

LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING PROTECTIONS COVERING PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO STATE EMPLOYMENT DISCRIMINATION LAW.

FINANCIAL IMPLICATIONS: POTENTIAL COST OF PROVIDING NOTICE AND ACCOMMODATIONS

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.1

### **Legal Status of the Board**

#### **CORPORATE POWERS**

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

#### **NOTICE OF NONDISCRIMINATION**

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

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

#### **WEBSITE ACCESSIBILITY**

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

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

**Legal Status of the Board**

**REFERENCES:**

<sup>1</sup>KRS 160.160  
KRS 160.370  
[KRS Chapter 344](#)  
Americans with Disabilities Act  
Section 504 of the Rehabilitation Act of 1973  
Title VI of the Civil Rights Act of 1964  
42 U.S.C. 200e, Civil Rights Act of 1964, Title VII  
20 U.S.C. 1681, Education Amendments of 1972, Title IX  
Genetic Information Nondiscrimination Act of 2008  
20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)  
Web Content Accessibility Guidelines

**RELATED POLICIES:**

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

LEGAL: REVISIONS TO 701 KAR 5:140 REMOVE THE CATEGORY “PERSISTENTLY LOW-ACHIEVING” AND REPLACE IT WITH A SCHOOL IDENTIFIED FOR “COMPREHENSIVE SUPPORT AND IMPROVEMENT” AS IT PERTAINS TO THE DISTRICT’S PLAN OF INNOVATION. IN ADDITION, IN ORDER TO QUALIFY AS A DISTRICT OF INNOVATION, THE SUBMITTED PLAN MUST CALL FOR AN EXEMPTION FROM REGULATION OR STATUTE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 46 AMENDS KRS 158.195 TO REQUIRE LOCAL BOARDS TO REQUIRE EACH ELEMENTARY AND SECONDARY SCHOOL TO DISPLAY THE NATIONAL MOTTO “IN GOD WE TRUST” IN A PROMINENT LOCATION IN THE SCHOOL BEGINNING WITH THE 2019-2020 SCHOOL YEAR. IT ALSO STATES THE DISPLAY MAY BE, BUT IS NOT LIMITED TO, A PLAQUE OR STUDENT ARTWORK. PROMINENT LOCATION IS DEFINED AS THE SCHOOL’S ENTRYWAY, CAFETERIA, OR COMMON AREA WHERE STUDENTS ARE LIKELY TO SEE IT.

FINANCIAL IMPLICATIONS: POTENTIAL COST OF THE DISPLAY/ANY INSTALLATION

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.11

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

#### **ESTABLISHMENT OF SCHOOLS**

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

#### **CHARTER SCHOOLS**

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

#### **REQUEST FOR WAIVER AND EXEMPTIONS**

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

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

#### **SCHOOL FUNDS AND PROPERTY**

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

#### **ADMINISTRATION**

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

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

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

**SUBPOENA**

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

**INSURANCE**

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

As long as they pay full cost of premiums required, Board members may choose to participate in any group life insurance<sup>12</sup> or any group medical or dental insurance provided by the District for employees.<sup>10</sup>

**FREE SUPPLIES**

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

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

**REPORTS**

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

**LEVY OF TAX RATES**

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

**General Powers and Duties of the Board****POWER TO BORROW FUNDS**

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

**CONTRACT WITH CONSULTANTS**

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

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

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

**NATIONAL MOTTO**

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

**REFERENCES:**

<sup>1</sup>KRS 160.290

<sup>2</sup>KRS 160.300

<sup>3</sup>KRS 160.310

<sup>4</sup>KRS 160.160

<sup>5</sup>KRS 160.330

<sup>6</sup>KRS 160.340

<sup>7</sup>KRS 160.470

<sup>8</sup>KRS 160.540

<sup>9</sup>KRS 160.345

<sup>10</sup>KRS 160.280

<sup>11</sup>KRS 156.108; KRS 160.107; KRS 160.346; 701 KAR 5:140

<sup>12</sup>KRS 18A.205; KRS 18A.210

KRS 116.200; KRS 156.072; KRS 156.160; [KRS 158.195](#)

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

KRS 160.1599; KRS 161.158; KRS 162.010; KRS 416.560

OAG 91-10; OAG 91-122; OAG 95-10

702 KAR 3:220; 702 KAR 4:160

**RELATED POLICIES:**

01.41; 01.5; 01.7

03.124; 03.224; 04.92

LEGAL: HB 22 AMENDS KRS 160.190 TO CHANGE THE PROCESS FOR FILLING A BOARD VACANCY FROM A PERSON APPOINTED BY THE COMMISSIONER TO A PERSON APPROVED BY A MAJORITY VOTE OF THE REMAINING MEMBERS OF THE LOCAL BOARD, AND INCLUDES TIMELINES, VACANCY ADVERTISEMENT CONDITIONS AS WELL AS AN APPLICATION PROCESS.  
FINANCIAL IMPLICATIONS: COST OF ADVERTISEMENT, STAFF TIME FOR PROCESSING, AND POSSIBLE ADDITIONAL MEETINGS

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.3

### **Board Vacancy Filling Unexpired Terms**

#### **APPOINTMENT**

Any vacancy on the Board shall be filled by ~~the Commissioner of Education~~ a majority vote of the remaining members of the Board within ~~ninety-sixty~~ (90/60) days after the vacancy occurs. ~~The member so chosen shall meet the eligibility requirements as established by KRS 160.180 and shall hold office until a successor is elected and has qualified. The Board may make nominations and any person may nominate himself/herself or another for the office. Within thirty~~ (30) days of the vacancy, the Board shall, for two (2) weeks, solicit applications by posting a notice on the District's website and place an advertisement for two (2) weeks in the newspaper of the largest general circulation in the county to solicit applications.

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

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

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

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

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

#### **ELECTION**

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

**Board Vacancy Filling Unexpired Terms**

**ELECTION (CONTINUED)**

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

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

**REFERENCES:**

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

<sup>12</sup>KRS 160.190

KRS 118.315; KRS 118.365; KRS 160.180

OAG 81-316

**RELATED POLICY:**

01.2

LEGAL: HB 227 AMENDS KRS 160.280 INCREASING, AS OF JULY 1, 2019, THE PER DIEM AMOUNT AND INCREASING THE "CAPS" ON THE PER DIEM AND IN-DISTRICT EXPENSES A BOARD MEMBER MAY RECEIVE. AS BEFORE, STATUTE REQUIRES THE BOARD TO AUTHORIZE THE PER DIEM. BOARD MEMBERS INDIVIDUALLY MAY ELECT TO WAIVE THE PER DIEM. CONTACT YOUR POLICY CONSULTANT FOR A SAMPLE WAIVER FORM 01.821 AP.2.

FINANCIAL IMPLICATIONS: INCREASED PER DIEMS

## POWERS AND DUTIES OF THE BOARD

01.821

### **Board Member Expense Reimbursement**

#### **PER DIEM**

Board members shall receive a per diem of ~~one-hundred-fifty~~~~seventy-five~~ dollars (\$~~150~~~~75~~) ~~per for each day a~~ regular or special Board meeting ~~is attended~~ or ~~for each day a~~ training session ~~required by law is~~ attended ~~as required by law~~, not to exceed ~~\$6,000~~~~\$3,000~~ per calendar year per member.

#### **IN-DISTRICT EXPENSES**

Members shall be reimbursed for actual and necessary expenses incurred within the District while attending to Board business, not to exceed ~~\$6,000~~~~\$3,000~~ per calendar year per member.

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

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

#### **DEDUCTIONS**

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

#### **OUT-OF-DISTRICT TRAVEL**

Members of the Board shall be reimbursed for actual and necessary expenditures incurred outside the District. Board members shall obtain Board approval prior to incurring out-of-district expenses.

Actual monies spent for food while on out-of-District trips shall be paid on a per diem basis for meals. The cost of meals consumed during such travel to Standard of Normal Rate cities shall be reimbursed at a rate not to exceed fifty dollars (\$50.00) per twenty-four (24) hour day starting from the time of departure.

For out-of-District trips to Non-Standard or High Rate cities, meals will be reimbursed at the daily per diem rate established by the General Services Administration (GSA). ([www.gsa.gov/perdiem](http://www.gsa.gov/perdiem))

Itemized receipts will be required to claim reimbursement for meals. Reimbursement shall not be made for food and/or beverages consumed outside of meal times (snacks, soft drinks, etc.).

Advancements for anticipated expenses shall not be made.

Expenses for personal entertainment shall not be reimbursed.

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

#### **CREDIT CARDS**

Board members are not to be issued credit cards.



**Board Member Expense Reimbursement**

**SPOUSE'S TRAVEL**

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

**REFERENCES:**

KRS 160.280; KRS 161.158  
OAG 76-329; OAG 80-395; OAG 85-53; OAG 92-136

**RELATED POLICIES:**

01.4; 03.125; 03.225

**RELATED POLICIES:**

01.4; 03.125

LEGAL: SB 1 DEFINES SCHOOL RESOURCE OFFICERS (SROS) AND MANDATES THAT SUCH OFFICERS MUST COMPLETE FORTY (40) HOURS OF ANNUAL IN-SERVICE TRAINING. THIS POLICY IS FOR DISTRICTS THAT CONTRACT WITH A LAW ENFORCEMENT AGENCY TO PROVIDE SROS.  
FINANCIAL IMPLICATIONS: COST OF SALARY, BENEFITS AND INSURANCE; DAILY COMPENSATION WHILE SRO ATTENDS TRAINING

ADMINISTRATION

02.31

## **School Resource Officers (SROs)**

### **DEFINITION**

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

(a) 1. A sworn law enforcement officer; or

2. A special law enforcement officer appointed pursuant to KRS 61.902; and

(b) Employed:

1. Through a contract between a local law enforcement agency and a school district;

2. Through a contract as secondary employment for an officer, as defined in KRS 16.010, between the Department of Kentucky State Police and a school district; or

3. Directly by a local Board of Education.<sup>1</sup>

### **TRAINING REQUIREMENTS**

Effective January 1, 2020, all School Resource Officers (SROs) shall successfully complete forty (40) hours of annual in-service training that has been certified or recognized by the Kentucky Law Enforcement Council for SROs. Any SRO who fails to successfully complete training requirements within the specified time periods, including approved extensions, shall lose his/her SRO certification and shall no longer work in a school.

### **SUPERINTENDENT TO REPORT**

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

### **References:**

<sup>1</sup>KRS 158.441

KRS 61.902

New Section of KRS 441

### **RELATED POLICY:**

09.4361

LEGAL: SB 15 AMENDS KRS 160.380 TO CLARIFY THAT A NEWLY ELECTED SCHOOL COUNCIL PARENT MEMBER WHO IS TO PROVIDE A LETTER (CA/N CHECK) FROM THE CABINET FOR HEALTH AND FAMILY SERVICES MAY SERVE PENDING RECEIPT OF A CLEAR CHECK.

FINANCIAL IMPLICATIONS: POSSIBLE COST OF REPRINTING SBDM ELECTION FORMS

ADMINISTRATION

02.421

## **Election of School Council Members (SBDM)**

### **ELECTION OF TEACHER MEMBERS**

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

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

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

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

### **ELECTION OF PARENT MEMBERS**

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

The president of the parent-teacher organization shall organize and oversee the election of parent council member and shall provide notice of the election to parents.

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

A parent council member shall submit to a state and national fingerprint-supported criminal history background as required by KRS 160.380. In addition, the parent council member shall provide a ~~clear CA/N check letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record. Receipt of notice or verification of a finding of neglect or abuse shall subject the parent council member to removal under KRS 160.347.~~ A parent member may serve prior to the receipt of the criminal history background check and CA/N check report, but shall be removed from the council on receipt by the District of a report documenting a record of abuse or neglect, or a sex crime or criminal offense against a victim who is a minor as defined in KRS 17.500 or as a violent offender as defined in KRS 17.165 and no further procedures shall be required.

## **Election of School Council Members**

### **ELECTION OF PARENT MEMBERS (CONTINUED)**

Link to DPP-156 Central Registry Check and more information on the required [CAN check](#)~~Cabinet Letter~~:

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

### **MINORITY REPRESENTATIVES**

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

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

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

### **TERMS**

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

### **COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS**

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

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

### **CONFLICT OF INTEREST**

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

**Election of School Council Members****REMOVAL OF COUNCIL MEMBERS**

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

**VACANCIES**

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

**REFERENCES:**

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

LEGAL: REVISIONS TO 701 KAR 5:140 AFFECT THE PROCESS FOR A SCHOOL TO BE INCLUDED IN THE DISTRICT OF INNOVATION APPLICATION.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4241

### **School Council Policies (SBDM)**

#### **ADOPTION OF POLICY**

The Council shall adopt policies consistent with Board policies which provide an environment that enhances student achievement and helps the school meet goals established by law and by the Board.

The School Council shall adopt policy to be implemented by the Principal in each of the following areas of responsibility:

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

As reflected in the District Code of Acceptable Behavior and Discipline, loss of physical activity periods shall not be used as a disciplinary consequence in schools housing grades K-5.

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

8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;  
  
The school shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.
9. Adoption of a school emergency plan and implementation of safety practices required by KRS 158.162;
10. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;
11. Commitment to a parent involvement process that provides for:
  - a. Establishing an open, parent-friendly environment;
  - b. Increasing parental participation; and
  - c. Improving two-way communication between school and home, including what their child will be expected to learn.
12. Procedures to assist the Council with consultation in the selection of personnel by the Principal, including but not limited to meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.
13. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)  
  
The Superintendent/designee shall provide assistance in identifying strategies and options to promote daily moderate to vigorous physical activity for students, which may include those that increase strength and flexibility, speed heart rate and breathing and stress activities such as stretching, walking, running, jumping rope, dancing, and competitive endeavors that involve all students.

As an alternative to adopting separate policies, School Councils may adopt Board policy or standards established by the Board as Council policy in the above areas.

**REVIEW OF POLICIES**

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

**School Council Policies (SBDM)****REVIEW OF POLICIES (CONTINUED)**

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

**COMPLIANCE WITH BOARD POLICY**

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

**WAIVER OF STATE REGULATIONS**

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

**SCHOOLS OF INNOVATION**

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

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

**REFERENCES:**

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

**RELATED POLICIES:**

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



LEGAL: SB 15 AMENDS KRS 160.380 TO CLARIFY EMPLOYMENT RECORDS CHECK REQUIREMENTS. SB 15 ALSO REMOVES THE EXCEPTION ON HIRING A RELATIVE OF A BOARD MEMBER WHO WAS AN EMPLOYEE OF THE DISTRICT AS OF JULY 13, 1990.

FINANCIAL IMPLICATIONS: COST OF REPRINTING APPLICATIONS

## PERSONNEL

03.11

### - CERTIFIED PERSONNEL -

## Hiring

### SUPERINTENDENT'S RESPONSIBILITIES

When a vacancy occurs, the Superintendent shall notify the Commissioner of Education fifteen (15) days before the position is to be filled.

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

The Superintendent shall make all appointments, promotions, and transfers of certified personnel for positions authorized by the Board and, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent. Certified employees may be appointed by the Superintendent for any school year at any time after February 1 next preceding the beginning of the school year.

### QUALIFICATIONS

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

Board employees shall be chosen with reference to their certification and their personal, educational, physical, moral and emotional fitness for the position. Other factors which shall be considered include undergraduate and graduate academic performance, prior experience, and strength of references.

The following shall not be considered for employment by the District:

- Applicants who have been terminated and/or non-renewed by a school district for cause;
- Those who have resigned in lieu of termination; and
- Applicants who have ever had their certification suspended or revoked.

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

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

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

## **Hiring**

### **CRIMINAL BACKGROUND CHECK AND TESTING**

Each application shall contain a completed "Release Authorization" form and a check made payable to Ft. Thomas Independent Schools for the fee charged by the Justice Cabinet for processing the criminal records report.

#### **QUALIFICATIONS (CONTINUED)**

Each application or renewal form provided to applicants for a certified position shall conspicuously state the following:

"FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND ~~HAVE~~—A LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT HAS EMPLOYEE IS CLEAR TO HIRE BASED ON NO FINDINGS OF SUBSTANTIATED CHILD ABUSE OR NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET FOR HEALTH AND FAMILY SERVICES—~~AS A CONDITION OF EMPLOYMENT.~~"

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

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

~~Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have a substantiated finding of child abuse or neglect in records maintained by the Cabinet.~~

Link to DPP-156 Central Registry Check and more information on the required CAN ~~check~~Cabinet Letter:

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

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

In the event an emergency exists whereby a position must be filled before the criminal records check has been completed, the Superintendent is authorized to fill the position on a probationary basis until the criminal records report has been completed. Final disposition of employment status shall be determined once the criminal records report has been completed.

### **REPORT TO SUPERINTENDENT**

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

## **Hiring**

### **JOB REGISTER**

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

### **VACANCIES POSTED**

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted in the Central Office on a timely basis and shall refer interested persons to the Central Office job register for additional information.

Notices of all job openings shall be sent to each school for posting in appropriate locations.

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

### **REVIEW OF APPLICATIONS**

Under procedures developed by the Superintendent, each application shall be acknowledged upon receipt of the initial application. Applications shall be kept on file for three (3) years.

### **RELATIONSHIPS**

The Superintendent shall not employ a relative of a member of the Board ~~unless the relative was initially employed by the District prior to the tenure of the Board member and the member was seated on the Board prior to July 13, 1990.~~

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

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

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

### **JOB DESCRIPTION**

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

### **EVALUATION INFORMATION**

Each person being considered for employment shall be informed that the Board utilizes an evaluation procedure for certified personnel and shall be asked if there is any reason s/he would not want to be evaluated. Upon employment, the individual shall be furnished with a copy of the evaluation procedure and given the opportunity to review the procedure and ask questions about it.

### **LETTER OF INTENT**

By April 1 of each year, each employee shall submit to the Superintendent a letter of intent signifying his/her desire to be re-employed.

