

EXPLANATION: EFFECTIVE JANUARY 1, 2015, HB 5 DEFINES "PERSONAL INFORMATION" AND SETS NOTIFICATION REQUIREMENTS TO ADDRESS A SECURITY BREACH.
FINANCIAL IMPLICATIONS: POSSIBLE INCREASED COST OF NOTIFICATION OF INDIVIDUALS IF A SECURITY BREACH OCCURS

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.61 AP.11

Notice of ~~Information~~ Security Breach

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 ~~restricted~~ personal information ~~that it maintains or possesses about staff, students, and parents. The District will consider practices concerning physical, technical and administrative safeguards for both paper and electronic records addressed in the Kentucky Department of Education report entitled HB 341: Personal Data Security Study.~~
~~The Superintendent/designee shall oversee a process to identify the following information to be kept on file in the Central Office:~~

- ~~• What information is considered restricted;~~
- ~~• Where it currently resides;~~
- ~~• How it is protected;~~
- ~~• As included in the District budget, the maximum amount to be spent in notifying individuals of a breach; and~~
- ~~• Who is responsible for providing each level of security for each piece of restricted information.~~

"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.

~~Restricted personal information is defined as that information protected under federal or state law (FERPA, HIPAA, Kentucky Open Records law, etc.). Examples of restricted personal information includes, but is not limited to, social security or other identification number, financial account access information, medical records, computer passwords and security codes. Restricted p~~Personal information does not include information that is lawfully made available to the general public pursuant to state or federal law or regulation.

A ~~breach of information~~ security breach refers to:

- an unauthorized acquisition, distribution, disclosure, destruction, manipulation, or release of unencrypted or unredacted records or data in either electronic or paper format 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

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Notice of Information Security Breach**PROTECTION AND PREVENTION (CONTINUED)**

- 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.

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A security breach does not include the Good-faith acquisition of such personal information by an employee, agent, or nonaffiliated third party of the agency for the purposes of the agency is not a security breach if the personal information is not used for a purpose related to the agency and/or is not disclosed to others without authorization.

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INCIDENT RESPONSE PLAN SECURITY PROCEDURES AND PRACTICES

The District shall implement, maintain, and update security procedures and practices, including taking any appropriate corrective action, to protect and safeguard against security breaches.

~~In-Once it is determined ing whether restricted by the District or the District is notified of a security breach relating to personal information is reasonably believed to have been acquired by a person without valid authorization, the following shall take place as soon as possible, but within seventy-two (72) hours of the determination; appropriate action should be taken, after the following have been considered:~~

- ~~1. Indications that the information is in the physical possession and control of an unauthorized person such as, but not limited to, a lost or stolen computer or document, file or other record containing personal information;~~
 - ~~2. Indications that the information has been downloaded or copied;~~
 - ~~3. Indications that the information has been used by an unauthorized person to establish fraudulent accounts or instances of identity theft; and~~
- ~~Any other factors that the District deems appropriate and relevant to such a determination.~~

1. Notify the Commissioner of the Kentucky State Police, Auditor of Public Accounts, Attorney General and the Commissioner of Education; and
2. Begin conducting a reasonable and prompt investigation in accordance with the security and breach investigation and practices in accordance with state law.

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NOTIFICATION OF BREACH

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, Auditor of Public Accounts, 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. These notices shall be delayed upon written request of a law enforcement agency that the notices would impede an investigation.

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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.

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Notice of ~~Information~~ Security Breach**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 of a breach of information security should be provided 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.

REFERENCES:

¹ KRS 61.933
KRS 61.931; KRS 61.932

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EXPLANATION: THESE CHANGES CLARIFY THAT REPORTS BY BOTH THE USDA AND KDE ARE REQUIRED BY SCHOOLS. HOUSEHOLD INCOME FORMS ARE TO BE USED BY DISTRICTS/SCHOOLS THAT PARTICIPATE IN THE COMMUNITY ELIGIBILITY PROVISION. THIS MEETS REQUIREMENTS OF BOTH THE FREE AND REDUCED LUNCH PROGRAM AND COMMUNITY ELIGIBILITY PROVISIONS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SUPPORT SERVICES

07.1 AP.1

Food Service Procedures

OPERATION

The School Food Service program shall be operated under the direction of the Director of Child Nutrition. Each school shall have a food service contact person (such as a manager or satellite leader) under the supervision of the Associate Director of Child Nutrition and the Principal.

For complete information and operational procedures concerning Fayette County's food of Child Nutrition program, please refer to the *Child Nutrition Operation Handbook*.

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 food service 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 child nutrition funds may not be used for:
 - a. The purchase of land.
 - b. The purchase or construction of buildings.
3. All schools shall complete 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 ~~for a period of~~ through the current fiscal year and the three (3) fiscal years ~~and are subject to audit by state and federal officials 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 child nutrition program is operated on a nonprofit basis. Actual cash balances shall be maintained in accordance with state/federal regulation, as appropriate.

FOOD SERVICE DIRECTOR REPORT

Each year, the District Child Nutrition 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 report shall include requirements specified by state and federal regulations:

- An evaluation of compliance with the National School Breakfast/Lunch program;
- An evaluation of the availability of contracted fast foods or foods sold through commercial vendors;
- A review of access to foods and beverages sold outside the National School Breakfast/Lunch program, including vending machines, school stores, canteens and a la carte cafeteria sales;
- A list of foods and beverages available to students, noting the nutritional value of those foods and beverages; and
- Recommendations for improving the school nutrition environment.

Food Service Procedures**TEAMWORK ESSENTIAL**

The Child Nutrition Director shall have the overall responsibility for the nutrition program in each school. However, there shall be close cooperation among the Principal, the Director of the Division of Child Nutrition, the Child Nutrition Manager, teachers, staff, parents and students.

PRINCIPAL'S RESPONSIBILITIES

1. Serve as team leader.
2. Assists in the collection of the meal assistance forms.
3. Approve the scheduling of special events held in the cafeteria.
4. Prepare an appropriate serving schedule in collaboration with the Manager.
5. Establish a Student-Parent-School Involvement Committee to receive and consider input relative to maintaining a high quality nutritional program. The membership of this committee shall include parents, teachers, the Nutrition Manager and the Principal. Minutes shall be recorded and copies filed in the school, and with the Child Nutrition division and others as designated by the Superintendent.

RESPONSIBILITIES OF SUPERVISORS/DIRECTOR

1. Ensure that planned menus meet the requirements of a reimbursable meal under the "Offer vs. Serve" Meal Pattern.
2. Establish standards for efficient and sanitary preparation and serving of food.
3. Develop specifications for food and supplies.
4. Determine amounts of food and supplies to be purchased and assist the Purchasing Office in the bidding process.
5. Arrange for distribution and storage of food and supplies.
6. Assist the Principal and Nutrition Manager in encouraging maximum student participation in the food service program.
7. Aid in the evaluation of Child Nutrition Managers.
8. Plan and provide training for food service employees.
9. Conduct an on-site review of each school's meal count system prior to February 1 of each school year and ensure that these procedures are established and maintained in compliance with requirements set forth below.

Food Service Procedures

CRITERIA FOR A MODEL MEAL COUNT SYSTEM

1. Guidance, including written detailed instructions on the operation of the meal count system, shall be developed and provided to appropriate personnel.
2. Personnel involved in the meal count system shall be knowledgeable about and shall adequately perform their duties and responsibilities.
3. Applications free or reduced-price meals shall be approved in a timely manner and in accordance with regulations.
4. Category determinations shall be accurately recorded on the master roster and maintained throughout the year.
5. The master roster shall accurately reflect each student's eligibility for free, reduced or paid meals.
6. Reimbursable meals shall be clearly identifiable.
7. Meals shall be correctly counted at the point of service and recorded by category.
8. The cash/check collection system for reimbursable meals and other sales ensures that appropriate amounts of cash/checks are collected and recorded for each sale category.
9. A cash reconciliation system shall be used that includes the following provisos:
 - a. Determination on a daily basis whether cash collected reconciles with meal counts as recorded;
 - b. Documenting all differences; and
 - c. Ensuring that corrective action shall be taken when needed.
10. A system shall be in place to safeguard cash and checks from loss, theft or misuse.
11. Reports of daily meals and cash/checks collected shall be complete and shall be compiled for claim and reimbursement.
12. Edit checks for individual schools shall be implemented to identify potential problems in the meal count system.
13. Periodic monitoring and technical assistance shall be provided for each school to ensure compliance with the approved meal count system.

