the facilities and shall hold the Board harmless from any such claims against it;
 - c. Agreement to observe all fire and safety regulations;
 - d. Agreement that the use of any tobacco product, alternative nicotine product, or vapor product shall not occur on or in all property. The use of alcoholic beverages is prohibited in school buildings or on school grounds;
 - e. Observance that no immoral or illegal activity shall be allowed on the premises;
 - f. The presence of a school custodian at all times. The hourly wage of the custodian(s) must be included in the contract along with the social security and retirement payments required by law. If the employee is employed beyond the normal 40-hour week that s/he works for the Board, overtime wages must be paid;
 - g. Agreement that no alterations to the buildings or grounds be made without prior approval;
 - h. Agreement that the renting party shall not sublease or reassign any portion of the building or item of equipment covered by the rental contract;
 - i. Agreement that school equipment shall not be a part of the rental contract unless specifically enumerated; and
 - j. Agreement to leave the facilities in as good a condition as before used.

REFERENCES:

KRS 162.055; KRS 438.050; KRS 438.305; KRS 438.345
OAG 81-295
P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.1327; 03.2327; 06.221; 09.4232; 10.3; 10.5

Adopted/Amended:
Order #:

District Facility Usage Forms
(Vacant)

Review/Revised:

Application and Agreement for Use of District Property

NOTE: Please complete this form in duplicate and submit both copies to the Central Office designee for approval. If the application is approved, one (1) copy of the signed agreement will be returned to the using organization along with a contract prepared by the Board attorney. The contract shall be signed by the designated representative of the using organization and returned to the Central Office designee. If the application is not approved, both copies will be returned.

Name of Sponsoring Organization/Activity _____ Telephone _____

Representative's Name _____

Address _____

The above organization/individual requests the use of:

☐ auditorium ☐ gymnasium ☐ dining room/kitchen ☐ stadium

☐ classroom(s) _____ ☐ other, specify _____

Is the organization planning to use District-owned equipment? ☐ YES ☐ NO

If yes, specify equipment _____ Operator's Name _____

Is the organization planning to conduct sales on school premises? ☐ YES ☐ NO

If yes, give a complete description of what is being sold and how the proceeds will be used. _____

Building/school/facility _____

Purpose _____

Date(s) requested _____ Time(s) Requested _____

Will public be admitted? ☐ YES ☐ NO

Will advertisement(s) be used? ☐ YES ☐ NO

Will admission be charged? ☐ YES ☐ NO

When using school facilities, this organization agrees to observe the following:

1. **To schedule with the** ☐ **Superintendent** ☐ **building Principal** ☐ **Other** _____ **the time(s) District property is to be used.** It is understood that the Superintendent/designee may cancel the use of the room or building at any time such use interferes with regular school activities.
2. **To be legally responsible for any and all damage to individuals and school equipment, building(s), grounds, or facilities, resulting from use by the organization.** To this end, the organization will procure sufficient liability insurance to indemnify the Board, school officers and employees for any injuries or property damage which might occur during the organization's use of the facilities. This insurance shall contain limits of \$1,000,000 for bodily injury and \$10,000 for property damage. A copy of the organization's insurance certificate shall be filed with the Board prior to the date the organization uses the building. The Board shall require the renting organization to assume all liability for injury to individuals by reason of the lease of Board property and that the organization indemnify and save harmless the Board from any loss or damage thereby.
3. **To provide appropriate equipment for the use of District property.** When gymnasiums are used, the organization agrees to permit on the gym floor only those persons wearing shoes that will not mark the floor.
4. **To abide by the requirements of Board policies 05.3 and 05.31 (see attached).** Disregard of the rules and regulations governing the use of the school buildings, equipment and facilities shall result in the refusal of the Board to grant the offending organization further use.
5. **To acknowledge that approval of this request does not signify District sponsorship,** endorsement or approval of your organization or the activity.

Application and Agreement for Use of District Property**FEE SCHEDULE**

The organization agrees to pay the applicable fee(s) for the use of District facilities.

	# of Employees Required	# of Hours	Hourly Rate (Overtime at 1.5 times)	Total
Custodians				
Food Service Employees				
Supervisory Personnel				
Other _____ _____				
TOTAL PERSONNEL CHARGE				

Property Used	Facility/ Equipment Fee	Personnel Cost, if applicable	Insurance cost, if applicable	Total Cost for Facility Use
Gymnasium at _____ school				
Auditorium at _____ school				
Cafeteria - <input type="checkbox"/> Dining Room <input type="checkbox"/> Kitchen <input type="checkbox"/> Both at _____ school				
Classroom(s) Number _____ at _____ school				
Stadium at _____ school				
Other Property at _____ school				

Signature - Representative of User Group

Date

Signature - Superintendent/designee

Date

IN THE EVENT SCHOOL IS CLOSED DUE TO WEATHER CONDITIONS, ALL SCHEDULED ACTIVITIES, WITH THE EXCEPTION OF DINNER MEETINGS, WILL BE CANCELED AND OPPORTUNITY TO RESCHEDULE OR REFUND RENTAL FEE(S) WILL BE MADE.

Application and Agreement for Use of District Property**For Office Use Only - To be Completed by School Official**

Cost for use of District property \$ _____ Cost for school employee \$ _____ Total cost \$ _____

Deposit \$ _____ Is deposit refundable? ☐ Yes ☐ No

Date Deposit Received _____ Balance Due \$ _____

Board employee(s) assigned: _____

Board Action Date, if applicable _____ Board Order # _____

Review/Revised:

Reporting Form for Employee Extra Pay**Name of Sponsoring Organization/Activity** _____**Representative's Name** _____

Facilities used by organization: ☐ gymnasium ☐ dining room/kitchen ☐ stadium
☐ auditorium ☐ classrooms(s) ☐ other, specify _____

Personnel assigned to the event: ☐ Custodian(s) ☐ Food Service Employee(s)

☐ Supervisory personnel will be paid at not less than their regular hourly rate or regular overtime pay with pay beginning 30 minutes before and ending one (1) hour after the event or whenever the facility (including the stadium) is in good, useable order for the next day.

SIGNATURES BELOW VERIFY SERVICE FOR THIS EVENT

_____ <i>Employee's Signature</i>	_____ <i>Date of Service</i>	_____ <i># of Hours Worked</i>
_____ <i>Employee's Signature</i>	_____ <i>Date of Service</i>	_____ <i># of Hours Worked</i>
_____ <i>Employee's Signature</i>	_____ <i>Date of Service</i>	_____ <i># of Hours Worked</i>
_____ <i>Employee's Signature</i>	_____ <i>Date of Service</i>	_____ <i># of Hours Worked</i>
_____ <i>Employee's Signature</i>	_____ <i>Date of Service</i>	_____ <i># of Hours Worked</i>

For Central Office use only

Employee Name _____	# of Hours @ \$ _____	per hour	Total \$ _____
Employee Name _____	# of Hours @ \$ _____	per hour	Total \$ _____
Employee Name _____	# of Hours @ \$ _____	per hour	Total \$ _____
Employee Name _____	# of Hours @ \$ _____	per hour	Total \$ _____
Employee Name _____	# of Hours @ \$ _____	per hour	Total \$ _____
Employee Name _____	# of Hours @ \$ _____	per hour	Total \$ _____

*Superintendent/designee's Signature*_____
*Date***Submit this form to the Central Office within one (1) week of the event.**

Review/Revised:

Public Sales on School Premises

SCHOOL-RELATED PURPOSE

In compliance with the Board's prohibition of the use of school property for private business or personal gain, all sales activity on school premises must have a clear school-related purpose and must be approved by the Principal. Groups renting school facilities must indicate in their applications the nature of any sales to be conducted.

The Superintendent or designee shall develop administrative procedures governing the time, place and manner of any public sales on Board property.

Adopted/Amended:

Order #:

Public Sales on School Premises

Public sales on school premises must be approved in accordance with Procedure 05.3 AP.1.

The rules for conducting public sales are as follows:

1. The official application for use of school facilities must be completed.
2. No sales shall be scheduled during the school day or at any time that may interfere with the school program.
3. All sales activities shall be conducted in a manner that does not threaten the safety of participants or the security of District property.
4. All sales must be conducted within the time frame and at the location designated in the contract for usage.

RELATED PROCEDURES:

05.3 AP.1

05.31 AP.21

Review/Revised:

Safety

BOARD TO ADOPT PLAN

The Board shall adopt a plan for immediate and long-term strategies to address school safety and discipline, which shall be reviewed annually and revised, as needed. This plan shall utilize information gathered from the District assessment of school safety and student discipline required by law and shall include the Board's code of acceptable behavior and discipline and a description of instructional placement options for threatening or violent students. The committee that develops the plan for Board consideration shall include at least one (1) representative from each school in the District, as well as representatives from the community as required by law.

The plan shall identify measures to be taken in protecting students, staff, visitors, and property. Areas addressed by the plan shall include, but not be limited to, the following:

1. Employment practices and employee management;
2. School facility design, maintenance, and usage;
3. Safety and security procedures, orientation and training in use and management of equipment and facilities;
4. Supervision of students;
5. Compliance with state and federal safety requirements;
6. Quarterly reports to the Board concerning implementation of the plan and its effects on District students, personnel, and operations;
7. Emergency/crisis intervention; and
8. Community involvement.

DISTRICT SCHOOL SAFETY COORDINATOR

The Superintendent shall appoint an individual to serve as the District's School Safety Coordinator (SSC) and primary point of contact for public school safety and security functions.¹

The SSC shall:

1. Complete the school safety coordinator training program developed by the Center for School Safety within six (6) months of his or her date of appointment;
2. Designate a school safety and security threat assessment team at each school in the District consisting of two (2) or more staff members to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or security. Members of a threat assessment team may include school administrators, school counselors, school resource officers, school-based mental health services providers, teachers, and other school personnel;
3. Provide training to school Principals on procedures for completion of the school security risk assessment;
4. Review all school security risk assessments completed within the District and prescribe recommendations as needed in consultation with the state school security marshal;
5. Advise the Superintendent by annually of completion of required security risk assessments;

Safety**DISTRICT SCHOOL SAFETY COORDINATOR (CONTINUED)**

6. Formulate recommended policies and procedures, which shall be excluded from the application of KRS 61.870 to KRS 61.884, for an all-hazards approach including conducting emergency response drills for hostage, active shooter, and building lockdown situations in consultation and coordination with appropriate public safety agencies to include but not be limited to fire, police, and emergency medical services for review and adoption as part of the school emergency plan required by KRS 158.162. The recommended policies shall encourage the involvement of students, as appropriate, in the development of the school's emergency plan; and
7. Ensure each school campus is toured at least once per school year, in consultation and coordination with appropriate public safety agencies, to review policies and procedures and provide recommendations related to school safety and security.

The SSC, and any school employees participating in the activities of a School Safety and Security Threat Assessment Team, acting in good faith upon reasonable cause in the identification of students, shall be immune from any civil or criminal liability that might otherwise be incurred or imposed from:

- a. Identifying the student and implementing a response pursuant to policies and procedures adopted as required above; or
- b. Participating in any judicial proceeding that results from the identification.

SUPERINTENDENT TO REPORT

No later than November 1 of each year, the Superintendent shall report to the Center for School Safety the number and placement of School Resource Officers (SROs) in the District. The report shall include the source of funding and method of employment for each position.

AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs)

The District shall maintain AEDs in designated locations throughout the District. An AED shall be used in emergency situations warranting its use in accordance with KRS 311.665 to KRS 311.669.

The District shall notify the local emergency medical services system and the local emergency communications or vehicle dispatch center of the existence, location, and type of each AED.

AEDs shall be kept on school property and will not accompany EMS personnel to a hospital emergency room.

SCHOOL EMERGENCY PLANNING

The Board shall require the school council or, if none exists, the Principal to adopt an emergency plan for the school that shall include:

1. Procedures to be followed in cases of medical emergency, fire, severe weather, earthquake, or a building lockdown as defined in KRS 158.164;
2. A written cardiac emergency response plan; and
3. A diagram of the facility that clearly identifies the location of each AED.

Safety**SCHOOL EMERGENCY PLANNING (CONTINUED)**

The emergency plan shall be provided to appropriate first responders, and all school staff.

Following the end of each school year, the school nurse, the school council, or if none exists, the Principal, and first responders shall review the emergency plan and revise it as needed.

The school emergency plan shall address staff responsibilities for safely evacuating students needing special assistance during safety drills and actual emergency situations, including students with disabilities and those with 504 plans. The Principal shall discuss the emergency plan with all school staff prior to the first instructional day annually and document the date and time of any discussion.

The cardiac emergency response plan shall be rehearsed by simulation prior to the beginning of each athletic season by all:

1. Licensed athletic trainers, school nurses, and athletic directors; and
2. Interscholastic coaches and volunteer coaches of each athletic team active during that athletic season.

Whenever possible, first responders shall be invited to observe emergency response drills.

In addition, the school council or, if none exists, the Principal shall:

1. Establish and post primary and secondary evacuation routes in each room by any doorway used for evacuation;
2. Identify the best available severe weather safe zones, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency, and post the location of the safe zones in each room;
3. Develop school procedures to follow during an earthquake;
4. Develop and adhere to practices to control access to the school. **Practices** shall include but not be limited to:
 - Controlling outside access to exterior doors during the school day;
 - Controlling the main entrance of the school with electronically locking doors, a camera, and an intercom system;
 - Controlling access to individual classrooms;
 - Requiring classroom doors to be equipped with hardware that allows the door to be locked from the outside but opened from the inside;
 - Requiring classroom doors to remain closed and locked during instructional time, except in instances when only one (1) student and one (1) adult are in the classroom or when approved in writing by the State School Security Marshal;
 - Requiring classroom doors with windows to be equipped with material to quickly cover the window during a building lockdown;

Safety**SCHOOL EMERGENCY PLANNING (CONTINUED)**

- Requiring all visitors to report to the front office of the building, provide valid identification, and state the purpose of the visit; and
 - Providing a visitor's badge to be visibly displayed on a visitor's outer garment;
5. Maintain a portable AED in a public, readily accessible, well-marked location in every middle and high school building and, as funds become available, at school-sanctioned middle and high school athletic practices and competitions and:
 - a) Adopt procedures for the use of the portable AED during an emergency;
 - b) Adopt policies for compliance with KRS 311.665 to KRS 311.669 on training, maintenance, notification, and communication with the local emergency medical services system;
 - c) Ensure that a minimum of three (3) employees in the school and all interscholastic athletic coaches be trained on the use of a portable AED in accordance with KRS 311.667; and
 - d) Ensure that all interscholastic athletic coaches maintain a cardiopulmonary resuscitation certification recognized by a national accrediting body on heart health; and
 6. Require development of an event-specific emergency action plan for each school-sanctioned nonathletic event held off-campus to be used during a medical emergency, which may include the provision of a portable AED. The plan shall:
 - a) Include a delineation of the roles of staff and emergency personnel, methods of communication, any assigned emergency equipment including a portable AED, a cardiac emergency response plan, and access to and plan for emergency transport; and
 - b) Be in writing and distributed to any member of school personnel attending the school-sanctioned event in an official capacity.

No later than November 1 of each school year, the Superintendent shall send verification to the Kentucky Department of Education that all schools are in compliance with school emergency planning requirements.

By August 1 of each year, the Superintendent shall report to the Kentucky Department of Education on the number of portable AEDs at each school within the District.²

PRECAUTIONS

Precautions will be taken for the safety of the students, employees, and visitors.

REPORTING HAZARDS

Each employee observing a potential safety or security hazard shall report such hazard in writing to his/her immediate supervisor who shall cause the situation to be remedied or reported to the proper authority for remedy.

Safety**COMMUNICATION SYSTEM**

The Board shall establish a process for a two-way communication system for employees to notify the Principal, supervisor or other administrator of an existing emergency. The process may include, but is not limited to, use of intercoms, telephones, and two-way radios.

REFERENCES:

¹KRS 158.4412

²KRS 158.1621

KRS 61.870 to KRS 61.884

KRS 158.148; KRS 158.162; KRS 158.164; KRS 158.4410; KRS 158.445

KRS 160.290; KRS 160.445

KRS 311.665 to KRS 311.669; KRS 311.667; KRS 411.148

702 KAR 1:180

RELATED POLICIES:

02.31; 03.14; 03.24; 05.2; 05.21; 05.41; 05.411; 05.42; 05.45; 05.47; 05.5

09.22; 09.221; 09.4 (entire section); 10.5

Adopted/Amended:

Order #:

Use of Automated External Defibrillators (AEDs)

Each school's emergency plan shall include procedures to be followed in case of a medical emergency, a written cardiac emergency response plan, and a diagram that clearly identifies the location of each AED. Procedures for the use and training of AEDs shall be included in the emergency response plan.

Review/Revised:

Monthly Facility Safety Inspection Report

School/Site _____ Date _____

Inspector _____

This form is a reminder of general areas and items to be inspected. Check each item "acceptable" or "needs attention." All "needs attention" items shall include location, and the date corrected shall be noted. This form shall be sent to the District ☐ Maintenance supervisor ☐ Superintendent/Designee ☐ School Safety Coordinator. A copy shall be kept by the employee making the inspection.

Area Inspected	Location(s)	Condition		
		Acceptable	Needs Attention	Date Corrected
<u>Grounds</u>				
Condition of steps				
Condition of walkways				
Condition of parking areas				
Handrails on all steps and ramps				
Security lights				
Holes in lawn				
Debris on grounds				
Condition of seats/bleachers				
<u>General Areas</u>				
Condition of floors				
Floors dry				
Floors not slippery				
Floor openings properly covered				
Intake vents clean				
Exhaust vents clean				
Signs of basement water seepage				
Signs of roof leakage				
Ceiling material secure				
Water piping system				
Waste piping system				
Steam piping system				
Air piping system				
Loading dock				
Storage room(s)				
Waste disposal area(s)				
Broken glass				
Adequate lighting in all areas				
Handrails secure				
Stair tread secure				

Monthly Facility Safety Inspection Report

Area Inspected	Location(s)	Condition		
		Acceptable	Needs Attention	Date Corrected
<u>Means of Egress</u>				
Exits clearly marked				
Exits free of obstructions				
Fire doors kept closed				
Doors operate freely				
Evacuation plan(s) posted				
<u>Emergency Procedures</u>				
Written procedures				
Emergency call list posted				
Personnel trained for emergencies				
First aid facilities				
First aid personnel				
<u>Material Storage</u>				
Storage areas kept clean				
Material properly stacked				
Proper lighting				
Flammable materials properly stored				
Material properly labeled				
<u>Machinery/Equipment</u>				
Condition of ladders				
Operating instructions posted				
Guards in place				
Personal protective equipment provided				
Condition of hand tools				
Condition of power tools				
Is machinery/equipment clean?				
Belts guarded in place				
Machinery and equipment properly anchored				
<u>Electrical</u>				
All electrical circuits properly fused				
Condition of extension cords				
Extension cords not used extensively				
Wiring and fixtures properly covered				
Control panels accessible				
Condition of switches and outlets				

Monthly Facility Safety Inspection Report

Area Inspected	Location(s)	Condition		
		Acceptable	Needs Attention	Date Corrected
<u>Fire Protection</u>				
Sprinkler valves accessible				
Sprinkler valves sealed open				
Fire alarm boxes unobstructed				
Adequate number and type of fire extinguishers				
Fire extinguishers properly maintained				
Standpipe and hose unobstructed and in good condition				
Automatic systems in kitchen(s) properly maintained				
Emergency lighting system operable				
<u>Employees</u>				
Lifting properly				
Utilizing personal protective equipment				
Using proper tool for the job				
Following prescribed job procedures				

A COPY OF THIS CHECKLIST SHALL BE FORWARDED TO THE PRINCIPAL/SITE SUPERVISOR.

Signature of Recipient

Date

Review/Revised:

Monthly Food Service Facility Safety Inspection Report

School/Site _____ Date _____

Inspector _____

This form is a reminder of general areas and items to be inspected. Check each item "acceptable" or "needs attention."

All "needs attention" items shall include location, and the date corrected shall be noted. This form shall be sent to the District

☐ Maintenance Supervisor ☐ Superintendent ☐ SFS Director☐ District/School Safety Coordinator. A copy shall be kept by the employee making the inspection.

Conditions	Location	Acceptable	Needs Attention	Date Corrected
Electrical equipment properly grounded?				
Electrical equipment provided with an adequate maintenance program?				
Electrical switches located at a high point, away from moisture?				
Switches located so they can be readily reached in an emergency?				
Switches located so that it is not necessary to lean on or against equipment when reaching for the switch?				
Floor regularly and adequately maintained?				
Employees instructed to immediately pick up or clean up all dropped items and spillage?				
Employees properly instructed in the operation of machines?				
Employees forbidden to use equipment unless specifically trained in its use?				
Machines properly equipped with guards?				
Guards always used by all employees?				
A pusher or tamp provided for use with the grinder?				
Slicer properly and adequately equipped with guard?				
Mixers in safe operating condition?				
Mixer beaters properly maintained to avoid injury from broken metal parts and foreign particles in the food?				
Machines mounted on portable tables for easy movement in preparation area?				
Stationary locking devices on portable tables to keep them stationary when in use?				
Adequate and proper fire extinguishers provided?				
Employees instructed in the use of extinguishers according to type of fire?				
Adequate knife storage provided?				
Correct knife used for the job?				

Monthly Food Service Facility Safety Inspection Report

School/Site _____ Date _____

Inspector _____

This form is a reminder of general areas and items to be inspected. Check each item "acceptable" or "needs attention."
All "needs attention" items shall include location, and the date corrected shall be noted. This form shall be sent to the
District ☐ Maintenance personnel ☐ Superintendent ☐ SFS Director
☐ District/School Safety Coordinator. A copy shall be kept by the Principal.

Conditions	Location	Acceptable	Needs Attention	Date Corrected
Knives properly maintained?				
Doors and drawers kept closed when not in immediate use?				
Cut resistant glove used when cleaning and sharpening the slicer?				
Storerooms and walk-ins kept orderly?				
Carts used for moving heavy food items?				
Safety a part of routine instructions?				

A COPY OF THIS CHECKLIST SHALL BE FORWARDED TO THE PRINCIPAL/SITE SUPERVISOR._____
*Signature of Recipient*_____
Date

Review/Revised:

Compliance with Automated External Defibrillator (AED) Requirements

Name of Employee: _____ Date of Training: _____

Having completed the required AED training, I hereby confirm that I have read and understand the policies and procedures for use of AEDs for the District.

Should I have questions at any time while serving as an Expected AED User, I shall contact the designated AED contact for clarification. I agree to follow the terms and guidelines set forth in policy and procedures for this District.

Expected AED User's Signature_____
Date_____
Superintendent/designee's Signature_____
Date

Review/Revised:

Automated External Defibrillator (AED) Reporting Form

Submit this form to Superintendent/designee within forty-eight (48) hours of AED use.
--

AED USER: _____**LOCATION OF AED USE:** _____**NAME:** _____ **DATE OF INCIDENT:** _____☐ Staff Member☐ Student☐ Parent/Visitor

Condition upon arrival (check all that apply)

☐ unconscious☐ not breathing☐ no pulse and/or shows signs of circulation such as normal breathing, coughing or movement**NUMBER OF DEFIBRILLATIONS:** _____

Please describe the incident from the beginning of the emergency until its conclusion:

Were efforts terminated?

☐ Yes☐ No

If yes, please explain.

Signature of AED User_____
Date

Review/Revised:

Automated External Defibrillator Inspection Log

DATE	INSPECTED/ IN-SERVICE	INSPECTED/OUT- OF-SERVICE	SUPT/DESIGNEE & SITE /SUPERVISORS NOTIFIED AND DATE	MISSING/FAULTY EQUIPMENT (LIST)	INITIALS OF INSPECTOR
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____		

Review/Revised:

Fire Drills**MONTHLY DRILLS**

There shall be at least two (2) fire exit drills the first two (2) weeks of a school term and one each calendar month thereafter while school is in session. The route of exit is to be posted in all classrooms and other areas where students assemble.

MONTHLY REPORT

On forms provided by the Superintendent, a monthly fire drill report is to be sent to the Superintendent.

IMPLEMENTATION

The Principal is responsible for implementing this policy.

REFERENCES:

Life Safety Code Handbook, Chapters 14 & 15

KRS 158.162

KRS 227.220(3)(e)

RELATED POLICY:

05.4

Adopted/Amended:

Order #:

Fire Drills**DRILLS**

The Principal shall schedule fire drills according to Policy 05.41 and shall complete Procedure 05.41 AP.2.

RESPONSIBILITIES OF PRINCIPAL/DESIGNEE

The Principal/designee shall:

1. Plan/coordinate all drills to minimize disruption of the educational process.
2. Provide plan of predrill and pretraining instruction, including but not limited to, warning signals and safe areas, for all staff and students.
3. Use a distinctive fire alarm for fire drills only and an “all-clear” signal to indicate a return to the classroom.
4. Designate an outdoor evacuation area for each classroom at least 100 feet away from the building and out of doorways.
5. Prepare and keep on file a report on all drills and forward a copy to the Superintendent/designee, as required.
6. Implement the following procedures when reporting fires:
 - a) Ring alarm, evacuate building, and call Fire Department.
 - b) Notify Superintendent/designee.
 - c) In conjunction with Fire Department personnel, ascertain whether or not building is safe to re-enter. Immediately notify Superintendent/designee of any damage.
 - d) Notify Superintendent/designee if transportation or evacuation to another facility may be necessary.
7. Determine, in conjunction with the Superintendent, the need for schools to be dismissed early.

FACULTY/STAFF RESPONSIBILITIES

Faculty/staff shall:

1. Post in each room and discuss with each class rules for fire evacuation, including student responsibilities. These will include directions on the exits, alternative exits, and the outdoor evacuation area(s).
2. Close all classroom windows and doors before leaving.
3. Turn off all lights and gas jets in the room.
4. Maintain order during the evacuation and arrange assistance for students with disabilities.
5. Take roll book and check roll when the class is in its evacuation area. No person is to remain in the building during a fire drill.
6. Report to the Principal any student who is missing.

RELATED PROCEDURE:

05.41 AP.2

Review/Revised:

Drill and/or Disaster Report**THIS FORM IS TO BE USED TO REPORT ALL FIRE, TORNADO, BOMB, LOCKDOWN, AND EARTHQUAKE DRILLS.**

NAME OF SCHOOL _____ PRINCIPAL _____

☐ Drill ☐ Actual EventTYPE OF DRILL: ☐ Fire ☐ Tornado ☐ Earthquake ☐ Bomb Threat ☐ Lockdown

Date of Drill/Event _____ Time of Drill/Event _____

Time taken to evacuate building or to seek shelter _____

Time elapsed during drill/event, if appropriate _____

Number of students using ☐ Crutches____ ☐ Wheelchairs____ Other, specify _____Was building safety ascertained? ☐ Yes ☐ NoBy whom? ☐ Superintendent ☐ Law enforcement ☐ Fire Department personnelWere students transported to another facility? ☐ Yes ☐ NoWas there a decision to dismiss school early? ☐ Yes ☐ No

COMMENTS: (Include any comments about safety or problems encountered during the drill.)

For each drill, the Principal/designee shall complete and keep on file this form and provide copy (ies) to the Superintendent/designee, as required.

*Principal/designee's Signature*_____
*Date***THIS FORM IS TO BE USED WITH THE FOLLOWING PROCEDURES:**

05.41 AP.1

05.42 AP.1

05.43 AP.1

05.47 AP.1

Review/Revised:

Building Lockdowns**DEFINITION**

Building lockdown means to restrict the mobility of building occupants to maintain their safety and care.

ANNUAL PRACTICES

A building lockdown practice shall be implemented at least twice during each school year. At a minimum, lockdown drills are to be held during the first thirty (30) instructional days of the school year and in January. As directed by the Superintendent, the Principal or other building supervisor shall document that the practice has occurred.

PROCEDURE REQUIRED

The school council or, if none exists, the Principal shall establish procedures to perform a building lockdown, including protective measures to be taken during and immediately following the lockdown. Local law enforcement agencies shall be invited to assist in establishing lockdown procedures. Each school year, the school shall provide appropriate notice of building lockdown procedures to students, certified staff, and classified staff.

REFERENCES:

KRS 158.162

KRS 158.164

RELATED POLICY:

05.4

Adopted/Amended:
Order #:

Building Lockdowns

DRILLS

Lockdown drills are to be conducted according to Policy 05.411 and documented under Procedure 05.41 AP.2.

Review/Revised:

Severe Weather/Tornado Drills**PROCEDURE SYSTEM**

To maintain the safety and care of students and employees, a severe weather/tornado emergency procedure system shall be established to include, but not be limited to, the following components:

1. A school building disaster plan that provides for a drop procedure and safe area evacuation practices;
2. Designation of the best available safe zones for each facility, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency as part of the school emergency planning process and posted in each room of the school;
3. Protective measures to be taken before, during, and following severe weather/tornado; and
4. Training of staff and students in the system, including use of a drop procedure.

TIMES FOR DRILLS

Severe weather/tornado and safe area evacuation drills are to be held during the first thirty (30) instructional days of the school year and in January. Designated school primary and secondary evacuation routes are to be posted by any doorway used for evacuation.

IMPLEMENTATION

The Principal is responsible for implementing this policy.

REFERENCES:

KRS 158.162
KRS 158.163

RELATED POLICY:

05.4

Adopted/Amended:
Order #:

Severe Weather Drills

DRILLS

The Principal/designee shall schedule severe weather drills according to Policy 05.42 and shall complete Procedure 05.41 AP.2.

DEFINITIONS

Severe weather - Tornadoes, destructive winds, severe thunderstorms, severe snow or freezing rain shall be considered to be severe weather.

Drop procedure – an activity during which each student and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows.

Safe area – a designated space including an enclosed area with no windows, a basement or the lowest floor using the interior hallway or rooms, or taking shelter under sturdy furniture.

RESPONSIBILITIES OF PRINCIPAL/DESIGNEE

Implementation of the school building disaster plan shall be the responsibility of the Principal or designee. As part of the implementation process, the Principal/designee shall:

1. Plan/coordinate all evacuation drills to minimize disruption of the educational process.
2. Provide plan of predrill and pretraining instruction, including but not limited to, warning signals, the approved drop procedure, and safe areas, for all staff and students.
3. Assure that the school can receive and understand communications for severe weather watches and warnings.
4. Sound the severe weather alert signal that is different from the fire alarm and the “all-clear” signal.
5. Designate, mark, and post assigned and alternate safe areas as follows:
 - a) Students/personnel who are housed in one-story buildings, shops, and in portable buildings shall be brought into interior halls or corridors of the main buildings.
 - b) Students/personnel who are housed in two-story buildings should be evacuated from the top floor to interior halls of the lower floor.
 - c) Students/personnel shall not be placed in auditoriums, gymnasiums, cafeterias, or other large areas with a wide, free span roof or in boiler or furnace rooms.
6. Maintain in the Principal’s office a master chart of the safe areas.
7. Prepare and keep on file a report on all drills and forward a copy to the Superintendent, as required.
8. Notify Superintendent/designee if transportation or evacuation to another facility may be necessary.
9. Determine, in conjunction with the Superintendent, the need for schools to be dismissed early.

Severe Weather Drills**FACULTY/STAFF RESPONSIBILITIES**

The faculty and staff shall:

1. Utilize designated safe areas during a severe weather drill or warning.
2. Instruct students in the procedures to be used during a severe weather drill, watch, or warning.
3. Maintain order during the drill, watch, or warning and arrange assistance for students with disabilities.
4. Require students to use one of the following positions, as appropriate:¹
 - a) Rest on knees, lean forward, cover face by crossing arms above face.
 - b) Sit on floor, cross legs, cover face with folded arms.
 - c) If space does not permit use of the first or second suggested position, stand and cover face with crossed arms. Wraps or coats, when readily available, should be used as a covering.
5. Remain in the assigned safety area with students until the “all-clear” signal or recall signal is given.
6. Report to the Principal any student who is missing.

CUSTODIANS’ RESPONSIBILITIES

When a tornado warning has been received, the Principal/designee shall notify the head custodian/designee to:

1. Turn off all gas and electrical appliances.
2. Turn off all motor-operated equipment and pilot lights to hot water heaters or stoves in furnace rooms, cafeterias, home economics rooms, and shops.

BUS DRIVERS’ RESPONSIBILITIES

If the bus is en route to or from school when a severe weather warning is issued, drivers shall:

1. If available, take shelter in a substantially strong, weather proof building in the immediate vicinity.
2. Otherwise, stop the bus near a depression or cut in the road where possible and keep the students in the bus, except when a tornado or destructive winds occur, in which case lead students away from the bus and power lines and instruct them to lie flat in a ditch.

¹ Kneeling and sitting positions should be maintained for only a short period of time. If the alert must be kept for a longer time, students should be permitted to stand for a brief period and then resume kneeling or sitting positions.

RELATED PROCEDURE:

05.41 AP.2

Review/Revised:

Bomb Threats

The Superintendent shall develop procedures to promote the safety of students and personnel in the event of a bomb threat.

REFERENCES:

OAG 77-254
KRS 508.075
KRS 508.078

Adopted/Amended:
Order #:

Bomb Threat Drills/Response**DRILLS**

The Principal shall schedule bomb threat drills ☐ one ☐ two ☐ three time(s) during each school year and shall complete Procedure 05.41 AP.2.

RESPONSIBILITIES OF PRINCIPAL/DESIGNEE

The Principal/designee shall:

1. Plan/Coordinate all drills to minimize disruption of the educational process.
2. Provide a plan of pre-drill and pre-training instruction, including but not limited to, warning signals, assessment of threat protocol, and designation of safe areas for all staff and students.
3. Prepare and keep on file a report on all drills and forward a copy to the Superintendent, as required.
4. Put into action the following procedures when a bomb threat has been received:
 - a) Implement assessment process to determine whether to evacuate the building.
 - b) Evacuate building if so indicated by the assessment process, and call 911/local emergency, fire department, and law enforcement personnel, as appropriate.
Make building accessible to agency representatives who respond by providing the search team with a floor plan and keys to unlock rooms.
 - c) Notify Superintendent/designee.
 - d) If the decision is made to evacuate the building, ascertain in conjunction with law enforcement officials whether or not building is safe to re-enter. Immediately notify Superintendent/designee if any damage occurs.
 - e) Notify Superintendent/designee if transportation or evacuation to another facility may be necessary.
5. If an actual bomb is discovered on school grounds:
 - a) Immediately report the bomb by calling 911, local/state police and the fire department.
 - b) Evacuate the bomb site to at least 850 feet away; do not permit re-entry by employees or students until each device has been removed or disarmed by the bomb squad.
 - c) Remind all persons that cell phones or radios are not to be used as this may cause detonation.
6. Determine, in conjunction with the Superintendent, the need for schools to be dismissed early.

Bomb Threat Drills/Response

FACULTY/STAFF RESPONSIBILITIES

The faculty and staff shall:

1. Post in each room and discuss with each class rules for bomb threat evacuation, including student responsibilities. These will include directions on the designated exits, alternative exits, assigned evacuation area(s), and designated safety precautions such as a ban on cell phone or radio use during a bomb threat drill or evacuation.
2. If a written bomb threat is received, the employee receiving it should preserve it for investigation by the police for possible fingerprints by handling it as little as possible while placing it in a protective envelope.
3. Maintain order during the evacuation and arrange for the assistance of students with disabilities. Leave doors and windows open.
4. Scan the area noting any items that appear to be out of place, and report same to Principal/designee. Do not touch or move any unusual items, but notify the head of the search team.
5. Take roll book and check roll when the class is in its evacuation area. Other than adults authorized to check the premises, no person shall remain in the building during a bomb threat or bomb threat drill.
6. Report to the Principal any student who is missing.

RELATED PROCEDURES:

05.41 AP.2
05.43 AP.2

Review/Revised:

Bomb Threat Checklist

(Print on color-coded paper and keep at main receptionist's desk at each school and at the Central Office.)

INSTRUCTIONS: If a recording device has been put in place and the threat is received by telephone, start the recorder immediately. Don't hang up the phone. If the caller hangs up, leave the phone off the hook. Be calm. Be courteous. Listen, do not interrupt the caller, notify colleagues of your activity by prearranged signal while caller is on the line; ask to have message repeated.

Date call received _____ Time _____

Exact words of person placing call _____

If the threat is received via email, tell another employee to alert Central Office immediately as you record information and correspond with the sender using the questions below. **ASK** the following questions:

What time is the bomb set to explode? _____ How many devices are involved? _____ Where is each located? _____ Floor _____ Area _____

What does the bomb look like? _____ Is it ☐ Disguised ☐ Concealed/Hidden ☐ In the open?

What kind of bomb is it? _____ What will cause it to explode? _____

Why was it placed? _____ How did it get into the school? _____

Did you place the bomb (s) ☐ Yes ☐ No If not, who did? _____

Are you a current student? ☐ Yes ☐ No Are you a former student? ☐ Yes ☐ No Where are you calling from? _____

What is your address? _____ What is your name? _____

VOICE CHARACTERISTICS			BACKGROUND NOISE		NOTIFY THE FOLLOWING
<input type="checkbox"/> Male	<input type="checkbox"/> Female	<input type="checkbox"/> Rapid	<input type="checkbox"/> Music	<input type="checkbox"/> Television	<input type="checkbox"/> State Police
<input type="checkbox"/> Adult	<input type="checkbox"/> Juvenile - Age _____	<input type="checkbox"/> Giggling	<input type="checkbox"/> Children	<input type="checkbox"/> Restaurant	<input type="checkbox"/> Local Law Enforcement/Emergency
<input type="checkbox"/> Intoxicated	<input type="checkbox"/> Accent	<input type="checkbox"/> Deep	<input type="checkbox"/> Conversation	<input type="checkbox"/> Shopping Mall	<input type="checkbox"/> Superintendent*
<input type="checkbox"/> Loud	<input type="checkbox"/> Calm	<input type="checkbox"/> Crying	<input type="checkbox"/> Airplane	<input type="checkbox"/> Train	<input type="checkbox"/> Fire Department
<input type="checkbox"/> Disguised	<input type="checkbox"/> Nasal	<input type="checkbox"/> Squeaky	<input type="checkbox"/> Traffic	<input type="checkbox"/> Office	<input type="checkbox"/> building Principal/site administrator
<input type="checkbox"/> Angry	<input type="checkbox"/> Broken	<input type="checkbox"/> Excited	<input type="checkbox"/> Machinery	<input type="checkbox"/> Other, specify _____	<input type="checkbox"/> Other, specify _____
<input type="checkbox"/> Slow	<input type="checkbox"/> Sincere	<input type="checkbox"/> Stressed			
<input type="checkbox"/> Normal	<input type="checkbox"/> Speech Problem (stutter, lisp)	<input type="checkbox"/> Other, specify _____			

**Consultation with the Superintendent shall be required prior to dismissal for the remainder of the school day.*

Additional Information _____

Signature of Person Receiving Call

Date

Review/Revised:

Crowd Control

The Superintendent or designee shall develop procedures to promote the orderly conduct and safety of students and other spectators who attend school-sponsored events.

Crowd control procedures shall include supervision by appropriate school officials in all cases. In case of events where it is anticipated that the nature of the crowd may pose conduct or safety problems (e.g. large or emotional crowds), procedures shall call for the posting of adequate police or security personnel.

REFERENCES:

KRS 518.090

OAG 90-11

RELATED POLICY:

09.35

Adopted/Amended:
Order #:

Crowd Control**PRINCIPAL'S AUTHORITY**

The Principal shall have authority to promote the orderly conduct and safety of the students and other spectators attending events on school property. Crowd control procedures shall include the following:

1. Assignment of authorized school personnel to provide adequate supervision.
2. The Principal may request law enforcement personnel to be present if s/he anticipates the crowd may pose a conduct or safety problem.
 - a) Law enforcement personnel shall be provided for athletic events, as approved by the Superintendent.
 - b) The Principal shall utilize his or her judgment regarding the number of officers needed and advise as to their placement.
3. The admission gate or entrance shall be controlled and admission limited to eligible students, chaperones, guests, spectators, and other authorized persons.
4. Persons under the influence of alcohol or drugs are subject to exclusion from the event.
5. If a disturbance occurs, school authorities shall determine if the event needs to be concluded and may close the event, as appropriate, and send those in attendance off the school grounds.

RELATED POLICIES:

05.3
09.311
09.35

Review/Revised:

Earthquakes

The Superintendent shall develop written procedures to promote the safety of students and personnel in the event of an earthquake.

Written procedures shall include a building disaster plan, a "drop procedure" for all staff and students, protective measures and a method of instructing staff and students of these procedures.

REFERENCES:

KRS 158.162

KRS 158.163

Adopted/Amended:

Order #:

Earthquakes

DRILLS

The Principal shall schedule a minimum of two (2) earthquake and safe area evacuation drills during each school year. Drills shall be held during the first thirty (30) instructional days of the school year and in January. Whenever possible, first responders shall be invited to observe emergency response drills. After each drill, Procedure 05.41 AP.2 shall be completed and submitted to the Superintendent.

RESPONSIBILITIES OF PRINCIPAL/DESIGNEE

The Principal/designee shall:

1. Provide a plan of pre-drill and pretraining instruction, including but not limited to, warning signals and safe areas for all staff and students.
2. Plan/coordinate all drills to minimize disruption of the educational process.
3. Prepare and keep on file a report on all drills and forward a copy to the Superintendent, as required.
4. Notify Superintendent/designee if transportation or evacuation to another facility may be necessary.
5. Determine, in conjunction with the Superintendent, the need for schools to be dismissed early.

FACULTY/STAFF RESPONSIBILITIES

Faculty/staff shall post in each room and discuss with each class rules for earthquake preparedness, including student responsibilities; maintain order during the drill or quake and arrange for the assistance of students with disabilities; and report to the Principal any student who is missing.

If indoors

1. Drop and take cover under desks, tables, or other heavy furniture, in interior doorways or narrow halls, or against weight-bearing inside walls.
2. Stay away from windows, light fixtures, and suspended objects.
3. Under no circumstances should persons rush through or outside the building, exposing themselves to falling debris, live wires, etc.
4. After the tremors have ceased, evacuate the building and move all personnel to safe areas.

If outdoors

1. As appropriate, move away from building.
2. Avoid utility poles and over-head wires.
3. Do not enter any building that has sustained damage until competent personnel have examined the building and declared it safe.
4. Before students and staff are permitted to re-enter a building, the building must be checked for structural soundness, including but not limited to, the integrity of electrical wiring, heating and fuel systems, and water distribution system.

RELATED PROCEDURE:

05.41 AP.2

Review/Revised:

Weapons

This policy applies to students, staff members, and visitors to the school.

WEAPONS PROHIBITED

Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited.

Violation of this policy by staff members shall constitute reason for disciplinary action, including possible termination.

Violation of this policy by students shall require that the Principal immediately make a report to the Superintendent, who shall determine if charges for expulsion from the District schools should be filed under Policy 09.435. In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a firearm in violation of the law or assault involving the use of a weapon.

Violations by visitors shall be reported to a law enforcement agency.

EXCEPTIONS:

- Each school resource officer shall be armed with a firearm, notwithstanding any provision of local board policy, local school council policy, or memorandum of agreement.²
- An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.070.
- Law enforcement officials, including peace officers and police as provided in KRS 527.070 and KRS 527.020, are authorized to bring weapons onto school property in performance of their duties.

FEDERAL REQUIREMENTS REGARDING STUDENTS

The penalty for students possessing a firearm at school or bringing a firearm or other deadly weapon, destructive device, or booby trap device to school or onto the school campus/property under jurisdiction of the District shall be expulsion for a minimum of twelve (12) months under Policy 09.435. However, the Board may modify such expulsions on a case-by-case basis. Any case-by-case modification of the one (1)-year expulsion requirement, including those made for students with disabilities to meet the requirements of IDEA and Section 504, shall be in writing and may be based upon a recommendation of the Superintendent/designee.¹

Any student who possesses a firearm at school or brings to school a firearm or other deadly weapon, destructive device, or booby trap device shall be referred to the criminal justice or juvenile delinquency system.

Weapons**STATE POSTING REQUIREMENTS**

The Superintendent shall post the following notice in prominent locations in the schools, including, but not limited to, sports arenas, gymnasiums, stadiums, and cafeterias. The notice shall be at least six (6) inches high and fourteen (14) inches wide and shall state:

UNLAWFUL POSSESSION OF A WEAPON ON SCHOOL PROPERTY IN KENTUCKY IS A FELONY PUNISHABLE BY A MAXIMUM OF FIVE (5) YEARS IN PRISON AND A TEN THOUSAND DOLLAR (\$10,000) FINE.¹

The above criminal penalty shall not apply to those persons listed in KRS 527.070 (3).

STATE REPORTING REQUIREMENTS

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use of a deadly weapon on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

For state reporting purposes, a deadly weapon shall be defined as:

1. a weapon of mass destruction;
2. any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged;
3. any knife other than an ordinary pocket knife or hunting knife;
4. billy, nightstick or club;
5. blackjack or slapjack;
6. nunchaku karate sticks;
7. shuriken or death star; or
8. artificial knuckles made from metal, plastic, or other similar hard material.

Employees who receive information from a student or other person regarding conduct required to be reported shall report the conduct in the same manner as stated above.

ENFORCEMENT

In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with applicable Board policies.

Weapons

REFERENCES:

¹KRS 527.070; KRS 158.150; 20 U.S.C. §7141 (Gun-Free Schools Act)

²KRS 158.4414

18 U.S.C. §921(a)

KRS 158.154

KRS 158.155; KRS 160.290; KRS 160.340; KRS 161.790

KRS 237.106; KRS 237.110; KRS 237.138 to KRS 237.142

KRS 500.080; KRS 508.075; KRS 508.078; KRS 527:020

20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)

Section 504 of the Rehabilitation Act of 1973, as amended

RELATED POLICIES:

02.31; 09.435; 09.436; 09.4361

Adopted/Amended:
Order #:

Security**DEVELOPMENT OF PLAN**

The Superintendent shall develop and implement a plan ensuring the reasonable security of District property.

SCHOOL SECURITY RISK ASSESSMENT

No later than July 15, 2021, and each subsequent year, Superintendent shall send verification to the state school security marshal and KDE that all schools within the District have completed the school security risk assessment for the previous year.¹

RESPONSIBILITY

The Principal has general oversight of school property under his or her supervision and shall use good judgment for the reasonable security of such property.

REFERENCES:

¹KRS 158.4410

KRS 158.162

RELATED POLICY:

05.4

Adopted/Amended:

Order #:

Building Security

In order to address reasonable security of District property the following practices (Items 1-3) are required in all schools and shall be implemented as soon as practicable but no later than July 1, 2022):

1. Controlling access to the main entrance of the school with electronically locking doors, a camera, and an intercom system. No other entrances shall be left open to outside access during the school day.

Windows and outside doors will be properly secured after the close of the school day.

☐ All entrances ☐ All, but the main entrance, will be locked at that time.

2. Classroom doors are to be equipped with hardware that allows the door to be locked from the outside but opened from the inside. Classroom doors are to remain closed and locked during instructional time.
3. Classroom doors with windows are to be equipped with material to quickly cover the window during a building lockdown.
4. The number of keys or other means of access to outside doors will be limited and issued only to those persons required to enter the building after hours on a regular basis.
5. Outside security lights will be placed in strategic locations.
6. Inside lighting, in corridors, administrative areas, and other strategic locations, will be turned on when custodians complete their schedule.
7. The work schedules of custodians will be arranged to have them work in the building as late as possible.
8. Money shall not be left in classrooms or vending machines overnight.
9. Principals will see that bank deposits are made daily and night deposits are utilized when feasible.
10. The local police and/or sheriff will be requested to place the school buildings on their security rounds.

ADDITIONAL SECURITY MEASURES

With approval of the Board, the Superintendent may direct the installation of a security system and/or the employment of security personnel.

Review/Revised:

Monthly Facility Security Inspection Report

School/Site _____ Date _____

Inspector _____

This form is a reminder of general areas and items to be inspected. Check each item "acceptable" or "needs attention." All "needs attention" items shall include location and the date corrected shall be noted. This form shall be sent to the District ☐ Maintenance Supervisor ☐ Superintendent ☐ District/School Security Officer. A copy shall be kept by the employee completing the inspection.

Area Inspected	Location(s)	Condition		
		Acceptable	Needs Attention	Date Corrected
<u>Perimeter</u>				
Authorized vehicle traffic only				
Perimeter gates operable				
Dumpsters are located away from buildings				
Access to roof is limited				
Directional signs on curbs and streets				
Landscaping arranged to prevent blind spots				
Walkways are not obstructed				
Exterior lighting in operation				
Condition of perimeter fencing				
<u>Buildings</u>				
Designated visitors' entrance is clearly marked				
Doors to high risk areas are locked				
Door hinges have nonremovable pins				
Door frames made of pry-proof metal				
Doors have security glass				
Windows have latches				
Miscellaneous openings secured (roof, coal chute, crawl space)				
Files, safes, and vaults secured				
Fire alarms and smoke detectors operational				
<u>Traffic Control</u>				
Parking lot --through and cruising traffic				
Speed bumps				
Access to student vehicles is limited				
Parking areas are clearly identified				
Parking lots located in direct visual observation				
School vehicles are parked within school perimeter				

Monthly Facility Security Inspection Report

Area Inspected	Location(s)	Condition		
		Acceptable	Needs Attention	Date Corrected
Vehicle entry to playground or activity areas is blocked				
<u>Lighting</u>				
Exterior lights have break-resistant lenses or mesh covers				
Access points are well illuminated				
Loading and unloading zones are well illuminated				
Lights are mounted in a way to reduce shadow areas				
Lights provide illumination without glare				
Back up or supplementary lighting in case of power failure				
Lights inspected and replaced regularly				
<u>Security Measures</u>				
Security system operational				
Key control system				
Proper identification and inventory program				
Locks and/or latches in good condition				
Anchor pads or locking devices on portable equipment				
Alarm system operational and in good repair				
School security officers' services				
Incident reporting procedure				
After hours law enforcement checks				

A COPY OF THIS CHECKLIST SHALL BE FORWARDED TO THE PRINCIPAL/SITE SUPERVISOR.

Signature of Recipient

Date

Review/Revised:

Property Insurance

COVERAGE

The Board shall maintain an insurance program that will provide coverage in the event of loss or damage of school buildings and equipment therein. Such coverage shall be reviewed annually.

REFERENCES:

KRS 160.105
KRS 162.360
702 KAR 3:030
OAG 66-36
OAG 55-37,578
OAG 56-38,182

Adopted/Amended:
Order #:

Property Insurance**REPLACEMENT COST**

Fire and extended coverage on all nonsurplus buildings shall be carried in the amount of the replacement cost.

APPRAISAL OF BUILDINGS

An appraisal of nonsurplus buildings may be made ☐ every five (5) years ☐ every seven (7) years. The professional appraiser shall estimate the replacement cost, and an adjustment will be made each year to compensate for any increased labor and material costs.

INVENTORY OF CONTENTS

An inventory of the contents of each school shall be made each year as specified in Policy 04.7. The inventory will show the description, cost, date of purchase, condition, quantity, and location of each item inventoried. Inventory lists shall be maintained in ☐ Central Office ☐ at the site location ☐ other, as specified _____.

CO-INSURANCE AND DEDUCTIBLE

Each building and its contents shall be insured for an amount equal to 100% of the replacement cost as shown on the schedule of values certified by the Kentucky Department of Education or as determined through a certified replacement cost appraisal of the building and its contents performed by an appraiser experienced in appraising commercial or governmental property and properly licensed to perform appraisal services in Kentucky. A ☐ NO co-insurance (KSBA recommended) ☐ maximum of eighty percent (80%) plan with a per-occurrence deductible of ☐ \$1,000 ☐ \$5,000 ☐ \$10,000 will be specified. The maximum allowable deductible per occurrence is five percent (5%) of the prior year's capital outlay allotment or \$25,000, whichever amount is smaller.

Review/Revised:

Recycling**RESPONSIBILITY**

Provided there is a recycling facility within the county or within a reasonable distance in an adjoining area, and if the District is able to locate a recycling vendor to serve the District without a resulting negative fiscal impact, all Board-owned and operated facilities shall recycle white paper and cardboard. Each school/school council shall design a plan or procedures for recycling those materials. The Superintendent/designee shall establish a recycling plan for Central Office and other non-school facilities and periodically review school and District plans/procedures for compliance with this requirement.

REFERENCE:

KRS 160.294

Adopted/Amended:
Order #:

06	Transportation
06.0	Transportation
06.0 AP.1	Implementation of System
06.1	Bus Fleet
06.11	Purchase
06.12	Maintenance (Bus Fleet)
06.13	Fuel and Equipment
06.13 AP.1	Fuel and Equipment
06.13 AP.2	Driver's Monthly Fuel Report
06.14	Authority for Use of Buses
06.14 AP.1	Authority for Use of Buses
06.2	Safety (Transportation)
06.2 AP.11	Accidents
06.2 AP.12	Use of Communication Devices on Bus
06.2 AP.2	Bus Evacuation Drill Report
06.21	Inclement Weather
06.21 AP.1	Inclement Weather Plan
06.22	Bus Drivers' Responsibilities
06.22 AP.1	Driver's Responsibilities
06.221	School Bus Drivers' Use of Tobacco and Other Substances
06.221 AP.2	Drug and Alcohol Testing Notification and General Consent
06.23	Driver and Substitute Driver Training
06.31	Bus Scheduling and Routing
06.31 AP.1	Bus Scheduling and Routing
06.31 AP.2	Route Schedule for Transported Students
06.32	Eligibility for Transportation
06.32 AP.1	Eligibility for Transportation
06.33	Regular Bus Stops
06.34	Conduct on Bus (Transportation)
06.34 AP.1	Conduct on Bus
06.34 AP.2	Bus Driver's Report of Student Conduct
06.342	Hazards in and on Bus
06.4	Insurance (Bus Fleet)
06.5	Use of Buses by Outside Groups

Transportation

The transportation program is a District-wide function administered by the Superintendent/designee in keeping with Board policies and District procedures.

IMPLEMENTATION OF SYSTEM

The Superintendent shall develop and administer the necessary administrative procedures to implement the pupil transportation system, subject to review by the Board and consistent with 702 Kentucky Administrative Regulations, Chapter 5.¹

REFERENCES:

¹702 KAR 5:010
702 KAR 5:020; 702 KAR 5:030
KRS 158.110; KRS 158.115

Adopted/Amended:
Order #:

Implementation of System

District personnel shall comply with requirements established in Kentucky Administrative Regulations, the *Pupil Transportation Management Manual*, and other documents and forms prepared and distributed by the Kentucky Department of Education, Division of Pupil Transportation.

Review/Revised:

Bus Fleet**PUBLIC SCHOOL STUDENTS**

The Board owns and operates the bus fleet exclusively for the transportation of public school pupils to and from the public schools or such other state institutions that may be required and for such other educational purposes as the Board may deem advisable.

REFERENCES:

KRS 156.153
KRS 157.370
KRS 158.110
KRS 158.115
702 KAR 5:060
OAG 80-390
OAG 82-392
OAG 83-294

RELATED POLICY:

09.36

Adopted/Amended:
Order #:

Purchase**SPECIFICATIONS**

The Board requires that school buses purchased for use meet all Kentucky statutory requirements and all Kentucky State Department of Education specifications established for school buses at the time of purchase.

RETIREMENT

Every effort shall be made to retire buses from regular service when the amount calculated for annual depreciation under state regulations reaches zero (0) percent of the state bid price.

REFERENCES:

KRS 156.152
KRS 156.153
KRS 156.154
KRS 158.110
702 KAR 5:020
702 KAR 5:060
702 KAR 5:130

Adopted/Amended:
Order #:

Maintenance**INSPECTION**

At least once each month when school is in session, all school buses shall be thoroughly inspected and road-tested by a state-approved inspector to ensure satisfactory mechanical conditions. Any safety defects found shall be repaired before the bus is placed back into operation.

REPORTING DEFECTS

The Superintendent shall develop rules and regulations for the reporting of mechanical defects of school buses, by their drivers, and for the repair of such defects.

REFERENCES:

KRS 158.110
702 KAR 5:030
702 KAR 5:130

Adopted/Amended:
Order #:

Fuel and Equipment**PROCEDURES FOR ACQUIRING**

When drivers assume the duties of the position, the Superintendent shall furnish to each bus driver and other users of Board-owned vehicles the procedure and place for acquiring fuel, oil, maintenance, and repairs, both on a regular and an emergency basis.

REFERENCES:

KRS 158.110
702 KAR 5:030

Adopted/Amended:
Order #:

Fuel and Equipment

PURCHASING FUEL AND PARTS

The purchase of fuel, motor oil, transmission fluid, antifreeze, and selected bus parts shall be determined by the Board's bidding policy (04.32) and related procedures. The designated vendor will furnish, install, and maintain, as appropriate, pumps and related equipment for gasoline and diesel fuel.

PROCEDURES FOR ACQUIRING

Drivers will fuel their buses at the Board's fuel pump(s), as designated. They shall keep a monthly log of all fuel used and submit this form to the Director of Transportation/Central Office designee on the last working day of the calendar month.

Drivers will secure their motor oil, transmission fluid, and antifreeze at the bus garage or other facility, as designated. Drivers are required to check all fluid levels daily and are responsible for putting oil into their buses. A mechanic, upon request of the driver, will fill buses with antifreeze and transmission fluid.

REPLACEMENT OF PARTS

All replacement of parts will be done by a mechanic.

EMERGENCY PROCEDURES

In case of mechanical trouble, the driver will call (or radio) the bus garage or the Director of Transportation/Central Office designee for instructions.

OUT-OF-DISTRICT TRIPS

Upon approval of the Director of Transportation/Central Office designee, a Board credit card may be furnished to drivers making out-of-District trips. These cards are to be used to purchase fuel and/or to pay for minor repairs. In the event it becomes necessary for the driver to pay cash for a bus charge(s), s/he shall get a receipt for the payment and turn it in to the Transportation Director/Central Office designee for approval and reimbursement of expenses. In emergency situations, the Superintendent may authorize payment prior to Board approval.

RELATED PROCEDURES:

03.125 AP.21

03.125 AP.22

04.31 AP.2

04.32 AP.1

06.13 AP.2

Review/Revised:

Authority for Use of Buses

APPROVAL FROM SUPERINTENDENT

Any use of school buses beyond the daily routing schedules will require approval from the Superintendent or the Superintendent's designee.

REFERENCES:

KRS 157.370
KRS 158.110
702 KAR 5:030

RELATED POLICIES:

06.5
09.36

Adopted/Amended:
Order #:

Authority for Use of Buses

Refer to the procedures coded to Policy 09.36 for field trip approval and transportation needs.

Review/Revised:

Safety**DEVELOPMENT OF PROGRAM**

The Superintendent shall develop a transportation safety program as required by applicable law and administrative regulation. Appropriate safety information shall be disseminated annually in writing to employees, parents, and pupils of the school District.

BOOSTER SEATS

When students who are under eight (8) years old and between forty (40) and fifty-seven (57) inches in height are transported in District-owned or leased vehicles designed for nine (9) or fewer passengers, they shall be properly secured in a child booster seat. Per KRS 189.125, a child of any age who is greater than fifty-seven (57) inches in height is not required to be secured in a booster seat.

Child Safety Restraint Systems shall be utilized for preschool Head Start students being transported using District vehicles in compliance with guidelines established by the National Highway Traffic Safety Administration.

REFERENCES:

KRS 158.110
KRS 189.125
702 KAR 5:030
702 KAR 5:060
702 KAR 5:080
45 C.F.R. § 1310.11

RELATED POLICY:

06.12

Adopted/Amended:
Order #:

Accidents

If the school bus is involved in an accident, the following procedures are to be followed by the bus driver:

1. Set the parking brake.
2. Turn off ignition and remove the keys.
3. Remain calm and reassure the pupils.
4. Use emergency reflectors to “protect the scene,” as appropriate.
5. Unless the bus is on a railroad track or is in danger of another collision, do not move the vehicles involved until law officers advise you to do so.
6. Check for injury to pupils. If there is an injury, proceed as follows:
 - a) Move the person from danger and give first aid. Caution must be observed if neck or back injury is indicated.
 - b) If the injuries appear to be serious, call an ambulance.
7. If there is no radio/telephone readily available, use a passing motorist or send an older student to make a telephone call for assistance.
8. Keep all pupils on the bus unless there is a fire/possibility of a fire or the vehicle is in danger of further collision.
9. Account for all pupils.
10. Notify school administrators and appropriate law enforcement agency of the location and nature of the accident. In reporting the accident, give the following information:
 - a) The exact location of the bus,
 - b) If another bus is needed to transport students, and/or
 - c) If a wrecker is needed.
11. Do not discuss the facts of the accident with anyone except the investigating officer and school officials.
12. When authorized to do so, continue the transportation of the pupils by: (1) the present bus or (2) a substitute bus, if the present bus is inoperable.
13. Fill out an accident report and file it with the Director of Transportation on the day of the accident. Failure to do this constitutes negligence on the part of the driver.
14. The driver is not to admit that an accident is his/her fault. The driver may say, “I’m sorry the accident happened, and it will be reported to the insurance company that handles the Board’s insurance.”
15. Do not offer to pay any damages to the other party involved. If the bus driver is at fault, the Board’s insurance company will handle any claims.

Accidents

16. Never say, “The Board’s insurance company will pay for the damage.” The Board’s insurance adjuster will make that decision. If the representative of another insurance company or an attorney representing the other party involved visits the driver and requests a statement either written or verbal, the driver shall refuse. The driver should tell the party that s/he has filed the accident report with the Director of Transportation and that the party will have to see the Director or the Board’s insurance agent. (This is very important in settling claims.)
17. Be sure to get the names, addresses, driver's license numbers, tag numbers, and insurance information of all persons involved in the accident. It is very important to get the names and addresses of any witnesses to the accident.
18. Keep cool. Don’t panic. Don’t exaggerate.

Review/Revised:

Use of Communication Devices on Bus**RADIOS/CELL PHONES PLACED IN BUS**

Two-way mobile radios or cellular phones placed in the school buses operated by the District can be an important safety device if properly used. The purpose of these radios/phones is to provide instant communication with the base units (located in the bus garage and the Central Office) in case of an accident, mechanical problems, or a misplaced child. The following rules and procedures for the use of mobile radios/cellular phones shall be followed:

1. The radio/phone will be used for school business only.
2. Students or unauthorized persons are not to use the radio/phone.
3. A driver using the radio/phone to report an accident or breakdown shall give the following information:
 - a) The FCC number, driver identification number, or bus number, as appropriate.
 - b) The location of the bus.
 - c) Whether or not medical assistance and/or an ambulance is required.
 - d) Whether or not a police officer is needed.
 - e) Whether or not a replacement bus is needed.
 - f) Whether or not a wrecker is needed.
4. The FCC number, driver identification number, or bus number, as appropriate, shall be used when the driver is talking with another vehicle.
5. The driver shall keep the radio/phone on at all times s/he is in or around the bus.
6. The driver shall not attempt to repair the radio/phone; if it develops a problem, it should be taken to the bus garage for repair.
7. The radio/phone shall be protected from vandalism and theft. The driver shall be responsible for securing the radio/phone when the bus is vacant.

RESTRICTIONS WHILE OPERATING

Bus drivers shall not use a cellular telephone of any type when transporting one (1) or more children and shall not use any communication device to text or e-mail while operating a vehicle (District-owned or otherwise) while on District business, unless the vehicle is parked or unless there is a bona fide emergency, which shall include, but not be limited to, the need to make following communications:

- Report illegal activity;
- Summon medical help;
- Summon a law enforcement or public safety agency; or
- Prevent injury to a person or property.

EXCEPTION: The above prohibition does not apply to use of an authorized two-way radio or cell phone (when a bus is not equipped with a functioning two-way radio) for dispatch purposes.

Review/Revised:

Bus Evacuation Drill Report

The standard for real drills is to completely evacuate the bus within two (2) minutes. Drivers shall follow the evacuation strategies specified in the *Pupil Transportation Management Manual* published by the Department of Education.

Name of School _____ Principal _____

Bus Number _____ Number of students _____ Weather Conditions _____

Date of Drill _____ Time of Drill _____ Time taken to evacuate _____

NUMBER OF STUDENTS IN EACH GRADE TAKING PART IN THE EVACUATION DRILL:

_____ Preschool	_____ Fourth Grade	_____ Ninth Grade
_____ Kindergarten	_____ Fifth Grade	_____ Tenth Grade
_____ First Grade	_____ Sixth Grade	_____ Eleventh Grade
_____ Second Grade	_____ Seventh Grade	_____ Twelfth Grade
_____ Third Grade	_____ Eighth Grade	

NUMBER OF STUDENTS USING THE FOLLOWING:

☐ Crutches _____ ☐ Wheelchairs _____ ☐ Child Safety Restraint System _____
☐ Other special needs; please specify _____

CHECK TYPE OF EVACUATION PRACTICED:

☐ front ☐ rear ☐ side ☐ front and rear ☐ front and side ☐ rear and side
☐ front, rear and side ☐ emergency window, hatches and windshield evacuation instruction

Drill was conducted by: ☐ Principal/designee ☐ Bus driver ☐ Central Office designee

Comments: (Include any comments about safety or problems encountered during the drill.)

For each drill, the Principal/designee shall complete and keep on file this form and provide a copy(ies) to the Superintendent/designee, as required.

Principal/Designee's Signature

Date

Signature of Bus Driver, as appropriate

Date

Signature of Central Office designee, as appropriate

Date

Review/Revised:

Inclement Weather**CLOSING SCHOOLS**

The Superintendent or designee has the authority to close schools when weather or other emergency conditions would make operating the school bus fleet unsafe.

SYSTEM OF NOTIFICATION

The Superintendent or designee shall devise a system for notifying parents, pupils, teachers, and other employees when it becomes necessary to close schools because of emergency conditions.

REFERENCES:

KRS 158.110
KRS 160.310
702 KAR 5:030

RELATED POLICY:

08.33

Adopted/Amended:
Order #:

Inclement Weather Plan

NOTIFICATION

The Director of Transportation/Central Office designee shall prepare a plan whereby all bus drivers will be notified when school is delayed or dismissed.

When school is called off or delayed, the announcement will be made on designated radio and TV stations. At the beginning of each school year, the Superintendent/designee shall notify students, employees, and parents as to the stations that will carry the District's delay/cancellation information.

BUS RUNS

Drivers should be available for unexpected schedule changes.

When the opening of school is delayed, bus runs will reflect the delay.

Review/Revised:

Bus Drivers' Responsibilities

All bus drivers shall meet the qualifications of and be in compliance with the responsibilities noted in Kentucky Administrative Regulations.¹

WALKTHROUGH AT END OF RUN

Bus drivers shall conduct a walkthrough of their buses at the end of each run to ensure that all students have disembarked at their designated stops.

DISCIPLINARY ACTION

Bus drivers who fail to observe/perform their responsibilities shall be subject to appropriate disciplinary action.

REFERENCES:

¹702 KAR 5:080; 702 KAR 5:150

KRS 189.370

KRS 189.375

KRS 189.380

KRS 189.450

KRS 189.540

KRS 189.550

KRS 281A.170 to KRS 281A.175

KRS 281A.205

Adopted/Amended:

Order #:

Driver's Responsibilities

Bus driver qualifications and responsibilities are found in state regulation, local transportation manuals, as applicable, and in documents distributed by the Kentucky Department of Education.

Review/Revised:

School Bus Drivers' Use of Tobacco and Other Substances**TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS**

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.¹

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy.

DEFINITIONS

The following definitions apply for purposes of drug and alcohol testing required by federal and state law:

"Drugs" refers to controlled substances as prohibited by the Omnibus Act, including but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

"Alcohol" refers to the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including but not limited to, methyl and isopropyl. Alcohol use includes the consumption of any beverage, mixture, or preparation, including any medication containing alcohol.

USE PROHIBITED

All employees subject to commercial driver's license (CDL) requirements shall be prohibited from:

1. The use of any drugs, that may affect the employee's ability to safely drive a school bus or perform other job responsibilities;
2. The use of alcohol:
 - a. While on duty;
 - b. Four (4) hours before driving;
 - c. Eight (8) hours following an accident; or
 - d. Consumption resulting in prohibited levels of alcohol in the system.

REQUIRED REPORTS

- School bus drivers taking medication either by prescription or without prescription shall report to the immediate supervisor and shall not drive if that medication may affect the driver's ability to safely drive a school bus or perform other driver responsibilities.²
- School bus drivers shall immediately report to the Superintendent or designee any traffic violation specified in Kentucky Administrative Regulation.²

School Bus Drivers' Use of Tobacco and Other Substances**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA) DRUG AND ALCOHOL CLEARINGHOUSE**

The Clearinghouse is a secure online database that gives employers, the FMCSA, State Driver Licensing Agencies (SDLAs), and State law enforcement personnel real-time information about commercial driver's license (CDL) and commercial learner's permit (CLP) holders' drug and alcohol program violations. The Clearinghouse enables employers to identify drivers who commit a drug and alcohol program violation while working for one employer, but who fail to subsequently inform another employer (as required by current regulations).

<https://www.fmcsa.dot.gov/>

The District must not employ a driver subject to controlled substances and alcohol testing to perform a safety-sensitive function without first conducting a pre-employment query of the Clearinghouse to obtain information about whether the driver has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test in violation of law; or that an employer has reported actual knowledge, as defined by federal regulation, that the driver used alcohol on duty, used alcohol before duty, used alcohol following an accident, or used a controlled substance, in violation of federal regulations.

The District must conduct a query of the Clearinghouse at least once per year for information for all CDL drivers subject to controlled substance and alcohol testing to determine whether information exists in the Clearinghouse about those employees. The District shall not allow a driver to perform any safety-sensitive function if the results of a Clearinghouse query on the driver demonstrate a disqualification as provided by regulation and described above and such driver may be subject to personnel action up to and including termination.