**Hiring****REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT**

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

**EMPLOYEES SEEKING A JOB CHANGE**

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

**REFERENCES:**

<sup>1</sup>KRS 160.380

<sup>2</sup>KRS 161.605; 702 KAR 1:150

<sup>3</sup>P. L. 114-95, (Every Student Succeeds Act of 2015)

20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)

~~34 C.F.R. 200.55-200.56~~; 45 C.F.R. § 1302.90

KRS 17.160; KRS 17.165

KRS 156.106; KRS 160.345; KRS 160.390

KRS 161.042; KRS 161.611; KRS 161.750

KRS 335B.020; KRS 405.435

16 KAR 9:080; 702 KAR 3:320; 704 KAR 7:130

OAG 18-017; OAG 73-333; OAG 91-10; OAG 91-149; OAG 91-206

OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6

Records Retention Schedule, Public School District

**RELATED POLICIES:**

03.132

03.18

LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING PROTECTIONS COVERING PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO STATE EMPLOYMENT DISCRIMINATION LAW.

FINANCIAL IMPLICATIONS: POTENTIAL COST OF PROVIDING NOTICE AND ACCOMMODATIONS

PERSONNEL

03.113

- CERTIFIED PERSONNEL -

### **Equal Employment Opportunity**

#### **NONDISCRIMINATION**

The Superintendent shall adhere to a policy of equal employment opportunity in all personnel matters. No person shall be subjected to discrimination in regard to employment, retention, promotion, demotion, transfer or dismissal because of race, color, religion, sex, genetic information, national or ethnic origin, political affiliation, age, ~~or~~ disabling condition, or limitations related to pregnancy, childbirth, or related medical conditions.<sup>1</sup>

#### **INDIVIDUALS WITH DISABILITIES**

No qualified person with a disability, as defined by law, shall, on the basis of the disability, be subject to discrimination in employment.<sup>2</sup>

District employment practices shall be in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

No human immunodeficiency virus (HIV) related test shall be required as a condition of hiring, promotion, or continued employment, unless the absence of HIV infection is a bona fide occupational qualification for the job in question as defined in KRS 207.135.

#### **REASONABLE ACCOMMODATION**

Employees who have a long-term or permanent disability may request the District supervisor to provide reasonable accommodations necessary for them to perform the essential duties of the position. Medical information obtained as part of an employee request shall be confidential.<sup>3</sup>

If assistive technology is deemed necessary for an employee, every effort will be made to obtain that technology in a timely fashion.

The District shall engage in a timely, good faith and interactive process to determine reasonable accommodations for an employee's limitations related to pregnancy, childbirth, or related medical conditions. Reasonable accommodation shall be provided as required by law.

#### **ADVISING EMPLOYEES**

The Superintendent shall inform all school employees of the provisions of this policy.<sup>1</sup>

**Equal Employment Opportunity**

**REFERENCES:**

<sup>1</sup>KRS 161.164; ~~KRS Chapter 344~~; 42 U.S.C. 2000e, Civil Rights Act of 1964, Title VII

<sup>2</sup>29 U.S.C.A. 794

<sup>3</sup>29 U.S.C. section 1630.14

KRS 207.135

34 C.F.R. 104.3 - 104.14

~~42 U.S.C. 200e, Civil Rights Act of 1964, Title VII, KRS Chapter 344~~

42 C.F.R. 2000e-2; 42 C.F.R. 2000(k)

Americans with Disabilities Act

Kentucky Education Technology System (KETS)

Section 504 of the Rehabilitation Act of 1973

Title IX of the Education Amendments of 1972

Genetic Information Nondiscrimination Act of 2008

**RELATED POLICIES:**

03.133; 05.11

LEGAL: SB 8 AMENDS KRS 161.770 BY STATING SPECIFIC REQUIREMENTS FOR BOARDS OF EDUCATION IN THEIR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT, AND ANY OTHER FEDERAL LAW.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.123

**- CERTIFIED PERSONNEL -**

## **Leaves and Absences**

### **APPROVAL**

Authorization of leave and time taken off from one's job shall be in accordance with specific leave policy. Absence from work that is not based on appropriate leave for which the employee is qualified may lead to disciplinary consequences, up to and including termination of employment.

Leaves without pay may be granted upon written request to the Principal or Superintendent and approval of the Board provided the leave is for educational or professional purposes, or for illness, maternity, adoption of a child or children, or other disability.

### **NOTIFICATION OF RETURN**

Employees on leave covered by the related policies listed below shall notify the Superintendent in writing by April 1 of the year the leave terminates of the date of their intent to return to the school system. Employees who fail to notify the Superintendent of their return by April 1 cannot be guaranteed employment for the following school year. If an employee on leave has not contacted the Superintendent by April 1, the Superintendent is authorized to fill the position for the following school year. Where an employee in the final year of leave fails to contact the Superintendent by April 1, to either request an extension of leave or to provide a date of return, the Superintendent may determine whether personnel action is required.

### **LEAVE FOLLOWING ASSAULT**

The District shall provide leave with pay for employees assaulted while performing their assigned duties when the assault results in injuries that qualify the employee for workers' compensation benefits. The period of leave shall not exceed one (1) calendar year following the assault. During that period, the employee shall not experience loss of income or benefits, including sick leave, under terms and conditions set forth in KRS 161.155.

### **PLACEMENT UPON RETURN**

Employees taking any long term leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

### **FMLA**

Eligible employees may apply for leave under the provisions of the Family and Medical Leave Act of 1993.

### **REQUEST FOR MEDICAL INFORMATION**

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

**Leaves and Absences**

**REFERENCES:**

KRS 161.155; KRS 161.770; OAG 01-9  
Family and Medical Leave Act of 1993

**RELATED POLICIES:**

03.1232, 03.12322, 03.1233, 03.1234, 03.1235, 03.124



LEGAL: SB 8 AMENDS KRS 161.770 BY STATING SPECIFIC REQUIREMENTS FOR BOARDS OF EDUCATION IN THEIR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT, AND ANY OTHER FEDERAL LAW.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1233

**- CERTIFIED PERSONNEL -**

## **Parental Leave**

### **PAID SICK LEAVE**

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232.

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement.

### **UNPAID MATERNITY LEAVE (KRS 161.770)**

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed twelve (12) workweeks.

Employees on maternity leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

Employees taking a maternity leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

### **FMLA**

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks for unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

### **REQUEST FOR MEDICAL INFORMATION**

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

### **LEAVE LIMIT**

Parental leave following birth of a child shall be limited to twelve (12) workweeks per qualifying event.

### **REFERENCES:**

KRS 161.155; KRS 161.770  
OAG 80-151; OAG 84-43; OAG 86-66  
Family and Medical Leave Act of 1993

PERSONNEL

03.1233  
(CONTINUED)

**Maternity Leave**

**RELATED POLICIES:**

03.123; 03.1232; 03.12322

LEGAL: SB 8 AMENDS KRS 161.770 BY STATING SPECIFIC REQUIREMENTS FOR BOARDS OF EDUCATION IN THEIR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT, AND ANY OTHER FEDERAL LAW.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1234

**- CERTIFIED PERSONNEL -**

### **Extended Disability Leave**

This policy shall be applied in a manner consistent with policy 03.113 and the Americans with Disabilities Act (ADA), when those provisions are applicable.

#### **UNPAID LEAVE**

Unpaid disability leave shall be granted by the Board, upon written request, for the remainder of the school year. Thereafter, leave may be extended by the Board in increments of no more than one (1) year.

#### **FMLA**

In compliance with the Family and Medical Leave Act of 1993, medical leave shall be granted in accordance with Board Policy 03.12322.

#### **NOTIFICATION OF RETURN**

Employees on extended disability leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

#### **VERIFICATION**

The Superintendent may require the employee to secure a licensed physician's verification of disability.

#### **REQUEST FOR MEDICAL INFORMATION**

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

#### **PLACEMENT UPON RETURN**

Employees taking disability leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

#### **INVOLUNTARY DISABILITY LEAVE**

When, in the opinion of the Board, there is evidence that an employee is no longer able to perform satisfactorily the assigned duties, the Board may require the employee to provide evidence of ability to perform the essential functions of the position in the form of an examination and report by a physician of the Board's choosing. The Board shall bear the cost of this examination.

The Superintendent may place the employee temporarily on involuntary disability leave pending the physician's examination and the Board may grant an involuntary leave of absence and renewals thereof following the physician's examination.

**Extended Disability Leave**

**INVOLUNTARY DISABILITY LEAVE (CONTINUED)**

The employee shall have the right to a hearing on such involuntary leave and its renewal or extension in accordance with the provisions for hearing and appeal in KRS 161.790.<sup>1</sup>

**RETIREMENT DISABILITY**

Retirement disability shall be handled in accordance with KRS 161.662.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 161.790; OAG 65-560, KRS 161.770

<sup>2</sup>KRS 161.662, OAG 80-151

OAG 84-43

Consolidated Omnibus Budget Reconciliation Act

Family & Medical Leave Act of 1993

Americans with Disabilities Act

**RELATED POLICIES:**

03.111

03.113

03.123

03.12322

03.173

LEGAL: HB 11 REQUIRES ALL LOCAL BOARDS, ON OR BEFORE JULY 1, 2020, TO ADOPT AND IMPLEMENT POLICIES THAT PROHIBIT THE USE OF ANY TOBACCO PRODUCT, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT FOR ALL PERSONS AND AT ALL TIMES ON OR IN ALL PROPERTY OF THE BOARD, AND WHEN STUDENTS ARE PRESENT IN ANY SCHOOL-RELATED TRIP OR STUDENT ACTIVITY. THE POLICIES MUST ALSO PROVIDE FOR ADEQUATE NOTICE TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, AND THE PUBLIC. IN ADDITION, THE POLICIES MUST REQUIRE SIGNAGE ON OR IN ALL PROPERTY INCLUDING ANY VEHICLE OWNED, OPERATED, LEASED, OR CONTRACTED FOR USE BY A LOCAL BOARD. SUCH SIGNAGE SHALL CLEARLY STATE THAT THE USE OF SUCH PRODUCTS IS PROHIBITED AT ALL TIMES AND BY ALL PERSONS ON OR IN THE PROPERTY. SCHOOL EMPLOYEES ARE REQUIRED TO ENFORCE THE POLICIES. NOTE THAT DISTRICTS HAVE THE OPTION TO OPT OUT OF THESE PROVISIONS WITHIN THREE (3) YEARS OF JUNE 27, 2019.

FINANCIAL IMPLICATIONS: COST OF SIGNAGE

PERSONNEL

03.1327

- CERTIFIED PERSONNEL -

### **Use of Tobacco, Alternative Nicotine, or Vapor Products**

#### **USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED**

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.<sup>1</sup>

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. A person in violation of this policy shall be subject to discipline or penalties as set forth by the Board.

~~The use of any tobacco product is prohibited in or on any property owned or operated by the Board.~~

#### **REFERENCES:**

<sup>1</sup>New Section of KRS 438

KRS 160.290; KRS 160.340

KRS 438.050; **KRS 438.305**

OAG 81-295

OAG 91-137

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

#### **RELATED POLICIES:**

03.2327; 05.31; 06.221; 09.4232; 10.5

LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO CATEGORIES INCLUDED IN STATE LAW REGARDING DISCRIMINATION, NOTICE REQUIREMENT, AND ACCOMMODATIONS.

FINANCIAL IMPLICATIONS: POTENTIAL COST IN PROVIDING NOTICE OR ACCOMMODATIONS

PERSONNEL

03.133

**- CERTIFIED PERSONNEL -**

**Duties**

All employees are expected to use sound judgment in the performance of their duties and to take reasonable measures to protect the health, safety, and well-being of others, as well as District property.

**JOB DESCRIPTION**

Prior to the authorization of any personnel position in the District budget, the Superintendent, collaborating with other District authorities with personnel assignment responsibilities, shall develop, for Board approval, a job description which establishes all essential functions of the position. The description shall encompass supervision responsibilities, completion of records and reports, and achievement of professional goals identified to enhance student achievement and help the school and/or District meet goals established by statute and/or Board policy. Certified personnel shall also be held responsible for cooperation with students, professional associates, parents, staff, and community groups.

**INVESTIGATIONS**

All employees shall cooperate fully with all investigations conducted by the District as authorized by policy or law. Failure to comply may be considered insubordination.

**ACCOMMODATION**

Reasonable accommodation shall be provided each qualifying employee with a disability [or limitations related to pregnancy, childbirth, or related medical conditions](#) to comply with the requirements of law and regulation.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>Americans With Disabilities Act (ADA); [KRS Chapter 344](#)

P. L. 101-336

Rehabilitation Act of 1973; P. L. 93-112 Sec. 504

KRS 158.645; KRS 158.6451

16 KAR 1:020 (Code of Ethics); OAG 91-10; OAG 92-1

**RELATED POLICY:**

03.113

LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO CATEGORIES INCLUDED IN STATE LAW REGARDING DISCRIMINATION, NOTICE REQUIREMENT, AND ACCOMMODATIONS.

FINANCIAL IMPLICATIONS: POTENTIAL COST IN PROVIDING NOTICE OR ACCOMMODATIONS

PERSONNEL

03.162

- CERTIFIED PERSONNEL -

## **Harassment/Discrimination**

### **DEFINITION**

Harassment/Discrimination of employees is unlawful behavior based on the race, color, national origin, age, religion, sex, genetic information, ~~or~~ disability, or limitations related to pregnancy, childbirth, or related medical conditions of an employee involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred or prejudice.

### **PROHIBITION**

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

### **DISCIPLINARY ACTION**

Employees who engage in harassment/discrimination of another employee or a student on the basis of any of the areas mentioned above shall be subject to disciplinary action including but not limited to termination of employment.

### **GUIDELINES**

Employees who believe they or any other employee, student, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.<sup>1</sup>

**Harassment/Discrimination****GUIDELINES (CONTINUED)**

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) working days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.

The Superintendent/designee may take interim measures to protect complainants during the investigation.

2. A process to identify and implement, within five (5) working days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all staff, which may include, but not be limited to the following:
  - written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets;
  - postings in the same location as are documents that must be posted according to state/federal law; and/or
  - such other measures as determined by the Superintendent/designee.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy.

4. Annual training explaining prohibited behaviors and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

**PROHIBITED CONDUCT**

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;



**Harassment/Discrimination****PROHIBITED CONDUCT (CONTINUED)**

5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve individuals with disabilities in antisocial, dangerous or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

**CONFIDENTIALITY**

District employees involved in the investigation of complaints shall respect the privacy and anonymity of all parties involved.

**APPEAL**

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal report, notify, and/or any part of the findings and corrective actions to the Superintendent.

If a supervisory staff member is an alleged party in the harassment/discrimination complaint, provision shall be made for addressing the complaint to a higher level of authority.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy or to take corrective action shall be cause for disciplinary action.

**RETALIATION PROHIBITED**

No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

**OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 03.113, 03.1325 and/or 09.422.

**Harassment/Discrimination**

**REFERENCES:**

<sup>1</sup>KRS 158.156; KRS Chapter 344; 42 USC 2000e, Civil Rights Act of 1964, Title VII

~~42 USC 2000e, Civil Rights Act of 1964, Title VII; KRS Chapter 344~~

29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC) Regulations  
Implementing Title VII

20 U.S.C. 1681, Education Amendments of 1972, Title IX

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights  
Regulations Implementing Title IX

Genetic Information Nondiscrimination Act of 2008

Age Discrimination Act, 42 U.S.C. 6101-6107; 34 C.F.R. 110.25

**RELATED POLICIES:**

03.113;~~03.1325~~; 03.16;~~09.2211~~; 09.422;~~09.42811~~

LEGAL: SB 1 AMENDS KRS 156.095 TO REQUIRE TRAINING FOR HOW TO RESPOND TO AN ACTIVE SHOOTER SITUATION FOR ALL SCHOOL DISTRICT EMPLOYEES WITH JOB DUTIES REQUIRING DIRECT CONTACT WITH STUDENTS.

FINANCIAL IMPLICATIONS: COST OF TRAINING

PERSONNEL

03.19

- CERTIFIED PERSONNEL -

## **Professional Development**

### **PROGRAM TO BE PROVIDED**

The Board shall provide a high quality, personalized, and evidence based professional development (PD) program that meets the goals established in KRS 158.6451, the Every Student Succeeds Act (ESSA), and in the local needs assessment. At the direction of the Superintendent and in conjunction with each school, the PD coordinator shall facilitate the development and implementation of this program for all certified employees. Programs may also include classified staff and parent members of school councils and committees.

The PD program for the District and each school shall be incorporated into the Comprehensive School/District Improvement Plan. Prior to the implementation of the program, the school PD plan shall be made public, and the District PD plan shall be posted to the District web site.

### **STAFF INPUT**

Through service on committees, staff members shall participate in the planning of PD.

Each school council shall develop, in cooperation with the PD coordinator, a needs assessment to determine appropriate professional development for the District and for each school.

### **ALTERNATIVE PROGRAM**

Under procedures developed by the Superintendent, teachers shall have the option of participating in the alternative professional development program. All such experiences shall conform to the District's master PD plan and shall take place outside regular school calendar work days or time.

### **DOCUMENTATION**

The school/District PD plan shall include the method for evaluating impact on student learning and using evaluation results to improve professional learning.

The professional development program shall be evaluated on a regular basis. Documentation of completed professional development, including a written evaluation, shall be required. Unless an employee is granted leave under an appropriate Board policy, failure to complete and document the required hours of professional development during the academic year shall result in a reduction in salary and may be reflected in the employee's evaluation.

### **ACTIVE SHOOTER SITUATIONS**

By November 1, annually, a minimum of one (1) hour of training on how to respond to an active shooter situation shall be required for all District employees with job duties requiring direct contact with students. The training shall be provided either in person, by live streaming, or via a video recording prepared by the Kentucky Department of Education in collaboration with the Kentucky Law Enforcement Council and the Center for School Safety and may be included in the four (4) days of professional development under KRS 158.070. When a staff member subject to the training requirements of this subsection is initially hired after the training has been provided for the school year, the District shall provide materials on how to respond to an active shooter situation.

**Professional Development**

**EDUCATIONAL STUDY SEMINARS**

All certified staff must complete six (6) Educational Study Seminars within the first three (3) years of employment. Completion of the Educational Study Seminars program is a condition of continued employment with the Ft. Thomas Board of Education.