NUTRITION MANAGER'S RESPONSIBILITIES

1. Assign personnel based on the most effective use of their time.
2. Make daily, weekly, and monthly reports on the forms provided.
3. Send receiving reports and invoices to the Child Nutrition Office each day.
4. Prepare and make daily bank deposits.
5. Safeguard all funds and reports.
6. Order food and supplies as directed by the Director of the Division of Child Nutrition.
7. Sign and submit invoices to the Child Nutrition Office on a weekly basis.
8. Receive food and supplies, sign receipts, note any discrepancies, and send to Child Nutrition Office.

Food Service Procedures

NUTRITION MANAGER'S RESPONSIBILITIES (CONTINUED)

9. Assist the Principal with special events.
10. Participate in the evaluation of food service employees assigned to the school.
11. Enter payroll adjustments for food service employees into the payroll program.

DIVISION OF CHILD NUTRITION ADMINISTRATIVE RESPONSIBILITIES

1. Be responsible for the total Child Nutrition program of the Fayette County Public Schools.
2. Supply necessary forms for all records and reports of the Child Nutrition program.
3. In compliance with Policy 04.32 and accompanying procedures, supervise the bidding, delivery and utilization of, as well as payment for, all foods, food products, operational supplies (including small equipment), government commodities, and replacement of equipment.
4. Pay all invoices which have been properly completed and signed by the Nutrition Manager.
5. Visit each school Child Nutrition program regularly.
6. Make recommendations concerning employment of all personnel in the Child Nutrition program.
7. Approve payroll records and authorize the payroll department to make payment of salaries to Child Nutrition personnel.
8. As required by the Kentucky Department of Education, file one (1) claim for Federal reimbursement, based on claims of all schools.
9. Prepare a monthly financial statement for each school Child Nutrition program.
10. Conduct training and in-service programs for Child Nutrition personnel as necessary.
11. Work with the Principal and other administrative staff members in order to offer the best possible Child Nutrition program to the students of Fayette County.

COLLECTION

The Child Nutrition Division will collaborate with a third party company for the collection of NSF funds.

REFERENCES:

702 KAR 6:090
7 C.F.R. 245.6

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EXPLANATION: PER COMMUNICATION WITH KDE, OFFICIALS ENABLED TO PROCESS AND ACT ON FREE AND REDUCED APPLICATIONS ARE NOT STRICTLY DICTATED BY TITLE IN LAW AND REGULATION BUT MUST HAVE A "NEED TO KNOW". THESE OFFICIALS SHOULD BE CONSISTENT WITH THOSE DESIGNATED IN THE APPLICATION AND AGREEMENT ENTERED INTO WITH KDE. TO ALLOW FLEXIBILITY, THIS A.P. USES A DEFINITION OF "AUTHORIZED SCHOOL OFFICIAL", HOWEVER DISTRICTS HAVE THE OPTION TO SPECIFY AN APPROPRIATE OFFICIAL AUTHORIZED UNDER THE APPLICATION AND AGREEMENT. ALSO, **DISTRICTS MAY HAVE SCHOOLS THAT PARTICIPATE IN THE COMMUNITY ELIGIBILITY PROVISION (CEP) WHILE OTHERS PARTICIPATE IN THE FREE AND REDUCED PRICE LUNCH PROGRAM. THIS FORM ADDRESSES GUIDELINES FOR BOTH OF THOSE PROGRAMS.**

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

DRAFT 6/23/14

SUPPORT SERVICES

07.11 AP.1

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Food Services

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, FCPS complies with all Federal and State Regulations while providing healthy meals to students.

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OPERATION

The School Food Service program shall be operated under the direction of the Associate Director for Food Service. Each school shall have a food service contact person (such as a manager or satellite leader) under the supervision of the Associate Director for Food Service and Principal.

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.

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OVERVIEW OF MEAL CHARGES

All FCPS students and employees are provided an opportunity to eat nutritional breakfasts and lunches daily in their respective schools. In order to accommodate those who take advantage of this opportunity, the Food Service Division has implemented billing systems that allow students to make advance payments for meals (meal account) with occasional charging of meals at the elementary, middle and high school levels. The school administration is responsible for assisting in the collection of all charges.

There will be no charging of ala carte items at any time. Adults may pay for meals in advance on their meal account or pay for meals at the time of purchase. There are no provisions for adult charges.

ELEMENTARY AND MIDDLE SCHOOL PROCEDURE

1. The Food Service School Site will generate charge letters for anyone with > \$5.00 in charges. The charge letters will be sent home with the student or mailed every Friday or as needed. Verbal and/or written reminders stating that the account is running low may be given to students as needed.
2. Authorized school officials~~School administration~~ will receive a weekly printout listing accounts over > \$10.00 in charges.
3. An account is considered "delinquent" when unpaid accounts accrue to > \$20.00 in charges.

Food Services**ELEMENTARY AND MIDDLE SCHOOL PROCEDURE (CONTINUED)**

4. ~~Authorized school officials~~~~School administration~~ will receive a ~~daily~~ printout of the delinquent accounts from the cafeteria manager or designee.
5. The ~~authorized school official~~~~administrator~~ accepts the responsibility for the repayment of the delinquent account(s) to the cafeteria on a semi-yearly basis. (August-December invoiced in January and January-May invoiced in June).
6. As needed, the school office/Family Resource Center/Youth Service Center may provide a student loan. The student/parent/guardian will be required to repay the loan(s). The parent/guardian still is accountable for the charges that have been incurred in the cafeteria. This policy is in effect for breakfast and lunch only.
7. The ~~authorized school official~~~~administration~~ may arrange a meeting with parent/guardian to discuss the problem of outstanding meal charges. The school social worker/Family Resource Center/Youth Service Center/FRYSC will follow up to determine if there are extenuating circumstances. Free and reduced forms will be available in each school's office and cafeteria.
8. Upon a student being approved for free/reduced meals by an authorized school official, the student/parent/guardian is still responsible for all accrued account charges prior to the application approval date.
9. The ~~authorized school official~~~~Food Service staff~~ will continue to make reasonable attempts at collection, but should that fail, the school administration will be responsible for charges that are owed to the cafeteria.
10. As needed, the Family Resource Center, Youth Services Center, School and District staff shall pursue alternative sources of funding such as local civic organizations, faith-based organizations or other organizations to assist those families in paying for children's meals.
11. Students with delinquent accounts may not be allowed to purchase a la carte items.

HIGH SCHOOL PROCEDURE

1. High school students may only charge up to \$5.00 per account.
2. Students who have charges may not purchase a la carte items until their account is paid in full.
3. Students may receive a loan from a friend, school bank (when available), and/or Youth Services Center for their meal.
4. A meeting may be arranged by the Principal/Youth Services Center to discuss the problem of not having money for meals. The Youth Services Center, school, and/or District staff may pursue alternative sources of funding such as local civic organizations, faith-based organizations, or other organizations to assist those families in paying for the student's meals. Free and reduced forms will be available in each school's office and cafeteria.

Food Services**HIGH SCHOOL PROCEDURE (CONTINUED)**

5. Upon a student being approved for free/reduced meals by an authorized school official, the student/parent/guardian is still responsible for all accrued account charges prior to the application approval date.

ADULT PROCEDURE

1. Adults may pay for meals in advance on their meal account or pay for meals at the time of purchase.
2. There are no provisions for adult charges.

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:

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).