Reporting of the following information on individual drivers to the federal Clearinghouse is required: verified positive, adulterated, or substituted test results; confirmed alcohol tests at .04 or higher; refusal to submit to required tests; the reporting of actual knowledge (as defined by federal regulation) of Department of Transportation (DOT) regulatory violations, including violations based on prohibited on duty, pre-duty, or post-accident alcohol use and controlled substance use; and regulatory return to duty and follow-up testing information as applicable.

TESTING

All covered applicants and employees shall be subject to pre-employment testing (controlled substances only), and reasonable suspicion, random and post-accident testing for drugs and alcohol. Return-to-duty and follow-up testing shall also be required.

All offers of employment with the District shall be made contingent upon testing results. An applicant who tests positive shall not be employed.

School Bus Drivers' Use of Tobacco and Other Substances**TESTING (CONTINUED)**

Current employees who test positive shall be subject to immediate disciplinary action up to and including dismissal in accordance with Board policy and administrative procedures. A school bus driver, substitute driver, school bus mechanic or anyone performing safety-sensitive pupil transportation duties who tests 0.02 percent or higher on the confirmation alcohol test immediately before, during, or immediately following the performance of these duties shall be relieved of these duties immediately. (School bus drivers found under the influence of alcohol or any illegal drugs while on duty or with remaining driving responsibilities that same day shall be dismissed from employment in accordance with Kentucky Administrative Regulation and Board policy and shall not be eligible for reemployment in a safety-sensitive student transportation position for five [5] years).

Employees who test positive shall be notified of referral services. Additionally, employees shall be subject to CDL prohibitions and penalties under the Omnibus Act and applicable Federal Motor Carrier Safety Regulations.

Applicants who refuse drug testing shall be eliminated immediately from employment consideration. Current employees who refuse to comply with testing requirements will be regarded as insubordinate and shall be subject to disciplinary action, up to and including dismissal.

Refusal to submit to an alcohol or controlled substance test means that the individual demonstrated noncompliance, including but not limited to the following actions:

- Failed to appear for any test within a reasonable period of time as determined by the employer and consistent with applicable Department of Transportation agency regulation;
- Failed to remain at the testing site until the testing process was completed;
- Failed to provide a sample specimen for any required test;
- Failed to provide a sample in an amount sufficient for testing without an adequate medical reason for the failure;
- Failed to undergo a medical examination as directed by the Medical Review Officer as part of the verification process for the previous listed reason;
- Failed or declined to submit to a second test that the employer or collector has directed the driver to take;
- Failed to cooperate with any of the testing process; and/or
- Adulterated or substituted a test result as reported by the Medical Review Officer.

TESTING COSTS

Pre-employment drug testing costs shall be paid for by the District. All current employee drug and alcohol testing including reasonable suspicion, random and post-accident testing costs shall be paid for by the District.

School Bus Drivers' Use of Tobacco and Other Substances**MATERIALS TO BE PROVIDED**

The Superintendent/designee shall distribute educational materials to explain state and federal legal requirements for alcohol and controlled substance testing of CDL drivers and the District's policies and procedures to implement it and answer questions about the materials. Materials shall meet content requirements of state and federal regulations, including information on required reporting to the federal Clearinghouse, and shall be distributed to each driver prior to the start of alcohol and controlled substances testing each year and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle. Each employee is required to sign a statement certifying that s/he has received a copy of these materials. If the District recognizes an organization to represent bus drivers, the District shall provide written notice to representatives of the organization of the availability of this information.³

REFERENCES:

¹KRS 438.050; KRS 438.305; KRS 438.345

²702 KAR 5:080

³49 C.F.R. Part 382

49 C.F.R. § 382.701; 49 C.F.R. § 382.703; 49 C.F.R. § 390

Omnibus Employee Testing Act of 1991, Public Law 102-143, Title V

RELATED POLICIES:

03.11; 03.13251; 03.1327; 03.17

03.21; 03.23251; 03.2327; 03.27

09.4232; 10.5

Adopted/Amended:
Order #:

Drug and Alcohol Testing Notification and General Consent
NOTIFICATION AND GENERAL CONSENT FOR LIMITED QUERIES OF THE
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA)
DRUG AND ALCOHOL CLEARINGHOUSE

NOTIFICATION

The Commercial Driver's License (CDL) Drug & Alcohol Clearinghouse is a federal database containing information about CDL drivers who have violated the Federal Motor Carrier Safety Administration's (FMCSA's) drug or alcohol regulations in 49 CFR Part 382. Whether you have committed a violation or not, the District or the District's Consortium/Third Party Administer (C/TPA) (as applicable) is required to check whether the Clearinghouse has any information about you at the time of employment and annually. When conducting an annual inquiry, the District or C/TPA will request a "limited" report that only indicates whether the Clearinghouse has any information about you. Before the District or C/TPA can request a limited report, your written authorization is required, per 49 CFR 382.701(b). If a limited query reveals that the Clearinghouse has information about you, you will then be asked to log in to the Clearinghouse website within twenty-four (24) hours to grant electronic consent to obtain your full Clearinghouse record. FMCSA will not disclose detailed information without first obtaining additional specific consent from you.

CONSENT AND ACKNOWLEDGEMENT

I, _____, hereby provide consent to the District
(Employee Name - please print)

and the District's Consortium/Third Party Administer (C/TPA) to conduct pre-hiring and annual limited queries of the FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse to determine whether drug or alcohol violation information about me exists in the Clearinghouse. This consent permits an unlimited number of such queries. My consent is valid from the date shown below until my employment with the District terminates or until I am no longer subject to the drug and alcohol testing rules in 49 CFR Part 382 for the District.

I understand that if I refuse to provide consent to conduct a limited query, or if I refuse to consent to a full query if requested by the District following a limited query, then the District must prohibit me from performing safety-sensitive functions, including driving a commercial motor vehicle, as required by FMCSA's drug and alcohol program regulations. I also understand that failure to provide cooperation to allow checking of the database as required by law may be grounds for personnel action based on loss of or legal inability to utilize licensure or certification required for the position.

Employee Signature

Date

RELATED POLICY:

03.27

Review/Revised:

Driver and Substitute Driver Training**SUPERINTENDENT RESPONSIBILITY**

The Superintendent shall be responsible for providing the annual required in-service school bus driver training in accordance with 702 KAR 5:030 and 702 KAR 5:080.

All training requirements include both regular and substitute drivers.

FIRST AID AND CARDIOPULMONARY RESUSCITATION (CPR) TRAINING REQUIRED

All school bus drivers, student transportation technicians, and employees that transport students shall, at a minimum, receive basic first aid and CPR training by a person with a valid certificate in first-aid training, including CPR, from the American Red Cross; or equivalent training that can be verified by documentary evidence.¹

COMMERCIAL DRIVER'S LICENSE

The Board may pay the fee for the commercial driver's license required for all bus drivers and substitute bus drivers. Any license certification beyond what is required to drive school buses must be paid for by the individual.

REFERENCES:

¹702 KAR 5:080
KRS 189.370
KRS 189.375
KRS 189.380
KRS 189.450
KRS 189.540
KRS 189.550
KRS 189.580
KRS 189.635
702 KAR 5:030
702 KAR 5:010

Adopted/Amended:
Order #:

Bus Scheduling and Routing**RESPONSIBILITY**

The Superintendent or designee shall be responsible for scheduling and routing all buses in keeping with applicable statutes and regulations. This shall include a system of notifying parents, pupils, and drivers of bus schedules and routes and, for those schools serving breakfast, arranging bus schedules so that buses arrive in sufficient time to provide breakfast prior to the student attendance day. If the District participates in the Federal School Breakfast Program, the Superintendent may also authorize up to fifteen (15) minutes of the student attendance day to provide the opportunity for children to eat breakfast during instructional time.¹

Buses shall be routed only on public roads which are safe for bus travel.

REGULAR ROUTE VEHICLES

Except in cases of emergencies or for the transportation of students with disabilities, only school buses as defined by applicable statute and administrative regulation shall be used for transporting students to and from school along regular bus routes.

REFERENCES:

- ¹KRS 158.070
- KRS 156.153
- KRS 158.110
- 702 KAR 5:030

RELATED POLICY:

08.31

Adopted/Amended:
Order #:

Bus Scheduling and Routing**SCHEDULING AND ROUTING**

The Director of Transportation/Central Office designee shall prepare a route map and schedule of stops for each bus in the District. These maps will show the routes traveled by buses both morning and afternoon.

WRITTEN DESCRIPTION

A written description of each route shall be kept on the bus; a copy shall be filed with the Principal of the school(s) the bus serves, and the original shall be filed with the Director of Transportation/Central Office designee. This description shall include any characteristics peculiar to the route such as dangerous turns, steep grades, signals, and special information about any danger areas.

EXTENSION OF BUS ROUTES

The Principal and Transportation Director will survey the need for a route extension on request by interested parties.

NEW DRIVERS AND ROUTES

At least one (1) week prior to the opening of school, each new driver and each experienced driver with a new route shall receive his/her map and schedule. The drivers shall drive their routes before school opens in order to become familiar with the route and the schedule.

DRIVER TO FINALIZE SCHEDULE

Each driver shall finalize his/her route schedule within ten (10) driving days after school opens. This route schedule will contain the names of the students riding the bus, the name of the road(s) on which the bus is routed, each stop's number, the time of the stop, the grade of the pupil, and the school the pupil attends. Drivers shall notify the Director of Transportation/Central Office designee of any revisions to their routes.

Review/Revised:

SCHOOL: _____ **DRIVER:** _____ **BUS NUMBER:** _____

PARKING LOCATION: DAY _____ **NIGHT** _____ **DEPART PARKING LOCATION AT** _____ **AM**

TOTAL MILES TRAVELED ON ROUTE DAILY: _____

[illegible]

Page 1 of 1

Eligibility for Transportation**DISTANCE LIMITATION**

Pupils shall be eligible to be transported to and from school if they reside more than one (1) mile, by the nearest traveled road or street, from the school to which they are assigned. If traffic or other safety conditions make walking to school extremely hazardous, pupils shall be eligible for transportation without regard to the distance to their school.

PRESCHOOL TRANSPORTATION

Students attending preschool programs of the District shall be transported in accordance with the provisions of 702 KAR 5:150 and other appropriate laws and regulations.

MODIFICATION

The Board reserves the right to modify the one-mile distance limitation where conditions make it advisable to include certain geographic, subdivision, or neighborhood areas.

REFERENCES:

KRS 157.280; KRS 158.110; KRS 158.115

702 KAR 5:020; 702 KAR 5:030

702 KAR 5:110 (Vocational Pupils)

702 KAR 5:120; 702 KAR 5:150

OAG 80-390; OAG 82-392; OAG 83-294

P. L. 114-95, (Every Student Succeeds Act of 2015), 20 U.S.C. § 6301 et seq.

McKinney-Vento Act, 42 U.S.C. 11431 et seq.

Adopted/Amended:

Order #:

Eligibility for Transportation

STUDENTS WITH DISABILITIES

The need for special transportation for students with disabilities must be determined by the ARC or Section 504 Team and stated in the student's Individual Education Plan (IEP) or Section 504 Plan.

CAREER AND TECHNICAL STUDENTS

High school students attending an area career and technical school or extension center are eligible to be transported from the high school to the career and technical school. Transportation will be provided by the District in accordance with state regulations.

DISTANCE LIMITATIONS

Three (3)- and (4)-year-old preschool children and students with disabilities are not required to meet the distance specifications in Policy 06.32 to be eligible for school transportation.

PRESCHOOL TRANSPORTATION

When the parent/guardian, or a person authorized by the parent/guardian to accept the child, is not present upon midday or afternoon delivery, the child shall be returned to the school upon completion of the route. The parent/guardian shall be notified of the child's location and shall be responsible for pick up.

Upon the third (3rd) time the assigned adult is not present to receive the child, the parent(s)/guardian will be requested to provide transportation for the child.

CHILDREN IN FOSTER CARE

The Superintendent will designate a Foster Care Liaison to coordinate activities relating to the District's provision of services to children placed in foster care, including transportation services, when the District is notified by the Cabinet for Health and Family Services, Department for Community Based Services ("the Department") in writing that the Department has designated its foster care point of contact for the District. The Superintendent may designate the Foster Care Liaison prior to such notice from the Department.

The District will collaborate with the Department when transportation is required to maintain children placed in foster care in a school of origin outside their usual attendance area or District when in the best interest of the student. Under the supervision of the Superintendent/designee, the District Foster Care Liaison may invite appropriate District officials, the Department point of contact, the foster parents, and officials from other districts or agencies to consider how such transportation is to be promptly arranged and funded in a cost effective manner in accordance with the Department's authority to use child welfare funding. The Department, in consultation with the District, shall make the determination on whether the child shall remain enrolled in the school of origin based on the best interest of the child, weighing the promotion of educational stability as a primary factor.

Eligibility for Transportation**CHILDREN IN FOSTER CARE (CONTINUED)**

If the Department finds it is in the best interest of a child to remain in the school of origin upon placement of the child in a new school district, reasonable transportation shall be offered from the location of placement to the school of origin in which the child is enrolled for any regularly scheduled school day. Such may result in additional transportation costs to a foster parent, child placing agency, child care facility, or the District. The District will provide transportation if necessary to maintain a child in the school of origin if the Department agrees to reimburse the District for the cost of such transportation. Transportation costs incurred shall be reimbursed by the Department on request. Alternatively, the District may agree to pay the cost of such transportation or the District and the Department may agree to share the cost.

DEFINITIONS

“Foster Care” means 24-hour care for children placed away from their parents, guardians, or person exercising custodial control or supervision and for whom the Cabinet has placement care and responsibility.

“School of origin” means the public school in which a child was enrolled immediately prior to placement in foster care.

“Best interest of the child” takes into consideration the following factors including but not limited to:

- The benefits to the child of maintaining educational stability;
- The appropriateness of the current educational setting;
- The child’s attachment and meaningful relationships with staff and peers at the current educational setting;
- The influence of the school’s climate on the child;
- The safety of the child; and
- The proximity of the placement to the school of origin, and how the length of a commute would impact the child.¹

REFERENCES:

¹KRS 199.802
KRS 605.120
922 KAR 1:350
42 U.S.C. § 675(4)(A)
20 U.S.C. § 6311(g)(1)(E)
20 U.S.C. § 6312(c)(5)
P. L. 114-95, (Every Student Succeeds Act of 2015)

Review/Revised:

Regular Bus Stops**DISCHARGE OF PUPILS**

The bus driver shall discharge pupils at their regularly scheduled stops only, except with written authorization from the Principal/designee to discharge a pupil at another location.¹ Preschool students shall be transported in accordance with applicable regulations.²

The Principal/designee shall have authorization from a child's parents before permitting discharge at a location other than the regular stop.

EXCEPTION

The driver may discharge a pupil for disciplinary reasons in accordance with Policy 06.34 of this manual and with 702 KAR 5:080.¹

REFERENCES:

¹702 KAR 5:080

²702 KAR 5:150

KRS 158.110

KRS 189.370

KRS 189.375

KRS 189.540

Adopted/Amended:

Order #:

Conduct on Bus

PRINCIPAL AUTHORITY

Consistent with the District Code of Acceptable Behavior and Discipline, the Principal/designee has authority to discipline pupils who ride school buses.

REPORTING OF VIOLATIONS

Bus drivers shall promptly report any violation of District policy or school rules to the Principal.

DISCHARGE OF PUPILS FROM BUS

Drivers are in charge of their buses, and their first responsibility shall be to the safe transportation of their passengers. In the event that one or more pupils are behaving in a threatening or violent manner or in such a way as to endanger the safety of other pupils on the bus, the driver shall stop the bus and contact the bus garage or Superintendent's designee to send someone to pick up the student or, if the behavior warrants, the driver shall call law enforcement. If calls for assistance are unsuccessful, the driver is authorized to order the offending student from the bus if the student is in the sixth (6th) grade or above. In the event a pupil is discharged for disciplinary reasons, the driver shall make every effort to do so near a house or open business establishment. At the first reasonable opportunity, the driver shall notify the Principal of the school where the pupil attends or the Superintendent and the student's parent or legal guardian.¹

WITHHOLDING OF RIDING PRIVILEGES

The Principal is authorized to withhold bus-riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The Principal shall notify the parents in cases where bus-riding privileges have been withheld.

The Superintendent or the Superintendent's designee may withhold bus-riding privileges up to the remainder of the school year.

RESTITUTION OF DAMAGES

The parents or guardians may be held responsible for restitution of any damages, beyond normal usage, inflicted by their child.

STUDENTS WITH SPECIAL NEEDS

Students with special needs who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) and/or 504 Plan and the legal obligations and standards adopted by the Board.²

REFERENCES:

¹KRS 158.150; 702 KAR 5:030; 702 KAR 5:080

²20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA); Section 504 of Rehabilitation Act of 1973

KRS 158.110; KRS 160.705; 702 KAR 5:100

RELATED POLICIES:

09.226; 09.425; 09.434

Adopted/Amended:
Order #:

Conduct on Bus**RULES OF CONDUCT**

Specific rules of conduct on school buses can be found in the Student Code of Conduct and/or in the student handbook.

ENFORCEMENT

Bus drivers will assist the Principal and Central Office personnel in enforcing the rules of conduct on school buses. If any pupil persists in violating these rules, the driver shall notify the Principal. The Principal may withhold bus-riding privileges (consistent with Board Policy 06.34) if the pupil continues to disobey the rules. If withholding of bus-riding privileges becomes necessary, the Principal shall notify the parents and inform the appropriate Central Office personnel.

Review/Revised:

For behavior that requires a student to be removed from the bus, also complete Form 09.425 AP.21.

To: _____

Middle Initial

☐ Other _____

Page 1 of 1

Hazards in and on Bus**PROHIBITED ITEMS**

Passengers shall not bring an object on the school bus that may block the bus aisles or exits or otherwise impede exiting the bus.

The following are not to be transported on the bus:

1. firearms or weapons, either operative or ceremonial (exception: archery bows, used in connection with a school archery team, may be transported inside the passenger compartment and arrows transported in the underneath storage compartment);
2. fireworks or other explosive materials of any type;
3. live animals, except for a service animal necessary for a student to attend school; or
4. glass objects or helium balloons.

REFERENCES:

KRS 158.110

702 KAR 5:080

702 KAR 5:150

20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)

Section 504 of Rehabilitation Act of 1973

Americans with Disabilities Act

Adopted/Amended:
Order #:

Insurance

LIMITS

The Superintendent shall recommend to the Board, after consulting with the proper officials within the Department of Education, the appropriate limits of liability insurance for all Board-owned vehicles.

REFERENCES:

KRS 160.310
702 KAR 5:130

Adopted/Amended:
Order #:

Use of Buses by Outside Groups

The Board may, at its discretion, enter into contracts to lease Board-owned vehicles to outside groups or individuals. Such lease agreements shall include the following express conditions:

1. School buses may be used only when they are not being used for school purposes. They shall not be used at any time that may conflict with their availability for school use.
2. School buses shall only be leased or rented in exchange for reasonable and adequate compensation.
3. Groups or individuals contracting for the use of school buses shall show evidence of insurance sufficient to cover all liability and losses of all persons who might reasonably be held responsible including the members of the Board of Education and the District. The Board shall be listed as an additional insured.
4. The groups or individuals using the vehicle or vehicles shall carry adequate collision insurance to cover the value of said vehicle or vehicles.

REFERENCES:

KRS 160.305
OAG 75-643

RELATED POLICY:

06.14

Adopted/Amended:
Order #:

07**Support Services**

07.1	Food/School Nutrition Services
07.1 AP.1	School and Community Nutrition Program
07.1 AP.11	Food Allergies and Special Dietary Needs
07.1 AP.21	Notice of Meal Charges
07.1 AP.22	Notice of Returned Check
07.11	Meal Pricing
07.11 AP.1	Meal Programs
07.11 AP.21	Meal Program Forms and Letters
07.111	Competitive Foods
07.12	Vending Machines
07.12 AP.1	Vending Machines
07.13	School Nutrition Procurement
07.13 AP.1	Bidding of School Food Service Supplies
07.14	Financial Reports of Lunchrooms
07.14 AP.1	Financial Reports of School Food Service
07.16	Food Service/School Nutrition Employees
07.161	Service Notification
07.162	Service Termination for Food Service Employees

Food/School Nutrition Services

The Board shall provide a District-wide school nutrition program in compliance with applicable state and federal statutes and regulations. It is the intent of the Board that school nutrition services be a self-supporting program.

MEALS

Lunchrooms shall serve meals that meet or exceed the requirements specified by state and federal regulations.

MEAL CHARGES

All parents shall be provided the written meal charge policy at the beginning of each school year or upon enrollment in the District for students transferring in mid-year. In addition, parents shall be advised of the available payment systems and meal prices.

The written meal charge policy shall be distributed to all school level staff including school nutrition employees involved in policy enforcement.

When a student accumulates more than three (3) meal charges, the Superintendent/ designee shall initiate the established collection process to include notification of parents and appropriate follow-up. If parents have not contacted the Cafeteria Manager or submitted the amount indicated within ten (10) working days from the date of the final notice, the debt will be considered delinquent and may be directed to the Board Attorney. Food Service funds may be used to collect delinquent meal charges.

Students shall not be permitted to charge a la carte items, nor shall adults be permitted to charge meals or a la carte items.

FOOD SERVICE/SCHOOL NUTRITION PROGRAM DIRECTOR

The District (or food service area to which the District belongs) shall appoint/select a Food Service/School Nutrition Program Director to oversee and manage the school nutrition service program. All Food Service/School Nutrition Program Directors shall meet minimum educational requirements and annual training requirements in accordance with federal and state law.

ANNUAL REPORT/PUBLIC FORUM

Immediately following the release of the annual school nutrition report, the Board shall discuss the findings and seek public comment during a publicly advertised Board meeting.

By January 31 of each year, the Board shall hold an advertised public forum to present a plan to improve school nutrition in the District.

The District shall compile a summary of findings and recommendations and submit the summary to the Kentucky Board of Education.

DISCRIMINATION COMPLAINTS

The District does not discriminate on the basis of race, color, national origin, sex, age, or disability in its school nutrition program.

Food/School Nutrition Services**DISCRIMINATION COMPLAINTS (CONTINUED)**

Anyone wishing to initiate a complaint concerning discrimination in the delivery of benefits or services in the District's school nutrition program should go to the link below or mail a written complaint to the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, or email, program.intake@usda.gov.

http://www.ascr.usda.gov/complaint_filing_cust.html

District personnel shall assist parents/guardians and students wishing to file a complaint.

SPECIAL DIETARY NEEDS

Students whose dietary needs qualify them for an adaptation under law shall be provided accommodations in keeping with local procedures.

All parents shall be provided notice of how to request meal accommodations and how to submit a grievance related to a request for modifications based on a disability, at the beginning of each school year or upon enrollment in the District for students transferring in mid-year.

REFERENCES:

KRS 156.160

KRS 158.852; KRS 158.856; KRS 160.290

702 KAR 006:010; 702 KAR 006:050; 702 KAR 006:075; 702 KAR 006:090

7 C.F.R. part 15b; 7 C.F.R. §210.23; 7 C.F.R. §210.31; FNS Instruction 113

P.L. 111-296

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

Adopted/Amended:

Order #:

School and Community Nutrition Program**PROGRAM FUNDS**

Because the District receives federal, state, and local funds to finance the school and community nutrition program, it is imperative that funds be properly safeguarded, that accurate records be kept, and that reports be made as required. In order to achieve this, the following procedures will be implemented:

1. All funds received as payment for meals (school nutrition program breakfast and/or lunch) and federal and state reimbursements shall be used only for food, labor, equipment, and supplies for the operation/improvement of the school nutrition program.
2. School nutrition program funds may not be used for:
 - a. The purchase of land.
 - b. The purchase or construction of buildings.
3. All schools shall make the required reports as required by the USDA and the Kentucky Department of Education.
4. A copy of all reports, financial records, and applications for free- and/or reduced-price meals shall be kept through the current fiscal year and the three (3) years that follow or through the completion of any unresolved audit issues, whichever is longer.

It is recommended by KDE that if the school/District is operating under the Community Eligibility Provision, copies of Household Income Forms (HIF) be kept following the retention schedule above.
5. All meals receiving federal reimbursement are priced as a complete unit.
6. The school nutrition program is operated on a nonprofit basis. Actual cash balances shall be maintained in accordance with state/federal regulation, as appropriate.

FOOD SERVICE/SCHOOL NUTRITION PROGRAM DIRECTOR REPORT

Each year, the District/area Food Service/School Nutrition Program Director shall assess the school nutrition program and issue a written report to parents, the Board, and school-based decision making councils by a date specified by the Superintendent/designee. The annual report shall include requirements specified by state and federal regulations.

REFERENCES:

702 KAR 6:090
7 C.F.R. 245.6

Review/Revised:

Food Allergies and Special Dietary Needs

The District School Nutrition Program shall provide modified menus or food preparation for students as required by their individual education plan (IEP), Section 504 plan, or health plan.

The District School Nutrition Program shall be informed of any student who is unable to consume the meals normally served at the school in which s/he is enrolled.

Nutrition Program services shall provide for substitution of food items based on child-specific medical guidance.

PARENT RESPONSIBILITIES

Parents requesting dietary accommodations for their child shall:

1. Notify the school principal of any food allergy or special dietary need related to a disabling condition or medical necessity.
2. Provide a written statement containing medical information from a medical authority authorized to practice within the State of Kentucky as noted in the student's IEP, 504 plan or health plan.
3. Provide updated medical information as requested by the District.
4. Participate in any meetings or discussions regarding the student's meal plan.
5. Notify the school of any changes relating to the food allergy or special dietary need.

SCHOOL SITE RESPONSIBILITIES

1. Inform school nutrition personnel who to notify when they receive a request from a parent or student for accommodations related to food allergies.
2. Identify children requiring special dietary modifications
3. Refer a student with known or suspected special dietary needs for special services as required by law and shall notify the Special Education Director, Section 504 Coordinator, school nurse or health services assistant, as appropriate, given the nature of the medical requirement or disabling condition known or suspected.
4. Make staff and the student aware of precautions needed related to field trips, classroom parties, allergy alert identification, intervention strategies, and other issues necessary to promote student safety.
5. Communicate plan requirements to all potential plan implementers, such as designated School Nutrition staff, the student's teachers, etc.
6. Monitor and update the IEP, Section 504 plan, or health plan as needed.

FOOD & NUTRITION SERVICES RESPONSIBILITIES

1. Provide food item services and/or substitutions for students based on medical need. Menus will not be modified based on personal preference.
2. Provide training to school nutrition personnel on how to react to food allergies and food-related emergencies and how to modify menus.
3. Maintain special dietary information on each student identified as having special dietary needs and update this information as needed.

Review/Revised:

Notice of Meal Charges

☐ First Notice ☐ Second Notice*

Date: _____

Dear _____
(Name of parent/guardian)

This is to inform you that _____ did not have
(student's name)
sufficient money to cover meals/snacks on _____ and, therefore
(inclusive dates)
incurred charges amounting to _____ on those dates. Please submit
(amount of charges)
this amount to my office as soon as possible.

If you have any questions regarding this matter, please contact me at the following number:
_____.
(school phone number)

Sincerely,

Principal's Signature

* If you have not contacted me or submitted the amount indicated within ten (10) working days from the date of the second notice, I will direct our attorney to pursue appropriate action.

Review/Revised:

Notice of Returned Check

Date: _____

Dear: _____

(Name of parent/guardian)

This is to inform you that the check you submitted for payment of your child's meal(s), check number _____, dated _____, drawn on account number _____ with the following banking institution, _____, has been returned for the following reason:

- ☐ Insufficient funds
- ☐ Uncollected funds
- ☐ Closed account
- ☐ Other, as specified _____

We have submitted this check for payment on two (2) different occasions and the check was returned both times. Please send cash or a money order in the amount of \$_____ to clear the bill. We will return your check upon receipt of this amount. If you have any questions, please contact me at the following number: _____.

(school telephone number)

If you have not contacted me or submitted the amount indicated in this correspondence within ten (10) working days from the date of this letter, I will direct our attorney to pursue appropriate action.

Sincerely,

Principal's Signature

Review/Revised:

Meal Pricing

The Superintendent/designee shall annually submit, for Board approval, a fee schedule governing the price of all meals and, in keeping with state and federal requirements, implement a process to protect the confidentiality of information concerning students as required by law.

Only District employees and contractors designated by the Superintendent/designee and representatives of agencies directly connected with the administration or enforcement of the District's School Nutrition Program shall have access to individual student eligibility information without parental consent. A list of designated District employees and contractors by position shall be maintained at the school and in the Central Office.

REFERENCES:

KRS 160.290
702 KAR 6:010; 702 KAR 6:050
7 C.F.R. §245.6; 20 U.S.C. 1232g, 34 C.F.R. 99.1 – 99.67
7 C.F.R. 210.18(q)
42 U.S.C. §1751 et seq.
42 U.S.C. Section 1771 et seq.
P. L. 111-296

RELATED POLICY:

09.14

Adopted/Amended:
Order #:

Meal Programs

FREE AND REDUCED PRICE MEALS

Since schools in the District participate in the National School Lunch Program, School Breakfast Program, and/or the Donated Food Program, federal and state policies and regulations must be followed.

DEFINITION

For purposes of this administrative procedure, “authorized school official” means school personnel as designated in the National School Lunch program application and agreement with the Kentucky Department of Education who are authorized by applicable law and regulation to process information or act in connection with the matter described.

STUDENTS

To implement required policies and regulations, these procedures will be followed for student participants:

1. Free and reduced-price meals will be granted on the basis of need as determined by state and federal guidelines.
2. Letters explaining the School Food Service Program shall be sent to all parents each year at the opening of school and as needed throughout the year. If applicable, an application form for free and reduced-price meals will accompany the letter. Applications will be kept on file through the current fiscal year and the three (3) years that follow or through the completion of any unresolved audit issues, whichever is longer.
3. If school personnel have knowledge of a student who is in need of free or reduced-price meals but does not have the parents’ cooperation to submit an application, an application shall be submitted in the student’s name by an authorized school official.

The parents shall be notified that the child has been certified eligible to receive free/reduced price meals.

4. After reviewing the application for free and reduced-price meals, the eligibility of each student shall be determined by an authorized school official.
5. Written notification of approval or denial of the application shall be provided to the parents.
6. If the parent or guardian is dissatisfied with the above decision regarding free and reduced-price meals, an appeal may be made to an authorized school official.
7. A master list/roster to track student withdrawals, transfers, and entries shall be maintained by the Superintendent or designee.

COMMUNITY ELIGIBILITY PROVISION (CEP) MEAL PROGRAM

If a school in the District participates in the National School Lunch Program, School Breakfast Program, and/or the Donated Food Program through the Community Eligibility Provision (CEP), they must follow the federal and state policies and regulations below:

Meal Programs**STUDENTS**

To implement required policies and regulations, these procedures will be followed for student participants:

1. Letters explaining the School Food Service Program shall be sent to all parents each year at the opening of school and as needed throughout the year.
2. Household Income Forms (HIF) shall be collected by a designated District official outside of federal food service operations. It is recommended by KDE that copies of Household Income Forms (HIF) be kept through the current fiscal year and the three (3) years that follow or through the completion of any unresolved audit issues, whichever is longer.
3. A master list/roster to track student withdrawals, transfers, and entries shall be maintained by the Superintendent or designee (s).

ADULTS

All school personnel regularly assigned to a school may have access to meals served in the school food service program. The cost of the meal shall be determined by the Board. Charges for adult meals shall be as follows:

1. Those adults who are assigned to work full or part-time in the School Food Service Program and whose salaries are paid entirely from food service funds may at the discretion of the District receive meals at no cost.
2. All other District employees and all other adults shall pay the full adult meal price according to the following formula in FNS Instruction 782-5, Rev. 1.
 - a. Adult meal price formula for Pricing Sites: The minimum adult payment should reflect the price charged to students paying the school's designated full price, plus the current value of Federal cash and donated food assistance (entitlement and bonus) for full price meals.
 - b. Adult meal price formula for Non-Pricing Sites: The minimum adult payment should reflect the price of the free meal reimbursement, plus the current value of Federal cash and donated food assistance (entitlement and bonus).
3. It is required that the school food service program cost out their meals and ensure that the calculated price covers the cost and if not, the adult price must be higher than the calculated cost.
4. The cost of the adult meal price must be determined annually by the Board according to the current federal requirements for establishing adult meal pricing.

Review/Revised:

Meal Program Forms and Letters

FREE AND REDUCED PRICE MEAL PROGRAM

Forms, household letters, and other documents relating to the Free/Reduced-Price meal program may be found at the following link:

<https://education.ky.gov/federal/SCN/Pages/School-Meal-Programs.aspx>

Hard copies of applications and other free-reduced price materials shall be made available at each school. Documents include, but are not limited to; Free and Reduced Meal Application and Instructions; Free and Reduced Policy Statement; letters to households for notification of direct certification, approval/denial, and availability of the program; and media releases.

COMMUNITY ELIGIBILITY PROVISION (CEP) MEAL PROGRAM

Household Income Forms and other documents relating to the Community Eligibility Provision meal program may be found at the following link:

[https://education.ky.gov/districts/Pages/Community-Eligibility-Provision-\(CEP\).aspx](https://education.ky.gov/districts/Pages/Community-Eligibility-Provision-(CEP).aspx)

Review/Revised:

Competitive Foods**MINIMAL NUTRITIONAL VALUE**

The sale of competitive foods and beverages to students during the school day shall be in compliance with current federal and state regulations.

DEFINITIONS

“Competitive Food” shall mean all food and beverages sold to students on the school campus during the school day, other than those meals reimbursable under the programs authorized by the National School Lunch Act and the Child Nutrition Act.

"School-day" means the period of time from midnight before to thirty (30) minutes after the end of the official school day.

"School Campus" shall mean all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

NUTRITIONAL STANDARDS

No school may sell competitive foods or beverages, whether from vending machines, school stores or canteens, classrooms, teacher or parent groups, from midnight before until thirty (30) minutes after the last school lunch period of the school day. From thirty (30) minutes after the last lunch period closes until thirty (30) minutes after the school day, food and beverages sold must conform with nutritional standards specified in state and federal regulations.

Fund-raising activities held off of the school campus or not during the school day are not subject to regulatory requirements of 702 KAR 6:090 or federal competitive food limitations.

REFERENCES:

7 C.F.R. 210.11b; 7 C.F.R. 220.12

KRS 156.160; KRS 158.850; KRS 158.854; 702 KAR 6:090

U. S. Dept. of Agriculture's *Dietary Guidelines for Americans*

RELATED POLICIES:

07.12

09.2

Adopted/Amended:

Order #:

Vending Machines

REQUEST

Vending machines will be installed in the school only at the request of the Principal and subject to approval by the Board.

BIDDING

The Board may bid the installation of vending machines, using specifications established by the Superintendent/designee.

STUDENT USE

Vending machine use by students shall be in compliance with current federal and state regulations.

At the elementary school and middle school levels during the school day, only school-day-approved beverages shall be sold in vending machines, e.g. (water, one hundred percent [100%] fruit/vegetable juice, low-fat milk (unflavored), non-fat milk (unflavored or flavored) as permitted by the school meal requirements).

For students at the high school level, only school-day-approved beverages may be sold in vending machines during the school day, e.g. (water, one hundred percent [100%] fruit/vegetable juice, low-fat milk (unflavored), non-fat milk (unflavored or flavored) as permitted by the school meal requirements).

In addition to the beverages listed above, other beverages as allowed in 7 C.F.R. Parts 210 and 220 may be available in vending machines at the high school level.

Size of beverages shall not exceed eight (8) ounces for elementary schools, twelve (12) ounces for middle schools and twenty (20) ounces for high schools.

SALES

Any sales from vending machines shall be in compliance with applicable state and federal law and regulation. Specifically, competitive foods or beverages shall not be sold from midnight before until thirty (30) minutes after the last school lunch period of the school day. From thirty (30) minutes after the last lunch period closes until thirty (30) minutes after the school day, food and beverages sold must conform with nutritional standards specified in state and federal regulations.

REFERENCES:

KRS 156.160
KRS 158.854
KRS 160.290
7 C.F.R. 210.11b
7 C.F.R. 220
702 KAR 6:090

RELATED POLICY:

07.111

Adopted/Amended:
Order #:

Vending Machines**FACULTY ACCESS**

The Principal shall designate responsibility for maintenance of vending machines for faculty use, including receipts, supplies, and stocking. The person(s) responsible shall be:

- ☐ Certified staff member designated by Principal
- ☐ Classified staff member designated by Principal
- ☐ Principal
- ☐ Other _____.

STUDENT AND PUBLIC ACCESS

Vending machines approved for limited student and public use will be placed in a controlled access area. Student access to vending machines shall be in compliance with current District policy/procedures relative to competitive foods. Vending machines may be used by the public when the building is open to the public after regular school hours.

The Principal shall designate responsibility for maintenance of these vending machines, including receipts, supplies, and stocking. The person(s) responsible shall be:

- ☐ Certified staff member designated by Principal
- ☐ Classified staff member designated by Principal
- ☐ Principal
- ☐ Other _____.

Review/Revised:

School Nutrition Procurement**OPEN BIDDING**

In all applicable cases, food, food products, supplies, and equipment purchased with school food service funds shall be procured in accordance with the process and procedures established in Policy 04.32 in a manner that provides full and open competition consistent with the standards in applicable federal regulations.

CONFLICT OF INTEREST

The following conduct will be expected of all persons who are engaged in the award and administration of contracts supported by School Food Service Program Funds.

1. No employee, officer, or agent of the District shall participate in selection or in the award or administration of a contract supported by Program funds if a conflict of interest, real or apparent, would be involved. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award:
 - a) District employee, officer, or agent;
 - b) Any member of his/her immediate family;
 - c) His/her partner;
 - d) An organization that employs or is about to employ one of the above.
2. District employees, officers, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements. In determining whether an item is an impermissible gratuity or of monetary value, the definition of "gratuity" (covering anything of more than fifty dollars [\$50] value) set forth in KRS 45A.445 shall apply.
3. The purchase during the school day of any food or service from a contractor for individual use is prohibited.
4. The removal of any food, supplies, equipment, or school property such as records, recipe books, and the like is prohibited.
5. The outside sale of such items as used oil, empty cans, and the like will be sold by contract between the District and the outside agency. Individual sales by any school person to an outside agency or other school person is prohibited.

Failure of any employee to abide by the above-stated code may result in disciplinary action, including but not limited to, a fine, suspension, or dismissal.

REFERENCES:

2 C.F.R. 200.318; 2 C.F.R. 200.320
KRS 160.290; KRS 424.260
KRS 45A.345 – KRS 45A.460
702 KAR 6:010

RELATED POLICY:

04.32

Adopted/Amended:
Order #:

Bidding of School Food Service Supplies**LIKE ITEMS IN EXCESS OF \$40,000**

If the total amount of purchases for like items is \$40,000 or more, formal bid procedures will be utilized. Food, food products, supplies, and equipment will be bid as follows:

- ☐ Annually (during the month of _____)
- ☐ Semiannually (during the months of _____ and _____)
- ☐ As needed
- ☐ Through or in accordance with a schedule determined by the local educational cooperative
- ☐ Other as specified _____

BID SPECIFICATIONS

1. The bid specifications, including delivery and storage instructions, for all lunchroom/cafeteria supplies shall be prepared by the School Food Service/School Nutrition Program Director.
2. The request for bid shall be advertised in the local newspaper with the greatest circulation in the District.
3. Specifications and bid documents shall be mailed to all potential bidders.
4. Bids shall be opened and tabulated by the School Food Service/School Nutrition Program Director.
5. The bids shall be submitted to the Board of Education for action.

PERISHABLES

Applicable federal law does not provide a bidding exception for perishable food items purchased with school food service funds. Perishables purchased using school food service funds shall be procured in accordance with 2 C.F.R. 200.320.

EMERGENCY PURCHASES

If it is necessary to make an emergency purchase in order to continue service, the purchase shall be made and a log of all such purchases shall be maintained and reviewed by the School Food Service/School Nutrition Program Director.

The log of emergency purchases shall include: item name, dollar amount, vendor, and reason for emergency.

RECORDS MANAGEMENT

The following records will be maintained for a period of three (3) years plus the current year:

1. Records of all phone quotes
2. Logs of all emergency and noncompetitive purchases
3. All written quotes and bid documents

Bidding of School Food Service Supplies

RECORDS MANAGEMENT (CONTINUED)

4. Comparison of all price quotes and bids with the effective dates shown
5. Price comparison showing bid or quote awarded
6. Log of approval substitutions

RELATED PROCEDURE:

04.32 AP.1 or 04.33 AP.1, as applicable

Review/Revised:

Financial Reports of Lunchrooms

PRINCIPAL'S RESPONSIBILITY

Financial reports of the school lunch program shall be made monthly, by the Principal to the Superintendent's office, and periodically as required by state and federal agencies. Complete financial and inventory records shall be available to the Board and Superintendent at all times.

REFERENCES:

KRS 160.290
702 KAR 6:010
702 KAR 6:020
702 KAR 6:075

Adopted/Amended:
Order #:

Financial Reports of School Food Service

In order to meet the requirements of the Board and the Kentucky Department of Education (KDE), Division of School and Community Nutrition, the Superintendent or designee shall complete the required Monthly Report and Claim for Reimbursement Form. All other optional forms provided by KDE shall be completed at the direction of the Superintendent or designee.

REFERENCE:

Kentucky Department of Education, Division of School and Community Nutrition

Review/Revised:

Food Service/School Nutrition Employees**FOOD SERVICE/SCHOOL NUTRITION EMPLOYEES**

All food service/school nutrition employees shall meet the qualifications of and be in compliance with the responsibilities noted in federal regulation. In addition, food service/school nutrition program directors and school cafeteria managers shall meet training and credential requirements specified in statute.¹

REFERENCES:

¹KRS 158.852
KRS 156.160
KRS 161.011
7 C.F.R. §§ 210.30 (b) – (g); 42 U.S.C. § 1776(g)
7 C.F.R. § 210.31

RELATED POLICIES:

See Section 03.2
07.1

Adopted/Amended:
Order #:

Service Notification

The Superintendent or his designee shall notify in writing each full-time food service employee of his hours, terms, and conditions of employment; lines of authority; general responsibilities; and shall include a service termination policy.

Full-time food service employees shall be paid in accordance with a uniform pay scale.

REFERENCE:

702 KAR 6:040 (2) (3)

RELATED POLICIES:

03.27

07.162

Adopted/Amended:
Order #:

Service Termination for Food Service Employees

Full-time food service employees are employed annually for the period of time students are in school and for reasonable periods at the beginning and end of the school year, as determined by the Board.

TERMINATION FOR CAUSE

Employment of food service employees may be terminated for cause at any time by the Superintendent for the reasons specified in policy 03.27.

SUSPENSION WITHOUT PAY

A food service employee may be suspended without pay for good reason by the Superintendent, pending action to consider the employee's status.

REFERENCES:

KRS 160.380
KRS 161.011
702 KAR 6:040 (2)

RELATED POLICY:

03.27

Adopted/Amended:
Order #:

08	Curriculum and Instruction
08.1	Curriculum
08.1 AP.2	Curriculum/Instruction Reports
08.11	Course of Study
08.1114	Preschool Education
08.1121	Pre-College Curriculum
08.1131	Alternative Credit Options
08.1131 AP.1	Performance-Based Credit
08.1131 AP.2	Alternative Credit Options
08.1131 AP.21	Course and Assessment Rubric
08.11311	Early Graduation Program
08.11311 AP.21	Letter of Intent to Apply for the Early Graduation Program
08.1132	Hardship Graduation
08.1132 AP.21	Hardship Application
08.12	Instructional Organization
08.1211	Basic Classroom
08.1212	Exceptional Classes
08.1213	Career and Technical Education
08.131	Students With Disabilities
08.1312	Home/Hospital Instruction
08.1312 AP.1	Application for Home/Hospital Instruction
08.1312 AP.21	Parent Agreement Letter for Home/Hospital Instruction
08.1312 AP.23	Home/Hospital Teacher's Request to Regular Classroom Teacher
08.132	Gifted and Talented Students
08.132 AP.1	Gifted and Talented Students
08.133	Extended School/Direct Student Services
08.133 AP.1	Extended School/Direct Student Services
08.133 AP.2	Notification to Parents of Child's Eligibility for Extended School Services
08.1341	Essential Workplace Programs
08.1345	Federal Programs
08.13451	Title I - Parent and Family Engagement Policy
08.13451 AP.1	Federal Programs/Title I Violation Complaint Procedure
08.13452	English as a Second Language
08.1346	Physical Education
08.1351	Pledge of Allegiance

08**Curriculum and Instruction**

08.1351 AP.2	Notice of Moment of Silence/Reflection
08.1353	Controversial Issues
08.13531	Human Sexuality
08.1354	Voter Registration and Participation
08.136 AP.1	Summer School Approval
08.14	Guidance and Mental Health Service Providers
08.141	At-Risk Students
08.21	Instruction and Instructional Materials
08.211	Homework
08.212	Lesson Plans
08.22	Promotion and Retention
08.22 AP.1	Promotion and Retention
08.22 AP.21	Parent-Teacher Conference Form
08.22 AP.22	Student Assistance Team/Teacher Committee Worksheet
08.222	Assessment
08.222 AP.21	ESSA Assessment Notification
08.23	"Harmful to Minors" Complaint Resolution Process
08.23 AP.21	"Harmful to Minors" Compliant Resolution Process
08.232	Instructional Resources
08.232 AP.1	Instructional Resource Procedures
08.232 AP.21	Waiver Application for Instructional Resource Rental
08.232 AP.22	Rental/Late Payment Application Form
08.2321	Copyrighted Materials
08.2321 AP.1	Copyrighted Materials/Notice of Use
08.2322	Review of Instructional Materials
08.2322 AP.1	Review of Challenged Instructional Materials
08.2322 AP.21	Request for Reconsideration of Instructional/Library Materials
08.2322 AP.23	Reconsideration Decision
08.2323	Access to Electronic Media
08.2323 AP.1	Access to Electronic Media
08.2323 AP.21	Electronic Access/User Agreement Form
08.2323 AP.22	Application for Remote User Account
08.2323 AP.23	Individual Learning Plan Web Release
08.233	Library Media Centers
08.234	Previewing Materials
08.3	School Calendar

08	Curriculum and Instruction
08.31	School Attendance Day
08.32	School Term
08.33	Emergency Closings
08.4	Adult/Community Education
08.5	Program Evaluation

Curriculum

The curriculum in each school shall be designed to achieve the student capacities established by KRS 158.645 and the school goals established by KRS 158.6451. The curriculum shall comply with all applicable state and federal statutes and regulations.

CAPACITIES

The curriculum shall allow and assist all students to acquire the following capacities:

1. Communication skills necessary to function in a complex and changing civilization;
2. Knowledge to make economic, social, and political choices;
3. Core values and qualities of good character to make moral and ethical decisions throughout his or her life;
4. Understanding of governmental processes as they affect the community, the state, and the nation;
5. Sufficient self-knowledge and knowledge of his/her mental and physical wellness;
6. Sufficient grounding in the arts to enable each student to appreciate his/her cultural and historical heritage;
7. Sufficient preparation to choose and pursue his/her life's work intelligently;
8. Skills to enable him/her to compete favorably with students in other states.

SUPERINTENDENT RESPONSIBILITY

In any school administered under the provisions of KRS 160.345, the Superintendent shall determine which curriculum, textbooks, instructional materials, and student support services shall be provided in the school after consulting with the Board, the Principal, and the school council and after a reasonable review and response period for stakeholders. All council policies shall be designed to meet student academic expectations and goals established by statute, regulation and Board policy.

STUDENTS WITH DISABILITIES

The Board shall operate programs for students with disabilities in accordance with the legal obligations contained in the District's policy and procedures manual relating to such programs.

REFERENCES:

KRS 156.160; KRS 156.162; KRS 158.075
KRS 158.183; KRS 158.188
KRS 158.301; KRS 158.302; KRS 158.305
KRS 158.645; KRS 158.6451; KRS 158.6453; KRS 160.345
704 KAR 3:303; 704 KAR 3:305; 704 KAR 3:440; Kentucky Academic Standards

RELATED POLICIES:

Section 02.4 (All Policies)

Adopted/Amended:
Order #:

Curriculum/Instruction Reports

Each year, the Principal shall provide the Superintendent/designee with copies of the following information, or revisions made since the last report. In schools operating under SBDM, these reports shall be approved first by the council.

*School**Principal**School Year*

Check if Report is Required	Required Information	Date Report Received
<input type="checkbox"/>	The school's curriculum, as aligned with state and District goals.	
<input type="checkbox"/>	The school's plan for organizing students for instruction, if the school has chosen to utilize ability grouping.	
<input type="checkbox"/>	The school's process for collecting and accounting for textbook rental fees.	
<input type="checkbox"/>	The schools' established standards for utilization, assignment and coordination of homework.	
<input type="checkbox"/>	The school's established standards for development of lesson plans.	
<input type="checkbox"/>	At the high school level, a plan to monitor student progress toward graduation requirements and to inform students and their parents accordingly.	
<input type="checkbox"/>	The school's process for notification of student promotions/retentions, as appropriate for the school's instructional organization.	
<input type="checkbox"/>	Other, specify _____	

RELATED POLICY:

02.44

RELATED PROCEDURE:

04.1 AP.2

Review/Revised:

Course of Study

DEVELOPMENT

The Superintendent shall develop and disseminate to the schools a course of study for primary school through twelfth grade that will include minimum statutory and regulatory requirements¹ and additional requirements as specified by the Board.

ASSESSMENT OF STUDENT WORK / NONDISCRIMINATION

Consistent with District policies addressing assessment of student progress and grading as well as council and school policies relating to the determination of curriculum and assignments, instructional staff are expected to issue grades or assessments of student assignments, including in the classroom, based on responsiveness to the assigned task(s), accuracy, and quality of work, utilizing sound pedagogical judgment and providing modifications for students with disabilities as required by law, free from discrimination or penalty based on constitutionally protected expressions of religious or political views in otherwise responsive student submissions.

IMPLEMENTATION

Each teacher shall implement the course of study prescribed for the assigned grade and subject area.²

SBDM SCHOOLS

In schools operating under SBDM, the Superintendent shall determine which curriculum, textbooks, instructional materials, and student support services shall be provided in the school after consulting with the Board, the Principal, and the school council.

SYLLABUS

Teachers at all levels (preschool through adult education) shall develop a syllabus for each course, grade/level or subject (single and/or interdisciplinary area) they teach to communicate to students and parents the following information:

1. Prerequisites for the course
2. Topics to be covered
3. Order of material to be covered
4. Resources to be used
5. Planned testing points
6. Performance standards and expectations

Each year teachers shall distribute a current syllabus to their students and the students' parents/guardians as directed by the Superintendent/designee.

The Principal/designee shall make pertinent student achievement data available to each teacher and, in keeping with policies set by the council, monitor the process of reviewing and updating syllabi in response to such data.

Course of Study

REFERENCES:

¹704 KAR 3:303

²KRS 161.170

KRS 156.160

KRS 158.100; KRS 158.183; KRS 158.645; KRS 158.6451

KRS 160.345

702 KAR 7:125; 704 KAR 3:305

Adopted/Amended:
Order #:

Preschool Education

The Board shall provide a developmentally appropriate preschool education program in compliance with applicable statutes and administrative regulations.

Plans for the preschool program shall include transportation and supervision guidelines consistent with the mental and physical characteristics of preschool students. The Principal/designee shall designate another adult to provide back-up assistance when only one (1) employee is responsible for supervising a group of preschool students.

REFERENCES:

KRS 157.3175

702 KAR 3:250; 702 KAR 5:150

704 KAR 3:410; 704 KAR 3:420

707 KAR 1:002 et seq.

20 U.S.C. Section 1400 et seq.

P. L. 114-95, (Every Student Succeeds Act of 2015), 20 U.S.C. § 6301 et seq.

McKinney-Vento Act, 42 U.S.C. 11431 et seq.

Adopted/Amended:

Order #:

Pre-College Curriculum

In order to be admitted to baccalaureate degree programs at a Kentucky public university the students shall be required to complete the Pre-College Curriculum established by the Kentucky Council on Higher Education, graduate from high school, and take an authorized college admissions assessment.

A pre-college curriculum course may be waived by the Superintendent/designee for a student who cannot complete the course due to a physical handicap. In such instances, the student shall complete a course substituted by the District in accordance with 704 KAR 3:305.

ADDITIONAL

Each university may require additional preparation for its entering students.

REFERENCES:

13 KAR 2:020

704 KAR 3:305

RELATED POLICY:

08.113

Adopted/Amended:

Order #:

Alternative Credit Options

In addition to regular classroom-based instruction, students may earn credit through the following means.

ONLINE COURSES

High school students may also earn academic credit to be applied toward graduation requirements by completing online courses offered through agencies approved by the Board. Credit from an online course may be earned only in the following circumstances:

1. The course is not offered at the high school;
2. Although the course is offered at the high school, the student will not be able to take it due to an unavoidable scheduling conflict that would keep the student from meeting graduation requirements;
3. The course will serve as a supplement to extend homebound instruction;
4. The student has been expelled from the regular school setting, but educational services are to be continued; or
5. The Principal, with agreement from the student's teachers and parents/guardians, determines the student requires a differentiated or accelerated learning environment.
6. Unless otherwise approved by the Principal/designee, students taking such courses must be enrolled in the District and take the courses during the regular school day at the school site.

The District shall recognize only those online courses that meet the international standards for online teachers, courses, and programs that have been adopted by the Kentucky Department of Education.

As determined by school/council policy, students applying for permission to take an online course shall complete prerequisites and provide teacher/counselor recommendations to confirm the student possesses the maturity level needed to function effectively in an online learning environment. Online courses may be subject to review by the Superintendent/designee for conformance with Kentucky Academic Standards and District graduation requirements. In addition, the express approval of the Principal/designee shall be obtained before a student enrolls in an online course. The school must receive an official record of the final grade before credit toward graduation will be recognized.

Provided online courses are part of the student's regular school day coursework and within budgetary parameters, the tuition fee and other costs for an online course shall be borne by the District for students enrolled full-time, from funds that have been allocated to the school. The Superintendent shall determine, within the budget adopted by the Board, whether additional funding shall be granted, based on supporting data provided by the Principal. The Board shall pay the fee for expelled students who are permitted to take online courses in alternative settings.

Through its policies and/or supervision plan, the school shall be responsible for providing appropriate supervision and monitoring of students taking online courses.

Alternative Credit Options**DUAL-CREDIT SCHOLARSHIP PROGRAM**

The District may offer the opportunity for students to earn dual-credits through the Kentucky Dual-Credit Scholarship Program and follows the guidelines outlined in the “Kentucky Council on Postsecondary Education and Kentucky Department of Education Dual Credit Policy for Kentucky Public and Participating Postsecondary Institutions and Secondary Schools,” located on the Kentucky Department of Education website.

PERFORMANCE-BASED CREDITS

In addition to Carnegie units, students may earn credit toward high school graduation through the District’s standards-based, performance-based credit system that complies with requirements of Kentucky Administrative Regulation. Procedures for developing and amending the system shall address the following:

1. Conditions under which each high school may grant performance-based credits and the related performance descriptors and assessments;
2. Objective grading and reporting procedures;
3. Content standards established in 704 KAR 3:303 and 704 KAR Chapter 8;
4. The extent to which state-provided assessments will be used;
5. The ability for students to demonstrate proficiency and earn credit for learning acquired outside of school or in prior learning; and
6. Criteria to ensure that internships, cooperative learning experiences, and other learning in the school and community are:
 - Designed to further student progress towards the Individual Learning Plan;
 - Supervised by qualified instructors; and
 - Aligned with State and District content and performance standards.

REFERENCES:

KRS 158.622
KRS 164.786
704 KAR 3:303; 704 KAR 3:305; 704 KAR Chapter 8

RELATED POLICIES:

08.113; 08.11311; 08.2323; 09.1221; 09.3; 09.435

Adopted/Amended:
Order #:

Performance-Based Credit

The District shall award standards-based, performance-based credits for high school subjects to be applied toward graduation. Credit shall be awarded for:

- Standards-based course work that constitutes satisfactory demonstration of learning in any high school course approved for performance-based credit, consistent with Kentucky Administrative Regulation;
- Standards-based course work that constitutes satisfactory demonstration of learning in a course for which the student failed to earn credit when the course was taken previously;
- Standards-based portfolios, senior year or capstone projects;
- Standards-based online or other technology mediated courses;
- Standards-based dual credit or other equivalency courses; and
- Standards-based internship, cooperative learning experience, or other supervised experience in the school and the community.

Students requesting performance-based credit to apply toward graduation shall make application to the Principal/designee.

COURSE DESCRIPTION AND ASSESSMENT

Performance-based course descriptions shall be developed by teachers in areas for which they are certified and reflect needs indicated in the student's Individual Learning Plan (ILP). The content standards of performance-based courses shall be documented to align with the Kentucky Summative Assessment, Kentucky Academic Standards, and Kentucky Academic Expectations.

WORK-BASED LEARNING

Work-based learning experiences provided by the District shall be conducted consistent with provisions of the Kentucky Department of Education's Work-Based Learning Manual. Prior to a student being assigned to a work-based learning experience, a Work-Based Learning Agreement/Plan shall be completed for the student. Site supervisors are considered volunteers subject to Policy 03.6.

COUNCIL RESPONSIBILITY

Performance-based credits will only be accepted by the Board if previously approved by the high school SBDM Council. It is also the responsibility of the high school SBDM Council to determine the appropriateness of content and courses for performance-based credit. The council shall determine what information must be submitted. Required information may include, but is not limited to the following:

- A description of the proposed course;
- Proposed assessment method(s) (e.g., performance tasks, open-response questions, descriptions of expected products);
- How proficiency will be determined;
- Sample papers, projects or other products that would represent work deserving of credit;
- Proposed check points to track progress.

Performance-Based Credit

COUNCIL RESPONSIBILITY (CONTINUED)

The Council may determine whether the teacher must request additional authorization when a previously approved course must be revised (description, assessment, proficiency determination, checkpoints, etc.).

Review/Revised:

Alternative Credit Options

Student's Name	<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
Student's Address	<i>City</i>	<i>State</i>	<i>ZIP Code</i>
School	Grade in the upcoming school year		

THE ABOVE NAMED STUDENT REQUESTS PRIOR APPROVAL TO EARN CREDIT THROUGH AN ALTERNATIVE ROUTE.

Course(s) requested: _____

- ☐ Summer School Course (approved by Superintendent/designee) ☐ Online Course
☐ College Credit ☐ Performance-Based Credit (provide information required on next page)

From what source _____

Total number of credits anticipated: _____

Reason for taking this course:

- ☐ Graduation with class
☐ Enrichment/Elective
☐ Course not available within the District
☐ Simultaneous high school/college credit
☐ Other, _____

I recommend this student be permitted to take the alternative credit option.

_____ <i>Principal/designee's Signature</i>	_____ <i>Date</i>
---	-----------------------------

I understand that it is my responsibility to submit an official transcript of my grade to the school by the date specified by the counselor in order to receive credit toward graduation.

_____ <i>Student's Signature</i>	_____ <i>Date</i>
--	-----------------------------

=====

Number of credits earned _____ Date grade received _____

_____ <i>Principal/designee's Signature</i>	_____ <i>Date</i>
---	-----------------------------

Alternative Credit Options**PERFORMANCE-BASED CREDIT**

High school course for which credit is being requested: _____

NOTE: Requests will be accepted only for those courses the student has not yet

☐ enrolled in☐ passed

Credit may be granted to students demonstrating proficiency for learning taking place outside the normal classroom setting. Please describe the non-traditional and/or prior learning setting in which the learning occurred for credit being requested:

To be completed by Principal/designee

Request was ☐ Approved ☐ Denied Date _____

If approved, student performance will be assessed as follows:

ASSESSMENT METHOD	MINIMUM SCORE REQUIRED FOR CREDIT
Course exit exam	
State exam (_____)	
Other: _____	

Date of assessment: _____ Supervised by: _____

Student/Parent contacted ☐ Yes ☐ No Date __________
Principal/designee Signature_____
Date

Review/Revised:

Course and Assessment Rubric**COURSE NAME:** _____ **COURSE DESIGNER:** _____**FIELD(S) OF CERTIFICATION:** _____ **COURSE CODE:** _____**COURSE DESCRIPTION:** _____**PROPOSED PROGRESS CHECK POINTS:** _____**ALIGNMENT:** This course is aligned with the standards and instruments noted below:

ACADEMIC EXPECTATIONS	<u>KENTUCKY ACADEMIC STANDARDS</u>		KSA
	ENDURING UNDERSTANDINGS	KEY SKILLS & CONCEPTS	
1. __			
2. __			
3. __			
4. __			
5. __			
6. __			

ASSESSMENT METHOD(S): _____

Minimum Requirements for Demonstration of Proficiency: _____

Review/Revised:

Early Graduation Program

Students who meet all applicable legal requirements shall be eligible for the Early Graduation Program (EGP) in relation to receipt of a graduation diploma and an Early Graduation Certificate. Students wishing to participate in the EGP shall notify the Principal in writing at the beginning of grade nine (9) or as soon as the intent is known, but no later than the first thirty (30) school days of the academic year in which the student intends to graduate.

A student shall not be prohibited from completing the EGP if the student meets all requirements. Students who enroll in the EGP and meet all applicable legal requirements shall receive a diploma and an Early Graduation Certificate.

A Letter of Intent to Apply shall be entered into the student information system by October 15 of the year the student intends to graduate.

A student shall complete all requirements applicable to the academic year in which the student intends to graduate as established in administrative regulation by the Kentucky Board of Education.

A student who has indicated an intent to complete the EGP may participate in the state administration of the college entrance exam prior to the junior year, if needed.

For students wishing to participate in the EGP and earn an Early Graduation Certificate and scholarship the Superintendent/designee shall provide:

- a. Criteria for supporting the development and monitoring of the student's ILP;
- b. Goal planning related to the attainment of established District essential workplace ethics programs;
- c. Completion of a professional resume; and
- d. Completion of one (1) postsecondary admissions application that may be used at a Kentucky public two (2) year community and technical college, or a Kentucky four (4) year public or non-profit independent institution accredited by the Southern Association of Colleges and Schools.

Each EGP participant, with the support of the comprehensive school counselor/designee, shall:

- a. Identify all EGP requirements and develop a strategy within the ILP for meeting those requirements, including the District's established workplace ethics program; and
- b. Complete an entrance interview with the Principal/designee to discuss postsecondary goals and career aspirations.

By July 1, 2024, each high school shall determine performance descriptors and evaluation procedures for an EGP performance-based project, portfolio, or capstone required for students who intend to complete the EGP beginning with the 2024-2025 academic year.

Early Graduation Program**EARLY GRADUATION PROGRAM (EGP) (CONTINUED)**

Performance descriptors and evaluation procedures shall provide an opportunity for the student to demonstrate attainment of the following critical skills required for post-secondary and career success:

- a. Attainment of essential workplace ethics program components;
- b. Demonstration of an ability to apply the academic standards as a lifelong learner and contributing member of society;
- c. Demonstration of written and verbal communication skills needed for post-secondary success; and
- d. Demonstration of an ability to think critically, synthesize information, and draw conclusions.

By July 1, 2024, the performance-based project, portfolio, or capstone shall be required for completion of the EGP.

Each high school shall maintain and make readily available to the Kentucky Department of Education the EGP participant's performance-based project, portfolio, or capstone for a minimum of five (5) years.

Any student seeking to graduate early who receives services deemed essential by the District shall engage in meaningful consultation with a school-based mental health services provider on the creation of a continuity of services plan prior to graduation.

The District shall ensure the creation of a continuity of services plan for all students identified as a homeless child, a migratory child, or youth engaged in foster care. A transition plan shall be completed for children aging out of foster care.

REFERENCES:

KRS 158.142
704 KAR 3:305

RELATED POLICIES:

08.113; 08.1131

Adopted/Amended:
Order #:

Letter of Intent to Apply for the Early Graduation Program

(Vacant)

Review/Revised:

Hardship Graduation**HARDSHIP REQUESTS**

Students who experience extreme health or economic hardship may apply for assistance with graduation requirements for hardship reasons. In the case of extreme hardship, the District may provide alternative methods for the student to complete District graduation requirements which may allow for early graduation. Methods may include, but are not limited to, regular classroom instruction, alternative classroom instruction, online courses, performance-based opportunities, college programs, consideration of waiver of District requirements that exceed state minimums (the District cannot waive state minimums), or credit recovery.

REFERENCE:

704 KAR 3:305

RELATED POLICY:

08.113

Adopted/Amended:
Order #:

To apply for graduation assistance due to a hardship, the student must complete the following application, attach all required documentation, and submit to the Principal. A conference with the Principal; parent(s)/guardian(s), if appropriate; and the student is required to determine eligibility for graduation assistance for reasons of hardship. Submission of this application does not guarantee the student that graduation assistance due to hardship will be granted.

State below the reason(s) for requesting graduation assistance due to hardship. Be very specific in your application, including your plans for the future and how such graduation assistance will help you achieve your goals. Attach additional page(s), if necessary.

- For military enlistment, attach a letter from an Armed Services recruiter indicating your intent of enlistment.
- For family hardship, a letter of need must accompany this application, and documentation must be provided at the conference with the Principal.
- For medical emergency, attach a letter from a certified physician.

I _____ do not recommend this student for graduation assistance due to hardship.

Signature of Principal

Date

Page 1 of 1

Instructional Organization**PHYSICAL ORGANIZATION**

Schools may be physically organized as follows: the primary school through grade eight (P-8) or any appropriate combination of grades within this range as determined by the Board's plan of organization shall be considered elementary, and grades seven through twelve (7-12) or any appropriate combination of grades within this range as determined by the Board's plan of organization shall be considered secondary.

Middle schools organized separately grades five (5) through eight (8) or any appropriate combination of grades within this range as determined by the Board's plan of organization shall be considered as separate elementary schools. Junior high schools organized separately seven (7) through nine (9) or ten (10) or senior high schools organized separately ten (10) through twelve (12) shall be considered as separate secondary schools.

CURRICULAR ORGANIZATION

For curricular purposes, grades kindergarten through five (K-5) shall be considered elementary childhood education; grades six through eight (6-8), middle childhood education; and grades nine through twelve (9-12), secondary education.

REFERENCES:

KRS 157.3175
KRS 157.320
KRS 158.030
KRS 158.110

Adopted/Amended:
Order #:

Basic Classroom

The District shall maintain academic class sizes in accordance with state law and Kentucky Board of Education administrative regulations.

REFERENCES:

KRS 157.360; 702 KAR 3:190
OAG 83-383

Adopted/Amended:
Order #:

Exceptional Classes

EXCEPTIONAL CLASSES

Membership per class for each category of exceptionality shall be in compliance with applicable statutes, regulations, and federally mandated legal obligations.

REFERENCES:

707 KAR Chapter 1
KRS 157.360

RELATED POLICY:

08.1312

Adopted/Amended:
Order #:

Career and Technical Education**MAXIMUM ENROLLMENT**

The maximum enrollment of students in career and technical education classrooms, laboratory or shop settings, and out-of-school settings shall be in compliance with Kentucky Administrative Regulations.

Schools operating under SBDM shall determine class size maximums for career and technical classes. However, the number of students enrolled in a class shall not exceed the number of work stations available in the facility.

PROGRAMS PROVIDED

District career and technical education programs shall meet all requirements established by governance authorities.

REFERENCES:

KRS 156.488; KRS 157.072; KRS 157.360

KRS 158.810; KRS 158.812; KRS 158.814; KRS 158.816; KRS 158.818

705 KAR 4:231

Adopted/Amended:

Order #:

Students With Disabilities**LEGAL OBLIGATIONS**

The Board shall operate programs for students with disabilities in accordance with the legal obligations contained in the special education and section 504 procedures relating to such programs.

In situations involving students with disabilities, the Board shall determine whether to file for due process hearings, or appeals therefrom, on behalf of the District, except in the following situations: The Superintendent/designee is authorized to request due process hearings and to file for extensions and appeals therefrom, and to request injunctive relief, due to substantial likelihood of harm/danger/likelihood of injury by or of a student. The Superintendent/designee is authorized to file for mediation on behalf of the Board and to file appeals from the Kentucky Department of Education Special Education Complaint decisions on behalf of the Board.

ASSESSMENT

District special education programs and related services shall meet all requirements established by governance authorities.

(See the above referenced District procedure information for students with disabilities.)

REFERENCES:

20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)

District 504 procedures

KRS 157.200

707 KAR Chapter 1

A complete listing of pertinent legal references is contained in the District's special education and section 504 procedures, which are incorporated herein by reference.

RELATED POLICY:

09.126 (re requirements/exceptions for students from military families)

Adopted/Amended:

Order #:

Home/Hospital Instruction

PURPOSE

Home/hospital instruction provides educational services to students who cannot attend school for extended periods due to temporary or recurring conditions, including fractures, surgical recuperation, or other physical, health, or mental conditions. An “extended period” refers to an absence for more than five (5) consecutive school days.

For purposes of KRS 157.360, a student who receives home/hospital instruction for a minimum of two (2) instructional sessions per week, with a minimum of one (1) hour of instruction per session, by a certified teacher provided by the Board, shall equal the student attending five (5) days in school. An instructional session may be delivered in person, electronically, or through other means established in regulation. A parent/guardian or responsible adult must be present in the home/hospital room during the time the home/hospital teacher is present or is otherwise delivering instruction.