**REFERENCES:**

KRS 156.095; KRS 156.553  
KRS 158.070; KRS 158.645; KRS 158.6451; KRS 160.345  
704 KAR 3:035; 704 KAR 3:325  
P. L. 114-95 (Every Student Succeeds Act of 2015)

**RELATED POLICIES:**

03.1911; 09.22

LEGAL: SB 15 AMENDS KRS 160.380 TO CLARIFY EMPLOYMENT RECORDS CHECK REQUIREMENTS. SB 15 ALSO REMOVES THE EXCEPTION ON HIRING A RELATIVE OF A BOARD MEMBER WHO WAS AN EMPLOYEE OF THE DISTRICT AS OF JULY 13, 1990.

FINANCIAL IMPLICATIONS: COST OF REPRINTING APPLICATIONS

PERSONNEL

03.21

**- CLASSIFIED PERSONNEL -**

## **Hiring**

### **SUPERINTENDENT'S RESPONSIBILITIES**

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

### **EFFECTIVE DATE**

Personnel actions shall not be effective until the employee receives written notice of such action from the Superintendent.

### **QUALIFICATIONS**

Board employees shall be chosen with reference to their certification and their personal, educational, physical, moral and emotional fitness for the position. Other factors which shall be considered include educational level, prior experience, and strength of references.

Employees who are terminated and/or non-renewed by a school district for cause or for loss of required certification or licensure, or who resigned in lieu of termination, shall not be considered for future employment by the District.

### **EDUCATIONAL REQUIREMENTS**

No person shall be initially hired unless s/he holds at least a high school diploma or high school certificate of completion or High School Equivalency Diploma or unless s/he shows progress, as defined by Administrative Regulations of the State Board for Adult, and Technical Education, toward obtaining a High School Equivalency Diploma. Employees shall hold the qualifications for the position as established by the Commissioner of Education.<sup>2</sup>

Existing and new paraprofessionals who provide instructional service or support in programs supported by Title I funds shall satisfy educational requirements specified by federal law.<sup>4</sup>

### **CRIMINAL BACKGROUND CHECK AND TESTING**

Applicants and employees shall undergo records checks and testing as required by applicable statutes and regulations.<sup>1 & 2</sup>

Each application or renewal form provided to applicants for a classified position shall conspicuously state the following:

"FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND ~~HAVE~~ A LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE ~~APPLICANT HAS EMPLOYEE IS CLEAR TO HIRE BASED ON~~ NO FINDINGS OF SUBSTANTIATED CHILD ABUSE OR NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET FOR HEALTH AND FAMILY SERVICES ~~AS A CONDITION OF EMPLOYMENT.~~"

## **Hiring**

### **CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)**

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

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

~~Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have a substantiated finding of child abuse or neglect in records maintained by the Cabinet.~~

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

Link to DPP-156 Central Registry Check and more information on the required CAN check~~Cabinet Letter~~:

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

In the event an emergency exists whereby a position must be filled before the criminal records check has been completed, the Superintendent is authorized to fill the position on a probationary basis until the criminal records report has been completed. Final disposition of employment status shall be determined once the criminal records report has been completed.

Each application shall contain a completed "Release Authorization" form and a check made payable to Ft. Thomas Independent Schools for the fee charged by the Justice Cabinet for processing the criminal records report.

### **REPORT TO SUPERINTENDENT**

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

### **BUS DRIVERS**

Prior to the employees' initial employment or upon return from any break in service (excluding summers), the Superintendent shall perform a criminal records and driving history check on all school bus drivers. No person shall be employed as a school bus driver who has been convicted of driving any motor vehicle under the influence of alcohol or any illegal drug within the last five (5) years.

### **JOB REGISTER**

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

## **Hiring**

### **VACANCIES POSTED**

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted in the Central Office on a timely basis and shall refer interested persons to the Central Office job register for additional information.

Notices of all job openings shall be sent to each school for posting in appropriate locations.

### **REVIEW OF APPLICATIONS**

Under procedures developed by the Superintendent, each application shall be reviewed and each applicant so notified. Applications shall be kept on file for three (3) years.

### **RELATIONSHIPS**

The Superintendent shall not employ a relative of a member of the Board ~~unless the relative was initially employed by the District prior to the tenure of the Board member and the member was seated on the Board prior to July 13, 1990.~~

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

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

A relative of the Superintendent shall not be employed except as provided by KRS 160.380.<sup>1</sup>

### **EMERGENCY HIRING**

During emergency situations, job openings may be filled without listing in the job register or posting in District buildings.

### **JOB DESCRIPTION**

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

### **PROBATIONARY PERIOD**

Upon initial employment in the District, a classified employee shall be on probationary status for a period of sixty (60) calendar days. During this period, the employee shall be covered by the school system's sick leave, personal leave, emergency and maternity leave policies.

### **CONTRACT**

All regular full-time and part-time employees shall receive a contract.

### **REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT**

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

### **EMPLOYEES SEEKING A JOB CHANGE**

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

**Hiring**

**REFERENCES:**

<sup>1</sup>KRS 160.380  
<sup>2</sup>702 KAR 5:080  
<sup>3</sup>KRS 161.011  
<sup>4</sup>P. L. 114-95, (Every Student Succeeds Act of 2015)  
20 U.S.C. 7926; 42 U.S.C. § 9843a(g)  
34 C.F.R. 200.58-~~200.59~~; 45 C.F.R. § 1302.90  
KRS 17.160; KRS 17.165; KRS 156.070  
KRS 160.345; KRS 160.390; KRS 335B.020; KRS 405.435  
OAG 18-017; OAG 91-10; OAG 91-149; OAG 91-206  
OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6  
Kentucky Local District Classification Plan; 13 KAR 3:030; 702 KAR 3:320  
Records Retention Schedule, Public School District

**RELATED POLICIES:**

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221



LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING PROTECTIONS COVERING PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO STATE EMPLOYMENT DISCRIMINATION LAW.

FINANCIAL IMPLICATIONS: POTENTIAL COST OF PROVIDING NOTICE AND ACCOMMODATIONS

PERSONNEL

03.212

- CLASSIFIED PERSONNEL -

### **Equal Employment Opportunity**

#### **NONDISCRIMINATION**

The Superintendent shall adhere to a policy of equal employment opportunity in all personnel matters. No person shall be subjected to discrimination in regard to employment, retention, promotion, demotion, transfer or dismissal because of race, color, religion, sex, genetic information, national or ethnic origin, political affiliation, age, ~~or~~ disabling condition, or limitations related to pregnancy, childbirth, or related medical conditions.<sup>1</sup>

#### **INDIVIDUALS WITH DISABILITIES**

No qualified person with a disability, as defined by law, shall, on the basis of the disability, be subject to discrimination in employment.<sup>2</sup>

District employment practices shall be in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

No human immunodeficiency virus (HIV) related test shall be required as a condition of hiring, promotion, or continued employment, unless the absence of HIV infection is a bona fide occupation qualification for the job in question as defined in KRS 207.135.

#### **REASONABLE ACCOMMODATION**

Employees who have a long-term or permanent disability may request the District supervisor to provide reasonable accommodations necessary for them to perform the essential duties of the position. If assistive technology is deemed necessary for an employee, every effort will be made to obtain that technology in a timely fashion. Medical information obtained as part of an employee request shall be confidential.<sup>3</sup>

The District shall engage in a timely, good faith and interactive process to determine reasonable accommodations for an employee's limitations related to pregnancy, childbirth, or related medical conditions. Reasonable accommodation shall be provided as required by law.

#### **ADVISING EMPLOYEES**

The Superintendent shall inform all school employees of the provisions of this policy.<sup>1</sup>

**Equal Employment Opportunity**

**REFERENCES:**

<sup>1</sup>KRS 161.164; ~~KRS Chapter 344~~; 42 U.S.C. 2000e, Civil Rights Act of 1964, Title VII

<sup>2</sup>29 U.S.C.A. 794

<sup>3</sup>29 U.S.C. section 1630.14

KRS 207.135

34 C.F.R. 104.3 - 104.14

~~42 U.S.C. 200e, Civil Rights Act of 1964, Title VII, KRS Chapter 344~~

Americans with Disabilities Act

Kentucky Education Technology System (KETS)

Section 504 of the Rehabilitation Act of 1973

Title IX of the Education Amendments of 1972

Genetic Information Nondiscrimination Act of 2008

**RELATED POLICIES:**

03.233<sub>2</sub>; 05.11

LEGAL: HB 11 REQUIRES ALL LOCAL BOARDS, ON OR BEFORE JULY 1, 2020, TO ADOPT AND IMPLEMENT POLICIES THAT PROHIBIT THE USE OF ANY TOBACCO PRODUCT, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT FOR ALL PERSONS AND AT ALL TIMES ON OR IN ALL PROPERTY OF THE BOARD, AND WHEN STUDENTS ARE PRESENT IN ANY SCHOOL-RELATED TRIP OR STUDENT ACTIVITY. THE POLICIES MUST ALSO PROVIDE FOR ADEQUATE NOTICE TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, AND THE PUBLIC. IN ADDITION, THE POLICIES MUST REQUIRE SIGNAGE ON OR IN ALL PROPERTY INCLUDING ANY VEHICLE OWNED, OPERATED, LEASED, OR CONTRACTED FOR USE BY A LOCAL BOARD. SUCH SIGNAGE SHALL CLEARLY STATE THAT THE USE OF SUCH PRODUCTS IS PROHIBITED AT ALL TIMES AND BY ALL PERSONS ON OR IN THE PROPERTY. SCHOOL EMPLOYEES ARE REQUIRED TO ENFORCE THE POLICIES. NOTE THAT DISTRICTS HAVE THE OPTION TO OPT OUT OF THESE PROVISIONS WITHIN THREE (3) YEARS OF JUNE 27, 2019.

FINANCIAL IMPLICATIONS: COST OF SIGNAGE

PERSONNEL

03.2327

- CLASSIFIED PERSONNEL -

### **Use of Tobacco, Alternative Nicotine, or Vapor Products**

#### **USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED**

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.<sup>1</sup>

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. A person in violation of this policy shall be subject to discipline or penalties as set forth by the Board.

~~The use of any tobacco product is prohibited in or on any property owned or operated by the Board.~~

#### **REFERENCES:**

<sup>1</sup>New Section of KRS 438  
KRS 160.290; KRS 160.340  
KRS 438.050; **KRS 438.305**  
OAG 81-295; OAG 91-137

~~702 KAR 5:080 (32)~~

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

#### **RELATED POLICIES:**

03.1327; 05.31; 06.221; 09.4232; 10.5

LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO CATEGORIES INCLUDED IN STATE LAW REGARDING DISCRIMINATION, NOTICE REQUIREMENT, AND ACCOMMODATIONS.

FINANCIAL IMPLICATIONS: POTENTIAL COST IN PROVIDING NOTICE OR ACCOMMODATIONS

PERSONNEL

03.233

**- CLASSIFIED PERSONNEL -**

**Duties**

All employees are expected to use sound judgment in the performance of their duties and take reasonable measures to protect the health, safety, and well-being of others, as well as District property.

**JOB DESCRIPTION**

Prior to the authorization of any personnel position in the District budget, the Superintendent, collaborating with other District authorities with personnel assignment responsibilities, shall develop, for Board approval, job descriptions which establish all essential functions of each position. The description shall encompass job responsibilities, completion of records and reports, and achievement of goals identified to enhance student achievement and help the school and/or District meet goals established by statute and/or Board policy.

**INVESTIGATIONS**

All employees shall cooperate fully with all investigations conducted by the District as authorized by policy or law. Failure to comply may be considered insubordination.

**ACCOMMODATION**

Reasonable accommodation shall be provided each qualifying employee with a disability [or limitations related to pregnancy, childbirth, or related medical conditions](#) to comply with the requirements of law and regulation.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>Americans With Disabilities Act (ADA); Rehabilitation Act of 1973; [KRS Chapter 344](#)  
P. L. 93-12 Sec. 504; P. L. 101-336  
KRS 158.645; KRS 158.6451  
OAG 91-10

**RELATED POLICY:**

03.212

LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO CATEGORIES INCLUDED IN STATE LAW REGARDING DISCRIMINATION, NOTICE REQUIREMENT, AND ACCOMMODATIONS.

FINANCIAL IMPLICATIONS: POTENTIAL COST IN PROVIDING NOTICE OR ACCOMMODATIONS

PERSONNEL

03.262

- CLASSIFIED PERSONNEL -

## **Harassment/Discrimination**

### **DEFINITION**

Harassment/Discrimination of employees is unlawful behavior based on the race, color, national origin, age, religion, sex, genetic information, ~~or~~ disability, or limitations related to pregnancy, childbirth, or related medical conditions of an employee involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred or prejudice.

### **PROHIBITION**

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

### **DISCIPLINARY ACTION**

Employees who engage in harassment/discrimination of another employee or a student on the basis of any of the areas mentioned above shall be subject to disciplinary action including but not limited to termination of employment.

### **GUIDELINES**

Employees who believe they or any other employee, student, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.<sup>1</sup>

**Harassment/Discrimination****GUIDELINES (CONTINUED)**

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) working days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency;

The Superintendent/designee may take interim measures to protect complainants during the investigation.

2. A process to identify and implement, within five (5) working days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all staff, which may include, but not be limited to, the following:
  - written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets;
  - postings in the same location as are documents that must be posted according to state/federal law; and/or
  - such other measures as determined by the Superintendent/designee.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy.

4. Annual training explaining prohibited behaviors and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

**PROHIBITED CONDUCT**

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors and spreading sexual rumors;
3. Instances involving sexual violence;

**Harassment/Discrimination****PROHIBITED CONDUCT (CONTINUED)**

4. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve individuals with disabilities in antisocial, dangerous or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

**CONFIDENTIALITY**

District employees involved in the investigation of complaints shall respect the privacy and anonymity of all parties involved.

**APPEAL**

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the Superintendent.

If a supervisory staff member is an alleged party in the harassment/discrimination complaint, provision shall be made for addressing the complaint to a higher level of authority.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, or to take corrective action shall be cause for disciplinary action.

**RETALIATION PROHIBITED**

No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

**OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 03.212, 03.2325 and/or 09.422.

**Harassment/Discrimination****REFERENCES:**

<sup>1</sup>KRS 158.156; [KRS Chapter 344](#); [42 USC 2000e, Civil Rights Act of 1964, Title VII](#)

~~42 USC 2000e, Civil Rights Act of 1964, Title VII; KRS Chapter 344~~

29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC) Regulations  
Implementing Title VII

20 U.S.C. 1681, Education Amendments of 1972, Title IX

34 C.F.R. 106.1-106.71, U. S. Department of Education Office for Civil Rights  
Regulations Implementing Title IX

Genetic Information Nondiscrimination Act of 2008

Age Discrimination Act, 42 U.S.C. 6101-6107; 34 C.F.R. 110.25

**RELATED POLICIES:**

03.212;~~03.2325~~; 03.26;~~09.2211~~; 09.422;~~09.42811~~



LEGAL: SB 1 AMENDS KRS 156.095 TO REQUIRE TRAINING FOR HOW TO RESPOND TO AN ACTIVE SHOOTER SITUATION FOR ALL SCHOOL DISTRICT EMPLOYEES WITH JOB DUTIES REQUIRING DIRECT CONTACT WITH STUDENTS.

FINANCIAL IMPLICATIONS: COST OF TRAINING

PERSONNEL

03.29

- CLASSIFIED PERSONNEL -

### **Staff Development**

The Superintendent shall develop and implement a program for continuing training for selected classified personnel.

#### **ACTIVE SHOOTER SITUATIONS**

By November 1, annually, a minimum of one (1) hour of training on how to respond to an active shooter situation shall be required for all District employees with job duties requiring direct contact with students. The training shall be provided either in person, by live streaming, or via a video recording prepared by the Kentucky Department of Education in collaboration with the Kentucky Law Enforcement Council and the Center for School Safety and may be included in the four (4) days of professional development under KRS 158.070. When a staff member subject to the training requirements of this subsection is initially hired after the training has been provided for the school year, the District shall provide materials on how to respond to an active shooter situation.

#### **REFERENCES:**

KRS 156.095; KRS 158.070

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

34 C.F.R. 200.58

LEGAL: SB 15 AMENDS KRS 160.380 TO STATE THAT A SUPERINTENDENT MAY REQUIRE A STATE AND NATIONAL BACKGROUND CHECK AND CLEAR CA/N CHECK.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.6

## **Volunteers**

### **DEFINITION**

Volunteers are persons who do not receive compensation for work in school or District programs. Volunteers are encouraged to use their time and effort to support school and District programs. The Superintendent shall develop procedures that encourage volunteers to assist in school and/or District programs and to facilitate effective communication with persons who volunteer.

Teacher education students or students enrolled in an educational institution who participate in observations and educational activities under direct supervision of a local school teacher or administrator in a public school shall not be considered volunteers

### **SUPERVISION**

All volunteers shall work only under the direction and supervision of a member of the professional administrative and teaching staff.<sup>1</sup>

### **RECORDS CHECK**

The District shall conduct, at District expense, a state criminal records check on all volunteers who have contact with students on a regularly scheduled and/or continuing basis, or who have supervisory responsibility for children at a school site or on school-sponsored trips.

Pursuant to KRS 160.380, the Superintendent/designee also may require volunteers to submit to a state and national criminal (fingerprint) history background check and to provide a clear CA/N check~~letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record.~~ With prior approval of the Superintendent/designee, the background checks will be conducted at District expense. Otherwise, except as stated previously, the volunteer must pay for the background checks.

No volunteer shall be utilized to supervise students, or deemed to have the authority to supervise students, unless the volunteer has been designated to supervise students by the Principal and approved by the Superintendent/designee, and the volunteer has undergone the required records check.~~The Superintendent may also require such a volunteer 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.~~

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

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

### **WORK-BASED SITE SUPERVISORS**

Work-based learning site supervisors are considered volunteers. Pursuant to KRS 160.380 and KRS 161.148, prior to being assigned to supervise a student for more than one (1) day in a work-based learning experience, the site supervisor shall have undergone a state criminal background check either as required by their employer at time of employment or within the past twelve (12) months, whichever is the more recent.