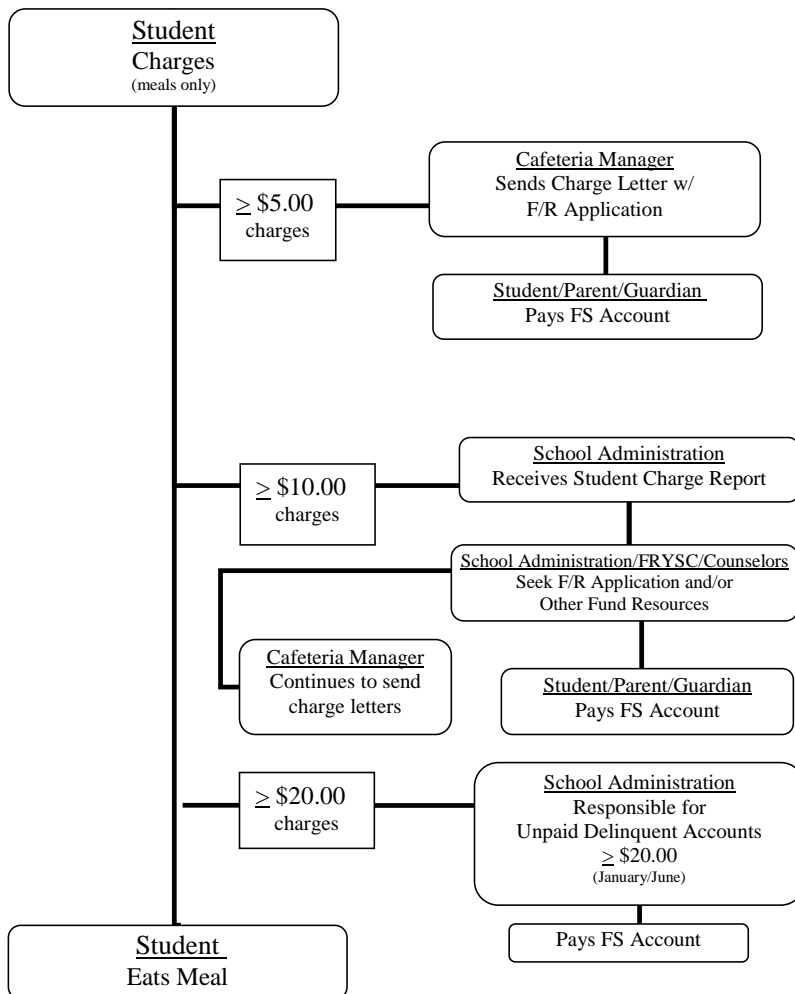
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Food Services**ELEMENTARY AND MIDDLE SCHOOL FLOWCHART FOR FREE AND REDUCED-PRICE MEALS**

EXPLANATION: DOCUMENTS THAT COMPLY WITH FEDERAL FREE/REDUCED MEALS PROGRAM AND COMMUNITY ELIGIBILITY PROVISION MEAL PROGRAM ARE MORE EASILY LOCATED AT THE KY.GOV LINKS. THIS MEETS REQUIREMENTS OF BOTH THE FREE AND REDUCED LUNCH PROGRAM AND COMMUNITY ELIGIBILITY PROVISIONS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SUPPORT SERVICES

07.11 AP.21

Notification to Parents of Child's Eligibility for Free/Reduced-Price Meals 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:

<http://education.ky.gov/federal/SCN/Pages/Forms%20School%20Lunch%20Programs.aspx>

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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:

[http://education.ky.gov/districts/SHS/Pages/Community-Eligibility-Option-\(CEO\).aspx](http://education.ky.gov/districts/SHS/Pages/Community-Eligibility-Option-(CEO).aspx)

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	_____	_____
School	_____	Grade	_____	Teacher/Classroom
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	_____	_____
School	_____	Grade	_____	Teacher/Classroom
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	_____	_____
School	_____	Grade	_____	Teacher/Classroom

Date

DEAR PARENT:

School District personnel have determined that your child(FEN) may be eligible for free and reduced price meals as determined by federal and state guidelines. An application for Free and Reduced Price Meals has been filed on your child(FEN)'s behalf by the:

☐ Principal ☐ School Food Services Coordinator ☐ School Food Services Director

☐ Lunchroom/Cafeteria Manager ☐ Superintendent or designee, specify _____

You will receive written notification if this application is approved or denied. If you have questions, please contact the District employee indicated above by calling _____.

Sincerely,

School Personnel's Signature _____
Title

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EXPLANATION: THIS PROCEDURE IS NO LONGER NEEDED BASED UPON MODIFICATION OF POLICIES PER RECENT GUIDANCE FROM KDE REGARDING COMPETITIVE FOODS AND BEVERAGES. WE RECOMMEND RESCINDING THIS PROCEDURE.

REVISED 6/4/14

SUPPORT SERVICES

07.111 AP.1

Competitive Foods

~~SALE OF COMPETITIVE FOODS~~

~~The sale or serving of any food or beverage item to students in competition with the School Food Service Program shall be permitted only in accordance with current federal and state laws and regulations. Specifically, the sale of competitive foods shall be prohibited from the time of arrival of the first student until one half (1/2) hour after the close of the last lunch period.~~

EXPLANATION: REVISIONS TO 704 KAR 3:390 NO LONGER INCLUDE BENCHMARK ASSESSMENTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED
EXPLANATION: AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER THE STATE'S
REQUEST FOR AN NCLB WAIVER EXTENSION WILL BE GRANTED. IF THE WAIVER REQUEST IS NOT
RENEWED ALL PROVISIONS IN THIS PROCEDURE MUST BE FOLLOWED.
FINANCIAL IMPLICATIONS: POSSIBLE COSTS OF REINSTATING SUPPLEMENTAL EDUCATION
SERVICES

DRAFT 6/21/14

CURRICULUM AND INSTRUCTION

08.133 AP.1

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Extended School/Supplemental Educational Services

Eligible students shall be provided extended school (ESS) and/or supplemental educational services (SES) 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, ~~or~~ interim, ~~and benchmark assessments, and 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.~~

Because Pending renewal of the Kentucky request to the U. S. Dept. of Education for flexibility was granted, the following provision is shall be waived through the 2014-2015 school year. If the request is not renewed, then the following section shall be in force.

SUPPLEMENTAL EDUCATIONAL SERVICES

Eligible students shall be provided supplemental educational services (SES). "Eligible students" mean all students from low-income families who attend Title I schools that are in their second year of school improvement, in corrective action, or in restructuring. "Supplemental educational services" means additional academic instruction designed to increase students' academic achievement such as tutoring, remediation, distance-learning technologies, or other educational interventions provided by state-approved service providers outside of the regular school day.

Extended School/Supplemental Educational Services

SUPPLEMENTAL EDUCATIONAL SERVICES (CONTINUED)

In providing supplemental educational services, the District shall:

1. Notify parents of eligible children about the availability of supplemental educational services in a manner that is clear and concise, as well as clearly distinguishable from other school-related information that parents receive.

The District shall post on the District/school web site(s) information about available supplemental educational services to include:

- a. The number of students who were eligible for and who participated in supplemental educational services (SES), beginning with data from the 2007-08 school year and for each subsequent year; and
 - b. A list of SES providers approved to serve the District, as well as the locations where services are provided for the current school year.
2. Help parents, at their request, choose a provider;
 3. Determine which students should receive services, pursuant to criteria set forth in federal law, if not all students can be served;
 4. Enter into agreements with service providers whom the parents select;
 5. Assist the Kentucky Department of Education (KDE) in identifying potential providers within the District;
 6. Provide information KDE needs to monitor the quality and effectiveness of the services that providers offer; and
 7. Protect the privacy of students who receive supplemental educational services.

REFERENCES:

[KRS 158.6459](#)

704 KAR 3:390

RELATED PROCEDURE:

08.133 AP.2

EXPLANATION: REVISIONS TO 704 KAR 3:390 NO LONGER INCLUDE BENCHMARK ASSESSMENTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.133 AP.2

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 ~~of 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, ~~or interim, and benchmark assessments, and/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 ~~P~~personalized intervention plan and goals will be ~~addressed in keeping with the student's~~ 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 ~~identification~~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

EXPLANATION: AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER THE STATE'S REQUEST FOR AN NCLB WAIVER EXTENSION WILL BE GRANTED. IF THE WAIVER REQUEST IS NOT RENEWED ALL PROVISIONS IN THIS PROCEDURE MUST BE FOLLOWED.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.11 AP.23

NCLB Transfer Notification Options

~~Because~~ Pending renewal of the Kentucky waiver request to the U. S. Dept. of Education for flexibility ~~was granted~~, there will be no need to use school improvement/restructuring notification forms through the 201~~43~~-201~~54~~ school year. If the request is not renewed, then the following section shall be in force.

TIER 1 CONSEQUENCES PER 703 KAR 5:020

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 best education possible for your child. We are notifying you because under the federal No Child Left Behind Act (NCLB), our school has been identified for school improvement. This means the school did not make adequate yearly progress (AYP).

In terms of our academic achievement, here is how our school compares with other schools in the District and in the state (information may be attached): _____

Our school was identified for these reasons: _____

We are working to improve student achievement by: _____

The District and state of Kentucky will help us by: _____

Parents wanting to get involved in addressing the academic issues that caused the school to be identified for school improvement should refer to the District's Title I Parental Involvement policy.

Although we are committed to improving our school, as required by law, we are notifying you that you may request your child be transferred, at no expense to you, to the same grade level at another public school selected by the District that has not been identified for school improvement, corrective action, or restructuring. Your child may also be eligible for transportation to or from that school at no cost to you.