ELIGIBILITY

Determination of a student’s eligibility and provision of services for home/hospital instruction shall be made in compliance with applicable statutes and regulations. In accordance with KRS 159.030(2), the Board shall require evidence for students exempted from school attendance more than six (6) months. An exemption shall be reviewed annually.

At any time based on changes in the student’s condition, the home/hospital review committee may schedule a review of the student’s continued eligibility for home/hospital instruction. Eligibility for home/hospital instruction shall cease for students placed by the review committee if the student works, plays sports, or participates in extracurricular activities. For students with a 504 plan, eligibility for home/hospital instruction shall not cease if the student works, plays sports, or participates in extracurricular activities if participation is consistent with the student’s 504 plan.

The Admissions and Release Committee (ARC) shall determine placement in home/hospital instruction for a student with disabilities. The 504 Team for a student may facilitate submission of an application to the review committee.

SECONDARY STUDENTS

A high school student placed on home/hospital instruction for extended periods may carry all appropriate credits during the first semester of placement. Except for students with an Individual Education Plan (IEP) or a 504 plan, the number of credits to be carried during all subsequent semesters of placement shall be determined on a case-by-case basis by the review committee, based on the following criteria:

1. The student's ability to work independently during extended periods without direct assistance.
2. The student's capacity to complete assignments within a reasonable time frame.
3. The likelihood that the student will be able to complete course criteria required for graduation, as required by the Kentucky Academic Standards.
4. When considering the student's condition, should s/he take a full or reduced course load? (If a reduced course load is appropriate, the committee shall determine the number of courses the student may take.)

Home/Hospital Instruction**STUDENTS WITH DISABILITIES**

Based on documentation of student need, including medical or mental health evaluation information, a student with disabilities may be placed in the home/hospital instructional program if his/her individual education plan (IEP) specifies such placement is the least restrictive environment for providing services. The ARC Chair shall provide written notice of eligibility and documentation to the District Director of Pupil Personnel for purposes of program enrollment.

The Admissions and Release Committee (ARC) or 504 Team shall determine on a case-by-case basis the type and extent of home/hospital services for a student, including the number of credits a student at the secondary level will be permitted to earn while on home/hospital instruction.

REFERENCES:

KRS 157.360
KRS 158.033
KRS 159.030
702 KAR 7:150
704 KAR 3:303
707 KAR 1:320
707 KAR 1:350
20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)
Section 504 of the Rehabilitation Act of 1973
34 C.F.R. 104.35

RELATED POLICIES:

09.122
09.123

Adopted/Amended:
Order #:

Application for Home/Hospital Instruction

The Home/Hospital Instruction application is incorporated by reference in 702 KAR 7:150. This application is available from the Kentucky Department of Education website.

RELATED PROCEDURES:

08.1312 AP.21

08.1312 AP.23

Review/Revised:

Parent Agreement Letter for Home/Hospital Instruction

Date

Dear Parent:

Student's Name

a student at

Name of School

has met the requirements for the Home/Hospital Instruction Program.

There are several ways in which you can assist us in continuing the education of your child during his/her illness:

1. A responsible adult must be present in the home/hospital room during the time the Home/Hospital Teacher is present.
2. The Home/Hospital Teacher meets with the student a minimum of one hour on two (2) school days per week for individualized instruction. Absences are unexcused unless pre-arranged and the time rescheduled with the Home/Hospital Teacher during that same week.
3. A student with a communicable disease, as verified by a health professional, shall be eligible for the Home/Hospital Instruction Program. However, should the student's condition pose a serious health threat to the Home/Hospital Teacher, the student may receive alternate instruction such as correspondence, computer-assisted instruction, or video during the period of contagion.
4. Please check with your child regarding completion of required daily assignments in order to be ready for instruction at the next designated time.
5. Please provide a suitable work-study area where student and teacher can work with no interruption (for example: CD, tape player, and TV turned off). The area should be clean, neat, and free from household traffic.
6. Other children, visitors, or pets should be kept out of the room so that the teacher will have the student's full attention.
7. Arrange for the child to have sufficient rest and to be ready for work when the teacher arrives at the home.
8. Complete the Application for Home/Hospital Instruction, including release of medical information to school officials.
9. In addition to the scheduled weekly home/hospital instruction, the student will work independently to complete assignments.

I agree to abide by the above requirements and grant permission for this child to receive home/hospital instruction.

Parent/Guardian's Signature

Date

Review/Revised:

Home/Hospital Teacher's Request to Regular Classroom Teacher

TEACHER(S): _____

STUDENT NAME _____ SCHOOL _____

GRADE _____ HOMEROOM _____ CLASS /SUBJECT _____

BEGINNING DATE _____ ENDING DATE _____

To promote a smooth transition from your classroom to home/hospital instruction and back, I request your assistance in organizing instruction for the time this student is assigned to the Home/Hospital Instruction Program. Please provide me with a summary of the material you intend to cover during this time period with this completed form attached. If you have any tests, worksheets, homework, or other materials you would like for me to use, please leave them in _____.

Please put the student's name on all correspondence.

At the end of home/hospital instruction, I will give you the student's average on work completed for me.

Thank you,

Home/Hospital Teacher

INSTRUCTIONS:

Regular Classroom Teacher's Signature

Date

Review/Revised:

Gifted and Talented Students

DISTRICT PROVIDES

The District shall formally identify students in grades four through twelve (4-12) for participation in the District's Gifted and Talented program. Students in the primary program (P1-P4) who display gifted or talented characteristics shall be selected through an informal process, be placed in a talent pool and receive services that allow continuous progress.

In compliance with applicable statutes and administrative regulations, the District shall provide appropriate multiple service options in an environment that addresses the abilities, interests and needs of students eligible for services in one (1) or more of the following categories: general intellectual aptitude; specific academic aptitude; creative or divergent thinking; psychosocial or leadership skills; and visual or performing arts.

The definitions specified in 704 KAR 3:285 shall be used in the operation of the District's programs for gifted and talented students.

IDENTIFICATION/DIAGNOSIS AND ELIGIBILITY

In compliance with 704 KAR 3:285, the Superintendent/designee shall develop strategies to address identification and diagnosis of the strengths, behaviors and talents of these students. Determination of eligibility for gifted and talented services shall be based on the student's individual needs, interests and abilities and shall be designed to address environmental and cultural factors that may contribute to the student being overlooked, such as whether the student is economically disadvantaged, or underachieving, is a member of a racial or ethnic minority or has a disability.

The District's plan for identifying gifted and talented students shall:

1. Employ a multi-faceted approach and utilize on-going and long-term assessment;
2. Be based on a variety of valid and reliable measures to include both informal and formal techniques and other data specific to each category of giftedness, consistent with standards established by Kentucky Administrative Regulation;
3. Screen students for all areas of giftedness as defined by KRS 157.200.

Based on data gathered by the Gifted/Talented coordinator or gifted education teacher, a selection/placement committee shall determine those students who are eligible for gifted education services and the level of the services to be provided. This committee shall consist of the Principal or designee, the Gifted/Talented Coordinator and/or the gifted education teacher, classroom teacher(s), teacher(s) of students with disabilities, counselor(s), and consulting professional(s), as appropriate.

Prior to selection or formal identification and placement of a student, the District shall obtain parental or guardian permission before administering an individual test to the student given as a follow-up to a test routinely administered to all students and used in formal identification. If it is determined that their child is eligible for gifted education services, parents/guardians also shall be notified, at least once annually, of the services included in the gifted and talented student services plan and shall receive a copy of the procedures to be followed should they wish to appeal the appropriateness of services.

Gifted and Talented Students**SERVICES**

Gifted and talented students shall be provided with a student services plan that meets requirements set out in administrative regulation.

Each school shall adjust its curriculum to meet the needs of gifted and talented students. Gifted and talented students shall be served in a manner that:

1. Extends learning beyond the standard curriculum;
2. Provides flexible curricular grouping and differentiated curriculum experiences commensurate with the student's interests, needs and abilities; and
3. Helps the student to attain, to a high degree, the goals established by statute and the Board.

Procedures and strategies to implement this policy shall identify the following:

- A variety of appropriate options for grouping by ability, interest and/or need,
- Multiple service options reflecting continuous progress through a logical sequence of learning,
- Means of obtaining parental input for use in determining appropriate services,
- A gifted and talented student services plan format that provides for matching a formally identified gifted student's interests, needs, and abilities to differentiated service options, and
- A plan for reporting to parents, at least once each semester, regarding their child's progress in services included in the student's services plan.

Neither the primary program, nor any grade level shall be served by only one (1) gifted education service option.

PERSONNEL

The Superintendent shall appoint a Gifted/Talented Coordinator who shall oversee the operation of the District's Gifted and Talented program and assist schools in implementing the provisions of this policy. The Gifted/Talented Coordinator shall oversee the expenditure of funds for gifted education to ensure they are used to provide direct services to identified students.

Teachers of gifted and talented students shall meet requirements for certificate endorsement as established in Kentucky Administrative Regulation. Through professional development activities, all teachers shall receive training on identifying and working with gifted and talented students.

PROGRAM EVALUATION

The Gifted/Talented Coordinator shall coordinate the annual, on-going process of evaluating all aspects of the gifted education program and make recommendations for upgrading those areas found to be deficient. Data collected in the annual evaluation shall be used in the comprehensive improvement planning process, and results of the evaluation shall be presented to the council in SBDM schools for review of instructional progress and to the Board who shall determine if District goals are being accomplished.

Gifted and Talented Students**GRIEVANCES**

Students or parents who wish to file a grievance or appeal concerning the following areas may do so under the process outlined in administrative procedures:

1. The District's process for selecting students for talent pool services;
2. The District's process for formal identification of gifted and talented students or
3. The appropriateness and/or adequacy of talent pool services or services addressed in a formally identified student services plan.

This policy and the procedures to implement it shall be made available for public inspection.

REFERENCES:

KRS 157.196; KRS 157.200; KRS 157.224
KRS 157.230; KRS 158.6451; KRS 161.052; KRS 161.095
16 KAR 2:110; 16 KAR 4:010
704 KAR 3:285
P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICY:

09.126 (re requirements/exceptions for students from military families)

Adopted/Amended:
Order #:

Gifted and Talented Students

SELECTION FOR SERVICES

The District shall systematically collect data on an ongoing basis that will provide the target population of candidates for services.

Primary students shall be selected and students in grades four through twelve (4-12) shall be identified in accordance with 704 KAR 3:285.

Once selected as qualifying for Primary Talent Pool services, a primary student need not be re-evaluated, except to determine suitability of services, until the end of the P4 year.

Once identified as qualifying for gifted education services in grades four through twelve (4-12), a student need not be re-evaluated, except to determine suitability of services.

At least once each school year, teachers will be provided information concerning the on-going identification process.

The Gifted-Talented Coordinator shall establish a process for identifying and implementing methods for providing equal access to services to under-represented populations.

CURRICULUM

Each school shall provide a differentiated, articulated curriculum in accordance with Kentucky Administrative Regulations.

Curricular materials shall be those designed to challenge:

1. The talent pool participant (P-P4) while focusing on continuous progress; and
2. The formally identified gifted learner (grades 4-12) and further develop the diagnosed talent and/or area of giftedness.

Service options for the formally identified gifted learner (grades 4-12) shall be described in the gifted and talented student services plan (GSSP), shall match the learner's needs, interests, and abilities, and shall be qualitatively differentiated from those provided in the standard curriculum.

PERSONNEL/FUNDING

The District shall submit an application to the state in which seventy-five percent (75%) of the state funds for gifted education shall be used in the category of personnel, including salary, for those who primarily provide direct instructional services to students identified as demonstrating gifted and talented behaviors and characteristics. These teachers shall work directly with Primary Talent Pool/formally identified students, in addition to the regularly assigned classroom teacher(s) or for at least one-half (1/2) of the regular school day in a classroom made up only of properly identified gifted students. These teachers must hold an appropriate certificate of endorsement for gifted education or an official approval.

Funding for any services beyond the state allocation shall be from school allocations as determined in the District budget.

Gifted and Talented Students**PROGRAM EVALUATION**

Performance data shall be collected by the Gifted-Talented Coordinator as directed by administrative regulation for annual submission to the Kentucky Department of Education.

Each year the Gifted-Talented Coordinator shall be responsible for collecting data required for the annual report and submitting it to the Superintendent for his/her information prior to forwarding it to the Kentucky Department of Education. School data shall be signed by the Principal/Council Chair.

PROCEDURAL SAFEGUARDS AND GRIEVANCES

Parents and/or students (Grades P-12) may petition for identification or may appeal nonidentification or appropriateness of services.

1. The appealing party shall submit in writing to the Gifted-Talented Coordinator specifically why s/he believes that screening results are not accurate or talent pool services or service options in the gifted and talented student services plan are not appropriate and why an exception should be made or reconsideration given.
2. The Gifted-Talented Coordinator shall compile student data and present that along with the petition or appeal to the Selection/Placement Committee. The information presented shall include a recommendation accompanied by available substantiating evidence.
3. The Committee shall hear appeals, make a recommendation, and respond in writing to the appealing party within ten (10) working days of receipt of the appeal and accompanying information. If the appeal concerns the nonavailability of appropriate service options, the Committee shall consult with the school council.
4. If the Committee rules in favor of the grievant, the following option shall apply as appropriate:
 - a) S/he may participate in the program as soon as the parent or guardian signs the required permission form.
 - b) A change in either the gifted and talented student services plan or provision of services shall be made in a timely manner.
5. If the Committee rules against the grievant, a further written appeal may be made to the Superintendent, who must respond in writing within ten (10) working days of receipt of the appeal.
6. Should the Superintendent uphold the decision of the Selection/Placement Committee, the appealing party may petition the Board, which will have the final decision in the case. The Board shall make a determination at the next regular meeting following receipt of the appeal.

Review/Revised:

Extended School/Direct Student Services**PLAN FOR DIAGNOSING**

The Superintendent/designee shall develop a plan for diagnosing and addressing student academic deficiencies by providing Extended School Services (ESS) as required by state law.

ESS

ESS shall be provided to eligible students who are in the first year of the primary school program through grade twelve. Students shall be eligible to receive these services until they graduate from grade twelve or reach twenty-one (21) years of age, whichever comes first. The Board shall provide ESS consistent with students' intervention plans and goals included as part of individual learning plans, requirements of 704 KAR 3:395, and local plans and procedures.

For students eligible to attend ESS, the District shall:

- Identify learning goals and benchmarks for each student that, if achieved, indicate that the student may exit the ESS program;
- Determine conditions under which a student's absence from the program may be considered excused or unexcused; and
- Determine method for transporting students mandated to attend.

The District shall select pupils who need additional instructional time or differentiated opportunity to learn academic and enrichment content aligned with their individual student needs to improve their present level of performance in one (1) or more content areas. Priority for ESS services shall be placed on designing and delivering services to students at risk academically.

The District may provide ESS during the regular school day when a waiver for alternative service delivery has been obtained. ESS offered during the summer shall be available to all eligible students residing in the District regardless of whether they attend District schools.

DIRECT STUDENT SERVICES

The District may apply for Title I funding for Direct Student Services if eligible as provided in Every Student Succeeds Act and the state plan required under federal law. Required notices, funding, and provision of Direct Student Services shall be consistent with federal and state requirements.

REFERENCES:

KRS 158.070
704 KAR 3:395
20 U.S.C. § 6303b
P. L. 114-95 (Every Student Succeeds Act of 2015)

Adopted/Amended:
Order #:

Extended School/Direct Student Services

Eligible students shall be provided extended school (ESS) and/or direct student services (DSS) in accordance with the following procedures.

ELIGIBILITY FOR EXTENDED SCHOOL SERVICES

One (1) or more of the following methods of documentation shall be used to determine which students shall be eligible for and in the greatest need of extended school services:

1. Teacher recommendation;
2. Academic performance data, including diagnostic, formative, interim, or summative assessments;
3. Student performance on high school, college, and workforce readiness assessments required by KRS 158.6459; or
4. Behavioral and developmental progress as documented in formal and informal assessments and reports.

SELECTION FOR EXTENDED SCHOOL SERVICES

Selection criteria for the extended school services program shall be in compliance with applicable administrative regulations.

NOTIFICATION TO PARENTS OF EXTENDED SCHOOL SERVICES

Parents of eligible students shall be notified using Procedure 08.133 AP.2.

The District will inform parents and guardians of the availability of extended school services, the rationale for offering extended school services, and consequences of not obtaining a high school diploma.

STUDENTS ATTENDING PRIVATE, PAROCHIAL, OR HOME SCHOOLS

Students residing within the District's boundaries who attend private, parochial, or home schools shall not be eligible for the after-school tutorial program. Upon application, they may be considered for enrollment in the summer school program. Their eligibility and selection shall be based on the same criteria as students enrolled in the District schools.

DIRECT STUDENT SERVICES

Direct student services shall be available to students in schools identified by the State for comprehensive support and improvement and for low-achieving students in schools implementing targeted support and improvement plans. Direct student services include:

- Enrollment in academic courses not otherwise available at a student's school;
- Credit recovery and academic acceleration courses;
- Activities that assist students in successfully completing postsecondary level instruction that are accepted for credit at such institutions (Advanced Placement, International Baccalaureate, etc.);
- Components of a personalized learning approach such as high-quality academic tutoring; and
- Transportation to allow a student enrolled in a school identified for comprehensive support and improvement to transfer to another public school.

Extended School/Direct Student Services

DIRECT STUDENT SERVICES (CONTINUED)

Costs associated with direct student services shall be in compliance with state and federal law and regulations.

REFERENCES:

KRS 158.6459
704 KAR 3:390
P.L. 114-95, (Every Student Succeeds Act of 2015)

RELATED PROCEDURE:

08.133 AP.2

Review/Revised:

Notification to Parents of Child's Eligibility for Extended School Services

Student's Name _____			
<i>Last Name</i>		<i>First Name</i>	<i>Middle Initial</i>
Student's Address _____			
<i>City</i>		<i>State</i>	<i>ZIP Code</i>
Student's Age _____	Date of Birth _____	Sex _____	Student's Phone Number _____
School _____	Grade _____	Homeroom/Classroom _____	

DATE _____

DEAR PARENT:

School District personnel have determined that your child is eligible for extended school services (ESS), to help ensure that s/he progresses from grade to grade with his/her cohort and that:

- ☐ Student exits elementary school ready to meet academic expectations at the middle school level;
- ☐ Student exits middle school ready to meet academic expectations at the high school level; and
- ☐ Student exits high school ready to meet academic expectations at the postsecondary education level and in the workplace, with particular emphasis on literacy and mathematics.

This determination was based upon one (1) or more of the following:

- ☐ Teacher recommendation;
- ☐ Academic performance data, including diagnostic, formative, interim, or summative assessments;
- ☐ Student performance on high school, college, and workforce readiness assessments required by KRS 158.6459; or
- ☐ Behavioral and developmental progress as documented in formal and informal assessments and reports.

A personalized intervention plan and goals will be included as part of your child's Individual Learning Plan.

NOTE: *Pupils shall not be excluded due to the inability of the parent or student to provide transportation.*

Notification to Parents of Child's Eligibility for Extended School Services**RECONSIDERATION**

You have the right to request we reconsider your child's eligibility for extended school services outside of the school day. Check if you wish to make this request and return this form to the school:

- ☐ I request that the school review my child's eligibility for extended school services.
- ☐ I consent to my child's assignment in extended school services.

Reason for request: _____

Parent/Guardian's Signature

Date

Determination following review: ☐ The student remains eligible for ESS.
☐ The student is not eligible for ESS.

Principal/designee's Signature

Date

Review/Revised:

Essential Workplace Programs**INDICATORS**

Beginning with the 2019-2020 school year, the District shall implement essential workplace ethics programs that promote characteristics that are critical to success in the workplace. Each student in elementary, middle, and high school shall receive essential workplace ethics instruction that includes but is not limited to the following characteristics:

- a) Adaptability, including an openness to learning and problem solving, an ability to embrace new ways of doing things, and a capability for critical thinking;
- b) Diligence, including seeing a task through to completion;
- c) Initiative, including taking appropriate action when needed without waiting for direct instruction;
- d) Knowledge, including exhibiting an understanding of work-related information, the ability to apply that understanding to a job, and effectively explain the concepts to colleagues in reading, writing, mathematics, science, and technology as required by the job;
- e) Reliability, including showing up on time, wearing appropriate attire, self-control, motivation, and ethical behavior;
- f) Remaining drug free; and
- g) Working well with others, including effective communication skills, respect for different points of view and diversity of coworkers, the ability to cooperate and collaborate, enthusiasm, and the ability to provide appropriate leadership to or support for colleagues.

The District shall use these characteristics when creating or choosing an existing program. By January 1, 2019 and every two (2) years thereafter, the Board shall collaborate with the local workforce investment board, in conjunction with local economic development organizations and other economic, workforce, or industry organizations the workforce investment board deems necessary, to establish essential workplace ethics indicators for middle and high school students that are aligned with the characteristics listed above.

ATTAINMENT

The Board shall design and adopt a diploma seal, certificate, card, or other identifiable symbol to award students deemed as having minimally demonstrated attainment of the Board's essential workplace ethics indicators.

REPORTING REQUIREMENT

By September 1, 2019, and every two (2) years thereafter, the Superintendent shall provide a report to the Commissioner of Education, in a format specified by the Commissioner, describing the District's essential work ethics programs and their implementation at each school.

REFERENCE:

KRS 158.1413

Adopted/Amended:
Order #:

Federal Programs

The District may participate in federal programs which in the judgment of the administrative staff shall be beneficial to the total school program. All projects written to secure federal funds shall be on the recommendation of the Superintendent and approval of the Board.

In keeping with the requirements of the Every Student Succeeds Act (ESSA), the District shall provide the Kentucky Department of Education with a written assurance that the District has established and implemented:

1. A District-wide salary schedule;
2. A policy to ensure equivalence among schools in teachers, administrators, and other staff; and
3. A policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.

The District shall comply with all federal and state certification requirements for alcohol and drug abuse education and prevention programs.

REFERENCES:

704 KAR 3:292

34 C.F.R. 200

P. L. 101-226

P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

01.11

03.13251; 03.23251

04.92

09.423

Adopted/Amended:
Order #:

Title I - Parent and Family Engagement Policy

This Policy and the plan to implement it have been developed jointly and in agreement with, and will be distributed to, parents and family members of students participating in the Title I program. Parents and family shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language that recipients can understand. This Policy shall be made available to the local community and updated periodically to meet the changing needs of parents and family, and the school.

EXPECTATIONS FOR PARENT AND FAMILY ENGAGEMENT

Contingent on confirmation of resources and other necessary information being provided by state and federal authorities, it is the intent of the Board that parents and family of participating students shall be provided with flexible opportunities for organized, on-going, and timely participation in the planning, review, and improvement of the Title I program, including opportunities to suggest modifications, based on changing needs of parents, family and the schools.

All comments indicating parent and family dissatisfaction with the Title I plan shall be collected and submitted along with the plan to the Department of Education.

The Title I program shall be designed to assist students to acquire the capacities and achieve the goals established by law, as well as the goals and standards established by the Board. Consistent with law and policy covering student records confidentiality, these goals and standards shall be shared with parents and family in a manner that will give them: (1) timely information about programs; (2) a description and explanation of the school's curriculum, the forms of academic assessment used to measure student progress, the achievement levels in the challenging state academic standards; the achievement level of their child on the challenging state academic standards assessments; and (3) if requested, opportunities for regular meetings to formulate suggestions and to participate in decisions relating to the education of their children.

SUPPORT FOR PROGRAM

If the District's Title I allocation is \$500,000 or more, the District shall reserve not less than one percent (1%) of its allocation for the purpose of promoting parent and family engagement and shall distribute to Title I schools not less than ninety percent (90%) of the reserved funds with priority given to high-need schools. Parents and family of participating students shall be provided the opportunity to help decide how this portion of the Title I funds will be allotted for parent and family engagement activities.

The District will provide coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective parent and family engagement activities to improve student academic achievement and school performance. These measures may include, but shall not be limited to, the following:

1. Designation of resources to assist in communicating with parents and family, transporting them to meeting sites and/or implementing home visits, providing child-care for meetings, encouraging them to use available parent and family resource centers, and working with them to improve parenting skills, particularly those that will assist them in working with their child to improve his/her educational achievements. Resources may include individuals, agencies, materials, and services.

Title I - Parent and Family Engagement Policy**SUPPORT FOR PROGRAM (CONTINUED)**

2. Sharing options for coordinating and integrating Title I program strategies with services of other community programs, businesses, and agencies.
3. Identification of ways in which parents and family can be engaged in staff training activities to demonstrate the value of parent and family engagement and various techniques designed to successfully engage parents and family as equal partners in their child's education.
4. Making a good faith effort to convene an annual meeting at a convenient time to which all parents and family of participating children shall be invited and encouraged to attend for informing them of their school's participation in and requirements for Title I programs and of their rights to be involved.
5. Designing and conducting an effective annual evaluation process whereby parents can share their ideas about the content and effectiveness of this Policy in improving the academic quality of schools receiving Title I funds, and the plan designed to implement it. The process shall focus on the following questions:
Does this Policy increase parent participation?
What barriers to parent participation still exist, and how can they be reduced or removed?
The findings produced by the annual evaluation shall be utilized to design strategies for school improvement and for revising this Policy, if necessary.
6. In the design of activities and materials for parents, particular attention shall be given to reaching and involving those who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.

SCHOOL POLICY

Each school shall submit to the Superintendent and Board, for review and comment, its Title I school parent and family engagement policy, which must meet all legal requirements, including a school-parent compact developed in keeping with legal requirements. This Policy shall be developed jointly with, and distributed by the school to, parents of participating students.

A copy of each school's parent and family engagement policy and accompanying checklist shall be kept on file in the Central Office.

REFERENCES:

Section 1118 of Improving America's Schools Act (IASA) of 1994
P. L. 114-95, (Every Student Succeeds Act of 2015)
KRS 157.077; KRS 158.645; KRS 158.6451
KRS 158.865; KRS 158.866; KRS 158.867
20 U.S.C. § 6318

RELATED POLICIES:

03.112; 08.1345; 09.11

Adopted/Amended:
Order #:

Federal Programs/Title I Violation Complaint Procedure

The Every Student Succeeds Act requires the adoption of a written procedure for the receipt and resolution of complaints alleging violations of Title I, Part A and the Elementary and Secondary Education Act (ESEA) as amended by ESSA in the administration of Federal Programs.

- 1) The complaint must be in writing and addressed to the District Federal Programs/Title I Coordinator. The complaint must contain the following:
 - The name of the complainant and the contact information;
 - The nature of the complaint (the specific violation of the administration of the Title I, Part A or Federal Program).
- 2) The Federal Programs/Title I Coordinator must maintain a complaint log. The log must include the following:
 - The name of the complainant;
 - The receipt date of the complaint;
 - The log-in number assigned to the complaint for tracking purposes;
 - The name of the staff to whom the complaint will be referred (if applicable);
 - The date of the response to the complaint.
- 3) The Federal Programs/Title I Coordinator must respond to the complaint within thirty (30) working days upon receipt of the complaint.
- 4) The Federal Programs/Title I Coordinator must maintain a copy of the complaint, log, and response on file in the District office.
- 5) After the complainant has received a response from the Federal Programs/Title I Coordinator, the complainant has thirty (30) days to appeal the local decision. This appeal must be filed in writing with the Kentucky Department of Education in compliance with 704 KAR 3:365.

Review/Revised:

English as a Second Language

The District shall provide an English language program to assist English learners, including immigrant children and youth, to attain English proficiency, develop high levels of academic achievement in English, and achieve the same high standards in the same challenging state academic standards that all students in the District are expected to meet.

The Superintendent/designee, through consultation with teachers, researchers, administrators, parents and family members, community members, public or private entities, and institutions of higher learning shall direct the development of English language instruction educational program guidelines for the District:

- *Survey of Primary and Home Language* - At the time of initial enrollment, the parent/guardian of every student in the school (whether potential English learners or not) shall be asked to complete a home language survey.
- *Annual Assessment of Proficiency* – Students whose primary or home language is other than English shall be administered an initial English language proficiency assessment to determine whether they are English learners according to the federal definition in ESSA, Title III.

Students identified as English learners shall receive an annual assessment of English language proficiency in reading, writing, speaking, and listening to measure progress and modify the individual Program Services Plan.

- *Individual Program Services Plan* – Assessment, placement, and the design of an individual Program Services Plan for English learners shall be made in compliance with appropriate state and federal education requirements.

Instructional and related services shall be designed to meet the English language and academic needs of students while assisting them to participate in the general education curriculum and to overcome language barriers to grade promotion or high school graduation. Students identified as English learners shall be provided the opportunity to participate in the school's English language instructional program.

- *Parental Notification* – As required by law, the Principal shall send written notification to parents of English learners addressing the following:
 - (a) Student's need for placement in the program;
 - (b) Student's level of English proficiency;
 - (c) How such level was assessed;
 - (d) Methods of instruction used in the program;
 - (e) Student's lack of progress in the program;
 - (f) How the program will meet the individual learning needs of the student;
 - (g) How the program will help the student learn English;
 - (h) How the program will help the student meet achievement standards necessary for grade promotion and high school graduation;
 - (i) Specific exit requirements for students in the program;

English as a Second Language

- *Parental Notification* (continued)
 - (j) How such program meets the objectives of the individualized education program of the child (in the case of a child with a disability); and
 - (k) Information pertaining to parental rights that;
 - 1. detail the right to have their child immediately removed from such program;
 - 2. detail the option to decline enrollment of their child in such program or to choose another program or method of instruction if available; and
 - 3. assist parents in selection among various programs and methods of instruction if more than one (1) program is offered.

This notification shall be sent as follows:

- For students already participating in, or identified for participation in, a program for English learning, parents shall be notified no later than thirty (30) calendar days after the beginning of the school year;
- For students identified after the beginning of the school year, parents shall be notified no later than fourteen (14) calendar days following the student's placement in the program.

Parents also shall be informed how they can be involved, including how to help the student attain English proficiency, achieve at high levels in academic subjects, and meet challenging State's academic achievement (content and performance) standards.

Parents shall receive annual notification of their child's progress on the state's English proficiency objectives and required state assessments.

- *Parental, Family and Community Participation* – Parents, family, and community members of English learner children shall be given the opportunity to participate in and make recommendations for the District's language instruction educational programs.
- *Provision of Services* – Once their parent/guardian has received notification, English learners shall be provided services consistent with effective language instruction educational programs and curricular for teaching English learners, guidelines set out in the *Kentucky Academic Standards*, and national, state, and local standards for English language proficiency and academic performance.

Services necessary for the student to access and be involved in the general education curriculum shall be provided by certified general education teachers and English as a Second Language staff, trained bilingual instructional assistants, and/or volunteers.

- *Assessments* – English learners who have not attained English language proficiency shall be assessed during state-wide testing in a valid, reliable manner and provided appropriate accommodations including, to the extent practicable, assessments in the language and form most likely to yield accurate data regarding student knowledge and ability in academic content areas.

English as a Second Language

- *Evaluation of Progress* – English language instructional programs shall be evaluated on a regularly scheduled basis to determine whether progress is being made toward removing language barriers and to identify changes that need to be made in District program services. District staff shall monitor student access to equal educational opportunities, both instructional and extracurricular.
- *Program Exit Criteria* – The program guidelines shall include an evaluation process that includes establishment of objective exit criteria to indicate when students:
 - (a) Have developed the required proficiency in using English to speak, listen, read, and write with comprehension;
 - (b) Can enter and successfully participate in classrooms not tailored for English learners; and
 - (c) Can expect to graduate from high school.

REFERENCES:

P. L. 114-95 (Every Student Succeeds Act of 2015); Title III
Title VI of the Civil Rights Act of 1964; Equal Educational Opportunities Act of 1974
Title VII of Improving America's Schools Act of 1994
703 KAR 5:070; 704 KAR 3:305; Kentucky Academic Standards
Lau v. Nichols, 414 U.S. 563, 94 S.Ct. 786, 39 L.Ed.2d 1 (1974)
20 U.S.C. § 6318

RELATED POLICIES:

02.4241; 09.13
09.126 (re requirements/exceptions for students from military families)

Adopted/Amended:
Order #:

Physical Education

All elementary and secondary school pupils shall receive organized physical education instruction as recorded in the Kentucky Academic Standards and in the minimum unit requirements for high school graduation set forth in 704 KAR 3:305.

In the event that a high school student's physical condition or religious convictions prohibit participation in the one-half (1/2) unit physical education course, the Board may authorize a variance in or exempt the student from graduation requirements for the course.¹ Upon presentation of a certificate from a licensed physician or an affidavit from the pastor of the church to that effect, a course may be substituted that is within the student's capabilities as specified by the physician or the student may be exempted from the course.

REFERENCES:

¹704 KAR 4:010
KRS 156.160; KRS 158.302
704 KAR 3:305

RELATED POLICIES:

08.113
09.2

Adopted/Amended:
Order #:

Pledge of Allegiance

STUDENT'S OPPORTUNITY TO PARTICIPATE

Each student shall be afforded the opportunity to begin each school day with the Pledge of Allegiance to the Flag of the United States.¹

No student shall be required to participate in the Pledge against the student's or the parents' wishes.²

REFERENCES:

¹KRS 158.175(2)

²OAG 80-456

Adopted/Amended:

Order #:

Notice of Moment of Silence or Reflection

Review/Revised:

Controversial Issues**JUDGMENT**

Teachers are expected to exercise reasonable and prudent judgment in the selection and use of materials and discussion of issues in their classrooms.

ISSUES

The study of controversial issues shall be objective and scholarly. Issues discussed shall be appropriate for and within the range of knowledge, understanding, age, and maturity of students and shall be current, relevant, and significant to the instructional program.

MATERIALS

All classroom materials shall be current, relevant, and significant to the instructional program. Materials shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students.

NOT DISRUPTIVE

Neither issues nor materials that have a potentially disruptive effect on the educational process shall be discussed or chosen.

CONFERENCE WITH PRINCIPAL

Teachers who suspect that materials or a given issue may be inconsistent with this policy shall confer with the Principal prior to the classroom use of the materials or discussion of the issue. If the Principal is in doubt, he shall confer with the Superintendent.

REFERENCES:

KRS 158.183

RELATED POLICIES:

08.2322

08.234

Adopted/Amended:

Order #:

Human Sexuality

Per KRS 158.1415, if a school council or, if none exists, the Principal adopts a curriculum for human sexuality or sexually transmitted diseases, instruction shall include but not be limited to the following content:

- a) Abstinence from sexual activity is the desirable goal for all school-age children;
- b) Abstinence from sexual activity is the only certain way to avoid unintended pregnancy, sexually transmitted diseases, and other associated health problems;
- c) The best way to avoid sexually transmitted diseases and other associated health problems is to establish a permanent mutually faithful monogamous relationship;
- d) A school policy to respect parental rights by ensuring that:
 - 1. Children in grade five (5) and below do not receive any instruction through curriculum or programs on human sexuality or sexually transmitted diseases; or
 - 2. Any child, regardless of grade level, enrolled in the district does not receive any instruction or presentation that has a goal or purpose of students studying or exploring gender identity, gender expression, or sexual orientation; and
- e) A school policy to notify a parent in advance and obtain the parent's written consent before the parent's child in grade six (6) or above receives any instruction through curriculum or programs on human sexuality or sexually transmitted diseases.

CURRICULUM REQUIREMENTS

Any course, curriculum, or program offered by a public school on the subject of human sexuality provided by school personnel or by third parties authorized by the school shall:

- a) Provide an alternative course, curriculum, or program without any penalty to the student's grade or standing for students whose parents have not provided written consent as required by law;
- b) Be subject to an inspection by parents of participating students that allows parents to review the following materials:
 - 1) Curriculum;
 - 2) Instructional materials;
 - 3) Lesson plans;
 - 4) Assessments or tests;
 - 5) Surveys or questionnaires;
 - 6) Assignments; and
 - 7) Instructional activities;
- c) Be developmentally appropriate; and
- d) Be limited to a curriculum that has been subject to the reasonable review and response by stakeholders in conformity with KRS 160.345.

Human Sexuality**CURRICULUM REQUIREMENTS (CONTINUED)**

A public school offering any course, curriculum, or program on the subject of human sexuality shall provide written notification to the parents of a student at least two (2) weeks prior to the student's planned participation in the course, curriculum, or program. The written notification shall:

- a) Inform the parents of the provisions of the course or curriculum;
- b) Provide the date the course, curriculum, or program is scheduled to begin;
- c) Detail the process for a parent to review the materials;
- d) Explain the process for a parent to provide written consent for the student's participation in the course, curriculum, or program; and
- e) Provide the contact information for the teacher or instructor of the course, curriculum, or program and a school administrator designated with oversight.

This shall not prohibit school personnel from:

- a) Discussing human sexuality, including the sexuality of any historic person, group, or public figure, where the discussion provides necessary context in relation to a topic of instruction from a curriculum approved pursuant to KRS 160.345; or
- b) Responding to a question from a student during class regarding human sexuality as it relates to a topic of instruction from a curriculum approved pursuant to KRS 160.345.

REFERENCES:

KRS 158.1415; KRS 160.345

RELATED POLICIES:

08.1; 08.23; 08.2322

Adopted/Amended:
Order #:

Voter Registration and Participation

Each high school shall provide twelfth (12th) grade students information on how to:

1. Register to vote;
2. Vote in an election using a ballot; and
3. Vote using an absentee ballot.

This information may be provided through classroom activities, written materials, electronic communication, Internet resources, participation in mock elections, and other methods identified by the Principal after consulting with teachers.

REFERENCES:

KRS 116.046
KRS 158.183
KRS 158.6450

Adopted/Amended:
Order #:

Summer School Approval

See procedure 08.1131 AP.2 for approval form for alternative credit options, including summer school courses.

Review/Revised:

Guidance and Mental Health Service Providers

Guidance and counseling services shall be provided for students. Counselors may perform mental health services and provide implementation and training on trauma-informed practices as addressed in law.¹

SERVICES

Services provided by the guidance program shall consist of educational counseling; career and personal counseling; testing, and other services requested by students, parents, or staff.

INDIVIDUAL LEARNING PLANS

In keeping with Kentucky Administrative Regulation, the District shall implement an advising and guidance process to support development and implementation of an Individual Learning Plan (ILP) for each student that includes career development and awareness. The ILP shall specifically address the content as provided in the Kentucky Academic Standards for career studies.

CONFIDENTIAL MATERIAL

All records and counseling information shall be kept in confidence as provided by applicable law.²

SUPERINTENDENT TO REPORT

No later than November 1, 2022, and each subsequent year, the Superintendent shall report to the Kentucky Department of Education the number of school-based mental health service providers, the position held, placement in the District, certification of licensure held, the source of funding for each position, a summary of the job duties and work undertaken by each school-based mental health service provider, and the approximate percent of time devoted to each duty over the course of the year.

REFERENCES:

¹KRS 158.4416

²KRE 506 (Kentucky Rules of Evidence); KRS 158.154; KRS 158.155; KRS 158.156
KRS 61.878; KRS 620.030

704 KAR 3:303; 704 KAR 3:305; 704 KAR Chapter 8

RELATED POLICIES:

08.113; 09.14

Adopted/Amended:
Order #:

At-Risk Students

The Superintendent/designee shall develop and implement a plan to identify and assist students at risk of academic failure, engaging in disruptive and disorderly behavior, or dropping out of school.

This plan shall address, but not be limited to:

1. Providing extended school services to address student academic deficiencies;
2. Utilizing available resources to identify appropriate strategies to use with at-risk students, including intervention services, analysis of District data, and coordination of efforts with related agencies, both within and outside the District;
3. Training of personnel and, when appropriate, parents and community members;
4. Coordinating staff efforts to identify and assist at-risk students and to focus on improving the learning environment;
5. Designing work-related programs for students who require a career and technical emphasis;
6. Encouraging parent involvement in their children's education; and
7. Developing a system of recognition and rewards for attendance and academic success.

REFERENCES:

KRS 156.488; KRS 157.072; KRS 158.440
KRS 158.810; KRS 158.812; KRS 158.814; KRS 158.816; KRS 158.818
KRS 159.040; KRS 159.150

RELATED POLICIES:

03.19
08.133; 08.14
09.123

Adopted/Amended:
Order #:

Instruction and Instructional Materials

KRS 158.196 requires each school to provide instruction and instructional materials that are aligned with the social studies academic standards and consistent with the following concepts:

1. All individuals are created equal;
2. Americans are entitled to equal protection under the law;
3. An individual deserves to be treated on the basis of the individual's character;
4. An individual, by virtue of the individual's race or sex, does not bear responsibility for actions committed by other members of the same race or sex;
5. The understanding that the institution of slavery and post-Civil War laws enforcing racial segregation and discrimination were contrary to the fundamental American promise of life, liberty, and the pursuit of happiness, as expressed in the Declaration of Independence, but that defining racial disparities solely on the legacy of this institution is destructive to the unification of our nation;
6. The future of America's success is dependent upon cooperation among all its citizens;
7. Personal agency and the understanding that, regardless of one's circumstances, an American has the ability to succeed when he or she is given sufficient opportunity and is committed to seizing that opportunity through hard work, pursuit of education, and good citizenship; and
8. The significant value of the American principles of equality, freedom, inalienable rights, respect for individual rights, liberty, and the consent of the governed.

Schools are not restricted from providing instruction or using instructional materials that include:

1. The history of an ethnic group, as described in textbooks and instructional materials adopted by the District;
2. The discussion of controversial aspects of history; or
3. The instruction and instructional materials on the historical oppression of a particular group of people.

REFERENCE:

KRS 158.196

RELATED POLICY:

08.1353

Adopted/Amended:
Order #:

Homework**STANDARDS FOR ASSIGNMENTS**

Each school shall establish standards for out-of-school assignments. These standards shall encompass amounts and types of reasonable homework assignments by grade level.

PURPOSE OF ASSIGNMENTS

Homework shall be assigned for the improvement of learning. Curriculum-related assignments shall not be used for disciplinary purposes. Assignments should have meaning for the student, should be clear and specific, and should be of an amount and type that may be accomplished in a reasonable period of time.

REFERENCES:

KRS 158.183

KRS 160.345

Adopted/Amended:

Order #:

Lesson Plans

PREPARATION

Each school shall develop standards for preparation and review of written lesson plans.

AVAILABILITY

Lesson plans shall be available for use by substitute teachers and other personnel.

REFERENCE:

KRS 160.345

Adopted/Amended:

Order #:

Promotion and Retention**CERTIFICATE AND TRANSFERS**

When a pupil in any public school completes the prescribed program of studies of the eighth grade, s/he is entitled to a certificate of completion signed by the teacher. The certificate shall entitle the pupil to admission into any public high school. Any promotions or credits earned in attendance in any approved public school are valid in any other public school. In case a pupil transfers from the school of one district to the school of another district, s/he may not be assigned to a lower grade or course until the pupil has demonstrated that s/he is not suited for the work in the grade or course to which s/he has been promoted.¹

A student who has completed the requirements established by the State Department of Education for a vocational program shall receive a vocational certificate of completion specifying the areas of competence.¹

DIPLOMAS

Upon successful completion of all state and Board requirements, the student shall receive a diploma indicating graduation from high school.¹

PROMOTION/RETENTION

Each school shall determine criteria for student progress through the school's program. The criteria shall reflect mastery of state-required capacities and be aligned with the Kentucky Summative Assessment.

A student may advance through the primary program without regard to age if the District determines that s/he has acquired the academic and social skills taught in kindergarten and that advancement would be in his/her best educational interest. Successful completion of the primary program, as determined by methods set out in Kentucky Administrative Regulations, shall be a prerequisite for a child's entrance into the fourth grade.

No student may be retained without prior consultation with the parents and approval of the Principal.

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.²

REFERENCES:

¹KRS 158.140; KRS 158.860

²P. L. 105-17

KRS 158.031; KRS 158.645; KRS 158.6451; KRS 158.6453

KRS 160.1592; KRS 160.345

OAG 82-473

RELATED POLICIES:

08.113, 08.222, 08.5, 09.121

Adopted/Amended:

Order #:

Promotion and Retention

Schools shall comply with the following promotion, retention, and placement rules and procedures:

PRIMARY SCHOOL

Continuous progress: Students progress through the primary school program at their own rate without comparison to the rate of others or consideration of the number of years in school.

Council or school policy shall determine assignment of primary school students to classes and programs within the school. Promotion from the primary program shall be in compliance with applicable administrative regulations and shall be based on established exit criteria. A school team, which includes the parent of an identified child, will consider and recommend the appropriate early or delayed exit for any student in the primary program. Such review will take place at least thirty (30) days before such decision takes effect.

NOTE: Per 704 KAR 3:440, retention and promotion within the primary school program are not compatible with continuous progress.

ALL OTHER GRADES

Promotion of a student in Grades 4-12 shall be determined by the teachers in accordance with criteria required by Policy 08.22.

In addition, promotion/retention at the high school level (Grades 9-12) shall be determined by the number of credits earned.

RETENTION (GRADE 4 THROUGH MIDDLE SCHOOL)

1. Retention may occur if the student fails to:
 - a) Make satisfactory progress in the class/subjects, based on such criteria as recorded grades/scores on tests, homework and projects and class participation points.
 - b) Progress satisfactorily on the academic expectations.
2. Parent(s) have been notified of the possibility of the student's retention by mid-year or as soon after mid-year as the teacher perceives the possibility of retention.
3. The notification has been sent by letter, signed by the teacher and the Principal. The letter shall describe the problem and request the parent(s) to meet with the Principal and the teacher.

PLACEMENT OF STUDENTS FROM NONACCREDITED SCHOOLS

The Principal, counselor, and teachers shall determine the assignment/placement of pupils enrolling from private schools or home schools in accordance with the following guidelines:

1. Information about course work and progress is requested from the school.
2. The student is enrolled on a probationary status in the grade suggested by the parent.
3. Formal and informal testing is administered in each curriculum area, as appropriate.
4. Final placement is made after an evaluation of test data, the student's physical and social maturity, and classroom performance during the probationary period.
5. Parents are informed of final placement within ☐ three (3) weeks ☐ six (6) weeks ☐ nine (9) weeks of enrollment. Final placement may be higher than, lower than, or the same as placement during the probationary period.

Promotion and Retention

PLACEMENT OF STUDENTS FROM NONACCREDITED SCHOOLS (CONTINUED)

6. In addition to the preceding guidelines, high school students will receive credits (Carnegie units) provided they meet the following criteria:
- a) Comprehensive tests are taken in each subject area in which the student participated in the school. Comprehensive tests ☐ shall be ☐ may be administered within ☐ three (3) weeks ☐ six (6) weeks ☐ nine (9) weeks of the date of enrollment. Students will not be permitted to retake comprehensive tests.
 - b) Credits are awarded in each subject area in which the student attains a minimum passing grade based on the ☐ school's ☐ District's grading scale.

RELATED PROCEDURE:

08.22 AP.21

RELATED POLICIES:

08.113

08.22

Review/Revised:

Parent-Teacher Conference Form

Date of Conference _____

Student's Name _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
Student's Address _____			
<i>City</i>	<i>State</i>	<i>ZIP Code</i>	
Student's Age _____	Date of Birth _____	Sex _____	Student's Phone Number _____
School _____	Grade _____	Homeroom/Classroom _____	

PREVIOUS NOTIFICATION(S)

- ☐ Deficiency report(s) sent and returned, specify _____
- ☐ Previous conference(s) held, specify _____
- ☐ Previous nonpromotion(s), specify _____
- ☐ Student Assistance Team/Teacher Committee, explain _____

COMMENTS

The following are important factors when nonpromotion is a possibility. Utilization of this form during the parent-teacher conference may facilitate communication and yield a comprehensive picture of the child's situation. Check applicable factors, as appropriate.

	Physical size
	Social maturity
	Motivational maturity
	Standardized Group Tests (Academic Expectations)/Teacher-Made Tests
	Individual test results (where applicable)
	Present level of academic performance
	Language competency
	Individualized Education Program (where applicable)
	Attendance
	Transiency

Additional Comments _____

Parent's response to possibility of student's retention _____

Parent's suggestions _____

Review/Revised:

Student Assistance Team/Teacher Committee Worksheet

Student's Name _____			
<i>Last Name</i>		<i>First Name</i>	<i>Middle Initial</i>
Student's Address _____			
<i>City</i>		<i>State</i>	<i>ZIP Code</i>
Student's Age _____	Date of Birth _____	Sex _____	Student's Phone Number _____
School _____	Grade _____	Homeroom/Classroom _____	

DIRECTIONS

This form is a worksheet to be completed by the Student Assistance Team/Teacher Committee and shared with the parent during the parent-teacher conference, as appropriate.

Referring Teacher _____ Date _____

☐ INITIAL RECOMMENDATION OF STUDENT ASSISTANCE TEAM/TEACHER COMMITTEE:

I acknowledge receipt of the above information _____
Parent/Guardian's Signature *Date*

Because the parent(s) was unable to attend the conference, the above information was mailed to the parent on _____.
Date

☐ FINAL RECOMMENDATION OF STUDENT ASSISTANCE TEAM/TEACHER COMMITTEE:

I acknowledge receipt of the above information _____
Parent/Guardian's Signature *Date*

Because the parent(s) was unable to attend the conference, the above information was mailed to the parent on _____.
Date

Review/Revised:

Assessment**CONTINUOUS ASSESSMENT**

The Superintendent shall recommend and the Board shall adopt and implement a continuous assessment program in accordance with applicable statutes and regulations. If utilized, formative or interim assessments of students shall be administered so as to minimize any reduction in instructional time.

NOTICES

The District shall make widely available through public means for each grade served by the District, information on each assessment required by the state to comply with Every Student Succeeds Act of 2015 (ESSA), other state required assessments, and if information is available and feasible to report, District-wide required assessments. In posting this notice, the District shall provide the information designated by federal law.

If the school receives Title I funds, the District shall notify parents of students attending the school at the beginning of each school year that they may request the District to provide information regarding any State or District policy regarding student participation in any assessments mandated by ESSA and by the State or District. In complying with such requests, the District shall provide the information designated by federal law.

When such information is available and applicable, schools that receive Title I funds shall provide information on the level of achievement and academic growth of the student on each required state academic assessment to the parent of any student attending the school.

REFERENCES:

KRS 158.645; KRS 158.6451; KRS 158.6453; KRS 158.6459
KRS 158.860; KRS 161.795
16 KAR 1:020; 703 KAR 5:010; 703 KAR 5:270
P. L. 114-95 (Every Student Succeeds Act of 2015)

RELATED POLICIES:

02.441; 08.1213; 08.131; 08.13451; 08.221
09.126 (re requirements/exceptions for students from military families)
09.2; 09.21

Adopted/Amended:
Order #:

ESSA Assessment Notification**ANNUAL NOTIFICATION - OPTION TO REQUEST ASSESSMENT INFORMATION**

TO: _____ <i>Parent's Name</i>
FROM: _____ <i>School Name</i>
REGARDING: _____ <i>Student's Name</i>
DATE: _____ GRADE: _____

Dear Parent/Guardian,

Because our District receives federal funds for Title I programs as a part of the Every Student Succeeds Act (ESSA), you may request information addressing any State or District policy regarding student participation in any assessments mandated by ESSA, by the State or District. If you would like to request this information, please contact _____ by phone at _____ or by e-mail at _____.

Sincerely, _____
Principal/designee

Review/Revised:

“Harmful to Minors” Complaint Resolution Process**“HARMFUL TO MINORS”**

Per KRS 158.192 “harmful to minors” means materials, programs, or events that:

- a) Contain the exposure, in an obscene manner, of the unclothed or apparently unclothed human male or female genitals, pubic area, or buttocks or the female breast, or visual depictions of sexual acts or simulations of sexual acts, or explicit written descriptions of sexual acts;
- b) Taken as a whole, appeal to the prurient interest in sex; or
- c) Is patently offensive to prevailing standards regarding what is suitable for minors.

COMPLAINT RESOLUTION PROCESS

This complaint resolution policy shall be used to address complaints submitted by parents or guardians alleging that material, a program, or an event that is harmful to minors has been provided or is currently available to a student enrolled in the District who is the child of the parent or guardian.

The complaint resolution process shall require that:

- a) Complaints be submitted in writing to the Principal of the school where the student is enrolled;
- b) Complaints provide the name of the complainant, a reasonably detailed description of the material, program, or event that is alleged to be harmful to minors, and how the material, program, or event is believed to be harmful to minors.

The appeal process is outlined in 08.23 AP.21/Complaint Resolution Process.

Complaints regarding other issues shall be submitted pursuant to other appropriate policies including but not limited to: Grievances; Harassment/Discrimination; Title IX Sexual Harassment; Review of Instructional Materials; and Citizen Suggestions and Complaints.

REFERENCES:

KRS 158.192

Board of Educ., *Island Trees v. Pico*, 102 S.Ct. 2799 (1982)

RELATED POLICIES:

03.16; 03.162; 03.1621; 03.26; 03.262; 03.2621

08.2322; 09.4281; 09.42811; 09.428111; 10.2

Adopted/Amended:

Order #:

“Harmful to Minors” Complaint Resolution Process

This parent or guardian complaint must be submitted in writing to the Principal of the school where the student is enrolled alleging that material, a program, or an event that is “harmful to minors” has been provided or is currently available to the child of the parent or guardian.

“Harmful to minors” is defined in KRS 158.192 and Policy 08.23.

COMPLAINANT (PARENT OR GUARDIAN)

Complainant Name _____ Date _____

Home Address _____ Phone _____

Student Name(s) _____

Home Address _____ Phone _____

School _____ Grade Level _____

COMPLAINT(S)

A reasonably detailed description of the material, program, or event that is alleged to be “harmful to minors,” and how the material, program, or event is believed to be “harmful to minors.” (Use additional sheet if necessary.)

Complainant’s Signature

Date

LEVEL ONE: SCHOOL PRINCIPAL NAME: _____

Within seven (7) business days of receiving a written complaint, the Principal shall review the complaint and take reasonable steps to investigate the allegations in the complaint, including but not limited to reviewing the material, program, or event that is alleged to be “harmful to minors;”

Per **KRS 158.192**, the Principal shall determine whether:

- The material, program, or event that is the subject of the complaint is “harmful to minors;”
- Student access to material that is the subject of the complaint shall remain, be restricted, or be removed;
- A program or event that is the subject of the complaint shall be eligible for future participation by students in the school.
- Within ten (10) business days of receiving the complaint, unless another schedule is mutually agreed to by the parent or guardian and the Principal, the Principal shall confer with the parent or guardian and inform him or her whether the material, program, or event that is the subject of the complaint was determined to be “harmful to minors” and what the resolution will be.

“Harmful to Minors” Complaint Resolution Process**PRINCIPAL’S DETERMINATION** (USE ADDITIONAL SHEET IF NECESSARY.)

Principal’s Signature_____
Date

A parent or guardian not having filed the appeal may request in writing access to the appealed materials, programs, or events for review and shall abide by the school's and District's policies and procedures when requesting and reviewing such information.

=====

LEVEL TWO: APPEAL OF THE PRINCIPAL’S DETERMINATION TO THE BOARD

Complainant Name: _____

Date appeal received at this level: _____

The parent or guardian shall make any appeal within ten (10) days. The appeal shall:

- Be subject to full administrative and substantive review by Board and shall not be delegated;
- Include an opportunity for the parent or guardian to provide input during public comment at a Board meeting;
- Be completed within thirty (30) calendar days of receiving the written appeal unless another time frame is mutually agreed upon by the parent or guardian and the Board; and
- Be discussed and voted on during a meeting of the Board subject to the open records and open meeting requirements under KRS Chapter 61.

LEVEL TWO: APPEAL OF THE PRINCIPAL’S DETERMINATION TO THE BOARD (CONTINUED)

(USE ADDITIONAL SHEET IF NECESSARY.)

Complainant’s Signature_____
Date

“Harmful to Minors” Complaint Resolution Process**LEVEL TWO: APPEAL OF THE PRINCIPAL’S DETERMINATION TO THE BOARD (CONTINUED)**
(USE ADDITIONAL SHEET IF NECESSARY.)

The Board's final disposition of the appeal shall be made in writing and shall state whether the material, program, or event was determined to be “harmful to minors” and whether student access to the material will remain, be restricted, or be removed and whether the program or event shall be eligible for future participation by students in the school.

Within fifteen (15) business days from the date of a final disposition, the title of the material or a description of the program or event submitted for appeal, whether the material, program, or event was determined to be “harmful to minors,” whether student access to the material will remain, be restricted, or be removed or whether the program or event shall be eligible for future participation by students in the school, and the vote cast by each individual Board member shall:

- Be published on the website of the Board where it shall remain available for review; and
- Be published in the newspaper with the largest circulation in the county.

BOARD’S FINAL DISPOSITION (USE ADDITIONAL SHEET IF NECESSARY.)

Board Member Name: _____ Vote: _____

Board Member Name: _____ Vote: _____

Board Member Name: _____ Vote: _____

Board Member Name: _____ Vote: _____

Board Member Name: _____ Vote: _____

Board Chair’s Signature Date

Review/Revised:

Instructional Resources**SURVEY**

Schools not having SBDM school councils shall survey teachers to determine their needs for instructional resources. The results of the survey shall be used to establish priorities for purchase.

ALLOCATION METHOD

Within budgetary limits, schools or school councils shall establish an equitable method of allocating funds to purchase instructional resources.

FINANCIAL REPORT

A financial report on allocations to and expenditures for instructional resources shall be prepared annually by the Board and shall be a public record.

Each school may carry forward to the next fiscal year any part of the instructional resource allocation distributed to the school that has not been spent or committed in the current fiscal year.

INSTRUCTIONAL RESOURCE FUND

Schools with any grade from P-8 may purchase instructional resources using State funds in accordance with 704 KAR 3:455.

Each school allocated instructional resource funds shall complete an annual plan to identify purchases following guidelines of the Kentucky Board of Education.

The annual plan shall be approved by the Board and by the School Council in SBDM schools.

All plans shall be approved by the local Board as to sufficiency of funding to support the requested purchases.

Any purchase exceeding the funds allocated shall be paid from other Council funds in SBDM schools.

FEES

If the Board authorizes charging rental fees for students in grades nine through twelve (9-12), the Board shall establish those fees annually.

Instructional resources shall be made available to all students. No student shall be denied full participation in any educational program due to an inability to pay for, or rent, all necessary instructional resources.¹

Fee waivers shall be provided as required by applicable statutes and regulations.²

RESPONSIBILITY

Students or parents shall compensate the District for instructional resources that are lost, damaged, or destroyed while in the student's possession.

Instructional Resources**SECTARIAN TEXTS**

No book or other publication of a sectarian, infidel, or immoral character or one that reflects on any religious denomination shall be used or distributed in any school.³

This does not prevent a teacher, consistent with his or her assigned duties, from using or distributing books or other publications that reflect any religious denomination to teach the secular study of religion as permitted by the Constitutions of the United States of America or the Commonwealth of Kentucky.

REFERENCES:

¹KRS 158.108

²KRS 160.330; 702 KAR 3:220

³KRS 158.190

KRS 156.162

KRS 156.433

KRS 156.439

KRS 157.110

KRS 158.188

702 KAR 3:246

704 KAR 3:455

RELATED POLICIES:

02.4242

04.32

09.15

Adopted/Amended:
Order #:

Instructional Resource Procedures

District personnel shall comply with requirements established in Kentucky Administrative Regulations and other documents and forms prepared and distributed by the Kentucky Department of Education.

For waiver of student fees for students who qualify, see Procedure 09.15 AP.21.

RELATED PROCEDURES:

04.7 AP.2 (inventory form)

09.15 AP.21

Review/Revised:

Waiver Application for Instructional Resource Rental**APPLICATION FOR ASSISTANCE WITH INSTRUCTIONAL RESOURCE PAYMENTS ONLY**

Kentucky School Law (KRS 157.110) permits parents of students who qualify for free/reduced-price lunch to apply for assistance with instructional resource rentals.

I wish to apply for assistance with rental fees for _____
Student's Name

I have completed a Free/Reduced Lunch application form. YES ☐ NO ☐

OR

I have completed a Household Income Form (HIF). YES ☐ NO ☐

INSTRUCTIONAL RESOURCE	PERIOD	TEXTBOOK/CLASS	AMOUNT DUE

TOTAL _____

Parent's Signature

Date

Review/Revised:

Rental/Late Payment Application Form

Students in Grades 9-12 shall rent instructional resources, based on a fee schedule adopted by the Board. Because teaching supplies have been ordered based on projected enrollment; we must collect fees as soon as possible. In order to demonstrate to the auditor that we can account for all monies, we must have a receipt for payment or a signed statement from a parent indicating when the fees will be paid.

I wish to pay the following fees for _____ late.
Student's Name

Homeroom Teacher _____

Division _____

INSTRUCTIONAL RESOURCES	PERIOD	TEXTBOOK/CLASS	Amount Due	Paid	Not Paid

TOTAL _____

Parent's Signature

Date

Review/Revised:

Copyrighted Materials

The use of copyrighted material for educational purposes, by school personnel, shall be within the generally accepted uses delineated by applicable law. The Superintendent shall develop procedures for informing appropriate personnel of the fair use of copyrighted material for educational purposes.

ELECTRONIC MATERIALS

All employees shall use electronic materials only in accordance with the license agreement under which the electronic materials were purchased or otherwise procured. Electronic materials are defined as computer software, databases, video tapes, compact and laser disks, electronic textbooks or any other copyrighted material distributed in electronic form.

Any duplication of copyrighted electronic materials, except for backup and archival purposes, is a violation of the law, unless the license agreement explicitly grants duplication rights. The archival copy is not to be used on a second computer at the same time the original is in use. In addition, illegal copies of copyrighted software shall not be used on Board equipment.

Through appropriate professional development activities, the technology coordinator shall inform all employees of their compliance responsibilities with electronic materials licensing agreements and of the penalties for violating these agreements.

The Superintendent or designee shall sign all District software license agreements. Each school using licensed software shall have on file a copy of the executed agreement, the original disk or the original documentation.

REFERENCES:

Kentucky Educational Technology System (KETS)
17 U.S.C. §106, 107, 110

RELATED POLICY:

08.2323

Adopted/Amended:
Order #:

Copyrighted Materials/Notice of Use**RESPONSIBILITY TO INFORM**

The Principal/designee shall inform school personnel of the following procedures regarding the duplication of copyrighted materials:

1. Material including, but not limited to, the following may be subject to copyright protection:
 - a) Musical
 - b) Dramatic
 - c) Literary (including workbooks, tests, etc.)
 - d) Pictorial
 - e) Sound recordings
 - f) Audiovisual works
 - g) Computer software
 - h) Architectural works
 - i) Choreographic works
2. Copyrighted materials that are copied shall not be used for profit.
3. The teacher may make a single copy of copyrighted material in preparation for class.
4. Except for computer software, the "Fair Use" allowance permits limited reproduction and use of copyrighted materials for classroom use.
5. Except for computer software, if the teacher needs multiple copies, the number shall not exceed one (1) copy per student.
6. In the case of computer software, a single copy may be made to be used only for "back-up" or archival purposes.

DIGITAL TECHNOLOGY/DISTANCE LEARNING

The District may use instructional transmissions as part of any distance learning classes, provided use complies with guidelines set forth in federal regulations and the following criteria are met:

1. The performance and/or display is a regular part of instruction; and
2. Technical measures are utilized to reasonably prevent keeping material beyond the class session and distributing it.

Review/Revised:

Review of Instructional Materials

A review of instructional materials on the basis of citizen concerns shall be conducted in response to a properly filed written request under procedures developed by the Superintendent. These procedures for review shall include consideration of the written concerns regarding instructional materials. Instructional materials shall include textbooks, supplementary materials, and library books. Forms for such requests may be obtained from the school and will be made available to any resident of the school district at the Superintendent's office. The request shall include a written reason for objection and a statement of the desired action regarding the material under consideration.

Employees receiving a written request for review of instructional materials shall notify the Principal of the complaint, who shall then notify the Superintendent. The Superintendent shall notify the Board of all complaints filed.

REFERENCES:

KRS 158.183

KRS 160.345

Board of Educ., *Island Trees v. Pico*, 102 S.Ct. 2799 (1982)

RELATED POLICIES:

02.42411; 08.1

Adopted/Amended:

Order #:

Review of Challenged Instructional Materials

REQUEST FOR REVIEW

The review of instructional materials, including textbooks, supplementary materials, library books, audiovisual media, class content, and technology on the basis of citizen concerns will be conducted in response to a properly filed request. Forms for such requests will be made available to any resident of the District at the Principal's Office. The request shall include a statement of reason for objection and a statement of desired action regarding the material.

In the event of a citizen complaint regarding instructional materials, freedom of information and professional responsibility shall be the guiding principles. The use of challenged material may be restricted until final disposition has been made. However, individuals may be assigned other materials in lieu of those being challenged.

REVIEW COMMITTEE

The Superintendent/designee shall establish a Review Committee, composed of the Principal, professional librarian(s), two (2) staff members as designated by the Principal and whose subject area is affected, and two (2) parents. All committee members shall represent the school receiving the complaint.

The following steps shall be taken by the Review Committee:

1. Review the specific written complaint.
2. Read and/or examine the materials in question.
3. Determine general acceptance of the challenged materials in the community, other school systems and professional media.
4. Discuss the complaint and merit of the challenged material; make a value judgment based on the materials as a whole, and not on parts taken out of context.
5. Determine the merit of potential alternative instructional materials.
6. Prepare a recommendation for disposition of the complaint.
7. File a written decision with the Principal and/or school council, as appropriate, and send a copy to the Superintendent/designee.

The Principal shall inform the complainant in writing of the decision within ten (10) school days after receipt of the completed form.

APPEAL

Within ten (10) school days after the complainant has been informed of the committee's decision, the complainant may appeal the decision, in writing, to the Superintendent/designee.

Upon receipt of the appeal, the Superintendent/designee will review the challenged material and the decision of the Review Committee and, within ten (10) school days, notify the complainant and Principal of his/her determination.

Within ten (10) school days after the complainant has been informed of the decision of the Superintendent/designee, the complainant may appeal the decision, in writing, to the Board.

The Board will consider the appeal at the next scheduled meeting and so notify the complainant of its final decision regarding the challenged material.

Review/Revised:

Request for Reconsideration of Instructional/Library Materials

SCHOOL _____ TEACHER _____

Please indicate the format of the material (book, DVD, magazine, CD, etc.):

TITLE _____

AUTHOR _____

PUBLISHER/PRODUCER _____

Request initiated by _____

Telephone _____ Street Address _____

City _____ State _____ ZIP Code _____

Complainant represents ☐ himself ☐ herself ☐ organization, specify _____Please answer the following questions after you have read, viewed, or listened to the school instructional/library material in its entirety.

1. Have you read, viewed, or listened to the material in its entirety? ☐ YES ☐ NO
2. Have you discussed this work with the teacher/librarian who assigned/ordered it? ☐ YES ☐ NO
3. What do you find objectionable in the material? (Please be specific, cite page(s), scenes, etc.)

4. What do you believe is the theme or purpose of this material? _____

5. What do you feel might be the result of a student's using this material? _____

6. For what age group would you recommend this material? _____

7. Is there anything good in this material? Please comment. _____

8. Would you care to recommend other school library material of the same subject and format as a replacement?

9. What action do you desire school personnel to take as a result of this written request for reconsideration?

If sufficient space is not provided, attach additional sheets. Please sign your name to each additional attachment.

Complainant's Signature

*Date***PLEASE RETURN COMPLETED FORM TO THE SCHOOL PRINCIPAL.**

Review/Revised:

Reconsideration Decision

(Date)

Dear _____:

The Review Committee has reviewed your request to reconsider
_____. We have decided to:

- ☐ Retain
- ☐ Replace
- ☐ Reassign (alternative)
- ☐ Other, as specified _____.

You must contact me within ten (10) days of the date of this letter if you wish to appeal this decision to the Superintendent.

Thank you for your interest in the District's schools and the instructional materials used.

Sincerely yours,

Principal/designee's Signature

School

Review/Revised:

Access to Electronic Media

(Acceptable Use Policy)

The Board supports reasonable access to various information formats for students, employees and the community and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner as required by this policy and related procedures, which apply to all parties who use District technology.

SAFETY PROCEDURES AND GUIDELINES

The Superintendent shall develop and implement appropriate procedures to provide guidance for access to electronic media. Guidelines shall address teacher supervision of student computer use, ethical use of electronic media (including, but not limited to, the Internet, e-mail, and other District technological resources), and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit utilization of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data.

Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Internet safety measures, which shall apply to all District-owned devices with Internet access or personal devices that are permitted to access the District's network, shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet and World Wide Web;
- Safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
- Preventing unauthorized access, including "hacking" and other unlawful activities by minors online;
- Unauthorized disclosure, use and dissemination of personal information regarding minors; and
- Restricting minors' access to materials harmful to them.

A technology protection measure may be disabled by the Board's designee during use by an adult to enable access for bona fide research or other lawful purpose.

The District shall provide reasonable public notice of, and at least one (1) public hearing or meeting to address and communicate its initial Internet safety measures.

Specific expectations for appropriate Internet use shall be reflected in the District's code of acceptable behavior and discipline including appropriate orientation for staff and students.

PERMISSION/AGREEMENT FORM

A written parental request shall be required prior to the student being granted independent access to electronic media involving District technological resources.

Access to Electronic Media

(Acceptable Use Policy)

PERMISSION/AGREEMENT FORM (CONTINUED)

The required permission/agreement form, which shall specify acceptable uses, rules of on-line behavior, access privileges, and penalties for policy/procedural violations, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Superintendent with a written request.

EMPLOYEE USE

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. (Authorization is not required each time the electronic media is accessed in performance of one's duties.) Each employee is responsible for the security of his/her own password.

Employees are encouraged to use electronic mail and other District technology resources to promote student learning and communication with the home and education-related entities. If those resources are used, they shall be used for purposes directly related to work-related activities.