**Volunteers****ORIENTATION**

The Principal/designee shall collaborate with Central Office personnel to develop orientation materials to be provided to all volunteers at individual schools who have contact with students on a regularly scheduled or continuing basis. These materials shall include, but not be limited to, pertinent policies and safety and emergency procedures.

**REFERENCES:**

<sup>1</sup>KRS 161.148  
KRS 160.380; KRS 161.044

**RELATED POLICIES:**

03.5; 08.113; 08.1131

LEGAL HB 26 AMENDS KRS 45A.385 INCREASING THE AGGREGATE CONTRACT AMOUNT MAXIMUM FOR SMALL PURCHASE TO \$30,000.

FINANCIAL IMPLICATIONS: LARGER AMOUNT FOR SMALL PURCHASE PROCEDURES

LEGAL: SB 15 AMENDS KRS 160.380 TO ELIMINATE THE DEFINITION OF “CONTRACTOR” AND THE SCOPE OF REQUIRED VENDOR/CONTRACTOR BACKGROUND CHECKS TO ADULTS ACCESSING SCHOOL GROUNDS UNDER A WRITTEN AGREEMENT TO PROVIDE DIRECT STUDENT SERVICES AS PART OF A SCHOOL-SPONSORED PROGRAM ACTIVITY.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## FISCAL MANAGEMENT

04.32

### Model Procurement Code Purchasing Bidding

#### AUTHORITY

Bidding Purchasing procedures shall conform to the Model Procurement Code, KRS 45A.345 – KRS 45A.460.<sup>1</sup> All contracts or purchases shall be awarded by competitive sealed bidding or competitive negotiation, both of which may include the use of a reverse auction, except as otherwise provided by law.<sup>2</sup>

All purchases of Kentucky Education Technology System (KETS) components shall adhere to KETS architectural standards and procedures.

The District may purchase supplies and/or equipment outside an established price contract of the federal government (GSA), the State Division of Purchases, a cooperative agency bid approved by the Board, or a District bid if:

1. The supplies and/or equipment meet the specifications of contracts awarded by the Division of Purchases, a federal agency (GSA), a cooperative agency, or a District bid;
2. The supplies and/or equipment are available for purchase at a lower price;
3. The purchase does not exceed \$2,500<sup>4 & 8</sup>; and
4. The District’s finance or purchasing officer has certified compliance with the first and second requirements.

Prior to purchase of education technology components defined in the master technology plan, the Department of Education must certify that the items to be purchased meet or exceed the specifications of components of the original equipment of manufacturers currently holding Kentucky price contracts.<sup>4</sup>

#### FEDERAL AWARDS/CONFLICT OF INTEREST

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.<sup>7</sup>

The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. In determining whether an activity constitutes an impermissible acceptance of a gratuity or item of monetary value, the definition of “gratuity” (covering anything of more than fifty dollars [\$50] value) set forth in KRS 45A.445 shall apply. Violation of these standards may result in disciplinary action including, but not limited, to suspension, dismissal, or removal.

## **Model Procurement Code Purchasing Bidding**

### **ETHICAL STANDARDS**

To avoid conflicts that may arise during the decision-making process for procurement of services and products for the District, employees shall adhere to the ethical standards set out in KRS 45A.455.

### **PREFERENCE FOR RESIDENT BIDDERS**

For all contracts funded in whole or in part by the District, the Board shall apply the reciprocal preference for resident bidders required by law. Geographical preferences relating to school nutrition service purchases may be utilized only as permitted by applicable federal law.<sup>3</sup>

### **EXEMPTIONS**

Federal regulatory requirements do not provide a bidding exception for purchase of perishables using school nutrition service funds. Such purchases must follow applicable federal regulations.<sup>7</sup>

### **PRICE REDUCTIONS**

Price reductions may be accepted on supplies and/or equipment being offered by the vendor with whom a price agreement has been made if the supplies and/or equipment meet all terms and conditions specified in the price agreement except for price and if the price reduction is offered to all participants in the price agreement. Price reductions may be accepted even if the reduced price requires the purchase of a specified quantity of units different from the quantity stated in the original price agreement.

### **SMALL PURCHASES**

District small purchase procedures may be used for any contract in which the aggregate amount does not exceed ~~\$30,000.00~~\$20,000.00.<sup>5</sup>

### **BACKGROUND CHECKS ~~FOR CONTRACTORS~~**

The Superintendent shall require an adult who is permitted access to school grounds on a regularly scheduled and continuing basis pursuant to a written agreement for the purpose of providing services directly to a student or students as part of a school-sponsored program or activity~~that a contractor who works on school premises during school hours when students are present~~ to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and to provide a clear CA/N check~~a letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record~~ in keeping with KRS 160.380.<sup>6</sup>

~~The Superintendent may require that a contractor who does not have contact with students to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and to provide a letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record. These provisions shall become part of the contractual obligation of the contractor and shall be reflected in the bid specifications, or, if the contract is not subject to bid requirements, in the negotiations with the contractor.~~

**Model Procurement Code Purchasing Bidding****BACKGROUND CHECKS ~~FOR CONTRACTORS~~ (CONTINUED)**

Link to DPP-156 Central Registry Check and more information on the required CAN  
check ~~Cabinet Letter~~:

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

~~“Contractor” shall refer to any adult who is permitted access to school grounds pursuant to a current or prospective contractual agreement with the school, school board, school district, or school-affiliated entity, at times when students are present. The term “contractor” includes an employee of a contractor.”<sup>6</sup>~~

**REFERENCES:**

<sup>1</sup>KRS 45A.343

<sup>2</sup>KRS 45A.~~070~~345; KRS 160.290; KRS 45A.380

<sup>3</sup>KRS 160.303; 200 KAR 5:400; KRS 45A.494

<sup>4</sup>KRS 156.076

<sup>5</sup>KRS 45A.385

<sup>6</sup>KRS 160.380

<sup>7</sup>2 C.F.R. 200.318

<sup>8</sup>KRS 45A.360

OAG 79-501; OAG 82-170; OAG 82-407

~~KRS 45A.343~~; KRS 45A.352; ~~KRS 45A.345~~; ~~KRS 45A.360~~; KRS 45A.365; KRS 45A.370

KRS 45A.420; KRS 45A.445; KRS 45A.455; KRS 45A.460; KRS 45A.620

KRS 65.027; KRS 160.151; KRS 164A.575; KRS 176.080

Kentucky Educational Technology Systems (KETS)

**RELATED POLICIES:**

05.6; 06.4; 07.13

LEGAL: HB 69 AMENDS KRS 66.480 AND THE REQUIREMENTS FOR INVESTMENTS INCLUDING A PHYSICAL PRESENCE IN KENTUCKY FOR INSTITUTIONS ISSUING CERTIFICATES OF DEPOSIT, CHANGES "NATIONALLY RECOGNIZED" TO COMPETENT, AND ADDS NEW INVESTMENT CATEGORIES/OPTIONS. IT ALSO AMENDS PERCENTAGE LIMITS FOR CERTAIN INVESTMENT CATEGORIES/OPTIONS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## FISCAL MANAGEMENT

04.6

### Investments

#### EXCESS FUNDS

Funds that are temporarily in excess of operating needs shall be invested by the Finance Officer. Such funds shall be invested in one (1) or more of the following:

1. Obligations of the United States and of its agencies and instrumentalities, including obligations subject to repurchase agreements, provided that delivery of these obligations subject to repurchase agreements is taken either directly or through an authorized custodian<sub>;-</sub>
2. Obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States or a United States government agency<sub>;-</sub>
3. Obligations of any corporation of the United States government<sub>;-</sub>
4. Certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution having a physical presence in Kentucky which are insured by the Federal Deposit Insurance Corporation or similar entity or which are collateralized, to the extent uninsured, including surety bonds, by any obligations permitted by KRS 41.240(4)<sub>;-</sub>
5. Uncollateralized certifications of deposit issued by any bank or savings and loan institution having a physical presence in Kentucky rated in one (1) of the three (3) highest categories by a nationally-recognizedcompetent rating agency<sub>;-</sub>
6. Bankers' acceptances for banks rated in one (1) of the three (3) highest categories by a nationally-recognizedcompetent rating agency<sub>;-</sub>
7. Commercial paper rated in the highest category by a nationally-recognizedcompetent rating agency<sub>;-</sub>
8. Bonds or certificates of indebtedness of this state and of its agencies and instrumentalities<sub>;-</sub>
9. Securities issued by a state or local government or any instrumentality of agency thereof, in the United States, and rated in one (1) of the three (3) highest categories by a nationally-recognizedcompetent rating agency<sub>;-</sub>
10. Shares of mutual funds and exchange traded funds, as permitted by law<sub>;-</sub><sup>1</sup>
- ~~10.~~11. Individual equity securities if the funds being invested are managed by a professional investment manager regulated by a federal regulatory agency. The individual equity securities shall be included within the Standard & Poor's 500 Index, and a single sector shall not exceed twenty five percent (25%) of the equity allocation; and

## **Investments**

### **EXCESS FUNDS (CONTINUED)**

~~11.~~ 12. Individual high-quality corporate bonds that are managed by a professional investment manager that are issued, assumed, or guaranteed by a solvent institution created and existing under the laws of the United States; have a standard maturity of no more than ten (10) years; and are rated in the three (3) highest rating categories by at least two (2) competent credit rating agencies.

The Board shall not purchase any investment on a margin basis or through the use of any similar leveraging technique. In addition, the amount of money the District invests at any time in one (1) or more of the categories/options 5, 6, 7, 11, and 129 listed above shall not exceed twenty percent (20%) of the total amount of money invested. The amount of money the District invests in categories/options 10, 11, and 12 above shall not, aggregately, exceed forty percent (40%) of the total money invested.

At the time the investment is made, no more than five percent (5%) of the total amount of money invested by the District shall be invested in any one (1) issuer unless:

1. The issuer is the United States government or an agency or instrumentality of the United States government, or an entity which has its obligations guaranteed by either the United States government or an entity, agency, or instrumentality of the United States government;
2. The money is invested in a certificate of deposit or other interest-bearing accounts as authorized by law;
3. The money is invested in bonds or certificates or indebtedness of this state and its agencies and instrumentalities as authorized by law; or
4. The money is invested in securities issued by a state or local government, or any instrumentality or agency thereof, in the United States as authorized by law.

### **GUIDELINES**

The primary objectives of investment activities, in priority order, shall be:

1. *Legality* - All investments shall be made in accordance with applicable legal requirements.
2. *Safety* - The Finance Officer shall consider safety of principal, along with reduction of credit and interest rate risk, in making investment decisions.
3. *Liquidity* - Investments shall remain sufficiently liquid to meet reasonably anticipated operating requirements. To promote this objective, the Finance Officer shall develop a fiscal year anticipated cash flow projection schedule.
4. *Yield* - The Finance Officer shall select investments or recommend investments with the objective of attaining the maximum rate of return.

Prior to investment, the Finance Officer shall ascertain the current rate of interest payable for the investment at all financial institutions approved by the Board.



**Investments****GUIDELINES (CONTINUED)**

At the next regular Board meeting following the investment, the Board shall be informed as to the amount invested, type of investment, date of investment, rate of interest, length of investment, and current market value of the funds invested. The Finance Officer also shall provide a monthly report to the Board of the total amount invested at the end of the previous month, the maturity date of those investments and the rate of interest being earned.

The Finance Officer shall prepare for Board review an annual review of the District's investment program, which shall summarize the information that has been presented monthly.

**REFERENCES:**

<sup>1</sup>KRS 66.480  
KRS 160.570  
KRS 41.240  
KRS 160.431  
702 KAR 3:090

**RELATED POLICIES:**

04.2  
04.21

LEGAL: LEGAL: IN CONJUNCTION WITH THE AUTHORIZATION FOR THE BOARD TO ACCEPT DONATIONS FOR SCHOOL PURPOSES IN CONFORMITY WITH KRS 160.580, SB1 PROVIDES FOR RESTRICTED GIFTS AND DONATIONS TO THE BOARD TO BE USED IN FURTHERANCE OF LAWFUL SCHOOL SAFETY, SECURITY, AND STUDENT HEALTH PURPOSES TO THE EXTENT ALLOWED BY APPLICABLE FEDERAL TAX LAWS.

FINANCIAL IMPLICATIONS: ADDITIONAL FUNDING FOR SCHOOL SECURITY AND SAFETY

LEGAL: THE BOARD MAY ESTABLISH A POLICY ALLOWING SCHOOLS TO MAINTAIN DONATIONS AND HAS DISCRETION DETERMINING DONATION VALUE TO BE RETAINED AT SCHOOL LEVEL.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 21 AMENDS KRS 156.496 TO PERMIT DISTRICTS TO ACCEPT MONETARY DONATIONS FOR FAMILY RESOURCE AND YOUTH SERVICE CENTERS. SUCH DONATIONS MAY BE GIVEN FOR THE OPERATION AND MAINTENANCE OF THE CENTER AND SHALL BE USED FOR THAT PURPOSE ONLY.

FINANCIAL IMPLICATIONS: NO COST TO DISTRICT, DONATIONS BENEFIT THE CENTERS

## FISCAL MANAGEMENT

04.61

### Gifts and DonationsGrants

The Board may directly accept gifts or donations that are restricted by the grantor to be used in furtherance of lawful school safety, security, and student health purposes to the extent allowed by applicable laws and shall use any accepted gift or donation for the purpose for which it was granted.<sup>1</sup>

#### DONATIONS

With the Principal's approval, schools may receive any gifts of real or personal property for the benefit of the school or for the students of the school that is valued less than \$1000 and hold and use it as requested. Donations valued at more than \$1000 must be approved by the Board.

A listing of all donations shall be submitted to the Board at year-end.

#### FAMILY RESOURCE AND YOUTH SERVICE CENTERS

The District may accept monetary donations for the operation and maintenance of Family Resource and Youth Service Centers (FRYSCs). Any donations given to the District for operation and maintenance of FRYSCs shall be used for that purpose only.<sup>2</sup>

#### REFERENCES:

<sup>1</sup>KRS 160.580

<sup>2</sup>KRS 156.496

KRS 158.441

Accounting Procedures for Kentucky School Activity Funds (Redbook)

#### RELATED POLICY:

04.312

LEGAL: SB 164 REPEALS KRS 160.325 WHICH HAD SET ENERGY REPORTING REQUIREMENTS FOR THE KENTUCKY POLLUTION PREVENTION CENTER (KPPC). THE STATUTORY PROGRAM ENDED WITH THE DEMISE OF FUNDING IN 2012. THIS POLICY MAINTAINS LANGUAGE THAT SUPPORTS SCHOOL DISTRICT ENGAGEMENT IN ENERGY SAVINGS PROGRAMS.

FINANCIAL IMPLICATIONS: REVISION MEMORIALIZES NO STATUTORY PROGRAM FOR ENERGY MANAGEMENT REPORTING OR GRANT FUNDING IMPLICATING NEED TO CONSIDER OTHER OPTIONS OR SELF-SUSTAINING PROGRAMS

FACILITIES

05.23

### **Energy Management**

~~It is the intent of the Board that the District~~In order to use energy resources in a safe and efficient manner with an on-going focus on identifying and implementing cost saving measures and developing staff and student commitment to identified energy management practices, the Board may participate in energy-saving measures to implement an effective energy management program.

~~To promote this effort, the Superintendent/designee shall direct the development of an energy management plan (EMP) for Board approval and oversee the implementation and maintenance of that plan, which shall address the following components:~~

- ~~1. A District level committee shall be appointed by the Superintendent/designee to develop and implement the energy management plan (EMP).~~
- ~~2. The District level committee shall track and monitor the EMP to determine progress toward managing and reducing energy costs.~~
- ~~3. Effective with the 2011-2012 school year, the Superintendent/designee shall report the EMP results for each fiscal year, including annual District energy usage, costs and anticipated savings to KPPC—the Kentucky Pollution Prevention Center—by October 1<sup>st</sup> annually through the Kentucky Energy Efficiency Program for Schools (KEEPS).~~

~~A status report on implementation of the plan in Board-owned and Board-operated facilities shall be provided to the Board following the end of each fiscal year.~~

#### **REFERENCE:**

~~KRS 160.325~~

LEGAL: HB 11 REQUIRES ALL LOCAL BOARDS, ON OR BEFORE JULY 1, 2020, TO ADOPT AND IMPLEMENT POLICIES THAT PROHIBIT THE USE OF ANY TOBACCO PRODUCT, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT FOR ALL PERSONS AND AT ALL TIMES ON OR IN ALL PROPERTY OF THE BOARD, AND WHEN STUDENTS ARE PRESENT IN ANY SCHOOL-RELATED TRIP OR STUDENT ACTIVITY. THE POLICIES MUST ALSO PROVIDE FOR ADEQUATE NOTICE TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, AND THE PUBLIC. IN ADDITION, THE POLICIES MUST REQUIRE SIGNAGE ON OR IN ALL PROPERTY INCLUDING ANY VEHICLE OWNED, OPERATED, LEASED, OR CONTRACTED FOR USE BY A LOCAL BOARD. SUCH SIGNAGE SHALL CLEARLY STATE THAT THE USE OF SUCH PRODUCTS IS PROHIBITED AT ALL TIMES AND BY ALL PERSONS ON OR IN THE PROPERTY. SCHOOL EMPLOYEES ARE REQUIRED TO ENFORCE THE POLICIES. NOTE THAT DISTRICTS HAVE THE OPTION TO OPT OUT OF THESE PROVISIONS WITHIN THREE (3) YEARS OF JUNE 27, 2019.