☐ However, no other school option is available at this time for these reasons: _____

☐ The following are District schools available to accept transfers. Attached to this notice is information concerning performance and quality of the school(s). _____

You may also check our District web site (_____) for a list of available school transfer options for your child for the upcoming school year.

Please contact us immediately, but no later than ten (10) school days following the date of this letter by calling _____ at _____ to request a transfer.

Contact

Telephone #

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

STUDENTS

09.11 AP.23
(CONTINUED)

NCLB Transfer Notification Options

TIER 2 TIER 4 CONSEQUENCES PER 703 KAR 5:020

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 best education possible for your child. We are notifying you because under the federal No Child Left Behind Act (NCLB), our school has been identified for

☐ second year school improvement (Tier 2 consequences) ☐ corrective action (Tier 3 consequences)
☐ restructuring (Tier 4 consequences) . Being identified at any of these levels means the school did not make adequate yearly progress (AYP).

In terms of our academic achievement, here is how our school compares with other schools in the District and in the state (information may be attached): _____

Our school was identified for these reasons: _____

We are working to improve student achievement by: _____

The District and state of Kentucky will help us by: _____

Parents wanting to get involved in addressing the academic issues that caused the school to be identified for school improvement should refer to the District's Title I Parental Involvement policy.

Although we are committed to improving our school, as required by law, we are notifying you that you may request your child be transferred, at no expense to you, to the same grade level at another public school selected by the District that has not been identified for school improvement, corrective action, or restructuring. Your child may also be eligible for transportation to and from that school at no cost to you.

☐ However, no other school option is available at this time for these reasons: _____

☐ The following are District schools available to accept transfers. Attached to this notice is information concerning performance and quality of the school(s). _____

If you are a parent who falls under the designation "low income" and you choose not to transfer your child to another school, your child may receive supplemental educational services (SES) before or after school. You may choose from a state-approved list of providers. The District shall pay the providers but you must provide transportation. The providers available to you are: _____.

Included with this notification is a description of the services, qualifications and effectiveness for each available provider. Should the demand for supplemental education services exceed available funds, the amount of tutoring your child may receive will depend on the cost of the service selected. Should the number of students signing up for tutoring services exceed the ability of the District to fund the service, the District will give priority to students based on the following: _____.

Please contact us immediately, but no later than ten (10) school days following the date of this letter by calling _____ (Contact) at _____ (Telephone #) to request a transfer or supplemental educational services. Failure to meet this deadline will result in the loss of your option to request a transfer or receive supplemental educational services (SES).

Please let me know if you have questions about this information.

Sincerely, _____

Principal/designee

RELATED PROCEDURE: 08.133 AP.1

STUDENTS

09.11 AP.23
(CONTINUED)

NCLB 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 NCLB 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 is making adequate yearly progress and that has not been identified as being persistently dangerous, or in school improvement, corrective action, or restructuring. 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

STUDENTS

09.11 AP.23
(CONTINUED)

NCLB 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 the Superintendent has determined that your child has been a victim of a violent criminal offense as defined under state law.

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 is making adequate yearly progress and that has not been identified as being persistently dangerous, or in school improvement, corrective action, or restructuring, if such a school is available within the District.

- ☐ 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 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

NOTE: This parent was contacted by telephone by _____ on _____
Staff Member

Date

NCLB Transfer Notification Options

~~Due to~~Pending the renewal of the Kentucky NCLB waiver request through the 201~~43~~-201⁵⁴ school year, only those sections addressing persistently dangerous schools, victims of a violent criminal offense, and related deadlines will apply. If the request is not renewed, then all transfer options shall be in force.

TIMELINE INFORMATION**NCLB IMPROVEMENT SCHOOL:**

- ◆ When a school is identified for “school improvement, corrective action, or restructuring,” the District shall notify parents of students attending the designated school of the option to transfer their child to another public school not identified for improvement and provide details about the available options as far in advance as possible, but no later than fourteen (14) days before the start of the school year.
- ◆ As required by federal regulations, the District shall post on the District/school web site(s) information about available public school choice options to include the number of students who were eligible for and who participated in public school choice, beginning with data from the 2007–08 school year and for each subsequent year, and a list of available schools to which students eligible for public school choice may transfer for the current school year.

SUPPLEMENTAL EDUCATIONAL SERVICES:

- ◆ To assist parents of eligible students in requesting and selecting an SES provider, the District shall provide at least two (2) enrollment windows at separate points in the school year.

PERSISTENTLY DANGEROUS SCHOOL:

- ◆ Within ten (10) days of receiving notification of a school being designated as a “persistently dangerous school” (as defined by the Kentucky Board of Education), the District shall notify parents of students attending the designated school.
- ◆ Within twenty (20) school days from the date the District receives notice of being designated as “persistently dangerous,” the District must notify students attending the school and their parents of the opportunity to transfer to a safe District school with transportation provided.

VICTIM OF VIOLENT CRIMINAL OFFENSE:

- ◆ The District shall notify parents within twenty-four (24) hours, both in writing and by telephone, of a final determination that their child has been a victim of a violent criminal offense.
- ◆ The District shall offer the parent/guardian of the student the opportunity to transfer to a safe District school within ten (10) calendar days of such a determination.

DEADLINE:

- ◆ Transfers resulting from any of these designations must be completed within thirty (30) school days from the date the District receives notice of the designation. The District will make every effort to arrange for a requested transfer prior to the beginning of a school year.

◆ = time requirement designated by federal law

EXPLANATION: THIS CHANGE IS TO CLARIFY THAT PER KRS 160.730, A CHALLENGE TO A STUDENT RECORD MAY TAKE THE FORM OF AN INFORMAL DISCUSSION IF DOCUMENTED IN WRITING.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.14 AP.11

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 secondary school student 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 upon their request.

Subject to federal opt-out rights, directory information shall be made available to Armed Forces recruiters 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.
- ~~8.9.~~ 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

EXPLANATION: ON ADVICE OF KSBA LEGAL STAFF, THIS CHANGE CLARIFIES THAT FERPA RIGHTS APPLY TO STUDENTS 18 OR OLDER OR STUDENTS ATTENDING A POSTSECONDARY INSTITUTION.

FINANCIAL IMPACT: NONE ANTICIPATED

STUDENTS

09.14 AP.111

Notification of FERPA Rights

Distribute this notice annually to parents and students.
--

The Family Educational Rights and Privacy Act (FERPA) affords parents and “eligible students” (students ~~over~~ 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.

Notification of FERPA Rights

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.

- 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, and the Kentucky Army National Guard.***

Unless the parent or secondary school student 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 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

EXPLANATION: A NEW FORM IS NEEDED FOR THE AUTHORITIES TO WHICH STUDENT DATA IS RELEASED TO CERTIFY THAT ANY EDUCATIONAL RECORDS OBTAINED SHALL BE RELEASED ONLY TO PERSONS AUTHORIZED BY STATUTE AND SHALL NOT BE RELEASED TO ANY OTHER PERSON WITHOUT THE WRITTEN CONSENT OF THE PARENT OF THE CHILD.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.14 AP.2

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

Date

Signature of Agency Representative

Date

EXPLANATION: THIS DOCUMENT HAS BEEN REVISED TO APPLY TO BOTH DISTRICTS/SCHOOLS THAT PARTICIPATE IN FREE AND REDUCED MEALS PROGRAM AND DISTRICTS/SCHOOLS THAT PARTICIPATE IN THE COMMUNITY ELIGIBILITY PROVISION (CEP).
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.15 AP.1

Student Fee Procedures

SCHEDULE APPROVED ANNUALLY

A schedule of fees charged to students 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. This requirement shall apply to all school-planned activities.

FEE WAIVERS

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 meal 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 meals. The eligibility guidelines form shall include a statement that if the student qualifies for free or reduced-price meals, 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.

All students who qualify for free or reduced price meals shall be informed of fee waiver provisions. At the beginning of each school year, the Superintendent's designee shall provide Principals with written notices explaining this procedure to be distributed to all qualifying students.