Technology-based materials, activities and communication tools shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students with whom they are used.

District employees and activity sponsors may set up blogs and other social networking accounts using District resources and following District guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction.

Networking, communication and other options offering instructional benefits may be used for the purpose of supplementing classroom instruction and to promote communications with students and parents concerning school-related activities.

In order for District employees and activity sponsors to utilize a social networking site for instructional, administrative or other work-related communication purposes, they shall comply with the following:

1. They shall request prior permission from the Superintendent/designee.
2. If permission is granted, staff members will set up the site following any District guidelines developed by the Superintendent's designee.
3. Guidelines may specify whether access to the site must be given to school/District technology staff.
4. If written parental consent is not otherwise granted through AUP forms provided by the District, staff shall notify parents of the site and obtain written permission for students to become "friends" prior to the students being granted access. This permission shall be kept on file at the school as determined by the Principal.

Access to Electronic Media

(Acceptable Use Policy)

EMPLOYEE USE (CONTINUED)

5. Once the site has been created, the sponsoring staff member is responsible for the following:
 - a. Monitoring and managing the site to promote safe and acceptable use; and
 - b. Observing confidentiality restrictions concerning release of student information under state and federal law.

Staff members are discouraged from creating personal social networking sites to which they invite students to be friends. Employees taking such action do so at their own risk.

All employees shall be subject to disciplinary action if their conduct relating to use of technology or online resources violates this policy or other applicable policy, statutory or regulatory provisions governing employee conduct. The Professional Code of Ethics for Kentucky School Certified Personnel requires certified staff to protect the health, safety, and emotional well-being of students and confidentiality of student information. Conduct in violation of this Code, including, but not limited to, such conduct relating to the use of technology or online resources, must be reported to Education Professional Standards Board (EPSB) as required by law and may form the basis for disciplinary action up to and including termination.

COMMUNITY USE

On recommendation of the Superintendent/designee, the Board shall determine when and which computer equipment, software, and information access systems will be available to the community.

Upon request to the Principal/designee, community members may have access to the Internet and other electronic information sources and programs available through the District's technology system, provided they attend any required training and abide by the rules of usage established by the Superintendent/designee.

DISREGARD OF RULES

Individuals who refuse to sign required acceptable use documents or who violate District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, or other computing and telecommunications technologies.

Employees and students shall be subject to disciplinary action, up to and including termination (employees) and expulsion (students) for violating this policy and acceptable use rules and regulations established by the school or District.

RESPONSIBILITY FOR DAMAGES

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care. Students or staff members who deface a District web site or otherwise make unauthorized changes to a web site shall be subject to disciplinary action, up to and including expulsion and termination, as appropriate.

Access to Electronic Media

(Acceptable Use Policy)

RESPONDING TO CONCERNS

School officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

AUDIT OF USE

Users with network access shall not utilize District resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system.

The Superintendent/designee shall establish a process to determine whether the District's education technology is being used for purposes prohibited by law or for accessing sexually explicit materials. The process shall include, but not be limited to:

1. Utilizing technology that meets requirements of Kentucky Administrative Regulations and that blocks or filters internet access for both minors and adults to certain visual depictions that are obscene, child pornography, or, with respect to computers with Internet access by minors, harmful to minors;
2. Maintaining and securing a usage log; and
3. Monitoring online activities of minors.

RETENTION OF RECORDS FOR E-RATE PARTICIPANTS

Following initial adoption, this policy and documentation of implementation shall be retained for at least ten (10) years after the last day of service in a particular funding year.

REFERENCES:

KRS 156.675; KRS 365.732; KRS 365.734
701 KAR 5:120
16 KAR 1:020 (Code of Ethics)
47 U.S.C. 254/Children's Internet Protection Act; 47 C.F.R. 54.520
Kentucky Education Technology System (KETS)
47 C.F.R. 54.516
15-ORD-190

RELATED POLICIES:

03.13214/03.23214
03.1325/03.2325
03.17/03.27
08.1353; 08.2322
09.14; 09.421; 09.422; 09.425; 09.426; 09.4261
10.5

Adopted/Amended:
Order #:

Access to Electronic Media

ELECTRONIC MAIL/INTERNET

The District offers students, staff, and members of the community access to the District's computer network for electronic mail and Internet. Because access to the Internet may expose users to items that are illegal, defamatory, inaccurate, or offensive, we require all students under the age of eighteen (18) to submit a completed Parent Permission/User Agreement Form to the Principal/designee prior to access/use. All other users will be required to complete and submit a User Agreement Form.

Except in cases involving students who are at least eighteen (18) years of age and have no legal guardian, parents/guardians may request that the school/District:

- Provide access so that the parent may examine the contents of their child(ren)'s email files;
- Terminate their child(ren)'s individual email account and/or Internet access; and
- Provide alternative activities for their child(ren) that do not require Internet access.

In addition, parents wanting to challenge information accessed via the District's technology resources should refer to Policy 08.2322/Review of Instructional Materials and any related procedures.

GENERAL STANDARDS FOR USERS

Standards for users shall be included in the District's handbooks or other documents, which shall include specific guidelines for student, staff, and community member access to and use of electronic resources.

Access is a privilege—not a right. Users are responsible for good behavior on school computer networks. Independent access to network service is given to individuals who agree to act in a responsible manner. Users are required to comply with District standards and to honor the access/usage agreements they have signed. Beyond clarification of user standards, the District is not responsible for restricting, monitoring, or controlling the communications of individuals utilizing the network independently.

The network is provided for users to conduct research and to communicate with others. Within reason, freedom of speech and access to information will be honored. During school hours, teachers of younger children will guide their students to appropriate materials. Outside of school, families bear the same responsibility for such guidance as they exercise with information sources such as television, telephones, movies, radio, and other media that may carry/broadcast information.

NO PRIVACY GUARANTEE

The Superintendent/designee has the right to access information stored in any user directory, on the current user screen, or in electronic mail. S/he may review files and communications to maintain system integrity and insure that individuals are using the system responsibly. Users should not expect files stored on District servers or on District provided or sponsored technology services, to be private.

Access to Electronic Media**RULES AND REGULATIONS**

Violations of the Acceptable Use Policy include, but are not limited to, the following:

1. Violating State and Federal legal requirements addressing student and employee rights to privacy, including unauthorized disclosure, use and dissemination of personal information.
2. Sending or displaying offensive messages or pictures, including those that involve:
 - Profanity or obscenity; or
 - Harassing or intimidating communications.
3. Damaging computer systems, computer networks, or school/District websites.
4. Violating copyright laws, including illegal copying of commercial software and/or other protected material.
5. Using another user's password, "hacking" or gaining unauthorized access to computers or computer systems, or attempting to gain such unauthorized access.
6. Trespassing in another user's folder, work, or files.
7. Intentionally wasting limited resources, including downloading of freeware or shareware programs.
8. Using the network for commercial purposes, financial gain or any illegal activity.
9. Using technology resources to bully, threaten or attack a staff member or student or to access and/or set up unauthorized blogs and online journals, including, but not limited to MySpace.com, Facebook.com or Xanga.com.

Additional rules and regulations may be found in District handbooks and/or other documents. Violations of these rules and regulations may result in loss of access/usage as well as other disciplinary or legal action.

RELATED POLICIES AND PROCEDURES:

08.2322
09.14

Review/Revised:

Electronic Access/User Agreement Form

User's Name _____			
<i>Last Name</i>		<i>First Name</i>	
		<i>Middle Initial</i>	
User's Address _____			
<i>City</i>		<i>State</i>	<i>Zip Code</i>
User's Age ____	Date of Birth _____	Sex ____	Phone Number _____
School _____			
If applicable, User's Grade _____		Homeroom/Classroom _____	

Please check if you are a ☐ student ☐ certified employee ☐ classified employee ☐ member of the community.

As a user of the _____ District's computer network, I hereby agree to

District Name

comply with the District's Internet and electronic mail rules and to communicate over the network in a responsible manner while abiding by all relevant laws and restrictions. I further understand that violation of the regulations is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked and school disciplinary action and/or legal action may be taken.

User's Name (Please print) _____

User's Signature

Date

PRIOR TO THE STUDENT'S BEING GRANTED INDEPENDENT ACCESS PRIVILEGES, THE FOLLOWING SECTION MUST BE COMPLETED FOR STUDENTS UNDER 18 YEARS OF AGE:

As the parent or legal guardian of the student (under 18) signing above, I grant permission for my child to access networked computer services such as electronic mail and the Internet. I understand that this access is designed for educational purposes; however, I also recognize that some materials on the Internet may be objectionable, and I accept responsibility for guidance of Internet use by setting and conveying standards for my child to follow when selecting, sharing, researching, or exploring electronic information and media.

CONSENT FOR USE

By signing this form, you hereby accept and agree that your child's rights to use the electronic resources provided by the District and/or the Kentucky Department of Education (KDE) are subject to the terms and conditions set forth in District policy/procedure. Please also be advised that data stored in relation to such services is managed by the District pursuant to policy 08.2323 and accompanying procedures. You also understand that the e-mail address provided to your child can also be used to access other electronic services or technologies that may or may not be sponsored by the District, which provide features such as online storage, online communications and collaborations, and instant messaging. Use of those services is subject to either standard consumer terms of use or a standard consent model. Data stored in those systems, where applicable, may be managed pursuant to the agreement between KDE and designated service providers or between the end user and the service provider. Before your child can use online services, he/she must accept the service agreement and, in certain cases, obtain your consent.

Name of Parent/Guardian (Please print) _____

Signature of Parent/Guardian

Date

Daytime Phone Number: _____ Evening Phone Number: _____

**NOTE: FEDERAL LAW REQUIRES THE DISTRICT TO MONITOR
ONLINE ACTIVITIES OF MINORS.**

Review/Revised:

Application for Remote User Account

PLEASE PRINT WHEN COMPLETING THE FOLLOWING APPLICATION.

PERSONAL INFORMATION

First name _____ Middle Initial _____ Last Name _____

Work Address _____

Number and Street

City, State and ZIP Code

Home Address _____

Number and Street

City, State and ZIP Code

Daytime Phone Number _____ Evening Phone Number _____

Check one of the following: ☐ Staff Member ☐ Community Member

COMPUTER INFORMATION

Brand _____

Model _____

RAM Memory _____

Hard Disk Drive (size) _____

Modem Speed _____

DISTRICT RESPONSIBILITIES

The District does not provide commercial software programs for use at home. It is the responsibility of the user to legally acquire the necessary software for remote network or Internet access. A list of appropriate software programs and sources will be provided with each account.

While the technical staff in the District will make every effort to assist private citizens in their efforts to access the District's electronic resources, their primary responsibility is the students and teachers of the District. A list of KETS approved workstations and minimum workstation configuration will be provided with each account.

Review/Revised:

Individual Learning Plan Web Release

I am the parent or guardian of _____, a student under the age of eighteen (18) who is enrolled in grades six through twelve (6-12) in the _____ school district. I hereby authorize the District to enable a feature of web based Individual Learning Plan ("ILP") software, which will permit my student to invite third parties to have access to his/her ILP information or portions of such information via the web (internet). The purpose of this feature is to help my student with career and college plans by permitting him/her to share ILP information with persons or organizations such as college admissions officers, organizations offering scholarships, and potential employers. However, I understand this feature could permit my student to release ILP information to other third parties. I agree that the District, its employees, and agents shall not be responsible, nor shall they incur any liability for any disclosure made by the student using this software feature. The Family Educational Rights and Privacy Act (FERPA) and similar state statutes (KFERPA) generally require parents to consent before the educational records relating to their student(s) are disclosed to third parties.

I understand that the above software feature is not itself a disclosure of education records, but it will enable my student to disclose confidential educational records information. I specifically authorize and give my consent to the disclosure of ILP educational records information to third parties by my student through the use of the software feature as described above.

I understand that once this signed form is returned to the school, it will stay in effect as long as my child is enrolled in the District (unless I or my child on turning 18 requests a change).

I also understand that the sharing feature will not be enabled for my child unless this completed form is returned to the school.

Signature of Parent/Guardian

Date

PLEASE COMPLETE AND RETURN THIS FORM TO YOUR CHILD'S SCHOOL BY _____ (DATE).

Review/Revised:

Library Media Centers

The Board shall establish, maintain and staff a library media center in every school in keeping with statutory requirements.

SELECTION OF MEDIA MATERIALS AND EQUIPMENT

In schools with SBDM school councils, the council shall consult with the school media librarian on the maintenance of the school library media center, including purchase of instructional materials, information technology, and equipment. In schools without SBDM school councils, the librarian and media personnel shall be responsible for coordinating the selection and recommending to the Principal for the purchase of materials and equipment based on the existing collection, the curriculum, and the needs of the school.

GIFTS

Gifts to the library shall be reviewed by and accepted or rejected at the discretion of the librarian, subject to review by the Principal.

REVIEW

The librarian shall inventory and review the collection at least every two (2) years for wear and obsolescence and, with the approval of the Principal, dispose of materials which are no longer suitable for use for these reasons.

REFERENCES:

KRS 158.102

KRS 160.345

Adopted/Amended:

Order #:

Previewing Materials

All materials presented for student use or viewing shall be reviewed by the teacher before use.

Exceptions shall be current events programs and programs provided by Kentucky Educational Television.

Adopted/Amended:

Order #:

School Calendar

CALENDAR COMMITTEE

The Board, upon recommendation of the Superintendent, shall annually appoint a District Calendar Committee to review, develop, and recommend school calendar options.

The District Calendar Committee shall consist of at least the following:

1. One (1) District Principal;
2. One (1) District office administrator other than the Superintendent;
3. One (1) local Board member;
4. Two (2) parents of students attending a school in the District;
5. One (1) District elementary teacher;
6. One (1) District middle or high teacher;
7. Two (2) District classified employees; and
8. Two (2) community members from the local chamber of commerce, business community, or tourism commission.

DEVELOPMENT OF CALENDAR

The District Calendar Committee, after seeking feedback from District employees, parents, and community members, shall recommend school calendar options to the Superintendent for presentation to the Board. The committee's recommendations shall comply with state laws and regulations and consider the economic impact of the school calendar on the community and the state.

In order to act on the school calendar, the Board must hold two (2) meetings: 1) one that includes hearing and discussing recommendations from the Superintendent and the calendar committee and 2) a subsequent meeting that includes adoption of the calendar.

The meetings may be regular or special.

In the case of special meetings, the requirements of KRS 61.823 and Board Policy 01.44 apply, including describing in the applicable special meeting notice(s) and agenda(s) consideration and discussion of the recommendations of the Superintendent and the calendar committee (regarding an initial special meeting dealing with the school calendar) or adoption of the school calendar (regarding a subsequent special meeting that includes adoption of the calendar).

In the case of an initial regular meeting that includes the required recommendations/discussion or a subsequent regular meeting that includes adoption of the school calendar, notice shall be given to media outlets that have requests on file to be notified of special meetings stating the date of the regular meeting and that one (1) of the items to be considered in the regular meeting will be the school calendar. The notice shall be sent at least twenty-four (24) hours before any such regular meeting. This additional and unique regular meeting notice requirement does not make any of the requirements or limitations relating to special meetings applicable to the regular meeting.

School Calendar**DEVELOPMENT OF CALENDAR (CONTINUED)**

On or before May 15, the Board, in a meeting subsequent to the meeting in which the Board heard the recommendations of the District Calendar Committee and the Superintendent, shall adopt a school calendar prior to each upcoming school year that establishes or includes:

1. Opening and closing dates of the school term,
2. Beginning and ending dates of each school month,
3. Days on which students are scheduled to receive instruction at school within designated start and dismissal times (student attendance days) and the length of each student attendance day in accordance with KRS 158.060,
4. A minimum school term of not less than one hundred eight-five (185) days composed of student attendance days, teacher professional days, and holidays,
5. A student instructional year of at least one thousand sixty-two (1062) hours of instructional time on not less than one-hundred seventy (170) student attendance days,
6. Instructional time required for kindergarten per KRS 157.320,
7. Any instructional time to be banked to make up for full days that may be missed due to an emergency,
8. Days in addition to the student instructional year for the make-up of instructional time missed due to emergency equal to the greatest number of days missed system-wide over the preceding five (5) school years, and
9. Days on which schools shall be dismissed.

ADDITIONAL REQUIREMENTS

A testing window in accordance with KRS 158.6453 to accommodate state-mandated assessments shall also be included.

The Board may schedule days for breaks in the calendar that shall not be counted as part of the minimum student instructional year.

Schools shall be closed on the Tuesday after the first Monday in November in Presidential election years.

If any school in the District is used as a polling place, the school District shall be closed on the day of the election, and those days may be used for professional development activities, professional meetings, or parent-teacher conferences. Subject to the requirement that schools shall be closed on Presidential Election Day, the District may be open on the day of an election if no school in the District is used as a polling place.

School Calendar**CALENDAR OPTIONS**

If the Board adopts a school calendar with the first student attendance day in the school term starting no earlier than the Monday closest to August 26, the adopted calendar may use a variable student instructional year. The District may set the length of individual student attendance days in a variable student instructional schedule, but no student attendance day shall contain more than seven (7) hours of instructional time unless the District submitted and received approval from the Commissioner of Education for an innovative alternative calendar.¹

A variable student instructional year means at least one thousand sixty-two (1,062) hours of instructional time delivered on the number of student attendance days adopted by the Board which shall be considered proportionally equivalent to one hundred and seventy (170) student attendance days and calendar days for the purposes of a student instructional year, employment contracts that are based on the school term, service credit under KRS 161.500, and funding under KRS 157.350.¹

AMENDING THE CALENDAR

The Board may amend the school calendar after it is adopted due to an emergency. The Board may lengthen or shorten any remaining student attendance days by thirty (30) minutes or more, as necessary provided it meets at minimum, a student instructional year as defined in statute. No student attendance day may contain more than seven (7) hours of instructional time unless the District submits and receives approval from the Commissioner of Education for an innovative alternative calendar.

EMERGENCY WAIVERS

Emergency day waivers may be requested if the District has missed more than twenty (20) regular student attendance days and demonstrates that an extreme hardship will result if not granted the waiver. Board requests for District-wide emergency day waivers shall be submitted to the Commissioner.

REFERENCES:

¹KRS 157.350; KRS 158.070; KRS 161.500
KRS 2.190; KRS 61.823; KRS 118.035
KRS 157.320; KRS 157.360
KRS 158.060; KRS 158.6453
702 KAR 7:130; 702 KAR 7:140

RELATED POLICIES:

01.42; 08.31

Adopted/Amended:
Order #:

Student Attendance Day**STUDENT ATTENDANCE DAY**

The length of the student attendance day designated by the Board shall provide students with no less than the minimum number of student attendance days/hours required by law. The Board may request approval of an alternative school calendar based on procedures set out in Kentucky Administrative Regulation.

If the District participates in the Federal School Breakfast Program, the Superintendent may authorize up to fifteen (15) minutes of the student attendance day to provide the opportunity for children to eat breakfast during instructional time.²

EXCEPTIONS

Kindergarten (entry level of the primary program) shall be provided no less than the equivalent of one-half (1/2) day, five (5) days a week for a full school year for each kindergarten student.

Students with disabilities and students attending primary school may attend less than six (6) hours per day under programs approved by the Board and the Commissioner of Education.¹

MASTER SCHEDULE

An up-to-date master (bell) schedule shall be on file in each school and up-to-date master (bell) schedules for each school shall be on file in the District's central office.

REFERENCES:

¹KRS 158.060

²KRS 158.070

KRS 157.320

KRS 157.360

KRS 158.030

702 KAR 7:125

RELATED POLICIES:

01.42; 06.31; 08.3

Adopted/Amended:

Order #:

School Term

The school term shall include at least four (4) days to be used for professional development and collegial planning activities for the professional staff as directed by statute, regulations, and policy. Additional days permitted by statute and authorized by the Board may be used for professional development and planning activities for the professional staff. Four (4) days may be used for holidays, and two (2) days may be used for planning activities.

If schools are scheduled to operate during days designated for statewide professional meetings, the District shall permit employees who are delegates to attend in keeping with statutory requirements.¹

REFERENCES:

¹KRS 158.070
KRS 2.110; KRS 156.095
702 KAR 7:125; 702 KAR 7:140; 704 KAR 3:035
OAG 97-25

Adopted/Amended:
Order #:

Emergency Closings

When, in the judgement of the Superintendent, an emergency exists, he shall close the schools or reduce the hours of the school day as appropriate in the interest of the health and safety of the pupils.

REFERENCE:

702 KAR 7:140

RELATED POLICY

06.21

Adopted/Amended:

Order #:

Adult/Community Education

The Board authorizes the Superintendent or designee to plan and operate an educational program based on the needs and interests of adults and youth of the community.

The Board may establish an adult education program to provide basic skills, career and technical training and/or to prepare for meeting equivalency requirements. The Board also may enter into an agreement with the Council on Postsecondary Education to establish an external diploma program.

The conduct of adult/community education programs and determination of eligibility for participation in the High School Equivalency Diploma program shall be consistent with requirements established by applicable statutes and administrative regulations, including, but not limited to, those addressing minimum age requirements and enrollment status.

VIRTUAL HIGH SCHOOL COMPLETION PROGRAMS

The Board may establish a high school completion program consistent with KRS 158.100¹.

SCHOOL FACILITIES AND RESOURCES

The Board authorizes the use of school facilities and resources for conducting these programs and further authorizes the acceptance of other agency funds for their operation.

REFERENCES:

¹KRS 158.100
KRS 158.143
KRS 160.155; KRS 160.156; KRS 160.157; KRS 164.0064
13 KAR 3:010; 13 KAR 3:050

RELATED POLICIES:

08.113; 09.1223; 09.124

Adopted/Amended:
Order #:

Program Evaluation**IMPLEMENTATION OF PLAN**

The Superintendent shall develop and implement a plan for the evaluation of educational programs focused primarily on measurable student achievement data. This plan shall include both objective and subjective measures of student outcomes in relation to District educational objectives developed and approved by the Board.

REVIEW OF NEW PROGRAMS

Prior to implementation, the Board shall review proposals to offer new school and District programs not addressed by the Kentucky Academic Standards. The Board shall require proposals to provide data supporting the need for the program, an explanation of how the program is expected to improve student achievement, and a schedule for updating the Board on student progress resulting from the new program.

REFERENCES:

KRS 158.645; KRS 158.6451; KRS 158.6453
703 KAR 5:230

RELATED POLICIES:

01.111; 01.42
02.44; 02.441; 02.442
04.1; 08.222

Adopted/Amended:
Order #:

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09.12 AP.23	Notice of Expulsion/Conviction
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09.12311	Release of Students to Divorced, Separated, or Single Parents
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09.126	Students of Military Families
09.13	Equal Educational Opportunities
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09.14 AP.11	Family Educational Rights and Privacy Act
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09.14 AP.112	Notification of PPRA Rights
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Students

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09**Students**

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09.33	Fund-Raising Activities
09.33 AP.21	Fund-Raising Activities-Proposal
09.33 AP.22	Fund-Raising Activities-Approval of Schoolwide Fund-Raising Projects
09.33 AP.23	Fund-Raising Activities-Letter to County Clerk
09.34	Student Publications and Speakers
09.35	Social Events
09.36	School-Related Student Trips
09.36 AP.1	School-Related Student Trips
09.36 AP.21	School-Related Student Trip Request Form
09.36 AP.211	School-Related Student Trip Permission Slip and Medical Release Form
09.36 AP.212	Vehicle Request Form
09.4	Student Behavior
09.41	Pregnant and Married Students
09.42	Student Conduct

09	Students
09.421	Care of School and Personal Property
09.422	Bullying/Hazing
09.422 AP.21	Bullying Reporting Form
09.423	Use of Alcohol, Drugs and Other Prohibited Substances
09.423 AP.2	Prohibited Substances-Violation Referral Form
09.4232	Tobacco, Alternative Nicotine, or Vapor Products
09.425	Assault and Threats of Violence
09.425 AP.21	Record of Removal
09.425 AP.22	Assault and Threats of Violence - Notice of Penalties and Provisions
09.426	Disrupting the Educational Process (Students)
09.426 AP.1	Disrupting the Educational Process
09.4261	Telecommunication Devices
09.4281	Grievances (Student)
09.4281 AP.1	Grievance Procedures
09.4281 AP.2	Grievance Initiation Form (Students)
09.42811	Harassment/Discrimination (Students)
09.42811 AP.1	Notice to Individuals Complaining of Harassment/Discrimination
09.42811 AP.2	Harassment/Discrimination Reporting Form
09.42811 AP.21	Harassment/Discrimination Investigation and Appeals
09.42811 AP.22	Witness Disclosure Form
09.42811 AP.24	Resolution Response
09.428111	Title IX Sexual Harassment
09.428111 AP.1	Notice to Individuals Regarding Title IX Sexual Harassment/Discrimination
09.428111 AP.11	Title IX Sexual Harassment Grievance Procedures
09.428111 AP.21	Title IX Sexual Harassment Reporting Form
09.429	Threat Assessments
09.429 AP.1	Threat Assessment Team Procedures
09.4294	Driver's License Revocation
09.43	Student Disciplinary Processes
09.43 AP.1	Juvenile Court Records
09.43 AP.21	Teacher Report of Student Conduct
09.43 AP.22	Juvenile Court Records Confidentiality Statement
09.431	Due Process
09.432	Detention
09.432 AP.2	Notification to Parent of Detention/Saturday School
09.433	Corporal Punishment

09	Students
09.434	Suspension (Students)
09.434 AP.2	Notice of Suspension
09.4341	Alternative Education
09.4341 AP.11	Alternative Education
09.4341 AP.21	Alternative Education Notification
09.435	Expulsion
09.435 AP.21	Student Hearing Notice
09.435 AP.22	Disciplinary Hearing Form
09.435 AP.23	Expulsion Notice
09.436	Search and Seizure
09.4361	Police Officers in the School
09.4361 AP.21	Record of Student Arrest at School
09.438	Student Discipline Code
09.438 AP.1	Reporting of Code Violations
09.438 AP.21	Parent Notification of Code Violation

School Attendance Areas

ASSIGNED ZONES

All pupils shall be assigned by geographic attendance zones and will attend the school designated to serve their area of residence. Specific areas served by each attendance zone will be marked on a map in the central administration office. The Board may revise attendance zones from time to time to attain maximum utilization of school facilities.¹

No student may be assigned to or required to attend a charter school by the District.

IF FAMILIES MOVE

If a family moves from one attendance zone to another within the school system, the pupil may be permitted to finish the school year in the school in which he was last enrolled (at no cost or service by the Board). The pupil must enroll the following year in the school in the attendance zone of his/her legal residence.

ELIGIBLE STUDENTS AND TRANSPORTATION

Per KRS 158.072, “eligible student” is defined as a student enrolled in kindergarten or grade one (1), two (2), or three (3) who qualifies for free or reduced-price school meals or attends a school that participates in the community eligibility provision of the National School Lunch Program.

If the eligible student changes residence and the change in residence results in the student being assigned to a different school within the District, the parent or guardian of the eligible student shall have the option to request the student, and any of the student's siblings enrolled in the same school in any grade, remain enrolled in the original school regardless of the transportation decision made by the Superintendent.

The District shall provide transportation to the original school from the eligible student’s new residence unless the Superintendent denies the transportation request if s/he determines the distance and travel time that the student would spend in transport is impracticable. The District shall report the transportation denial and supporting rationale to the Kentucky Department of Education.

REQUESTS FOR TRANSFER

Requests for transfer to another District school must be based on physical, psychological, or educational reasons. Family hardship may also be considered in changing school assignment.

In compliance with and as set forth by federal requirements, the District shall allow students to transfer to another District school if:

1. The assigned school is designated by the state as being “persistently dangerous”; or
2. The student becomes a victim of a violent criminal offense, as determined by state law, while attending school.²

School Attendance Areas

REFERENCES:

¹KRS 159.070

²P. L. 114-95, (Every Student Succeeds Act of 2015); 20 U.S.C. § 6301 et seq.

KRS 158.072

KRS 160.1592

McKinney-Vento Act, 42 U.S.C. 11431 et seq.; 20 U.S.C. § 7912(a)

OAG 80-394

Adopted/Amended:

Order #:

School Attendance Zones/Areas - Maximum Class Size**REQUEST BY RESIDENT FOR CHANGE IN SCHOOL ASSIGNMENT**

Students living within the District will not be permitted to enroll in a school outside their geographic attendance zone/area if the class in which they would enroll meets or exceeds the maximum class size. If these students are enrolled in a class whose membership increases to exceed the maximum class size, they will be reassigned according to the following option:

- ☐ student to be reassigned immediately to another class/school.
- ☐ student to be reassigned when class size permits in the school that serves his/her attendance zone.

When other factors are equal, date of enrollment will determine order of assignment and reassignment.

HOMELESS YOUTH AND FOSTER CHILDREN

Assignment to attendance zones shall be subject to modification when federal law applicable to students placed in foster care or students who are homeless requires that such students be educated in a “school of origin” that differs from the assigned attendance area.

Review/Revised:

Application for Change in School Assignment

Form to be used by resident students requesting assignment to a District school outside their attendance area/zone.

Student's Name _____

*Last**First**Middle Initial*

Home Address _____ Phone # _____

Present School _____ Present Grade _____

Requested School _____ For School Year _____ Grade _____

Date of Request: _____

State the reason for requesting this change in assignment: If request is based on hardship, give full details of the hardship.

NOTICE

1. Transfers involving athletics will be in accordance with Kentucky High School Athletic Association (KHSAA) By-Laws.
2. Requests for changes in assignment for middle and high school students are considered incomplete until class scheduling information has been submitted to the prospective school.

I UNDERSTAND THAT, IF APPROVED, THIS CHANGE IN ASSIGNMENT WILL BE GRANTED FOR ONLY ONE (1) SCHOOL YEAR AND THAT ANY SPECIAL TRANSPORTATION NEEDED IS THE RESPONSIBILITY OF THE PARENT/GUARDIAN.

Parent/Guardian's Signature

Date

At the school level, this application has been ☐ approved ☐ disapproved, reason _____

Principal's Signature

Date

To be completed by Central Office Personnel

Application ☐ Approved ☐ Disapproved Date _____

Parent contacted ☐ Yes ☐ No Date _____

Present School Contacted ☐ Yes ☐ No Date _____

Requested School Contacted ☐ Yes ☐ No Date _____

Professional recommendation, if required _____

Superintendent/designee's Signature

Date

Review/Revised:

ESSA Transfer Notification Options

TO: _____ <i>Parent's Name</i>	FROM: _____ <i>School Name</i>
DATE: _____	RE: _____ <i>Student's Name</i>
GRADE: _____	

Dear Parent/Guardian,

Our school is dedicated to providing the safest educational experience possible for your child. We are notifying you because under ESSA and state law, our school has been designated as "persistently dangerous." A Kentucky public school is considered persistently dangerous if conditions exist over a period of time that expose students to injury due to violent criminal acts.

Although we are committed to improving our school, as required by law, we are notifying you that you may request your child be transferred to the same grade level at a District school that has not been identified as being persistently dangerous. Your child would be entitled to free transportation services.

☐ However, no other school option is available at this time.

☐ The following are schools available to accept transfers: _____

Please contact us immediately, but no later than ten (10) school days following the date of this letter by calling _____ at _____ to request

Contact

Telephone #

a transfer. Failure to meet this deadline will result in loss of your option to request a transfer.

You will be notified of the school assignment.

Please let me know if you have questions about this information.

Sincerely, _____

Principal/designee

TO: _____ <i>Parent's Name</i>	FROM: _____ <i>School Name</i>	
DATE: _____	RE: _____ <i>Student's Name</i>	GRADE: _____

Our school is dedicated to providing the safest educational experience possible for your child. We are notifying you because the Superintendent has determined that your child has been a victim of a violent criminal offense as defined under state law.

☐ However, no other school option is available at this time.

☐ The following are schools available to accept transfers: _____

Contact	Telephone #
transfer. Failure to meet this deadline will result in loss of your option to request a transfer.	

Please let me know if you have questions about this information.

Sincerely, _____
Principal/designee

NOTE: This parent was contacted by telephone by _____ on _____
Staff Member

Date

Page 2 of 2

Transfers and Withdrawals**TEACHER TO ASCERTAIN REASON**

When a pupil of compulsory school age withdraws from school, the teacher of the pupil shall ascertain the reason.¹

REPORT TO DPP

The teacher shall immediately report the withdrawal and the reason for it to the Superintendent's office (Director of Pupil Personnel).

CHANGE OF RESIDENCE

If the child has withdrawn because of residence, the next residence shall be ascertained and included in the report. The District shall notify the Kentucky Department of Education when a new student enrolls.¹

MISSING CHILDREN

The Director of Pupil Personnel shall notify the Justice Cabinet of any request for the records of a student who has been flagged as missing.¹

PERMISSION

No written permission for withdrawal shall be required after the student's eighteenth (18th) birthday.²

Students between the ages of six (6) and eighteen (18) shall enroll and be in regular attendance in the schools to which they are assigned and shall be subject to compulsory attendance.²

FOLLOW-UP BY DISTRICT PERSONNEL

Within three (3) months of the date of a student's withdrawal from school, District personnel designated by the Superintendent shall contact each student who has withdrawn from school to encourage reenrollment in a regular, alternative, or High School Equivalency Diploma program. If the student does not reenroll at that time, personnel shall make at least one (1) more attempt toward reenrollment of the student before the beginning of the next school year.²

REFERENCES:

¹KRS 159.170; KRS 158.032

²KRS 159.010; KRS 159.020

RELATED POLICY:

09.122

Adopted/Amended:
Order #:

Home Schooling Notification

Please return the completed form to the Director of Pupil Personnel at the District's Central Office.

This letter is to inform you that my child/children will be participating in a home schooling program. The beginning date for participation in this program will be _____.

Month Day Year

Following is the home school address and the names and ages of the students who will be participating:

STUDENTS' NAME(S) AND DATE OF BIRTH:

CURRENT SCHOOL:

HOME SCHOOL ADDRESS:

Name

Street

State

ZIP Code

I have received from the Director of Pupil Personnel (DPP)/designee a copy of the "Home School Information Packet and Best Practice Document" and other supplemental material provided by the District. The DPP/designee offered to meet with me and explain the legal requirements that apply to home schools. It is further acknowledged that this notice of intent to provide home schooling shall be binding from the effective date stated above and shall remain in full force for no longer than to the end of the current or upcoming school year, whichever is first. This notice may be dissolved upon enrollment or re-enrollment of the above named child(ren) in a school in the District or any other public or private school. At such time a home-schooled child re-enrolls in the District, it is understood that certified personnel of the school system shall either place the student according to successful performance in courses that are sequential such as English, math, history, and science or conduct tests similar in nature and content to that used for other students receiving credit in that subject. Once assessment of the child's educational development is completed, a final determination of grade placement will be made. KRS 158.140, 704 KAR 3:307

Signature of Father/Legal Guardian

and/or

Signature of Mother/Legal Guardian

Telephone (Home and Work)

Telephone (Home and Work)

Address (if different than student's)

Address (if different than student's)

City, State, Zip

City, State, ZIP

Home Schooling Notification**PROCEDURE**

The DPP/designee will offer to meet with the home school teacher to review legal requirements, provide a copy of the best practice document, offer other supplemental materials available from the District and request a copy of the home school curriculum from the home school teacher. If a meeting is not possible, copies of the “Home School Information Packet and Best Practice Document” and related information shall be mailed to the home school teacher. The DPP/designee shall use the summary below as a guideline for discussing topics with a prospective home school teacher.

SUMMARY OF REQUIREMENTS

Home school teachers are required by state law to do the following:

- Teach the child reading, writing, spelling, grammar, history, math, and civics. KRS 156.160
- Provide no fewer student attendance days than required in current state law.
- Maintain attendance records. KRS 159.040
- Maintain academic records. It is suggested that you maintain a portfolio (compilation) of the child’s best work from year to year. KRS 159.040/KRS 156.160
- Make records available in case of inquiry. KRS 159.040
- Make sure that children between the ages of six (6) and eighteen (18) shall attend an educational institution as described in Kentucky compulsory attendance law. KRS 159.010

Parents of home-schooled students are required by state law to do the following:

- If moving from the District, notify the Superintendent in writing. KRS 159.160
- After notifying the Superintendent of intent to home school, continue to notify the Superintendent each school year prior to the opening of the new school year if planning to continue the home school for the new school year. KRS 159.160

A current immunization certificate shall be required for home-schooled students prior to attending one (1) or more in-school classes or participating in sports or other school-sponsored extra-curricular activities.

Review/Revised:

Admissions and Attendance

RESIDENCE DEFINED

Pupils whose parent or guardian resides in the District and has custody of the student, or pupils who are legal residents of the school District, or as otherwise provided by state or federal law, shall be considered residents and entitled to the privileges of the District's schools.

All other pupils shall be classified as nonresidents for school purposes.¹

HOMELESS CHILDREN AND UNACCOMPANIED YOUTH

The District shall provide educational and related services to homeless children and youth, including preschool-aged homeless children, and homeless children or youth not in the physical custody of a parent or guardian (unaccompanied youth) in a manner that does not segregate or stigmatize students on the basis of their homeless status.

The District shall provide its schools with guidelines that detail the rights of homeless students and the responsibilities that schools have to meet their needs and eliminate barriers to school attendance. These guidelines shall emphasize the right of homeless students to:

1. Have equal access to all educational programs and services, including transportation, that non-homeless students enjoy;
2. Have access to preschool programs as provided to other children in the District;
3. Continue attending their school of origin, when deemed in the best interest of the child, for the duration of homelessness;
4. Attend regular public school with non-homeless students; and
5. Continue to receive all services for which they are eligible (i.e., special education, gifted and talented, English learner).

The District shall provide transportation to the school of origin for homeless children at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison) if the child continues to live within the area served by the District in which the school of origin is located. If the child locates to a District other than that of his/her school of origin, the districts shall work together to apportion transportation to and from the school of origin and associated costs. If the districts are unable to reach agreement, responsibility and costs for transportation shall be shared equally.

The District shall designate an appropriate staff person to serve as liaison to homeless children and unaccompanied youth. In addition to coordination of McKinney-Vento implementation in the District, the liaison is responsible for:

- “Outreach” to other entities and agencies so that homeless students are identified;
- Providing public notice of the educational rights of homeless children in locations frequented by parents/guardians and unaccompanied youths. This notice is to be in a manner and form that is understandable;²
- Seeing that school personnel who provide McKinney-Vento Services receive professional development and other support; and
- Ensuring that unaccompanied youths are enrolled in school and receive support to accrue credits and access to higher education.

Admissions and Attendance**HOMELESS CHILDREN AND UNACCOMPANIED YOUTH (CONTINUED)**

The District shall inform school personnel, service providers, advocates working with homeless families, parents, guardians and homeless children and unaccompanied youths of the duties of the liaison.

All concerns regarding the education of homeless children and unaccompanied youth shall be referred to the District liaison. If a complaint arises regarding services or placement of homeless children and unaccompanied youth, the dispute resolution procedures as set forth in 704 KAR 7:090 shall apply.

Disputes over eligibility, school selection, or enrollment are to be appealed to the Kentucky Department of Education using the Dispute Resolution for Homeless form located at the link below:

<https://education.ky.gov/federal/progs/txc/Documents/Homeless%20Dispute%20Resolution%20Form.pdf>

The liaison shall provide a copy of the referenced form to the complainant.

The District shall provide services for homeless children and unaccompanied youths with disabilities as required by law.

CHILDREN IN FOSTER CARE

Students in foster care shall have equal access to all educational programs and services, including transportation, which all other students enjoy.

Foster children are to be immediately enrolled in a new school. The District shall collaborate with the Cabinet to ensure immediate and appropriate enrollment of the child and immediately contact the student's previous school for relevant records. The previous school shall provide the new school records within the student information system maintained by the Kentucky Department of Education by the end of the working day on the day of receipt of a request. If a record provided to the new school is incomplete, the previous school shall provide the completed record within three (3) working days of the original request. Remaining records shall be provided within ten (10) working days of the request.

The Superintendent shall appoint a Foster Care Liaison to coordinate activities relating to the District's provision of services to children placed in foster care, including transportation services, when the District is notified by the Cabinet for Health and Family Services in writing that the Cabinet has designated its foster care point of contact for the District. The Superintendent may appoint the District Foster Care Liaison prior to such notice from the Cabinet.

Children in foster care, including preschool aged children if the District offers a preschool program, shall be eligible to attend their "school of origin" unless a determination is made that it is not in the child's best interest. Such determination will be made in collaboration with the child welfare agency. Dispute resolutions shall be handled by all agencies involved in the determination of the foster child's placement.

When possible, a child exiting the foster care program during the school year shall be allowed to complete the school year in the school of origin.

Admissions and Attendance**BEST INTEREST OF THE CHILD**

Determining the best interest of the child takes into consideration the following factors, including but not limited to:

- The benefits to the child of maintaining educational stability;
- The appropriateness of the current educational setting;
- The child's attachment and meaningful relationships with staff and peers at the current educational setting;
- The influence of the school's climate on the child;
- The safety of the child; and
- The proximity of the placement to the school of origin, and how the length of a commute would impact the child.

Upon the determination that changing a child's school of enrollment is in the best interest of the child, the Cabinet, any applicable child-caring facility, child-placing agency, school, districts, and the child's state agency caseworker shall collaborate to ensure the immediate and appropriate enrollment of the child;

1. The child's state agency caseworker shall immediately contact the receiving district to inform the district of the pending enrollment changes.
2. The child's state agency caseworker or child-caring facility or child placing agency case manager shall either accompany the child and the foster parent to the new school to enroll the child or contact applicable staff at the new school via telephone during the day of enrollment, to assist with the enrollment, to share information relating to the child's unique needs and prior experiences that may impact their education, and to identify and prevent disruptions in any instructional or support services that the child may have been receiving prior to that time, including but not limited to medical and behavioral health history and individual service plans.

IMMIGRANTS

No student shall be denied enrollment based on his/her immigration status, and documentation of immigration status shall not be required as a condition of enrollment.

The District may provide an approved high school program to a student who is a refugee or legal alien until the student graduates or until the end of the school year in which the student reaches the age of twenty-one (21), whichever comes first.

NONRESIDENTS

Nonresident pupils may be enrolled in the District's schools in accordance with Board policies 09.1222, 09.124, and upon approval of the Superintendent. Once a nonresident student is enrolled for the academic year, the student may not be dismissed during that academic year without applicable due process.³

Admissions and Attendance**NONRESIDENTS (CONTINUED)**

Nonresident students designated as homeless or foster children may be required to be enrolled consistent with the “best interest of the child” or “school of origin” requirements under the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA.

NON-IMMIGRANT FOREIGN STUDENTS

Non-immigrant foreign students qualifying for F-1 immigration status or who obtain an F-1 student visa may be admitted to the District based on the following guidelines:

1. These students shall not be permitted to attend any publicly funded adult education program.
2. These students may be permitted to attend in grades nine through twelve (9-12), but not at earlier grade levels.
3. As required by law, these students shall pay a tuition fee equal to the full, unsubsidized per capita cost to the District for providing education to the student for the period of attendance.
4. The period of attendance shall not exceed twelve (12) months.

These requirements do not apply to immigrant students residing in the District or foreign students in any other immigration status, including exchange students.

EXPELLED/CONVICTED STUDENTS

The parent, guardian, Principal, or other person or agency responsible for the student shall provide to the school prior to admission, a sworn statement or affirmation concerning any of the following that have occurred in or outside Kentucky:

1. If a student has been expelled from school; or
2. If a student has been adjudicated guilty/convicted of, homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.

Assault shall mean any physical assault, including sexual assault.

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.⁴

If a student is suspended or expelled for any reason, or faces charges that may lead to suspension or expulsion, but withdraws prior to a hearing from any public or private school in Kentucky or any other state and then moves into the District and seeks to enroll, the District shall review the details of the charges, suspension, or expulsion and determine if the student will be admitted, and if so, what conditions may be imposed upon the admission. Prior to a decision to deny admission, the District shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the Board.

Admissions and Attendance

REFERENCES:

¹KRS 159.010; OAG 78-64

²42 U.S.C. 11431 et seq. (McKinney-Vento Act)

³KRS 158.120; OAG 80-47; OAG 79-327; OAG 75-602; G.C. v. Owensboro Public Schools, 711 F.3d 623 (6th Cir., 2013)

⁴KRS 158.155; KRS 157.330; KRS 158.150

KRS 157.320; KRS 157.350; KRS 157.360; KRS 158.100; KRS 199.802

702 KAR 7:125; 704 KAR 7:090; OAG 91-171

P. L. 104-208

P. L. 114-95 (Every Student Succeeds Act of 2015), 20 U.S.C. § 6301 et seq.

8 U.S.C. Sections 1101 and 1184; 8 C.F.R. Section 214

Plyler v. Doe, 457 U.S. 202 (1982)

Equal Educational Opportunities Act of 1974 (EEOA)

RELATED POLICIES:

06.32; 08.1114; 09.11; 09.121; 09.1222; 09.1223; 09.123; 09.124

09.126 (re requirements/exceptions for students from military families)

09.14; 09.211

Adopted/Amended:
Order #:

Student Enrollment and Homeless/Immigration Status**IMMIGRANT STATUS**

The Principal/designee shall notify school staff that a student's right to enrollment does not depend on his/her or the parent/guardian's immigration status.

School personnel should not engage in any practice that would inhibit or discourage an unauthorized alien student or any other student from attending.

HOMELESS STUDENTS AND UNACCOMPANIED YOUTH

The term "homeless" shall refer to children and youths who lack a fixed, regular and adequate nighttime residence and includes those that are:

1. Sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Abandoned in hospitals;
5. Residing in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
6. Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and/or
7. Migratory children who are living in the previously described circumstances.

GUIDELINES FOR ENROLLMENT

1. In general, only minimal information, such as name and age, can be required to enroll any student in school.
2. Types of reliable proof of a student's identity and age may include, but are not be limited to:
 - Passport
 - Military identification or immigration card
 - Baptismal certificate
 - Copy of the record of baptism that has been notarized or duly certified and reflects the date of the student's birth
 - Any religious record authorized by a religious official
 - Recording of the student's name and birth in a family Bible or other religious text
 - Notarized statement from the parents or another relative or guardian as to the date of the student's birth
 - Prior school record indicating the date of the student's birth
 - Driver's license or learner's permit

Student Enrollment and Homeless/Immigration Status**GUIDELINES FOR ENROLLMENT (CONTINUED)**

- Adoption record
 - Affidavit of identity and age
 - Any government document or court record reflecting the date of the student's birth
 - Oral proof when the native language of a parent or guardian is not a written language.
3. A student's exact date of birth (month, day and year) is not required for initial enrollment.
 4. When a student is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs and street outreach programs may offer proof of age and identity of a student for initial enrollment purposes.
 5. The District homeless student liaison shall work with the local child welfare agency, the school last attended, or other relevant agencies to obtain essential records that are not in existence and immediately place the student in appropriate programs.
 6. To the extent possible, the District homeless student liaison shall attempt to provide required notices to non-English speaking parents via written language understandable to the general public and in the native language or other mode of communication of the parent with documentation of the attempt. If the native language of the parent is not a written language, the liaison should take steps to ensure that the notice is translated orally or by other means so that the parent understands the content of the notice and that there is written evidence of the translation to the extent possible with documentation of the attempt.

CHILDREN IN FOSTER CARE

The foster care liaison may also be the homeless education liaison. The foster care liaison's responsibilities shall be to ensure that:

1. The child in foster care remains in his or her school of origin, unless it is determined that remaining in the school of origin is not in that child's best interest;
2. If it is not in the child's best interest to stay in his or her school of origin, the child is immediately enrolled in the new school even if the child is unable to produce records normally required for enrollment; and
3. That the new (enrolling) school immediately contacts the school of origin to obtain relevant academic and other records.

Review/Revised:

Form to be used by NONRESIDENT students requesting admission.

NOTICE

- I UNDERSTAND THAT, IF APPROVED, THIS ASSIGNMENT WILL BE GRANTED FOR ONLY ONE (1) SCHOOL YEAR AND THAT ANY SPECIAL TRANSPORTATION NEEDED IS THE RESPONSIBILITY OF THE PARENT/GUARDIAN.**

Date _____

Application	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	Date _____
Parent/guardian contacted	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Date _____
Present School Contacted	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Date _____
Requested School Contacted	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Date _____
Professional recommendation, if required _____			

Date

Page 1 of 1

Nonresident Student Enrollment**NONRESIDENT TRANSFERS**

Those nonresident pupils requesting enrollment in a school in this District for the first time shall follow these procedures:

1. Complete the school's registration forms, which must be signed by the parent/guardian(s).
2. Parent/guardian(s) and pupil then make an appointment with the Principal for a review of the application and the pupil's school records. The pupil shall bring the following documents from the last school attended to this meeting:
 - ☐ Report card and other academic information including the entire cumulative folder from the student's former school, if the student has the folder in his/her possession.
 - ☐ Statement of student's attendance.
 - ☐ Student's physical examination and immunization records.
3. Nonresident pupils will only be enrolled when they can be assigned to classes where the enrollment is below the allowable maximum.
4. A student expelled from his/her previous school during the last school year
 - ☐ need not apply for admission
 - ☐ must have Board approval before being admitted
 - ☐ will have his/her records and experiences reviewed before permission is granted for enrollment.
5. When the number of nonresident students must be limited due to enrollment capacity, the following priorities will be observed:
 - ☐ Those nonresident students attending school in this District last year will have priority over new applicants.
 - ☐ Siblings of nonresident students already attending school in the District shall have priority over new applicants who do not have siblings currently enrolled.
 - ☐ Students of District employees will have priority over new applicants.
 - ☐ When priorities are equal, the date of application will be the determining factor for enrollment.
6. Nonresident pupils may be enrolled in the District's schools in accordance with Board policies 09.1222, and 09.124.
7. The decision of the Principal in granting enrollment of nonresident pupils may be appealed to the Superintendent. If the decision of the Superintendent is not satisfactory, an appeal may be made to the Board. The decision of the Board shall be final.

RELATED POLICIES:

09.12 (all procedures)
09.1222; 09.124 (all procedures)

Review/Revised:

Notice of Expulsion/Conviction

In compliance with the Board policy requirements explained below, I swear or affirm that I am the parent/legal guardian of _____, who was expelled and/or

Student's Name

adjudicated guilty/convicted as noted below.

Date Enrollment Requested: _____

Board policy requires that parents, guardians, Principal, or other persons or agencies responsible for a child complete the following section for a student who has previously been expelled from a public or private school in this or another state or who has been adjudicated guilty/convicted of crimes. This form must be sent to the receiving school within five (5) working days of the time when the student requests enrollment in the new school.

Check the reason(s) that apply:

- | | |
|---|--|
| <input type="checkbox"/> Homicide
<input type="checkbox"/> Assault
<input type="checkbox"/> Sex offense
<input type="checkbox"/> Violation of Law Relating to Weapons
<input type="checkbox"/> Violation of School Regulation Relating to Weapons | <input type="checkbox"/> Violation of Law Relating to Alcohol
<input type="checkbox"/> Violation of Law Relating to Drugs
<input type="checkbox"/> Violation of School Regulation Relating to Alcohol
<input type="checkbox"/> Violation of School Regulation Relating to Drugs
<input type="checkbox"/> Any violent offense that resulted in death or serious physical injury to victim |
|---|--|

My child was expelled from: _____ in _____

Name of School

City

County

State

The facts of any expulsion or adjudication/conviction are as follows (attach separate sheet if needed): _____

I swear or affirm that to the best of my knowledge or belief, the statements and information contained above are true, factual, and complete.

Parent/Guardian's Signature

Date

Witness's Signature

Date

Review/Revised:

Homeless Children and Unaccompanied Youth

The District shall support homeless children and unaccompanied youth by:

1. awarding and accepting of credit, including partial credit, for all coursework satisfactorily completed by a student while enrolled at another school;
2. allowing a student who was previously enrolled in a course required for graduation the opportunity, to the extent practicable, to complete the course, at no cost to the student, before the beginning of the next school year;
3. awarding a diploma, at the student's request, by a district from which the student transferred, if the student transfers schools at any time after the completion of the student's second year of high school and the student is ineligible to graduate from the district to which the student transfers, but meets the graduation requirements of the district from which the student transferred; and
4. exempting the student from all coursework and other requirements imposed by the Board that are in addition to the minimum requirements for high school graduation established by the Kentucky Board of Education in the district to which the student transfers, if the student transfers schools at any time after the completion of the student's second year of high school and the student is ineligible to graduate both from the district to which the student transfers and the district from which the student transferred.

AWARDING CREDIT FOR COURSEWORK SATISFACTORILY COMPLETED

Consistent with KRS 156.160, and to the extent feasible, homeless children and unaccompanied youth shall be awarded credit, including partial credit, for all coursework satisfactorily completed.

To ensure credit, including partial credit, is awarded for all coursework satisfactorily completed by homeless children and unaccompanied youth, the District shall adopt written procedures addressing:

1. the tool or methodology the District shall use to calculate credit, including partial credit, to be awarded for all coursework satisfactorily completed by homeless children and unaccompanied youth;
2. the consolidation of partial credit, where appropriate, to provide opportunities for credit accrual that eliminate academic and nonacademic barriers for homeless children and unaccompanied youth;
3. how the District shall provide students experiencing homelessness access to extracurricular and summer programs, credit transfer and electronic course services, and after-school tutoring and other extended school services available in the District to the fullest extent practicable and at nominal or no costs;
4. the ways in which the District shall lessen the impact of school transfers for homeless children and unaccompanied youth, which shall include:
 - a) identifying systems that are in place to ease the transition of students experiencing homelessness, particularly during the first two (2) weeks at a new school;

Homeless Children and Unaccompanied Youth

AWARDING CREDIT FOR COURSEWORK SATISFACTORILY COMPLETED (CONTINUED)

- b) requiring counselors to provide timely assistance and advice to improve college and career readiness for students experiencing homelessness; and
 - c) granting priority placement in classes offered by the District that meet state minimum graduation requirements for students who change schools at least once during a school year as a result of homelessness.
5. how and in what circumstances the District shall allow a student experiencing homelessness who was previously enrolled in a course required for high school graduation to complete that course at no cost before the beginning of the next school year as required by KRS 156.160; and
6. the required review of credit accrual and the personal graduation plan for each homeless student and unaccompanied youth that is not on track to receive a high school diploma before the fifth year of high school enrollment.

REFERENCES:

KRS 156.160
704 KAR 7:090
42 U.S.C. § 1143

RELATED POLICY:

08.113

Review/Revised:

Entrance Age

PRESCHOOL

In accordance with appropriate state and federal legal requirements, any child who has been identified as disabled, and who is three (3) or four (4) years of age, by August 1 of the current year, shall be eligible for a free and appropriate preschool education and related services.

Children at risk of educational failure who are four (4) by August 1 may enter preschool. All other four (4) year old children shall be served to the extent placements are available.¹

PRIMARY SCHOOL

A child who is five (5) or who may become five (5) years of age by August 1 may enter primary school and may advance through the primary program without regard to age in accordance with KRS 158.031. A child who is six (6) years of age, or who may become six (6) years of age by August 1, shall attend public school or qualify for an exemption as provided by KRS 159.030.²

The District shall establish guidelines to determine a student's level of academic and social skills when that student is being considered for advancement through the primary program.³ A student who is at least five (5) years of age, but less than six (6) years of age, may be enrolled in the second level of the primary program in keeping with the process set out in Kentucky Administrative Regulation.^{3 & 4}

PETITION PROCESS

Parents/guardians may petition the Board to allow their child to enter school earlier than permitted under statutory age requirements. On receipt of a petition, the District shall conduct an evaluation process to help determine a student's readiness to engage in and benefit from early entry to school. The process shall be established in accordance with the following:

1. The District shall establish guidelines to determine a student's readiness for entry, including the date by which petitions must be submitted to the Central Office.
2. Developmentally appropriate measures, which may include state-approved screening instruments, shall be used to determine a student's level of developmental, academic and social readiness.
3. Based on staff recommendations, the Superintendent shall recommend to the Board whether to grant the request.
4. Considerations may include availability of space and funding.

Any tuition amounts charged to students permitted early entry under this Policy shall be the same as that charged to other tuition paying students who meet statutory age requirements.²

PROOF OF AGE

Upon enrollment for the first time in any elementary or secondary school, a student or student's parent shall provide:

- A certified copy of the student's birth certificate, or
- Other reliable proof of the student's identity and age with an affidavit explaining the inability to produce a copy of the birth certificate.⁵

Entrance Age

REFERENCES:

¹KRS 157.3175

²KRS 158.030

³702 KAR 7:125

⁴KRS 158.031

⁵KRS 158.032; KRS 158.035; KRS 214.034

KRS 158.990; KRS 159.010; KRS 159.030

702 KAR 1:160; 704 KAR 5:070

OAG 82-408; OAG 85-55

P. L. 114-95, (Every Student Succeeds Act of 2015), 20 U.S.C. § 6301 et seq.

McKinney-Vento Act, 42 U.S.C. 11431 et seq.

RELATED POLICIES:

08.22

09.124

09.126 (re requirements/exceptions for students from military families)

Adopted/Amended:

Order #:

Entrance Age

Entrance requirements related to age and health status of a student are as follows:

- *Proof of Age and Identity* - Each pupil entering any elementary or secondary school for the first time shall present evidence of age by means of a birth certificate or other reliable proof of the student's identity and age. If a birth certificate is not presented, an affidavit of the inability to produce a copy of the birth certificate must be given.
- *Proof of Immunization* - Upon enrollment, each pupil entering kindergarten or first grade for the first time shall present evidence of immunization by means of certificate issued by a licensed physician or an APRN.
- *Preventive Student Health Care, Vision, and Dental Examinations* - Within one (1) year prior to initial entry to school, each student shall undergo a preventive student health care examination, which shall be documented on the state-required form or an electronic medical record that includes all of the data equivalent to that on the Preventive Student Health Care Examination form. A preventive student health care examination may also be required for students entering pre-school.

Also upon enrollment, each student entering the first year of public school, public pre-school or Head Start must undergo a vision examination as required by applicable statute and regulation and provide the school with either the required form or electronic medical record by January 1 of the first year of enrollment. Evidence of a dental screening or examination shall be required to be submitted on the required form or electronic medical record by January 1 of the first year that a five- and six-year-old student is enrolled in the District.

The above requirements are not to serve as barriers to immediate enrollment of students designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA. The District shall work with the local child welfare agency, the school last attended, or other relevant agencies to obtain necessary enrollment documentation.

PRINCIPALS TO REPORT

Principals are to report to the Superintendent/designee the names of those children who do not present acceptable evidence of age and required immunizations and examinations.

FAILURE TO PROVIDE

Except for vision examination records and dental examination records as noted above, which are due by January 1 of the first year of enrollment, failure to provide the remaining required documentation ☐ upon enrollment ☐ within five (5) calendar days ☐ within ten (10) calendar days ☐ within fifteen (15) calendar days ☐ within thirty (30) calendar days after enrollment may constitute reason for appropriate action.

RELATED PROCEDURE:

09.12 AP.1

Review/Revised:

Attendance Requirements

COMPULSORY ATTENDANCE

All children in the District who have entered kindergarten or who are between the ages of six (6), as of August 1, and eighteen (18), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned.¹

Per 704 KAR 5:060, any five (5) year old child not otherwise subject to compulsory attendance laws, but who voluntarily enrolls in the primary school program at the beginning of the school year, may upon parental or guardian's written request be withdrawn from the program at any time within the first two (2) school calendar months. At the end of such trial period a child shall be considered irrevocably entered into the primary school program for purposes of KRS 159.010 and KRS 159.020.

EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school;
2. A pupil who is enrolled in a private or parochial school;
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten nursery school;
4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study;
5. A pupil who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children;
6. A pupil who is enrolled and in regular attendance in a state supported program for exceptional children;² or
7. A student enrolled in a District-operated alternative education program who attains a High School Equivalency Diploma.⁸

STATEMENT REQUIRED

The Board, before granting an exemption, shall require a signed statement as required by law unless a student's individual education plan (IEP) specifies that placement of the child with a disability at home or in a hospital is the least restrictive environment for providing services.²

EXCEPTIONS TO PRESENCE AT SCHOOL

Students must be physically present in school to be counted in attendance, except under the following conditions:

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,² or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.³

Attendance Requirements**EXCEPTIONS TO PRESENCE AT SCHOOL (CONTINUED)**

3. Students may participate in co-curricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when co-curricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.⁴
4. Students enrolled and participating in a full-time, online, virtual and remote learning program, or participating in an off-site virtual high school class or block may be counted in attendance in keeping with statute and regulation.^{4 & 9}
5. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.⁴
6. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.⁵
7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.⁶
8. The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, and that falls within one (1) or more of the categories of standards-based course work. A pupil may be counted in attendance for performance-based credit for a class or block for the year or semester in which the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in accordance with local policies.^{4 & 7}
9. Students attending basic training required by a branch of the United States Armed Forces shall be considered present for all purposes for up to ten (10) days.³
10. Students participating in any of the page programs of the General Assembly.³

Attendance Requirements

REFERENCES:

¹KRS 159.010; OAG 85-55
²KRS 159.030
³KRS 159.035
⁴702 KAR 7:125
⁵KRS 158.240
⁶KRS 158.070
⁷704 KAR 3:305
⁸KRS 158.143
⁹KRS 158.150
KRS 158.030; KRS 159.020; KRS 159.180; KRS 159.990
704 KAR 3:535; 704 KAR 5:060
OAG 79-68; OAG 79-539; OAG 87-40; OAG 97-26

RELATED POLICIES:

08.131; 08.1312; 09.111; 09.121; 09.123; 09.36

Adopted/Amended:
Order #:

Part-Time Students

The Board will consider a shortened school day only for preschool and kindergarten students and for students with an individual education plan or 504 plan that supports a shortened day.

REFERENCES:

KRS 339.210

KRS 339.220

KRS 339.230

KRS 339.360

702 KAR 7:125

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)

RELATED POLICIES:

08.131

08.31

09.13

Adopted/Amended:

Order #:

Request for 504 Shortened School Day

SCHOOL YEAR _____

This form shall be kept on file in the District for auditing purposes.
--

Requesting Party: _____

Phone Number: _____

Submitted to Principal: _____

On this Date: _____

STUDENT DATA:

Name: _____ Age: _____ Disability: _____

School: _____

SECTION 504 CHAIRPERSON/SUPERINTENDENT'S DESIGNEE:

Name: _____ Other Job Title(s): _____

PERSON(S) TO MONITOR PLAN:

Name: _____ Title: _____

LENGTH OF SCHOOL DAY

1. What is the typical beginning and ending time for students in this school?

BEGINNING TIME: _____ ENDING TIME: _____

2. What are the beginning and ending times the 504 team has determined for this student?

BEGINNING TIME: _____ ENDING TIME: _____

3. Explain the reason(s) why this student requires a shortened school day:

4. Is this student returning to school after being in a Home/Hospital Instruction Program?

☐ Yes☐ No

If yes, please describe circumstances:

Request for 504 Shortened School Day

5. Identify steps the 504 Team will take to promote full attendance for this student in the future.

6. Has a shortened school day been requested for this student in previous school years?

☐ Yes ☐ No

If yes, list the previous school year(s): _____

7. Is there a signed physician statement? ☐ Yes ☐ No

IMPORTANT

The District shall maintain the following documentation for all shortened school days approved by the Board:

- Approval by the Board (Student confidentiality procedures must be followed when listing student information in Board minutes.);
- Minutes of the 504 Team meeting documenting the decision that a shortened school day is needed;
- A copy of the student's Section 504 Accommodation Plan documenting the shortened school day; and
- A copy of the physician statement of the supporting medical need.

=====

Board Approved Request: ☐ Yes ☐ No Date: _____

=====

Review/Revised:

Nonresident Students

The District shall allow nonresident students to enroll in the District pursuant to existing Admissions and Attendance Policy 09.12, Tuition Policy 09.124, and related procedures.

Upon allowing nonresident pupil enrollment, the policy shall allow nonresident children to be eligible to enroll in any public school located within the District. The policy shall not discriminate between nonresident pupils, but may recognize enrollment capacity, as determined by the District. The nonresident pupil policy and any subsequent changes adopted by the Board shall be filed with the Kentucky Department of Education no later than thirty (30) days following their adoption.¹

REFERENCES:

¹KRS 158.120
KRS 157.350

RELATED POLICIES:

09.12; 09.124; 09.313; 09.42811

Adopted/Amended:
Order #:

Persons Over Compulsory Attendance Age**PROHIBITIONS**

Persons over twenty-one (21) years of age shall not be admitted to or served by the District's elementary or secondary schools.

Students under age twenty-one (21) who already have graduated from an accredited or four (4) year high school shall be considered to have completed high school and shall not be permitted to enroll in the District. Students who have earned a High School Equivalency Diploma shall be permitted to enroll to work toward completion of graduation requirements.

EXCEPTIONS

The District may provide an approved high school program to a student who is a refugee or legal alien until the student graduates or until the end of the school year in which the student reaches the age of twenty-one (21), whichever comes first. The District may provide a virtual high school completion program for person twenty-one (21) years of age or older as permitted by KRS 158.100.

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for such students shall be followed.¹

REFERENCES:

- ¹20 U.S.C. § 1412
- KRS 157.200
- KRS 157.360
- KRS 158.100
- KRS 158.140
- KRS 159.010
- KRS 159.030
- 704 KAR 3:305
- 707 KAR 1:290

RELATED POLICY:

08.4

Adopted/Amended:

Order #:

Absences and Excuses

Pupils are required to attend regularly and punctually the school in which they are enrolled. Recording of absences and tardies shall be made in compliance with the requirements of 702 KAR 7:125.¹

TRUANCY DEFINED

Any student who has attained the age of six (6), but has not reached his/her eighteenth (18th) birthday, who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant.

Any student enrolled in a public school who has attained the age of eighteen (18) years, but has not reached his/her twenty-first (21st) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days, is a truant.

A student who has been reported as a truant two (2) or more times is an habitual truant.

For the purposes of establishing a student's status as a truant, a student's attendance record is cumulative for an entire school year. When students transfer from one Kentucky district to another, attendance information from the previous district shall become part of their official attendance record for that school year.

EXCUSED ABSENCES

An excused absence or tardiness is one for which work may be made up, such as:

1. Death or severe illness in the pupil's immediate family;
2. Illness of the pupil, including mental or behavioral health;
3. Religious holidays and practices;
4. One (1) day for attendance at the Kentucky State Fair;
5. Documented military leave;
6. One (1) day prior to departure of parent/guardian called to active military duty;
7. One (1) day upon the return of parent/guardian from active military duty;
8. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave;
9. Ten (10) days for students attending basic training required by a branch of the United States Armed Forces;
10. Students participating in any of the page programs of the General Assembly;² or
11. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.

Absences and Excuses**EXCUSED ABSENCES (CONTINUED)**

Students shall be granted an excused absence for up to ten (10) school days to pursue an educational enhancement opportunity determined by the Principal to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts.

Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within State or District testing periods shall not be granted.

The Principal's determination may be appealed to the Superintendent/designee whose decision may then be appealed to the Board under its grievance policy and procedures.

Students receiving an excused absence under this section shall have the opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence.

UNEXCUSED ABSENCES

Work may be made up for unexcused absences at the discretion of the teacher involved.

REFERENCES:

¹702 KAR 7:125

²KRS 159.035

KRS 36.396; KRS 38.470; KRS 40.366

KRS 158.070; KRS 158.183; KRS 158.293; KRS 158.294

KRS 159.140; KRS 159.150; KRS 159.180

OAG 76-566; OAG 79-68; OAG 79-539; OAG 91-79; OAG 96-28

RELATED POLICIES:

09.111; 09.122; 09.4281

09.126 (re requirements/exceptions for students from military families)

Adopted/Amended:

Order #:

Dismissal from School

RELEASE OF STUDENTS

At any time students are dismissed from school, they shall be released according to the written instructions provided by the custodial parent/guardian. The instructions, which shall be requested at the time the student registers/enrolls for the school year, shall include the student's regular mode of transportation at the end of the day and a list of persons, in addition to the custodial parent/guardian, who are authorized to pick up the child from school. Any deviation from the authorized release process must be approved by the Principal/designee prior to the student departing school in another manner.

It shall be the responsibility of the custodial parent/guardian to notify the school in writing if release instructions are to be revised. If written instructions are not provided to the school, the student shall only be released to ride home on the assigned bus or with the custodial parent/guardian.

Any student who leaves the school grounds at any time without proper authorization shall be subject to appropriate disciplinary action.

RELEASE PROCESS

If the student is to be picked up early, the custodial parent/guardian or designee shall report to the Principal's office and sign for the student's release.

Each school shall maintain a daily entry and exit log of students signing in late or signing out early and shall require proof of identification from individuals (visual identification by an employee, driver's license, picture identification, etc.) to assure that they are authorized to pick up the student.

Those students who are not on record as being under the care or control of a parent/guardian may sign for their own dismissal.

EXCEPTIONS

A student may be released to a person with lawful authority to take custody of the student, e.g., a police officer with a warrant or the person authorized by the Cabinet for Health and Family Services when the student is committed to the Cabinet or when the Cabinet is granted custody of the student by a court order. In such case, the student's parent shall be notified at the earliest opportunity except as otherwise provided by a court order or law.¹

When custody of a student is granted to the Cabinet by a court order as a result of dependency, neglect, or abuse, the Cabinet shall notify the Principal, or any Assistant Principal, of the school in which the child is enrolled, and the District's Director of Pupil Personnel, of the names of persons authorized to contact the child at school or remove the child from school grounds.

The notification shall be provided to the school by the Cabinet:

- a) By written notice via email or fax on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. Verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By email, fax, or hand delivery of a copy of the court order within ten (10) calendar days following the Cabinet's receipt of the court order of a change of custody or change in contact or removal authority.