FINANCIAL IMPLICATIONS: COST OF SIGNAGE

## SCHOOL FACILITIES

05.31

### **Rental Application and Contract**

#### **CONDITIONS OF RENTAL**

All rental of school facilities is subject to the following conditions:

1. An official application shall be made to the Superintendent or designee.
2. Rentals will be made only to responsible and organized groups, and responsible officers of that group must sign the application and the contract.
3. Conditions of that contract shall include:
  - a. Acceptance of responsibility by officials of the renting organization for any damage or loss resulting from the rental;
  - b. Agreement that renting organizations, and officers thereof, shall assume all liability for any personal injuries incurred during their use of the facilities and shall hold the Board harmless from any such claims against it;
  - c. Agreement to observe all school rules, regulations, and requirements for the spaces covered by the contract;
  - d. Agreement to observe all fire and safety regulations;
  - e. Agreement that the use of any tobacco products, alternative nicotine product, or vapor product shall not occur on or in all property. ~~within the building and that~~ ~~the use of alcoholic beverages is prohibited in school buildings or on school grounds;~~
  - f. Observance that no immoral or illegal activity shall be allowed on the premises;
  - g. The presence of a school employee when the building is open after school hours. Such employee shall be designated by the Principal and shall, in no way, be responsible for the conduct of persons present.
  - h. Agreement that no alterations to the buildings or grounds be made without prior approval;
  - i. Agreement that the renting party shall not sublease or reassign any portion of the building or item of equipment covered by the rental contract;
  - j. Agreement that school equipment shall not be a part of the rental contract unless specifically enumerated; and
  - k. Agreement to leave the facilities in as good a condition as before used.

When appropriate, the renting organization shall provide proof of insurance covering the conditions above when requested by the Superintendent or designee.

**Rental Application and Contract**

**REFERENCES:**

KRS 162.055; KRS 438.050; [KRS 438.305](#); [New Section of KRS 438](#)  
OAG 81-295  
P. L. 114-95, (Every Student Succeeds Act of 2015)

**RELATED POLICIES:**

[03.1327](#); [03.2327](#); [06.221](#); [09.4232](#); 10.3; [10.5](#)

LEGAL: SB1 CREATES A NEW SECTION OF KRS 158 THAT REQUIRES THE SUPERINTENDENT TO APPOINT A DISTRICT-LEVEL SCHOOL ADMINISTRATOR TO SERVE AS THE DISTRICT'S SCHOOL SAFETY COORDINATOR AND PRIMARY POINT OF CONTACT FOR PUBLIC SCHOOL SAFETY AND SECURITY FUNCTIONS.

REQUIRES THE SUPERINTENDENT TO SEND VERIFICATION TO THE STATE SCHOOL SECURITY MARSHAL AND KDE THAT ALL SCHOOLS WITHIN THE DISTRICT HAVE COMPLETED THE SCHOOL SECURITY RISK ASSESSMENT FOR THE PREVIOUS YEAR.

REQUIRES THE SUPERINTENDENT TO REPORT TO THE CENTER FOR SCHOOL SAFETY THE NUMBER AND PLACEMENT OF SCHOOL RESOURCE OFFICERS (SROS) IN THE DISTRICT.

AMENDS KRS 158.162 TO DEVELOP AND ADHERE TO PRACTICES TO CONTROL ACCESS TO THE SCHOOL. NO LATER THAN JULY 1, 2022.

FINANCIAL IMPLICATIONS: ADDITIONAL STAFF AS FUNDING BECOMES AVAILABLE

## SCHOOL FACILITIES

05.4

### Safety

#### **BOARD TO ADOPT PLAN**

The Board shall adopt a plan for immediate and long-term strategies to address school safety and discipline, which shall be reviewed annually and revised, as needed. This plan shall utilize information gathered from the District assessment of school safety and student discipline required by law and shall include the Board's code of acceptable behavior and discipline and a description of instructional placement options for threatening or violent students. The committee that develops the plan for Board consideration shall include at least one (1) representative from each school in the District, as well as representatives from the community as required by law.

The plan shall identify measures to be taken in protecting students, staff, visitors, and property. Areas addressed by the plan shall include, but not be limited to, the following:

1. Employment practices and employee management;
2. School facility design, maintenance and usage;
3. Safety and security procedures, orientation and training in use and management of equipment and facilities;
4. Supervision of students;
5. Compliance with state and federal safety requirements;
6. Quarterly reports to the Board concerning implementation of the plan and its effects on District students, personnel and operations.
7. Emergency/crisis intervention (including disaster response);
8. Community involvement.

#### **DISTRICT SCHOOL SAFETY COORDINATOR**

The Superintendent shall appoint a District-level school administrator to serve as the District's School Safety Coordinator (SSC) and primary point of contact for public school safety and security functions.<sup>1</sup>The SSC shall:

1. Complete the school safety coordinator training program developed by the Center for School Safety within six (6) months of his or her date of appointment;

**Safety****DISTRICT SCHOOL SAFETY COORDINATOR (CONTINUED)**

2. Designate a school safety and security threat assessment team at each school in the District consisting of two (2) or more staff members to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or security. Members of a threat assessment team may include school administrators, school counselors, school resource officers, school-based mental health services providers, teachers, and other school personnel;
3. Provide training to school Principals on procedures for completion of the school security risk assessment;
4. Review all school security risk assessments completed within the District and prescribe recommendations as needed in consultation with the state school security marshal;
5. Advise the Superintendent by July 1, 2021, and annually thereafter of completion of required security risk assessments;
6. Formulate recommended policies and procedures, which shall be excluded from the application of KRS 61.870 to KRS 61.884, for an all-hazards approach including conducting emergency response drills for hostage, active shooter, and building lockdown situations in consultation and coordination with appropriate public safety agencies to include but not be limited to fire, police, and emergency medical services for review and adoption as part of the school emergency plan required by KRS 158.162. The recommended policies shall encourage the involvement of students, as appropriate, in the development of the school's emergency plan; and
7. Ensure each school campus is toured at least once per school year, in consultation and coordination with appropriate public safety agencies, to review policies and procedures and provide recommendations related to school safety and security.
8. The SSC, and any school employees participating in the activities of a School Safety and Security Threat Assessment Team, acting in good faith upon reasonable cause in the identification of students shall be immune from any civil or criminal liability that might otherwise be incurred or imposed from:
  - a. Identifying the student and implementing a response pursuant to policies and procedures adopted as required above; or
  - b. Participating in any judicial proceeding that results from the identification.

**SUPERINTENDENT TO REPORT**

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

**SCHOOL EMERGENCY PLANNING**

The school council or, if none exists, the Principal shall adopt an emergency plan for the school that shall include procedures to be followed in cases of fire, severe weather, earthquake or a building lockdown as defined in KRS 158.164. A copy of the emergency plan, including a diagram of the facilities shall be given to first responders, including local fire, police, and emergency medical personnel.

**Safety****SCHOOL EMERGENCY PLANNING (CONTINUED)**

Following the end of each school year, the school council, or if none exists, the Principal, and first responders shall review the emergency plan and revise it as needed.

The school emergency plan shall address staff responsibilities for safely evacuating students needing special assistance during safety drills and actual emergency situations, including students with disabilities and those with 504 plans. The Principal shall discuss the emergency plan with all school staff prior to the first instructional day annually and shall document the date and time.

Whenever possible, first responders shall be invited to observe emergency response drills.

In addition, the school council or, if none exists, the Principal shall:

1. Establish and post primary and secondary evacuation routes in each room by any doorway used for evacuation;
2. Identify the best available severe weather safe zones, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency, and post the location of the safe zones in each room;
3. Develop school procedures to follow during an earthquake; and
4. Develop and adhere to practices to control access to the school. As soon as practicable but no later than July 1, 2022, practices shall include but not be limited to:
  - Controlling outside access to exterior doors during the school day;
  - Controlling the main entrance of the school with electronically locking doors, a camera, and an intercom system;
  - Controlling access to individual classrooms;
  - Requiring classroom doors to be equipped with hardware that allows the door to be locked from the outside but opened from the inside;
  - Requiring classroom doors to remain closed and locked during instructional time;
  - Requiring classroom doors with windows to be equipped with material to quickly cover the window during a building lockdown;
  - Requiring all visitors to report to the front office of the building, provide valid identification, and state the purpose of the visit; and
  - Providing a visitor's badge to be visibly displayed on a visitor's outer garment.

No later than November 1 of each school year, the Superintendent shall send verification to the Kentucky Department of Education that all schools are in compliance with school emergency planning requirements.



**Safety****PRECAUTIONS**

Precautions will be taken for the safety of the students, employees, and visitors.

**DEFIBRILLATORS**

The District may maintain an automatic external defibrillator (AED) in designated locations throughout the District. An AED shall be used in emergency situations warranting its use in accordance with guidelines established by the Superintendent/designee. Expected users documented as having completed required training shall be authorized to use a defibrillator.

The District shall notify the local emergency medical services system and the local emergency communications or vehicle dispatch center of the existence, location, and type of each AED.

Defibrillators shall be maintained and tested in accordance with operational guidelines of the manufacturer and monitored as directed by the Superintendent/designee. Defibrillators shall be kept on school property and will not accompany EMS personnel to a hospital emergency room.

**REPORTING HAZARDS**

Each employee observing a potential safety or security hazard shall report such hazard in writing to his immediate supervisor who shall cause the situation to be remedied or reported to the proper authority for remedy.

**COMMUNICATION SYSTEM**

The Board shall establish a process for a two-way communication system for employees to notify the Principal, supervisor or other administrator of an existing emergency. The process may include, but is not limited to, use of intercoms, telephones, and two-way radios.

<sup>1</sup>New Section KRS 158

KRS 61.870 to KRS 61.884

KRS 158.148; KRS 158.162; KRS 158.164; KRS 158.445

KRS 160.290; KRS 160.445

KRS 311.667; KRS 411.148

**RELATED POLICIES:**

02.31; 03.14; 03.24; 05.2; 05.21; 05.41; 05.411; 05.42; 05.45; 05.47; 05.5

09.214; 09.22; 09.221; 09.4 (entire section); 10.5

LEGAL: HB 328 AMENDS KRS 527.070 TO SPECIFY THAT THE CURRENT EXCEPTION FOR ADULTS WITH A FIREARM LAWFULLY STORED IN A LOCKED VEHICLE ON SCHOOL PROPERTY DOES NOT APPLY TO STUDENTS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## SCHOOL FACILITIES

05.48

### Weapons

This policy applies to students, staff members, and visitors to the school.

#### **WEAPONS PROHIBITED**

Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited.

Violation of this policy by staff members shall constitute reason for disciplinary action, including possible termination.

Violation of this policy by students shall require that the Principal immediately make a report to the Superintendent, who shall determine if charges for expulsion from the District schools should be filed under Policy 09.435. In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a firearm in violation of the law or assault involving the use of a weapon.

Violations by visitors shall be reported to a law enforcement agency.

Exceptions:

- An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.070.
- Law enforcement officials, including peace officers and police as provided in KRS 527.070 and KRS 527.020, are authorized to bring weapons onto school property in performance of their duties.

#### **FEDERAL REQUIREMENTS REGARDING STUDENTS**

The penalty for students possessing a firearm at school or bringing a firearm or other deadly weapon, destructive device, or booby trap device to school or onto the school campus/property under jurisdiction of the District shall be expulsion for a minimum of twelve (12) months under Policy 09.435. However, the Board may modify such expulsions on a case-by-case basis. Any case-by-case modification of the one (1)-year expulsion requirement, including those made for students with disabilities to meet the requirements of IDEA and Section 504, shall be in writing and may be based upon a recommendation of the Superintendent/designee.<sup>1</sup>

Any student who possesses a firearm at school or brings to school a firearm or other deadly weapon, destructive device, or booby trap device shall be referred to the criminal justice or juvenile delinquency system.

~~Although students are subject to disciplinary action for violating any restriction in this policy, the twelve (12) month expulsion penalty mandated by the Federal Gun Free Schools Act does not apply to a firearm lawfully stored in a locked vehicle on school property.<sup>1</sup>~~

**Weapons****STATE POSTING REQUIREMENTS**

The Superintendent shall post the following notice in prominent locations in the schools, including, but not limited to, sports arenas, gymnasiums, stadiums, and cafeterias. The notice shall be at least six (6) inches high and fourteen (14) inches wide and shall state:

UNLAWFUL POSSESSION OF A WEAPON ON SCHOOL PROPERTY IN KENTUCKY IS A FELONY PUNISHABLE BY A MAXIMUM OF FIVE (5) YEARS IN PRISON AND A TEN THOUSAND DOLLAR (\$10,000) FINE.<sup>1</sup>

The above criminal penalty shall not apply to those persons listed in KRS 527.070 (3).

**STATE REPORTING REQUIREMENTS**

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use of a deadly weapon on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

For state reporting purposes, a deadly weapon shall be defined as:

1. a weapon of mass destruction;
2. any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged;
3. any knife other than an ordinary pocket knife or hunting knife;
4. billy, nightstick or club;
5. blackjack or slapjack;
6. nunchaku karate sticks;
7. shuriken or death star; or
8. artificial knuckles made from metal, plastic, or other similar hard material.

Employees who receive information from a student or other person regarding conduct required to be reported shall report the conduct in the same manner as stated above.

**ENFORCEMENT**

In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with applicable Board policies.

**Weapons**

**REFERENCES:**

<sup>1</sup>KRS 527.070; KRS 158.150; 20 U.S.C. §7141 (Gun-Free Schools Act)  
18 U.S.C. §921(a)  
KRS 158.154  
KRS 158.155; KRS 160.290; KRS 160.340; KRS 161.790  
KRS 237.106; KRS 237.110; KRS 237.138 to KRS 237.142  
KRS 500.080; KRS 508.075; KRS 508.078; KRS 527:020  
Individuals with Disabilities Education Improvement Act (IDEA)  
Section 504 of the Rehabilitation Act of 1973, as amended

**RELATED POLICIES:**

09.435; 09.436; 09.4361

LEGAL: SB1 CREATES A NEW SECTION OF KRS 158 THAT REQUIRES THE SUPERINTENDENT TO SEND VERIFICATION TO THE STATE SCHOOL SECURITY MARSHAL AND KDE THAT ALL SCHOOLS WITHIN THE DISTRICT HAVE COMPLETED THE SCHOOL SECURITY RISK ASSESSMENT FOR THE PREVIOUS YEAR.

FINANCIAL IMPLICATIONS: TIME TO CONDUCT RISK ASSESSMENTS AND ADDITIONAL STAFF AS FUNDING BECOMES AVAILABLE

## SCHOOL FACILITIES

05.5

### **Security**

#### **DEVELOPMENT OF PLAN**

The Superintendent shall develop and implement a plan ensuring the reasonable security of District property.

#### **SCHOOL SECURITY RISK ASSESSMENT**

No later than July 15, 2021, and each subsequent year, Superintendent shall send verification to the state school security marshal and KDE that all schools within the District have completed the school security risk assessment for the previous year.<sup>1</sup>

#### **RESPONSIBILITY**

The Principal has general oversight of school property under his or her supervision and shall use good judgment for the reasonable security of such property.

#### **REFERENCES:**

<sup>1</sup>New Section of KRS 158  
KRS 158.162

#### **RELATED POLICY:**

05.4

LEGAL: HB 11 REQUIRES ALL LOCAL BOARDS, ON OR BEFORE JULY 1, 2020, TO ADOPT AND IMPLEMENT POLICIES THAT PROHIBIT THE USE OF ANY TOBACCO PRODUCT, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT FOR ALL PERSONS AND AT ALL TIMES ON OR IN ALL PROPERTY OF THE BOARD, AND WHEN STUDENTS ARE PRESENT IN ANY SCHOOL-RELATED TRIP OR STUDENT ACTIVITY. THE POLICIES MUST ALSO PROVIDE FOR ADEQUATE NOTICE TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, AND THE PUBLIC. IN ADDITION, THE POLICIES MUST REQUIRE SIGNAGE ON OR IN ALL PROPERTY INCLUDING ANY VEHICLE OWNED, OPERATED, LEASED, OR CONTRACTED FOR USE BY A LOCAL BOARD. SUCH SIGNAGE SHALL CLEARLY STATE THAT THE USE OF SUCH PRODUCTS IS PROHIBITED AT ALL TIMES AND BY ALL PERSONS ON OR IN THE PROPERTY. SCHOOL EMPLOYEES ARE REQUIRED TO ENFORCE THE POLICIES. NOTE THAT DISTRICTS HAVE THE OPTION TO OPT OUT OF THESE PROVISIONS WITHIN THREE (3) YEARS OF JUNE 27, 2019.

FINANCIAL IMPLICATIONS: COST OF SIGNAGE

## TRANSPORTATION

06.221

### **Bus Drivers' Use of Tobacco and Other Substances**

#### **TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS**

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.<sup>1</sup>

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy.

~~While on the bus, bus drivers shall not use tobacco products and shall not permit students to use them.~~

#### **DEFINITIONS**

The following definitions apply for purposes of drug and alcohol testing required by federal and state law:

"Drugs" refers to controlled substances as prohibited by the Omnibus Act, including but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

"Alcohol" refers to the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including but not limited to, methyl and isopropyl. Alcohol use includes the consumption of any beverage, mixture, or preparation, including any medication containing alcohol.

**Bus Drivers' Use of Tobacco and Other Substances****USE PROHIBITED**

All employees subject to commercial driver's license (CDL) requirements shall be prohibited from:

1. The use of any drugs, that may affect the employee's ability to safely drive a school bus or perform other job responsibilities;
2. The use of alcohol:
  - a. While on duty;
  - b. Four (4) hours before driving;
  - c. Eight (8) hours following an accident; or
  - d. Consumption resulting in prohibited levels of alcohol in the system.

**REQUIRED REPORTS**

- Drivers taking medication either by prescription or without prescription shall report to the immediate supervisor and shall not drive if that medication may affect the driver's ability to safely drive a school bus or perform other driver responsibilities.<sup>2</sup>
- Drivers shall immediately report to the Superintendent or designee any traffic violation specified in Kentucky Administrative Regulation.<sup>2</sup>

**TESTING**

All covered applicants and employees shall be subject to pre-employment testing (controlled substances only), and reasonable suspicion, random and post-accident testing for drugs and alcohol. Return-to-duty and follow-up testing shall also be required.

All offers of employment with the District shall be made contingent upon testing results. An applicant who tests positive shall not be employed.

Current employees who test positive shall be subject to immediate disciplinary action up to and including dismissal in accordance with Board policy and administrative procedures. A school bus driver, substitute driver, school bus mechanic or anyone performing safety-sensitive pupil transportation duties who tests 0.02 percent or higher on the confirmation alcohol test immediately before, during, or immediately following the performance of these duties shall be relieved of these duties immediately. (Drivers found under the influence of alcohol or any illegal drugs while on duty or with remaining driving responsibilities that same day shall be dismissed from employment in accordance with Kentucky Administrative Regulation and Board policy and shall not be eligible for reemployment for five [5] years.)