Qualifying students shall receive a waiver for all mandatory charges, direct or indirect, which would otherwise be required for participation in the following school- sponsored courses, activities, programs, events or services:

1. Charges and deposits collected by a school for use of school property, including but not limited to, locks, towels, laboratory equipment and special workbooks;
2. Charges for field trips, any portion of which fall within the school day;
3. Charges or deposits for uniforms or equipment related to intramural sports, music, or fine arts programs;
4. Special supplies or fees required for particular class projects. The Board may choose to return such projects after completion or provide them to students at a nominal cost;
5. Graduation fees required for participation;
6. Special education fees;

Student Fee Procedures**FEE WAIVERS (CONTINUED)**

7. School records fees;
8. School health service fees;
9. General activities fees;
10. Vocational education fees; and
11. Any other fees not exempt under Board policy or procedure.

Students who do not qualify for a waiver may be charged a fee in these areas. Inability to pay, however, shall not exclude a student from participation in any school-sponsored activity.

The Principal shall notify the parent of students of approval or denial of fee waiver within five (5) school days after receipt of the application. Any denial shall explain specific grounds and permit appeal to the Principal to discuss the decision.

The Principal shall be responsible for maintaining records of the number of students eligible for fee waivers, those students requesting a waiver, those receiving a fee waiver, and copies of related documents used by the school.

Fee waiver funds may not be used for:

1. Activities or rental of property taking place or for exclusive use outside the normal six (6) hour school day (and any District extension of such) and having no impact upon graduation from or credit for any instructional course(s) included in or authorized by the Program of Studies for Kentucky Schools, Grades K-12; and
2. Costs for materials, equipment, or supplies beyond those necessary for full credit for instructional courses and essential for meeting student performance objectives.

Necessary school supplies that are furnished to students who qualify for free or reduced-price meals are to be paid from the miscellaneous instructional supply account.

In SBDM schools, councils shall provide free supplies and/or instructional resources from funds allocated to the school.

RELATED PROCEDURE:

09.15 AP.2

EXPLANATION: HB 98 AMENDED KRS 158.838 TO ALLOW TRAINED NON-LICENSED PERSONNEL TO ADMINISTER OR ASSIST WITH SELF-ADMINISTRATION OF INSULIN WHEN A WRITTEN AUTHORIZATION IS IN PLACE. THE BILL ALSO ALLOWS USE OF A VARIETY OF SEIZURE RESCUE MEDICATIONS BY NON-LICENSED PERSONNEL.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

DRAFT 6/23/14

STUDENTS

09.224 AP.1

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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 ~~physician~~ health care practitioner regarding the child's condition.
3. Take care of child until parent, ~~physician~~ health care practitioner (health care professional), or ambulance arrives.
4. Use emergency ambulance service if needed.
5. Administer medication in accordance with District policy and procedure ~~only~~ when ordered by the student's personal ~~physician~~ 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.

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STUDENTS

09.224 AP.1
(CONTINUED)

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. At least one (1) school employee who is a licensed medical professional, or has been appropriately trained, shall be on duty at each school to administer glucagon or diazepam rectal gel to students with diabetes or seizure disorders.~~

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

EXPLANATION: HB 98 AMENDED KRS 158.838 TO ALLOW STUDENTS TO CARRY AND SELF-ADMINISTER MEDICATION FOR DIABETES IF THE PARENT MAKES A REQUEST AND A WRITTEN AUTHORIZATION FROM THE HEALTH CARE PRACTITIONER IS IN PLACE. ALSO, GLUCAGON AND DIASTAT ARE NO LONGER CONSIDERED EXCLUSIVELY EMERGENCY MEDICATIONS UNDER STATUTE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

EXPLANATION: SINCE STATUTES REQUIRE SPECIFIC TRAINING FOR NON-LICENSED SCHOOL PERSONNEL AUTHORIZED TO ADMINISTER OR ASSIST IN ADMINISTERING MEDICATIONS, THIS LANGUAGE IS BEING MOVED TO POLICY.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

DRAFT 6/10/14

STUDENTS

09.2241 AP.1

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Student Medication Administration

AUTHORIZATION

The MEDICAL AUTHORIZATION FORM (09.2241 AP.2) shall be completed before any employee administers medication to a student. Only school personnel selected by the Principal shall have the responsibility for administering medication to students. ~~School personnel selected by the Principal shall successfully complete the state required Medication Administration Training Course provided by an RN, APRN or physician who has completed the Train the Trainer Course provided by KDE and DPH.~~

A. ADMINISTRATION OF MEDICATION

1. Prescribed Medication

- Prescribed medication must be sent to the school in the original labeled container and the label shall include:
 - a. Name and address of the pharmacy
 - b. Name of the patient
 - c. Name of the prescribing practitioner
 - d. Date the prescription was dispensed
 - e. Expiration date of the medication
 - f. Name of the medication, dosage and strength of medication
 - g. Route of administration
 - h. Frequency of medication
- A Parent/Guardian Authorization form (AP.21) completed by the parent/legal guardian must be on file in the student's cumulative health record and is only valid for the current school year.
- When the authorization form is not sent with the first day's dosage of the prescribed medication, a one-day waiver may be given by the School Nurse, utilizing the MEDICATION WAIVER FORM (09.2241 AP.2). The authorization form shall then be sent home for completion; it shall be returned the next day.

2. Non-prescribed Medication/Over the Counter (OTC)

- An authorization form completed by the parent/legal guardian must be on file in the student's cumulative health record.
- Medication must be provided by the parent/legal guardian in the original container that includes recommended dosage and directions for administration
- An OTC medication shall not be administered beyond its expiration date

Over-the-counter medications will not be administered without the authorization of the student's physician or dentist and the students' parents.

Student Medication Administration**A. ADMINISTRATION OF MEDICATION (CONTINUED)****3. Student Self-Medication**

- In certain situations, a written health care provider's authorization shall allow a student to responsibly carry self-administered medication (e.g. EpiPen, ~~or~~ asthma inhaler, insulin, or FDA approved seizure rescue medications). (KRS 158.834, ~~and~~ KRS 158.836 and KRS 158.838)
- An authorization form must be completed by the parent/guardian **and health care provider** and be kept on file in the school. This authorization must be renewed each school year. Documentation from the prescribing health provider shall include:
 - a. The student is capable of administering the prescribed medication.
 - b. The name and purpose of the medication
 - c. The prescribed dosage of the medication
 - d. The times at which or circumstances under which the medication may be given
 - e. The period of time for which the medication is prescribed
- Students may not share any medication with another student.
- Notify the parent/guardian if the student uses his/her medication inappropriately or more often than prescribed.
- Advise the student's teacher(s) and other appropriate staff on a need to know basis.

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4. Medication Safety

- First dose of any new medication should be given at home and not at school.
- All medications should be brought to the school by a parent/guardian when possible.
- If medication is transported to school by the student, it should be transported in its original container and in a sealed envelope with the student's name on the outside and given to the appropriate school personnel (school nurse or designated school personnel).
- Controlled substances shall be counted and the number of pills received shall be noted on the Controlled Substance Monitoring Sheet. (See 09.2241 AP.22.)
- Medication shall only be administered according to the health care provider's instructions on the prescription label. (A clear tape may be applied over label to maintain legibility of label.)
- Discrepancies that exist between the information on the Parent/Guardian Authorization Form and the prescription label should require one (1) of the following:
 - a. A new Authorization Form completed by the parent/guardian; or
 - b. A new prescription bottle or label issued by the pharmacy.
- Medications shall not be given beyond the date specified on the Authorization Form.
- Medication shall not be administered beyond the expiration date on the label.

Student Medication Administration**A. ADMINISTRATION OF MEDICATION (CONTINUED)****5. Changes in Medication**

The authorization to administer medication is only valid for the current school year or until treatment changes. A new Authorization for Medication Administration form must be obtained whenever there is a change to the medication, dosage, time and/or frequency and a new prescription bottle (or medication label if applicable) from the pharmacy indicating the prescription change.

Nurses may only accept medication orders as prescribed by a physician, physician's assistant, Advanced Practice Registered Nurse (APRN) or dentist. [KRS 314.011(6) (c)]

B. STORAGE AND DISPOSAL OF MEDICATIONS

- Except for emergency medications (FDA approved seizure rescue medications Diastat, Glucagon and EpiPens), all medications should be kept in an appropriately labeled, secure, locked container or cabinet accessible only to the responsible authorized school personnel. Medications requiring refrigeration shall be kept in a separate refrigerator in a supervised area or locked container that can be stored with food in a supervised area. Temperature of that refrigerator will be checked on a daily basis and recorded according to agency policy. Temperatures should be maintained between 33 and 45 degrees Fahrenheit.
- For students receiving medication throughout the school year, it is recommended that no more than a month's supply of medication be stored on school property.
- When a medication is no longer needed, the school should notify the parent/guardian and request that it be picked up by the parent/guardian.
- For disposal of unused medication or expired medication that has not been picked up by parent/guardian:
 1. For pills: crush pills and combine with coffee grounds, soap, or glue in the pill container or plastic bag; bag or container may be thrown into garbage can.
 2. For liquids: pour cat litter, pencil shavings or sand into container and wait for it to set-up, after it becomes hardened, it may be thrown into garbage can.
 3. Disposal of medication must be documented on the student's medication record to verify it was destroyed, sign, date and have a witness also sign and date.
 4. Items such as inhaler canisters may be placed in a sharps container or disposed of according to the school district's Blood borne Pathogen OSHA plan.

C. FIELD TRIPS AND MEDICATION ADMINISTRATION

If a student is attending a field trip away from school during his/her scheduled medication time, school personnel trained annually in field trip medication administration will be designated to administer the medication while on the field trip.

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Student Medication Administration**C. FIELD TRIPS AND MEDICATION ADMINISTRATION (CONTINUED)**

Notification and preparation for administering medications during a field trip should begin well in advance of the day of the field trip. Student medication may not be repackaged for field trips by school personnel. The school should request the parent send a separate bottle with enough medication for the field trip day. The medication bottle should also have a pharmacy prescription label attached.

Out of State Field Trips

Each state's nursing laws are unique to that state and may not be the same as Kentucky's.

If ~~at the~~ field trip crosses state lines, the field trip coordinator must notify their school nurse thirty (30) days in advance. ~~†The school nurse or school district health coordinator should contact the Board of Nursing of the state or states to be visited- to verify whether unlicensed personnel are allowed to administer medications in that state or states. When unlicensed personnel are not allowed, the school District health coordinator will contract with a duly licensed nurse or medical provider to administer student medication. That state's Board of Nursing will verify if the nurse needs to be licensed in that state in order to accompany the class. If unlicensed personnel are accompanying the class, the Board of Nursing can also verify whether unlicensed personnel are allowed to administer medications in that state.~~

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D. REFUSAL OF MEDICATIONS

When circumstances arise that school personnel are unable to grant the request from a parent/legal guardian to administer medication to a student, the delegating school nurse or physician should be notified. Circumstances may include:

- Medication was sent to school out of the original container.
- Medication is prescribed twice daily and can be administered before school and after school hours.
- Medication is prescribed three times daily and can be given before school, after school and before bedtime.
- No written authorization on file.
- Other unusual circumstance.

It is a student's right to refuse medications. As best practice and according to the student's developmental level, the student should understand the symptoms for which the medications are prescribed, and also should know any common side effects. He/she should also be able to verbalize understanding that these medications are considered a part of treatment and that the parent and/or prescriber will be notified should he/she refuse the medication.

Refusing medications is **NOT** considered a medication error, and should be documented on the Medication Administration Record as a "refusal of medication". This documents that the individual has been offered the medication as ordered. **When a student refuses medications, it should be immediately documented and the school nurse/parent is to be notified as soon as possible.**

Student Medication Administration**E. MEDICATION ERRORS - PREVENTING AND REPORTING MEDICATION ERRORS**

A medication error occurs when one of the “six rights of medication administration” has been violated. Examples of these would include:

- Administering wrong medication
- Administering wrong dose of medication
- Administering medication at the wrong time
- Administering the medication in the wrong route (e.g., ear drops administered to eye)
- Administering medication to wrong student
- Failing to document medication was given or inaccurate documentation of medicine given

Medication errors may result in adverse reactions to the student. These reactions could range from a rash to a life-threatening situation. Therefore, always check the medication label:

- When removing the medication from storage
- When removing the medication from its container
- When returning the medication to storage

Knowing the following before administering medications will help prevent medication errors:

- Name of medication (generic and trade)
- Purpose
- Potential side effects
- Special instructions (if appropriate)
- Health care provider and emergency contact names and phone numbers

When a medication administration error occurs, follow these guidelines:

- Keep the student in the health room. If the student has already returned to class, have someone accompany the student’s return to the health room.
- Observe the student’s status and document.
- Identify the incorrect dose or type of medication taken by the student.
- Immediately notify the principal and supervising school nurse (if medication was given by non-licensed personnel). The supervising nurse will contact the parents of the student and/or health care provider.
- If contacting the Poison Control Center for instructions:
 1. Give the name and dose of the medication taken in error.
 2. Give the student’s age and approximate weight, if possible.
 3. Give the name and dose of any other medication the student also receives, if possible.

STUDENTS

09.2241 AP.1
(CONTINUED)

Student Medication Administration

E. MEDICATION ERRORS (CONTINUED)

- Follow instructions from the Poison Control Center, if at all possible. If unable to follow their instructions, explain the problem to the Poison Control Center to determine if the student should be transported for emergency care.
- Complete a “Medication Administration Incident Report” form. (See 09.2241 AP.23) Carefully record all circumstances and actions taken, including instructions from the Poison Control Center or student’s health care provider/physician, and the student’s status. All Medication Incident reports are to be located in a Master File with the location to be determined by the school principal or designee.
- Errors made in recording medications on the Medication Administration Record should be marked with a single line drawn through the entry, initialed and dated. DO NOT USE WHITEOUT.

After medication is completed or discontinued, the Parent Authorization form and Medication Administration Record shall be filed in the student's cumulative folder.

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Gifted and Talented Students

SELECTION FOR SERVICES

The District shall systematically collect data on an on-going basis that will provide candidates for services. Students shall be selected and identified for all categories in accordance with the Gifted Regulations 704 KAR 3:285 set out in Kentucky Administrative Regulations and supported by appropriate documentation.

At least once each school year, teachers will be provided information concerning the on-going identification process.

Once formally identified as gifted or talented, a student need not be re-evaluated, except to determine suitability of services.

The District Associate Director of Student Achievement and Support, State and Federal Programs shall establish a process for identifying and implementing methods for providing equal access to services to under-represented populations.

PRIMARY TALENT POOL

For students in the primary program, the procedure for documenting strengths, gifted behaviors, and talent for selection to primary talent pool shall use a minimum of three (3) ~~of the following~~ informal assessments identified in the Gifted Regulation for Primary Talent Pool for all five (5) gifted and talented categories:

- ◆ ~~a collection of evidence (primary portfolio) demonstrating student performance;~~
- ◆ ~~student informational form (behavioral checklist);~~
- ◆ ~~anecdotal records;~~
- ◆ ~~peer and/or self nomination;~~
- ◆ ~~formal data that are available;~~
- ◆ ~~parent questionnaire;~~
- ◆ ~~primary review committee recommendation;~~
- ◆ ~~other valid and reliable documentation.~~

A ~~School or District Gifted and Talented e~~Committee shall review all documentation for students, including special populations (disabled, ethnic/minority, or disadvantaged) to determine selection. The ~~School or District e~~Gifted and ~~Talented e~~Committee shall determine service options, location, and provider of services.

GENERAL INTELLECTUAL AND SPECIFIC ACADEMIC – GRADES 4 THROUGH 12

The following guidelines apply to identification for services in general intellectual, ~~reading, math, science, and social studies~~ and specific academic aptitude. Eligibility requires three (3) pieces of ~~supporting~~ documentation assessments identified in the Gifted Regulation per category which must include a score of:

General Intellectual - 9th stanine ~~by age~~ on full scale mental ability ~~assessment measure; or~~

Specific Academic - 9th stanine on ~~total/partial battery of achievement~~ achievement composite nationally normed subject test; ~~or~~

Gifted and Talented Students**GENERAL INTELLECTUAL AND SPECIFIC ACADEMIC – GRADES 4 THROUGH 12 (CONTINUED)**

- Specific Academic Aptitude includes the areas of language arts, math, science and social studies.

~~Reading—9th stanine on a total reading composite/reading comprehension of achievement test;~~
~~or~~

~~Mathematics—9th stanine on total math composite/concepts and application of achievement test;~~
~~or~~

~~Science—9th stanine on total science of achievement test; or~~

~~Social Studies—9th stanine on total social studies of achievement test.~~

~~A request for consideration can be made for students scoring a minimum of 94th percentile on both the mental ability by age measure and total/partial battery of achievement.~~

~~A School or District Gifted and Talented eCommittee shall review all documentation for students, including special populations (disabled, ethnic/minority, or disadvantaged) to determine identification. The sSchool or gGifted and tTalented eCommittee shall determine service options, location, and provider of services.~~

GRADES 4-512 GIFTED/TALENTED RESOURCE SERVICES

~~Elementary resource-Gifted services are a level of service designed for students identified in all five (5) areas of giftedness identified in the Gifted Regulationgeneral intellectual ability and/or specific academic total/partial battery. Service Delivery Options may include a variety of services which are identified in the Kentucky Gifted Regulation. Students must be provided these multiple service delivery options as directed through the required Gifted Student Service Plan and Progress Report. Gifted Services to students shall be provided by professionally qualified and endorsed personnel.Resource services are provided by professionally qualified and certified District itinerant personnel.~~

GIFTED ACCELERATED PROGRAMCLUSTER - ELEMENTARY, MIDDLE, AND LIBERAL ARTS ACADEMY

~~Accelerated Cluster-The Gifted Accelerated Program is a magnet specialgifted program service option at the highest level designed to serve those students identified in the areas of general intellectual ability and specific academic aptitude areas of language arts and math. Students are assigned by a the District Gifted and Talented subeCommittee to an accelerated program eluster school and integrated with other students, as appropriate, through flexible groupings based on interests, needs, and abilities. Students applying for the middle school cluster or Liberal Arts Academy must follow District magnet application policy-Eligibility requirements:~~

- ◆ ~~9th stanine on a total/partial battery of standardized achievement subject composite test which is nationally normed;~~
- ◆ ~~and 9th stanine by age on full scale mental ability assessmentmeasure; and~~
- ◆ ~~two (2) other pieces of informal documentation supporting the assessment scores.~~
- ◆ ~~parent/student questionnaire specific to gifted categories as part of Gifted/Talented Program Application~~

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Gifted and Talented Students**GIFTED ACCELERATED PROGRAM - ELEMENTARY, MIDDLE, AND LIBERAL ARTS ACADEMY (CONTINUED)**

~~A~~The District ~~g~~Gifted and ~~t~~Talented ~~sube~~Committee shall review all documentation data for students including special populations (disabled, ethnic/minority, or disadvantaged) to determine identification. If needed, Eligible students may be placed on a District rank order ~~based on test results.~~

~~A District request for consideration can be made for students scoring a minimum of 94 percentile on both the full scale mental ability by age and total/partial battery of achievement.~~

All students are screened annually for this program through available current assessment data. An application process is available for home school and private school students.

Students who move into the District after May 1st must enroll and attend their home schools for that school year. Incoming students are screened within their first year for the Gifted Accelerated Program for the following year. Students who are placed in this program, and then leave the county for any educational program or sabbatical for one (1) year or less, must resubmit an application during the application period during the leave year for continued placement upon their return. Students on leave for more than a one (1) full year, must resubmit an application for their respective programs and then re-qualify and be evaluated for that program pending space availability.

MATH, SCIENCE AND TECHNOLOGY CENTER (MSTC) – GRADES 9 THROUGH 12

MSTC is a magnet special program service option at the highest level for students identified in math or science. Students applying must follow the District magnet application policy. Eligibility requires:

- ◆ 9th stanine in total math composite/concepts and application of achievement test and/or 9th stanine in total science of achievement test;
- ◆ parent/student questionnaire specific to gifted categories (math/science) as part of the Gifted/Talented Program Application;

MATH, SCIENCE AND TECHNOLOGY CENTER (CONTINUED)

- ◆ Test of Critical Thinking;
- ◆ Algebra on demand problem solved.

~~A~~The ~~School or~~ District ~~g~~Gifted and ~~t~~Talented ~~sube~~Committee shall review all testing and interest inventory data for students, including special populations (disabled, ethnic/minority, or disadvantaged) to determine a preliminary rank order for the performance event assessment. Placements are offered to eligible students based on the results of the performance events.

CREATIVITY – GRADES 4 THROUGH 12

The following guidelines apply to the identification for services in the area of Creative/Divergent Thinking Ability. Eligibility requires a minimum of three (3) pieces of ~~supporting~~ documentation, assessments identified in the Kentucky Gifted Regulation which must include informal evidences or formal assessment~~one of which shall be an evaluation of a minimum of three (3) activities/products using the District Creativity Profile.~~

Gifted and Talented Students**CREATIVITY – GRADES 4 THROUGH 12 (CONTINUED)**

The ~~s~~School's or District ~~g~~Gifted and ~~t~~Talented committee shall review all documentation for students including special populations (disabled, ethnic/minority, or disadvantaged) to determine identification. The ~~s~~School or District ~~g~~Gifted and ~~t~~Talented ~~e~~Committee shall determine service options, location, and provider of services.

VISUAL/PERFORMING ARTS ~~AND LEADERSHIP~~ – GRADES 4 THROUGH 12

The following guidelines apply to the identification for services in the areas of Visual ~~and~~ Performing Arts ~~and Leadership~~. Eligibility requires a minimum of three (3) pieces of ~~supporting~~ documentation ~~assessments identified in the Kentucky Gifted Regulation which must include evidence of performance. Documentation may include:~~

- ◆ ~~Inventory checklists of leadership behavior/performance;~~
- ◆ ~~Portfolio or student work samples that display leadership or performing arts ability;~~
- ◆ ~~Parent questionnaires that reveal awards or critiques of performances or that are designed to assess leadership characteristics;~~
- ◆ ~~The school gifted and talented committee shall review all documentation for students, including special populations (disabled, ethnic/minority, or disadvantaged) to determine identification. The school gifted and talented committee shall determine service options, location, and provider of services.~~

LEADERSHIP – GRADES 4 THROUGH 12

The following guidelines apply to the identification for services in the area of Leadership. Eligibility requires a minimum of three (3) pieces of documentation ~~assessments identified in the Kentucky Gifted Regulation which must include evidence of leadership roles exhibited.~~

~~The School or District Gifted and Talented committee shall review all documentation for students including special populations (disabled, ethnic/minority, or disadvantaged) to determine identification. The School or District Gifted and Talented Committee shall determine service options, location, and provider of services.~~

SCHOOL FOR THE CREATIVE AND PERFORMING ARTS (SCAPA) – GRADES 4 THROUGH 12

SCAPA is a Gifted/Talented school service option at the highest level for students identified in the areas of Creativity and Visual/Performing Arts. Students applying must follow the District magnet application policy. Eligibility requires:

- ◆ Parent/student questionnaire specific to gifted categories as part of the Gifted/Talented Application

SCHOOL FOR THE CREATIVE AND PERFORMING ARTS (CONTINUED)

- ◆ Letters of recommendation by specialists, professional artists or appropriate school personnel.
- ◆ Audition/portfolio

The ~~School~~ or District ~~g~~Gifted and ~~t~~Talented ~~sube~~CCommittee shall review all documentation for students. Eligible students are placed on a District rank order based on audition/portfolio results.

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Gifted and Talented Students**CURRICULUM**

Each school shall provide a differentiated, articulated curriculum in accordance with Kentucky Administrative Regulations.

The curriculum shall be differentiated to challenge the talent pool participant and the formally identified gifted learner and further develop the diagnosed talent and/or area of giftedness.

Service options for the formally identified gifted learner shall be described in the Gifted and Talented Student Services Plan (GSSP), which 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 gifted allocation shall be used in the category of personnel who teach/consult with gifted students. Teachers who work directly with identified gifted 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 of identified gifted students 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 District allocations as determined in the District budget.

SERVICES EVALUATION

Each year, the District Associate Director of Student Achievement & Support, State and Federal Programs shall be responsible for collecting data required for the annual report and submitting it to the Superintendent for his/her signature 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/guardians and/or students (Grades P-12) may petition for identification or may appeal non-identification or appropriateness of services using the following procedures.

1. The appealing party shall request a conference with the District or School personnel responsible for identification and/or delivery of student services. The District or School personnel responsible will consult with the District or School Gifted and Talented Committee.
2. Further appeal concerning curriculum may be made to the school SBDM Council.
3. The appealing party shall submit in writing to the District Associate Director of Student Achievement and Support, State and Federal Programs specifically why he/she believes that screening results are not accurate or services are not appropriate and why an exception should be made or reconsideration given.
4. The District Associate Director of Student Achievement and Support, State and Federal Programs shall compile student data and present that along with the petition or appeal to the District Gifted and Talented Advisory SubCommittee. The information presented shall include a recommendation accompanied by available substantiating evidence.

Gifted and Talented Students**PROCEDURAL SAFEGUARDS AND GRIEVANCES**

5. The ~~sube~~CCommittee shall make a recommendation and respond in writing to the appealing party within ten (10) working days of receipt of the appeal and accompanying information. .
6. If the ~~sube~~CCommittee rules in favor of the grievant, the following option shall apply as appropriate.
 - a. He/she may receive a reassessment for identification or a review of services as soon as the ~~s~~School ~~e~~Gifted ~~and~~ ~~t~~Talented ~~e~~CCommittee completes the GSSP.
 - b. A change in the GSSP or provision of services shall be made in a timely manner.
7. If the ~~sube~~CCommittee rules against the grievant, or if the appeal concerns the non-availability of appropriate service options, 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. The Superintendent will have the final decision in the case.

PROGRAM FORMS

The following forms are located on the District web site (<http://my.fcps.net/giftedforms>):

- Gifted ~~and~~ Talented Student Services Plan ~~Parental Response Form~~
- ~~Student Services Plan~~
- Monitoring Progress Report for Gifted/Talented Student Services Plan
- Procedural Safeguards and Grievances

RELATED PROCEDURE:

09.112 AP.1

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Gifted/Talented and Magnet School/Program Procedures

APPLICATION PROCESS

Gifted/Talented and Magnet Program Services shall manage applications for Gifted/Talented and Magnet schools/programs.

Applications for multiple schools/programs and gifted/talented programs shall be permitted and open to Fayette County residents ONLY. All requested information must be provided for applications to be considered, including proof of residency in Fayette County. The application deadline is October 15th, unless October 15th is a Saturday or Sunday, in which case the deadline shall be the next Monday. ~~Late applications may be accepted. If slots remain available, late applicants meeting criteria will be rank ordered after those students who met the application deadline.~~ Parents/guardians shall be given the opportunity to correct incomplete and/or erroneous applications through the application deadline. When it is in the best interest of the child, the Superintendent may waive the deadline and treat the applicant as though the application were on time.

MAGNET LOTTERY

Lotteries shall be conducted by the Office of Data, Research & Evaluation. Such lotteries shall include the following prioritized factors:

- Extra weight for the applicants' first magnet choice,
- A significant weight to ensure sibling preference,
- Reduced weight for the applicants' second and third magnet choices,
- Extra or reduced weight as needed to assist schools in meeting diversity goals, and
- A separate random number for each applicant for each of the three (3) allowed magnet choices.

For the purpose of this Board Policy and Administrative Procedures, a sibling shall be defined as a sister, half-sister, step-sister, brother, half-brother, or step-brother living in the same residence and applying for enrollment in the same school so students will attend concurrently the following year. If families with students in the secondary levels of the Spanish Immersion program (at Bryan Station Middle School or Bryan Station High School) have signed contracts committing the current students to participation in the program through 12th grade, their sibling applicants to Maxwell will be given preference. IAKSS staff shall request documentation of an applicant's sibling status.

For the purpose of this Board Policy and Administrative Procedures, diversity goals are defined as bringing all involved magnet and regular schools closer to the District-wide, school level averages for economic and ethnic diversity. If or whenever the Board approves a different diversity goal for any specific school, that goal shall guide the diversity lottery weight for that school.

PLACEMENT OFFERS

Placement offers shall be made only to Fayette County residents. Parents/guardians of students who are offered placement shall receive the offer in writing and shall have at least ~~seven (7) days~~ two (2) weeks to respond. A one (1) year commitment from each student is expected.

Gifted/Talented and Magnet School/Program Procedures**PLACEMENT OFFERS (CONTINUED)**

The following provisions apply to the magnet placement process:

- Applicants not placed into a magnet school/program and/or a gifted/talented program must reapply to be considered the following year;
- Students will be considered only for magnet and/or gifted/talented schools/programs for which they apply;
- Students may accept placement only for the magnet school/program or gifted/talented program that has been offered;
- Students who accept placement to a magnet school/program shall not be offered placement to another magnet school/program; but may be offered placement to gifted/talented programs if slots become available;
- Students who are offered placement for more than one (1) school or program shall be considered as rejecting all standing offers when they accept one (1) of the offers.
- All magnet program offers will be made ~~by December 1st~~ no later than April 30th for the following school year.
- ~~All gifted/talented program offers will be made by February 28th~~ no later than April 30th for the following school year.

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MAGNET APPEALS

A parent and/or guardian whose child does not meet the criteria for a magnet school/program to which they have applied shall be informed by letter by the appropriate staff at IAKSS. A parent and/or guardian who wishes to appeal must submit written documentation showing the child meets the criteria within ten (10) days of the date on the letter. Appeals shall be reviewed by the Magnet Admissions Review Sub-Committee.

GIFTED GRIEVANCES

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The grievance appeal process for gifted and talented placement and services shall be addressed in administrative procedure 08.132 AP.1/Gifted Talented Students.

~~A parent and/or guardian whose child does not meet the criteria for a Gifted/Talented Program to which they have applied shall be informed by letter by the appropriate staff at IAKSS. A parent and/or guardian who wishes to appeal a criteria decision must submit written documentation showing that the child meets the criteria within ten (10) days of the date on the letter from the Gifted/Talented Office. Appeals shall be reviewed by the District Advisory Sub-Committee for Gifted and Talented.~~

The Superintendent shall make the final decision regarding all appeals.

RELATED PROCEDURE:

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08.132 AP.1

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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. **Parents will be asked to pick up the child for treatment.**
- 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.

Tobacco Violation Procedures

DEFINITIONS

Athletic and Other Events - Any activity on school premises endorsed or approved by the building Principal which occurs after the regular school day for staff.

Principal - The person assigned the responsibility for the building.

School Premises - Property used or owned by the Board of Education, not to include residences on school property.

DESIGNATION OF TOBACCO USE AREAS

~~As authorized by KRS 438.050, the Principal shall designate appropriate tobacco use areas for those persons attending athletic and other school events after the school day. These areas shall be the same for all activities and shall be approved by the appropriate School Director.~~

SIGNAGE

Signage denoting the District's tobacco-free status shall be posted on all exterior doors and in other places designated by the Principal. ~~Additionally, signage denoting tobacco use areas for athletic and other school events shall be posted in the designated place(s).~~

CONSEQUENCES FOR VIOLATIONS

Consequences for students who violate Policy 09.4232 are subject to consequences set out in the Statement of Rights and Responsibilities and Student Code of Conduct.

Note: Overt, intentional violations shall be reported to the Division of Law Enforcement or the Lexington-Fayette Urban County Police Department.

CESSATION

Cessation classes shall be available~~conducted~~ for students seeking to stop tobacco use.

Grievance Procedures

AVAILABILITY

A grievance may be filed by students or parents to communicate an educational concern. For allegations of harassment/discrimination, refer to Policy 09.42811.

PROCEDURE

The student or parent shall discuss the issue with the teacher for resolution.

When an issue can-not be resolved with the teacher within five (5) school days after the discussion with the student or parent, the grievant may notify the Principal. When the Principal's decision is unsatisfactory to the grievant, the grievant may file a formal written complaint to that effect within five (5) school days of receipt of the Principal's decision with the appropriate School Level Director.

When the grievant is not satisfied with the decision of the School Level Director, s/he may file with the Superintendent, within five (5) school days of receipt of the decision, a formal written complaint to that effect.

At each level of the grievance procedure, the designated administrator shall notify the student or parent of his/her decision within five (5) school days of receipt of the grievance. If the student or parent and the administrator meet to discuss the issue, the administrator may notify the student or parent of his/her decision at the end of the meeting.

When the issue is not resolved by the Superintendent, the student or parent may appeal to the Board in writing within five (5) school days of receipt of the Superintendent's decision. The Board shall hear the appeal within a reasonable time at a special called meeting or a regularly scheduled Board meeting, at the Board's discretion.

APPEAL OF SUSPENSION

When a student or parent appeals a suspension, the appeal shall be made to the Principal, School Director or Superintendent within five (5) school days of the date of the suspension letter.

If a student or parent appeals a suspension, the student shall serve the suspended days. Should the suspension be overturned at any appeal level, all record of the suspension shall be removed from the student's files and the student will be allowed to make up missed work for credit (per make-up work policy).

NOTES:

- Students/parents wishing to initiate a complaint about a Title I issue should refer to Procedure 08.13451 AP.1.
- Complaints concerning discrimination in the delivery of benefits or services in the District's school nutrition program ~~are to be referred to the Superintendent/designee~~ shall be filed per [Policy 07.1](#).

RELATED POLICIES:

[07.1](#); 09.123

RELATED PROCEDURES:

08.13451 AP.1; 09.42811 AP.2