Dismissal from School

EXCEPTIONS (CONTINUED)

In addition, the Board authorizes emergency release of students for illness or other bona fide reasons, as determined by the Principal.

REFERENCES:

¹OAG 85-134; OAG 92-138
KRS 620.146
702 KAR 7:125

RELATED POLICIES:

09.12311; 09.227; 09.3; 09.31; 09.432
09.434; 10.5

Adopted/Amended:
Order #:

Student Entry and Exit Log

SCHOOL: _____	DATE _____
---------------	------------

STUDENTS WHO ARE LATE IN ARRIVING AT SCHOOL OR WHO ARE DEPARTING EARLY SHALL SIGN THIS LOG.

When recognized by the Principal/designee or by presenting verification of identity, the following persons may sign out students¹:

- **Custodial parent/guardian**
- **Noncustodial parent, unless the school has been provided with evidence that there is a state law or court order which provides instruction to the contrary**
- **Persons designated in writing by the custodial parent/guardian (must be an adult designee if an elementary student is involved)**
- **Persons designated by the Principal in the event of an emergency**
- **Persons with lawful authority to take custody of the student**

¹Those students who are not on record as being under the care or control of a parent/guardian may sign for their own dismissal.

NAME OF STUDENT	GRADE/ HOMEROOM	TIME OF SIGN-IN	TIME OF SIGN-OUT	REASON	SIGNATURE OF AUTHORIZED PERSON/ELIGIBLE STUDENT	INITIALS OF EMPLOYEE VERIFYING IDENTITY

DAILY LOG SHEETS SHALL BE KEPT ON FILE FOR TWO (2) FULL SCHOOL YEARS.

Review/Revised:

Release of Students to
Divorced, Separated, or Single Parents

The Board shall release the student to either parent, guardian, or legal custodian unless the school has been informed and provided with evidence that there is a state law or court order governing such matters as divorce, separation or custody, or a legally binding document which provides instruction to the contrary.

REFERENCES:

20 U.S.C. 1232g, 34 C.F.R. 99.1 – 99.67
OAG 85-130; OAG 90-52

RELATED POLICIES:

01.0
09.1231
09.14

Adopted/Amended:
Order #:

Tuition**FEES TO BE CHARGED**

The Board may charge a fee, according to a schedule adopted by the Board, for each student attending its schools, whose parent is not a bona fide resident of the District.¹

REFERENCES:

¹KRS 158.120
237 S.W. 2D 65 (1951)
OAG 80-47; OAG 91-75
KRS 157.350; KRS 158.135
702 KAR 7:125

RELATED POLICIES:

09.12
09.126 (re requirements/exceptions for students from military families)

Adopted/Amended:
Order #:

Tuition

The procedures cited below are to be followed in implementing the Board's tuition policy:

Where nonresident students or out-of-state students attend a school within the District the amount of tuition shall be set by the Board.

Tuition may be paid as follows:

- ☐ in full at the beginning of the school year, or
- ☐ one-half may be paid on the opening day of school and the balance paid on the first day school opens in January.

These students may be charged a fee based on a schedule established and reviewed annually by the Board.

Review/Revised:

Tuition Agreement Form

STUDENT'S NAME _____

CURRENT ADDRESS: _____

SCHOOL YEAR: _____

SCHOOL: (*Check appropriate box*) ☐ Elementary ☐ Middle ☐ High School

Annual tuition for the student named above is \$ _____. Tuition must be paid as indicated by check mark below:

- ☐ In full at the beginning of the school year
- ☐ One-half paid on the opening day of school and the balance paid on the first day school opens in January
- ☐ Monthly (for 10 months starting in August)

Payment may be made in person at the Central Office or mailed to:

Superintendent/Central Office Designee
School District
Street Address
City, KY ZIP Code

TO BE COMPLETED BY THE PARENT/GUARDIAN*Please submit completed form to the Central Office.*

My signature below indicates agreement with the above terms.

*(Parent's/Guardian's Signature)*_____
(Date)

Review/Revised:

Students of Military Families

The following are key provisions that apply to students from military families that are based on the compact agreed upon by states belonging to the Interstate Commission on Educational Opportunity for Military Children:

ENROLLMENT

A child of a military family may pre-enroll or participate in pre-admission in the District if the parent or guardian of the child:

- a) Is transferred to or is pending transfer to a military installation or to a reserve component within the state while on active military duty pursuant to an official military order.
- b) Is returning to the state after within one (1) year of being separated from the military with an honorable discharge, discharge under honorable conditions, or a general discharge under honorable conditions.

The District shall accept an application for enrollment and course registration by electronic means for the child, including enrollment in a specific school or program within the District.

The parent or guardian of a child of a military family shall provide proof of residence to the District within ten (10) days after the arrival date provided on official documentation. The parent or guardian may use, as proof of residence, the address of:

1. A temporary on-post billeting facility;
2. A purchased or leased home or apartment;
3. Any federal government housing or off-post military housing, including off-post military housing that may be provided through a public-private venture; or
4. A home under contract to be built.

Until actual attendance or enrollment in the District, the child of a military family shall not:

1. Count for the purposes of average daily attendance; or
2. Be included in the state assessment and system.

To accommodate for temporary housing, if a child utilizes this section to enroll in the District, but the residence identified above has not yet become available, then the District shall allow the child to enroll and begin attending the District regardless of the child's temporary residence and subsequently be included in the District's calculation of average daily attendance under KRS 157.320, for a period of up to one (1) year from the parent's or guardian's reporting for duty date or separation date before being considered a resident of another District.¹

Students from a household of an active duty service member who are moving into the District shall be enrolled and appropriately placed as quickly as possible based on information provided in the student's unofficial records pending validation by the official record that the District shall request from the sending school.

Students of Military Families**ENROLLMENT (CONTINUED)**

Special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent. A transitioning child of a military family who is placed in the care of a non-custodial parent or other person standing in loco parentis and living in a jurisdiction other than that of the custodial parent may continue to attend the school in which s/he was enrolled while residing with the custodial parent.

TUITION

Tuition shall not be charged for a transitioning child of a military family who is placed in the care of a non-custodial parent or other person standing in loco parentis and living in the jurisdiction other than that of the custodial parent.

IMMUNIZATION REQUIREMENTS

Students from military families shall have thirty (30) days from the date of enrollment to obtain required immunizations or additional time as may be determined by the Interstate Commission Compact rules.

PLACEMENT

Kindergarten and first grade students from a household of an active duty service member moving into the District from an accredited school in another state shall be allowed to continue placement at their current grade level, regardless of age.

Decisions about placement of students from military families in educational programs shall be based on current educational assessments conducted at the sending school or participation/placement in like programs in the sending state. Such programs include, but are not limited to the following programs:

1. Gifted and talented; and
2. English as a second language (ESL).

This shall not preclude the District/school from performing subsequent evaluations to ensure appropriate placement of a student.

SPECIAL EDUCATION SERVICES

The District shall initially provide comparable services to a student with disabilities based on his or her current Individualized Education Program (IEP).

The District shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing Section 504 (Title II) Plan*, to provide the student with equal access to education. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

* In Kentucky, a student Title II Plan is the same as a Section 504 Plan.

Students of Military Families**DEPLOYMENT-RELATED ABSENCES**

Students whose parent or legal guardian is an active member of the uniformed services, as defined by this compact, and has been called to active duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the Superintendent to visit with their parent or legal guardian relative to such leave or deployment.

EXTRACURRICULAR PARTICIPATION

The District shall facilitate the opportunity for transitioning children of military families to participate in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

GRADUATION REQUIREMENTS

The District shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another school district or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the District shall provide alternative means of acquiring required coursework so that graduation may occur on time. Otherwise, the District shall ensure receipt of a diploma from the sending school district if the student completed graduation requirements of that district.

Exit exam scores from sending schools shall be accepted in accordance with the Interstate Commission Compact.

CHILDREN OF CIVILIAN MILITARY EMPLOYEES

Children of civilian military employees shall be afforded the same rights as children of military families under KRS 156.730 if the parents are required to move to perform their job responsibilities resulting in the students having to change schools.

REFERENCES:

¹KRS 159.075

KRS 156.730; KRS 156.735; KRS 157.320; KRS 158.020

20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)

Section 504 of the Rehabilitation Act; District 504 procedures

Americans with Disabilities Act

RELATED POLICIES:

02.4241; 08.113; 08.131; 08.132; 08.13452; 08.222

09.12; 09.121; 09.123; 09.124; 09.211; 09.3; 09.313

Adopted/Amended:
Order #:

Equal Educational Opportunities

DISCRIMINATION PROHIBITED

As required by Title IX, the District does not discriminate on the basis of sex regarding admission to the District or in the educational programs or activities operated by the District. Inquiries regarding Title IX Sexual Harassment may be referred to the District Title IX Coordinator (TIXC), the Assistant Secretary for Civil Rights, or both.¹

No pupil shall be subject to unlawful discrimination because of age, color, disability², race, national origin, religion, sex (including sexual orientation or gender identity), or veteran status.

STUDENTS WITH DISABILITIES

The District shall provide a free, appropriate public education to each qualified student with a disability, as defined by law, within its jurisdiction.

The District shall operate its programs in accordance with the procedures addressing requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

Parents of students who have a temporary or permanent disability may request the District supervisor to provide appropriate accommodations necessary for them to participate in instructional and extracurricular activities, as required by law. Students who are at least eighteen (18) years of age may submit their own requests.

STUDENT RELIGIOUS ACTIVITIES OR POLITICAL EXPRESSION

The District shall observe the rights of students to voluntarily engage in religious activities. Students may express religious or political viewpoints while at school to the same extent and under the same circumstances as other permitted activities or expression. Consistent with the Constitutions of the United States and the Commonwealth of Kentucky and law, students shall be permitted to engage in these activities and express these viewpoints, provided they do not:

1. Infringe on the rights of the school to:
 - a. Maintain order and discipline;
 - b. Prevent disruption of the educational process; and
 - c. Determine education curriculum;
2. Harass other persons or coerce other persons to participate in the activity; or
3. Otherwise infringe on the rights of other persons.

Student complaints concerning possible violations of their religious rights shall be addressed in keeping with legal requirements. Their complaints shall be directed to the Principal, who shall investigate and take appropriate action within thirty (30) days of receipt of the written notification.

Equal Educational Opportunities

REFERENCES:

¹34 C.F.R. § 106.8

²Bd. of Educ., etc. v. Rowley 102 S.Ct. 3034 (1982)

District special education policy and procedures manual; District 504 procedures

KRS 157.200; KRS 157.224; KRS 157.230; KRS 157.350

KRS 158.183; KRS 160.295; Age Discrimination Act of 1975

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972

Vietnam Era Veterans Readjustment Assistance Act of 1974

Kentucky Education Technology System (KETS); 28 C.F.R. Section 35.101 et seq.

Bostock v. Clayton County, Georgia 140 S.Ct. 1731 (2020)

RELATED POLICIES:

03.113; 03.1621; 03.212; 03.2621; 05.11; 08.131; 09.3211; 09.428111

Adopted/Amended:
Order #:

Student Records

Data and information about students shall be gathered to provide a sound basis for educational decisions and to enable preparation of necessary reports.

PROCEDURE TO BE ESTABLISHED

The Superintendent shall establish procedures to promote effective notification of parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) and to ensure District compliance with applicable state and federal student record requirements.

DISCLOSURE OF RECORDS

Student records shall be made available for inspection and review to the parent(s) of a student or to an eligible student on request. Legal separation or divorce alone does not terminate a parent's record access rights. Eligible students are those 18 years of age or older or those duly enrolled in a post-secondary school program. In general, FERPA rights pass to the eligible student upon either of those events. Parents may be provided access to the educational records of an eligible student 18 years old or older if the student is dependent under federal tax laws.¹

Upon written request, parents or eligible students may be provided copies of their educational records, including those maintained in electronic format, when necessary to reasonably permit inspection. Such copies shall be provided in a manner that protects the confidentiality of other students. A reasonable fee may be charged for copies.

District personnel must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the District discloses personally identifiable information from education records.

In addition, considering the totality of the circumstances, the District may disclose information from education records to appropriate parties, including parents of eligible students, whose knowledge of the information is necessary to protect the health or safety of a student or another individual, if there is an actual, impending, or imminent articulable and significant threat to the health or safety of a student or other individual. In such instances, the basis for a decision that a health or safety emergency existed shall be recorded in the student's education records.

Authorized District personnel also may disclose personally identifiable information to the following without written parental consent:

- Officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer;
- Authorized representatives of a Kentucky state child welfare agency if such agency presents to the District an official court order placing the student whose records are requested under the care and protection of said agency. The state welfare agency representative receiving such records must be authorized to access the child's case plan.
- School officials (such as teachers, instructional aides, administrators, including health or medical staff and law enforcement unit personnel) and other service providers (such as contractors, consultants, and volunteers used by the District to perform institutional services and functions) having a legitimate educational interest in the information.

District and school officials/staff may only access student record information in which they have a legitimate educational interest.

Student Records**DISCLOSURE OF RECORDS (CONTINUED)**

Contractors, consultants, volunteers, and other parties to whom the District has outsourced services or functions may access student records provided they are:

- Under the District's direct control with respect to the use and maintenance of education records; and
- Prohibited from disclosing the information to any other party without the prior written consent of the parent/eligible student, or as otherwise authorized by law.

DISCLOSURE TO REPRESENTATIVES FOR FEDERAL OR STATE PROGRAM PURPOSES

Personally identifiable student information may be released to those other than employees who are designated by the Superintendent in connection with audit, evaluation, enforcement, or compliance activities regarding Federal or State programs. Such designation must be executed in writing with the authorized representative and specify information as required by 34 C.F.R. Part 99.35.

DUTY TO REPORT

If it is determined that the District cannot comply with any part of FERPA or its implementing regulations due to a conflict with state or local law, the District must notify the Family Policy Compliance Office (FPCO) within forty-five (45) days of the determination and provide the text and citation of the conflicting law.

DIRECTORY INFORMATION

The Superintendent/designee is authorized to release Board-approved student directory information. Approved "directory information" shall be: name, address, phone number, date and place of birth, student's school email address, major field of study, participation in officially recognized activities and sports, photograph/picture, grade level, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, and most recent educational institution attended. Any eligible student or parent/guardian who does not wish to have directory information released shall notify the Superintendent/designee in writing within thirty (30) calendar days after receiving notification of FERPA rights.

Information about the living situation of a student designated as homeless is not to be treated as directory information and is not to be disclosed unless prior written consent is given or unless the information meets one of FERPA's exceptions to required consent. The living situation is not considered directory information.

The District allows for disclosure of directory information only to specific parties for specific purposes. Such limitations are specified in the student directory information notification.

Unless the parent/guardian or student who has reached age 18 requests in writing that the District not release such information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters and institutions of higher education upon their request.

Student Records**SURVEYS OF PROTECTED INFORMATION**

The District shall provide direct notice to parents/guardian to obtain prior written consent for their minor child(ren) to participate in any protected information survey, analysis, or evaluation, if the survey is funded in whole or in part by a program of the U.S. Department of Education.

Parents/eligible students also shall be notified of and given opportunity to opt their child(ren) out of participation in the following activities:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Parents/eligible students may inspect, upon written request and prior to administration or use, materials or instruments used for the collection, disclosure, or use of protected information.

PPRA requirements do not apply to evaluations administered to students in accordance with the Individuals with Disabilities Education Act (IDEA).

STUDENTS WITH DISABILITIES

The District's special education policy and procedures manual shall include information concerning records of students with disabilities.

RECORDS RELEASE TO JUVENILE JUSTICE SYSTEM

Once a complaint is filed with a court-designated worker alleging that a child has committed a status offense or public offense, schools shall provide all records specifically requested in writing, and pertaining to that child to any agency that is listed as part of Kentucky's juvenile justice system in KRS 17.125 if the purpose of the release is to provide the juvenile justice system with the ability to effectively serve, prior to adjudication, the needs of the student whose records are sought. The authorities to which the data are released shall certify that any educational records obtained pursuant to this section shall only be released to persons authorized by statute and shall not be released to any other person without the written consent of the parent of the child. The request, certification, and a record of the release shall be maintained in the student's file.

Student Records**JUVENILE COURT RECORDS**

Records or information received on youthful or violent offenders shall not be disclosed except as permitted by law. When such information is received, the Superintendent shall notify the Principal of the school in which the child is enrolled. The Principal shall then release the information as permitted by law. Only the Superintendent and school administrative, transportation, and counseling personnel or teachers or other school employees with whom the student may come in contact, shall be privy to this information, which shall be kept in a locked file when not in use and opened only with permission of the administrator. Notification in writing of the nature of offenses committed by the student and any probation requirements shall not become a part of the child's student record.²

RECORDS OF MISSING CHILDREN

Upon notification by the Commissioner of Education of a child's disappearance, the District in which the child is currently or was previously enrolled shall flag the record of such child in a manner that whenever a copy of or information regarding the child's record is requested, the District shall be alerted to the fact that the record is that of a missing child. Instead of forwarding the records of a child who has been reported missing to the agency, institution, or individual making the request, the District shall notify the Justice Cabinet.

COURT ORDER/SUBPOENA

Prior to complying with a lawfully issued court order or subpoena requiring disclosure of personally identifiable student information, school authorities shall make a documented effort to notify the parent or eligible student. In compliance with FERPA, notice to the parent is not required when a court order directs that disclosure be made without notification of the student or parent, or when the order is issued in the context of a dependency, neglect, or abuse proceeding in which the parent is a party. If the District receives such orders, the matter(s) may be referred to local counsel for advice.

REFERENCES:

¹Section 152 of the Internal Revenue Code of 1986

²KRS 158.153; KRS 610.320; KRS 610.340; KRS 610.345

KRS 7.110; KRS 15A.067; KRS 17.125; KRS 158.032; KRS 159.160; KRS 159.250

KRS 160.990; KRS 161.200; KRS 161.210; KRS 365.732; KRS 365.734; KRS 600.070

702 KAR 1:140; 702 KAR 3:220

20 U.S.C. 1232g et seq., 34 C.F.R. 99.1 - 99.67

20 U.S.C. 1232h (Protection of Pupil Rights Amendment); 34 C.F.R. 98

OAG 80-33; OAG 85-130; OAG 85-140; OAG 86-2; OAG 93-35

Kentucky Family Educational Rights and Privacy Act (KRS 160.700; KRS 160.705

KRS 160.710; KRS 160.715; KRS 160.720; KRS 160.725; KRS 160.730)

20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)

Kentucky Education Technology System (KETS)

P. L. 114-95, (Every Student Succeeds Act of 2015)

42 U.S.C. 11431 et seq. (McKinney-Vento Act)

RELATED POLICIES:

09.111; 09.12311; 09.43

Adopted/Amended:
Order #:

Family Educational Rights and Privacy Act Definitions

Although this listing is not intended to take the place of the complete FERPA law and regulations, the following definitions shall apply when implementing Policy 09.14 and the procedures that follow.

EDUCATION RECORDS – Refers to records directly related to a student that are maintained by the District or by a party acting for the District.

A “record” shall include any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche. Student records shall include disciplinary records with regard to suspension and expulsion.

Staff should refer to federal regulations for examples of documents that are not considered education records.

PERSONALLY IDENTIFIABLE INFORMATION – Includes, but is not limited to, the following:

1. Student’s name;
2. Name of the student’s parent or other family member;
3. Address of the student or student’s family;
4. Any personal identifier, such as the student’s social security or student number;
5. Personal characteristics that would make the student’s identity easily traceable, including biometric records (measurable biological or behavioral characteristics that can be used for automated recognition of an individual, such as fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting); or
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

NOTE: Unless the parent/guardian or student who has reached age 18, requests in writing that the District not release information, the student’s name, address, and telephone number (if listed) shall be released to Armed Forces recruiters and institutions of higher education upon their request.

STUDENT - Except as otherwise specifically designated by law, “student” shall mean any individual who is or has been in attendance in the District and for whom the District maintains education records.

ATTENDANCE – District “attendance” includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom; and the period during which a person is working under a work-study program.

DISCLOSURE - Refers to permitting access to, or release or transfer of, personally identifiable information contained in a student’s education record to any party, except the party identified as the provider or creator of the record, by any means, including oral, written, or electronic.

Family Educational Rights and Privacy Act Definitions

EDUCATION PROGRAM - Programs principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education and adult education, and any program that is administered by an educational agency or institution.

EARLY CHILDHOOD EDUCATION PROGRAM - A Head Start program, a state licensed or regulated child care program, or a program that serves children from birth through age six (6) that addresses the children's cognitive, social, emotional and physical development and is a (a) state prekindergarten program; (b) a program authorized under the Individuals with Disabilities Education Act; or (c) a program operated by a local education agency.

REFERENCES:

34 C.F.R. Part 99, 20 U.S.C. 1232g
P. L. 114-95, (Every Student Succeeds Act of 2015)

Review/Revised:

Family Educational Rights and Privacy Act

The following rules and procedures shall be complied with relative to disclosure of student records:

1. The District shall annually notify parents of students currently in attendance, or eligible students currently in attendance, of their rights under the Family Educational Rights and Privacy Act (FERPA).

The notification also shall be furnished to parents of all new students and to all new eligible students by the Principal at the time of enrollment.

2. Unless the parent or student who has reached age 18 requests in writing that the District not release information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters and institutions of higher education upon their request.

Subject to federal opt-out rights, directory information shall be made available to Armed Forces recruiters and institutions of higher education on the same basis as it is provided to the public.

3. Parents or eligible students who wish to review educational records may make a request on the appropriate form. Forms are available at the school and in the Central Office. Access shall be provided within a reasonable time frame, not to exceed forty-five (45) calendar days of District receipt of the request. Because, a shorter timeline is required in certain situations involving IDEA students, staff shall adhere to the District's special education procedures for responding to such requests.

If circumstances effectively prevent a parent or eligible student from exercising inspection rights, copies of the requested records shall be provided within the above stated time frame.

Until any questions are resolved, no student record held by the District shall be discarded when the record is under an outstanding request to inspect or review.

4. School authorities shall make a documented effort to notify the parent or eligible student prior to complying with a court order or subpoena that directs the disclosure of information concerning the student. In compliance with FERPA, notice to the parent is not required when a court order directs that the parent/eligible student is not to be notified, or when the order is issued in the context of a dependency, neglect, or abuse proceeding in which the parent is a party.

As noted in the District's annual FERPA notice, parent consent/notification is not required to release student records to another school district or post-secondary institution in which a student seeks or intends to enroll or is already enrolled.

5. The District shall disclose personally identifiable student information to an organization designated to conduct a study for or on behalf of the District only when a written agreement has been established with the organization. Such disclosure does not require parent/eligible student consent.
6. The parent or eligible student must sign a request and consent form before a student's records are to be transferred to an agency or individual not authorized under law to receive them.

Family Educational Rights and Privacy Act

7. A log shall be maintained of student records requests and disclosures, including emergency disclosures in response to an actual, impending, or imminent articulable and significant health/safety threat. The log requirement does not apply to the following:
 - a. Disclosures made to parents or eligible students,
 - b. Records released pursuant to written consent,
 - c. Access by school officials and others having a legitimate educational interest under FERPA,
 - d. Disclosure to a party with written consent from a parent or eligible student,
 - e. Disclosures of directory information, or
 - f. Disclosures of records made pursuant to a subpoena or court order where a court order or other law provides that the parent or student are not to be notified.
8. A challenge to the records may take the form of an informal discussion among the parents, student, and school officials. Any agreement between these parties shall be reduced in writing, signed by all parties, and placed in the student's records.
9. Upon request, the Superintendent/designee shall, arrange for a record amendment hearing in compliance with 702 KAR 1:140.

RELATED PROCEDURES:

All 09.14 procedures

Review/Revised:

Notification of FERPA Rights

Distribute this notice annually to parents and students.
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The Family Educational Rights and Privacy Act (FERPA) affords parents and “eligible students” (students 18 years of age or older or students who are attending a postsecondary institution) certain rights with respect to the student’s education records. They are:

1. ***The right to inspect and review the student’s education records within forty-five (45) days of the day the District receives a request for access.***

Parents or eligible students should submit to the school Principal/designee a written request that identifies the record(s) they wish to inspect. The Principal will make arrangements for access and notify the parent or eligible student of the time and place where the record(s) may be inspected.

2. ***The right to inspect and review logs documenting disclosures of the student’s education records.***

Except for disclosure to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosure to the parent or eligible student, FERPA regulations require the District to record the disclosure.

3. ***The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or in violation of the student’s privacy or other rights.***

Parents or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, or in violation of privacy or other rights. They should write the school Principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of their privacy or other rights.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise him/her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

4. ***The right to provide written consent prior to disclosure of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.***

Exceptions that permit disclosure without consent include:

- a. Disclosure to school officials with legitimate educational interests. A “school official” is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school Board; a volunteer, or an outside person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility to the District.

This may include contractors, consultants, volunteers, and other parties to whom the District has outsourced services or functions.

Notification of FERPA Rights

- b. Upon request, disclosure of education records without parent/eligible student notice or consent to officials of another school district or post-secondary institution in which a student seeks or intends to enroll or is already enrolled or to other entities authorized by law so long as the disclosure is for purposes related to the student's enrollment or transfer.
- c. Disclosure of information to those whose knowledge of such information is necessary to respond to an actual, impending, or imminent articulable and significant health/safety threat.
- d. Disclosure to state and local educational authorities and accrediting organizations, subject to requirements of FERPA regulations.

Designated Kentucky State agencies may be permitted access to student record information, which will depend on the authority granted to their particular agency.

5. ***The right to notify the District in writing to withhold information the Board has designated as directory information as listed in the annual directory information notice the District provides to parents/eligible students.***

To exercise this right, parents/eligible students shall notify the District by the deadline designated by the District.

6. ***The right to prohibit the disclosure of personally identifiable information concerning the student to recruiting representatives of the U. S. Armed Forces and its service academies, the Kentucky Air National Guard, the Kentucky Army National Guard and institutions of higher education.***

Unless the parent or student who has reached age 18 requests in writing that the District not release information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters and institutions of higher education upon their request.

7. ***The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.*** The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Review/Revised:

Notification of PPRA Rights

Distribute this notice annually to parents and students.

The Protection of Pupil Rights Amendment (PPRA) affords parents and eligible students (those who are 18 or older or who are emancipated minors) certain rights regarding conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations. These include the right to:

- ◆ **Consent before minor students are required to submit to a survey, analysis, or evaluation** that concerns one (1) or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education:
 1. Political affiliations or beliefs of the student or student’s parent;
 2. Mental or psychological problems of the student or student’s family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships such as with lawyers, physicians, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or the student’s parents; or
 8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- ◆ **Receive notice and an opportunity to opt a student out of:**
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student (except for any physical exam or screening permitted or required under state law); and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others. **NOTE:** If the parent/eligible student has indicated no directory information is to be provided to third parties or if the marketing activity involves provision of social security numbers, consent form 09.14 AP.122 should be used.
- ◆ **Inspect, upon request and before administration or use:**
 1. Protected information surveys to be used with students;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

Notification of PPRA Rights

The District shall annually provide parents and eligible students notice of these rights under law in the Student Handbook, the District *Code of Acceptable Behavior and Discipline*, or other avenue designated by the Superintendent/designee.

The District shall also notify parents and eligible students at least annually at the start of each school year of the specific or approximate dates of the activities listed above. A new or supplemental notice shall be given as necessary to provide the opportunity to consent or opt out under the standards set forth above. Parents/eligible students who believe their rights have been violated may file a complaint with:

***Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave., SW
Washington, D. C. 20202-8520***

Review/Revised:

Student Directory Information Notification

Consistent with the Family Educational Rights and Privacy Act (FERPA), parents (or students 18 or older) may direct the District not to disclose directory information listed below. We are required to disclose a student's name, address, and telephone listing at the request of Armed Forces recruiters or institutions of higher education, unless a parent or student who has reached age 18, requests that this information *not* be disclosed.
Information about the living situation of a homeless student is not considered directory information.

Date

Dear Parent/Eligible Student,

This letter informs you of your right to direct the District to withhold release of student directory information for _____. Following is a list of items that the District considers

Student's Name

student directory information. If you wish information to be withheld, please choose one (1) of the two (2) options below in both Sections I and II. Choose Option 1 if the District may not release any item of directory information; Option 2, if the District may release only selected items of information. Then check those items that may be released. Please be advised that parents cannot prevent the school from using directory information on District-issued ID cards or badges.

If we receive no response within thirty (30) days of the date of this letter, all student directory information will be subject to release without your consent. If you return this signed form on time, we will withhold the directory information consistent with your written directions, unless disclosure is otherwise required or permitted by law. Once there has been an opt-out of directory information disclosure, the District will continue to honor that opt-out until the parent or the eligible student rescinds it, even after the student is no longer in attendance.

<i>Student Directory Information Listing</i>			
Section I		Section II	
Release to Third Parties other than Armed Forces Recruiters and Institutions of Higher Education		Armed Forces Recruiters & Institutions of Higher Education	
(Parent or student who has reached age 18 may sign below to direct the District to withhold information in this section.)		(Parent or student who has reached age 18 may sign below to direct the District to withhold information in this section.)	
CHOOSE ONE OF THE OPTIONS BELOW: <input type="checkbox"/> Option 1: The District MAY NOT RELEASE ANY information listed below. <input type="checkbox"/> Option 2: The District MAY RELEASE ONLY the information checked below.		Choose one of the Options below: <input type="checkbox"/> Option 1: The District MAY NOT RELEASE ANY information listed below. <input type="checkbox"/> Option 2: The District MAY RELEASE ONLY the information below.	
<i>If you choose Option 2, check the item(s) of information listed below that the District may release.</i>			
<input type="checkbox"/> Student's name <input type="checkbox"/> Student's address <input type="checkbox"/> Student's school email address <input type="checkbox"/> Student's telephone number <input type="checkbox"/> Student's date and place of birth <input type="checkbox"/> Student's major field of study <input type="checkbox"/> Information about the student's participation in officially recognized activities and sports	<input type="checkbox"/> Student's weight and height (if a member of an athletic team) <input type="checkbox"/> Student's dates of attendance <input type="checkbox"/> Degrees, honors and awards the student has received <input type="checkbox"/> Student's photograph/picture <input type="checkbox"/> Most recent educational institution attended by the student <input type="checkbox"/> Grade level	<ul style="list-style-type: none"> • Student's name • Student's address • Student's telephone number (if listed) 	

NOTE: IF DIRECTED TO WITHHOLD A STUDENT'S NAME, GRADE LEVEL, OR PHOTOGRAPH, THAT INFORMATION WILL NOT BE INCLUDED IN ANY SCHOOL OR DISTRICT PUBLICATION RELEASED TO THE PUBLIC. A PARENT WISHING TO PERMIT SUCH INFORMATION ABOUT HIS/HER CHILD (NAME, PICTURE, ETC.) TO BE INCLUDED IN A SCHOOL OR DISTRICT PUBLICATION (YEARBOOK, SPORTS PROGRAM, ETC.) THAT IS SOLD FOR FUND-RAISING PURPOSES MUST PROVIDE WRITTEN CONSENT FOR SUCH PURPOSES.

Parent/Student Signature

Date
Review/Revised:

PPRA Forms**CONSENT FOR SPECIFIC ACTIVITIES**

(For activities funded in whole or in part by the United States Department of Education)

Dear Parent/Guardian,

For your convenience you will find attached a copy of our school district's "Notification of Protection of Pupil Rights Amendment" (PPRA) procedure 09.14 AP.112.

On _____ at _____
Date Name of School/Site

there will be a survey, analysis, or evaluation, and your consent is required so that your child(ren) may participate. This activity consists of:

Description: _____

Please sign below in the event you consent to your child(ren)'s participation and return this form to your Principal/designee by _____.

Five (5) days before activity or as directed

If you would like to review any survey instrument or instructional material used in connection with any protected information or marketing survey, please submit a request to your Principal/designee. You will be notified of the time and place where you may review these materials. You may review a survey and/or instructional materials before the survey is administered to a student.

As the parent/guardian, I give my consent for my child(ren), as noted below, to participate in the activity designated above.

STUDENT (PRINT NAME)	SCHOOL	GRADE

Parent Signature

Date

Review/Revised:

Juvenile Justice Agency Certification Form

Date: _____

Name of Agency Receiving Records: _____

The _____ Schools have released education records of
_____, who was born on _____
Student's Name

to the above named agency. On behalf of the above named agency, I certify that the student records received shall not be released to anyone except those authorized by law to receive them without the written consent of the parent of the above named child.

Printed Name of Agency Representative

Signature of Agency Representative

Date

Review/Revised:

Request to Inspect, Amend, or Destroy Student Educational Records**CHECK ONE:**

- ☐ Request to inspect and review educational records
- ☐ Request amendment of educational records
- ☐ Request hearing to challenge educational records
- ☐ Request destruction of records

Specify the educational record(s) _____

I hereby make the above request concerning the education records of

Student's Name

Date of Birth

I ☐ am ☐ am not satisfied with the accuracy of the record(s). I realize I may request that records which are inaccurate, misleading, or violative of other rights of the student be amended.

Describe below the specific information in the records for which amendment/hearing is requested and the reason for the request: _____

(USE BACK OF PAGE IF ADDITIONAL SPACE IS REQUIRED.)

I certify that I am the parent, legal guardian or am acting as a parent under FERPA of the student named above, or that I am at least 18 years of age making the above request concerning my own school records.*

Parent/Guardian's or Student's Signature

Date

* Living in the student's home in the absence of the parent on a day-to-day basis

You may review the records of _____ at _____
Student's Name Location

between the hours of _____ AM and _____ PM on _____
Month & Day Year

Failure to appear at the time and place designated above will require requesting party to make arrangements to view record(s) at an alternate time and place.

Custodian of Records/designee's Signature

Title

Date

NOTE: Except when individuals designated by the Superintendent are reviewing student records, an authorized school employee shall provide appropriate supervision while records are being inspected.

Review/Revised:

Student Record Logs**INSPECTION/RELEASE TO OTHER AGENCIES/DISTRICTS**

Student's Name: _____	Date of Birth: _____
------------------------------	-----------------------------

NOTES:

- Any agency or individual inspecting, reviewing, or receiving copies of any student records under the authority of the Family Educational Rights and Privacy Act, is cautioned that the Act provides that personal information shall only be transferred to a third party on the condition that such party will not permit any other party to have access to such information except as allowed by law.
- This form need not be completed for disclosures made to parents or eligible students, records released to District employees having a legitimate educational interest under FERPA, records released pursuant to written parent or eligible student consent, release of directory information, or disclosures of records made pursuant to a subpoena or court order where a court order, issuing agency, or other law provides that other individuals are not to be notified.
- KDE uploads District student records on a daily basis.

Date of Request	Name of Requesting Agency/District/Individual	Legitimate Interest	Records Accessed/Released	DISTRICT RESPONSE:			Employee Initials/Date
				#1 Copied Provided	#2 Records Inspected/Reviewed	#3 Request Denied	
				<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	/
				<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	/
				<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	/
				<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	/
				<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	/
				<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	/
				<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	/
				<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	/
				<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	/

Student Record Logs**EMERGENCY RELEASE DOCUMENTATION**

As required by the Family Educational Rights and Privacy Act (FERPA), for each instance of employee disclosure of information from this student's educational record made in response to an actual, impending, or imminent articulable and significant health/safety threat, documentation shall be made as follows:

INFORMATION DISCLOSED	EMPLOYEE INITIALS/DATE	BASIS FOR DISCLOSURE	RECEIVING PARTY(IES)
	/		
	/		
	/		
	/		
	/		
	/		
	/		

Review/Revised:

Request for Educational Records**THIS FORM IS TO BE USED BY THE SCHOOL OF CURRENT ATTENDANCE TO REQUEST
EDUCATIONAL RECORDS FROM THE SCHOOL OF PREVIOUS ENROLLMENT.**

(Date)

(School Last Attended)

(Address)

(City, State, ZIP)

Please send the educational records of the following student(s):

<i>(Student Name)</i>	<i>(Grade)</i>	<i>(Birthdate)</i>
-----------------------	----------------	--------------------

<i>(Student Name)</i>	<i>(Grade)</i>	<i>(Birthdate)</i>
-----------------------	----------------	--------------------

<i>(Student Name)</i>	<i>(Grade)</i>	<i>(Birthdate)</i>
-----------------------	----------------	--------------------

☐ Please include disciplinary records with regards to suspension and expulsion.

These records should be sent to the following address:

(Present School)

(Address)

(City, State, ZIP)

Principal/Designee's Signature

This transfer is provided for in the Family Educational Rights and Privacy Act, as amended. Regulations do not require an acknowledgment from the parent or eligible student that s/he has received notification before records may be released to other educational institutions.

RELATED PROCEDURE:

09.14 AP.231

Review/Revised:

Designation and Agreement for Disclosure to Authorized Representatives

This designation and agreement form shall be completed prior to District release of personally identifiable student record information to outside individuals/entities concerning Federal or State supported programs.

AUTHORIZED REPRESENTATIVE: _____

PERSONALLY IDENTIFIABLE INFORMATION (PII) TO BE DISCLOSED:

PURPOSE:

The purpose of records release is to carry out activities in connection with Federal or State supported education programs as indicated below:

☐ Audit ☐ Evaluation ☐ Enforcement ☐ Compliance

DESCRIPTION OF THE ACTIVITY FOR WHICH RECORDS WILL BE USED: DESCRIPTION OF HOW THE INFORMATION WILL BE USED:

NOTE: The authorized representative designated herein shall not release the subject information to anyone other than its authorized representatives who have a legitimate interest in the activity set out in this agreement.

RECORDS DESTRUCTION:

The authorized representative shall destroy the PII when no longer needed for the purpose specified herein.

- The method used to destroy records shall be by physical destruction.
- The subject information shall be destroyed by: _____ (date)

Please sign, date and return to our District a copy of this document, which shall signify your individual or your entity's agreement with all terms set out in this document.

Signature of Custodian of District Records

Date

Signature of Individual/Entity Representative

Date

Review/Revised:

Release of Records to State Child Welfare Agency

In order to facilitate the proper transfer, enrollment and educational placement of a child placed in foster care, authorized representatives of a child welfare agency (Cabinet for Health and Family Services) who must be authorized to access the child's case plan may be granted access to student records without parental consent if such agency presents to the District an official court order placing the student whose records are requested under the care and protection of said agency. This form provides access to student records that may be granted on a confidential basis to a child-caring facility or child-placing agency case manager for the same purposes where Cabinet officials with authorized access as stated above certify in writing that such persons or entities are acting in a representative capacity for the Cabinet, are responsible for care of the child, and are authorized to access the child's case plan. Any persons/agencies receiving access to education records as provided above are prohibited by federal law from releasing a child's education records to any individual or entity, except those engaged in addressing the child's educational needs. All applicable information in the below form must be provided/completed.

On behalf of the _____ (agency), I am requesting access to and/or release of information in the educational records of the following student enrolled in the District:

Name of Student

School

SPECIFIC INFORMATION REQUESTED

☐ All cumulative records

☐ Grade records only

☐ Attendance record only

☐ Standardized test data only

☐ Other: _____

I understand that I and my agency are prohibited by federal law from releasing a child's education records to any individual or entity, except for those at my agency engaged in addressing that child's educational needs.

I also understand that if the United States Department of Education determines that a third party outside the educational agency or institution discloses educational record information in violation of the law, the educational agency or institution may not allow that third party access to personally identifiable information from education records for at least five (5) years.

By virtue of my signature, I certify:

- I am a representative/caseworker for the following state child welfare agency: _____;
- This agency is responsible under state law for care and protection of the student as provided in the court order referenced below;
- A case plan for the student has been established or is in process for the student; and
- As representative/caseworker I have the right to access such case plan.

CONTACT INFORMATION

Signature of Requesting Individual

Title

Date

Telephone Number

Email Address

Release of Records to State Child Welfare Agency**CERTIFICATION REGARDING CHILD CARING OR PLACING AGENCIES (IF APPLICABLE)**

On behalf of the Cabinet, I additionally confirm that the following individuals/agencies are serving the child as representatives of the Cabinet, are responsible for the care of the child, are authorized to access the child's agency case plan and that access to educational records as checked above is necessary in order to facilitate the transfer, enrollment and educational placement of the child.

Name: _____ Position: _____ Signature: _____
(on behalf of the Kentucky Cabinet for Health and Family Services)

Date: _____

Contact Information: _____
Telephone/Address/Email Address

☐ Child-caring facility _____

Name: _____ Position: _____ Signature: _____

Date: _____

Contact Information: _____
Telephone/Address/Email Address

☐ Child placing facility case manager _____

Name: _____ Position: _____ Signature: _____

Date: _____

Contact Information: _____
Telephone/Address/Email Address

Persons/agencies receiving access to education records as signing above acknowledge they are prohibited by federal law from releasing a child's education records to any individual or entity, except those engaged in addressing the child's educational need and that if the United States Department of Education determines that a third party outside the educational agency or institution discloses educational record information in violation of the law, the educational agency or institution may not allow that third party access to personally identifiable information from education records for at least five (5) years.

(THE SECTION BELOW TO BE COMPLETED BY DISTRICT RECORDS CUSTODIAN/DESIGNEE)

☐ The District has an attested or certified original court order placing the student whose records are released under the care and protection of the requesting agency, which order is still in effect.

☐ The requesting individual presented appropriate credentials and identification.

☐ Payment has been made for any copies requested.

The requesting individual was notified of the following on _____ (date):

- The request was ☐ approved ☐ not approved.
- If approved, the records will be available on _____ (date).

Signature of Records Custodian/Designee

Date

Review/Revised:

Release/Inspection of Student Records
TO THIRD PARTY

Date: _____

Name of School: _____

The _____ Schools are hereby authorized to:

☐ Release or copy☐ Permit the inspection of

the records listed below for _____, who was born on

Student's Name

_____. The individual or agency to whom this information is to be released is _____.

I understand that the records affected are checked below, along with the reason(s) for the requested release or authorization to inspect.

RECORDS (including electronic)	PURPOSE
<input type="checkbox"/> All cumulative records	
<input type="checkbox"/> Attendance record only	
<input type="checkbox"/> Grade records only	
<input type="checkbox"/> Standardized test data only	
<input type="checkbox"/> Special education records only	
<input type="checkbox"/> Other: _____	

This release is effective only for the specified records or types of records (including electronic) on hand as of the date you sign below UNLESS you specifically authorize further release of the specified records or types of records as follows. (Check and initial ONE of the following.)

- ☐ I authorize **on-going release** of the specified records or types of records to the entity/individual specified until student reaches age of 18 unless earlier revoked in writing. (Initials _____)
- ☐ I authorize release of the specified records or types of records until the end of the present school year (June 30th) unless earlier revoked in writing. (Initials _____)

*Signature of Parent/Guardian or Individual Acting as Parent under FERPA**_____
*Date*_____
*Signature of Student, 18 or Older or Attending Post-secondary Institution*_____
Date

*Living in the student's home in the absence of the parent on a day-to-day basis

Review/Revised:

Publication Consent Form

PLEASE COMPLETE THIS FORM AND SUBMIT IT TO THE SCHOOL.

Dear Parent/Guardian:

At some time during the school year, school/District personnel or other District-authorized persons may videotape or photograph classroom activities or special projects in which your child participates during or after the school day for public awareness or fund-raising purposes.

This form covers permission for the District to record and use the recorded image, voice, or work of the student (photographed, filmed, taped, or digitally recorded) for public awareness purposes, including publication on the school and/or District's web site and in school yearbooks.

Please review this form carefully, sign and date the form, and submit the form to the school.

Once signed and dated, this form shall remain in effect for your child's enrollment in the District schools. However, at any time during the school year, you may amend this form only for future uses/preferences by notifying the Principal in writing of your request.

As the parent(s)/guardians(s) of _____, I/we give the
Student's Name

_____ School District permission to release my/our child's name,
District's Name

photograph, work, and/or audio/video reproduction for publication to the general public concerning school functions and activities, including academic and athletic activities.

Name of Parent(s)/Guardian(s) (Please print.) _____

Parent/Guardian's Signature

Date

NOTE: If the recorded image, voice, or work of a student is to be included in a publication as part of a commercial or for-profit fund-raising endeavor, affirmative authorization of the parent/guardian or eligible student must be obtained.

Review/Revised:

Student Privacy Rights**PUBLIC COMMENT REQUIRED**

KRS 158.189 requires the Board, after allowing public comment at an open meeting, to adopt this Policy (09.141), necessary to protect the privacy rights for students, that at a minimum, does not allow students to use restrooms, locker rooms, or shower rooms that are reserved for students of a different biological sex.

A student who asserts to school officials that his or her gender is different from his or her biological sex and whose parent or legal guardian provides written consent to school officials shall be provided with the best available accommodation, but that accommodation shall not include the use of school restrooms, locker rooms, or shower rooms designated for use by students of the opposite biological sex while students of the opposite biological sex are present or could be present.

Acceptable accommodations may include but are not limited to access to single-stall restrooms or controlled use of faculty bathrooms, locker rooms, or shower rooms.

REFERENCE:

KRS 158.189

Adopted/Amended:
Order #:

Student Fees**BOARD APPROVAL REQUIRED**

All student fees and charges shall be adopted by the Board, including any student activity fees or membership dues. Approved fees shall remain in place until modified or removed by Board resolution. Fees for rental or purchase of instructional resources may be charged.

Fees collected for a specific purpose shall be used for that purpose only. Fees sponsored under the auspices of the school by student clubs or student organizations shall be accounted for in the school activity fund bank account.

INABILITY TO PAY

No child shall be denied full participation in any educational program due to an inability to pay for, or rent, necessary instructional resources.¹

WAIVER OF FEES

The Superintendent shall recommend and the Board shall approve a process to waive fees for students who qualify. At the beginning of the school year or at the time of enrollment, all students who qualify shall be given clear and prominent written notice of the fee waiver provisions. The written notice of the fee waiver process shall include a form that parents may use to request waiver of fees. Mandatory waiver of fees for qualifying students shall be accomplished in compliance with applicable statutory and regulatory requirements.

REFERENCES:

¹KRS 158.108

KRS 160.330

702 KAR 3:220; 704 KAR 3:455

Accounting Procedures for Kentucky School Activity Funds

RELATED POLICIES:

04.312; 08.232

Adopted/Amended:

Order #:

Student Fees

SCHEDULE APPROVED ANNUALLY

If student fees are charged, a schedule of fees shall be reviewed and approved annually by the Board. The approved schedule shall be published in student handbooks or other written notice, as appropriate.

NO CHILD DENIED

Students will not be denied access to any educational program due to an inability to pay a fee, purchase school supplies, or rent or purchase instructional resources.

PRINCIPAL'S RESPONSIBILITY

Principals shall determine those students who qualify for free school supplies and instructional resources as follows:

1. Principals shall use the guidelines of the free and reduced-price lunch program to determine the inability of students to rent instructional resources, pay fees, and purchase necessary school supplies.*
2. During the first week of school, the Principal shall send to the parents of each student the eligibility guidelines for free and reduced-price lunches. The eligibility guidelines form shall include a statement that if the student qualifies for free or reduced-price lunches, s/he also qualifies for free necessary school supplies.
3. Parents shall be informed that they must complete the required documentation to be eligible for exemption from payment of fees for necessary school supplies.

*If a school or District participates in the Community Eligibility Provision (CEP) meal program, the Principal shall use the Household Income Form (HIF) to determine the inability of students to rent instructional resources, pay fees, and purchase necessary school supplies.

SBDM

In SBDM schools, councils shall provide free supplies and/or instructional resources from funds allocated to the school.

Review/Revised:

Application for Waiver of Fees

Student's Name _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
Student's Address _____			
<i>City</i>	<i>State</i>	<i>ZIP Code</i>	
Student's Age _____	Date of Birth _____	Sex _____	Student's Phone Number _____
School _____	Grade _____	Homeroom/Classroom _____	

Name of Parent/Guardian _____

Address of Parent/Guardian _____

Home Telephone _____ If none, number of nearest neighbor _____

In the chart below, list the Name, Birthdate, School, and Grade for **all other** children in the home:

NAME	BIRTHDATE	GRADE	SCHOOL ATTENDING

Employment Status of Parent/Guardian:**Mother:** ☐ Employed ☐ Unemployed

Employer's Name _____ Address _____

Father: ☐ Employed ☐ Unemployed

Employer's Name _____ Address _____

Gross Family Income from last Income Tax Return _____

- Is the family presently receiving or eligible to receive any type of financial aid from the Kentucky Cabinet for Health & Family Services? ☐ YES ☐ NO
- If your child is granted free/reduced price meal status, do you grant permission for school food service personnel to disclose that information to the following District personnel for the sole purpose of determining if your child is eligible for a fee waiver for such activities as textbook rental and field trip fees, etc.?
 - School administrators
 - Other District personnel, such as activity sponsors, who do not otherwise have access to information in connection with the School Nutrition program. ☐ YES ☐ NO

Application for Waiver of Fees

3. If your child is eligible under the Community Eligibility Provision (CEP), do you grant permission for the FRAM coordinator to disclose that information to the following District personnel for the sole purpose of determining if your child is eligible for a fee waiver for such activities as textbook rental and field trip fees, etc.?

- School administrators
- Other District personnel, such as activity sponsors, who do not otherwise have access to information in connection with the Community Eligibility Provision. ☐ YES ☐ NO

- Failure to sign this consent statement will not affect your child's eligibility or participation for the program.
- The recipient will be required to maintain confidentiality of the information.

Comments: _____

Parent/Guardian's Signature

Date

APPLICATION ☐ APPROVED ☐ DENIED _____

Central Office Designee's Signature

Date

Review/Revised:

Notice of Returned Check

Date: _____

Dear _____

Name of parent/guardian

This is to inform you that the check you submitted for payment of your child's fee(s), check number _____, dated _____, drawn on account number _____ with the following banking institution, _____, has been returned for the following reason:

- ☐ Insufficient funds
- ☐ Uncollected Funds
- ☐ Closed account
- ☐ Other, as specified _____

We have submitted this check for payment on two (2) different occasions, and the check was returned both times. Please send cash or a money order in the amount of \$ _____ to clear the bill. We will return your check upon receipt of this amount. If you have any questions, please contact me at the following number: _____

School telephone number

If you have not contacted me or submitted the amount indicated in this correspondence within ten (10) working days from the date of this letter, I will recommend to our attorney to pursue appropriate action.

Sincerely,

Principal's Signature

xc: Other as specified _____

Review/Revised:

Notice of Past Due Account☐ First Notice ☐ Second Notice*

Date: _____

Dear _____

Name of parent/guardian

This is to inform you that the _____ has been past due since

Account Name/Number

_____ and the fee(s) amounting to _____

*Inclusive Dates**Amount*

need to be submitted to my office as soon as possible.

If you have any questions regarding this matter, please contact me at the following number:

_____.

School telephone number

*If you have not contacted me or submitted the amount indicated in this correspondence within ten (10) working days from the date of the second notice, I will recommend to our attorney to pursue appropriate action.

Sincerely,

Principal's Signature

xc: Other as specified _____

Review/Revised:

Student Welfare and Wellness

The health and safety of pupils shall be a priority consideration in all Board decisions.

The Board is committed to providing school environments that promote and protect student health, well-being, and ability to learn by supporting healthy eating and physical activity. To this end, the Board supports school efforts to implement the following:

- To the maximum extent practicable, schools will participate in available federal school meal programs.
- Schools will provide and promote nutrition education and physical education to foster lifelong habits of healthy eating and physical activity and will establish linkages between health education, school meal programs, and related community services.
- All schools containing grades K-5 or any combination thereof, shall develop and implement an individual wellness policy per KRS 160.345 and Board Policy 02.4241.

WELLNESS LEADERSHIP

The Superintendent/designee will direct District officials (“wellness leadership group”) to monitor compliance with this and related policies. At the school level, the Principal/designee will monitor compliance with those policies in his/her school and will report on the school's compliance as directed by the Superintendent/designee.

The wellness leadership group shall work to encourage and support all students to be physically active on a regular basis as provided by school/council policy. Each school shall review and consider evidence-based strategies to set measurable goals in providing nutrition education and engaging in nutrition promotion to positively influence lifelong eating behaviors.

Suggested language may include goals related to activities and opportunities:

- offered at each grade level as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;
- offered as part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects;
- that include enjoyable, developmentally-appropriate, culturally-relevant, participatory activities, such as contests, promotions, taste testing, farm visits, and school gardens;
- that promote fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods, and health-enhancing nutrition practices;
- that emphasize caloric balance between food intake and energy expenditure (physical activity/exercise);
- that link with school meal programs, other school foods, and nutrition-related community services;
- that teach media literacy with an emphasis on food marketing; and
- that include training for teachers and other staff.

Student Welfare and Wellness**PHYSICAL ACTIVITY AND PHYSICAL EDUCATION**

- Each school council of a school containing grades K-5 or any combination thereof, or if there is no school council, the Principal, shall develop and implement a wellness policy that includes moderate to vigorous physical activity each day and encourages healthy choices among students consistent with KRS 160.345 and Board Policy 02.4241.
- The policy may permit physical activity to be considered part of the instructional day, (not to exceed thirty (30) minutes/day or 150 minutes/week) and also in compliance with the school calendar regulation, 702 KAR 7:140 and Board Policy 08.1346.

DISTRICT WELLNESS PLAN/PUBLIC AND STAFF INPUT

The District shall actively seek to engage students, parents, physical and/or health education teachers, school food service professionals, school health professionals, school board members, school administrators, and other interested community members in developing, implementing, monitoring, and reviewing this Policy and in providing input on the District Wellness Plan.

The District shall permit community participation in the student wellness process by:

- Making a nutrition and physical activity report to be prepared by the School Nutrition Director available to the public on the District website no later than sixty (60) days prior to the public forum covered in KRS 158.856. (702 KAR 6:090)
- Discussing the findings of the nutrition report and physical activity report and seeking public comments during a publicly advertised special Board meeting or at the next regularly scheduled Board meeting following the release of the nutrition and physical activity reports.
- Holding an advertised public forum by January 31 of each year, to present a plan to improve the school nutrition and physical activities in the District in accordance with KRS 158.856.

The Superintendent shall submit the wellness plan that includes a summary of the findings and recommendations of the nutrition and physical activity report as required by May 1 of each year to the Kentucky Department of Education (KDE).

The Wellness Plan submitted to KDE shall include within the findings and recommendations the following:

1. Extent to which the District is in compliance with this Policy;
2. A comparison of how the District measures up to model wellness policies provided by recognized state and national authorities; and
3. A description of the measurable progress made towards reaching goals of the District wellness policy and addressing any gaps identified in the wellness report for the previous year.

Student Welfare and Wellness**RECORDKEEPING**

The District and each school in the District shall maintain the following records:

- A copy of the written wellness policy or plan;
- Documentation on how the policy and assessments are made available to the public;
- The most recent assessment of implementation of the policy;
- Documentation of efforts to review and update the policy, including who was involved in the process and how stakeholders were made aware of their ability to participate; and
- Documentation demonstrating compliance with annual public notification requirements and annual reporting to the KDE.

STANDARDS AND NUTRITION GUIDELINES FOR ALL FOODS AND BEVERAGES

Foods and beverages sold during the school day shall be done in accordance with state and federal regulations and Board Policies 07.111 and 07.12.

STANDARDS FOR ALL FOODS AND BEVERAGES SOLD TO STUDENTS

Foods and beverages sold or served at school shall be consistent with the state and federal regulations for school meal nutrition standards. Nutrition guidelines for all foods and beverages served or sold on campus shall be maintained by the Superintendent/designee and made available upon request. The Superintendent shall designate an individual or individuals to monitor compliance of beverages and food sold ala carte with state and federal nutrition requirements.

Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.

STANDARDS FOR ALL FOODS AND BEVERAGES PROVIDED BUT NOT SOLD TO STUDENTS

- When possible, rewards given to students shall be other than food/beverage items. When food/beverage items are used as rewards, such items shall comply with nutritional guidelines set out in 7 C.F.R 210.11 and 702 KAR 6:090.
- Foods and beverages provided in school, but not made available for sale, shall meet standards outlined in the schools' individual wellness plan (if applicable) and will not conflict with District Policy.

FOOD AND BEVERAGE MARKETING

All marketing on the school campus during the school day shall be of only those foods and beverages that meet the nutrition standards of the Smart Snack in School Nutrition Standards (7 C.F.R 210.11 and 702 KAR 6:090).

Student Welfare and Wellness

REFERENCES:

KRS 158.850; KRS 158.854
KRS 160.290; KRS 160.345
702 KAR 6:090
P. L. 111-296
7 C.F.R. Part 210
7 C.F.R. Part 220
U. S. Dept. of Agriculture's Dietary Guidelines for Americans

RELATED POLICIES:

02.4241; 07.1; 07.111; 07.12; 08.1346

Adopted/Amended:
Order #:

Health Requirements and Services

HEALTH AND SAFETY

The Superintendent shall develop procedures to ensure District compliance with all health and safety governance requirements.

The protocols and guidelines for health procedures performed by health professionals and school personnel shall be accessible to school personnel.¹ Policies and related procedures for these policies in the 09.2 section of this Manual, as referenced in the Health Services Reference Guide, are incorporated herein.

REQUIRED

All pupils shall undergo preventive health care examinations as required by Kentucky Administrative Regulation.²

The Board shall adopt a program for continuous health supervision for all pupils, including screening tests related to growth and development, vision, and hearing.

REFERRAL

Referral and appropriate follow-up of an abnormality noted by screening or teacher observation shall be recorded on school health records.

EMERGENCY CARE

Schools shall have emergency care procedures, a copy of which shall be on file in the Central Office.

HEALTH RECORD

Each school shall initiate a cumulative health record for each pupil entering school. Such record shall be maintained throughout the pupil's attendance on forms prescribed by the Kentucky Administrative Regulation or maintained electronically in the student information system.

REFERENCES:

¹KRS 156.501

²702 KAR 1:160

KRS 158.297; KRS 159.150

Health Services Reference Guide

RELATED POLICIES:

08.1213; 08.131; 08.222; 09.2 (entire section); 09.211; 09.224

Adopted/Amended:

Order #:

Health Requirements and Services

Student health and safety shall be accomplished in accordance with state statutes and regulations and the policies and procedures listed below.

SCREENING TESTS

Physical assessments of students shall be conducted as follows:

GROWTH & DEVELOPMENT	PROVIDED BY
<input type="checkbox"/> Preschool	<input type="checkbox"/> Health Provider
<input type="checkbox"/> First year primary	<input type="checkbox"/> County Health Department
<input type="checkbox"/> Second year primary	<input type="checkbox"/> School Nurse
<input type="checkbox"/> Third year primary	<input type="checkbox"/> School Staff
<input type="checkbox"/> Fourth year primary	<input type="checkbox"/> Volunteers
<input type="checkbox"/> Grade 5	<input type="checkbox"/> Other
<input type="checkbox"/> Grade 6	
<input type="checkbox"/> Grade 7	
<input type="checkbox"/> Grade 8	
VISION	PROVIDED BY
<input type="checkbox"/> Preschool	<input type="checkbox"/> Local optometrist
<input type="checkbox"/> First year primary	<input type="checkbox"/> County Health Department
<input type="checkbox"/> Second year primary	<input type="checkbox"/> School Nurse
<input type="checkbox"/> Third year primary	<input type="checkbox"/> School Staff
<input type="checkbox"/> Fourth year primary	<input type="checkbox"/> Volunteers
<input type="checkbox"/> Grade 5	<input type="checkbox"/> Other
<input type="checkbox"/> Grade 6	
<input type="checkbox"/> Grade 7	
<input type="checkbox"/> Grade 8	
HEARING	PROVIDED BY
<input type="checkbox"/> Preschool	<input type="checkbox"/> Speech Therapist
<input type="checkbox"/> First year primary	<input type="checkbox"/> County Health Department
<input type="checkbox"/> Second year primary	<input type="checkbox"/> School Nurse
<input type="checkbox"/> Third year primary	<input type="checkbox"/> School Staff
<input type="checkbox"/> Fourth year primary	<input type="checkbox"/> Volunteers
<input type="checkbox"/> Grade 5	<input type="checkbox"/> Speech/Hearing Teacher
<input type="checkbox"/> Grade 6	<input type="checkbox"/> Other
<input type="checkbox"/> Grade 7	
<input type="checkbox"/> Grade 8	

Health Requirements and Services**ABNORMALITIES REPORTED**

Any abnormalities found that need further medical evaluation shall be reported to the parents and recorded on the school health record. Referrals of students affected by health barriers shall be made, as appropriate, to family resource/youth service centers and/or support agencies for assistance.

HEALTH SERVICES REFERENCE GUIDE

District personnel shall utilize guidelines and forms provided in the Health Services Reference Guide published by the Kentucky Department of Education to address the following:

1. Pupil's cumulative health record
2. General growth and development
3. Vision screening
4. Hearing screening
5. Physical education medical information
6. Preventive health care examinations form(s) as provided by the Kentucky Department of Education

HEALTH RECORDS

Cumulative health records shall be initiated and maintained in the Principal's office or maintained electronically in the student information system.

RELATED POLICIES:

03.14, 03.24
09.21, 09.211, 09.22, 09.224, 09.2241

RELATED PROCEDURES:

09.224 and 09.2241 procedures

Review/Revised:

Health Care Examination

All pupils shall undergo preventive student health care, dental, and vision examinations as required by Kentucky Administrative Regulation, which shall be reported on the state forms or an electronic medical record that includes all of the data equivalent to that on the appropriate forms required by state regulation.^{1&4}

IMMUNIZATIONS

The immunization certificate form required by 702 KAR 1:160 shall be on file within two (2) weeks of a student's enrollment in school.^{1, 2 & 3}

A current immunization certificate shall be required for home-schooled students prior to attending one (1) or more in-school classes or participating in sports or other school-sponsored extra-curricular activities.

Forms relating to exemptions from immunization requirements shall be available at each school.

Immunization certificates shall be kept current.¹

The parent/guardian shall provide a current immunization certificate at enrollment in a day care center, kindergarten, seventh grade, eleventh grade, and for the 2018-2019 school year for twelfth grade; new enrollment at any grade; upon legal name change; and at a school required examination pursuant to 702 KAR 1:160.

REFERENCES:

¹KRS 156.160; 702 KAR 1:160

²KRS 214.034; KRS 214.036

³KRS 158.035

⁴902 KAR 2:060

902 KAR 2:090

OAG 82-131

Health Services Reference Guide, Kentucky Department of Education

P. L. 114-95, (Every Student Succeeds Act of 2015), 20 U.S.C. § 6301 et seq.

McKinney-Vento Act, 42 U.S.C. 11431 et seq.

RELATED POLICIES:

09.121

09.126 (re requirements/exceptions for students from military families)

Adopted/Amended:

Order #:

Preventive Student Health Care Examination Forms

Preventive student health care examinations for students must be completed using the form required by Kentucky Administrative Regulation (“Preventive Student Health Care Examination Form”) or an electronic medical record that includes all of the data equivalent to that on the Preventive Student Health Care Examination form.

Review/Revised:

Request for Protected Health Information

See existing Procedure 03.111 AP.21 the form to use in requesting protected health information from health care providers.

RELATED PROCEDURE:

03.111 AP.21

Review/Revised:

Contagious Diseases and Parasites

NOTIFICATION

A parent, legal guardian, or other person or agency responsible for a student shall notify the student's Principal if the student has any medical condition which is defined by the Cabinet for Health and Family Services in administrative regulation as threatening the safety of the student or others in the school. The notification shall be given as soon as the medical condition becomes known and upon each subsequent enrollment by the student in a school.¹

The Principal or designee shall notify the student's teachers in writing of the nature of the medical condition.

INFECTION CONTROL

If any student is known or suspected to have or be infected with a communicable disease or condition for which a reasonable probability for transmission exists in a school setting, the Superintendent may order the student excluded from school. The time period the student is excluded from school shall be in accordance with generally accepted medical standards which the Superintendent shall obtain from consultation with the student's physician, the local health officer¹, or the Kentucky Department for Public Health.

EPIDEMICS

In the event of a dangerous epidemic as determined by the Kentucky Department for Public Health, the Board may close the schools.¹

SCHOOL TO REPORT

Local school authorities shall report immediately all known or suspected cases of communicable disease to the local health department. Diseases to be reported shall not include those considered confidential, such as AIDS/HIV, as set forth in Kentucky Administrative Regulation.²

MEDICAL CONFIDENTIALITY

Unless otherwise permitted by law, signed parental consent designating District personnel to be informed of a student's medical condition shall be on file prior to informing identified District personnel.

The Superintendent shall identify which employees are to have access to student medical information. This determination shall be made on a need-to-know basis.

CLEANUP PROCEDURES

The Superintendent shall develop procedures to promote adequate and proper cleanup details and measures to aid in the prevention of infection and communicability of contagious diseases.

REFERENCES:

¹KRS 158.160

²702 KAR 1:160; 902 KAR 002:020; KRS 214.181; KRS 214.625

Kentucky Department for Public Health; Centers for Disease Control and Prevention
KRS 214.185

Adopted/Amended:
Order #:

Prevention/Control of Head Lice in Schools

School personnel shall actively pursue the prevention and control of head lice in the District's schools by developing a consistent education, screening and follow-up program for all students.

Principals and school personnel trained to identify live lice shall adhere to the following guidelines:

- 1) When students are observed/reported to have live head lice any time during the school year:
 - a. Playmates closely associated with the student and possibly siblings of the student that attend the same school may be checked for live lice, which are defined by the Centers for Disease Control and Prevention as crawling lice. In general, school-wide checks are not necessary.
 - b. Parents of each student identified as having live lice will be contacted by a school/District representative advising them of the finding.
- 2) Principals or school/District personnel shall offer parents of students identified as having live lice:
 - a. Visual evidence of live lice in the student's hair.
 - b. Verbal and/or written information/direction for hair treatment and household procedures.
- 3) In most cases, students should not be excluded from school. However, in all instances when personnel identify live lice, they shall confirm with the student and/or parent/guardian that the following have occurred:
 - a. The parent/guardian has combed the student's hair with an actual lice/nit comb or applied special lice killing shampoo on the same or next day.
 - b. When the student returned to school after treatment, designated school personnel rechecked the student before s/he returned to the classroom. If live lice remained, steps 2 and 3 above were re-established.
- 4) School personnel shall follow up with students found with a second and subsequent cases of live head lice to assure that:
 - a. Prescribed medical treatment for live lice has been applied to the student's hair no later than the next day.
 - b. Any second application required is applied within the recommended time frame.
- 5) The Superintendent/designee shall:
 - a. Establish education/information programs on head lice control methods for school personnel, community members, students and parents.
 - b. Provide each school with written materials on head lice control and prevention.

Review/Revised:

Exposure to Bloodborne Pathogens

The bodily fluid cleanup guidelines that are included in the Bloodborne Exposure Control Plan required by Policies 03.14/03.24 and related procedures will be followed in incidents involving students.

Review/Revised:

Student Health and Safety

PRIORITY

Student health, welfare and safety shall receive priority consideration by the Board.

Rules and regulations on health and safety promulgated by the Kentucky Board of Education under Kentucky statute and by local and state boards of health relating to student safety and sanitary conditions shall be implemented in each school.

HEALTH SERVICES TO BE PROVIDED

In keeping with applicable legal requirements, only licensed medical professionals or school employees who have been appropriately trained and authorized to do so shall provide health services to students.

Employees to whom health service responsibilities have been delegated must be approved in writing by the delegating physician or nurse. The approval form shall state the employee consents to perform the health service when the employee does not have the administration of health services in his/her contract or job description as a job responsibility, possesses sufficient training and skills, and has demonstrated competency to safely and effectively perform the health service. The approval form shall be maintained as required by law. Delegation of health service responsibilities shall be valid only for the current school year.¹

If the delegation involves administration of medication, the District will maintain proof that the employee has completed the required training provided by the Kentucky Department of Education (KDE) or as allowed under KRS 158.838.

Employees to whom health service responsibilities have been delegated shall notify their immediate supervisor by April 15 of each year if they are not willing to perform the service(s) during the next school year.

SAFETY PROCEDURES

All pupils shall receive annual instruction in school bus safety.

The Superintendent shall develop procedures designed to promote the safety of all students. Said procedures shall specify specific responsibilities for line positions having responsibility for student supervision.

STUDENT IDENTIFICATION BADGES

Any student identification badge issued to a student in grades six (6) through twelve (12) by a school in the District shall contain the contact information for:

- a) A national domestic violence hotline;
- b) A national sexual assault hotline; and
- c) A national suicide prevention hotline.⁴

Student Health and Safety**SUICIDE PREVENTION**

All employees with job duties requiring direct contact with students in grades six (6) through twelve (12) shall annually complete a minimum one (1) hour of high-quality suicide prevention training, including the recognition of signs and symptoms of possible mental illness. Such training shall be in-person, by live streaming, or via video recording and may be included in the four (4) days of professional development required by statute. The District shall provide suicide prevention materials for review by any employee subject to training hired during a year in which the in-person, live streaming, or video recording training is not required.³

By September 15 of each year, each public school shall provide suicide prevention awareness information to students in grades six (6) through twelve (12), as provided by the Cabinet for Health and Family Services or a commercially developed suicide prevention training program.²

SEIZURE DISORDER MATERIALS

All principals, guidance counselors, and teachers shall complete at least one (1) hour of self-study review of seizure disorder materials no later than July 1, 2019. At least one (1) hour of self-study review of seizure disorder materials shall also be required for all principals, guidance counselors, and teachers hired after July 1, 2019.³

REFERENCES:

¹KRS 156.501; KRS 156.502; 702 KAR 1:160

²KRS 156.095

³KRS 158.070

⁴KRS 158.038

KRS 156.160

KRS 158.836; KRS 158.838

702 KAR 5:030

RELATED POLICY:

09.2241

Adopted/Amended:
Order #:

Request for Student Health Services and Procedures**(NON-MEDICATION NEEDS ONLY)**

The District provides health services to students so that their attendance and/or school-related program participation is not interrupted.