Employees who test positive shall be notified of referral services. Additionally, employees shall be subject to CDL prohibitions and penalties under the Omnibus Act and applicable Federal Motor Carrier Safety Regulations.

Applicants who refuse drug testing shall be eliminated immediately from employment consideration. Current employees who refuse to comply with testing requirements will be regarded as insubordinate and shall be subject to disciplinary action, up to and including dismissal.

Refusal to submit to an alcohol or controlled substance test means that the individual demonstrated noncompliance, including but not limited to the following actions:

- Failed to appear for any test within a reasonable period of time as determined by the employer and consistent with applicable Department of Transportation agency regulation;

**Bus Drivers' Use of Tobacco and Other Substances****TESTING (CONTINUED)**

- Failed to remain at the testing site until the testing process was completed;
- Failed to provide a sample specimen for any required test;
- Failed to provide a sample in an amount sufficient for testing without an adequate medical reason for the failure;
- Failed to undergo a medical examination as directed by the Medical Review Officer as part of the verification process for the previous listed reason;
- Failed or declined to submit to a second test that the employer or collector has directed the driver to take;
- Failed to cooperate with any of the testing process; and/or
- Adulterated or substituted a test result as reported by the Medical Review Officer.

**TESTING COSTS**

Pre-employment drug testing costs shall be paid for by the District. All current employee drug and alcohol testing including reasonable suspicion, random and post-accident testing costs shall be paid for by the District.

**MATERIALS TO BE PROVIDED**

The Superintendent/designee shall distribute educational materials to explain state and federal legal requirements for alcohol and controlled substance testing of CDL drivers and the District's policies and procedures to implement it and answer questions about the materials. Materials shall meet content requirements of state and federal regulations and shall be distributed to each driver prior to the start of alcohol and controlled substances testing each year and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle. Each employee is required to sign a statement certifying that s/he has received a copy of these materials. If the District recognizes an organization to represent bus drivers, the District shall provide written notice to representatives of the organization of the availability of this information.<sup>43</sup>

**REFERENCES:**

<sup>1</sup>~~KRS 438.050; KRS 438.305; New Section of 43849 C.F.R. Part 382~~

<sup>2</sup>702 KAR 5:080

<sup>3</sup>~~49 C.F.R. Part 382~~

~~KRS 438.050~~

Omnibus Employee Testing Act of 1991, Public Law 102-143, Title V

**RELATED POLICIES:**

03.11; 03.13251; [03.1327](#); 03.17

03.21; 03.23251; [03.2327](#); 03.27

[09.4232](#); [10.5](#)



LEGAL: AMENDMENTS TO 704 KAR 3:305 CHANGE GRADUATION REQUIREMENTS FOR STUDENTS ENTERING 9TH GRADE IN THE 2018-2019, 2019-2020 AND 2020-2021 SCHOOL YEARS. LOCAL BOARDS MAY ADOPT THEIR OWN REQUIREMENTS THAT MAY GO FARTHER THAN THE STATE MINIMUM. ANY DISTRICT CHANGES OR ADDITIONAL REQUIREMENTS SHOULD BE SENT TO YOUR POLICY CONSULTANT.

FINANCIAL IMPLICATIONS: REQUIREMENTS FOR MORE OFFERINGS MAY ADVERSELY IMPACT DISTRICT BUDGETS

## CURRICULUM AND INSTRUCTION

08.113

### **Graduation Requirements**

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic ~~Standards~~Expectations, students must complete a minimum of twenty-two (22) credits, including demonstrated performance-based competency in technology, and all other state and local requirements in order to graduate from high school in the District.

~~Beginning July 1, 2018,~~sStudents wishing to receive a regular diploma must pass a civics test made up of one hundred (100) questions selected from the civics test administered to persons seeking to become naturalized citizens and prepared or approved by the Board. A minimum score of sixty percent (60%) is required to pass the test and students may take the test as many times as needed to pass. Students that have passed a similar test within the previous five (5) years shall be exempt from this civics test. This shall be subject to the requirements and accommodations of a student's individualized education program (IEP) or a Section 504 Plan.<sup>5</sup>

~~In addition to the credits required~~content requirements established by the Kentucky Academic Standards, and the credits required by the minimum requirements for high school graduation in 704 KAR 3:305, the Board may impose other credit requirements for graduation from high school. Students shall complete an Individual Learning Plan (ILP) that focuses on career exploration and related postsecondary education and training needs.

~~Students that do not meet the college readiness benchmarks for English and language arts and/or mathematics shall be offered the opportunity to take a transitional course or intervention before exiting high school.~~

**Graduation Requirements****FOR STUDENTS ENTERING GRADE NINE (9) ON OR BEFORE THE FIRST DAY OF THE 2018-2019 ACADEMIC YEAR**

Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR 3:303 and 704 KAR Chapter 8. The required credits and demonstrated competencies shall include the following minimum requirements:

<u>Language Arts</u>	<u>Four (4) Credits (English I, II, III, and IV) taken each year of high school. Students that do not meet the college readiness benchmarks for English and language arts shall take a transitional course or intervention, which is monitored to address remediation needs, before exiting high school.</u>
<u>Social Studies</u>	<u>Three (3) Credits</u>
<u>Mathematics</u>	<u>Three (3) Credits (Algebra I, Geometry and Algebra II) (An integrated, applied, interdisciplinary, occupational, or technical course that prepares a student for a career path based on the student's ILP may be substituted for a traditional Algebra I, Geometry, or Algebra II course on an individual student basis if the course meets the content standards in the Kentucky Academic Standards, established in 704 KAR 3:303 and 704 Chapter 8. A mathematics course or its equivalent as determined by the District shall be taken each year of high school to ensure readiness for postsecondary education or the workforce. Any mathematics course other than Algebra I, Geometry, or Algebra II shall be counted as an elective. Students that do not meet the college readiness benchmarks for mathematics shall take a transitional course or intervention, which is monitored to address remediation needs, before exiting high school.</u>
<u>Science</u>	<u>Three (3) Credits incorporating lab-based scientific investigation</u>
<u>Health</u>	<u>One-half (1/2) Credit</u>
<u>P.E.</u>	<u>One-half (1/2) Credit</u>
<u>Visual and Performing Arts</u>	<u>One (1) Credit or a standards-based specialized arts course based on the student's ILP</u>
<u>Academic and Career Interest Standards-based Learning Experiences</u>	<u>Seven (7) Credits total (Three (3) plus four (4) standards-based credits in an academic or career interest based on the student's ILP)</u>
<u>Technology</u>	<u>Demonstrated performance-based competency</u>

**Graduation Requirements****FOR STUDENTS ENTERING GRADE NINE (9) ON OR AFTER THE FIRST DAY OF THE 2019-2020 ACADEMIC YEAR**

Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR 3:303 and 704 KAR Chapter 8. The required credits and demonstrated competencies shall include the following minimum requirements:

<u>Language Arts</u>	<u>Four (4) Credits total (English I and II plus two (2) credits aligned to the student's ILP)</u>
<u>Social Studies</u>	<u>Three (3) Credits total – (Two (2) plus one (1) credit aligned to the student's ILP)</u>
<u>Mathematics</u>	<u>Four (4) Credits total (Algebra I and Geometry plus two (2) credits aligned to the student's ILP)</u>
<u>Science</u>	<u>Three (3) Credits total – (Two (2) credits incorporating lab-based scientific investigation experiences plus one (1) credit aligned to the student's ILP)</u>
<u>Health</u>	<u>One-half (1/2) Credit</u>
<u>P.E.</u>	<u>One-half (1/2) Credit</u>
<u>Visual and Performing Arts</u>	<u>One (1) Credit or a standards-based specialized arts course based on the student's ILP</u>
<u>Academic and Career Interest Standards-based Learning Experiences</u>	<u>Six (6) Credits total (Two (2) plus four (4) standards-based credits in an academic or career interest based on the student's ILP)</u>
<u>Technology</u>	<u>Demonstrated performance-based competency</u>
<u>Additional qualifiers as follows:</u>	

Complete one (1) or more of the following graduation qualifiers:

1. Satisfy precollege curriculum as established by the Council on Postsecondary Education in 13 KAR 2:020;
2. Achieve benchmark score as established by the Council on Postsecondary Education in 13 KAR 2:020 in one (1) section of a college admissions or placement examination;
3. Complete three (3) postsecondary credit hours or more of a Kentucky Department of Education approved dual credit course with a grade of C or higher;
4. Complete one (1) course and corresponding assessment meeting the following criteria:
  - a) Advanced placement (AP) with a score of three (3) or higher;
  - b) Cambridge Advanced International (CAI) with a score at E or higher; or
  - c) International Baccalaureate (IB) with a score of five (5) or higher;

**Graduation Requirements****FOR STUDENTS ENTERING GRADE NINE (9) ON OR AFTER THE FIRST DAY OF THE 2019-2020 ACADEMIC YEAR (CONTINUED)**

5. Obtain an industry certification as approved by the Kentucky Workforce Innovation Board;
6. Complete four (4) credits from valid courses within a single Kentucky Department of Education approved career pathway;
7. Complete a Kentucky Department of Education approved process to verify 500 hours of exceptional work experience, or alternative requirements as determined by a student's Admissions and Release Committee and specified in the student's IEP; and
8. Complete two (2) years in an approved Kentucky Department of Education or Kentucky Labor Cabinet pre-apprenticeship or apprenticeship program.

**Graduation Requirements****FOR STUDENTS ENTERING GRADE NINE (9) ON OR AFTER THE FIRST DAY OF THE 2020-2021 ACADEMIC YEAR**

Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR 3:303 and 704 KAR Chapter 8. The required credits and demonstrated competencies shall include the following minimum requirements:

<u>Language Arts</u>	<u>Four (4) Credits total (English I and II plus two (2) credits aligned to the student's ILP)</u>
<u>Social Studies</u>	<u>Three (3) Credits total – (Two (2) plus one (1) credit aligned to the student's ILP)</u>
<u>Mathematics</u>	<u>Four (4) Credits total (Algebra I and Geometry plus two (2) credits aligned to the student's ILP)</u>
<u>Science</u>	<u>Three (3) Credits total – (Two (2) credits incorporating lab-based scientific investigation experiences plus one (1) credit aligned to the student's ILP)</u>
<u>Health</u>	<u>One-half (1/2) Credit</u>
<u>P.E.</u>	<u>One-half (1/2) Credit</u>
<u>Visual and Performing Arts</u>	<u>One (1) Credit or a standards-based specialized arts course based on the student's ILP</u>
<u>Academic and Career Interest Standards-based Learning Experiences</u>	<u>Six (6) Credits total (Two (2) plus four (4) standards-based credits in an academic or career interest based on the student's ILP)</u>
<u>Technology</u>	<u>Demonstrated performance-based competency</u>
<u>Financial Literacy</u>	<u>One (1) or more courses or programs that meet the financial literacy requirements pursuant to KRS 158.1411.</u>
<u>Additional qualifiers and prerequisites as follows:</u>	

**I. Complete one (1) or more of the following graduation qualifiers:**

1. Satisfy precollege curriculum as established by the Council on Postsecondary Education in 13 KAR 2:020;
2. Achieve benchmark score as established by the Council on Postsecondary Education in 13 KAR 2:020 in one (1) section of a college admissions or placement examination;
3. Complete three (3) postsecondary credit hours or more of a Kentucky Department of Education approved dual credit course with a grade of C or higher;

**Graduation Requirements****FOR STUDENTS ENTERING GRADE NINE (9) ON OR AFTER THE FIRST DAY OF THE 2020-2021 ACADEMIC YEAR (CONTINUED)**

4. Complete one (1) course and corresponding assessment meeting the following criteria:
    - a) Advanced placement (AP) with a score of three (3) or higher;
    - b) Cambridge Advanced International (CAI) with a score at E or higher; or
    - c) International baccalaureate (IB) with a score of five (5) or higher;
  5. Obtain an industry certification as approved by the Kentucky Workforce Innovation Board;
  6. Complete four (4) credits from valid courses within a single Kentucky Department of Education approved career pathway;
  7. Complete a Kentucky Department of Education approved process to verify 500 hours of exceptional work experience, or alternative requirements as determined by a student's Admissions and Release Committee and specified in the student's IEP; and
  8. Complete two (2) years in an approved Kentucky Department of Education or Kentucky Labor Cabinet pre-apprenticeship or apprenticeship program.
- II. Meet one (1) of the following graduation prerequisites for reading and one (1) of the following graduation prerequisites for mathematics:
1. Score at or above the minimum criteria on the tenth (10th) grade state-required assessments in reading or mathematics;
  2. Score proficient or higher for reading or mathematics on the eighth (8th) grade state required assessment; or
  3. A student collection of evidence submitted by the Principal to the Superintendent/designee for review and approval. The collection of evidence shall include the following:
    - The student's ILP that includes student transcript;
    - If applicable, for students with IEPs, evidence that the student has achieved progress on measurable annual IEP goals as determined by the Admissions and Release Committee;
    - Performance on the tenth (10th) grade state-required assessments in reading or mathematics;
    - Appropriate interventions, targeted to the student's needs;
    - Student work demonstrating the student's competency in reading or mathematics; and
    - The student's post-graduation plans.

## **Graduation Requirements**

### **ACADEMIC LOAD**

All high school students shall be enrolled in at least six (6) subjects, unless assigned as a student assistant for one (1) period.

### **PERFORMANCE-BASED CREDITS**

In addition to Carnegie units, students may earn credit toward high school graduation through the District's standards-based, performance-based credit system that complies with requirements of Kentucky Administrative Regulation. Procedures for developing and amending the system shall address the following:

1. Conditions under which high school credit will be granted under the system that allow students to demonstrate proficiency and earn credit for learning acquired outside the normal classroom setting, outside of school, or in prior learning;

Performance-based credit may be earned while the student is still "in school," but the instructional setting will look different from a traditional "seat time" environment.

2. Performance descriptors and their linkages to State content standards and academic ~~standards~~ expectations;

At the high school level, performance descriptors and evaluation procedures shall be established to determine if the content and performance standards have been met.

3. Assessments and the extent to which state-mandated assessments will be used;
4. An objective grading and reporting process; and
5. Criteria to promote and support school and community learning experiences, such as internships and cooperative learning, in support of a student's ~~ILP~~ individual learning plan. Such experiences shall be supervised by qualified instructors and aligned with State and District content and performance standards.

The high school student handbook shall include complete details concerning specific graduation requirements.

In keeping with statutory requirements, the District shall accept for credit toward graduation and completion of high school course requirements an advanced placement or a high school equivalent course taken by a student in grades 5, 6, 7, or 8 if that student attains performance levels expected of high school students in the District as determined by achieving a score of "3" or higher on a College Board Advanced Placement examination or a grade of "B" or better in a high school equivalent.<sup>2</sup>

### **MIDDLE SCHOOL COURSES FOR HIGH SCHOOL CREDIT**

Middle school students may take designated courses that will count toward graduation requirements. However, the following requirement shall apply:

- Middle school student taking such courses must earn at least a B average and pass the final exam in the class for the course to count toward graduation.
- Grades earned in those courses shall not be used to calculate a student's high school grade point average (GPA).

## **Graduation Requirements**

### **OTHER REQUIREMENTS**

In order to graduate, seniors must successfully complete requirements of the Student Assessment Program.

~~Students shall complete an individual learning plan that focuses on career exploration and related postsecondary education and training needs.~~

The high school student handbook shall include complete details concerning specific graduation requirements.

### **OTHER PROVISIONS**

Diplomas shall be presented at Commencement. The Board, Superintendent, Principal, or teacher may award special recognition to students. (See Policy 08.2211.)

Only those senior students who meet all requirements of this policy shall be permitted to participate in graduation activities, except that, under procedures developed by the Superintendent, academically accelerated students assigned to a senior homeroom shall be permitted to participate in Commencement.

Seniors participating in Commencement shall wear caps and gowns approved by the Board.

Consistent with the District's graduation practices for all students, an alternative high school diploma shall be awarded to students with disabilities in compliance with applicable legal requirements. In addition, former students may submit to the Superintendent a request that the District provide them with an alternative high school diploma to replace the certificate of attainment they received at time of graduation from the District.<sup>3</sup>

A student who is at least seventeen (17) years of age and who is a state agency child, as defined in KRS 158.135, shall be eligible to seek attainment of a High School Equivalency Diploma.

The District shall report individual student data regarding the completion of each graduation qualifier and each graduation prerequisite to the Kentucky Department of Education.

The Board may substitute an integrated, applied, interdisciplinary, occupational, technical, or higher-level course for a required course if the alternative course provides rigorous content.

### **ADVANCED PLACEMENT CAPSTONE DIPLOMA**

~~Beginning with the class of 2019, s~~Students who wish to earn the Capstone Diploma must meet the following requirements:

- Complete the requirements of Kentucky's Pre-college curriculum;
- Complete the College Board courses titled AP Seminar and AP Research and the accompanying exams; and
- Complete and earn a passing score of three (3) or better on four (4) additional Advanced Placement courses.



## **Graduation Requirements**

### **ADVANCED PLACEMENT CAPSTONE DIPLOMA (CONTINUED)**

Students who meet the above criteria shall be awarded the Capstone Diploma and recognized at the Highlands High School Commencement. Students who earn a three (3) or better in both AP Seminar and AP Research as well as a three (3) or better in four (4) additional AP courses shall be awarded the AP Capstone Diploma through the College Board. Those who meet the requirements but not on four (4) additional courses will earn a Capstone Certificate through the College Board.

### **EARLY GRADUATION CERTIFICATE**

Students who meet all applicable legal requirements shall be eligible for early graduation in relation to receipt of a graduation diploma and an Early Graduation Certificate. Students wishing to follow an early graduation pathway shall notify the Principal of their intent prior to the beginning of grade nine (9) or as soon thereafter as the intent is known, but within the first thirty (30) school days of the academic year in which they wish to graduate. A Letter of Intent to Apply shall be entered into the student information system by October 1 of the year the student declares intent to graduate early.<sup>4</sup>

Students working toward receipt of an Early Graduation Certificate shall be supported by development and monitoring of an ILP individual learning plan to support their efforts.

To graduate early and earn an Early Graduation Certificate, a student shall:

1. Score proficient or higher on the state-required assessments; and
2. Meet the college readiness exam benchmarks established 13 KAR 2:020 for placement in credit-bearing courses without the need for remediation.

A student who has indicated an intent to graduate early may participate in the student's state administration of the college readiness exam prior to the junior year, if needed. Students who meet all applicable legal requirements shall be awarded a diploma and an Early Graduation Certificate.

### **TRANSCRIPTS**

Upon graduation, each student shall receive an official transcript of his/her secondary school record. Additional copies shall be provided for a minimal fee upon student request.

### **DIPLOMAS FOR VETERANS**

In keeping with statute and regulation, the Board shall award an authentic high school diploma to an honorably discharged veteran who did not complete high school prior to being inducted into the United States Armed Forces during World War II, the Korean conflict, or the Vietnam War.<sup>1</sup>

**Graduation Requirements****REFERENCES:**

<sup>1</sup>KRS 40.010; KRS 158.140; 704 KAR 7:140

<sup>2</sup>KRS 158.622

<sup>3</sup>KRS 156.160; 20 U.S.C. sec. 1414

<sup>4</sup>KRS 158.142; 704 KAR 3:305

<sup>5</sup>~~KRS 158.141~~

KRS 156.027; KRS 158.135

~~KRS 158.141~~; ~~KRS 158.1411~~; KRS 158.143; KRS 158.183; KRS 158.281

KRS 158.302; KRS 158.645; KRS 158.6451

KRS 158.860

13 KAR 2:020; 702 KAR 7:125; 703 KAR 4:060

704 KAR 3:303; 704 KAR 3:306; 704 KAR Chapter 8

OAG 78-348; OAG 82-386

Kentucky Academic Standards

**RELATED POLICIES:**

08.1131; 08.14; 08.22; 08.2211; 08.222

09.126 (re requirements/exceptions for students from military families)

LEGAL: SB 1 CREATES A NEW SECTION OF KRS 158 TO INCORPORATE TRAUMA-INFORMED PRACTICES IN COUNSELING AND MENTAL HEALTH SERVICES AND REQUIRES THE SUPERINTENDENT TO REPORT ON THE NUMBER AND PLACEMENT OF SCHOOL COUNSELORS IN THE DISTRICT.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: REVISIONS TO 704 KAR 3:035 REQUIRE DISTRICTS TO INCORPORATE KENTUCKY ACADEMIC STANDARDS FOR CAREER STUDIES.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## CURRICULUM AND INSTRUCTION

08.14

### **Guidance**

Guidance and counseling services shall be provided for students. Counselors may perform mental health services and provide implementation and training on trauma-informed practices as addressed in law.<sup>1</sup>

#### **SERVICES**

Services provided by the guidance program shall consist of educational counseling; career and personal counseling; testing, and other services requested by students, parents, or staff.

#### **INDIVIDUAL LEARNING PLANS**

In keeping with Kentucky Administrative Regulation, the District shall implement an advising and guidance process to support development and implementation of an ~~i~~Individual ~~L~~earning ~~p~~lan (ILP) for each student that includes career development and awareness. The ILP shall specifically address the content as provided in the Kentucky Academic Standards for career studies.

#### **CONFIDENTIAL MATERIAL**

All records and counseling information shall be kept in confidence as provided by applicable law.<sup>42</sup>

#### **SUPERINTENDENT TO REPORT**

No later than November 1, 2019, and each subsequent year, the Superintendent shall report to the Kentucky Department of Education the number and placement of school counselors in the District. The report shall include the source of funding for each position, as well as a summary of the job duties and work undertaken by each counselor and the approximate percent of time devoted to each duty over the course of the year.

#### **REFERENCES:**

<sup>1</sup>New Section of KRS 158

<sup>42</sup>KRE 506 (Kentucky Rules of Evidence); KRS 158.154; KRS 158.155; KRS 158.156;

KRS 61.878; KRS 620.030

~~KRS 61.878~~; 703 KAR 4:060; 704 KAR 3:303; 704 KAR 3:305; 704 KAR Chapter 8

#### **RELATED POLICIES:**

08.113; 09.14

LEGAL: REPEAL OF 703 KAR 5:200 REMOVES THE REQUIREMENT FOR END OF COURSE EXAMS THAT COUNT TOWARDS A STUDENT'S FINAL GRADE IN A COURSE.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## CURRICULUM AND INSTRUCTION

08.221

### Grading

#### **ACHIEVEMENT**

Teachers shall maintain detailed, systematic records of the achievement of each student.

Teachers in grades six through twelve (6-12) shall maintain the designated computerized grade book. All grades shall be entered into the system as numerical scores. Averages shall be converted into alpha letter grades to be published on the student report cards along with the numerical averages.

~~Grades earned on end-of-course exams required for high school courses designated by Kentucky Administration Regulation shall count as twenty percent (20%) of a student's 2<sup>nd</sup>-semester grade in a course.~~

A student's grade shall not be lowered as a disciplinary action.

#### **REPORT CARDS**

Based on a District-wide distribution schedule developed by the Assistant Superintendent for Teaching and Learning and Principals, report cards shall be issued every nine (9) weeks for all students. These evaluations shall provide a record of academic progress as well as conduct. Parents shall be requested to sign the report card and return it promptly to the school.

#### **ASSIGNMENT TO TEACHER**

Students in primary school through grade five (P-5) shall be assigned their teacher for the next school year by the end of the first week of August.

#### **ADDITIONAL NOTIFICATION**

Midway through the grading period, teachers may send progress reports to parents of students who have either greatly improved or are performing unsatisfactorily. Parents shall be requested to sign the report and return it promptly to the issuing teacher.

The Principal shall notify parents of students who are in danger of failing. Each school shall maintain written verification of this notification.

#### **PRIMARY AND INTERMEDIATE REPORTS**

For primary and intermediate grades, each faculty shall develop for Board approval the reporting device to be used by their school under the direction of the Principal and Assistant Superintendent for Teaching and Learning.

Each primary teacher shall provide parents with a comprehensive report that is based on samples of their child's work and that includes a descriptive, narrative evaluation of all aspects of the child's progress.

**Grading****INTERMEDIATE - HIGH SCHOOL GRADING STANDARDS**

The following grading standards shall be adhered to for students in grades four through twelve (4-12):

<b>NUMERIC</b>	<b>ALPHA</b>
97-100	A+
90-96	A
87-89	B+
80-86	B
77-79	C+
70-76	C
60-69	D
0-59	F*

\* Grades of U/Unsatisfactory shall be used only in grades four (4) and five (5).

**SEMESTER AND FINAL GRADES**

The grade recorded at the end of the semester shall be the cumulative grade for that semester. Semester averages for academic subjects shall be calculated based on procedures developed by each school.

If a student in grades nine through twelve (9-12) fails the second semester of a full-year course, s/he fails the course for the full year, regardless of the grade earned for the first semester.

Students shall be notified of these provisions at the beginning of each school year.

**CLASS RANK/GPA CALCULATION**

Individual class rank and grade point average (GPA) shall be calculated for students in grades nine through twelve (9-12) at the end of the fourth, sixth, and eighth semesters based on all courses taken. GPA shall be reported as either *Weighted* or *Unweighted*.

Quality points shall be assigned as follows:

<u>College-level Courses</u>	<u>Advanced Courses</u>	<u>Regular Courses</u>
A+ = 5.25	A+ = 4.75	A+ = 4.25
A = 5.00	A = 4.50	A = 4.00
B+ = 4.25	B+ = 3.75	B+ = 3.25
B = 4.00	B = 3.50	B = 3.00
C+ = 3.25	C+ = 2.75	C+ = 2.25
C = 3.00	C = 2.50	C = 2.00
D = 2.00	D = 1.50	D = 1.00
F = 0.00	F = 0.00	F = 0.00

The Weighted GPA will be used to determine Class Rank and Valedictorian/Salutatorian Honors.

The Unweighted GPA will be calculated using a 4.0 scale.

**Grading****CLASS RANK/GPA CALCULATION (CONTINUED)**

The following shall be used for Advanced Placement and Dual Credit courses for the purpose of KEES scholarship reporting requirements. All other courses are calculated using a 4.0 scale.

A = 5.00

B = 4.00

C = 3.00

D = 2.00

F = 1.00

**TRANSFER STUDENTS**

For the purposes of calculating class rank and GPA, credits earned by students transferring from an accredited institution to the high school shall be evaluated using the 4.0 regular class scale. In order for an Advanced Placement (AP) course to transfer as a weighted AP course, the student must have passed the AP course and taken the National AP exam.

**EXCHANGE STUDENTS**

Letter grades earned by a student who attended school in another country as an exchange student shall be recorded on the transcript, but shall not be included in the student's grade point average.

**STUDENTS WITH DISABILITIES**

Grades earned by students with disabilities shall be recorded on their report cards and permanent record cards in compliance with procedures developed by the Superintendent.

**EVALUATION OF SYSTEM**

The effectiveness of the progress reporting system shall be evaluated periodically. Such evaluation and any resulting change in the system shall be based on information gathered from various sources, including, but not limited to teachers, administrators, parents and students.

**RETAINING TEACHER-MADE TESTS**

Unless a test is under an outstanding request to inspect or review under FERPA, teachers shall retain semester tests and finals for thirty (30) calendar days following the end of the semester. They shall retain all end of unit and grading period tests for thirty (30) calendar days following the date a graded test is returned to the entire class.

*Exceptions:*

- Teachers may maintain tests for a longer period than required by this policy and shall maintain such records as long as may be required by the student's IEP or 504 plan.
- Teachers are not required to maintain copies of tests that are returned for students to keep.

**Grading**

**REFERENCES:**

KRS 158.140; KRS 158.645; KRS 158.6451; KRS 158.860  
KRS 160.345; KRS 161.200  
~~703 KAR 5:200~~

**RELATED POLICIES:**

02.441; 08.113; 08.22; 08.222; 08.5

LEGAL: HB 399 CREATES A NEW SECTION OF KRS CHAPTER 159 TO ALLOW CHILDREN OF MILITARY FAMILIES WHO ARE TRANSFERRING TO KENTUCKY ON OFFICIAL MILITARY ORDERS TO PRE-ENROLL IN A SCHOOL DISTRICT WITH OFFICIAL DOCUMENTATION.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.126

### **Students of Military Families**

The following are key provisions that apply to students from military families that are based on the compact agreed upon by states belonging to the Interstate Commission on Educational Opportunity for Military Children:

#### **ENROLLMENT**

A child of a military family may pre-enroll or participate in pre-admission in the District if the parent or guardian of the child is transferred to or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order. The District shall accept an application for enrollment and course registration by electronic means for the child, including enrollment in a specific school or program within the District.

The parent or guardian of a child of a military family shall provide proof of residence to the District within ten (10) days after the arrival date provided on official documentation. The parent or guardian may use, as proof of residence, the address of:

1. A temporary on-post billeting facility;
2. A purchased or leased home or apartment; or
3. Any federal government housing or off-post military housing, including off-post military housing that may be provided through a public-private venture.

Until actual attendance or enrollment in the District, the child of a military family shall not:

1. Count for the purposes of average daily attendance;
2. Be charged tuition pursuant to KRS 158.120; or
3. Be included in the state assessment and system.<sup>1</sup>

Students from a household of an active duty service member who are moving into the District shall be enrolled and appropriately placed as quickly as possible based on information provided in the student's unofficial records pending validation by the official record that the District shall request from the sending school.

Special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent. A transitioning child of a military family who is placed in the care of a non-custodial parent or other person standing in loco parentis and living in a jurisdiction other than that of the custodial parent may continue to attend the school in which s/he was enrolled while residing with the custodial parent.

#### **TUITION**

Tuition shall not be charged for a transitioning child of a military family who is placed in the care of a non-custodial parent or other person standing in loco parentis and living in the jurisdiction other than that of the custodial parent.



**Students of Military Families****IMMUNIZATION REQUIREMENTS**

Students from military families shall have thirty (30) days from the date of enrollment to obtain required immunizations or additional time as may be determined by the Interstate Commission Compact rules.

**PLACEMENT**

Kindergarten and first grade students from a household of an active duty service member moving into the District from an accredited school in another state shall be allowed to continue placement at their current grade level, regardless of age.

Decisions about placement of students from military families in educational programs shall be based on current educational assessments conducted at the sending school or participation/placement in like programs in the sending state. Such programs include, but are not limited to the following programs:

1. Gifted and talented; and
2. English as a second language (ESL).

This shall not preclude the District/school from performing subsequent evaluations to ensure appropriate placement of a student.

**SPECIAL EDUCATION SERVICES**

The District shall initially provide comparable services to a student with disabilities based on his or her current Individualized Education Program (IEP).

The District shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing Section 504 (Title II) Plan\*, to provide the student with equal access to education. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

\* In Kentucky, a student Title II Plan is the same as a Section 504 Plan.

**DEPLOYMENT-RELATED ABSENCES**

Students whose parent or legal guardian is an active member of the uniformed services, as defined by this compact, and has been called to active duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the Superintendent to visit with their parent or legal guardian relative to such leave or deployment.

**EXTRACURRICULAR PARTICIPATION**

The District shall facilitate the opportunity for transitioning children of military families to participate in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

**Students of Military Families****GRADUATION REQUIREMENTS**

The District shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another school district or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the District shall provide alternative means of acquiring required coursework so that graduation may occur on time. Otherwise, the District shall ensure receipt of a diploma from the sending school district if the student completed graduation requirements of that district.

Exit exam scores from sending schools shall be accepted in accordance with the Interstate Commission Compact.

**CHILDREN OF CIVILIAN MILITARY EMPLOYEES**

Children of civilian military employees shall be afforded the same rights as children of military families under KRS 156.730 if the parents are required to move to perform their job responsibilities resulting in the students having to change schools.

**REFERENCES:**

<sup>1</sup>New Chapter of KRS 159

KRS 156.730; KRS 156.735; **KRS 158.020**

Individuals with Disabilities Education Improvement Act of 2004

Section 504 of the Rehabilitation Act; District 504 procedures

Americans with Disabilities Act

**RELATED POLICIES:**

02.4241; 08.113; 08.131; 08.132; 08.13452; 08.222

09.12; 09.121; 09.123; 09.124; 09.211; 09.3; 09.313

LEGAL: SB1 AMENDS KRS 156.095 REQUIRING SUICIDE PREVENTION TRAINING TO INCLUDE THE RECOGNITION OF SIGNS AND SYMPTOMS OF POSSIBLE MENTAL ILLNESS FOR ALL SCHOOL DISTRICT EMPLOYEES WITH JOB DUTIES REQUIRING DIRECT CONTACT WITH STUDENTS IN GRADES SIX (6) THROUGH TWELVE (12) AND MODIFIES SUICIDE TRAINING REQUIREMENTS.  
FINANCIAL IMPLICATIONS: COST OF TRAINING

STUDENTS

09.22

## **Student Health and Safety**

### **PRIORITY**

Student health, welfare and safety shall receive priority consideration by the Board.

Rules and regulations on health and safety promulgated by the Kentucky Board of Education under Kentucky statute and by local and state boards of health relating to student safety and sanitary conditions shall be implemented in each school.

### **HEALTH SERVICES TO BE PROVIDED**

In keeping with applicable legal requirements, only licensed medical professionals or school employees who have been appropriately trained and authorized to do so shall provide health services to students.

Employees to whom health service responsibilities have been delegated must be approved in writing by the delegating physician or nurse. The approval form shall state the employee consents to perform the health service when the employee does not have the administration of health services in his/her contract or job description as a job responsibility, possesses sufficient training and skills, and has demonstrated competency to safely and effectively perform the health service. The approval form shall be maintained as required by law. Delegation of health service responsibilities shall be valid only for the current school year.<sup>1</sup>

If the delegation involves administration of medication, the District will maintain proof that the employee has completed the required training provided by the Kentucky Department of Education (KDE) or as allowed under KRS 158.838.

Employees to whom health service responsibilities have been delegated shall notify their immediate supervisor by April 15 of each year if they are not willing to perform the service(s) during the next school year.

### **SAFETY PROCEDURES**

All pupils shall receive annual instruction in school bus safety.

The Superintendent shall develop procedures designed to promote the safety of all students. Said procedures shall specify specific responsibilities for line positions having responsibility for student supervision.

### **SUICIDE PREVENTION**

All employees with job duties requiring direct contact with students in grades six (6) through twelve (12)~~middle and high school teachers, principals, and guidance counselors~~ shall complete a minimum one (1) hour of high-quality suicide prevention training, including the recognition of signs and symptoms of possible mental illness. Such training shall be in-person, by live streaming, or via video recording and may be included in the four (4) days of professional development required by statute. The District shall provide suicide prevention materials for review by any employee subject to training hired during a year in which the in-person, live streaming, or video recording training is not required.<sup>3</sup>

**Student Health and Safety****SUICIDE PREVENTION (CONTINUED)**

By September 15 of each ~~school~~-year, ~~each public school~~administrators shall provide suicide prevention awareness information to students in ~~grades six (6) through twelve (12)~~~~middle school~~ ~~grades and above~~, as provided by the Cabinet for Health and Family Services or a commercially developed suicide prevention training program.<sup>2</sup>

**SEIZURE DISORDER MATERIALS**

All principals, guidance counselors, and teachers shall complete at least one (1) hour of self-study review of seizure disorder materials no later than July 1, 2019. At least one (1) hour of self-study review of seizure disorder materials shall also be required for all principals, guidance counselors, and teachers hired after July 1, 2019.<sup>3</sup>

**REFERENCES:**

<sup>1</sup>KRS 156.501; KRS 156.502; 702 KAR 1:160

<sup>2</sup>KRS 156.095

<sup>3</sup>KRS 158.070

KRS 156.160

KRS 158.836; KRS 158.838

702 KAR 5:030

**RELATED POLICY:**

09.2241

LEGAL: REVISIONS TO 702 KAR 1:160 INCLUDE MEDICATIONS TO BE ADMINISTERED PURSUANT TO A STUDENT'S SEIZURE ACTION PLAN.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.224

## **Emergency Medical Treatment**

### **FIRST AID TO BE PROVIDED**

First aid shall be provided to all pupils in case of an accident or sudden illness until the services of a health-care professional become available.

### **FIRST-AID ROOM**

A first-aid area with appropriate equipment, supplies and provisions for the child to recline shall be designated in each school. At least two (2) adult employees in each school, at least one (1) of whom shall be present at the school at all times during school hours, shall have completed and been certified in a standard first-aid course that includes CPR for infants and children.

The District shall have employees trained in accordance with the law to administer or help administer emergency medications.

When enrolled students, for whom documentation under KRS 158.838, including seizure action plans, has been provided to the school, are present during school hours or as participants in school-related activities, a school employee who has been appropriately trained to administer or assist with the self-administration of glucagon, insulin, seizure rescue medications, or medication prescribed to treat seizure disorder symptoms approved by the FDA and administered pursuant to a student's seizure action plan, shall be present.

### **INFORMATION NEEDED**

A number at which parents can be reached, the name of the family physician and those persons who are authorized to pick up the student when the parent/guardian cannot be reached shall be maintained at each school for all its pupils.<sup>1</sup> Parents will be notified in the event of an accident.

### **EMERGENCY CARE PROCEDURES**

Schools shall have emergency care procedures comporting with regulation<sup>1</sup> and may utilize the Kentucky Department of Education's Health Services Reference Guide (HSRG) as a resource.

When an emergency arises and the student's parent/guardian or designee cannot be reached in a timely manner, the school will take action necessary to maintain the student's health, such as calling emergency medical personnel or taking the student to a health care facility. In such instances, school personnel shall notify health professionals of any medications that they are aware the student is taking.

### **REFERENCES:**

<sup>1</sup>702 KAR 1:160

KRS 156.160; KRS 156.502; KRS 158.836; KRS 158.838

Kentucky Department of Education Health Services Reference Guide (HSRG)

### **RELATED POLICIES:**

09.21; 09.22; 09.2241

LEGAL: HB 11 REQUIRES ALL LOCAL BOARDS, ON OR BEFORE JULY 1, 2020, TO ADOPT AND IMPLEMENT POLICIES THAT PROHIBIT THE USE OF ANY TOBACCO PRODUCT, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT FOR ALL PERSONS AND AT ALL TIMES ON OR IN ALL PROPERTY OF THE BOARD, AND WHEN STUDENTS ARE PRESENT IN ANY SCHOOL-RELATED TRIP OR STUDENT ACTIVITY. THE POLICIES MUST ALSO PROVIDE FOR ADEQUATE NOTICE TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, AND THE PUBLIC. IN ADDITION, THE POLICIES MUST REQUIRE SIGNAGE ON OR IN ALL PROPERTY INCLUDING ANY VEHICLE OWNED, OPERATED, LEASED, OR CONTRACTED FOR USE BY A LOCAL BOARD. SUCH SIGNAGE SHALL CLEARLY STATE THAT THE USE OF SUCH PRODUCTS IS PROHIBITED AT ALL TIMES AND BY ALL PERSONS ON OR IN THE PROPERTY. SCHOOL EMPLOYEES ARE REQUIRED TO ENFORCE THE POLICIES. NOTE THAT DISTRICTS HAVE THE OPTION TO OPT OUT OF THESE PROVISIONS WITHIN THREE (3) YEARS OF JUNE 27, 2019.

FINANCIAL IMPLICATIONS: COST OF SIGNAGE

STUDENTS

09.4232

## **Tobacco, Alternative Nicotine, or Vapor Products**

### **DEFINITION**

~~Tobacco products shall be defined as including, but not limited to the following items: cigarettes, cigars, pipe tobacco, chewing tobacco, and snuff.~~

### **USE OF TOBACCO PROHIBITED**

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 ~~on property owned or operated by the~~ on or in all Board property at all times, inside Board-owned including any vehicles, owned, operated, leased, or contracted for use by the Board and while attending or participating in any on-the-way to and from school, and during school-sponsored related student trips and or student activitiesactivity.

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. ~~Students are also prohibited from possessing paraphernalia associated with use of tobacco products, such as lighters, matches, etc., during the school day or at school-sponsored activities.~~

### **VIOLATIONS AND PENALTIES**

Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline.

### **REFERENCES:**

KRS 160.290; KRS 160.340; KRS 161.180

KRS 438.050; KRS 438.305; KRS 438.350; New Section of KRS 438

OAG 81-295; OAG 91-137

P. L. 1114-95, (Every Student Succeeds Act of 2015)

### **RELATED POLICIES:**

03.1327; 03.2327; 05.31; 06.221; 10.5

LEGAL: SB1 CREATES A NEW SECTION OF KRS 158 REQUIRING THE PRINCIPAL TO PROVIDE WRITTEN NOTICE TO ALL STUDENTS, PARENTS, AND GUARDIANS OF STUDENTS WITHIN TEN (10) DAYS OF THE FIRST INSTRUCTIONAL DAY OF EACH SCHOOL YEAR OF THE PROVISION OF KRS 508.078 AND POTENTIAL PENALTIES UNDER KRS 532.060 AND KRS 534.030 UPON CONVICTION:  
FINANCIAL IMPLICATIONS: COST OF PROVIDING NOTICE

STUDENTS

09.425

### **Assault and Threats of Violence**

For purposes of this Policy, a “threat” shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

#### **PUPILS**

Any pupil who threatens, assaults, batters or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion.<sup>1</sup>

Students may also be subject to prosecution or juvenile justice interventions for assault, threats, or other abusive conduct.

The Principal shall provide written notice to all students, parents, and guardians of students within ten (10) days of the first instructional day of each school year of the provision of KRS 508.078 and potential penalties under KRS 532.060 and KRS 534.030.<sup>2</sup>

#### **SCHOOL PERSONNEL**

Any pupil who threatens, assaults, batters or physically or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action<sup>1</sup> up to and including expulsion from school and/or legal action.

#### **REMOVAL OF STUDENTS**

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting or from the District's transportation system pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to:

1. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.
2. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

Removal of students from a bus shall be made in compliance with 702 KAR 5:080.

Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as practicable. The Principal/designee shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

**Assault and Threats of Violence****REPORT TO LAW ENFORCEMENT AGENCY**

When they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon.

**DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION**

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child pursuant to KRS 620.030. This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

If individual school personnel has reasonable cause to believe that a victim with whom s/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, s/he shall provide educational materials to the victim relating to such form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the school District's area.

**NOTIFICATIONS**

As soon as the Superintendent/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

Any District employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other official who has knowledge of the student's behavior prior to the assignment or contact.



**Assault and Threats of Violence**

**REFERENCES:**

<sup>1</sup>KRS 158.150

<sup>2</sup>New Section of KRS 158

KRS 158.154; KRS 160.290

KRS 161.155; KRS 161.190; KRS 161.195

KRS 209A:020; KRS 209.160

KRS 209A.100; KRS 209A.110; KRS 209A.130

KRS 211.160; KRS 403.720; KRS 456.010

KRS 508.025; KRS 508.075; KRS 508.078; KRS 525.080

KRS 532.060; KRS 534.030; KRS 620.030

702 KAR 5:080

**RELATED POLICIES:**

03.123; 03.13253; 03.223; 03.23253; 05.4

06.34; 09.14; 09.2211; 09.422; 09.429

LEGAL: SB 1 CREATES A NEW SECTION OF KRS 158 THAT REQUIRES DISTRICTS TO HAVE A THREAT ASSESSMENT POLICY COVERING THE DESIGNATION OF A THREAT ASSESSMENT TEAM THAT IS TO IDENTIFY AND RESPOND TO STUDENTS EXHIBITING BEHAVIOR THAT INDICATES A POTENTIAL THREAT TO SCHOOL SAFETY OR SECURITY.  
FINANCIAL IMPLICATIONS: HIRING AND TRAINING OF TEAM MEMBERS

STUDENTS

09.429

## **Threat Assessments**

### **DEFINITIONS**

"School safety" shall mean a program of prevention that protects students and staff from substance abuse, violence, bullying, theft, the sale or use of illegal substances, exposure to weapons and threats on school grounds, and injury from severe weather, fire, and natural disasters.

"School security" shall mean procedures followed and measures taken to ensure the security of school buildings, classrooms, and other school facilities and properties.

"Threat assessment team" and "team" shall mean a school safety and security threat assessment team established pursuant to this policy and a new section of KRS 158.

### **ESTABLISHMENT AND MEMBERSHIP OF TEAMS**

A school safety and security threat assessment team shall be established at each school of the District. The members of the team at each school shall be designated by the District School Safety Coordinator, and shall consist of two (2) or more school staff members. School staff members that may be designated as a member of the team at any given school may include: school administrators; school counselors; school resource officers; school-based mental health services providers; teachers; and other school personnel. If necessary, a threat assessment team may serve more than one (1) school of the District.

### **PURPOSE OF TEAM**

The purpose of a team shall be to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or school security.

### **GENERAL COMPONENTS OF SCHOOL SAFETY AND SCHOOL SECURITY PLANNING**

According to the U.S. Secret Service Guide, Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence, key components of a comprehensive school safety and school security plan include efforts to:

1. Foster a climate of respect and trust;
2. Build relationships;
3. Promote communication;
4. Identify concerning behaviors;
5. Maintain a threat assessment team;
6. Reinforce clear policies and procedures;
7. Provide resources to appropriately respond to students;

## **Threat Assessments**

### **GENERAL COMPONENTS OF SCHOOL SAFETY AND SCHOOL SECURITY PLANNING (CONTINUED)**

8. Promote information-sharing between the school District and appropriate community stakeholders as allowed by law;
9. Liaison with law enforcement; and
10. Provide consistent training to stakeholders.

### **GUIDING PRINCIPLES OF COMPREHENSIVE THREAT ASSESSMENT PLANNING**

The District School Safety Coordinator, members of threat assessment teams, and other appropriate District administrators and staff, shall give appropriate consideration to the following non-exhaustive list of general principles as threat assessment teams are established and as they plan for and conduct their work:

1. A threat assessment process best functions as one component of overall school safety, in conjunction with physical school security and emergency management.
2. Students may engage in a continuum of concerning behaviors, the vast majority of which will be non-threatening and non-violent, but may still call for some type of response.
3. Students should feel empowered to communicate their own concerns to appropriate school staff without fear of reprisal. Incoming reports regarding concerning behavior or statements presenting a threat to school safety and school security should be given due consideration and assessed.
4. The goal of a threat assessment process is to identify, assess, and respond to potential threats to school safety and school security. The process begins with establishing a comprehensive plan for schools to:
  - a. Identify students or situations of concern;
  - b. Gather additional relevant information in a lawful manner;
  - c. Assess the student or situation risk, in context based on the totality of the information available; and
  - d. Identify and implement or recommend appropriate response strategies to address the concern.

### **THREAT ASSESSMENT TEAM MEMBER TRAINING**

Training to members of threat assessment teams should be provided or arranged by the District regarding the purpose of the team, the guiding principles stated above, and the members' roles in enhancing school safety and school security through identifying and responding to students exhibiting behavior that indicates a potential threat to school safety or school security. Training shall address the following: strategies to properly respond to students who provide information about a threatening or concerning situation, ways to assess and respond to potential threats, and how and to whom they should report threatening communications or behavior.

## **Threat Assessments**

### **THREAT ASSESSMENT TEAM MONITORING**

The District School Safety Coordinator and the Superintendent/designee shall monitor the work of the threat assessment team in each school of the District.

### **ACCESS TO STUDENT RECORDS**

Threat assessment team members, including any members who are not school District employees, are hereby designated as “school officials” for purposes of **the Family Educational Rights and Privacy Act** (FERPA), and as such may access student records to the extent necessary in connection with the work of the team, in accordance with FERPA and Board Policy 09.14.

### **INTERACTION OF TEAM ACTIVITIES WITH SCHOOL DISCIPLINARY ACTION AND/OR LAW ENFORCEMENT**

Threat assessment team activities and any responses undertaken or recommended by a team, do not negate or override applicable disciplinary procedures or action under Board policy or the Code of Acceptable Behavior and Discipline or legal reporting requirements, including those covering bullying or criminal activity; dependency, neglect or abuse; or domestic and dating violence.<sup>2</sup>

### **IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY**

A school District, School Safety Coordinator, and any school employees participating in the activities of a school safety and security threat assessment team enjoy immunity from civil and criminal liability regarding their participation in the threat assessment process as provided in New section of 158.<sup>1</sup>

### **REFERENCES:**

<sup>1</sup>New Section of KRS 158

U.S. Secret Service Guide, *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*

### **RELATED POLICIES:**

<sup>2</sup>09.2211; 09.227; 09.438

05.4; 09.14;; 09.425

LEGAL: HB 11 REQUIRES ALL LOCAL BOARDS, ON OR BEFORE JULY 1, 2020, TO ADOPT AND IMPLEMENT POLICIES THAT PROHIBIT THE USE OF ANY TOBACCO PRODUCT, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT FOR ALL PERSONS AND AT ALL TIMES ON OR IN ALL PROPERTY OF THE BOARD, AND WHEN STUDENTS ARE PRESENT IN ANY SCHOOL-RELATED TRIP OR STUDENT ACTIVITY. THE POLICIES MUST ALSO PROVIDE FOR ADEQUATE NOTICE TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, AND THE PUBLIC. IN ADDITION, THE POLICIES MUST REQUIRE SIGNAGE ON OR IN ALL PROPERTY INCLUDING ANY VEHICLE OWNED, OPERATED, LEASED, OR CONTRACTED FOR USE BY A LOCAL BOARD. SUCH SIGNAGE SHALL CLEARLY STATE THAT THE USE OF SUCH PRODUCTS IS PROHIBITED AT ALL TIMES AND BY ALL PERSONS ON OR IN THE PROPERTY. SCHOOL EMPLOYEES ARE REQUIRED TO ENFORCE THE POLICIES. NOTE THAT DISTRICTS HAVE THE OPTION TO OPT OUT OF THESE PROVISIONS WITHIN THREE (3) YEARS OF JUNE 27, 2019.

FINANCIAL IMPLICATIONS: COST OF SIGNAGE

## COMMUNITY RELATIONS

10.5

### **Visitors to the Schools**

The Board encourages parents, professional educators, and others who have legitimate educational interests pertaining to the District's public school program to visit the schools. To ensure that school personnel are aware of visitors' presence, visits to classrooms shall be scheduled in advance unless authorized by the Principal/designee and all visitors must report immediately to the Principal's office upon entering the school and identify themselves as well as declare their purposes for visiting.

#### **REGISTRANTS**

No registrant, as defined in KRS 17.500, nor any person residing outside of Kentucky who would be required to register under KRS 17.510 if the person resided in Kentucky, shall be on the clearly defined grounds of a District school, except with the advance written permission of the Principal or the Board that has been given after full disclosure of the person's status under KRS 17.510 as a registrant or sex offender from another state and all registrant information as required in KRS 17.500.

A registrant is defined as:

1. Any person eighteen (18) years of age or older at the time of the offense or any youthful offender, as defined in KRS 600.020, who has committed:
  - a. A sex crime; or
  - b. A criminal offense against a victim who is a minor; or
2. Any person required to register under KRS 17.510; or
3. Any sexually violent predator; or
4. Any person whose sexual offense has been diverted pursuant to KRS 533.250, until the diversionary period is successfully completed.

A registrant, who is the parent/legal guardian, or the person designated by the parent/legal guardian to have access to a student, must request and receive prior permission from the Principal to come onto school grounds. The Principal shall determine whether the requesting registrant is permitted to come onto school grounds for the following reasons:

1. To pick up or drop off their child each day.
2. To pick up the child who is injured or ill.
3. To confer with school staff concerning academic, disciplinary or placement issues involving the student, including matters required by federal or state law.
4. To attend a school activity, including athletic practices and competition, in which the student is a participant.

**Visitors to the Schools****REGISTRANTS (CONTINUED)**

5. To vote when the school has been designated as a polling place.

Depending on the facts of the particular request, the Principal's response options may include, but are not be limited to the following:

- Requiring the registrant to provide additional information needed;
- Specifying check-in and check-out requirements;
- Requiring the registrant to be directly supervised by an individual designated by the Principal while on school grounds;
- Restricting the registrant to a designated location on school grounds;
- Limiting the time the registrant will be permitted to be on school grounds; and
- Denying the request to come onto school grounds.

The Principal shall notify the Superintendent/designee of each request from a registrant and the response made to the registrant. If questions arise about a request, the Principal shall consult with the Superintendent concerning requests from registrants, and the Superintendent may seek further advice from the Board Attorney.

For all other reasons and for all individuals making a request other than parent/legal guardian/designee, the Principal shall consult with the Superintendent as the executive agent of the Board before making a final determination.

**CONDUCT/PROHIBITION ON RECORDING**

All visitors to the schools must conduct themselves so as not to interfere with the daily operation of the school program.

Due to privacy concerns, and except for emergency situations, personally owned recording devices are not to be used to create video or audio recordings or to take pictures except with prior permission from the Principal/designee and the affected individual(s).

An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena.

Such devices include, but are not limited to, personal cell phones and tablets.

**USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED**

The use of any tobacco product, alternative nicotine product, or vapor product, as defined in KRS 438.305, is prohibited for all persons and at all times on or in any building owned or operated by the Board all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and in the presence of a student or students.<sup>1</sup>

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

## **Visitors to the Schools**

### **USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED**

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. Persons in violation of this policy, in addition to fines which may be imposed by law<sup>2</sup>, are subject to verbal warnings to refrain from use of the subject product. Refusal to refrain from such use or repeated instances of prohibited use after prior warnings may subject the individual to a ban from school property as permitted by law and corresponding civil and criminal penalties.<sup>3</sup>

### **ACCOMMODATION**

Visitors with disabilities shall be accommodated as required by law. Individuals requesting accommodation shall contact the District ADA/504 Coordinator for assistance and guidance. Accommodations may include, but are not limited to, the following considerations:

- Effective communication
- Event ticket sales accommodation
- