

EXPLANATION: KRS 150.1594 REQUIRES CHARTER SCHOOL AUTHORIZERS TO HAVE POLICIES AND PRACTICES CONSISTENT WITH THE PRINCIPLES AND PROFESSIONAL STANDARDS FOR AUTHORIZERS OF PUBLIC CHARTER SCHOOLS, INCLUDING STANDARDS RELATING TO: 1. ORGANIZATIONAL CAPACITY AND INFRASTRUCTURE; 2. SOLICITING AND EVALUATING APPLICATIONS; 3. PERFORMANCE CONTRACTING; 4. ONGOING PUBLIC CHARTER SCHOOL OVERSIGHT AND EVALUATION; AND 5. CHARTER APPROVAL, RENEWAL, AND REVOCATION DECISION MAKING.

FINANCIAL IMPLICATIONS: FUNDING FOR CHARTER SCHOOLS IS NOT COVERED IN THE CURRENT STATE BUDGET FOR 2018-20. FINANCIAL IMPLICATIONS COULD INCLUDE COSTS FOR STARTUP ACTIVITIES, TRAINING, GENERAL OVERSIGHT, MONITORING, INTERVENTIONS, DATA TRACKING, ETC.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.91 AP.1

Charter School Authorization

AUTHORIZER DUTIES

Under KRS 160.1594, a public charter school authorizer shall:

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

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

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

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

Charter School Authorization

AUTHORIZER DUTIES (CONTINUED)

By August 31, 2019, and annually thereafter, each authorizer must submit to the (1) Commissioner, (2) Education and Workforce Development Secretary, and (3) Interim Joint Committee on Education a report that includes:

- Number of applications received, reviewed, and approved;
- Authorizing duties performed by the authorizer;
- Summary of the academic and financial performance of each charter school;
- Names of each charter school that have not yet begun to operate; and
- Names of each charter school during the prior academic year that:
 1. Closed during or after the year; and
 2. Had their contract nonrenewed or revoked.

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

EXPLANATION: CHARTER STATUTES AND REGULATIONS REQUIRE BOARDS AS AUTHORIZERS TO HAVE AN APPLICATION PROCESS POLICY AND PROCEDURE.

FINANCIAL IMPLICATIONS: DEPENDENT UPON AUTHORIZATION OF A CHARTER SCHOOL

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.911 AP.1

Charter School Application

The charter school application shall include the following:

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

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

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

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

<https://education.ky.gov/districts/legal/Documents/KY%20Charter%20School%20Application%20and%20Addendum.pdf>

REFERENCE:

701 KAR 8:020

EXPLANATION: CHARTER STATUTES AND REGULATIONS REQUIRE BOARDS AS AUTHORIZERS TO HAVE A CONTRACT POLICY AND PROCEDURE.

FINANCIAL IMPLICATIONS: DEPENDENT UPON AUTHORIZATION OF A CHARTER SCHOOL

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.9111 AP.1

Charter School Contracts

CONTRACT PERFORMANCE

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

CONTRACT REQUIREMENTS FOR SCHOOL PRE-OPENING

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

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

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

CONTRACT FINANCIAL REQUIREMENTS

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

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

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

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

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

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

CONTRACT REQUIREMENTS FOR SCHOOL CLOSURE

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

CONTRACT ENROLLMENT REQUIREMENTS

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

Charter School Contracts**CONTRACT REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS**

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

1. Clear establishment of the primacy of the charter contract with the local Board over the contract between the charter board and the ESP;
2. Clearly identifies the charter school board of directors as the party ultimately responsible for success or failure of the charter school and defines the ESP as a vendor of services;
3. Prohibits the ESP from selecting, approving, employing, compensating, or serving as members of the charter school board of directors;
4. Requirement that the charter school board of directors directly select, retain, and compensate the charter school's legal counsel, finance staff, audit firm, and school leader;
5. Provision for payments to the charter school to be made to an account controlled by the charter school board of directors, not the ESP;
6. All instruction materials, furnishings, and equipment purchased or developed with charter school funds be the property of the charter school, not the ESP;
7. Identification and description of roles and responsibilities of the charter school board of directors and the ESP, including all services to be provided under the contract between the charter school board of directors and the ESP;
8. Identification and description of performance measures and consequences by which the charter school board of directors shall hold the ESP accountable for performance, aligned with the performance measures in the contract between the local Board and the charter school board of directors;
9. Identification and specific description of all compensation to be paid to the ESP, including all fees, bonuses, and conditions, consideration, and restrictions on such compensation;
10. Identification and description of terms of any facility agreement that may be part of any relationship between the charter school board and the ESP;
11. Identification and description of financial reporting requirements and provisions for the charter school board of directors' financial oversight of the ESP and the charter school;

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

12. Identification and description of all other financial terms of the contract, including disclosure and documentation of all loans or investments by the ESP to the charter school board, and provision for the disposition of assets upon closure;
13. Assurances that the charter school board shall maintain independent fiduciary oversight and authority over the charter school budget and ultimate responsibility for the charter school's performance including that:
 - a. The charter school board of directors shall be structurally independent from the ESP and shall set and approve charter school policies;
 - b. The terms of the contract between the charter school board and the ESP are reached through arm's-length negotiations in which the charter school board is represented by legal counsel that does not also represent the ESP;
14. Provisions for contract termination without penalties for the charter school without costs beyond the pro-rated value of the services provided by the education service provider; and
15. Respective responsibilities of the charter school board and the ESP in the event of school closure.

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

CONTRACT APPROVAL BY THE COMMISSIONER OF EDUCATION

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

EXPLANATION: KDE CONTINUES TO MAINTAIN STATUTORY AUTHORITY FOR APPROVAL OF ALL SUPERINTENDENT EVALUATION PLANS PER KRS 156.557, HOWEVER, IT IS OUR UNDERSTANDING THAT KDE WILL NO LONGER BE REQUIRING ADHERENCE TO THE RECENT SPGES MODEL. BOARDS MAY CONTINUE INCORPORATING THE BEST PRACTICES FROM THE SPGES MODEL IF THEY SO CHOOSE. IF BOARDS DEVELOP THEIR OWN EVALUATION PLAN, IT MUST BE MEANINGFUL AND TIED TO GOALS THAT IMPACT STUDENT ACHIEVEMENT, GAP CLOSURE, AND OTHER ITEMS THAT ARE RELEVANT TO THE SUCCESS OF STUDENTS IN EACH DISTRICT. AT THE TIME OF THIS UPDATE, THE KSBA MODEL ALIGNED WITH THE FORMER SPGES STANDARDS, IS UNDER REVIEW BY THE KENTUCKY DEPARTMENT OF EDUCATION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.14 AP.2

Evaluation of the Superintendent

~~The Board will utilize the Kentucky Department of Education evaluation instrument and procedures for the Superintendent Professional Growth and Effectiveness System (SPGES). The instrument and procedures may be found at the link below. Subject to the approval of the Kentucky Department of Education (KDE),~~ The Board may utilize locally developed superintendent evaluation procedures.

~~<http://education.ky.gov/teachers/PGES/SPGES/Pages/Early-Info.aspx>~~

EXPLANATION: SB 101 AMENDS KRS 160.380 TO CHANGE THE THIRTY DAY VACANCY REQUIREMENTS TO FIFTEEN DAYS. SB 101 HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.11 AP.1

Hiring

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

RECRUITMENT

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

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

POSTING

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

1. Local and/or state newspapers,
2. Professional publications, and/or
3. Campus recruiting offices.

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

CERTIFIED VACANCIES

The Superintendent/designee shall notify the Chief State School Officer of the vacancy at least fifteen (15)~~thirty (30)~~ days prior to filling the position. When such a vacancy needs to be filled in fewer than fifteen (15)~~thirty (30)~~ days to prevent disruption of necessary instructional or support services, a waiver may be requested from the Chief State School Officer. If the waiver is approved, the appointment shall not be made until the person selected has been approved by the Chief State School Officer.

APPLICATIONS

Completed applications should be filed in the office of the Superintendent and accompanied by transcripts and certificates, as appropriate.

The Superintendent/designee shall review each application for completeness and shall send a notice to each applicant indicating (a) the date of the review and (b) any additional materials requested.

Hiring

SELECTION FACTORS

The Superintendent/designee shall screen applicants based on the following factors:

1. Certification (when required for the position)
2. Educational background
3. Previous work experience
4. Recommendations
5. Physical, moral, and emotional fitness for the position
6. Personal characteristics exhibited during the interview process:
 - a. Ability to communicate
 - b. Ability to work cooperatively with others
 - c. Applicant's educational philosophy
 - d. Knowledge of work area or subject matter
7. Results from required testing

EMPLOYMENT

For SBDM schools, hiring shall follow statutory guidelines and the provisions of Policy 02.4244, and the Superintendent shall complete the hiring process. Decisions on Central Office personnel shall be made by the Superintendent/designee. The Superintendent shall inform the Board of the appointment of all personnel.

CONTRACT

Personnel hired by the Superintendent shall be notified of their contractual obligations by letter. The contract must be signed and returned to the Superintendent within two (2) weeks. If not returned within this time frame, the contract may be considered null and void.

RECOMMENDED: SB 152 AMENDS KRS 157.390 TO ALLOW A DISTRICT TO HAVE DIFFERENTIATED COMPENSATION FOR TEACHERS EMPLOYED IN A SCHOOL THAT IS IDENTIFIED BY THE KENTUCKY DEPARTMENT OF EDUCATION AS BEING IN TARGETED OR COMPREHENSIVE SUPPORT AND IMPROVEMENT STATUS.

FINANCIAL IMPLICATIONS: COST OF HIGHER SALARIES

PERSONNEL

03.121 AP.1

- CERTIFIED PERSONNEL -

Salaries

SALARY SCHEDULE DEVELOPED AND APPROVED

The Salary Schedule Committee shall develop and the Board shall approve a single-salary schedule, a separate-salary schedule or index system for extra services and supervision, and a salary schedule for substitute teachers during or before the June Board meeting.

The single salary schedule shall meet state requirements for Ranks I, II, III, IV, and V, provide employment for the school term as set by the Board in keeping with statutory requirements and contain experience categories.

Extra services compensation shall be based on expanded duties and responsibilities, time demands, and expertise and shall be paid only upon documentation of services rendered.

[A District may provide monetary compensation, in addition to that provided through the single salary schedule, to all classroom teachers employed in a school that is identified by the Kentucky Department of Education as being in targeted or comprehensive support and improvement status.](#)

The substitute salary schedule shall be a per diem schedule based on rank and experience but may be lower than the rate of pay for regular full-time teachers. Checks shall be issued on paydates designated in the salary schedule.

SALARY FOR PERSONNEL WHO RESIGN

Certified personnel who resign during the school year or at the end of the school year will be paid in full on the regular payday of the month following the resignation. Final payment will be calculated as follows: Annual salary divided by the number of days of employment times number of days taught minus salary previously received, equals balance due at time of resignation. Staff may be paid only for those holidays occurring prior to resignation.

EXTENDED EMPLOYMENT

Extended employment is defined as the number of days certified personnel are contracted to work in addition to the minimum school term. Extended employment will be approved only for those activities that are necessary to improve the educational programs in the school district. The length of employees' regular work day shall be established by the Board and reflected in the job description for each position. Saturday and Sunday will be placed on the calendar as workdays only with approval of the Superintendent.

EXTENDED CALENDAR WORK PLAN

An individual calendar and extended work plan shall be prepared by the employee who has been employed by the Board for a period exceeding the minimum school term. The plan shall be approved by the Principal (if applicable) and submitted to the Superintendent.

Salaries

AMENDMENT TO EXTENDED CALENDAR WORK PLAN

Amendments to the extended employment calendar and/or the work plan for teachers must be approved by the building Principal. Changes for all other personnel must be approved by the Superintendent.

EXPLANATION: SB 236 (2017) AMENDED KRS 160.380 TO REQUIRE APPLICANTS TO PROVIDE A LETTER FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THAT THERE ARE NO FINDINGS OF SUBSTANTIATED CHILD ABUSE OR NEGLECT ON RECORD. SB 101 (2018) HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

EXPLANATION: HB 195 (2017) AMENDS MULTIPLE STATUTES TO CHANGE THE GENERAL EDUCATION DIPLOMA (GED) TO HIGH SCHOOL EQUIVALENCY DIPLOMA.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.121 AP.22

Personnel Documents

CHECK-OFF LIST FOR NEW EMPLOYEES

EMPLOYEE'S NAME _____ **POSITION/WORK SITE** _____

Employment shall be contingent upon meeting all requirements (state and local) for the position.

Classified

Recommendation for Employment ☐ Application with References/ List of States of Former Residence/Dates of Residency ☐
Picture I.D. ☐ Social Security Card ☐ High School Diploma/High School Equivalency Diploma~~GED~~ or Proof Progress To
High School Equivalency Diploma~~GED~~ ☐ Letter from Cabinet for Health and Family Services stating that there are no findings
of substantiated child abuse or neglect on record (applicants hired on or after April 4, 2018) ☐ Workers' Comp ☐ Notify New
Hire ☐ I-9 Form ☐ Physical Form or Electronic Record ☐ Criminal Records ☐ Welcome Letter/Position Description ☐ E-
Mail ☐ Database ☐ Birthday List ☐ Employee Pass ☐ Food Safety Training Certificate, If Applicable ☐ Coaching
Certificate, If Applicable ☐ Driving Records Check Form For Bus Drivers, If Applicable ☐ Commercial Driver's License
(Regular & Substitute Bus Drivers) ☐ Notify Nurse/Technical Director ☐ Contract (After Probationary Period) ☐
Tax Forms K-4, O-4 & W-4 ☐ Flexible Benefit Plan, If Applicable ☐ Application to County Employees' Retirement ☐
Direct Deposit Form ☐

Classified Substitute

Application ☐ Notify New Hire ☐ I-9 Form ☐ Picture I.D. ☐ Social Security Card ☐ Workers' Comp ☐ Physical ☐
Database ☐ Sub List ☐ Criminal Records ☐ Letter from Cabinet for Health and Family Services stating that there are no
findings of substantiated child abuse or neglect on record (applicants hired on or after April 4, 2018) ☐ Driving Records Check
Form for Bus Drivers, If Applicable ☐ Commercial Driver's License (Regular & Substitute Bus Drivers) ☐
Tax Forms K-4, O-4 & W-4 ☐ Direct Deposit Form ☐

Certified

Recommendation for Employment ☐ Application with References/List of States of Former Residence /Dates of
Residency ☐
Picture I.D. ☐ Social Security Card ☐ Transcripts ☐ Praxis Scores ☐ Rank ☐ Verification Letters ☐
Verification of Transferable Sick Leave ☐ Tenure ☐ Workers' Comp ☐ Notify New Hire ☐ I-9 Form ☐
Certificate Or Statement of Eligibility ☐ Physical Form or Electronic Record ☐ Criminal Records ☐ Letter from Cabinet
for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record (applicants
hired on or after April 4, 2018) ☐ E-Mail ☐ Database ☐ Birthday List ☐ Notify Nurse/Technical Director ☐ Employee
Pass ☐ Welcome Letter-Contract/Salary Schedule/Calendar/Password Form/Position Description/Orientation Letter ☐
Highly Qualified Teacher Calculator ☐ Note Vacancy Filled On Internet
Minority Recruitment ☐ Driving Records Check Form, If Applicable ☐ Coaching Certificate, If Applicable ☐
Tax Forms K-4, O-4 & W-4 ☐ Flexible Benefit Plan Application, If Applicable ☐ Members Application to TRS ☐
SSA-1945 ☐ Direct Deposit Form ☐

Certified Substitute

Application ☐ Notify New Hire ☐ Social Security Card ☐ Picture I.D. ☐ I-9 Form ☐ Workers' Comp ☐ Sub List ☐
Elementary Preference ☐ Secondary Preference ☐ Physical Form or Electronic Record ☐ Criminal Records ☐ Letter
from Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record
(applicants hired on or after April 4, 2018) ☐ Transcripts ☐ GPA 2.45 or Higher ☐ Database ☐ Teaching Certificate (If
none, must file Emergency Certificate to be approved by Board) ☐
Tax Forms K-4, O-4 & W-4 ☐ TRS Form ☐ Direct Deposit ☐

Personnel Documents**Paraprofessional**

Recommendation for Employment ☐ Application ☐ Social Security Card ☐ Picture I.D. ☐ Workers' Comp ☐
I-9 Form ☐ Notify New Hire ☐ Criminal Records Report ☐ [Letter from Cabinet for Health and Family Services
stating that there are no findings of substantiated child abuse or neglect on record \(applicants hired on or after April 4, 2018\)](#) ☐
Database ☐ Coaching Certificate ☐
Tax Forms K-4, O-4 & W4 ☐ Direct Deposit Form ☐

Volunteer

Social Security Card ☐ Picture I.D. ☐ Database ☐ Criminal Records Report ☐

Personnel records also may include the following: evaluation documents; documentation of personnel actions (promotions, transfers, demotions, disciplinary actions, nonrenewals, terminations); record of professional development activities, and other payroll-related information (insurance forms/deductions and direct deposit authorizations).

EXPLANATION: SB 236 (2017) AMENDED KRS 160.380 TO REQUIRE EMPLOYEES TO REPORT TO THE SUPERINTENDENT WHEN THEY HAVE BEEN FOUND BY THE CABINET FOR HEALTH AND FAMILY SERVICES TO HAVE ABUSED OR NEGLECTED A CHILD. SB 101 (2018) HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE.

FINANCIAL IMPLICATIONS: POSSIBLE COST OF TERMINATION HEARINGS

PERSONNEL

03.21 AP.254

Driving Record Violations and Personnel Actions

NEW/RETURNING BUS DRIVERS

The District shall perform a driving history check on school bus drivers prior to initial employment and after a break in service (excluding summers). Decisions to employ or re-employ an individual shall be contingent on receipt of records revealing no driving history convictions that would, as determined by the Superintendent, affect the individual's ability to perform the job.

A person shall not be employed as a school bus driver if convicted within the past five (5) years of driving a motor vehicle under the influence of alcohol or any illegal drug.

CURRENT EMPLOYEES

Current bus drivers shall undergo driving records checks at intervals determined by Board policy. Those whose driving record checks reveal the following violations may be subject to appropriate disciplinary action, up to and including, termination/nonrenewal.

1. Speeding/major - speeding more than sixteen (16) miles per hour faster than the speed limit within the last two (2) years;
2. Speeding/minor – speeding less than sixteen (16) miles faster than the speed limit more than once within the last two (2) years;
3. Collision resulting in a citation being issued to applicant for being at fault;
4. Under the influence of alcohol or any illegal drugs while on duty or with remaining driving responsibilities that same day;
5. Revocation of driver's license;
6. Conviction for DUI/DWI;
7. Conviction for reckless driving;
8. Citation for any moving motor vehicle violation that includes either DUI/DWI and reckless driving;

(A minor motor vehicle violation such as failing to make a full stop at a traffic signal need not be reported to the Superintendent.)

9. Conviction for a felony sex crime or as a violent offender as defined in KRS 17.165;~~or~~
10. Failure to notify the Superintendent if the classified employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal; or

- ~~10.~~11. Other criminal or moving vehicle violation, as determined by Superintendent/designee to bear a reasonable relationship to the ability of the individual to perform the job.

NOTE: 702 KAR 5:080 requires bus drivers to report to the Superintendent/designee any violations falling under points five through eight (5-8) above.

EXPLANATION: THIS CLARIFIES THE PRINCIPAL'S AUTHORITY OF THE ORDERLY CONDUCT AND SAFETY ON SCHOOL PROPERTY AND REMOVES A MINISTERIAL DUTY.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SCHOOL FACILITIES

05.45 AP.1

Crowd Control

PRINCIPAL'S AUTHORITY~~RESPONSIBILITY~~

~~It is the~~ The Principal's ~~responsibility~~ shall have authority to promote the orderly conduct and safety of the students and other spectators attending events on school property. Crowd control procedures shall include the following:

1. ~~The Principal shall ensure that enough~~ Assignment of authorized school personnel ~~are assigned to~~ provide adequate supervision.
2. The Principal may request law enforcement personnel to be present if s/he anticipates the crowd may pose a conduct or safety problem.
 - a) Law enforcement personnel shall be provided for athletic events, as approved by the Superintendent.
 - b) The Principal shall ~~determine~~ utilize his or her judgment regarding the number of officers needed and advise as to their placement.
3. The admission gate or entrance shall be controlled and admission limited to eligible students, chaperones, guests, spectators, and other authorized persons.
4. ~~No one~~ Persons under the influence of alcohol or drugs are subject to exclusion from the event ~~shall be admitted~~.
5. If a disturbance occurs, school authorities shall determine if the event needs to be concluded and may close the event, as appropriate, and send those in attendance off the school grounds.

RELATED POLICIES:

05.3

09.311

09.35

EXPLANATION: HB 527 DEFINES BEST INTEREST OF THE CHILD AND REQUIRES DISTRICTS TO PROVIDE TRANSPORTATION TO THE SCHOOL OF ORIGIN IF DETERMINED TO BE IN THE BEST INTEREST OF THE CHILD AS IT RELATES TO EDUCATIONAL STABILITY.

FINANCIAL IMPLICATIONS: COST OF TRANSPORTING STUDENTS

TRANSPORTATION

06.32 AP.1

Eligibility for Transportation

STUDENTS WITH DISABILITIES

The need for special transportation for students with disabilities must be determined by the ARC or Section 504 Team and stated in the student's Individual Education Plan (IEP) or Section 504 Plan.

CAREER AND TECHNICAL STUDENTS

High school students attending an area career and technical school or extension center are eligible to be transported from the high school to the career and technical school. Transportation will be provided by the District in accordance with state regulations.

INSTRUCTIONAL PROGRAMS

Pupils may be eligible to be transported to and from school if they reside outside the boundaries from the school to which they are assigned and require instructional program services not offered at their home school. These transportation requests will be reviewed on a case by case basis and eligibility to be transported will be at the discretion of the Superintendent/designee.

DISTANCE LIMITATIONS

Three (3)- and (4)-year-old preschool children and students with disabilities are not required to meet the distance specifications in Policy 06.32 to be eligible for school transportation.

PRESCHOOL TRANSPORTATION

When the parent/guardian, or a person authorized by the parent/guardian to accept the child, is not present upon midday or afternoon delivery, the child shall be returned to the school upon completion of the route. The parent/guardian shall be notified of the child's location and shall be responsible for pick up.

Upon the third (3rd) time the assigned adult is not present to receive the child, the parent(s)/guardian will be requested to provide transportation for the child.

CHILDREN IN FOSTER CARE

The Superintendent will ~~designate~~appoint a Foster Care Liaison~~Point of Contact (POC)~~ to coordinate activities relating to the District's provision of services to children placed in foster care, including transportation services, when the District is notified by the Cabinet for Health and Family Services, Department for Community Based Services ("the Department") in writing that the ~~Cabinet-Department~~ has designated its foster care point of contact~~POC~~ for the District. The Superintendent may ~~designate~~appoint the Foster Care Liaison~~District POC~~ prior to such notice from the Department~~Cabinet~~.

Eligibility for Transportation**CHILDREN IN FOSTER CARE (CONTINUED)**

The District will collaborate with the ~~Cabinet~~Department when transportation is required to maintain children placed in foster care in a school of origin outside their usual attendance area or District when in the best interest of the student. Under the supervision of the Superintendent/designee, the District Foster Care Liaison ~~POC~~ may will invite appropriate District officials, the ~~Cabinet~~Department point of contact ~~POC~~, the foster parents, and officials from other districts or agencies to consider how such transportation is to be promptly arranged and funded in a cost effective manner in accordance with the Department's authority to use child welfare funding. The Department, in consultation with the District, shall make the determination on whether the child shall remain enrolled in the school of origin based on the best interest of the child, weighing the promotion of educational stability as a primary factor.

If the Department finds it is in the best interest of a child to remain in the school of origin upon placement of the child in a new school district, reasonable transportation shall be offered from the location of placement to the school of origin in which the child is enrolled for any regularly scheduled school day. Such may result in additional transportation costs to a foster parent, child placing agency, child care facility, or the District. The District will provide transportation if necessary to maintain a child in the school of origin if the Department agrees to reimburse the District for the cost of such transportation. Transportation costs incurred shall be reimbursed by the Department on request. Alternatively, the District may agree to pay the cost of such transportation or the District and the Department may agree to share the cost.

~~The arrangement and funding will be in accordance with the Cabinet's authority to use child welfare funding when required to maintain children in foster care in their school of origin when in the best interest of the student.~~

~~If there are additional costs to be incurred in providing transportation to maintain a student in the school of origin, the District will provide transportation to such school if:~~

- ~~• The Cabinet agrees to reimburse the District for the cost of such transportation;~~
- ~~• The District agrees to pay for the cost of such transportation; or~~
- ~~• The District and the Cabinet agree to share the cost of such transportation.~~

DEFINITIONS

"Foster Care" means 24-hour care for children placed away from their parents, guardians, or person exercising custodial control or supervision and for whom the Cabinet has placement care and responsibility.

"School of origin" means the public school in which a child ~~was~~is enrolled immediately prior to~~at the time of~~ placement in foster care.

~~While "Best Interest" is not defined in ESSA, that determination shall take into account all relevant factors, including consideration of the appropriateness of the current educational setting, and the proximity to the school in which the child is enrolled at the time of foster care placement.¹~~

Eligibility for Transportation**DEFINITIONS (CONTINUED)**

Best interest of the child” takes into consideration the following factors including but not limited to:

- The benefits to the child of maintaining educational stability;
- The appropriateness of the current educational setting;
- The child’s attachment and meaningful relationships with staff and peers at the current educational setting;
- The influence of the school’s climate on the child;
- The safety of the child; and
- The proximity of the placement to the school of origin, and how the length of a commute would impact the child.¹

REFERENCES:

¹ Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care

¹ New Section of KRS 199.800 to 199.805

KRS 605.120

922 KAR 1:350

42 U.S.C. § 675(4)(A)

20 U.S.C. § 6311(g)(1)(E)

20 U.S.C. § 6312(c)(5)

P. L. 114-95, (Every Student Succeeds Act of 2015)

EXPLANATION: REVISIONS TO 902 KAR 2:060 REQUIRE A CURRENT IMMUNIZATION CERTIFICATE FOR HOME-SCHOOLED STUDENTS WHO ARE ATTENDING IN-SCHOOL CLASSES OR PARTICIPATING IN SPORTS OR OTHER SCHOOL SPONSORED EXTRA-CURRICULAR ACTIVITIES.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.111 AP.21

Home Schooling Notification

Please return the completed form to the Director of Pupil Personnel at the District's Central Office.

This letter is to inform you that my child/children will be participating in a home schooling program. The beginning date for participation in this program will be _____.

Month Day Year

Following is the home school address and the names and ages of the students who will be participating:

STUDENTS' NAME(S) AND DATE OF BIRTH:

CURRENT SCHOOL:

HOME SCHOOL ADDRESS:

Name

Street

State

ZIP Code

I have received from the Director of Pupil Personnel (DPP)/designee a copy of the "Home School Information Packet and Best Practice Document" and other supplemental material provided by the District. The DPP/designee offered to meet with me and explain the legal requirements that apply to home schools. It is further acknowledged that this notice of intent to provide home schooling shall be binding from the effective date stated above and shall remain in full force for no longer than to the end of the current or upcoming school year, whichever is first. This notice may be dissolved upon enrollment or re-enrollment of the above named child(ren) in a school in the District or any other public or private school. At such time a home-schooled child re-enrolls in the District, it is understood that certified personnel of the school system shall either place the student according to successful performance in courses that are sequential such as English, math, history, and science or conduct tests similar in nature and content to that used for other students receiving credit in that subject. Once assessment of the child's educational development is completed, a final determination of grade placement will be made. KRS 158.140, 704 KAR 3:307

Signature of Father/Legal Guardian

and/or

Signature of Mother/Legal Guardian

Telephone (Home and Work)

Telephone (Home and Work)

Address (if different than student's)

Address (if different than student's)

City, State, Zip

City, State, ZIP

Home Schooling Notification

PROCEDURE

The DPP/designee will offer to meet with the home school teacher to review legal requirements, provide a copy of the best practice document, offer other supplemental materials available from the District and request a copy of the home school curriculum from the home school teacher. If a meeting is not possible, copies of the “Home School Information Packet and Best Practice Document” and related information shall be mailed to the home school teacher. The DPP/designee shall use the summary below as a guideline for discussing topics with a prospective home school teacher.

SUMMARY OF REQUIREMENTS

Home school teachers are required by state law to do the following:

- Teach the child reading, writing, spelling, grammar, history, math, and civics. KRS 156.160
- Provide no fewer student attendance days than required in current state law.
- Maintain attendance records. KRS 159.040
- Maintain academic records. It is suggested that you maintain a portfolio (compilation) of the child’s best work from year to year. KRS 159.040/KRS 156.160
- Make records available in case of inquiry. KRS 159.040
- Make sure that children between the ages of six (6) and eighteen (18) shall attend an educational institution as described in Kentucky compulsory attendance law. KRS 159.010

Parents of home-schooled students are required by state law to do the following:

- If moving from the District, notify the Superintendent in writing. KRS 159.160
- After notifying the Superintendent of intent to home school, continue to notify the Superintendent each school year prior to the opening of the new school year if planning to continue the home school for the new school year. KRS 159.160

A current immunization certificate shall be required for home-schooled students prior to attending one (1) or more in-school classes or participating in sports or other school-sponsored extra-curricular activities.

EXPLANATION: REVISIONS TO 704 KAR 7:090 ADD UNACCOMPANIED YOUTH, CHANGE THE HOMELESS COORDINATOR TO LIAISON, AND ADD FOSTER CARE LIAISON.
FINANCIAL IMPLICATION: NONE ANTICIPATED

STUDENTS

09.12 AP.1

Student Enrollment and Homeless/Immigration Status

IMMIGRANT STATUS

The Principal/designee shall notify school staff that a student's right to enrollment does not depend on his/her or the parent/guardian's immigration status.

School personnel should not engage in any practice that would inhibit or discourage an unauthorized alien student or any other student from attending.

HOMELESS STUDENTS AND UNACCOMPANIED YOUTH

The term "homeless" shall refer to children and youths who lack a fixed, regular and adequate nighttime residence and includes those that are:

1. Sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Abandoned in hospitals;
5. Residing in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
6. Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and/or
7. Migratory children who are living in the previously described circumstances.

GUIDELINES FOR ENROLLMENT

1. In general, only minimal information, such as name and age, can be required to enroll any student in school.
2. Types of reliable proof of a student's identity and age may include, but are not be limited to:
 - Passport
 - Military identification or immigration card
 - Baptismal certificate
 - Copy of the record of baptism that has been notarized or duly certified and reflects the date of the student's birth
 - Any religious record authorized by a religious official
 - Recording of the student's name and birth in a family Bible or other religious text

Student Enrollment and Homeless/Immigration Status**GUIDELINES FOR ENROLLMENT (CONTINUED)**

- Notarized statement from the parents or another relative or guardian as to the date of the student's birth
 - Prior school record indicating the date of the student's birth
 - Driver's license or learner's permit
 - Adoption record
 - Affidavit of identity and age
 - Any government document or court record reflecting the date of the student's birth
 - Oral proof when the native language of a parent or guardian is not a written language.
3. A student's exact date of birth (month, day and year) is not required for initial enrollment.
 4. When a student is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs and street outreach programs may offer proof of age and identity of a student for initial enrollment purposes.
 5. The District homeless student ~~coordinator~~liaison shall work with the local child welfare agency, the school last attended, or other relevant agencies to obtain essential records that are not in existence and immediately place the student in appropriate programs~~so that enrollment shall not be delayed or denied.~~
 6. To the extent possible, the District homeless student ~~coordinator~~liaison shall attempt to provide required notices to non-English speaking parents via written language understandable to the general public and in the native language or other mode of communication of the parent with documentation of the attempt. If the native language of the parent is not a written language, the ~~coordinator~~liaison should take steps to ensure that the notice is translated orally or by other means so that the parent understands the content of the notice and that there is written evidence of the translation to the extent possible with documentation of the attempt.

CHILDREN IN FOSTER CARE

The foster care liaison may also be the homeless education liaison. The foster care liaison's responsibilities shall be to ensure that:

1. The child in foster care remains in his or her school of origin, unless it is determined that remaining in the school of origin is not in that child's best interest;
2. If it is not in the child's best interest to stay in his or her school of origin, the child is immediately enrolled in the new school even if the child is unable to produce records normally required for enrollment; and
3. That the new (enrolling) school immediately contacts the school of origin to obtain relevant academic and other records.

EXPLANATION: HB 147 AMENDS KRS 158.838 TO ADD MEDICATION PRESCRIBED TO TREAT SEIZURE DISORDER SYMPTOMS, REQUIRES THAT A SEIZURE ACTION PLAN BE CREATED FOR STUDENTS WITH SEIZURE DISORDERS, TRAINING FOR PERSONNEL AND HOW THEY CAN BE CONTACTED DURING AN EMERGENCY.
FINANCIAL IMPLICATIONS: COST OF TRAINING

STUDENTS

09.224 AP.1

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 "emergency" contact (person other than parent/guardian) to reach, if necessary.
5. Unusual medical problems, if any.

MEDICAL EMERGENCY PROCEDURES

The following procedures shall be used in a medical emergency:

1. Administer first aid by a school employee trained in first aid and CPR in accordance with state regulation.
2. Contact the child's parent or other authorized person(s) listed on the school emergency card to:
 - a) Inform parent or authorized contact that the child is not able to remain at school.
 - b) Indicate the apparent symptoms; however, do not attempt to diagnose.
 - c) Advise the contact that s/he may want to contact a health care practitioner regarding the child's condition.
3. Take care of child until parent, health care practitioner, or ambulance arrives.
4. Use emergency ambulance service if needed.
5. Administer medication in accordance with District policy and procedure when ordered by the student's personal health care practitioner.
6. Keep the student in a first aid area, under appropriate supervision, if s/he appears to be unable to return to the classroom.
7. Do not allow the student to leave school with anyone other than the parent/guardian/designee after an accident or when ill.
8. After a child has an accident or becomes ill at school, arrange transportation home with the parent/guardian/designee.
9. Report all emergency situations to the building administrator.
10. Treat students with contagious diseases, including AIDS, according to state guidelines.
11. Employees shall follow the District's Exposure Control Plan when clean-up of body fluids is required.

Emergency Medical Care Procedures**SUPPLIES/PERSONNEL**

1. Each school shall have an approved first-aid kit and designated first-aid area.
2. At least two (2) adult employees in each school shall have completed and been certified in a standard first-aid course, including but not limited to, CPR.
3. As provided by Policy 09.224, any school that has a student enrolled with diabetes or seizure disorders shall have on duty during the school day or during any school-related activities in which the student is a participant, at least one (1) school employee who is a licensed medical professional, or has been appropriately trained to administer or assist with the self-administration of glucagon, insulin or FDA-approved seizure rescue medication or medication prescribed to treat seizure disorder symptoms approved by the FDA as prescribed by the student's health care practitioner. The training shall also include recognition of the signs and symptoms of seizures and the appropriate steps to be taken to respond to these symptoms.
4. The parent or guardian of each student diagnosed with a seizure disorder shall collaborate with school personnel to implement a seizure action plan, prepared by the student's treating physician, which shall be kept on file in the office of the school nurse or school administrator.
5. Any school personnel or volunteers responsible for the supervision or care of a student diagnosed with a seizure disorder shall be given notice of the seizure action plan, the identity of the school employee or employees trained in the administration of seizure medication, and how they may be contacted in the event of an emergency.

DOCUMENTATION

A complete record of any emergency care provided shall be made and filed with the student's health record. The following information shall be recorded:

1. Time and place accident or illness occurred.
2. Causative factors, if known.
3. Type of care provided and name(s) of person(s) who gave emergency treatment.
4. Condition of the student receiving emergency care.
5. Verification of actual contacts and attempts to contact parent/guardian.
6. List of names of persons who witnessed the accident or illness and the treatment rendered, as appropriate.

RELATED POLICIES:

09.224
09.2241

RELATED PROCEDURES:

09.224 AP.21
09.2241 AP.21
09.2241 AP.22
09.2241 AP.23