If your child requires a specific health service or procedure, please obtain the information below from your child's physician/health care provider and return this completed form to:

_____.

Please be advised that District personnel will review the information provided for possible Section 504 or IDEA service considerations.

STUDENT'S NAME _____ **DOB** _____**STUDENT'S SCHOOL** _____

Parent/Guardian or Student 18 or Older Signature

*Date***TO BE COMPLETED BY PHYSICIAN/HEALTH CARE PROVIDER:**

Duration of service/procedure: ☐ _____ school year ☐ until treatment is changed.

Describe the service/procedure in detail and include any specific instructions. (Please use the back of this form if needed, and sign at the end of your additional comments.) _____

Times to be administered: _____

Physician/Health Care Provider Signature

Date

Physician/Health Care Provider Address

Date

TO ASSURE COMPLIANCE WITH HIPAA REQUIREMENTS, SUBMIT THE ATTACHED "REQUEST FOR PROTECTED HEALTH INFORMATION" FORM TO YOUR HEALTH CARE PROVIDER OR USE THE HIPAA FORM REQUIRED BY THAT PROVIDER.

RELATED PROCEDURES:

03.111 AP.21; 09.2241 (all medication-related procedures)

Review/Revised:

Supervision of Students

Students will be under the supervision of a qualified adult.

Each teacher and administrator shall hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school-sponsored trips and activities.¹

A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips. Persons designated to accompany students shall be at least twenty-one (21) years old. The Superintendent/designee may present for Board approval a list of job classifications of staff members who may be authorized to accompany students on school-sponsored or school-endorsed trips.²

A nonfaculty coach or a nonfaculty assistant may accompany students on athletic trips as provided in statute.¹

ACCESS TO SCHOOL PROPERTY DURING THE SCHOOL DAY

Unless they are authorized visitors, only those students who are enrolled in the District and on property for an official school purpose, such as receiving instruction or participating in a school sponsored extracurricular activity, shall be permitted on the property during the school day. If a student who is officially absent or on home/hospital instruction wishes to come onto property during the school day, the student shall first go to the Principal/designee, seek permission to be on the property, and check in. Permission may be granted for the student to be on school property if the purpose relates to educational needs of the student that cannot be accomplished outside of school hours, and the student remains on the property only for the time needed to accomplish that purpose. This requirement is necessary to address supervision and safety concerns of students who come on property during the school day.

STUDENT REGISTRANTS

The Principal is authorized to set supervision requirements and limitations, as appropriate, that apply to students enrolled in the school who are registrants as defined in KRS 17.500. If the Principal has set limitations, restrictions or requirements, they shall be put into writing and a copy provided to the student/guardian.

REFERENCES:

¹KRS 161.180

²KRS 161.185

KRS 17.545; 702 KAR 5:030

RELATED POLICIES:

09.36

10.5

Adopted/Amended:
Order #:

Supervision of Students

RESPONSIBILITY

Principals shall develop and implement a system of supervision to address students as they enter and leave the bus at school.

Schools may use authorized personnel in supervisory capacities in the following areas:

1. Bus loading and unloading;
2. Meals;
3. Halls, restrooms, and playgrounds;
4. Time before and after the school day;
5. Field trips and other school activities; and
6. Other as needed.

REFERENCE:

702 KAR 5:030

Review/Revised:

Employee Reports of Criminal Activity

To promote the safety and well-being of students, the District requires employees to make reports required by state law in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

KRS 158.154

When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this section, "school property" means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the Principal.

KRS 158.155

An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise, if:

- 1 The person knows or has reasonable cause to believe that conduct has occurred which constitutes:
 - a. A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
 - i Carrying, possession, or use of a deadly weapon; or
 - ii Use, possession, or sale of controlled substances; or
 - b. Any felony offense under the laws of this Commonwealth; and
- 2 The conduct occurred on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.

KRS 158.156

Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim. The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The Principal shall file a written report with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight (48) hours of the original report.

KRS 209A.100

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

Employee Reports of Criminal Activity**KRS 209A.110**

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with who s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

KRS 620.030

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused, or is a victim of human trafficking, or is a victim of female genital mutilation, shall immediately cause an oral or written report to be made to a local law enforcement agency or the Department of Kentucky State Police; the cabinet or its designated representative; the Commonwealth's Attorney or the County Attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.

REFERENCES:

KRS 158.154
KRS 158.155
KRS 158.156
KRS 209A.100
KRS 209A.110
KRS 508.125
KRS 525.070; KRS 525.080
KRS 527.070; KRS 527.080
KRS 620.030

RELATED POLICIES:

03.13251; 03.23251
03.13253; 03.23253
05.48
09.227
09.422
09.423
09.425
09.426
09.438

Adopted/Amended:
Order #:

Documentation of Reporting Required by Law

(FOR INTERNAL ADMINISTRATIVE TRACKING PURPOSES ONLY)

This form shall be used to document reports listed in Policy 09.2211 that are required by KRS 158.154, KRS 158.155, and KRS 158.156. After receiving a report of an alleged violation from an employee, the Principal shall be responsible for documenting the alleged incident. Regardless of the statutory provision under which the alleged incident falls or the reporting requirements of that provision, school employees shall report the alleged incident to the Principal for documentation.

STUDENT REPORTED FOR VIOLATION _____*Last Name**First Name**Middle Initial*

General nature of the alleged violation:

On _____, I reported the above incident to:

Date☐ Local law enforcement official; specify: _____☐ Department of Kentucky State Police☐ County Attorney☐ The Superintendent, who shall report it to the Board, if required by KRS 158.156_____
*Signature of Principal Reporting*_____
Date

The following information about the student involved is for internal tracking purposes only:

INFORMATION FOR STUDENT REPORTED:**BIRTHDATE** _____ **AGE** _____ **SCHOOL** _____ **GRADE** _____**PARENT/GUARDIAN** _____*Last Name**First Name**Middle Initial***PARENT/GUARDIAN ADDRESS** _____**PARENT/GUARDIAN WORK PHONE** _____**HOME PHONE** _____

If the report concerns an alleged student victim, the following information applies to that student:

ALLEGED VICTIM _____*Last Name**First Name**Middle Initial***BIRTHDATE** _____**AGE** _____**SCHOOL** _____**GRADE** _____**PARENT/GUARDIAN** _____*Last Name**First Name**Middle Initial***PARENT/GUARDIAN ADDRESS** _____**PARENT/GUARDIAN WORK PHONE** _____**HOME PHONE** _____

Documentation of Reporting Required by Law

(FOR INTERNAL ADMINISTRATIVE TRACKING PURPOSES ONLY)

PARENTAL NOTIFICATION

If their child is involved in an incident related to KRS 158.156, the Principal shall notify parents/guardians in writing.

BOARD NOTIFICATION

For an incident related to KRS 158.156, the Principal shall report only the following information to the Superintendent to share with the Board:

On _____, _____ students were involved in an incident	
<i>Date</i>	<i>Number</i>
reportable under KRS 158.156.	
_____	_____
<i>Name of School</i>	<i>Signature of Principal</i>

RELATED PROCEDURE:

09.438 AP.21

Review/Revised:

Use of Physical Restraint and Seclusion

Use of physical restraint or seclusion by school personnel is subject to 704 KAR 7:160. However, nothing in this policy prohibits the exercise of law enforcement duties by sworn law enforcement officers.

DEFINITIONS

- *Physical Restraint* means a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arms, legs, or head freely.
- *Seclusion* means the involuntary confinement of a student alone in a room or area from which the student is prevented from leaving, but does not mean classroom timeouts, supervised in-school detentions, or out-of-school suspensions.

PHYSICAL RESTRAINT

All School Personnel

Use of physical restraint by all school personnel is permitted when a student's behavior poses an imminent danger of physical harm to self or others in clearly unavoidable emergency circumstances. In such situations, staff who have not had core team training may physically restrain students, but shall summon core trained school personnel as soon as possible.

In all situations involving use of physical restraint (including restraint by core trained personnel):

- The student shall be monitored for physical and psychological well being for the duration of the restraint.
- Personnel shall use only the amount of force reasonably believed necessary to protect the student or others from imminent danger of physical harm.

Core Trained Personnel

School personnel who have undergone core team training may also use physical restraint after less restrictive behavioral interventions have been ineffective in stopping misbehavior as noted below:

1. In nonemergency circumstances when a student's behavior poses an imminent danger of physical harm to self or others;
2. As provided in KRS 503.050 (including when personnel believe physical restraint is necessary to protect themselves against the use or imminent use of unlawful physical force);
3. As provided in KRS 503.070 (including when personnel believe physical restraint is necessary to protect a third person against the use or imminent use of unlawful physical force);
4. To prevent property damage as provided in KRS Chapter 503 (including when personnel believe physical restraint is immediately necessary to prevent intentional or wanton property destruction, theft, or a felony involving the use of force); and
5. As provided in KRS 503.110 (including when personnel believe physical restraint is necessary to maintain reasonable discipline in a school, class, or other group, and the force used is not designed to cause or known to create a substantial risk of causing death, serious physical injury, disfigurement, extreme pain, or extreme mental distress).

Use of Physical Restraint and Seclusion**SECLUSION**

Seclusion may be implemented only if: the student's behavior poses an imminent danger of physical harm to self or others; less restrictive interventions have been ineffective in stopping the imminent danger of physical harm; the student is monitored visually for the duration of the seclusion; and staff are appropriately trained to use seclusion.

PARAMETERS

The Board has established this policy and related procedures addressing use of physical restraint and seclusion that are designed to promote the safety of all students, school personnel, and visitors. As required by 704 KAR 7:160, school personnel and parents shall be made aware of how to access this policy and related procedures. Methods of notification may include, but are not limited to, publication in the District's local code of acceptable behavior and discipline and District employee handbooks.

TRAINING

Training of personnel on use of physical restraint and seclusion shall be provided as required by 704 KAR 7:160:

- All school personnel shall be trained annually to use an array of positive behavioral supports and interventions and as further required by 704 KAR 7:160.
- A core team of selected school personnel designated to respond to dangerous behavior and to implement physical restraint of students shall receive additional yearly training in the areas required by 704 KAR 7:160. (Exception: Core team members who are school resource officers or other sworn law enforcement officers are not required to undergo this training.)

REQUIRED PROCEDURES

The Superintendent/designee shall develop procedures to be followed during and after each use of physical restraint or seclusion to include the following:

1. Documentation of the event in the student information system;
2. Notice to parents; and
3. A process for the parent or emancipated youth to request a debriefing session.

NOTIFICATION REQUIREMENTS

The Principal of the school shall be notified as soon as possible when seclusion or physical restraint is used, but no later than the end of the school day on which it occurs.

Following each incident of physical restraint or seclusion of a student and if the student is not an emancipated youth, the parent of the student shall be notified of the incident either verbally or through electronic communication as soon as possible within twenty-four (24) hours of the incident. If the parent cannot be reached during that time frame, a written communication shall be mailed via U. S. mail.

If death, substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty results from use of physical restraint or seclusion, the Superintendent/designee shall notify the Kentucky Department of Education and local law enforcement within twenty-four (24) hours.

Use of Physical Restraint and Seclusion**DEBRIEFING SESSION**

If the parent or emancipated student requests a debriefing session following use or parental notification of the use of physical restraint or seclusion, individuals who are to participate shall be those specified by state regulation.

A requested debriefing session shall occur as soon as practicable, but no later than five (5) school days following receipt of the request from the parent or emancipated youth, unless a meeting is delayed by written mutual agreement of the parent/emancipated student and the school.

The debriefing session shall address elements specified by state regulation, and all documentation used during the session shall become part of the student's education record.

PARENT COMPLAINTS

Parents may submit a complaint regarding the physical restraint or seclusion of their child using the Board's grievance policy and procedures. On receipt of a complaint, the District and school shall investigate the circumstances surrounding the physical restraint or seclusion, make written findings, and, where appropriate, take corrective action.

STATEMENTS FROM PHYSICIAN

The Superintendent/designee shall review and respond to any statement received from a student's licensed physician that the student is not to be subjected to physical restraint.

DOCUMENTATION

All incidents involving physical restraint or seclusion shall be documented by a written record of each use by the end of the next school day, and the documentation shall be maintained in the student's education record. In addition, each entry shall be informed by an interview with the student and include information required by 704 KAR 7:160.

Specified data related to incidents of physical restraint and seclusion shall be reported in the state student information system.

At the end of each school year, the Superintendent/designee shall review data on District use of physical restraint and seclusion to identify any recommendations to be made to the Board for policy and procedure revisions.

REFERENCES:

704 KAR 7:160

KRS Chapter 503: KRS 503.050, KRS 503.070, KRS 503.080, KRS 503.110

20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)

Section 504 of Rehabilitation Act of 1973

RELATED POLICIES:

09.4281; 10.2

Adopted/Amended:
Order #:

Physical Restraint and Seclusion Forms

DOCUMENTATION OF USE

Please attach additional sheets as needed.

STUDENT NAME:	DATE OF USE:
Description of Physical Restraint or Seclusion Measure Used:	
Beginning Time of Measure Used:	Ending Time of Measure Used:
School Personnel Involved:	
Student Behavior Prompting Use:	
How Student Behavior Posed Imminent Danger of:	
<input type="checkbox"/> Physical harm to self/others _____	
<input type="checkbox"/> Property damage, destruction, criminal mischief, theft, or a felony involving use of force _____	
<input type="checkbox"/> Disruption of reasonable discipline/order _____	
School Personnel Response to Behavior and Techniques Used:	
Events Leading Up to Use of Measure:	
Student's Behavior During Restraint or Seclusion and Interactions During Use:	
Behavioral Interventions Used Just Prior to Physical Restraint/Seclusion:	
Injuries to Student(s), School Personnel or Others:	
Effectiveness of Restraint/Seclusion in De-escalating the Situation:	
Student Post-Incident Interview Comments:	
Planned Future Positive Behavioral Interventions:	
Documentation of Referral for Section 504 or IDEA Services (OR BASIS FOR NOT DOING SO):	
Date Notice Sent to Parent/Guardian/Authorized Individual Acting as Parent:	

Check as applicable:

☐ Parent ☐ Emancipated Youth notified on _____ (date) of the five (5) school day timeline to request debriefing session.

Signature of Staff Member Completing Report

Date Report Provided to Principal

Physical Restraint and Seclusion Forms**NOTICE TO PARENT**

ADMINISTRATIVE NOTE: AS SOON AS POSSIBLE WITHIN TWENTY-FOUR (24) HOURS FOLLOWING EACH INCIDENT INVOLVING USE OF PHYSICAL RESTRAINT OR SECLUSION, NOTICE SHALL BE PROVIDED TO THE PARENT/GUARDIAN OF A STUDENT WHO IS NOT EMANCIPATED EITHER VERBALLY OR BY EMAIL, IF EMAIL IS AVAILABLE TO THE RECIPIENT. IF THE RECIPIENT CANNOT BE REACHED WITHIN TWENTY-FOUR (24) HOURS, A WRITTEN COMMUNICATION SHALL BE MAILED VIA U. S. MAIL. IN ANY EVENT, THIS FORM SHOULD BE COMPLETED AND KEPT ON FILE TO DOCUMENT THE NOTIFICATION.

Date

Dear parent/guardian,

On _____, authorized school personnel used the following with your child:

Date☐ Seclusion☐ Physical Restraint

The following is a summary description of the measure used:

This occurrence took place at _____

Location and Time Frame

and was necessary due to the following behavior by your child:

Because the safety of students, school personnel and visitors is our utmost concern, we did not take this action lightly.

Please contact me directly if you have questions about this information or if you want to request a debriefing session. The District must receive such request within five (5) school days from the date you received notice of the use of physical restraint or seclusion. We will do our best to schedule a meeting as soon as practicable, but no later than five (5) school days following receipt of your request, unless we mutually agree otherwise.

I can be reached at _____.

Telephone Number

Sincerely,

Signature

Position

Review/Revised:

Bicycle Use

SCHOOL TO DEVELOP RULES

Pupils shall be permitted to ride bicycles onto school grounds under rules developed by the Principal of each individual school.

REFERENCE:

OAG 74-783

Adopted/Amended:

Order #:

Motor Vehicle Use**CONDITIONS FOR USE**

With parental request and under conditions prescribed by the school Principal,¹ high school pupils may be permitted to drive motor vehicles onto the school grounds. Vehicles shall be parked in designated areas on the school campus and are not to be visited or moved during the school day unless permission is given by the Principal.

PRIVILEGE MAY BE REVOKED

Driving on the school grounds is a privilege which may be revoked if conditions are violated.²

REFERENCES:

¹KRS 161.180

²OAG 74-783

KRS 160.290

Adopted/Amended:

Order #:

Emergency Medical Treatment

FIRST AID TO BE PROVIDED

First aid shall be provided to all pupils in case of an accident or sudden illness until the services of a health care professional become available.

FIRST-AID ROOM

A first-aid area with appropriate equipment, supplies and provisions for the child to recline shall be designated in each school. At least two (2) adult employees in each school, at least one (1) of whom shall be present at the school at all times during school hours, shall have completed and been certified in a standard first aid course that includes cardiopulmonary resuscitation for infants and children.

AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs)

The District shall maintain a portable AED in a public, readily accessible, well-marked location in every middle and high school building and, as funds become available, at school-sanctioned middle and high school athletic practices and competitions. A minimum of three (3) employees in the school and all interscholastic athletic coaches shall be trained on the use of a portable AED.²

The District shall have employees trained in accordance with the law to administer or help administer emergency medications.

When enrolled students, for whom documentation under KRS 158.838, including seizure action plans, has been provided to the school, are present during school hours or as participants in school-related activities, a school employee who has been appropriately trained to administer or assist with the self-administration of glucagon, insulin, seizure rescue medications, or medication prescribed to treat seizure disorder symptoms approved by the FDA and administered pursuant to a student's seizure action plan, shall be present.

INFORMATION NEEDED

A number at which parents can be reached and the name of the family physician shall be maintained at each school for all its pupils.¹ Parents will be notified in the event of an accident.

EMERGENCY CARE PROCEDURES

Schools shall have emergency care procedures comporting with regulation¹ and may utilize the Kentucky Department of Education's Health Services Reference Guide (HSRG) as a resource.

When an emergency arises and the student's parent/guardian or designee cannot be reached in a timely manner, the school will take action necessary to maintain the student's health, such as calling emergency medical personnel or taking the student to a health care facility. In such instances, school personnel shall notify health professionals of any medications that they are aware the student is taking.

REFERENCES:

¹702 KAR 1:160

²KRS 158.162

KRS 156.160; KRS 156.502

KRS 158.836; KRS 158.838

Kentucky Department of Education Health Services Reference Guide (HSRG)

STUDENTS

09.224
(CONTINUED)

Emergency Medical Treatment

RELATED POLICIES:

05.4; 09.21; 09.22; 09.2241

Adopted/Amended:
Order #:

Emergency Medical Care Procedures

The emergency medical care procedures listed below are to be followed in case of serious accidents and/or sudden illnesses occurring in the schools:

EMERGENCY INFORMATION

Emergency care information for each student shall be filed in the Principal's office. This information is to include:

1. Student's name, address, and date of birth.
2. Parents' names, addresses, and home, work, and emergency phone numbers.
3. Name and phone number of family physician and permission to contact health care professionals in case of emergency.
4. Name and phone number of "emergency" contact (person other than parent/guardian) to reach, if necessary.
5. Unusual medical problems, if any.

MEDICAL EMERGENCY PROCEDURES

The following procedures shall be used in a medical emergency:

1. Administer first aid by a school employee trained in first aid and CPR in accordance with state regulation.
2. Contact the child's parent or other authorized person(s) listed on the school emergency card to:
 - a) Inform parent or authorized contact that the child is not able to remain at school.
 - b) Indicate the apparent symptoms; however, do not attempt to diagnose.
 - c) Advise the contact that s/he may want to contact a health care practitioner regarding the child's condition.
3. Take care of child until parent, health care practitioner, or ambulance arrives.
4. Use emergency ambulance service if needed.
5. Administer medication in accordance with District policy and procedure when ordered by the student's personal health care practitioner.
6. Keep the student in a first aid area if s/he appears to be unable to return to the classroom.
7. Do not allow the student to leave school with anyone other than the parent/guardian/designee after an accident or when ill.
8. After a child has an accident or becomes ill at school, arrange transportation home with the parent/guardian/designee.
9. Report all emergency situations to the building administrator.
10. Treat students with contagious diseases, including AIDS, according to state guidelines.
11. Employees shall follow the District's Exposure Control Plan when clean-up of body fluids is required.

Emergency Medical Care Procedures**SUPPLIES/PERSONNEL**

1. Each school shall have an approved first-aid kit and designated first-aid area.
2. At least two (2) adult employees in each school shall have completed and been certified in a standard first-aid course, including but not limited to, CPR.
3. As provided by Policy 09.224, any school that has a student enrolled with diabetes or seizure disorders, including seizure action plans, shall have on duty during the school day or during any school-related activities in which the student is a participant, at least one (1) school employee who is a licensed medical professional, or has been appropriately trained to administer or assist with the self-administration of glucagon, insulin or seizure rescue medication or medication prescribed to treat seizure disorder symptoms approved by the FDA and administered pursuant to a student's seizure action plan, as prescribed by the student's health care practitioner. The training shall also include recognition of the signs and symptoms of seizures and the appropriate steps to be taken to respond to these symptoms.
4. The parent or guardian of each student diagnosed with a seizure disorder shall collaborate with school personnel to implement a seizure action plan, prepared by the student's treating physician, which shall be kept on file in the office of the school nurse or school administrator.
5. Any school personnel or volunteers responsible for the supervision or care of a student diagnosed with a seizure disorder shall be given notice of the seizure action plan, the identity of the school employee or employees trained in the administration of seizure medication, and how they may be contacted in the event of an emergency.

DOCUMENTATION

A complete record of any emergency care provided shall be made and filed with the student's health record. The following information shall be recorded:

1. Time and place accident or illness occurred.
2. Causative factors, if known.
3. Type of care provided and name(s) of person(s) who gave emergency treatment.
4. Condition of the student receiving emergency care.
5. Verification of actual contacts and attempts to contact parent/guardian.
6. List of names of persons who witnessed the accident or illness and the treatment rendered, as appropriate.

RELATED POLICIES:

09.224
09.2241

RELATED PROCEDURES:

09.224 AP.21
09.2241 AP.22
09.2241 AP.23

Review/Revised:

Emergency Information Form

Student's Name _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
Student's Address _____			
<i>Street Address/Apt. #</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Student's Age _____	Date of Birth _____	Student's Phone Number _____	
Grade _____	Teacher (Homeroom)/Classroom _____	Bus # _____	

TO BE COMPLETED BY PARENT/GUARDIAN: TO SERVE YOUR CHILD IN CASE OF ACCIDENT OR SUDDEN ILLNESS, IT IS NECESSARY THAT YOU FURNISH THE FOLLOWING INFORMATION:

MOTHER'S NAME _____

Last Name *First Name* *Middle Initial*

Mother's Employer _____ Phone # _____

FATHER'S NAME _____

Last Name *First Name* *Middle Initial*

Father's Employer _____ Phone # _____

GUARDIAN'S NAME _____

Last Name *First Name* *Middle Initial*

Guardian's Employer _____ Phone # _____

In case of emergency, accident, or serious illness of the above named child, I request the school to contact me. If school personnel are unable to contact me, I hereby authorize them to call the following people who are authorized to pick up my child from school or a school-sponsored activity:

<i>Name</i>	<i>Phone Number</i>	<i>Relationship</i>
-------------	---------------------	---------------------

<i>Name</i>	<i>Phone Number</i>	<i>Relationship</i>
-------------	---------------------	---------------------

Doctor's Name: _____ Phone # _____

Address: _____

If it is impossible to contact the physician named above, I hereby authorize the school to take action necessary to maintain the student's health.

<i>Signature of Parent/Guardian</i>	<i>Date</i>
-------------------------------------	-------------

Emergency Information FormIs your child on any routine medication? ☐ Yes ☐ No If yes, please list below:

Medication	Dosage

Is your child allergic to medication(s)? ☐ Yes ☐ No If yes, please specify _____Is your child allergic to insect bites? ☐ Yes ☐ NoDoes your child have allergies? ☐ Yes ☐ NoDoes your child have a history of ☐ heart disease ☐ diabetes ☐ T.B ☐ nervous disorder
☐ epilepsy ☐ ear infection ☐ seizure ☐ asthma ☐ Other _____?

If so, please check and describe any special emergency treatment that may be required:

Please list any other conditions that might require emergency medical treatment: _____

*Signature of Parent/Guardian*_____
*Date***Log of Attempts to Contact Parent/Guardian**

Date	Time	Phone # Called	Answered?		Person Answering Phone/Response
			Yes	No	

Review/Revised:

Student Medication

School personnel authorized to give medications must be trained in accordance with KRS 158.838, KRS 156.502 and 702 KAR 1:160.

Internal medicine, including aspirin, shall not be provided by the school for the purpose of administering to pupils. Antiseptic and appropriate other emergency medications shall be maintained in the first-aid kit.

Pupils may take medicine which is brought from home once a completed authorization form from the parent/guardian is on file.¹

SELF-ADMINISTRATION

A student may be permitted to carry medication that has been prescribed or ordered by a health care practitioner to stay on or with the pupil due to a pressing medical need.

Provided the parent/guardian and health care practitioner files a completed authorization form each year as required by law, a student under treatment for asthma, diabetes, or at risk of having anaphylaxis shall be permitted to self-administer medication.²

In accordance with KRS 158.836, students with a documented life-threatening allergy or designated staff shall be permitted to carry an injectable epinephrine device in all school environments. The injectable epinephrine device shall be provided by the student's parent/guardian, and a written individual health care plan shall be in place for the student.³

Students with serious allergies or other serious health conditions may be permitted to self-administer medication as provided in an individualized education program, Section 504 Plan or Health Plan.

Students shall not share any prescription or over-the counter medication with another student. Each year, the District shall notify students in writing of this prohibition and that violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion.

REFERENCES:

¹OAG 73-768

²KRS 158.834; KRS 158.838

³KRS 158.836

KRS 156.502; KRS 158.832

702 KAR 1:160

Americans with Disabilities Act

Section 504 of the Rehabilitation Act of 1973

OAG 77-530; OAG 83-115

RELATED POLICIES:

09.22; 09.224

Adopted/Amended:

Order #:

Student Medication Guidelines

STUDENT SELF-MEDICATION

Students may be authorized to carry on their person and independently take their own medication (prescription or nonprescription), provided the parent/guardian has written approval on file with school personnel. Such approval shall assure school personnel that the child has been properly instructed in self-administering the medication. If prescription medication is involved, written authorization of the student's health care practitioner also is required.

ALL OTHER MEDICATIONS

1. Medication should be given at home when possible. Medication that must be given at school should be brought to school by the parent/guardian whenever possible. Medication that is sent to school with the student should be transported in the original container placed in a sealed envelope and given to designated school personnel immediately upon arrival.
2. Prescribed oral medications in pill or tablet form shall be counted and the number recorded on the Medication Administration Record.
3. Except for emergency medications (including, but not limited to FDA approved seizure rescue medications and injectable epinephrine devices) and medications approved for students to carry for self-medication purposes all medications shall be kept in a safe, locked, secure place accessible only to the responsible authorized school personnel. Medications requiring refrigeration shall be stored in a separate refrigerator in a supervised area.
4. School personnel who administer medication shall arrange for the child to take the medication at the proper time.
5. Unless otherwise approved to self-medicate, students are to be supervised by an authorized individual when taking medication. The person supervising the administration of medication must keep a written record.

PRESCRIPTION MEDICATIONS

Parents/guardians and health care providers shall complete the required forms before any person administers prescription medication to a student or before a student self-medicates.

Prescription medications shall be administered only as prescribed on the physician/health care provider's written authorization. Prescription medications shall be sent to school in one (1) week increments unless otherwise approved by the Principal or designee. Parent/guardian shall have the ultimate responsibility to provide the school with an adequate supply of medication to enable the orders to be followed.

All prescription medication, original or refill, should be sent to school in a pharmacy labeled container that includes the student's name, date dispensed, medication, dosage, strength, date of expiration, and directions for use including frequency, duration, and route of administration, prescriber's name, and pharmacy name, address, and phone number. Labels that have been altered in any way will not be accepted. Per KRS 218A.210, "A person to whom or for whose use any controlled substance has been presented, sold, or dispensed by a practitioner or other persons authorized under this chapter, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same."

Student Medication Guidelines

PRESCRIPTION MEDICATIONS (CONTINUED)

Changes in the dosage and/or times of administration must be received in the form of a written order from the physician/health care provider OR a new prescription bottle from the pharmacy indicating the change and a note from the student's parent/guardian.

NONPRESCRIPTION MEDICATIONS

Nonprescription (over-the-counter) medications may be accepted on an individual basis as provided by the parent or legal guardian when a completed authorization to give medication form is on file. The medication should be in the original container, dated upon receipt, and given no more than three (3) consecutive days without an order from the physician/health care provider. OTC medication shall not be administered beyond its expiration date.

DOCUMENTATION OF ADMINISTRATION

Except for medications approved for self-administration, all medication given must be immediately documented on a medication log. Records must be kept on file in the student's cumulative folder. Documentation should be complete, reflecting beginning and ending dates and notations of missed doses and absences. Subject to confidentiality requirements in Policy 09.14 and accompanying procedures, medication recording sheets shall be filed in the student's cumulative folder when completed or when the medication is changed/discontinued.

DISPOSAL OF UNUSED MEDICATION

Notice shall be mailed to the parent/guardian prior to the end of the school year informing them that their child has medication remaining and that it must be picked up by the parent/guardian. If the medication is not retrieved, the school nurse or designated staff member, with a witness present, shall count the number of any pills or tablets remaining and document the amount on the Medication Log. Leftover prescription medication may then be mixed with a designated substance, such as glue for pills and kitty litter for liquids, and placed in a trash receptacle or destroyed in accordance with current health care standards. Both parties shall sign the Medication Log when this is completed. All medications shall be destroyed if the parent/guardian does not pick them up.

MEDICATION REFUSAL

If a child refuses to take medication or is uncooperative during medication administration, documentation shall be made, the parent/guardian and school nurse (if appropriate) will be contacted and medication administration may be omitted. If necessary, a conference may be scheduled with the parent/guardian to resolve the conflict.

MEDICATION ERROR

If an error in the administration of medication is recognized, initiate the following steps:

1. Keep the student in the first-aid location. If the student has already returned to class when the error is recognized, have the student accompanied to the first-aid location.
2. Assess the student's status and document.

Student Medication Guidelines

MEDICATION ERROR (CONTINUED)

3. Identify the incorrect dose/type of medication taken by the student.
4. Immediately notify the school administrator and school nurse, if appropriate, of the error, who shall notify the student's parent/guardian.
5. Notify the student's physician/health care provider.
6. If unable to contact the physician/health care provider, contact the Poison Control Center for instructions.
7. Carefully record all circumstances and actions taken, including instructions from the Poison Control Center or physician/health care provider, and the student's status.
8. Complete a "Medication Administration Incident Report" form.

RELATED POLICY:

09.2241

RELATED PROCEDURES:

09.2241 AP.21

09.2241 AP.22

Review/Revised:

Permission Form for Prescribed or Over-the-Counter Medication

School: _____ Date form received by the School: _____

Student's Name: _____ Grade: _____ Homeroom/Classroom: _____
 Student's Age: _____ Date of Birth: _____

TO BE COMPLETED BY THE PHYSICIAN OR HEALTH CARE PROVIDER FOR PRESCRIPTION MEDICATION

Name of medication: _____ Reason for medication: _____

Form of medication/treatment: ☐ Tablet/capsule ☐ Liquid ☐ Inhaler ☐ Injection ☐ Nebulizer ☐ Other _____

Describe schedule and dose to be given at school: _____

Starting Date: ☐ date form received ☐ Other, as specified: _____Stopping Date: ☐ for episodic/emergency events only ☐ end of school year ☐ Other date/duration: _____Restrictions and/or important effects: ☐ Yes. Please describe: _____

NOTE: In the event the Principal/designee is notified of the possibility of an adverse or extreme reaction to a medication, s/he shall inform the student's teacher(s) of such a possibility before the student begins the medication schedule.

Special storage requirements: ☐ None ☐ Refrigerate ☐ Other _____Student is capable of/responsible for self-administering this medication: ☐ No ☐ Yes ☐ Supervised ☐ UnsupervisedStudent has been instructed in self-administering the medication: ☐ No ☐ YesStudent must carry this medication on his/her person: ☐ No ☐ YesPlease indicate additional information: ☐ On the back side of this form ☐ As an attachment_____
*Physician/Health Care Provider Signature*_____
*Date*_____
*Signature of Parent/Guardian*_____
Date

Name of Physician/Health Care Provider: _____

Address: _____

Phone #: _____ Fax #: _____

To the school: Please report concerns about medications or the student's condition to the above physician/health care provider.

TO BE COMPLETED BY PARENT/GUARDIAN FOR NON-PRESCRIPTION MEDICATIONS

As the parent or legal guardian of the student named below, I authorize my child to take the following over-the-counter medication as noted:

Name of Medication: _____ Dosage/Schedule: _____

Other Information: _____

Permission Form for Prescribed or Over-the-Counter Medication**FOR ALL MEDICATIONS**

I give permission for _____ to receive the above medication(s) at school according

Student's Name

to standard school policy and expressly hold harmless, and waive any liability on behalf of, the school or its employees and agents concerning any injuries or reactions resulting from administration of the above medication unless such is the result of negligence or misconduct on behalf of the school or its employees. For on-going medications, I understand that I have the ultimate responsibility for providing the school with an adequate supply of medication to enable orders from a physician or health care provider to be followed.

Date: _____ *Signature:* _____ *Relationship:* _____

Home Phone: _____ *Work Phone* _____ *Emergency Phone* _____

TO BE COMPLETED BY SCHOOL PERSONNEL

I/we acknowledge receipt of the foregoing statement and authorization.

Administrator/designee _____ *Date* _____

For student health services/procedures not involving medication only,
please refer to 09.22 AP.22.

Review/Revised:

Student Medication Logs

DAILY SUMMARY OF MEDICATION ACTIVITIES

DATE: _____

STUDENT'S NAME	GRADE	PERSON WHO ADMINISTERED MEDICATION	NAME OF MEDICATION			TIME

STUDENTS

STUDENT
PICTURE
HERE

09.2241 AP.22
(CONTINUED)

Student Medication Logs
STUDENT MEDICATION ADMINISTRATION RECORD

SCHOOL YEAR: _____

NAME OF STUDENT: _____ **DATE OF BIRTH:** _____ **GENDER:** _____ **GRADE:** _____
ALLERGIES: _____ **NAME AND DOSE OF MEDICATION:** _____
ROUTE: _____ **TIME(S) GIVEN AT SCHOOL:** _____ **POSSIBLE SIDE EFFECTS:** _____
 Classroom teacher when medication is due: _____ Health Care Provider Name/Phone #: _____
 Emergency Contact Names/Phone #: _____

DIRECTIONS: Initial administration or use codes below. A complete signature and initials of each person administering medication should be included below.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Aug																															
Sept																															
Oct																															
Nov																															
Dec																															
Jan																															
Feb																															
Mar																															
Apr																															
May																															
June																															
July																															

Authorized person(s) administering or counting medication: Signature/Initials _____/ _____/ _____/ _____/	Documentation Codes: (A) Absent (R) Refused* (W) Dosage withheld* (E) Early dismissal (F) Field trip (X) No school (N) No medication available* (S) Self-administered *Documentation required in student's health file and parent/guardian to be contacted. Please notify teachers if medication is withheld for any reason. Documentation of medication count is on the back of this form.
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STUDENTS

STUDENT
PICTURE
HERE

09.2241 AP.22
(CONTINUED)

Student Medication Logs
STUDENT MEDICATION ADMINISTRATION RECORD

NAME OF STUDENT: _____

MEDICATION COUNT			NOTES ON ADMINISTRATING MEDICATIONS		
DATE	AMOUNT PRESENT	INITIALS	DATE	EVENT DESCRIPTION	INITIALS

Review/Revised:

Medication Administration Incident Report

Student's Name _____			
Last Name	First Name	Middle Initial	
Student's Address _____			
City	State	ZIP Code	
Student's Age _____	Date of Birth _____	Student's Phone Number _____	
Grade _____	School Name _____		

TO BE COMPLETED IN INK BY SCHOOL PERSONNEL IN THE EVENT THAT AN ERROR IS MADE IN ADMINISTRATION OF MEDICATION

Name of person administering medication: _____

Name of medication/dosage/route prescribed: _____

Time(s) to be given: _____

Type of medication error: (check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Medication administered to incorrect student | <input type="checkbox"/> Medication administered at incorrect time |
| <input type="checkbox"/> Incorrect dosage of medication administered | <input type="checkbox"/> Incorrect medication administered |
| <input type="checkbox"/> Incorrect documentation provided | <input type="checkbox"/> Other |

Description of error: _____

Date and time of error: _____ ☐ AM ☐ PM

Dosage given: _____

Describe circumstances leading to error: _____

Explain action taken: _____

Reaction(s): _____

Persons notified of error: ☐ School Principal ☐ School nurse, if appropriate ☐ Physician
☐ Poison Control Center ☐ Parent/Guardian
☐ Other, _____

Signature of Person Completing the Report

Date

Principal's Signature

Date

Follow-up notes, if applicable: _____

Review/Revised: _____

Safety Patrols

PRINCIPAL MAY ORGANIZE

The Principal in each school, in cooperation with traffic safety or the police department, may organize safety patrols to assist students to cross safely at street corners near the school.

PARENTAL CONSENT

To serve on safety patrol, pupils must have written consent of parent.

REFERENCE:

OAG 70-657

Adopted/Amended:
Order #:

Conduct on School Bus**PUPILS' RESPONSIBILITIES**

Pupils shall conform to transportation rules and regulations prescribed under state statutes¹ and under state and local regulations.

INSTRUCTION IN BUS CONDUCT AND SAFETY

Instruction in bus conduct and safety shall be provided all transported students. Instruction shall include the following rules:

PUPILS TO WAIT AT ASSIGNED STOP

Pupils shall wait at their assigned bus stop off the roadway and shall remain there until the driver has stopped the bus, opened the entrance door, and signaled the pupils to enter the bus.

CROSSING ON DRIVER'S SIGNAL

Pupils shall not cross the roadway when entering the school bus until signaled to do so by the bus driver.

CROSSING IN DRIVER'S VISION

When students are required to cross the roadway when entering or leaving the school bus, crossings shall be made in front of the bus. Pupils shall cross approximately ten (10) feet in front of the bus in order that they may be seen by the bus driver.

SEATING

When pupils enter the bus, they shall proceed directly to a seat.

SEATED UNTIL COMPLETE STOP

Pupils shall remain seated until the bus has come to a complete stop.

BODY NOT TO PROTRUDE FROM WINDOW

Pupils shall not extend their arms, legs, or heads out the bus windows.

CHANGING SEATS

Pupils shall not change from one seat to another while the bus is in motion unless given permission by the bus driver.

PUPIL NOISE

Pupils shall not create noise on the bus to the extent that it might distract the bus driver or to the extent that it might interfere with the driver's ability to hear the signals of emergency vehicles or an approaching train.

REFERENCES:

¹KRS 156.160, KRS 156.070, KRS 189.540, KRS 160.340, KRS 160.290

RELATED POLICY:

06.34 (bus disciplinary policy)

Adopted/Amended:

Order #:

Child Abuse

REPORT REQUIRED

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected¹, or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make an oral report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's or County Attorney in accordance with KRS 620.030.²

After making that oral report, the employee shall then immediately notify the Principal of the suspected abuse. If the Principal is suspected of child abuse, the employee shall notify the Superintendent/designee.

Upon notification, the Principal or the Superintendent/designee shall facilitate the cooperation of the school with the investigation of the report. Any person who knowingly causes intimidation, retaliation, or obstruction in the investigation of the report shall be guilty of a Class A misdemeanor.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the District shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the District, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel action.

WRITTEN REPORT

The person reporting shall, if requested, in addition to the report required above, file with the local law enforcement agency or the Kentucky State Police or the Commonwealth's or County Attorney or the Cabinet for Health and Family Services or its designated representative within forty-eight (48) hours of the original report a written report containing specific information regarding the child, the child's parents or guardians, and the person allegedly responsible for the abuse or neglect.

WRITTEN RECORDS

Copies of reports kept by the District that are submitted to authorities in compliance with the child abuse law are educational records and subject to inspection by the parents of the alleged victim of child abuse. Whether the records are considered "internal records", and not maintained with the students' "permanent records", is immaterial if such records are directly related to students and are maintained by the school or school District.

INTERVIEWS

If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent³ and shall provide the Cabinet access to a child subject to an investigation or assessment without parental consent.⁴

Child Abuse**AGENCY CUSTODY**

If, as a result of dependency, neglect, or abuse, a child has been placed in the custody of the Cabinet, the Principal, or any Assistant Principal, of the school in which the child is enrolled, and the District's Director of Pupil Personnel shall be notified of the names of persons authorized to contact the child at school, in accordance with school visitation or communication policy, or remove the child from school grounds.

The notification shall be provided to the school by the Cabinet:

- a) By written notice via email or fax on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. Verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By email, fax, or hand delivery of a copy of the court order within ten (10) calendar days following the Cabinet's receipt of the court order of a change of custody or change in contact or removal authority.

REQUIRED TRAINING

All current school administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors shall complete Board selected training on child abuse and neglect prevention, recognition, and reporting by January 31, 2017, and every two (2) years thereafter. School administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors hired after January 31, 2017, shall complete the training within ninety (90) days of being hired, and every two (2) years thereafter.

OTHER

Each school shall prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services and the National Human Trafficking Reporting Hotline number administered by the United States Department for Health and Human Services.

REFERENCES:

- ¹KRS 600.020
- ²KRS 620.030; KRS 620.040
- ³OAG 85-134; OAG 92-138
- ⁴KRS 620.072
- KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580
- KRS 156.095; KRS 199.990; KRS 209.020
- KRS 508.125
- KRS 620.050; KRS 620.146
- OAG 77-407; OAG 77-506; OAG 80-50; OAG 85-134
- 34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights
- Regulations Implementing Title IX

RELATED POLICIES:

09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

Adopted/Amended:
Order #:

Child Abuse/Neglect/Dependency**MAKING AN ORAL REPORT**

District employees who receive information from or about a student that causes them to know or gives them reasonable cause to believe that a child is dependent, neglected, abused, or is a victim of human trafficking, or is a victim of female genital mutilation, will promptly make an oral report to the proper authorities listed in Policy 09.227 and may assist the student in making such a report. All employees who know or have reasonable cause to believe that a child is dependent, neglected, or abused have the responsibility to report. Any attempt to prevent such a report is illegal.

The individual making an oral report should make a personal record of the report, including the date and time of report and name of the individual to whom the report was made.

The confidentiality of identifying information pertaining to individuals making a report is protected as provided by statute (KRS 620.050).

Review/Revised:

Student Insurance

INSURANCE PROGRAM TO BE PROVIDED

The Board may designate an insurance company to provide a group accident insurance program for pupils.

RELATED POLICY:

09.312

Adopted/Amended:

Order #:

Student Activities**TO BE ENCOURAGED**

Student activities of an educational nature shall be encouraged and maintained, based upon the needs and interests of pupils.

In schools operating under SBDM, the council shall determine selection of extracurricular activities, as well as academic qualifications, attendance requirements, evaluation procedures, and supervision for these programs.

CONTROL

All school-sponsored student activities shall be under the direction of the Principal and faculty of the school, except that a nonfaculty coach or nonfaculty assistant may accompany students on athletic trips as provided in statute.¹

The Principal may suspend a student's eligibility to participate in extracurricular and cocurricular activities, pending investigation of any allegation that the student has violated either the District behavior standards or the school council's criteria for participation.²

STUDENTS WITH DISABILITIES

Students with disabilities shall have an equal opportunity to participate in nonacademic and extracurricular services and activities, including, but not limited to, extracurricular athletics, intramural athletics, and clubs.

NOTE: The District may require a level of skill or ability of a student in order for that student to participate in a selective or competitive program or activity, so long as the selection or competition criteria are not discriminatory.

REFERENCES:

¹KRS 161.185

²KRS 158.153

KRS 158.183; KRS 161.180; KRS 620.146

702 KAR 7:125; 702 KAR 7:140; OAG 57-40812

Section 504 of the Rehabilitation Act of 1973

RELATED POLICIES:

09.126 (re requirements/exceptions for students from military families)

09.3211; 09.36; 09.438

09.3211; 09.36; 09.438

Adopted/Amended:

Order #:

Athletics and Sport Activities

All interscholastic and intramural athletic and sport activity competition shall be in compliance with the constitution, bylaws, and competition rules of the Kentucky High School Athletic Association (KHSAA) and Title IX requirements. As a condition to KHSAA high school membership, each member high school and Superintendent shall annually submit a written certification of compliance with 20 USC Section 1681 (Title IX).

PROGRAM EQUITY

Policy adopted by the school council relating to evaluation of the athletic program shall address program equity for both male and female athletics and sport activities. In non-SBDM schools, the Principal shall establish policy for program evaluation.

To assist councils (or the Principal in non-SBDM schools), the Superintendent/designee shall develop and oversee implementation of procedures to promote compliance with Title IX requirements.

AGE RESTRICTION /REQUIRED RECORD CHECKS

All coaches, including volunteer and nonfaculty coaches and assistant coaches, shall be at least twenty-one (21) years of age and submit to a criminal record check as required by KRS 160.380 and KRS 161.185.¹

MIDDLE SCHOOL RULES AND LIMITATIONS

Unless the Board opts to follow rules established by other conferences or associations, the Board shall establish student participation rules and limitations for school sports or sport activities to reflect the following:

1. A defined age limitation for participating students;
2. A policy regarding the participation of students below grade six (6);
3. A limitation on practice time prior to the season in any sport or sport activity;
4. A limitation on the number of school based scrimmages and regular season, school based contests in each sport or sport activity;
5. A limitation on the length of the competitive season in each sport or sport activity, including any post season activities.

NOTE: Limitations set relative to items three (3) through five (5) shall not exceed the limits in the following areas established for a sport or sport activity at the high school level:

- Limits on practice time;
- Number of contests; or
- Length of the playing season.

REFERENCES:

¹KRS 156.070; KRS 160.380; KRS 161.185
KRS 160.345; KRS 160.445; KRS 620.146
702 KAR 7:065

Kentucky High School Athletic Association Handbook; 20 U.S.C. Section 1681 (Title IX)

RELATED POLICIES:

02.4241; 09.3

Adopted/Amended:
Order #:

Safety (Athletics)

District policy and procedures shall be developed to conform with statutory and regulatory requirements designed to protect the safety of the students in all athletic practices and events.

SUPERVISION

All athletic practices and events shall be under the direct supervision of a qualified employee of the Board.

TRAINING

All persons employed by the District as a coach for any interscholastic athletic activity or sport shall meet statutory training requirements. Training shall include how to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion.

In addition, at least one (1) person who has completed the required course shall be present at every interscholastic athletic practice and competition.¹

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete training as required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a cardiopulmonary resuscitation (CPR) course that includes the use of an automated external defibrillator (AED) and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.⁴ All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.⁵

Nonfaculty coaches and nonfaculty assistants shall complete District training that includes information on the physical and emotional development of students of the age with which they will be working, the District's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.³

EMERGENCY ACTION PLAN

In keeping with rules established by Kentucky Board of Education (KBE) or the Kentucky High School Athletic Association (KHSAA), each school participating in interscholastic athletics shall develop and implement a venue-specific, written emergency action plan and submit annual written verification of the plan to the designated agency. The school plan shall be reviewed, distributed, posted, and rehearsed annually as provided in statute.¹

CARDIAC EMERGENCY RESPONSE PLAN

A written cardiac emergency response plan that clearly identifies the location of each AED shall be rehearsed by simulation prior to the beginning of each athletic season by all: licensed athletic trainers, school nurses, and athletic directors; and interscholastic coaches and volunteer coaches of each athletic team active during that athletic season.

Safety (Athletics)**CONCUSSIONS**

When an interscholastic coach, school athletic personnel, or contest official suspect that a student athlete has sustained a concussion during an athletic practice or competition, the student shall be removed from play and evaluated by a physician or licensed health care provider, as specified in statute, who shall determine if a concussion has occurred. Upon the completion of the required evaluation, the coach may return the student to play if it is determined that no concussion has occurred. If no physician or licensed health care provider is present to perform the required evaluation, the coach shall not return the student to play or participate in subsequent practices or athletic competitions until written clearance is provided.

A student athlete deemed to be concussed shall not be permitted to participate in any athletic practice or competition occurring on the day of the injury or, unless a physician provides written clearance, participate in any practice or athletic competition held on a subsequent day.

MEDICAL EXAMINATION

Each student seeking eligibility to participate in any school athletic activity or sport must pass an annual medical examination performed and signed by a medical practitioner as required by law.²

The required physical examination and parental authorization shall include acknowledgement of receipt of information on the nature and risk of concussion and head injury, including the continuance of playing after concussion or head injury.¹

REFERENCES:

¹KRS 160.445

²KRS 156.070

³KRS 161.185

⁴702 KAR 7:065

⁵KRS 158.162

RELATED POLICIES:

03.1161

03.2141

Adopted/Amended:
Order #:

Safety (Athletics)

School administrators and coaches shall take appropriate measures to provide a safe, healthy experience for participants and helpers in the athletic program to minimize the number and degree of seriousness of athletic injuries and related illnesses. For all athletic practices and competitions, safety procedures shall be implemented that comply with Board policy, state law and regulations, and requirements of the Kentucky Board of Education and the Kentucky High School Athletics Association (KHSAA).

PARTICIPATION AFTER INJURY

When a player has sustained serious injury that may be aggravated by continued participation in the game or practice, the coach shall receive permission from a physician before the player re-enters the game or participates in practice. If it is suspected that a student has sustained a concussion, the process set out in policy shall be followed.

Review/Revised:

Insurance (Athletics)

All students participating in interscholastic athletics must present evidence of accident insurance. Insurance must meet minimum criteria established by the Superintendent.

RELATED POLICY:

09.23

Adopted/Amended:
Order #:

Insurance (Athletics)

Students participating in interscholastic athletics shall be covered by accident insurance in accordance with the options checked below:

- ☐ Insurance is compatible with the catastrophic insurance coverage carried by the Kentucky High School Athletic Association.
- ☐ Parents have certified in writing that they have adequate health and hospital coverage.
- ☐ Evidence is presented by the Principal/designee that the student has been insured by enrolling in a student insurance program which covers athletic injuries for the current school year.
- ☐ The Board provides insurance for all student athletes.

Review/Revised:

Eligibility (Athletics)

Determination of athletic eligibility shall be made in compliance with applicable administrative regulations and Kentucky High School Athletic Association (KHSAA) requirements.²

District standards for playing up from middle school (grades seven and eight [7 & 8]) to high school in sports other than football and soccer may include, but are not limited to, considerations related to safety, physical readiness, use of school space after the school day, transportation, funding, the student's disciplinary status and record, any substance testing restrictions, equitable opportunities for participation, and harmonizing any conflicting school-based decision making (SBDM) requirements. SBDM Council policies apply to the selection of sports activities, and student participation based on academic qualifications and attendance requirements, program evaluation, and supervision.¹

To be eligible to try out and participate at the high school level, middle school students must meet all applicable KHSAA, District, and SBDM requirements. The Superintendent/Designee in cooperation with principals, SBDM councils, coaches, and athletic directors, as deemed appropriate, may develop guidelines for Board approval addressing playing up standards.

CHARTER SCHOOL STUDENTS

A student enrolled in a public charter school that offers any interscholastic athletic activity shall be ineligible to participate in interscholastic activities at any other school. Subject to applicable law, regulations and bylaws (e.g. KHSAA, Title IX) and the terms of the charter contract, students who are enrolled in a charter school that does not offer any interscholastic athletic activities shall be eligible to participate in such activities at the District school of that student's residence.

REFERENCES:

¹KRS 160.345

²KRS 156.070

KRS 160.1592

702 KAR 7:065; OAG 15-022

Kentucky High School Athletic Association (KHSAA)

RELATED POLICIES:

02.4241

09.1222

09.126 (re requirements/exceptions for students from military families)

09.423

Adopted/Amended:

Order #:

Student Organizations**SECRET ORGANIZATIONS**

The Board does not support or sponsor the establishment or operation of any secret or socially exclusive societies, fraternities, or sororities under District auspices.

School groups' affiliation with state and national organizations must be approved by the Board.

All school-sponsored student organizations shall be under the direction of a faculty advisor.

REFERENCES:

KRS 158.183

KRS 161.185

RELATED POLICIES:

03.13241; 03.23241

09.321

09.3211

09.36

Adopted/Amended:

Order #:

Clubs**MEMBERSHIP**

Groups such as honor clubs, athletic clubs or other groups where membership is determined by scholarship, special curricular-related interests, or other such qualifications, may restrict membership to pupils who qualify according to bylaws of the organization approved by the Principal.¹

REFERENCES:

¹KRS 160.290

KRS 158.183

RELATED POLICIES:

09.3; 09.3211

Adopted/Amended:

Order #:

Use of School Facilities by Noncurriculum-Related Student Groups**APPROVAL REQUIRED**

Noncurriculum-related secondary student groups may be provided meeting space on application to and approval by the Principal. Space shall be provided only during noninstructional time either before the beginning or after the conclusion of the school day.

PROVISIONS

All meetings of noncurriculum-related student groups shall be voluntary. No meeting shall be sponsored by the District or any of its employees. All such meetings shall be student initiated, directed, conducted, and controlled. Nonschool personnel may not regularly attend such meetings nor attempt to direct, control, or conduct the same. Agents or employees of the District may attend religion-related meetings only in a nonparticipatory capacity.

PERMISSION MAY BE DENIED

Permission to use school facilities may be denied where reasonable cause exists to believe the meeting will materially and substantially interfere with the orderly conduct of the educational activities of the school or pose a danger to the health, safety, or welfare of the students in attendance or to school property.

REFERENCES:

20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)
KRS 158.181; KRS 158.183

RELATED POLICIES:

09.3
09.32
09.321

Adopted/Amended:
Order #:

Student Government

The development of a student government organization shall be at the discretion of each school.

Adopted/Amended:

Order #:

Fund-Raising Activities

DEFINITION

Fund-raising is an organized activity of soliciting and collecting money for school or student organizations. Contributions and collections derived from school-sponsored fund-raising activities shall be deposited in the school's activity fund bank account or the District bank account.⁴

APPROVAL REQUIRED

All schoolwide fund-raising activities, including the proposed use of the funds, must be approved by the Board.⁴ Requests must be channeled through the Principal and Superintendent.

All other fund-raising activities, including the proposed use of the funds, shall be approved by the Principal or a designee.

All funds raised for a specific purpose shall be used for that purpose.

DOOR-TO DOOR SALES

The Superintendent shall develop and present for Board review door-to-door sales guidelines to reflect the following standards:

1. Students shall be permitted to participate only when mature enough to benefit safely from the experience;
2. To promote their safety and well-being, students shall be instructed to use specific sales strategies, which shall be provided in writing; and
3. Community members and businesses shall not be overburdened by continual appeals.

SUBSCRIPTION SALE OF PRINTED MATERIAL

The Superintendent shall provide written approval to the county clerk for all subscription sales of printed materials. This approval shall identify the product(s) being sold, the students involved as solicitors and the duration of sales.²

GAMING ACTIVITIES LICENSE

Schools and individual classes planning to conduct charitable gaming activities, as defined by law and Accounting Procedures for Kentucky School Activity Funds, shall obtain and display the appropriate license.³

PUPIL NOT COMPELLED

No student shall be compelled to participate in or meet any kind of quota in a fund-raising activity.¹ Students choosing not to participate in a fund-raiser shall not be excluded from benefitting from the fund-raiser or otherwise penalized in any way.⁴

CONDUCT OF ACTIVITIES

- All school-sponsored groups shall conduct fund-raising activities to benefit the entire group and shall not permit credit to be earned through fund-raising for an individual student in lieu of participation fees or related activity costs.
- Any support/booster organization wishing to be recognized by and/or affiliated with the District shall conduct fund-raising activities to benefit the entire group and shall not permit credit to be earned through fund-raising for an individual student. No dues, fees, or charges shall be assessed to students or parents.

Fund-Raising Activities

REFERENCES:

¹KRS 158.290

²KRS 367.515 (3)

³KRS 238.505; KRS 238.535; KRS 238.540

⁴Accounting Procedures for Kentucky School Activity Funds

KRS 156.160; KRS 158.854; OAG 78-508; OAG 79-330; OAG 79-556

RELATED POLICY:

04.312

Adopted/Amended:
Order #:

Fund-Raising Activities-Proposal

Please refer to the KDE document, Accounting Procedures for School Activity Funds, which includes the forms and process required for approval of fund-raising projects.

Review/Revised:

Fund-Raising Activities - Approval of Schoolwide Fund-Raising Projects

Please refer to the KDE document, *Accounting Procedures for School Activity Funds*, which includes the forms and process required for approval of fund-raising projects.

Review/Revised:

Fund-Raising Activities - Letter to County Clerk

Date _____

Address: Office of the County Clerk

Dear _____

KRS Chapter 367 requires the Superintendent to file written approval with your office of school fund-raising projects involving the sale of printed materials through solicitation by minors and students as follows:

The written approval of the Superintendent shall identify the product or products being sold, the solicitors to be involved and the duration of sales and shall be filed with the County Court Clerk.

_____ has requested my approval of fund-raising project(s)

Name of School

listed below:

Purpose of the project _____**Name/description of product being sold** _____**Name and address of publisher or jobber** _____**Name of school club or department sponsoring the project** _____**List of solicitors, if applicable, including ☐ age, ☐ grade number/level, ☐ name of school (*Attach list.*)****Duration of sales**Begins _____
*Month Day Year*Ends _____
Month Day Year

I am hereby approving the project as submitted and am filing this information with your office. If further information is necessary, please let me know.

*Signature of Superintendent/Designee*_____
Date

Review/Revised:

Student Publications and Speakers

SPONSOR PROVIDED

A designated faculty sponsor shall be provided for all student publications.

PRIOR SUBMISSION

Materials to be published shall be submitted to the Principal three (3) days before publication and/or distribution.

The Principal shall have the right to edit all materials for legitimate educational reasons including, but not limited to, items which could be reasonably expected to create a material and substantial disruption of school activities or operations or which may cause harm to others.

APPEAL

A student or author may appeal in writing to the Superintendent the Principal's decision.

STUDENT SPEAKERS

Selection of students to speak at official events shall be made in a viewpoint-neutral manner. If the prepared remarks of the student are reviewed by school personnel, the prepared remarks of the student shall not be altered prior to delivery, except in a viewpoint-neutral manner, unless requested by the student. However, student speakers shall not engage in speech that is, for example, obscene, vulgar, offensively lewd, or indecent. If the content of the student's speech is such that a reasonable observer may perceive affirmative institutional sponsorship or endorsement of the student speaker's religious or political viewpoint, the institution shall communicate, in writing, orally, or both, that the student's speech does not reflect the endorsement, sponsorship, position, or expression of the institution.

REFERENCES:

KRS 158.183

KRS 160.290

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

RELATED POLICIES:

08.11

09.426

Adopted/Amended:
Order #:

Social Events**SOCIAL EVENTS MAY BE APPROVED**

Student social events may be approved by the Principal under the following conditions:

1. The door shall be controlled and admission limited to eligible students, guests, chaperones, and school personnel.
2. No one under the influence of alcohol or drugs shall be in attendance.
3. Adequate administrator and/or faculty supervision shall be provided.
4. A policeman shall be present for any event where it is anticipated that the nature of the crowd may pose conduct or safety problems.
5. In case of any disturbance which would jeopardize the safety of students present or threaten to deface or destroy school property, the Principal or the Principal's designee shall immediately close the event and send pupils from the campus.
6. The Principal may impose additional regulations as needed.¹

REFERENCES:

¹KRS 161.180
KRS 160.290

RELATED POLICIES:

03.6
05.45

Adopted/Amended:
Order #:

School-Related Student Trips

PRINCIPAL TO APPROVE

The school Principal shall have the authority to approve school-related trips which fall into the following categories:

1. All regularly scheduled athletic events;
2. All athletic trips which are part of a tournament or play-off in which the school is a participant; and
3. All school-related trips made within a 150 mile radius of the school.

In order for students to be counted present during school-related trips during the school day, the activity must be co-curricular or instructional.

PRIOR APPROVAL

Prior approval of the Principal is required for each of the above trips.

BOARD REGULARLY INFORMED

The Board shall be regularly informed of any trip falling within these guidelines.

DRIVERS/VEHICLES

All District-owned vehicles shall be driven by an adult duly qualified and licensed to operate the vehicle. Drivers of school vehicles and operation of District-owned passenger vehicles transporting students shall be in compliance with requirements specified in applicable statutes and administrative regulations.¹

SUPERVISION

A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips. For athletic trips, a nonfaculty coach or a nonfaculty assistant may accompany students as provided in statute. Persons designated to accompany students shall be at least twenty-one (21) years old.²

INSURANCE

Only Board insured vehicles or appropriately certificated common carriers shall be used for transporting students.³

PRIOR APPROVAL FOR OTHER TRIPS

Any school-related trips not falling within the guidelines above shall require prior Board approval.

Use of certificated common carrier service shall be authorized by the Board on a case-by-case basis, and the reasons to justify such use shall be cited in Board minutes.³

MEDICATION

Administration of medication to students during field trips shall comply with applicable law, regulation and medication administration training developed by the Kentucky Department of Education.

School-Related Student Trips**MEDICATION (CONTINUED)**

When students will be travelling outside the state, the Superintendent's designee shall do the following:

1. Determine applicable legal requirements concerning delegation of student medication responsibilities in states through which students will be travelling; and
2. Assign staff to accompany students on the field trip to address student medication needs.

PARENTS' APPROVAL

Parents are to be informed of the nature of the trip, the approximate departure and return times, means of transportation, and any other relevant information. Parents must give written approval for students to participate in school-sponsored trips.

REFERENCES:

¹KRS 156.153
²KRS 161.185
³702 KAR 5:060
702 KAR 7:125
KRS 158.110, KRS 158.838
KRS 160.340, KRS 189.125, KRS 189.540
702 KAR 1:160, 702 KAR 3:220
702 KAR 5:030, 702 KAR 5:080, 702 KAR 5:130

RELATED POLICIES:

03.1321; 03.2321
09.15; 09.122; 09.221; 09.2241

Adopted/Amended:
Order #:

School-Related Student Trips**TEACHERS' RESPONSIBILITIES**

1. Field trips shall be related to the course of study and have educational value.
2. Teacher(s) shall complete a School-Related Trip Request Form (09.36 AP.21) and submit to the Principal for approval.
3. Prior to the trip, the teacher(s) shall prepare the students by:
 - a) Explaining the purpose of the trip.
 - b) Developing background and reference materials, including materials to be used on the trip, if applicable.
 - c) Pointing out highlights to observe on the trip.
 - d) Instructing students to observe safety precautions while on the bus and while at the field trip destination.
4. Students shall not be denied the trip because of an inability to pay.
5. The teacher(s) shall secure prior written permission for the trip and a medical release (09.36 AP.211) from each student's parent(s) or guardian.
6. Prior to the trip, a list of students taking the trip shall be provided to the ☐ Principal ☐ bus driver, if applicable ☐ school's Food Service staff, if applicable ☐ School Nurse, if applicable.

TRANSPORTATION

Transportation requests shall be made by ☐ the teacher ☐ the Principal ☐ Other _____ by completing a Vehicle Request Form (09.36 AP.212).

Discipline on the bus shall be the responsibility of the teacher or administrator in charge. Drivers are responsible for enforcement of bus rules and regulations. The sponsoring group will be charged for extra cleaning time if the bus is left in exceptionally dirty condition after the trip.

No items may be transported on a school bus that are not secure in underframe storage or empty seats (i.e., lunches, cooler, sporting equipment). Aisles must be kept clear.

EVALUATION

Following a field trip, the teacher(s) shall complete the School-Related Student Trip Evaluation Form (09.36 AP.23).

RELATED PROCEDURES:

- 09.2241 (all procedures)
- 09.36 (all procedures)

Review/Revised:

School-Related Student Trip Request Form

SUBMIT THIS FORM	<input type="checkbox"/> ONE WEEK	<input type="checkbox"/> TWO WEEKS	<input type="checkbox"/> OTHER, SPECIFY _____ PRIOR TO THE TRIP.
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SCHOOL _____ FACULTY MEMBER(S) SPONSORING TRIP _____

TYPE OF TRIP (CHECK ONE):☐ Classroom Field Trip ☐ Class Trip (i.e., junior, senior), specify _____☐ Organization/Club Trip, specify _____ ☐ Other (athletic, band, if applicable) _____

DESTINATION _____ ADDRESS _____ PHONE _____

☐ Out of State ☐ Out of County ☐ Within County☐ Overnight; give name, address, phone of lodging _____

DATE(S) OF TRIP _____ DEPARTURE TIME _____ RETURN TIME _____

PURPOSE/EDUCATIONAL VALUE _____

SOURCE OF FUNDING FOR TRIP _____

*NO STUDENT SHALL BE DENIED THE TRIP BECAUSE OF AN INABILITY TO PAY.*BILL TRIP EXPENSES TO: ☐ SPONSORING ORGANIZATION ☐ SCHOOL COUNCIL ☐ BOARD ☐ OTHER, SPECIFY _____

NUMBER OF: STUDENTS _____ FACULTY SPONSORS _____ OTHER CHAPERONES _____

TOTAL # OF PARTICIPANTS _____

MODE OF TRANSPORTATIONIS DISTRICT TRANSPORTATION NEEDED? ☐ NO ☐ YES. SEE PROCEDURE 09.36 AP.212.☐ CERTIFICATED COMMON CARRIER; SPECIFY _____☐ PRIVATE VEHICLE, IF ALLOWED BY POLICY; SPECIFY DRIVER(S) _____**SUPERVISION (ATTACH LIST OF NAMES OF ADULTS ACCOMPANYING STUDENTS ON TRIP.)**Have all chaperones undergone the required records check and been designated by the principal/designee to supervise students? ☐ Yes ☐ No_____
*Signature of Faculty Sponsor*_____
*Date*Trip has been ☐ approved ☐ disapproved. Reason for disapproval __________
*Signature of Superintendent/Designee*_____
Date

For overnight and/or out-of-state trips, approval of the Superintendent and/or Board may be required by policy 09.36.

RELATED PROCEDURES:

09.36 AP.211, 09.36 AP.212, 09.36 AP.23

Review/Revised:

School-Related Student Trip Permission Slip and Medical Release Form

Student's Name _____			
<i>Last Name</i>		<i>First Name</i>	<i>Middle Initial</i>
School _____	Grade _____	Homeroom/Classroom _____	
<input type="checkbox"/> All school-related trips for the _____ school year; OR			
<input type="checkbox"/> Field Trip Date(s) _____ Destination _____			
Alternate Destination, if applicable _____			
Mode of Transportation _____		Cost to Student, if applicable \$ _____	

I hereby give permission for my child to participate in the above-mentioned school-related student trip(s).

In addition, in the event of accident or sudden illness while on the school-related student trip, I authorize school personnel to contact the physician(s) listed on my child's school enrollment data forms and authorize those physician(s) to render such treatment as may be deemed necessary in an emergency for the health of said child. In the event physician(s), parent(s), or other persons designated by the parent cannot be contacted, school personnel are hereby authorized to take whatever action is deemed necessary in their judgment for the health of said child.

_____	_____
<i>Parent/Guardian's Signature</i>	<i>Date</i>

Please return this form to your child's teacher.

Review/Revised:

Vehicle Request Form

School _____ Faculty Member(s) sponsoring trip _____

Date trip was approved _____ By whom _____

Destination _____ Address _____ Phone _____

☐ Out-of-State☐ Out-of-County☐ Within-County☐ Overnight (Give name, address, phone # of lodging) _____

Date(s) of Trip _____ Departure Time _____ Return Time _____

Number of Students _____ Faculty Sponsors _____ Chaperones _____ Total # of Participants _____

THE SPONSORING GROUP IS RESPONSIBLE FOR ALL TRANSPORTATION COSTS ASSOCIATED WITH THE TRIP, INCLUDING THE DRIVER'S SALARY, PLUS ANY APPLICABLE OVERTIME WAGES AND DEDUCTIONS REQUIRED BY LAW.

Charge trip expenses to:

☐ Sponsoring organization☐ School council☐ Board/District☐ Other (specify) _____Mode of Transportation (*CHECK ONE*):☐ District-owned school bus; number needed _____☐ District-owned vehicle, other than bus; specify _____☐ Private vehicle, if allowed by policy, specify driver(s) _____☐ Certificated common carrier; specify _____☐ Check here if luggage, equipment, projects, etc., will be transported. (Specify) __________
Faculty Sponsor's Signature_____
Date

Bus Number(s) _____ Driver(s) Name(s) _____

Estimated Expenses: Driver(s) \$ _____ Fuel \$ _____ Mileage \$ _____

Meals, if applicable \$ _____ Lodging, if applicable \$ _____

Actual Expenses: Driver (s) \$ _____ Fuel \$ _____ Mileage \$ _____

Meals, if applicable \$ _____ Lodging, if applicable \$ _____

Driving Time _____ Layover Time _____ Actual Miles _____

Transportation Supervisor's Signature_____
Date**RELATED PROCEDURES:**

09.36 AP.21

09.36 AP.211

09.36 AP.23

Review/Revised:

Student Behavior

The Board requires high standards of personal conduct from all pupils and embraces the concept that each pupil shall respect the rights of others and abide by the administrative procedures of the school district and the laws of the community and state.¹

REFERENCES:

¹KRS 160.290

KRS 161.180

Adopted/Amended:

Order #:

Pregnant and Married Students

Married and/or pregnant pupils shall be permitted the same rights and privileges as other pupils.¹
Pregnant students may not participate in activities which will endanger the student or fetus.

REFERENCES:

¹34 CFR 106.40

OAG 93-37

OAG 97-26

Adopted/Amended:

Order #:

Student Conduct

The Superintendent/designee shall be responsible for overall implementation and supervision of the Board's Code of Acceptable Behavior and Discipline, and each Principal shall be responsible for administration and implementation of the Code within each school. The Principal shall apply the Code uniformly and fairly to each student without partiality or discrimination.

The Principal of each school, or school council in schools with SBDM, shall set school policy concerning the selection and implementation of appropriate discipline and classroom management techniques necessary to carry out the Code.

REFERENCES:

KRS 158.148

KRS 160.290

KRS 161.180

RELATED POLICY:

09.438

Adopted/Amended:

Order #:

Care of School and Personal Property

PUPILS RESPONSIBLE

Pupils shall be held responsible for damage to school property.

SCHOOL PROPERTY

Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or removes school property shall be subject to disciplinary action and liability for the cost of restoring the property.

In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves damage to school property. For the purposes of determining when to make this report, damage to school property shall refer to instances involving:

1. Intentional harm, and
2. Damage beyond minor loss or breakage, excluding normal wear and tear.

PERSONAL PROPERTY OF SCHOOL PERSONNEL

Any pupil, organization, or group of pupils who steals or willfully or wantonly destroys, defaces, or damages the personal property of school personnel on school property, off school property, or at school-sponsored activities shall be subject to suspension or expulsion from school.²

STUDENTS' PROPERTY

Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or steals the personal property of students shall be subject to disciplinary action.

PARENTS LIABLE

Parents shall be liable for property damage caused by their minor children.¹

REFERENCES:

¹KRS 157.140 (Textbooks); KRS 405.025 (Willful Damage)

²KRS 158.150

KRS 158.154; KRS 160.290

704 KAR 3:455

RELATED POLICY:

09.438

Adopted/Amended:
Order #:

Bullying/Hazing

In order to effectively participate in the democratic process as adults, students must learn to respect the rights of others and to interact with them in a civil manner. Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors to the schools.

ACTIONS NOT TOLERATED

The use of lewd, profane or vulgar language is prohibited. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or other threatening behavior.¹ This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

Students who violate this policy shall be subject to appropriate disciplinary action.

BULLYING DEFINED

Per KRS 158.148, “bullying” is defined as any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event: or
2. That disrupts the education process.

This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process.

HAZING DEFINED

Per KRS 508.150, “hazing” is defined as an action which endangers the mental or physical health of a minor or student for the purpose of recruitment, initiation into, affiliation with, or enhancing or maintaining membership or status within any organization*, including but not limited to actions which cause, coerce, or force a minor or a student to:

- (a) Violate federal or state criminal law;
- (b) Consume any food, liquid, alcoholic liquid, drug, tobacco product, or other controlled substance which subjects the minor or student to a risk of mental harm or physical injury;
- (c) Endure brutality of a physical nature, including whipping, beating or paddling, branding, or exposure to the elements;
- (d) Endure brutality of a mental nature, including personal servitude, sleep deprivation, or circumstances which would cause a reasonable person to suffer substantial mental distress;

Bullying/Hazing**HAZING DEFINED (CONTINUED)**

- (e) Endure brutality of a sexual nature; or
- (f) Endure any other activity that creates a reasonable likelihood of mental harm or physical injury to the minor or student.

*Per KRS 508.180, “organization” is defined as a number of persons who are associated with a school or postsecondary education institution and each other, including a student organization, fraternity, sorority, association, corporation, order, society, corps, club, or similar group and includes any student organization registered pursuant to policies of the school or postsecondary education institution at any time during the previous five (5) years.

REPORTS

As provided in the District Code of Acceptable Behavior and Discipline, students that believe they are victims of bullying/hazing shall be provided with a process to enable them to report such incidents to District personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it.

The District Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim’s Principal, as directed by Board policy 09.42811. The Principal/designee shall investigate and address alleged incidents of such misbehavior.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy 09.2211; and
2. Investigate and complete documentation as required by policy 09.42811 covering federally protected areas.

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.426 and/or 09.42811. Harassment/discrimination allegations shall be governed by Policy 09.42811.

Bullying/Hazing

REFERENCES:

¹KRS 158.150
KRS 158.148
KRS 158.156
KRS 160.290
KRS 508.180
KRS 525.080
Bethel School District No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)
Mahanoy Area School District v. B. L., 594 US _ (2021)
Tinker v. Des Moines Independent School District, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

RELATED POLICIES:

03.162; 03.262; 09.13; 09.421; 09.425; 09.426; 09.4281; 09.42811; 09.438
09.2211 (re: reports required by law)

Adopted/Amended:
Order #:

Bullying Reporting Form**(FOR INTERNAL ADMINISTRATIVE TRACKING AND DOCUMENTATION PURPOSES ONLY)**

- When additional room is needed for a section entry, please attach a separate sheet.
- Use of information documented on this form shall comply with confidentiality requirements of applicable privacy law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

REPORTER INFORMATION:**DATE:** _____☐ Anonymous☐ Staff Member

Name: _____

☐ Parent/guardian

Name: _____

☐ Student

Name: _____

STUDENT(S) REPORTED AS COMMITTING ACTS:

Name: _____

School: _____

Name: _____

School: _____

STUDENT(S) REPORTED AS VICTIM(S):

Name: _____

School: _____

Name: _____

School: _____

DESCRIPTION OF ALLEGED ACTS: _____**TIMES AND PLACES:** _____**NAMES OF POTENTIAL WITNESSES:**

Name: _____

School: _____

Name: _____

School: _____

ACTION TAKEN BY REPORTER (IF ANY): _____**ADMINISTRATIVE INVESTIGATION NOTES:** _____**BULLYING VERIFIED?**☐ YES☐ NO**CORRECTIVE ACTION(S) TAKEN:** _____

If the act of bullying is such that it must be reported as required by KRS 158.154, KRS 158.155, or KRS 158.156, see policies 09.2211 and 09.438 and related procedures.

If bullying is related to a federally protected harassment/discrimination area, see policy 09.42811 and related procedures.

IF BULLYING VERIFIED, REPORT SENT TO PARENTS OF STUDENTS? ☐ YES ☐ NO

Parent Name: _____

Date Sent: _____

Parent Name: _____

Date Sent: _____

Bullying Reporting Form**PARENT NOTIFICATION OF ALLEGED BULLYING**_____
Date

Dear Parent/Guardian,

On _____, your child, _____,
Date *Student's Name*was reportedly involved in a bullying incident that took place at _____.
Location

Because student safety is our utmost concern, we take this information very seriously and have taken appropriate action.

BULLYING VERIFIED?☐ **YES**☐ **NO**

If yes, we have taken appropriate disciplinary action and measures to assure your student's well-being.

Please contact me directly if you have questions about this information. I can be reached at

_____.
Telephone Number

Sincerely,

_____, Principal

Review/Revised:

Use of Alcohol, Drugs and Other Prohibited Substances

DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES

No pupil shall purchase, possess, attempt to possess, use, be under the influence of, sell, or transfer any of the following on or about school property, at any location of a school-sponsored activity, or en route to or from school or a school-sponsored activity:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances and drug paraphernalia; and
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.

In addition, students shall not possess prescription drugs for the purpose of sale or distribution.

DEFINITIONS

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by regulation under KRS 218A.010.

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

AUTHORIZED MEDICATION

Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy.

PENALTY

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams and/or other school-sponsored activities.

REPORTING

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. In addition, when they have reasonable belief that a violation has taken place, Principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

Use of Alcohol, Drugs and Other Prohibited Substances**PREVENTION PROGRAM**

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all students which shall include notice to students and parents of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/student assistance programs; and
5. Penalties that may be imposed upon students for violations of this policy.

REFERENCES:

KRS 158.150; KRS 158.154; KRS 158.155

KRS 160.290; KRS 161.180

KRS 217.900; KRS 218A.020; KRS 218A.1430; KRS 218A.1447

OAG 82-633; OAG 93-32

Clark County Board of Education vs. Jones, KY. App., 625 S. W. 2d 586 (1981).

Board of Ed. of Tecumseh Public School District, Independent School Dist. No. 92 of Pottawatomie Cty. v. Earls, ___ U.S. ___, 242 F.3d 1264 (2002)

RELATED POLICY:

09.2241

Adopted/Amended:
Order #:

Student's Name _____			
<i>Last Name</i>		<i>First Name</i>	<i>Middle Initial</i>
Student's Address _____			
<i>City</i>		<i>State</i>	<i>ZIP Code</i>
Student's Age ____	Date of Birth _____	Sex ____	Student's Phone Number _____
School _____	Grade _____	Homeroom/Classroom _____	
Name of Parent/Legal Guardian _____			

ACTION TAKEN	
1	1. The Board of Directors shall review the findings of the audit and determine the appropriate actions to be taken to address the identified issues.
2	2. The Board of Directors shall approve the implementation of the corrective actions and monitor the progress of the same.
3	3. The Board of Directors shall ensure that the corrective actions are implemented in a timely and effective manner.
4	4. The Board of Directors shall ensure that the corrective actions are communicated to all relevant personnel.
5	5. The Board of Directors shall ensure that the corrective actions are documented and reported to the appropriate regulatory authorities.
6	6. The Board of Directors shall ensure that the corrective actions are reviewed and evaluated for effectiveness.
7	7. The Board of Directors shall ensure that the corrective actions are implemented in a manner that does not compromise the safety or integrity of the system.
8	8. The Board of Directors shall ensure that the corrective actions are implemented in a manner that does not compromise the confidentiality of the system.
9	9. The Board of Directors shall ensure that the corrective actions are implemented in a manner that does not compromise the availability of the system.
10	10. The Board of Directors shall ensure that the corrective actions are implemented in a manner that does not compromise the performance of the system.

☐ Family contacted Date _____
☐ Student Assistance Counselor contacted Date _____
☐ Law enforcement contacted Date _____
☐ Detention (days) _____ ☐ before school ☐ after school ☐ Saturdays
☐ Suspension (days) _____ ☐ in school ☐ out of school ☐ student activities
☐ Expulsion Term of expulsion _____
☐ Placement in alternate setting Date _____
☐ Parent Conference Date _____ Outcome _____
☐ Other, specify _____

☐ Counseling ☐ in school ☐ out-of-school
☐ Referral of student/family to Family Resource/Youth Service Center
☐ Referral to outside agency Name of Agency _____
☐ Other, explain _____

Signature of Superintendent/designee _____ Date _____

☐ Violation/Referral Form Mailed Return Receipt Requested Date _____

Page 1 of 1

Tobacco, Alternative Nicotine, or Vapor Products

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 on or in all Board property at all times, including any vehicle, owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity.

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline.

REFERENCES:

KRS 160.290; KRS 160.340; KRS 161.180
KRS 438.050; KRS 438.305; KRS 438.345; KRS 438.350
OAG 81-295; OAG 91-137
P. L. 1114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.1327; 03.2327; 05.31; 06.221; 10.5

Adopted/Amended:
Order #:

Assault and Threats of Violence

For purposes of this Policy, a “threat” shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

STUDENTS

Any student who threatens, physically assaults, batters or abuses another student shall be subject to appropriate disciplinary action, including suspension or expulsion.¹

Students may also be subject to prosecution or juvenile justice interventions for assault, threats, or other abusive conduct.

The Principal shall provide written notice to all students, parents, and guardians of students within ten (10) days of the first instructional day of each school year of the provision of KRS 508.078 and potential penalties under KRS 532.060 and KRS 534.030.²

EDUCATIONAL PERSONNEL

Any student who threatens, physically assaults, batters or physically or verbally abuses educational personnel on or off school property (and the incident is likely to substantially disrupt the educational process) shall be subject to appropriate disciplinary action¹ up to and including expulsion from school and/or legal action.

REMOVAL OF STUDENTS

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting or from the District's transportation system pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to:

1. Disrupts the classroom environment and education process or the student challenges the authority of a supervising adult.
2. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.
3. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

The Principal may establish (school) procedures for a student's removal from and reentry to the classroom when the student's behavior disrupts the classroom environment and education process or the student challenges the authority of a supervising adult. In addition to removal, the student shall be subject to further discipline for the behavior consistent with the school's code of conduct.

Removal of students from a bus shall be made in compliance with 702 KAR 5:080.

Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as practicable. The Principal/designee shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

Assault and Threats of Violence**REMOVAL OF STUDENTS (CONTINUED)**

Per KRS 158.150, a student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered “chronically disruptive” and may be suspended from school and no other basis for suspension shall be deemed necessary.

At any time during the school year, for a student who has been removed from the classroom the Principal may require a review of the classroom issues with the teacher and the parent, guardian, or other person having legal custody or control of the student and determine a course of action for the teacher and student regarding the student's continued placement in the classroom.

At any time during the school year, the Principal may permanently remove a student from a classroom for the remainder of the school year if the Principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students.

When a student is removed from a classroom temporarily or permanently, the Principal shall determine the placement of the student in lieu of that classroom, which may include but is not limited to:

- Another classroom in that school; or
- An alternative program or setting, which may be provided virtually, as approved by the Superintendent.

Any permanent action by the Principal shall be subject to an appeal process in accordance with Policy 09.4281/Grievances.

REPORT TO LAW ENFORCEMENT AGENCY

When they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon.

DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child pursuant to KRS 620.030. This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

Assault and Threats of Violence**DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION (CONTINUED)**

If individual school personnel has reasonable cause to believe that a victim with whom s/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, s/he shall provide educational materials to the victim relating to such form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the school District's area.

NOTIFICATIONS

As soon as the Superintendent/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

Any District employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other official who has knowledge of the student's behavior prior to the assignment or contact.

REFERENCES:

¹KRS 158.150
²KRS158.1559
KRS 158.154; KRS 160.290
KRS 161.155; KRS 161.190; KRS 161.195
KRS 209A:020; KRS 209.160
KRS 209A.100; KRS 209A.110; KRS 209A.130
KRS 211.160; KRS 403.720; KRS 456.010
KRS 508.025; KRS 508.075; KRS 508.078; KRS 525.080
KRS 532.060; KRS 534.030; KRS 620.030
702 KAR 5:080

RELATED POLICIES:

03.123; 03.13253; 03.223; 03.23253; 05.4; 05.48
06.34; 09.14; 09.2211; 09.422; 09.426; 09.4281; 09.429; 09.4341

Adopted/Amended:
Order #:

Record of Removal

An employee who removes a student, or causes a student to be removed, from a classroom setting or District transportation system shall complete and submit this form to the Principal/designee as soon as practicable following the removal. Per KRS 158.150, a student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered "chronically disruptive" and may be suspended from school and no other basis for suspension shall be deemed necessary.

Student's Name _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
School _____	Grade (if known) _____	Date of Removal _____	
Classroom/District vehicle from which the student was removed: _____			
Site to which the student was removed: _____			
Employee who removed the student: _____			
Position: _____			

CAUSE(S) FOR REMOVAL

- ☐ Disrupting the classroom environment and educational process or challenging the authority of a supervising adult.
- ☐ Threatening behavior, such as verbal or written statements or gestures by the student indicating intent to harm themselves, others or property.

Describe (*Use additional sheet(s) if necessary.*):

- ☐ Violent behavior, such as a physical attack by the student so as to intentionally inflict harm to himself/herself, others or property.

Describe (*Use additional sheet(s) if necessary.*):

WITNESS(ES) (*Use additional sheet(s) if necessary.*)

<i>Name</i>	<i>Note if student/employee/other (specify)</i>
<i>Name</i>	<i>Note if student/employee/other (specify)</i>

<i>Employee's Signature</i>	<i>Date</i>
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Review/Revised:

Assault and Threats of Violence - Notice of Penalties and Provisions

KRS 158.1559 requires written notice to all students, parents and guardians of students within ten (10) days of the first instructional day of the school of the provisions of KRS 508.078 (making it a crime to make the described threats against school-affiliated persons and persons lawfully on school property or against school operations). In compliance with this requirement, the text of KRS 508.078 is set forth below.

KRS 508.078 (TERRORISTIC THREATENING, SECOND DEGREE)

1. A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally:
 - a) With respect to any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or serious physical injury to any person at a place of worship, or any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation to occur;
 - b) Makes false statements by any means, including by electronic communication, indicating that an act likely to result in death or serious physical injury is occurring or will occur for the purpose of:
 1. Causing evacuation of a school building, school property, or school sanctioned activity;
 2. Causing cancellation of school classes or school sanctioned activity; or
 3. Creating fear of death or serious physical injury among students, parents, or school personnel;
 - c) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or
 - d) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.
2. A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010.
3. A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.

Assault and Threats of Violence - Notice of Penalties and Provisions**KRS 508.078 (TERRORISTIC THREATENING, SECOND DEGREE) (CONTINUED)**

4. Terroristic threatening in the second degree is a Class D felony.
5. Terroristic threatening in the second degree is a Class C felony when, in addition to the violations above, the person intentionally engages in substantial conduct required to prepare for or carry out the threatened act, including but not limited to gathering weapons, ammunition, body armor, vehicles, or materials required to manufacture a weapon of mass destruction.

*****POTENTIAL PENALTIES UNDER KRS 532.060 AND KRS 534.030 UPON CONVICTION*****

Please be advised that there are serious penalties for this second degree terroristic threatening offense. Potential penalties for adults convicted of this offense include terms of imprisonment of not less than one (1) year nor more than five (5) (Class D felony) or not less than five (5) years nor more than ten (10) years (Class C felony) and a fine of not less than one thousand dollars (\$1,000) and not greater than ten thousand dollars (\$10,000) as provided in KRS 532.060 and KRS 532.030, respectively.

Juveniles face sanctions that may include fines up to five hundred dollars (\$500.00) (KRS 635.085); probation or supervision subject to court imposed conditions and graduated sanctions for violations (KRS 635.060); and more serious sanctions if they have prior adjudications or an offense is determined to involve a deadly weapon. In addition, a court in a juvenile case dealing with charges based on bomb threats or other criminal threats that disrupt school operations may order the child or his or her parent(s) to make restitution (pay expenses) caused by the threat to parties such as the District or first responders (KRS 635.060).

PRINCIPAL'S SIGNATURE: _____**DATE:** _____

Review/Revised:

Disrupting the Educational Process

Behavior that materially or substantially disrupts the educational process, whether on or off school property or at school-sponsored events and activities, shall not be tolerated and shall subject the offending student to appropriate disciplinary action. For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct that disrupts the classroom environment and education process or the student challenges the authority of a supervising adult;
2. Conduct which threatens the health, safety, or welfare of others;
3. Conduct which may damage public or private property, including the property of students or staff;
4. Illegal activity;
5. Conduct that materially or substantially interferes with another student's access to educational opportunities or programs, including the ability to attend, participate in and benefit from instructional and extracurricular activities; or
6. Conduct that materially or substantially disrupts the delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

REMOVAL

Per KRS 158.150, a student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered "chronically disruptive" and may be suspended from school and no other basis for suspension shall be deemed necessary.

At any time during the school year, for a student who has been removed from the classroom the Principal may require a review of the classroom issues with the teacher and the parent, guardian, or other person having legal custody or control of the student and determine a course of action for the teacher and student regarding the student's continued placement in the classroom.

At any time during the school year, the Principal may permanently remove a student from a classroom for the remainder of the school year if the Principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students.

When a student is removed from a classroom temporarily or permanently, the Principal shall determine the placement of the student in lieu of that classroom, which may include but is not limited to:

- Another classroom in that school; or
- An alternative program or setting, which may be provided virtually, as approved by the Superintendent.

Any permanent action by the Principal shall be subject to an appeal process in accordance with Policy 09.4281/Grievances.

Disrupting the Educational Process

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.42811, which address harassment/discrimination allegations.

REFERENCES:

KRS 158.150; KRS 158.165; KRS 160.290

RELATED POLICIES:

09.13; 09.422; 09.425; 09.4281; 09.42811; 09.431; 09.438

Adopted/Amended:
Order #:

Disrupting the Educational Process

The following procedures shall be used when an individual or a group is disrupting the educational process:

1. The Principal/designee shall notify the Superintendent, as appropriate.
2. The Principal and staff shall make every effort to keep the disturbance isolated and keep uninvolved students from the scene.
3. A staff member should accompany the Principal/designee to the area in which the disturbance is occurring. If the students involved do not respond to the Principal's directions, the staff member is to telephone for additional staff assistance or for the police as directed by the Principal.
4. School schedules and operations shall be maintained at a normal level.
5. Teachers shall continue normal classroom activities unless otherwise instructed.
6. Teachers shall not permit students to leave the room; however, teachers should not try to physically restrain students from leaving the room.
7. The staff shall avoid physical involvement except for self-protection or protection of students.
8. The staff shall cooperate with the Principal and shall identify those involved in the disruption.
9. Normal disciplinary action shall be administered to those involved in the disturbance.

Review/Revised:

Telecommunication Devices

POSSESSION AND USE

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess and use personal telecommunications devices as defined by law¹ and other related electronic devices, provided they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:
 - a. Poses a threat to academic integrity, such as cheating;
 - b. Violates confidentiality or privacy rights of another individual. This includes, but is not limited to, taking photographs, video, or audio recordings of others without the permission of the Principal/designee and the affected individual(s). An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena;
 - c. Is profane, indecent, or obscene;
 - d. Constitutes or promotes illegal activity or activity in violation of school rules; or
 - e. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

These restrictions shall not be interpreted to prohibit material protected under the state or federal constitutions where such material does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

2. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day and during the student's lunch break.
3. When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.
4. Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.
5. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
6. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

Telecommunication Devices

NOTICE OF POLICY

Notice of this policy and penalties for violating it shall be published annually in the District's Code of Acceptable Behavior and Discipline.

REFERENCES:

¹KRS 158.165
KRS 525.080

RELATED POLICIES:

08.2323; 09.426; 09.436; 09.438

Adopted/Amended:
Order #:

Grievances

GENERAL

Any student who wishes to express an educational concern or grievance shall observe the following order of appeal:

1. Teacher;
2. Principal;
3. School council, where appropriate;
4. Superintendent;
5. Board.

The order of appeal shall not be construed to mean that students are not free to confer with the Superintendent or Board whenever they so wish. However, if the grievance concerns discipline of an individual student, the Board may, on a case-by-case basis, determine if it will hear the grievance based on whether the facts presented in the written grievance fall within its discretion or authority. If there is a question as to whether the grievance is within the Board's discretion or authority, the Board will consult with legal counsel.

PROCEDURES

Grievance procedures shall address, but not be limited to, the conditions for filing a grievance, time limitations for the filing and the appeal of a grievance, and a process for the orderly review and appeal of each individual grievance.

EXCEPTIONS

Harassment/Discrimination allegations shall be governed by Policy 09.42811.

Federal law requires the District to implement separate and specific processes for responding to complaints/grievances about Title I programs and to those alleging discrimination in the delivery of benefits or services in the District's school nutrition program.

RELATED POLICIES:

07.1
08.13451
09.422; 09.425; 09.426; 09.42811; 09.431; 09.434; 09.4341; 09.435
10.2

Adopted/Amended:
Order #:

Grievance Procedures

Students wishing to initiate a harassment/discrimination complaint should use Procedure 09.42811 AP.2.

CONDITIONS

1. All grievances are individual in nature and must be brought by the individual grievant.
2. All grievance proceedings shall be conducted outside the regular school day and at a time and place mutually agreed upon.
3. The grievant shall be permitted to have not more than two (2) representatives.
4. All attendant records shall be filed in the office of the Principal and/or Superintendent and shall be considered private information and separate from the student's educational records. All records will be kept for a minimum of three (3) years.
5. No reprisal shall be taken against any aggrieved student because of the filing of a grievance.

TIME LIMITS

1. Students or their parents must file their grievance within fifteen (15) school days following the alleged violation. However, depending on the nature of the grievance, the Superintendent may recommend an extension of the filing deadline to twenty (20) school days if the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions.
2. Days referred to in the grievance initiation form shall be school days.
3. The time limits stated in various sections of these procedures may be extended by mutual consent of the Board, its authorized agents, and the grievant.
4. If no extension occurs and the grievant does not file an appeal to the next level within ten (10) school days of receiving a response, the grievance shall be considered to have been settled and terminated at the previous level, and the answer given at that level shall stand.

PRINCIPAL'S/SCHOOL COUNCIL'S INVOLVEMENT

1. When appropriate, the grievant shall give his/her communication directly to the Principal, thus bypassing the teacher or other employee. This action shall be taken only in those instances where the matter communicated is of such a personal and private nature that it cannot be effectively communicated at a lower level or in those instances where the nature of the grievance would require the initial response of the Principal.
2. The Principal reserves the right to redirect the communicator to the appropriate level and/or consult with the council, as appropriate.

SUPERINTENDENT'S/DESIGNEE'S INVOLVEMENT

1. When appropriate, the grievant shall give his/her communication directly to the Superintendent, thus bypassing the Principal. This action shall be taken only in those instances where the matter communicated is of such a personal and private nature that it cannot be effectively communicated at a lower level or in those instances where the nature of the grievance would require the initial response of the Superintendent.
2. The Superintendent reserves the right to redirect the communicator to the appropriate level.

Grievance Procedures**BOARD OF EDUCATION'S INVOLVEMENT**

1. If the student, after reviewing the Superintendent's response, desires direct communication with the Board of Education, the student may present his/her written communication to the Superintendent for transmittal to the Board of Education or notify the Superintendent ten (10) school days prior to the meeting of the Board at which the student wishes the grievance presented. Students contacting Board members individually about a grievance shall be advised to communicate with the entire Board.
2. If the Board decides to review the grievance, the student will then be afforded an opportunity to appear before the Board at the next regular meeting for relevant discussion of the student's communication. If the student does not wish to make a verbal presentation, the student's right to refrain from such activity will be respected.
3. The Superintendent or the grievant shall present the communication to the Board of Education at its next regularly scheduled meeting.
4. The Board of Education will consider the grievance and will provide the student a written response within ten (10) school days after the next regularly scheduled meeting of the Board, following the meeting of the Board at which the grievance was initially presented. The decision of the Board of Education shall be final.

NOTE:

- Students/parents wishing to initiate a complaint about a Title I issue should refer to Procedure 08.13451 AP.1.

RELATED PROCEDURES:

08.13451 AP.1
09.42811 AP.2

Review/Revised:

Grievance Initiation Form (Students)

This form provides the opportunity for a student to question the application of a Board policy or administrative rule or procedure and to secure at the lowest administrative level an equitable and prompt resolution.

STUDENT GRIEVANT

Student Name _____ Date _____

Home Address _____ Phone _____

School _____ Grade Level _____

GRIEVANCE

Identify the policy, rule, or procedure whose application is at issue. Use full names, dates, exact location, and specific occurrence, if appropriate. (Use additional sheet if necessary.)

What results are you seeking from this grievance initiation? (Use additional sheet if necessary)

Student's Signature

Date

LEVEL ONE: CLASSROOM TEACHER

Name: _____

Date grievance received at this level _____

CLASSROOM TEACHER'S RESPONSE (USE ADDITIONAL SHEET IF NECESSARY.)

Classroom Teacher's Signature

Date

THIS RESPONSE SHALL BE PRESENTED TO THE GRIEVANT WITHIN TEN (10) SCHOOL DAYS OF RECEIPT OF THIS GRIEVANCE AT THIS LEVEL.

=====

Grievance Initiation Form (Students)

BOARD POLICY ALLOWS FOR APPEAL OF THE CLASSROOM TEACHER'S DECISION AND THE OPPORTUNITY TO ADDRESS THE GRIEVANCE TO A HIGHER LEVEL OF AUTHORITY IF THE CLASSROOM TEACHER IS AN ALLEGED PARTY IN THE COMPLAINT.

LEVEL TWO: PRINCIPAL OR PRINCIPAL'S DESIGNEE

Name: _____

Date grievance received at this level _____

PRINCIPAL/PRINCIPAL'S DESIGNEE'S RESPONSE (USE ADDITIONAL SHEET IF NECESSARY.)

Principal's/Designee's Signature

Date

THIS RESPONSE SHALL BE PRESENTED TO THE GRIEVANT WITHIN TEN (10) SCHOOL DAYS OF RECEIPT OF THIS GRIEVANCE AT THIS LEVEL.

=====

BOARD POLICY ALLOWS BOTH FOR APPEAL OF THE PRINCIPAL/DESIGNEE'S DECISION AND THE OPPORTUNITY TO ADDRESS THE GRIEVANCE TO A HIGHER LEVEL OF AUTHORITY IF THE PRINCIPAL/DESIGNEE IS AN ALLEGED PARTY IN THE COMPLAINT.

LEVEL THREE: SCHOOL COUNCIL, IF APPROPRIATE

Name: _____

Date grievance received at this level _____

RESPONSE OF SCHOOL COUNCIL (USE ADDITIONAL SHEET IF NECESSARY.)

School Council Chairperson's Signature

Date

THIS RESPONSE SHALL BE PRESENTED TO THE GRIEVANT WITHIN TEN (10) SCHOOL DAYS OF RECEIPT OF THIS GRIEVANCE AT THIS LEVEL.

=====

BOARD POLICY ALLOWS BOTH FOR APPEAL OF THE SCHOOL COUNCIL'S DECISION AND THE OPPORTUNITY TO ADDRESS THE GRIEVANCE TO A HIGHER LEVEL OF AUTHORITY IF THE SCHOOL COUNCIL IS AN ALLEGED PARTY IN THE COMPLAINT.

Grievance Initiation Form (Students)

LEVEL FOUR: SUPERINTENDENT/DESIGNEE

Name: _____

Date grievance received at this level _____

SUPERINTENDENT/DESIGNEE'S RESPONSE (USE ADDITIONAL SHEET IF NECESSARY.)

Superintendent's/Designee's Signature

Date

THIS RESPONSE SHALL BE PRESENTED TO THE GRIEVANT WITHIN TEN (10) SCHOOL DAYS OF RECEIPT OF THIS GRIEVANCE AT THIS LEVEL.

=====

THE BOARD WILL NOT HEAR ANY GRIEVANCE CONCERNING PERSONNEL ACTIONS UNLESS THE GRIEVANCE CONCERNS CONSTITUTIONAL, STATUTORY, REGULATORY, OR OTHER POLICY APPLICATION OR DEMOTION UNDER KRS 161.765.

LEVEL FIVE: BOARD OF EDUCATION

Date grievance received at this level _____

BOARD OF EDUCATION'S RESPONSE (USE ADDITIONAL SHEET IF NECESSARY.)

Board Chairperson's Signature

Date

THIS RESPONSE SHALL BE PRESENTED TO THE GRIEVANT WITHIN TEN (10) SCHOOL DAYS OF RECEIPT AFTER THE NEXT REGULARLY SCHEDULED BOARD MEETING.

Review/Revised:

Harassment/Discrimination

DEFINITION

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex (including sexual orientation or gender identity), or disability that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment.

The provisions of this policy shall not be interpreted as applying to speech otherwise protected under the state or federal constitutions where the speech does not otherwise materially or substantially disrupt the educational process, as defined by policy 09.426, or where it does not violate provisions of policy 09.422.

PROHIBITION

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

DISCIPLINARY ACTION

Students who engage in harassment/discrimination of an employee or another student on the basis of any of the areas mentioned above shall be subject to disciplinary action, including but not limited to suspension and expulsion.

GUIDELINES

Students who believe they or any other student, employee, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

Employees who believe prohibited behavior is occurring or has occurred shall notify the victim's Principal, who shall immediately forward the information to the Superintendent.

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) school days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.

The Superintendent/designee may take interim measures to protect complainants during the investigation.

Harassment/Discrimination**GUIDELINES (CONTINUED)**

2. A process to identify and implement, within five (5) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all students, which may include, but not be limited to, the following:
 - written notice provided in publications such as handbooks, codes, and/or pamphlets; and/or
 - such other measures as determined by the Superintendent/designee.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy/procedures and obtain assistance in reporting and responding to alleged incidents. Students, parents or guardians, as appropriate, will be directed to sign an acknowledgement form verifying receipt of information concerning this policy as part of the Board-approved code of acceptable behavior and discipline.

4. Age appropriate training during the first month of school to include an explanation of prohibited behavior and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

When sexual harassment is alleged, the District's Title IX Coordinator, as designated in the student handbook/code, shall be notified.

NOTIFICATIONS

Within twenty-four (24) hours of receiving a serious allegation of harassment/discrimination, District personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination.

In circumstances also involving suspected child abuse, additional notification shall be required by law. (See Policy 09.227.)

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.¹

PROHIBITED CONDUCT

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;

Harassment/Discrimination**PROHIBITED CONDUCT (CONTINUED)**

3. Instances involving sexual violence;
4. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

CONFIDENTIALITY

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violations.

APPEAL

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the Superintendent.

If a supervisor is an alleged party in the harassment/discrimination complaint, procedures shall also provide for addressing the complaint to a higher level of authority.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, or to take corrective action shall be cause for disciplinary action.

RETALIATION PROHIBITED

No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

FALSE COMPLAINTS

Deliberately false or malicious complaints of harassment/discrimination may result in disciplinary action taken against the complainant.

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.426.

Harassment/Discrimination

REFERENCES:

¹KRS 158.156
42 USC 2000e, Civil Rights Act of 1964, Title VII
Racial Incidents and Harassment Against Students at Educational Institutions:
Investigative Guidance (U.S. Department of Education)
U. S. Supreme Court - Franklin vs. Gwinnett County
29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC)
Regulations Implementing Title VII
20 U.S.C. 1681, Education Amendments of 1972, Title IX
34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights
Regulations Implementing Title IX
Gebser v. Lago Vista Independent School Dist., 118 S. Ct. 1989 (1998)
Davis v. Monroe County Bd. of Educ., 119 S. Ct. 1661 (1999)
Bostock v. Clayton County, Georgia 140 S.Ct. 1731 (2020)

RELATED POLICIES:

03.162; 03.262
09.13; 09.2211; 09.227
09.422; 09.426; 09.438

Adopted/Amended:
Order #:

Notice to Individuals Complaining of Harassment/Discrimination

The District prohibits all forms of improper conduct, including sexual harassment and discrimination. A copy of the District's policy is attached for your information. Please be aware of the following provisions:

The District's Title IX/Equity Coordinator is _____. If you have any questions pertaining to sexual harassment or sexual discrimination, you may contact this person as follows:

Address

Telephone Number

The District will investigate the allegations of harassment/discrimination that you have brought to its attention. The investigation will be conducted by a District administrator or other individual with specific training and/or experience in this area. If you have any questions for the District's investigator, you may contact him/her at the address listed above.

During the investigation, you have the right to: (a) provide the District with information and documentation concerning the alleged improper conduct; (b) advise the District of the identity and location of any possible witness(es); and (c) exercise all other rights set forth in law or in District policy.

The District is interested in knowing what actions you are seeking in response to your complaint. Although law does not require the District to comply with all requested actions in order to eliminate harassment/discrimination, a collaborative dialogue may be a useful tool in insuring that it is eliminated.

The District will take reasonable steps to preserve confidentiality and will make every effort to prevent public disclosure of the names of the parties involved, except to the extent necessary to carry out the investigation. The District is interested in knowing your views about confidentiality issues and will try to accommodate them, subject to the District being able to fulfill its commitment to eliminate harassment/discrimination.

District employees and students who are alleged perpetrators of harassment/discrimination misconduct may be entitled to due process and may be protected by certain confidentiality rights. Subject to the rights of students or employees, the District will make an effort to keep you advised of the progress of its investigation and of any decisions it reaches concerning the situation. If you have any questions concerning the progress of the investigation or the actions taken by the District to remediate any harassment/discrimination that may have occurred, please feel free to contact the Title IX/Equity Coordinator or the individual assigned to investigate a complaint.

If you are dissatisfied with the progress of the investigation, the progress of rendering a decision, or the decision itself, you have the right to appeal to the Board of Education.

If it is concluded following the investigation that the allegations have merit and that action will be taken to remediate the situation, the District may follow up with you to make sure that there is not a recurrence of the improper conduct. If there is any repeat of any improper conduct, we ask you to notify immediately the Title IX/Equity Coordinator and/or a District administrator.

Notice to Individuals Complaining of Harassment/Discrimination

The District will make every effort to correct the effects of any improper conduct on the complainant and others. Please advise us of the actions you believe the District should take to correct the discriminatory effects of the improper conduct.

Retaliation against an individual who has reported improper conduct by faculty, staff or students, including sexual harassment/discrimination, is strictly forbidden. If you believe that any of those parties is retaliating against you in any way, please notify the Title IX/Equity Coordinator and/or a District administrator immediately. If you are not satisfied with the District's response, you have the right to file a complaint with the Office of Civil Rights at the following address:

Wanamaker Building, Suite 515
100 Penn Square East
Philadelphia, PA 19107

Review/Revised:

Harassment/Discrimination Reporting Form

This form provides the opportunity for a student or parent to report violation(s) of Board Policy 09.42811 and to secure an equitable and prompt resolution. This procedure shall be implemented in compliance with Board Policy 09.42811 and shall be used to document all complaints, whether addressed informally or formally.

Student's Name _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
Student's Address _____			
<i>City</i>	<i>State</i>	<i>Zip Code</i>	
Student's Age _____	Date of Birth _____	Student's Phone Number _____	
School _____	Grade _____	Homeroom/Classroom _____	
Name of Parent/Guardian _____		Daytime Phone # _____	

CONFIDENTIALITY

Information regarding an investigation of alleged harassment/discrimination shall be kept confidential to the extent possible. Individuals involved in the investigation shall not discuss information regarding the complaint outside of the investigation process.

HARASSMENT/DISCRIMINATION COMPLAINT (USE ADDITIONAL SHEETS IF NECESSARY.)

Date(s)/approximate time of the alleged incident(s): _____

Place alleged incident (s) occurred: _____

What type of harassment or discrimination was involved in the alleged incident?

☐ sexual ☐ racial ☐ on the basis of national origin ☐ on the basis of disability

☐ other type of harassment/discrimination? If other, specify: _____

Name of person you believe is guilty of harassment or discrimination: _____

Position (if employee): _____ Grade (if student): _____ Other (specify) _____

If the alleged behavior was directed toward another person, name that person: _____

Describe the alleged incident as clearly as possible, including such information as verbal statements (i.e. slurs, threats, other verbal or physical abuse or prohibited requests), what physical contact, if any was involved, what force, if any was used. _____

LIST ANY WITNESSES TO THESE EVENTS: _____

PLEASE ATTACH ANY EXHIBITS OR OTHER TANGIBLE EVIDENCE (I.E., NOTES).

WHAT RESULTS ARE YOU SEEKING BY FILING THIS FORM? _____

I agree that all information reported here is complete, accurate and true to the best of my knowledge and affirm that I honestly believe that the person named harassed or discriminated against me or another person.

_____ <i>Signature of Student</i>	_____ <i>Date</i>
_____ <i>Signature of Parent/Guardian (not required)</i>	_____ <i>Date</i>
_____ <i>Received by</i>	_____ <i>Date</i>

NOTE:

- Students/parents wishing to initiate a complaint concerning discrimination in the delivery of benefits or services in the District's school nutrition program should go to the link below or mail a written complaint to the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, or email, program.intake@usda.gov.

http://www.ascr.usda.gov/complaint_filing_cust.html

Review/Revised:

Harassment/Discrimination Investigation and Appeals**(FOR INTERNAL ADMINISTRATIVE TRACKING PURPOSES ONLY)**

STUDENT COMPLAINANT _____		
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
STUDENT'S SCHOOL _____ GRADE _____ HOMEROOM/CLASSROOM _____		

The Superintendent shall appoint an investigator who is not an alleged party in the complaint to investigate allegations of harassment/discrimination. The investigator shall be trained in this area, and her/his duties shall be assigned by the Superintendent/designee or, for contractors, set out in a contract, as appropriate. If the Superintendent is the alleged party, the Board shall designate an outside investigator and, after presentation of the final investigative report, determine when and how it is to be released. All instances involving suspected child abuse or criminal conduct shall be reported as required by law.

ALLEGED HARASSER/DISCRIMINATING PARTY: _____

Investigator: _____ Date Complaint Form is Received: _____

INFORMAL PROCEDURE

If both parties agree, prior to a formal grievance process an administrator may facilitate a conversation between the complainant and the party alleged to have harassed or discriminated against the complainant. Both the complainant and the accused party may be accompanied by a person of their choice. If both parties feel that a resolution has been achieved, no further action need be taken. The results of an informal resolution shall be reported by the facilitator, in writing, to the Principal, along with a signed agreement, if one is reached. If any of the interested parties choose not to utilize the informal procedure, or feel that it has been unsuccessful, s/he may opt to proceed to the formal grievance procedure. However, any complaints directed at District employees or alleging criminal acts must be formally investigated and/or reported to state authorities as required by law.

Was this complaint resolved informally, as indicated by an agreement signed by both parties?

☐ Yes ☐ No Date: _____ Facilitator: _____
FORMAL PROCEDURE

Students should make their complaint to their Principal or other designated administrator, who shall immediately, without screening or beginning an investigation, inform the Superintendent of receipt of the complaint. Otherwise, the complaint can be filed directly with the Superintendent or, in cases involving sexual harassment/discrimination, with the Title IX/Equity Coordinator. Employees who have knowledge of alleged or observed student harassment/discrimination shall immediately notify the alleged victim's Principal.

The Superintendent shall designate an individual to investigate the complaint. If necessary, the investigator will seek assistance from District administrators. In some instances it may be necessary to involve legal counsel, when authorized by the Superintendent, or by the Board if the Superintendent is the subject of the complaint.

TIMELINE

The investigator shall provide the complainant and the accused with a copy of the District's Policy 09.42811 and Notice to Individuals Complaining of Harassment/Discrimination and inform the complainant and the accused of required timelines that have been established for initiation and completion of an investigation.

Harassment/Discrimination Investigation and Appeals**FORMAL PROCEDURE (CONTINUED)****CORRECTIVE ACTION**

If corrective action is needed, the investigator shall recommend to the Superintendent/designee the type of corrective action and methods to prevent reoccurrence of the harassment/discrimination.

USING THE DESIGNATED FORM (09.42811 AP.24), A RESPONSE SHALL BE PRESENTED TO THE COMPLAINANT AND THE ACCUSED (AND TO THEIR PARENTS/GUARDIANS IF STUDENT IS UNDER AGE EIGHTEEN OR IF STUDENT HAS REACHED AGE EIGHTEEN AND HAS A LEGAL GUARDIAN) WITHIN TEN (10) WORKING DAYS OF COMPLETION OF THIS LEVEL OF INVESTIGATION.

Board policy allows for appeal of the investigator's decision and the opportunity to address the complaint to a higher level of authority. An appeal must be made within ten (10) school days of receipt of a response at this level.

Is this complaint to be referred/appealed to a higher level of authority? ☐ Yes ☐ No

If yes, to whom will the complaint be referred? _____ Date: _____

FIRST APPEAL LEVEL

STUDENT COMPLAINANT _____

Last Name

First Name

Middle Initial

STUDENT'S SCHOOL _____

GRADE _____

HOMEROOM/CLASSROOM _____

ALLEGED HARASSER/DISCRIMINATING PARTY: _____

Superintendent/designee who will consider appeal: _____

Date appeal and related data received by Superintendent/designee: _____

In some instances it may be necessary to involve legal counsel at the appeal level, when authorized by the Superintendent or by the Board if the Superintendent is the subject of the complaint.

CORRECTIVE ACTION

If corrective action is needed, the investigator shall recommend to the Superintendent/designee the type of corrective action and methods to prevent reoccurrence of the harassment/discrimination.

USING THE DESIGNATED FORM (09.42811 AP.24), A RESPONSE SHALL BE PRESENTED TO THE COMPLAINANT AND THE ACCUSED (AND TO THEIR PARENTS/GUARDIANS IF THE STUDENT IS UNDER AGE EIGHTEEN OR IF STUDENT HAS REACHED AGE EIGHTEEN AND HAS A LEGAL GUARDIAN) WITHIN TEN (10) WORKING DAYS OF COMPLETION OF THIS LEVEL OF INVESTIGATION.

Board policy allows for appeal of the decision made at this level and the opportunity to address the complaint to the Board of Education. An appeal must be made within ten (10) school days of receipt of a response at this level.

Is this complaint to be referred/appealed to a higher level of authority? ☐ Yes ☐ No

If yes, to whom will the complaint be referred? _____ Date: _____

Harassment/Discrimination Investigation and Appeals**SECOND APPEAL LEVEL****STUDENT COMPLAINANT** _____*Last Name**First Name**Middle Initial***STUDENT'S SCHOOL** _____**GRADE** _____**HOMEROOM/CLASSROOM** _____**ALLEGED HARASSER/DISCRIMINATING PARTY:** _____

Board Chairperson: _____

Date appeal and related data received by the Chairperson on behalf of the Board: _____

CORRECTIVE ACTION

If corrective action is needed, the investigator shall recommend to the Superintendent/designee the type of corrective action and methods to prevent reoccurrence of the harassment/discrimination.

USING THE DESIGNATED FORM (09.42811 AP.24), A RESPONSE SHALL BE PRESENTED TO THE COMPLAINANT AND THE ACCUSED (AND TO THEIR PARENTS/GUARDIANS IF STUDENT IS UNDER AGE EIGHTEEN OR IF STUDENT HAS REACHED AGE EIGHTEEN AND HAS A LEGAL GUARDIAN) WITHIN TEN (10) WORKING DAYS OF COMPLETION OF THIS LEVEL OF INVESTIGATION.

GUIDELINES

1. The Board shall not hear grievances concerning personnel actions taken by the Superintendent/designee, unless the grievance is based on an alleged violation of constitutional, statutory, regulatory, or policy provisions.
2. In some instances it may be necessary to involve legal counsel, when authorized by the Board.
3. The Superintendent/designee shall implement corrective action as determined by the Superintendent or by the Board, as appropriate under law, after appeal rights have been exhausted. If the Superintendent is subject to corrective action, the Board shall implement the action.
4. The District is prohibited from disclosing personally identifiable information contained in student discipline records under the Federal Educational Rights and Privacy Act and corresponding state law.
5. Employee evaluation and private reprimand information generally confidential and may require consent of the employee prior to release.

RELATED POLICIES:

09.2211; 09.227

RELATED PROCEDURES:

09.227 AP.1, 09.42811 (all procedures)

Review/Revised:

Witness Disclosure Form

Witness' Name _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
Witness' Address _____			
<i>City</i>	<i>State</i>	<i>Zip Code</i>	
Witness' Phone Number _____			
Is witness a <input type="checkbox"/> student, <input type="checkbox"/> school employee, or <input type="checkbox"/> other? If other, specify _____			
School (if a student): _____ Grade _____ Homeroom/Classroom _____			
Witness' relationship, if any, to the complainant: _____			
Witness' relationship, if any, to the accused: _____			

On the date(s) of _____, a student has claimed to be the target of harassment or discrimination on the basis of _____. Did you observe or are you aware of such an incident? ☐ Yes ☐ No

If yes, describe the incident(s) that you witnessed as clearly as possible, including such information as the following:

- What verbal statements, if any, were made (i.e. slurs, threats, demands, other verbal or physical abuse or prohibited requests)?
- What physical contact, if any, was involved?
- What force, if any, was used?
- Did other actions occur? If so, please describe.

(Use additional sheets if necessary.) _____

LIST ANY OTHER WITNESSES TO THESE EVENTS: _____

- *I understand that Board policy prohibits retaliation against witnesses who assist or participate in an investigation.*
- *I agree that all information reported here is accurate and true to the best of my knowledge and, by my signature, agree to its release.*

Signature of Witness *Date*

Received by *Date*

Review/Revised:

Resolution Response

This completed form shall be provided to both the complainant and the accused party.

STUDENT COMPLAINANT _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
ACCUSED PARTY _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
SCHOOL _____			
COMPLAINT/APPEAL RECEIVED _____		RESPONSE DELIVERED _____	
<i>Date</i>		<i>Date</i>	
INVESTIGATOR'S NAME _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	

The investigation of harassment/discrimination complaint/appeal referenced above has now been completed, and the following determinations have been made:

Did the alleged incident(s) occur based on substantiated information? ☐ Yes ☐ No

If "yes", what type of resolution will be implemented by the District? (Check all that apply.)

- ☐ Personnel action
 ☐ Measures to protect the complainant
☐ Action against a visitor
 ☐ Action against a student offender

If corrective actions were necessary, have they been initiated? ☐ Yes ☐ No

Investigator's Signature *Date*

Superintendent/designee's Signature *Date*

NO ONE SHALL RETALIATE AGAINST AN EMPLOYEE OR STUDENT BECAUSE S/HE FILES A GRIEVANCE, ASSISTS OR PARTICIPATES IN AN INVESTIGATION, PROCEEDING, OR HEARING REGARDING THE CHARGE OF HARASSMENT/DISCRIMINATION OF AN INDIVIDUAL OR BECAUSE S/HE HAS OPPOSED LANGUAGE OR CONDUCT THAT VIOLATES BOARD POLICY.

Review/Revised:

Title IX Sexual Harassment

INTRODUCTION AND SCOPE

A United States Department of Education regulation published on May 19, 2020 defines sexual harassment for purposes of Title IX (sometimes referred to in policy and procedure as “Title IX Sexual Harassment”). In addition to numerous other matters, the regulation sets forth grievance procedure requirements that apply (including the initiation of a “formal complaint”) before there is a determination that a student is responsible for Title IX Sexual Harassment. The applicable definition of sexual harassment describes serious sexual misconduct. If the alleged actions that are the subject of a formal complaint do not descend to the level of conduct described in the definition of Title IX Sexual Harassment; do not take place in a “program or activity” of the school District within the meaning of Title IX; or do not take place in the United States, the formal complaint must be dismissed.

Such a dismissal does not mean that the alleged offending party cannot be the subject of investigation or discipline on grounds other than “Title IX Sexual Harassment” as addressed in Board policy or law, including conduct allegedly constituting sexual harassment or other sexual misconduct that does fall within the definition of “Title IX Sexual Harassment.”¹

PROHIBITION

Title IX Sexual Harassment in educational programs or activities of the District is prohibited.

GRIEVANCE PROCEDURE

The District shall provide a Title IX Sexual Harassment grievance procedure that treats complainants and respondents equitably as required by Federal Regulation.²

DEFINITIONS

Title IX Sexual Harassment

“Title IX Sexual Harassment” means conduct on the basis of sex that satisfies one or more of the following:

- 1) An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct (i.e., quid pro quo sexual harassment);
- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity;
- 3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30). For purposes of this definition, “sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is an act directed against another person, without the consent of the second person, including instances where the second person is incapable of giving consent.³

Title IX Sexual Harassment**DEFINITIONS (CONTINUED)****Title IX Sexual Harassment (continued)**

The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be based on the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

Consent

“Consent” means a voluntary expression of willingness, permission, or agreement to engage in sexual activity throughout a sexual encounter. Consent cannot be granted by an individual: who is less than the statutory age of consent under Kentucky criminal law, has a mental or physical condition or incapacity that prevents the giving of consent; or from whom ostensible “consent” is extracted through threat, coercion, or forcible compulsion.

Complainant

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. This applies to such individual even if no formal complaint is filed. Only a complainant who is participating or attempting to participate in the District’s educational programs or activities may file a formal complaint.

Respondent

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. This applies to such individual even if no formal complaint is filed. Only a person in his or her individual capacity is subject to a Title IX investigation.

Title IX Coordinator (TIXC)

The TIXC is the individual or individuals designated and authorized to coordinate District Title IX programs. The TIXC is expected to engage in activities intended to provide a fair and neutral process for all parties, including implementation of supportive measures and remedies where appropriate. The District may use co-coordinators and/or deputy coordinators.

Title IX Sexual Harassment**Formal Complaint**

“Formal complaint” means a document filed by a complainant or signed by the TIXC alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. A formal complaint may be filed with the TIXC in person, by mail, or by electronic mail, by using the contact information provided by the District. The complaint document may be physical or electronic, shall contain the complainant’s physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint. Where the TIXC signs a formal complaint, the TIXC is not “the complainant” or otherwise considered a party, but is to comply with applicable procedures.

Supportive Measures

“Supportive measures” mean nondisciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, unilateral restrictions on contact that are not unreasonably burdensome on a respondent, changes in work or housing locations, increased security and monitoring of certain areas of the campus, and other similar measures. Supportive measures shall be confidential, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. The TIXC is responsible for coordinating the effective implementation of supportive measures.

Education Program or Activity

“Education program or activity” means District operations and includes locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

Preponderance of the Evidence

“Preponderance of evidence” means evidence that is of greater weight or more convincing that an asserted fact or facts occurred than evidence in opposition to such facts. It is evidence which as a whole shows that an assertion to be proven is more likely than not.

REGULATION AND POLICY DOES NOT AFFECT PARENT RIGHTS

Absent a court order or other legal requirement to the contrary, a parent or guardian is authorized to act on behalf of a minor student regarding decision-making and the exercise of rights under the Title IX Sexual Harassment policy and procedure, including the opportunity to accompany a minor student to meetings and interviews.

Title IX Sexual Harassment**SEGREGATION OF FUNCTIONS / CONFLICT OF INTEREST**

The TIXC, investigator, decisionmaker(s), and any informal resolution facilitator shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. These individuals are to serve impartially without prejudgment of the facts at issue. The investigative, initial decision-making, appellate decision-making, and resolution functions must be performed by different trained individuals, who may be District employees or contractors.

CONFIDENTIALITY

With respect to its administration of Title IX Sexual Harassment policies and corresponding procedures, the District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted under FERPA⁴, required by law, or to carry out Title IX purposes, including the conduct of any investigation, hearing or Title IX judicial proceedings.

Investigative evidence directly related to the allegations of a formal complaint gathered by the District is subject to inspection and review by the parties but is not to be disseminated to the public. The United States Department of Education rule commentary provides that under the applicable FERPA definition of “education records” a parent of a complainant or respondent (or eligible student) has a right to inspect and review any witness statement that is directly related to the student, even if that statement contains information that is also directly related to another student, if the information cannot be segregated or redacted without destroying its meaning.⁴

EMPLOYEES SHALL REPORT

Employees who believe or have been made aware that they or any other employee, student, or visitor has been subject to Title IX Sexual Harassment shall report it to the TIXC. Failure to make such a report shall be grounds for discipline up to and including termination. If the knowledge of the reporting party gives rise to reasonable cause to believe that the reported conduct constitutes child abuse Policy 09.227 or a reportable criminal offense Policy 09.2211, notification of state officials shall be made as required by law.⁶

FALSE REPORTS PROHIBITED

Employees or students who intentionally make false reports related to the District’s administration of this policy and the corresponding procedures, are subject to disciplinary sanctions under applicable District policy, law, or the Code of Acceptable Behavior and Discipline, as applicable.

Title IX Sexual Harassment**RELATED EVIDENCE RULES SUMMARY**

The following rules apply to the District investigation and grievance process under the Title IX Sexual Harassment regulation:

- a) The District shall not require, allow, rely upon, or otherwise use questions or evidence that constitutes or seeks disclosure of information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.
- b) The District cannot access, consider, disclose, or otherwise use a party's records made or maintained in connection with provision of treatment to the party by medical or mental health professionals or paraprofessionals unless the District obtains written consent from the party.
- c) Questions and evidence about the complainant's sexual predisposition or prior behavior are not relevant unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct or, such questions or evidence are offered to prove consent.

RETALIATION PROHIBITED

No District or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any Title IX investigation, proceeding, or hearing.

REFERENCES:

²34 C.F.R. § 106.45

³KRS 510.020

⁴85 Fed. Reg. 30433 (May 19, 2020)

Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)

Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)

Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106

Clery Act (20 U.S.C. §1092(f)(6)(A)(v))

Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v))

34 U.S.C. § 12291(a)(10)

34 U.S.C. §12291(a)(3)

34 U.S.C. §12291(a)(8)

RELATED POLICIES:

¹03.162; 03.262; 09.42811

⁵09.14

⁶09.227; 09.2211

03.1621; 03.2621

Adopted/Amended:
Order #:

Notice to Individuals Regarding Title IX Sexual Harassment/Discrimination

This notice shall be provided to applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements.

The District's Title IX Coordinator (TIXC) is _____

Address	City, State, Zip
Email Address	Telephone Number

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the TIXC, or by any other means that results in the TIXC receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the TIXC.

The District must prominently display the contact information required to be listed for the TIXC and Policies 03.113, 03.212 Equal Employment Opportunity, 09.13 Equal Educational Opportunity, 03.1621, 03.2621, 09.428111 Title IX Sexual Harassment and 09.428111 AP.11 Title IX Grievance Procedures on its website, if any, and in each handbook or catalog that it makes available to persons entitled to a notification listed above.

The District must ensure that the TIXC(s), Investigators, Decision Makers, and any person who facilitates an informal resolution process, receive training on the regulatory definition of sexual harassment; the scope of the District's educational program or activities; how to conduct an investigation; the grievance process (including informal resolutions and appeals); and impartial service, conflict of interest, and bias standards.

The District must make these training materials publicly available on its website, or if the District does not maintain a website the District must make these materials available upon request for inspection by members of the public.

REFERENCES:

Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106

RELATED POLICIES:

03.113; 03.1621; 03.212; 03.2621; 09.313; 09.428111

RELATED PROCEDURES:

03.1621; 03.2621; (all procedures)
09.428111 (all procedures)

Review/Revised:

Title IX Sexual Harassment Grievance Procedures

**THIS PROCEDURE APPLIES TO “TITLE IX SEXUAL HARASSMENT”
UNDER POLICIES 03.1621, 03.2621, AND 09.428111.**

REPORTING

1. School employees who have reason to believe that a student has been subjected to Title IX Sexual Harassment are required to promptly make a report to the Title IX Coordinator (TIXC).
2. Students, parents/legal guardians or other individuals who believe a student has been sexually harassed may make a report to the TIXC.
3. If the individual making the report is the alleged victim (“Complainant” as defined in the Title IX Sexual Harassment regulation), or if the Complainant is identified by the individual making the report, the TIXC will meet with the Complainant to discuss supportive measures that may be appropriate in the particular circumstances and explain the process for filing a formal complaint.
4. The District cannot provide an informal resolution process for resolving a report unless a formal complaint is filed.
5. The Superintendent/designee shall be informed of all reports and formal complaints of sexual harassment.

FORMAL COMPLAINT

1. A Complainant and/or their parent/legal guardian may file a formal written complaint requesting investigation of alleged Title IX Sexual Harassment. The written complaint must include basic information concerning the allegation of sexual harassment (i.e., date, time, location, individual(s) who allegedly engaged in sexual harassment, description of allegation).

Students who need assistance in preparing a formal written complaint, may consult with the TIXC.

2. In accordance with the Title IX regulations, the TIXC must dismiss a formal complaint under this Title IX procedure if:
 - a) the conduct alleged in the formal complaint does not constitute sexual harassment as defined under the Title IX regulations and the Title IX Sexual Harassment policy; or
 - b) the conduct alleged did not occur within the scope of the District’s education programs and activities, or
 - c) did not occur in the United States.
3. In accordance with the Title IX regulations, the TIXC may dismiss a formal complaint if:
 - a) a Complainant withdraws the formal complaint, or withdraws particular allegations within the complaint;
 - b) the Respondent is no longer employed by or enrolled in the District; or

Title IX Sexual Harassment Grievance Procedures**FORMAL COMPLAINT (CONTINUED)**

- c) there are specific circumstances that prevent the District from gathering evidence sufficient to reach a determination regarding the formal complaint. However, if the conduct potentially violates other policies or laws, it may be addressed through other applicable Board policy/procedure.
- 4. If a formal complaint is dismissed under this Title IX procedure, the TIXC will promptly and simultaneously send written notices to the parties explaining the reasons. The parties have the opportunity to appeal dismissals as outlined below.
- 5. In certain circumstances, the TIXC may file a formal complaint even when the alleged victim chooses not to. Examples could include instances where the Respondent (person alleged to have engaged in sexual harassment) has been found responsible for previous sexual harassment; a safety threat within the District, or other alleged serious violations where pursuit of a complaint is warranted.
- 6. If the conduct alleged in a formal complaint potentially violates other laws or Board policies, the District may address the conduct under another applicable Board policy/procedure.

EMERGENCY REMOVAL/SUSPENSION

The Superintendent may direct the removal of a student from education programs and activities on an emergency basis during the complaint procedure:

- 1. If there is a determination, following an individualized safety and risk analysis which may be performed as provided in District Policy 09.429 (Threat Assessment), that there is an immediate threat to the physical health or safety of an individual arising from the allegations of sexual harassment. Examples of such circumstances might include, but are not limited to, a continued threat of violence against a Complainant by a Respondent, or a Respondent's threat of self-harm due to the allegations.¹
- 2. The Respondent and parent/legal guardian will be provided notice of the emergency removal, and will be provided an opportunity to challenge the decision either before or following the removal (this is an opportunity to be heard, not a hearing) utilizing the procedure applicable to student suspensions per Policy 09.434 Suspension.
- 3. Any such decision shall be made in compliance with any applicable disability laws, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

Title IX Sexual Harassment Grievance Procedures**EMPLOYEE SUSPENSION WITH PAY**

An employee may be suspended with pay during the complaint procedure as provided in Board policies.²

NOTICE TO PARTIES FOLLOWING A FORMAL COMPLAINT

1. The TIXC will provide to the parties written notice of the formal complaint and allegations of sexual harassment potentially constituting Title IX Sexual Harassment. The notice shall include:
 - Notice regarding the complaint procedure and the availability of an informal resolution process;
 - Sufficient details known at the time (including identities of parties, if known; the conduct alleged; and the date and location of the alleged incident[s], if known), allowing sufficient time to prepare before any initial interview (not less than ten [10] calendar days);
 - A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination of responsibility will be made at the conclusion of the grievance process;
 - The parties may inspect and review evidence directly related to the allegations of Title IX Sexual Harassment;
 - Notice that the parties may each have an advisor of their choice (who may be an attorney);
 - Notice that knowingly making false statements or submitting false information in bad faith during the complaint process is prohibited and may result in disciplinary action;
 - Notice of the name of the investigator, with sufficient time (no less than three [3] calendar days) to raise concerns of conflict of interest or bias.
2. If additional allegations become known at a later time, notice of the additional allegations will be provided to the parties.
3. The TIXC will discuss supportive measures with each party and oversee implementation of such measures as appropriate.

INFORMAL RESOLUTION PROCESS

After a formal complaint has been filed, and if the TIXC believes the circumstances are appropriate, the TIXC may offer the parties the opportunity to participate in an informal resolution process to resolve the complaint without completing the investigation and determination process. Informal resolutions cannot be used to resolve a formal complaint where a student is the Complainant and the Respondent is an employee.

Title IX Sexual Harassment Grievance Procedures**INFORMAL RESOLUTION PROCESS (CONTINUED)**

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, facilitated discussions between the parties; restorative justice; acknowledgment of responsibility by a Respondent; apologies; disciplinary actions against a Respondent or a requirement to engage in specific services; or supportive measures. Both parties must voluntarily agree in writing to participate in an informal resolution process, and either party can withdraw from the process at any time. The Superintendent/designee must agree to the terms of any informal resolution reached between the parties. If an informal resolution agreement is reached, it must be signed by both parties and the District. Any such signed agreement is final and binding according to its terms.

If an informal resolution process does not resolve the formal complaint, nothing from the informal resolution process may be considered as evidence in the subsequent investigation or determination. The parties will be advised that engagement in the informal resolution process is grounds for extension of the investigation timeline.

INVESTIGATION

1. The complaint will be investigated by a trained internal or external individual designated by the Superintendent, who should consult with District legal counsel concerning the handling and investigation of the complaint.
2. The Investigator may consult with the TIXC as agreed during the investigation process.
3. If the complaint is against an employee of the District, rights conferred under an applicable collective bargaining agreement shall be applied, to the extent they do not conflict with the Title IX regulatory requirements.
4. The Investigator will:
 - a. Meet with each party after they have received appropriate notice of any meeting and its purpose, with sufficient time to prepare.
 - b. Allow parties to have their advisor at all meetings related to the complaint, although advisors may not speak on behalf of a party or interfere with the process.
 - c. Allow parties a reasonable opportunity to identify witnesses and submit favorable and unfavorable evidence.
 - d. Interview witnesses and conduct such other activities that will assist in ascertaining facts (site visits, review of documents, etc.).
 - e. Consider evidence that is relevant and directly related to the allegations in the formal complaint.
 - f. During the course of the investigation, provide both parties with an equal opportunity to inspect and review any evidence that is obtained in the investigation that is directly related to the allegations in the formal complaint (including evidence which the District does not intend to rely upon in reaching a determination of responsibility), and favorable and unfavorable evidence.

Title IX Sexual Harassment Grievance Procedures**INVESTIGATION (CONTINUED)**

- g. Prior to completion of the investigation report, provide each party and advisor (if any) the evidence subject to inspection and review, and provide the parties with ten (10) calendar days to submit a written response. Access to such evidence may be provided via file sharing software that does not permit copying or downloading. The Investigator shall advise the parties that evidence is not to be publicly disseminated.
 - h. Consider the parties' written responses to the evidence prior to completing the investigation report.
 - i. Create an investigative report that fairly summarizes relevant evidence including the Investigator's recommendation on whether or not the evidence supports a finding that the Respondent engaged in conduct constituting Title IX Sexual Harassment. The Investigator shall send the report to the parties and advisors (if any) for their review and written responses which must be filed with the Investigator within ten (10) calendar days of their receipt of the report.
 - j. After receipt of the parties' written responses (if any), forward the investigation report and party responses to the assigned Decision Maker. The Decision Maker shall immediately inform the parties of the date of his or her receipt of the report and of the deadline for submission of questions as provided below.
 - k. The Investigator's report shall be non-binding on the Decision Maker.
5. The investigation shall be concluded within forty (40) calendar days from the date of the TIXC Notice to the Parties Following a Formal Complaint as referenced above, but reasonable extension of time for good cause shall be allowed.

DETERMINATION OF RESPONSIBILITY

The Superintendent shall assign a trained Decision Maker to arrive at a determination of responsibility. The Decision Maker cannot be the Investigator, Informal Resolution Facilitator, or the TIXC.

1. The Decision Maker shall have authority to preside over the pre-decision process in a manner that allows the Complainant and Respondent an equal opportunity to participate, including setting reasonable equally applicable limits on the number of questions and excluding questions on relevancy grounds or that seek privileged or confidential medical treatment information. The Decision Maker shall provide the parties with the opportunity to submit written, relevant questions that the party wants asked of another party or witness within five (5) calendar days of when the Decision Maker received the investigation report and party responses.

The Decision Maker shall provide a written explanation to a party proposing questions if the Decision Maker excludes a question on grounds that it is not relevant.

Title IX Sexual Harassment Grievance Procedures**DETERMINATION OF RESPONSIBILITY (CONTINUED)**

2. Each party shall be provided the opportunity to review the responses of another party and/or witness, and to ask limited written follow-up questions within five (5) calendar days of receiving the answers.
3. Each party will receive a copy of the responses to any follow-up questions.
4. The Decision Maker shall review the investigation report, the parties' responses and other relevant materials, applying the preponderance of the evidence standard ("more likely than not").
5. The Decision Maker shall issue a written determination, which shall include the following:
 - a) Identification of all the allegations potentially constituting Title IX Sexual Harassment;
 - b) A description of the procedural steps taken from receipt of the formal complaint through the determination;
 - c) A determination regarding responsibility as to each allegation and findings of fact supporting the determinations;
 - d) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions to be imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the District's programs and activities will be provided to the Complainant. In order to preserve confidentiality, remedies provided to the Complainant are not to be described in the determination report;
 - e) If applicable, a statement that disciplinary sanctions may require additional hearings or proceedings under separate law and policy: e.g. student expulsion; classified or certified employee public reprimand, suspension without pay, termination; or student alternative education program placement proceedings;
 - f) The District's appeal procedure and permissible bases for the parties to appeal the determination.
6. The written determination shall be provided to the parties simultaneously. The determination concerning responsibility becomes final either on the date that the District provides the parties with the written determination of the results of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely.
7. The implementation of measures or sanctions shall be made subject to and in compliance with applicable disability laws included the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.
8. The determination shall be issued with thirty (30) calendar days of the Decision Maker's receipt of the Investigator's report and recommendation, but reasonable extension of time for good cause shall be allowed.

Title IX Sexual Harassment Grievance Procedures**REMEDIES, DISCIPLINE AND OTHER ACTIONS**

Range of Remedies to Allow Equal Access to Complainant

1. Remedies are measures used to ensure that the Complainant has equal access to the District's education programs and activities following the Decision Maker's determination. Such remedies may include supportive measures, and may include other appropriate measures, depending upon the determination and the needs of the Complainant. The TIXC is responsible for implementing remedies and providing needed assistance to the Complainant.

2. Range of Disciplinary Sanctions (Students)

The following is a non-exhaustive range of disciplinary sanctions that may be imposed when there is a determination that students are responsible for one or more violations involving sexual harassment: In or out of school suspension; expulsion; assignment to alternative education programs; requirement to engage in education or counseling program; disqualification or modification of privileges to participate in sports or extracurricular programs; unilateral no-contact orders, school assignment alteration, or schedule changes; prohibitions or limitations on presence on school property or at school-related events; and other disciplinary sanctions and interventions set forth in the Code of Acceptable Behavior and Discipline.

3. Range of Disciplinary Sanctions (Employees)

The following is a non-exhaustive range of disciplinary sanctions that may be imposed when there is a determination that employees are responsible for one or more violations involving sexual harassment: Requirement to engage in education or counseling program; unilateral no-contact orders, school assignment alteration; prohibitions or limitations on presence on school property or at school-related events; private reprimand; public reprimand; suspension without pay; termination.

APPEALS

The Superintendent may serve as the Appellate Decision Maker and shall assign or arrange for the services of a trained Appellate Decision Maker if s/he does not serve in that role. The Appellate Decision Maker cannot be the Initial Decision Maker, Informal Resolution Facilitator, Investigator, or TIXC.

The Appellate Decision Maker shall have authority to preside over the appeal process in a manner that allows Complainant and Respondent an equal opportunity to participate, including setting reasonable page limits, enforcing timelines, and limiting review on the record to allowable grounds.

The parties (Complainant and Respondent) have the opportunity to appeal a responsibility determination and dismissals of formal complaints. Appeals will be considered only on the following grounds:

1. A procedural irregularity that affected the outcome;
2. New evidence that was not reasonably available as of the date of the determination regarding responsibility or dismissal of the formal complaint, that could affect the outcome; or

Title IX Sexual Harassment Grievance Procedures**APPEALS (CONTINUED)**

3. The TIXC, Investigator, or Decision Maker had a conflict of interest or bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent that affected the outcome.

APPEAL STEPS

1. An appeal must be filed in writing within five (5) calendar days of the receipt of the determination decision. Appeals after that deadline will not be considered. The written appeal must state the grounds and arguments for reversal or modification of the determination.
2. Appeals must be filed with the Superintendent, who will submit the appeal to the Appellate Decision Maker or engage in further appellate steps if the Superintendent is the Appellate Decision Maker. Parties initiating an appeal or seeking reversal or modification of a responsibility determination must explain the impact of any asserted error on the outcome and, in the case of new evidence, are to explain why such evidence was not available, summarize the evidence and explain how the party contends such evidence would have affected the outcome.
3. The Appellate Decision Maker shall notify the other party in writing of the appeal and include copies of the document setting forth the grounds and arguments in support of the appeal. The other party shall have the option to file with the Appellate Decision Maker written arguments in response to the opposing party's appeal within five (5) calendar days of receipt of the appeal document. An untimely response will not be considered.
4. The Appellate Decision Maker shall conduct an impartial review of the appeal including consideration of arguments of the parties and the written record and may consult with District legal counsel in the decision-making process.
5. The Appellate Decision Maker shall issue a written decision describing the result of the appeal and rationale for the result and provide notice of the written decision simultaneously to the parties. The Decision may: affirm the determination, reverse the determination, or modify the determination in whole or in part.
6. The Title IX grievance determination of responsibility is final when there is no timely appeal or on the date when the Appellate Decision Maker sends his or her decision to the parties. A determination that conduct is not Title IX Sexual Harassment does not prevent the imposition of sanctions consistent with other law or policy where the conduct is determined to be in violation of such other law or policy.

RECORDS

Records in connection with sexual harassment reports and the complaint process shall be maintained for a minimum of seven (7) years.

Title IX Sexual Harassment Grievance Procedures

REFERENCES:

¹KRS 158.4410; KRS 158.150; KRS 158.153
704 KAR 19:002
Individuals with Disabilities Education Act
Section 504 of the Rehabilitation Act
The Americans with Disabilities Act

RELATED POLICIES:

²03.173; 03.27
09.429; 09.434

RELATED PROCEDURES:

03.1621 AP.2; 03.2621 AP.2; 09.428111 (all procedures)

Review/Revised:

Title IX Sexual Harassment Reporting Form

COMPLAINANT _____			
	<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
STUDENT'S SCHOOL _____	GRADE _____	HOMEROOM/CLASSROOM _____	
EMPLOYEE'S WORK SITE _____			

INFORMATION CONCERNING SEXUAL HARASSMENT**DATE:** _____ **TIME:** _____ ☐ AM ☐ PM **LOCATION:** _____**INDIVIDUAL(S) WHO ALLEGEDLY ENGAGED IN TITLE IX SEXUAL HARASSMENT:**

DESCRIPTION OF ALLEGATION: _____

NAME OF PERSON FILLING OUT THIS FORM (PLEASE PRINT): _____**SIGNATURE:** _____**DATE:** _____

Review/Revised:

Threat Assessments

DEFINITIONS

"School safety" shall mean a program of prevention that protects students and staff from substance abuse, violence, bullying, theft, the sale or use of illegal substances, exposure to weapons and threats on school grounds, and injury from severe weather, fire, and natural disasters.

"School security" shall mean procedures followed and measures taken to ensure the security of school buildings, classrooms, and other school facilities and properties.

"Threat assessment team" and "team" shall mean a school safety and security threat assessment team established pursuant to this policy and KRS 158.4410.

ESTABLISHMENT AND MEMBERSHIP OF TEAMS

A school safety and security threat assessment team shall be established at each school of the District. The members of the team at each school shall be designated by the District School Safety Coordinator, and shall consist of two (2) or more school staff members. School staff members that may be designated as a member of the team at any given school may include: school administrators; school counselors; school resource officers; school-based mental health services providers; teachers; and other school personnel. If necessary, a threat assessment team may serve more than one (1) school of the District.

PURPOSE OF TEAM

The purpose of a team shall be to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or school security.

GENERAL COMPONENTS OF SCHOOL SAFETY AND SCHOOL SECURITY PLANNING

According to the U.S. Secret Service Guide, Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence, key components of a comprehensive school safety and school security plan include efforts to:

1. Foster a climate of respect and trust;
2. Build relationships;
3. Promote communication;
4. Identify concerning behaviors;
5. Maintain a threat assessment team;
6. Reinforce clear policies and procedures;
7. Provide resources to appropriately respond to students;
8. Promote information-sharing between the school District and appropriate community stakeholders as allowed by law;
9. Liaison with law enforcement; and
10. Provide consistent training to stakeholders.

Threat Assessments

GUIDING PRINCIPLES OF COMPREHENSIVE THREAT ASSESSMENT PLANNING

The District School Safety Coordinator, members of threat assessment teams, and other appropriate District administrators and staff, shall give appropriate consideration to the following non-exhaustive list of general principles as threat assessment teams are established and as they plan for and conduct their work:

1. A threat assessment process best functions as one component of overall school safety, in conjunction with physical school security and emergency management.
2. Students may engage in a continuum of concerning behaviors, the vast majority of which will be non-threatening and non-violent, but may still call for some type of response.
3. Students should feel empowered to communicate their own concerns to appropriate school staff without fear of reprisal. Incoming reports regarding concerning behavior or statements presenting a threat to school safety and school security should be given due consideration and assessed.
4. The goal of a threat assessment process is to identify, assess, and respond to potential threats to school safety and school security. The process begins with establishing a comprehensive plan for schools to:
 - a. Identify students or situations of concern;
 - b. Gather additional relevant information in a lawful manner;
 - c. Assess the student or situation risk, in context based on the totality of the information available; and
 - d. Identify and implement or recommend appropriate response strategies to address the concern.

THREAT ASSESSMENT TEAM MEMBER TRAINING

Training to members of threat assessment teams should be provided or arranged by the District regarding the purpose of the team, the guiding principles stated above, and the members' roles in enhancing school safety and school security through identifying and responding to students exhibiting behavior that indicates a potential threat to school safety or school security. Training shall address the following: strategies to properly respond to students who provide information about a threatening or concerning situation, ways to assess and respond to potential threats, and how and to whom they should report threatening communications or behavior.

THREAT ASSESSMENT TEAM MONITORING

The District School Safety Coordinator and the Superintendent/designee shall monitor the work of the threat assessment team in each school of the District.

Threat Assessments**ACCESS TO STUDENT RECORDS**

Threat assessment team members, including any members who are not school District employees, are hereby designated as “school officials” for purposes of the Family Educational Rights and Privacy Act (FERPA), and as such may access student records to the extent necessary in connection with the work of the team, in accordance with FERPA and Board Policy 09.14.

INTERACTION OF TEAM ACTIVITIES WITH SCHOOL DISCIPLINARY ACTION AND/OR LAW ENFORCEMENT

Threat assessment team activities and any responses undertaken or recommended by a team, do not negate or override applicable disciplinary procedures or action under Board policy or the Code of Acceptable Behavior and Discipline or legal reporting requirements, including those covering bullying or criminal activity; dependency, neglect or abuse; or domestic and dating violence.²

IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY

A school District, School Safety Coordinator, and any school employees participating in the activities of a school safety and security threat assessment team enjoy immunity from civil and criminal liability regarding their participation in the threat assessment process as provided in KRS 158.4410.¹

REFERENCES:

¹KRS 158.4410

U.S. Secret Service Guide, *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*

RELATED POLICIES:

²09.2211; 09.227; 09.438
05.4; 09.14; 09.425

Adopted/Amended:
Order #:

Threat Assessment Team Procedures

The following procedures cover threat assessment teams, in conjunction with any District-selected threat assessment guidelines and forms, to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or school security.

THREAT ASSESSMENT TEAM PLANNING AND PREPARATION

The following actions are recommended prior to undertaking a threat assessment:

1. Guidelines and forms to facilitate threat assessments undertaken by a threat assessment team will be developed or utilized by or with the assistance of the District School Safety Coordinator (SSC) to assist teams in defining behaviors that will indicate if and when a threat assessment is advisable.
2. The SSC job functions will include providing input and assisting, teams in assessing identified, potential threats and determining appropriate responses to the threats. Under the supervision of the Principal and Superintendent/designee, the District SSC will recommend, arrange for, or provide training for the team.
3. The Superintendent/designee shall determine if and when a parent or guardian will be notified that their student has been identified by a team as exhibiting behavior that indicates a potential threat to school safety or school security and that needs to be assessed by the team.
4. The team's activities will include notification, as appropriate considering relevant circumstances, to a potential target of behavior deemed to present a substantiated potential threat.

IDENTIFICATION OF A POTENTIAL THREAT

The threat assessment team, utilizing available data and exercising reasonable discretion to assess student behavior, shall identify and respond to students exhibiting behavior that indicates a potential threat to school safety or school security. The process shall not use a profile of characteristics to identify a threat, and should be calculated to take into consideration behaviors, statements, or other communications to identify a potential threat to school safety and school security as follows:

1. Any team member receiving information indicating a potential threat to school safety and school security shall notify:
 - a. The District SSC;
 - b. The rest of the team; and
 - c. The team for any additional schools of the District potentially involved in the identified threat.
2. The District SSC shall appropriately notify any other District SSC for other school Districts identified in the threat or during the threat assessment process, as well as the leader of any non-public school identified in a threat or during the threat assessment process.

Threat Assessment Team Procedures**ASSESSMENT OF A POTENTIAL THREAT**

Upon identification of a potential threat, the team shall undertake the threat assessment:

1. In accordance with Board policy;
2. Informed by guidelines and applicable forms as described above; and
3. Giving consideration to applicable circumstances regarding the identified student and the behaviors giving rise to his/her identification.

POST-ASSESSMENT RESPONSE

The team shall consider all information gathered during the assessment to determine the type of response that is appropriate to address school safety and school security, and to address the needs of students identified during assessment of the threat. The team shall document the response it takes, as well as all communication from the team and other school staff with students identified during the threat assessment and their parents or guardians relating to the assessment and any resulting response.

ONGOING REVIEW OF THREAT ASSESSMENT PROCESS

The District SSC and the Superintendent shall review the work of each threat assessment team of the District, and make efforts to improve the work of all teams, and adherence to Board policy goals, and legal requirements.

Review/Revised:

Driver's License Revocation

Students who are sixteen (16) or seventeen (17) years old who become academically deficient or deficient in attendance shall be reported to the Transportation Cabinet for driver's license, permit or driving privilege revocation.¹

ACADEMIC AND ATTENDANCE DEFICIENCIES

Academic and attendance deficiencies for students age sixteen (16) or seventeen (17) enrolled in regular, alternative, part-time, and special education programs shall be defined as follows:

1. They shall be deemed academically deficient if they have not received passing grades in at least four (4) courses, or the equivalent of four (4) courses, taken in the preceding semester.
2. They shall be deemed deficient in attendance when they accumulate nine (9) unexcused absences for the preceding semester. Suspensions shall be considered unexcused absences.

REINSTATEMENT OF DRIVING PRIVILEGE

Students whose driving permits are revoked, but later meet the statutory standards for reinstatement, must then apply to the Director of Pupil Personnel to have their standing confirmed. The District shall make the required report to the appropriate agency.

REFERENCES:

¹KRS 159.051, KRS 186.470
601 KAR 13:070
OAG 77-419

RELATED POLICIES:

08.221
09.123

Adopted/Amended:
Order #:

Student Disciplinary Processes

SCHOOL-RELATED ACTIVITIES

The authority of the District in matters of student behavior is not limited to school buildings and grounds or to times when the pupil is on his/her way to or from school, but extends to any activity which is school-related or school-sponsored.

TRAUMA-INFORMED APPROACH

“Trauma-informed approach” means incorporating principles of trauma awareness and trauma-informed practices, as recommended by the federal Substance Abuse and Mental Health Services Administration, in a school in order to foster a safe, stable, and understanding learning environment for all students and staff and ensuring that all students are known well by at least one (1) adult in the school setting.

The Board shall develop a plan for implementing a trauma-informed approach in the District. The plan shall be based on the Trauma-Informed Toolkit from KDE and include but not be limited to:

- a) strategies for enhancing trauma awareness throughout the school community;
- b) conducting an assessment of the school climate including but not limited to inclusiveness and respect for diversity;
- c) developing trauma-informed discipline policies;
- d) collaborating with the Department of Kentucky State Police, the local sheriff, and the local chief of police to create procedures for notification of trauma-exposed students; and
- e) providing services and programs designed to reduce the negative impact of trauma, support critical learning, and foster a positive and safe school environment for every student.²

TREATMENT OF PUPILS

Student disciplinary measures should not be administered in a manner that is humiliating, degrading, or unduly severe or in a manner that would cause the pupil to lose status before his/her peer group. Teachers should guard against making remarks to other pupils concerning a student's shortcomings.

Unless an administrator or the Board acts under authority of KRS 158.150, no school, school administrator, teacher, or other school employee shall expel or punish a student based on juvenile court information received by the employee from any source. Administrators may act to protect staff and students when the student's conduct, as reflected by the information, indicates a substantial likelihood of an immediate and continuing threat of harm to students or staff. In cases where such actions are necessary, the following provisions shall apply:

1. Restrictions imposed on the student shall represent the least restrictive alternative available and appropriate to remedy the threat.
2. Supporting material shall be documented in and kept with the student's juvenile court record.
3. The student and/or parent/guardian may appeal actions taken to the Superintendent or to the Circuit Court with appropriate jurisdiction.¹

Student Disciplinary Processes**SERIOUS PROBLEMS**

Serious disciplinary problems shall be promptly reported to the Principal and to the parent(s) of the student.

COUNCIL RESPONSIBILITY

Each school council shall select and implement discipline and classroom management techniques for the school. The council's discipline policies shall provide for involvement of parents in disciplinary situations involving their children.

In non-SBDM schools, the Principal shall make these decisions in compliance with Board policy.

REPORTING

Each school shall annually provide to the Department of Education, using the student information system, an assessment of school incidents relating to disruptive behaviors resulting in a criminal or juvenile status offense or public complaint, including whether:

1. The incident involved a public offense or noncriminal misconduct;
2. The incident was reported to law enforcement or the court-designated worker and the charge or type of noncriminal misconduct that was the basis of the referral or report; and
3. The report was initiated by a school resource officer.

CHILDREN AND YOUTH WITH DISABILITIES

Discipline for children and youth with disabilities shall observe, and be in conformity with, federal and state procedures and guidelines.

REFERENCES:

- ¹KRS 158.153
- ²KRS 158.4416
- KRS 158.150; KRS 158.449
- KRS 160.290; KRS 160.340; KRS 160.345
- KRS 161.180; KRS 610.345
- P. L. 105-17

RELATED POLICIES:

08.14; 09.14; 09.429; 09.438

Adopted/Amended:
Order #:

Juvenile Court Records**RECEIPT BY PRINCIPAL**

When the Principal receives juvenile court records or other information as permitted by KRS 610.345, s/he shall ascertain that the student named in the confidential record is currently enrolled in his/her school.

The Principal receiving this information shall retain the information in a locked file. Records or information disclosed to the Principal pursuant to this procedure shall not be disclosed to any other person, including school personnel, except the following:

1. School administrative, transportation, and counseling personnel,
2. Any teacher to whose class the student has been assigned,
3. Any school employee with whom the student may come in contact, or
4. Others as may be permitted by law.

The Principal is required by law to release the information to employees of the school having responsibility for classroom instruction or counseling of the child.

Those persons receiving this confidential information shall sign a confidentiality statement (09.43 AP.22).

STUDENTS NOT ENROLLED IN THE SCHOOL

If the juvenile is not currently enrolled in the school, the Principal shall return the records to the court and notify the clerk that the child is not enrolled.

In addition, the Principal shall return the records to the court and notify the clerk if the juvenile is changing school assignment within the District, transferring to a school in another district, graduating, or withdrawing from school.

RELATED PROCEDURES:

09.14 AP section
09.43 AP.22

Review/Revised:

Teacher Report of Student Conduct

Date: _____

To: _____

Principal's Name

Student's Name _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
Student's Address _____			
<i>City</i>	<i>State</i>	<i>Zip Code</i>	
Student's Age _____	Date of Birth _____	Sex _____	Student's Phone Number _____
School _____	Grade _____	Teacher/Classroom _____	

STATEMENT OF MISCONDUCT: The student named above has violated the following rule or standard of conduct and has demonstrated the behavior described below which constitutes cause for discipline including, but not limited to, assignment to an alternative classroom setting.

Incident reported by: _____ on _____ at approximately ____ ☐ AM ☐ PMIncident investigated by: _____ on _____ at approximately ____ ☐ AM ☐ PM_____
*Signature of Teacher*_____
Date

DISCIPLINARY ACTION TAKEN:

The above disciplinary action shall begin on _____

The above disciplinary action shall end on _____

*Signature of Principal/Designee*_____
Date

Review/Revised:

Juvenile Court Records Confidentiality Statement

THIS FORM SHALL BE SIGNED ANNUALLY BY ALL SCHOOL PERSONNEL WITH WHOM JUVENILE COURT INFORMATION MAY BE SHARED.

I understand that all information related to me by the Principal or received from any other source concerning any juvenile court proceeding or records is to be held in strictest confidence and that the law prohibits me from passing such information along to any other individual.

I also understand that the law prohibits me from punishing a student in any way based upon information concerning the student's juvenile court proceedings or records, whether received from the Principal or from any other source, inside or outside the school.

I further understand that the law prohibits me from obtaining or attempting to obtain information contained in juvenile court records in this state, unless I obtain a court order to do so.

District Employee's Signature

Date

Employee is ☐ Principal ☐ Teacher ☐ Counselor ☐ Other (specify) _____.

RELATED PROCEDURE:

09.12 AP.1

Review/Revised:

Due Process

RIGHT TO DUE PROCESS

Before being punished at the school level with suspension for violation of school regulations, a student shall have the right of the following due process procedures.¹

1. The student shall be given oral or written notice of the charge(s) against him or her;
2. If the student denies the charge(s), the student shall be given an explanation of the evidence of the charge(s) against him or her; and
3. The student shall be given an opportunity to present his or her own version of the facts relating to the charge(s).

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, procedures mandated by federal and state law shall be followed.²

REFERENCES:

¹KRS 158.150

²P. L. 105-17; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592 (1988)

RELATED POLICIES:

09.426
09.43
09.433
09.434
09.4341
09.435

Adopted/Amended:

Order #:

Detention

PRINCIPAL TO ESTABLISH

The Principal or his designee may establish a detention hall as an alternative disciplinary method.

NOTICE TO PARENTS

A pupil's parent/guardian shall be notified prior to the detention so that transportation may be arranged by the parent.¹

REFERENCES:

¹KRS 160.290

KRS 160.340

Adopted/Amended:

Order #:

Notification to Parent of Detention/Saturday School

Date

Dear Parent/Guardian:

In compliance with Policy 09.432, I have assigned _____
*Student's Name*to ☐ detention ☐ Saturday School on _____ for misconduct.
Date

This disciplinary action has been made following a referral and conference with the student. We are notifying you in advance so that transportation arrangements may be made. Your child will need to be picked up at _____. The detention/Saturday School room shall be
Time
properly supervised by school personnel.

The student's failure to serve detention or Saturday School may result in additional disciplinary measures.

If you have questions or transportation concerns, please call me at school.

Sincerely,

Principal/Designee's Signature

Review/Revised:

Corporal Punishment

Employees shall not utilize corporal punishment as a penalty or punishment for student misbehavior. Corporal punishment shall refer to the deliberate infliction of physical pain on a student by any means.

REFERENCES:

KRS 160.290
KRS 160.340
KRS 161.180
704 KAR 7:160
704 KAR 7:170

RELATED POLICIES:

09.2212
09.43

Adopted/Amended:
Order #:

Suspension

WHO MAY SUSPEND

In accordance with KRS 158.150, the Principal or assistant Principal may suspend a student up to a maximum of five (5) days per incident.

The Superintendent may suspend a student up to a maximum of ten (10) days per incident.

LENGTH OF SUSPENSION

A student may not be suspended for more than a total of ten (10) days per incident.

Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the Superintendent/designee.

PRIOR DUE PROCESS REQUIRED

A student shall not be suspended until due process procedures have been provided as described in KRS 158.150 (09.431)¹, unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process. If the Superintendent lengthens the period of suspension imposed by the Principal, additional due process shall be provided.

A student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered “chronically disruptive” and may be suspended from school and no other basis for suspension shall be deemed necessary.

IMMINENT DANGER

In such cases, due process shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.

WRITTEN REPORT REQUIRED

The Principal or assistant Principal shall report any suspension in writing¹ immediately to the Superintendent and to the parent of the student being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.²

REFERENCES:

¹KRS 158.150

²20 U.S.C. Sections § 1400 et seq; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592(1988)

OAG 77-419; OAG 77-427; OAG 77-547

OAG 78-392; OAG 78-673

707 KAR 1:340

Goss v. Lopez, 419 US 565 (1975)

RELATED POLICIES:

09.425; 09.426; 09.43; 09.431

Adopted/Amended:

Order #:

Notice of Suspension

Student's Name _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
Student's Address _____			
<i>City</i>	<i>State</i>	<i>Zip Code</i>	
Student's Age _____	Date of Birth _____	Sex _____	Student's Phone Number _____
School _____	Grade _____	Homeroom/Classroom _____	

To: _____

Name of Parent/Guardian *Date*

STATEMENT OF REASONS FOR SUSPENSION: The student named above has violated the following rule or standard of conduct and has demonstrated the behavior described below which constitutes cause for suspension. _____

Incident reported by: _____ on _____ at approximately ____ ☐ AM ☐ PM

Incident investigated by: _____ on _____ at approximately ____ ☐ AM ☐ PM

This student has a disability under ☐ Section 504 ☐ IDEA (Individuals with Disabilities Act).

School officials have determined that this offense ☐ does ☐ does not warrant a recommendation for expulsion.

SUSPENSION SHALL BE ASSIGNED AS FOLLOWS:

The suspension shall start on _____ ☐ AM ☐ PM

The suspension shall end on _____ ☐ AM ☐ PM

NOTE: If the day of suspension is not an actual school day (snow, ice, etc.), the day of suspension automatically extends to the next day school is in session. In the event a student acts in such a manner as to warrant expulsion, the Principal may suspend the student for up to the maximum number of days permitted by policy 09.434. In such cases, the Principal shall then request the Superintendent to institute expulsion proceedings and notify the parent/guardian within 24 hours of their child's suspension to be followed by this written notice. Should the Superintendent decide to pursue expulsion, s/he shall provide the student and his/her parents with written notice of the specific acts committed by the student that constitute probable cause for expulsion and citing these acts as the reasons for the suspension imposed by the Principal.

Signature of Principal/Designee *Date*

DUE PROCESS

Due process was afforded as evidenced by <input type="checkbox"/> oral <input type="checkbox"/> written notice of the charges. If the student denied the charges, s/he was given the opportunity to present his/her version and these comments <input type="checkbox"/> are <input type="checkbox"/> are not on file. The parent should call to schedule a conference that is a prerequisite to readmission.

Review/Revised:

Alternative Education

DEFINITION

Alternative Education Program means a program that exists to meet the needs of students that cannot be addressed in a traditional classroom setting but through the assignment of students to alternative classrooms, centers, or campuses that are designed to remediate academic performance, improve behavior, or provide an enhanced learning experience. Alternative education programs do not include career or technical centers or departments.¹

PURPOSE

The purpose of the Board's Alternative Education Program is to provide:

- Learning activities that support innovative pathways and are aligned to college and career outcomes for all students.
- A curriculum that is aligned with the Kentucky Academic Standards and the learning goals in each student's Individual Learning Plan (ILP).
- Successful student transition to the regular school assignment, when possible, or to post-secondary status.
- A meaningful alternative to suspension and/or expulsion of a student.

ALTERNATIVE EDUCATION IN LIEU OF EXPULSION

In lieu of expelling a student, or upon the expiration of a student's expulsion, the Superintendent may place a student into an alternative program or setting if the Superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or school staff.

The alternative program or setting may be provided virtually. Students placed in an alternative program or setting shall be subject to compulsory attendance requirements under KRS Chapter 159 and applicable Board policy.

Action to expel, extend the expulsion, or place in an alternative program or setting a student shall not be taken until the parent, guardian, or other person having legal custody or control of the student has had an opportunity for a hearing before the Board. Following the initial alternative placement of a student, the Board shall review the alternative program or setting placement at least once per year and determine if the placement should be continued.⁴

NOTE: Students do not have a right to assignment to alternative programs or services except as specifically provided by law.

As required by Kentucky Administrative Regulation the District shall ensure:

- That each Alternative Education Program is not limited in scope or design and is aligned to the academic program of the District.
- A student enrolled in an Alternative Education Program may be eligible to participate in one (1) or more types of programs to address student learning needs that may include an alternative digital learning environment, credit recovery, or an innovative path to graduation.
- The Board shall review this policy and accompanying procedure(s) annually.²

Alternative Education**ELIGIBILITY CRITERIA**

Alternative education placements may be utilized for students at:

- ☐ All grade levels
- ☐ Middle and high school grade levels
- ☐ High school level

Placement may be voluntary or involuntary, and the program may be offered either on-site or off-site.

An ILP shall exist for a student in grade six (6) and above as required by regulation prior to placement in a District Alternative Education Program. Criteria for involuntary assignment by District personnel in the Alternative Education Program may include one (1) or more of the following:

- The need for a different educational environment for the student that will reflect an instructional delivery style best provided in an alternative setting.
- The student has contributed to substantial and on-going disruption of the educational process.
- Documentation that there are specific academic and/or behavioral performance areas that require intensive assistance best provided in alternative setting.
- Confirmation that the student has significant and on-going truancy issues that are impeding academic growth.
- Documentation that the student needs intensive support in the areas of social and personal issues that are impeding academic performance and/or behavioral expectations.
- The student has been assigned for code of conduct or Board policy violations for which assignment to an alternative program is authorized under the code or policy.
- The student has been identified as being at risk of academic failure and/or dropping out of school.
- The student has previously dropped out of school, but has requested to return to school via enrollment in an alternative education setting.
- The student is assigned to an alternative school or program for other reasons as provided in the code of conduct, Board policy, or other program standards adopted by the Board.
- Other reasons related to safety concerns and educational needs of the student referenced in 704 KAR 19:002.

A student's parent/legal guardian or a student who is eighteen (18) years of age or older may request voluntary placement in the Alternative Education Program.

Alternative Education**NOTIFICATION**

The Principal or other designated administrator shall notify the parents by letter of their child's assignment to the Alternative Education Program. The letter shall include length and reason for assignment, expected behavior of the student, and notification that assignment may be extended or shortened depending upon the attitude and cooperation of the student.

The duration of the alternative assignment shall be as provided in applicable Board policy, code of conduct, or other alternative program standards adopted by the District or as decided by the team and approved by the Superintendent/designee.

ATTAINMENT OF A HIGH SCHOOL EQUIVALENCY DIPLOMA

Students enrolled in a District-operated alternative education program shall be eligible to seek attainment of a High School Equivalency Diploma if the student:

- Is at least seventeen (17) years of age;
- Is not on track to graduate*; and
- Has previously attained a passing score on an official readiness test for a High School Equivalency Diploma.

*Not on track to graduate – At the fourth (4th) school year, cumulative grade point average of less than 2.5 and/or not at the 75% mark to obtain the minimum twenty-two (22) credits to graduate.

A student who has attained a High School Equivalency Diploma shall be exempt from compulsory attendance.³

ILPA TEAM

The Superintendent/designee shall appoint members of a team to develop an Individual Learning Plan Addendum (ILPA) for students with long term placements in grades six through twelve (6-12) assigned to an alternative school or program. The team may consist of the lead administrator/designee of the student's current school/program, the lead administrator/designee of the alternative school/program, counselors, teachers and other staff as appropriate.

The Superintendent/designee shall chair the team and invite the guardians, and as appropriate, the student to participate.

After consideration of input of the team, the counselor or the designated administrator shall prepare or revise the ILPA to address, as appropriate, academic and behavioral needs, criteria for re-entry into the traditional program and review of student progress.

EXCEPTIONS:

- Such decisions for individual students with disabilities under the IDEA shall be made when required through the Admissions and Release Committee process and changes in service delivery required under the IDEA shall be made to the student's IEP.
- Such decisions for students identified under Section 504 shall be made through the team process as required under federal law and corresponding District policies and procedures.

Alternative Education**EXTRACURRICULAR PARTICIPATION**

Students assigned to alternative schools or programs shall be eligible to access extracurricular activities including, but not limited to sports activities, as allowed under applicable Board policy, code of conduct, SBDM policy, KHSAA rules or other alternative program standards adopted by the District.

CONTINUING SUPPORT

Opportunities shall be provided for students to continue regular school work as appropriate under the supervision of Alternative Education Program staff. Students participating in an alternative program shall continue to be able to access tutoring, transportation, library and media services, specialty course work, intervention, counseling, and other resources and services already available in the District as determined through the development of the ILPA.

TRANSITION

Students may transition to a regular classroom setting in accordance with any criteria for re-entry established by the ILPA Team and in accordance with the following process:

1. The lead Alternative Education Program administrator/designee shall invite the student (age 18 or older) or the parent/legal guardian to meet to discuss the proposed transition. If the parent/legal guardian or adult student do not attend, written notification shall be provided to explain the proposed re-entry.

For IDEA or Section 504 students, the IEP or Section 504 team shall determine placement of students as required by law.

2. Strategies shall be documented to promote successful transition to include specific staff responsibilities and how follow-up monitoring will occur.
3. Should the transition not be successful for the student, reassignment to the Alternative Education Program may be considered, and the ILPA Team may be reconvened accordingly.

COLLABORATION WITH OUTSIDE AGENCIES

The coordinator or lead administrator of the Alternative Education Program shall establish a process to collaborate with outside agencies involved with involuntary placements, including courts or other social service agencies to address student transitions between programs. Release of protected information about students involved in the program shall be in compliance with the Family Educational Rights and Privacy Act (FERPA).

NOTE: THIS POLICY DOES NOT APPLY TO A TEMPORARY/SHORT-TERM INTERVENTION.

Alternative Education

REFERENCES:

¹KRS 160.380
²704 KAR 19:002
³KRS 158.143
⁴KRS 158.150
KRS Chapter 159
707 KAR 1:320
Student Discipline Guidelines, Kentucky Department of Education
OAG 77-419

RELATED POLICIES:

08.131; 08.141
09.123; 09.14; 09.426; 09.431; 09.435

Adopted/Amended:
Order #:

Alternative Education

MONITORING

The District shall provide for:

1. Regular, periodic monitoring of the alternative education program; and
2. Selecting, implementing, and monitoring the impact of professional learning designed to meet the needs of the teachers and students served by the alternative education program.

Review/Revised:

Alternative Education Notification

STUDENT _____	AGE _____	BIRTHDATE _____
SCHOOL _____	GRADE _____	GENDER _____ RACE _____
NAME OF PARENT/GUARDIAN _____		
EMAIL ADDRESS/HOME _____		EMAIL ADDRESS/WORK _____
MAILING ADDRESS _____	PHONE WORK _____	HOME _____

Dear Parent/Guardian,

This letter is to notify you that your son/daughter has been assigned to the District Alternative Education Program. Reason(s) for the assignment include: _____

Your child's team looks forward to meeting with you to discuss development or amendment of the individual learning plan addendum for your child, and other matters related to provision of alternative education program services. The meeting will take place on _____(DATE) at _____(TIME) at _____(LOCATION). If you are unable to attend, we will mail you written notification to explain the results of the meeting.

If you have questions, please contact me. Otherwise, please contact me to let me know if you will be attending this important meeting.

Sincerely,

Signature of School Personnel *Date*

Contact's Telephone: _____ Contact's Email: _____

ADMINISTRATIVE NOTE: Changes in educational placement for students identified under the IDEA or Section 504 shall be implemented consistent with applicable legal requirements.
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Review/Revised:

Expulsion

BOARD MAY EXPEL

The Board may expel or extend the expulsion of any student from the regular school setting for misconduct as defined by law. Provision of educational services will be required unless the Board determines, on the record and supported by clear and convincing evidence, that the expelled student posed a threat to the safety of other students or school staff and could not be placed in a state-funded agency program.¹

The Board shall require the expulsion from school for a period of at least twelve (12) months for a student who is determined by the Board:

1. Through clear and convincing evidence to have made threats that pose a danger to the well-being of students, faculty, or staff of the District;
2. To have brought a weapon to a school under its jurisdiction per Board Policy 05.48.

The Board may expel a student for longer than twelve (12) months.

Behavior that may be determined to pose a threat shall include, but not be limited to, the physical assault, battery, or abuse of others on or off school property (and the incident is likely to substantially disrupt the educational process); the threat of physical force; being under the influence of drugs or alcohol; the use, possession, sale, or transfer of drug or alcohol; the carrying, possessing, or transfer of weapons or dangerous instruments; and any other behavior that may endanger the safety of others.

The Superintendent shall present to the Board for its approval options for providing or ensuring that educational services are provided to expelled students.

In lieu of expelling a student, or upon the expiration of a student's expulsion, the Superintendent may place a student into an alternative program or setting if the Superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or school staff.

HEARING AND RECORDS REQUIRED

Action to expel, extend the expulsion, or place in an alternative program or setting a student shall not be taken until the parent, guardian, or other person having legal custody or control of the student has had an opportunity for a hearing before the Board.¹ The special education and disciplinary records of IDEA eligible students shall be sent to the Board for review before the decision is made to expel.³

Within thirty (30) days prior to the end of a student's expulsion, the Board shall review the details of the expulsion and current factors and circumstances, including if ending the expulsion will substantially disrupt the education process or constitute a threat to the safety of students or school staff, to determine if the expulsion shall be extended for a period not to exceed twelve (12) months. The expulsion review process shall be used prior to the end of each expulsion period until the Board ends the expulsion or the student is no longer subject to compulsory attendance under KRS 159.010.

Expulsion**BOARD DECISION FINAL**

The Board may establish an appeals committee and delegate authority to hear appeals to the committee. Otherwise, the Board's decision shall be final.¹

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, procedures mandated by federal and state law for students with disabilities shall be followed. (Students with disabilities who are eligible for services under federal law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed. Educational services must continue for IDEA eligible students who are expelled.)^{1&3}

TRANSFER OF RECORDS

Records transferred to another school must reflect the charges and final action of an expulsion hearing if the student was expelled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol or drugs. Records of a student facing an expulsion hearing on charges described above shall not be transferred until the expulsion hearing process is completed.²

REFERENCES:

¹KRS 158.150

²KRS 158.155

³20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA); 707 Chapter 1; Section 504 of the Rehabilitation Act of 1973, as amended

KRS 159.010

Honig v. Doe, 108 S.Ct. 592(1988); OAG 78-673

RELATED POLICIES:

05.48; 09.12; 09.423; 09.425; 09.426; 09.43; 09.431; 09.434

Adopted/Amended:
Order #:

Student Hearing Notice

Date _____

Dear _____,

Name of Parent/Guardian

This letter is your official notice that the Board of Education has scheduled a hearing to consider expulsion of (*student's name*) _____.

The hearing will be held immediately following the Board meeting scheduled at (*time*) _____ on (*date*) _____ in the Board office at (*address*) _____. Please be present no later than (*time*) _____.

The specific charge(s) against your son/daughter is _____. Information related to the charge (s) is enclosed.

The pupil and/or his/her parents, legal guardian, or others on his/her behalf shall be given the opportunity to present oral or written testimony at the hearing. You may be represented by an attorney and present witnesses if you so desire.

Please plan to be present at this hearing.

Sincerely,

Superintendent/Designee's Signature

Review/Revised:

Disciplinary Hearing Form

Student's Name _____			
<i>Last Name</i>		<i>First Name</i>	<i>Middle Initial</i>
Student's Address _____			
<i>City</i>		<i>State</i>	<i>ZIP Code</i>
Student's Age _____	Date of Birth _____	Sex _____	Student's Phone Number _____
School _____	Grade _____	Homeroom/Classroom _____	

DATE	NATURE OF INCIDENT	NAME(S) OF WITNESSES	ACTION TAKEN

Attach all other supporting information to this form—i.e., statement of witnesses, background of student, etc.

Review/Revised:

Expulsion Notice

Date _____

Dear _____,

Name of Parent/Guardian

The Board of Education met on (*date*) _____ at which time it made the following decision:

- ☐ Because the Board found there was clear and convincing evidence that the student posed a safety threat to other students/staff of the school District, the decision was made to expel (*student's name*) _____ from all schools and school activities under the control of the District beginning _____

Date

and ending _____.

Date

- ☐ The decision was made to remove the student from the regular classroom setting, but continue to provide educational services in the following setting: _____ and time period: _____ from _____ to _____. If conditions apply in order for educational services to continue, we have attached a copy of those conditions to this letter.

We regret the necessity of this action.

Please be assured of our desire for all children to receive an education, and feel free to contact this office for assistance in school-related matters.

Sincerely,

Superintendent/Designee's Signature

Review/Revised:

Search and Seizure

REASONABLE SUSPICION

No pupil's outer clothing, pockets, or his or her personal effects (e.g., handbags, backpacks, etc.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the pupil has violated or is violating either a school rule or the law.¹ Search of a pupil's person shall be conducted only with the express authority of the Principal/designee.

AUTHORIZED PERSONNEL

Searches of a pupil's person or his or her personal effects shall only be conducted by a certified person directly responsible for the conduct of the pupil or the Principal/designee of the school which the student attends. However, when an immediate threat to the health or safety of others occurs off site with no certified employee reasonably available, a non-certified person (i.e., bus driver or coach/sponsor) that is responsible for the students is authorized to conduct the search of a student or his/her personal effects. Examples of immediate threats would include reasonable suspicion of the presence of illegal drugs or a weapon.

WITNESS/PERSONAL SEARCHES

When a pat-down search of pupil's person is conducted, the person conducting the search shall be the same sex as the pupil; and a witness of the same sex as the pupil shall be present during the search. In addition, no search of a pupil shall be conducted in the presence of other students.

These restrictions shall not apply to situations involving an imminent threat to students or staff where immediate action is required to prevent harm to health and safety.

STRIP SEARCHES

No strip searches of students shall be permitted.

FAILURE TO COOPERATE

Students who fail to cooperate with school authorities when requested to shall be subject to other disciplinary action.

REGULAR INSPECTION

School property, such as lockers, desks, and network systems, technology resources and accounts owned or supplied by the District are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property and resources on a regular basis. During these inspections, items which are school property, such as overdue library books, may be collected. Students should not expect privacy for items and information left in such locations. A single desk, locker or a technology resource/account may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

ILLEGAL ITEMS

Illegal items (e.g., weapons, drugs, etc.) or other possessions reasonably determined by proper school authorities to be a threat to the pupil's safety or to others' safety and security may be seized by school officials.

Search and Seizure**OTHER DISRUPTIVE ITEMS**

Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the pupil's possession by a staff member. Such items may be returned to the pupil by the staff member or through the Principal's office.

DISPOSITION OF ITEMS

All items which have been seized shall be turned over to the proper authorities or returned to the true owner.

REFERENCES:

¹New Jersey vs. T.L.O., 105 S.Ct. 733 (1985)

KRS 161.180; KRS 531.335

Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (2009)

RELATED POLICIES:

08.2323; 09.4261

Adopted/Amended:
Order #:

Police Officers in the School

School officials shall cooperate with law enforcement agencies in cases involving students (i.e., serving of subpoenas, juvenile petitions or warrants, or taking students into custody.) As soon as possible, officials shall endeavor to notify the parents of students who are arrested.¹

When students are arrested at school, the Principal/designee shall make a written record of the identity of the officer making the arrest, the nature of the offense charged, the name of the issuing authority of any arrest warrant, and the place of custody.

CRIMES OFF SCHOOL PROPERTY

In the interest of the student's welfare, the following requirements shall be followed when police officers ask to question or remove a student from the school whom they suspect of committing a crime off school property:

1. Parents/guardians shall be notified by school officials as soon as possible.
2. If the parent(s) come to the school or consent to permit the officer(s) to interview the student, a private place for the interview shall be provided.
3. If the parent(s) cannot come to the school and do not consent to the interview, the police should be advised to either bring a warrant, court order, or juvenile petition or arrange to interview the student off the school grounds.
4. If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent² and shall provide the cabinet access to a child subject to an investigation without parental consent.³

CRIMES ON SCHOOL PROPERTY

Except in cases of emergencies involving threats to health and safety as determined by the Superintendent, when the District calls law enforcement officials to question students concerning crimes committed on school property, the Principal shall make an effort to notify their parent(s).

REFERENCES:

¹OAG 76-129

²OAG 85-134, OAG 92-138

³KRS 620.072

RELATED POLICIES:

02.31; 09.1231; 09.227

Adopted/Amended:
Order #:

This form shall be kept in the school office, and a duplicate copy shall be forwarded to the Central Office.

Student's Name _____			
<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
Student's Address _____			
<i>City</i>	<i>State</i>	<i>ZIP Code</i>	
Student's Age _____	Date of Birth _____	Student's Phone Number _____	
School _____	Grade _____	Teacher/Classroom _____	
Date of Arrest _____			

☐ City Police ☐ County Sheriff ☐ Kentucky State Police ☐ Other: _____

NATURE OF THE OFFENSE CHARGED: _____

ISSUING AUTHORITY OF ARREST WARRANT: _____

PLACE OF CUSTODY: _____

PARENTS NOTIFIED BY: _____ at: _____ on _____
Employee Time Date

NOTE: If a student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent and shall provide the cabinet access to a child subject to an investigation without parental consent.

PARENT/GUARDIAN NOTIFIED: _____

Principal/Designee's Signature

Date _____

Review/Revised:

Student Discipline Code**DEVELOPMENT**

In accordance with KRS 158.148 the Board shall develop a student discipline code that shall be posted at each school, referenced in all school handbooks, and provided to school employees, parents, legal guardians, or other persons exercising custodial control or supervision. As required by KRS 158.148, a process shall be developed to provide information to those parties and to train employees.

The code shall prohibit bullying and establish standards of acceptable student behavior and discipline and may include District-wide standards of behavior for students who participate in extracurricular and co-curricular activities.

The code also shall include a process addressing how students can report code violations and incidents of bullying to District personnel for appropriate action and information regarding the consequences of bullying and violating the code and violations reportable under KRS 158.154, KRS 158.156, or KRS 158.444.

REVIEW

The Board shall update the student discipline code at least every two (2) years.

REPORTING OF DATA

As directed by the Kentucky Department of Education (KDE), the District shall report to the Center for School Safety when a student has been disciplined by the school for a serious incident, as defined by KDE; charged criminally for conduct constituting a violation under KRS Chapter 508; or charged criminally under KRS 525.070 or KRS 525.080 in relation to a serious incident.

Data collected on an individual student committing a reportable incident shall be placed in the student's disciplinary record.

REFERENCES:

KRS 158.148; KRS 158.153; KRS 158.154; KRS 158.156; KRS 158.165
KRS 158.444; KRS 160.295
KRS 525.070; KRS 525.080

RELATED POLICIES:

09.2211; 09.3; 09.42; 09.421; 09.422; :09.425; 09.426; 09.42811; 09.43; 09.431; 09.434;
09.4341; 09.435

Adopted/Amended:
Order #:

Reporting of Code Violations

Students wishing to report bullying or other violation of the Code of Acceptable Behavior and Discipline may report it to a classroom teacher, who shall take appropriate action as defined by the code. The teacher shall refer the report to the Principal/designee for further action when the report involves an offense that may warrant suspension or expulsion of a student, any felony offense, or a report that may be required by law, including reports to law enforcement.

RETALIATION PROHIBITED

Employees and other students shall not retaliate against a student because s/he reports bullying or other violation of the code or assists or participates in any investigation, proceeding, or hearing regarding the violation. The Superintendent/designee shall take measures needed to protect students from such retaliation.

Review/Revised:

Parent Notification of Code Violation_____
Date

Dear Parent/Guardian,

On _____, your child, _____
Date *Student's Name*was involved in a serious incident, which took place at _____.
Location

At this time, the following information has been reported to me concerning the incident:

Because student safety is our utmost concern, we take this information very seriously and have taken appropriate action.

Please contact me directly if you have questions about this information. I can be reached at _____.
Telephone Number

Sincerely,

_____, Principal

RETALIATION PROHIBITED

Employees and other students shall not retaliate against a student because s/he reports bullying or other violation of the code or assists or participates in any investigation, proceeding, or hearing regarding the violation. The Superintendent/designee shall take measures needed to protect students from such retaliation.

FOR SCHOOL USE ONLY

If the code violation falls under the state definition of bullying, District Procedure 09.422 AP.21 must be completed.

If the code violation falls under the state definition of bullying and must also be reported under KRS 158.154, KRS 158.155, or KRS 158.156, see Policies 09.2211 and 09.438 and related procedures.

If bullying is related to a federally protected harassment/discrimination area, see Policy 09.42811 and related procedures.

Review/Revised:

10	Community Relations
10.1	Public Information Program
10.11	Access to Public Records
10.11 AP.2	Request to Access Public Records
10.2	Citizen Suggestions and Complaints
10.2 AP.2	Citizen Complaint to the Board
10.21	Civility
10.21 AP.21	Incident Report (Inappropriate Behavior toward Employees by Visitors)
10.3	Relationships with Community Organizations
10.4	Advertising in the Schools
10.5	Visitors to the Schools
10.5 AP.1	Visitors to the School
10.5 AP.21	Registrant Offender Request
10.5 AP.22	Request for Activity/Program Accommodation
10.5 AP.24	Website Accessibility Complaint and Grievance Form

Public Information Program**RIGHT TO BE INFORMED**

The Board recognizes the rights of the public to be fully and accurately informed about its schools. The Board shall, through the Superintendent and the Superintendent's designees:

1. Communicate regularly with the public through available media such as District web sites, newsletters, bulletins, newspapers, and radio and television releases;
2. Provide speakers for PTA/PTO, church, civic, and other community groups who have an interest in the schools;
3. Work cooperatively with the news media in their efforts to inform the public; and
4. Conduct Board business in an atmosphere that lets the public know that their attendance at Board meetings is welcome and appreciated.

RELEASE OF INFORMATION

Public statements concerning controversial or potentially disruptive matters shall be issued only by the Superintendent or the Superintendent's designee.

REFERENCES:

KRS 61.805

KRS 61.850

RELATED POLICIES:

01.4

01.44

Adopted/Amended:
Order #:

Access to Public Records**PUBLIC INFORMATION**

In accordance with the Kentucky Open Records Law, it shall be the policy of the Board to make accessible to the public those public records identified in KRS 61.872 as available for public inspection. Inspection may be made during the regular office hours of the custodian of the records and/or under the conditions and restrictions specified in KRS 61.872. Citizens may, upon proper application and as specified in KRS 61.872 – KRS 61.884, make abstracts, memoranda, and obtain copies of records which are available to the public. Fees shall be charged to cover the cost of making copies and postage, if any; such fees will not exceed the actual copying and mailing costs. Staff costs shall not be included in the fee. Inspection of records shall be made under the supervision of the custodian of the records or the custodian's designee, and copies shall be made only by properly authorized District employees.

OFFICE OF EDUCATIONAL ACCOUNTABILITY

The Office of Educational Accountability shall have access to all public records and information on oath as provided in KRS 7.110. The Office shall also have access to otherwise confidential records, meetings, and hearings regarding District personnel matters, including files maintained in electronic format. The Office shall not disclose any information contained in or derived from the records, meetings, and hearings that would enable the discovery of the specific identification of any individual.

EXCEPTIONS

Records protected by KRS 61.878 shall not be made available to the public, except under court order as provided by KRS 61.878, KRS 61.880, and KRS 61.882.

The Board will not release information from educational records except in conformity with the provisions of the Family Educational Rights and Privacy Act, as amended.

REFERENCES:

KRS 7.110; KRS 7.410; KRS 61.870
KRS 61.872; KRS 61.874; KRS 61.876
KRS 61.878; KRS 61.880; KRS 61.882, KRS 61.884
Art. 6252-17A, Sec. 14(e), V.A.T.S.
OAG 76-375; OAG 80-207; OAG 85-109; OAG 89-90
96-ORD-159
Kentucky Family Educational Rights and Privacy Act
Kentucky Education Technology System (KETS)

RELATED POLICIES:

01.6; 03.15; 03.25; 09.14

Adopted/Amended:
Order #:

Request to Access Public Records

To request access to District records, other than student records not subject to release, use Procedure 01.6 AP.2/Inspection of Board Records.

Refer to Policy 09.14 and related procedures to determine access to student records.

Review/Revised:

Citizen Suggestions and Complaints**SUGGESTIONS**

The Board believes that a continuing two-way dialogue between the schools and the public is necessary. It shall be the policy of the Board to give consideration to suggestions posed to the Board by citizens of the district. Citizens wishing to make suggestions should submit them in writing to the appropriate school administrator or the Superintendent or chairman of the Board.

COMMITTEES

From time to time, the Board may appoint committees composed of citizens to advise the Board on specific matters. The Superintendent shall appoint District employees to serve on these committees as necessary. Such committees shall be ad hoc in nature and will serve at the pleasure of the Board.

Committees appointed by the Board shall comply with requirements of the Open Meetings Law.

PUBLIC HEARINGS

The Board will arrange for public hearings when the consideration of important issues requires a public forum. These shall be for the dual purpose of informing the public about the issue(s) and for receiving information from the public about the issue(s). The Board shall give prior notice for public hearings.

COMPLAINTS

The Board welcomes constructive criticism when such is motivated by a sincere desire to improve the effectiveness of the schools. Complaints regarding Board actions and policy matters should be directed to the Board. All other complaints should be directed to the administrative unit in which the problem arises. The proper channel for complaints is as follows:

1. Teacher,
2. Principal,
3. School Council, (where operational)
4. Superintendent, and
5. Board of Education.

Complainants should initially address the problem at the lowest level of involvement and may appeal to higher levels if satisfaction is not achieved.

APPEALS

Complaints appealed to the Board must be in writing and must contain a detailed description of the problem and the redress desired. The Board reserves the right to defer and redirect complaints that have not been explored to the appropriate administrative level.

REFERENCES:

KRS 61.800; KRS 61.805; KRS 61.810; KRS 61.815; KRS 61.820; KRS 61.823
KRS 61.826; KRS 61.835; KRS 61.840; KRS 61.846; KRS 61.848; KRS 61.850
OAG 75-3

RELATED POLICY:

01.421

Adopted/Amended:
Order #:

Citizen Complaint to the Board

The Board will consider complaints regarding Board actions and policy matters. All other complaints should be directed to the school administrative unit(s) in which the problem arises.

Complaint initiated by _____

Telephone _____ Street Address _____

City _____ State _____ ZIP Code _____

Complainant represents ☐ himself/herself ☐ organization, specify _____

What is your initial complaint? Use full names, dates, exact occurrences, if appropriate. Attach additional page(s) if necessary.

What result(s) are you seeking from this complaint? _____

Check the levels of school administrative units with whom you have discussed this complaint, as per Policy 10.2.

☐ Teacher ☐ Principal ☐ School Council (where appropriate) ☐ Superintendent/designee

What response have you received from these different administrative levels?

*What action are you requesting the Board to consider? _____

*The Board reserves the right to defer and redirect complaints that have not been explored to the appropriate administrative level(s).

Review/Revised:

Civility

BOARD INTENT

The Board invites parental and community member involvement and recognizes that the vast majority of input received will be of a constructive and civil nature. This policy is designed to address those rare instances where that is not the case.

While it is not the Board's intent to deny an individual's right to freedom of expression, it has the responsibility to maintain, to the extent possible and reasonable, safe, harassment-free schools, school activities, and workplaces for students and staff and to minimize disruptions to the District's programs.

PREPARATION OF EMPLOYEES

The Superintendent/designee shall implement intervention and response training to notify employees of this policy and their corresponding responsibilities and to prepare them to deal with incidents of incivility.

BEHAVIOR STANDARDS

Persons coming onto District property shall be under the jurisdiction of the site administrator or designee.

District employees shall be courteous and helpful in interacting and responding to parents, visitors, and members of the public. In turn, individuals who come onto District property or contact employees on school or District business are expected to behave accordingly. Specifically, actions that are discouraged and may warrant further action include, but are not limited to:

1. Cursing and use of obscenities,
2. Disrupting or threatening to disrupt school or office operations,
3. Acting in an unsafe manner that could threaten the health or safety of others,
4. Verbal or written statements or gestures indicating intent to harm an individual or property, and
5. Physical attacks intended to harm an individual or substantially damage property.

Employees who fail to observe these standards in their own behavior shall be subject to appropriate disciplinary measures, up to and including dismissal.

EMPLOYEE OPTIONS

In cases involving physical attack of an employee or imminent threat of harm, the first priority shall be for employees to take immediate action to protect themselves and others. In absence of an imminent threat, employees shall attempt to calmly and politely inform the individual of the provisions of this policy and/or provide him/her with a copy. However, if the individual continues to behave in a discourteous and uncivil manner, the employee may respond as needed, to include, but not be limited to, the following options:

Civility**EMPLOYEE OPTIONS (CONTINUED)**

1. Hang up on a caller;
2. End a meeting;
3. Ask the individual to leave the school;
4. Call the site administrator or designee for assistance; and/or
5. Call the police.

Employees shall submit to their immediate supervisor, as soon as possible, a written incident report for all such occurrences. The Superintendent/designee, on advice from the Board Attorney, shall determine whether an incident indicates the need for a restraining order or pursuit of other legal options on behalf of the District. Individual employees are free to pursue other legal courses of action.

REFERENCES:

KRS 161.190
KRS 503.110, KRS 518.090

RELATED POLICIES:

03.1325, 03.2325
09.425, 10.2, 10.5

Adopted/Amended:
Order #:

Incident Report**(Inappropriate Behavior toward Employees by Visitors)****Complete and submit this report to your immediate supervisor as soon as possible after the incident.**

DATE OF INCIDENT _____

EMPLOYEE'S NAME _____

POSITION/TITLE _____

WHERE DID INCIDENT OCCUR? (*Check*)☐ School site ☐ School grounds ☐ School-sponsored event ☐ Central Office ☐ Private residence☐ Public site (*specify*) _____☐ Other (*specify*) _____

DESCRIBE/IDENTIFY INDIVIDUAL: _____

DESCRIBE INDIVIDUAL'S ACTIONS. (*Check the boxes that best categorize the actions and then describe those actions with specifics. Attach a separate sheet if necessary.*)

- ☐ Cursing/using obscenities
- ☐ Disrupting or threatening to disrupt school or office operations
- ☐ Acting in an unsafe manner (a manner that could have threatened the health and safety of others)
- ☐ Making a verbal statement, a phone call, or a gesture indicating intent to harm you or to damage school property
- ☐ Sending a written statement indicating intent to harm you or to damage school property
- ☐ Physically attacking you with the intent to harm you or to damage school property
- ☐ Other (*specify*) _____

Specifics: _____

DESCRIBE YOUR RESPONSE. (*Check the boxes that best categorize your response and then describe that response with specifics. Attach a separate sheet if necessary.*)

- ☐ Informed person(s) of provisions of and/or gave person(s) a copy of Policy 10.21
- ☐ Hung up the phone on the person(s)
- ☐ Asked person(s) to leave office/school/event
- ☐ Called site administrator/designee for assistance
- ☐ Called law enforcement officials
- ☐ Other (*specify*) _____

Specifics: _____

*Employee's Signature*_____
*Date*_____
*Immediate Supervisor's Signature*_____
Date

DATE REPORT SUBMITTED TO SUPERINTENDENT/DESIGNEE: _____

Review/Revised:

Relationships with Community Organizations**COMMON GOALS**

Although the Board has primary responsibility for the management of the public schools, the Board recognizes that other community organizations and other governmental agencies share common goals with the schools. It shall be the policy of the Board to work cooperatively with other community organizations in matters that promote the well-being of the schools and the community as a whole.

RELATED POLICIES:

02.4231

05.3

05.31

Adopted/Amended:

Order #:

Advertising in the Schools

PROHIBITION

No advertising shall be allowed in the facilities or on the grounds of school property, except as expressly approved by the Board.

EXCEPTION

Nothing herein shall be construed to prevent advertising in publications which are published by student organizations, PTA/PTO, booster club, or other parent groups.

REFERENCES:

KRS 158.183

OAG 68-452

Adopted/Amended:

Order #:

Visitors to the Schools

The Board encourages parents, professional educators, and others who have legitimate educational interests pertaining to the District's public school program to visit the schools. To ensure that school personnel are aware of visitors' presence, visits to classrooms shall be scheduled in advance unless authorized by the Principal/designee and all visitors must report immediately to the Principal's office upon entering the school and identify themselves, as well as declare their purposes for visiting.

REGISTRANTS

No registrant, as defined in KRS 17.500, nor any person residing outside of Kentucky who would be required to register under KRS 17.510 if the person resided in Kentucky, shall be on, loiter within one thousand (1,000) feet of, or work in or operate any mobile business within one thousand (1,000) feet of the clearly defined grounds of a District school, except with the advance written permission of the Principal or the Board that has been given after full disclosure of the person's status under KRS 17.510 as a registrant or sex offender from another state and all registrant information as required in KRS 17.500.

A registrant is defined as:

1. Any person eighteen (18) years of age or older at the time of the offense or any youthful offender, as defined in KRS 600.020, who has committed:
 - a. A sex crime; or
 - b. A criminal offense against a victim who is a minor; or
2. Any person required to register under KRS 17.510; or
3. Any sexually violent predator; or
4. Any person whose sexual offense has been diverted pursuant to KRS 533.250, until the diversionary period is successfully completed.

Per KRS 17.545, "loiter" is defined as remaining in or about the clearly defined grounds of a District school, while not having any reason or relationship involving custody of or responsibility for a minor or any other specific legitimate reason for being there.

Per KRS 17.545, "mobile business" is defined as any business that operates from a motor vehicle or wheeled cart that can be operated, pushed, or pulled on a sidewalk, street, or highway where food, goods, or services are prepared, processed, or sold or dispensed to the public.

A registrant, who is the parent/legal guardian, or the person designated by the parent/legal guardian to have access to a student, must request and receive prior permission from the Principal to come onto school grounds. The Principal shall determine whether the requesting registrant is permitted to come onto school grounds for the following reasons:

- To pick up or drop off their child each day.
- To pick up the child who is injured or ill.

Visitors to the Schools**REGISTRANTS (CONTINUED)**

- To confer with school staff concerning academic, disciplinary or placement issues involving the student, including matters required by federal or state law.
- To attend a school activity, including athletic practices and competition, in which the student is a participant.
- To vote when the school has been designated as a polling place.

Depending on the facts of the particular request, the Principal's response options may include, but are not be limited to the following:

- Requiring the registrant to provide additional information needed;
- Specifying check-in and check-out requirements;
- Requiring the registrant to be directly supervised by an individual designated by the Principal while on school grounds;
- Restricting the registrant to a designated location on school grounds;
- Limiting the time the registrant will be permitted to be on school grounds; and
- Denying the request to come onto school grounds.

The Principal shall notify the Superintendent/designee of each request from a registrant and the response made to the registrant. If questions arise about a request, the Principal shall consult with the Superintendent concerning requests from registrants, and the Superintendent may seek further advice from the Board Attorney.

For all other reasons and for all individuals making a request other than parent/legal guardian/designee, the Principal shall consult with the Superintendent as the executive agent of the Board before making a final determination.

CONDUCT/PROHIBITION ON RECORDING

All visitors to the schools must conduct themselves so as not to interfere with the daily operation of the school program.

Due to privacy concerns, and except for emergency situations, personally owned recording devices are not to be used to create video or audio recordings or to take pictures except with prior permission from the Principal/designee and the affected individual(s).

An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena. Such devices include, but are not limited to, personal cell phones and tablets.

Visitors to the Schools**ACCOMMODATION**

Visitors with disabilities shall be accommodated as required by law. Individuals requesting accommodation shall contact the District ADA/504 Coordinator for assistance and guidance. Accommodations may include, but are not limited to, the following considerations:

- Effective communication
- Use of power driven mobility devices
- Event ticket sales accommodation
- Use of service animals
- Companion seating at events

The District shall notify the public of any requirements and/or deadline for requesting such accommodation.

WEBSITE ACCESSIBILITY

The District is committed to ensuring accessibility of its website for students, parents, and members of the community with disabilities. All pages on the District's website will conform to the W3C WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents.

Under District developed administrative procedures, students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 related to the accessibility of any official District web presence which is developed by, maintained by, or offered through the District or third party vendors and open sources.

USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED

The use of any tobacco product, alternative nicotine product, or vapor product, as defined in KRS 438.305, is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and in the presence of a student or students.¹

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. Persons in violation of this policy, in addition to fines which may be imposed by law², are subject to verbal warnings to refrain from use of the subject product. Refusal to refrain from such use or repeated instances of prohibited use after prior warnings may subject the individual to a ban from school property as permitted by law and corresponding civil and criminal penalties.³

Visitors to the Schools

REFERENCES:

¹KRS 438.345
²KRS 438.050
³KRS 511.070; KRS 511.080; OAG 90-11
KRS 17.545; KRS 17.500; KRS 17.510
KRS 160.380; KRS 211.394, KRS 211.395; KRS 438.305
KRS 600.020; KRS 620.146
OAG 91-137
P. L. 114-95, (Every Student Succeeds Act of 2015)
29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)
42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII
42 U.S.C. 12101 et seq., Americans with Disabilities Act

RELATED POLICIES:

01.1
03.113; 03.1327; 03.162; 03.212; 03.2327; 03.262; 05.3; 05.31; 06.221
09.1231; 09.227; 09.3211; 09.4232; 09.426; 09.42811
10.2

Adopted/Amended:
Order #:

Visitors to the Schools**REPORT TO FRONT OFFICE**

As soon as practicable but no later than July 1, 2022, all visitors to the school are to report to the front office of the building, provide valid identification, and state the purpose of the visit. The school shall provide a visitor's badge to be visibly displayed on a visitor's outer garment.

CLASSROOM VISITATION

Requests for classroom observation by parents, educators, or other local citizens with legitimate educational interests pertaining to the District's public school program shall be made to the Principal with reasonable notification. The Principal may grant the request if:

1. The teacher involved is notified in advance of the arrangement.
2. The number in the group is small enough to be accommodated in the classroom without interfering with the class.
3. The frequency of the visits does not interfere with the scheduled instructional program in the classroom.

LUNCH WITH FAMILY MEMBER

Parents, guardians, grandparents, or other immediate family members as approved by the Principal/designee may request to have lunch with their child/grandchild. Otherwise, except for authorized District personnel, each school shall observe a closed campus at lunch.

SPECIAL INVITATION

A special invitation for parents and other interested persons to visit the schools may be extended during appropriate school programs or activities and special occasions.

OBSERVATION BY OUTSIDE AGENCIES

These procedures are established for the purposes of observation only.

NOTE: Unless an outside provider has been sought out and contracted for a needed service by the District, no private therapy or service shall be provided to a student during the school day, within a District School.

The following information/documentation is required by the District before a private, outside therapist/service provider can observe its private client within a District School. Information must be sent to the Director of Special Education (special education students) or to the Director of Health and Family Resource Youth Service Center (FRYSC) Services (regular education students):

- Background check clearance on file with District Schools Central Office;
- Individual liability insurance certificate or worker's compensation insurance certificate;
- A copy of credentials in the form of certification/license for the purpose of the observation; and

Visitors to the Schools

OBSERVATION BY OUTSIDE AGENCIES (CONTINUED)

- A signed release (form can be requested from the school) by the parent/guardian noting that the therapist/outside service provider has been given permission to observe their child during the school day.

Once this information is received, the therapist/service provider may be allowed to come and observe the identified student as follows:

- At a time/day designated and assigned by the Principal/designee (to cause as little disruption to the class or school/learning environment as possible);
- The therapist is to observe only during these designated times, in an education setting (or activity such as lunch or social gathering) and only if confidentiality of other students/parents and disruption of the educational process in these settings can be adequately addressed by the Principal/designee;
- At any time the school or District needs to cancel an appointment or not allow an outside agency/therapist/service provider to return to the school setting, the outside agency will be notified; and
- The outside service providers MUST provide a photo I.D. as well as sign in and out at the school office any time they are on school property during a school day.

Review/Revised:

Registrant Offender Request

- This form shall be used to document the Principal's response to a registrant offender request to come onto school grounds.
- If a registrant's child becomes ill or injured during the school day, the registrant shall arrange to pick up the child with the Principal prior to coming to the school. For all other situations, requests shall be made to the Principal prior to the date of an authorized visit.
- Requests will be considered only from registrants who are the parent/legal guardian of a student or the person designated by the parent/legal guardian to have access to the student.
- Individuals whose request is granted shall keep a copy of this completed form with them each time they come onto school grounds.

TO BE COMPLETED BY REGISTRANT_____
*Full Name (first, middle, last)*_____
*Phone Number*_____
*Address*_____
*eMail Address*_____
*Date of Request*_____
Requested Visit Date

Reason for request (check at least one):

- ☐ Confer with school staff concerning my child's academic, disciplinary or placement, including matters required by federal or state law
- ☐ Attend a school activity in which my child is participating
- ☐ Vote in a designated polling place on school grounds

PRINCIPAL'S RESPONSE

- ☐ Registrant is required to provide additional information as follows:
- ☐ Registrant must follow check-in and check-out requirements as follows:
- ☐ Registrant must be directly supervised while on school grounds by the following individual(s) designated by the Principal:
- ☐ Registrant is restricted to the following designated location(s) on schools grounds:
- ☐ Registrant may only be on school grounds during the following time period:
- ☐ Request by registrant to be on school grounds is denied.

*Principal's Signature*_____
Date

The completed form shall be kept on file at school. A copy of this completed form shall be provided to the Superintendent/designee and to the registrant.

Review/Revised:

Request for Activity/Program Accommodation**TO BE COMPLETED BY REQUESTING INDIVIDUAL**

Print Full Name (first, middle initial, last)

Phone Number

Address

*eMail Address*I am a ☐ student ☐ employee ☐ visitorIf you marked "student," does this request also apply to programs provided within the academic school day? ☐ Yes ☐ No

I request the following accommodation(s):

☐ Effective communication Type requested: _____

Activity

Location

Date☐ Event ticket sales/accessible seating

Activity

Location

Date☐ Companion seating requested

Activity

Location

Date☐ Use of power driven mobility device

Activity

Location

Date☐ Use of service animal* Check one: ☐ Service dog ☐ Miniature horse

Activity

Location

Date

*For animals accompanying students on the bus, during school, and/or on school trips, proof of vaccination(s) is required per KRS 258.015.

Signature

*Date***Please attach other information explaining the reason for this request, and submit this form to the school/Central Office as soon as possible and, except for service dogs, at least ten (10) days prior to the date of the activity.**

FOR SCHOOL/DISTRICT USE

Date Received: _____

Date of Response: _____

Response: _____

District/school employee who contacted applicant: _____

Review/Revised: _____

Website Accessibility Complaint and Grievance Form**DATE OF COMPLAINT/GRIEVANCE:** _____**COMPLAINANT NAME:** _____
(Please Print)**ADDRESS:** _____**EMAIL:** _____**PHONE:** _____**WEBSITE ADDRESS (OR LOCATION) OF ACCESSIBILITY PROBLEM:** _____**DESCRIPTION OF THE PROBLEM ENCOUNTERED:** _____**SOLUTION DESIRED:** _____**SIGNATURE:** _____

Thank you for bringing this matter to the District's attention. You may be contacted if more information is needed to process your complaint/grievance. The investigation process is typically completed within fifteen (15) working days from the date it was received.

The complaint or grievance will be investigated by the Superintendent/designee. The complainant shall be contacted no later than five (5) working days following the date the District receives the information. The procedures to be followed are:

- An investigation of the complaint shall be completed within fifteen (15) working days. Extension of the time line may only be approved by the Superintendent.
- The investigator shall prepare a written report of the findings and conclusions within five (5) working days of the completion of the investigation.
- The investigator shall contact the complainant upon conclusion of the investigation to discuss the findings and conclusions and actions to be taken as a result of the investigation.

A record of each complaint and grievance shall be maintained at the District office. The record shall include a copy of the complaint or grievance filed, report of findings from the investigation, and the disposition of the matter.

Review/Revised: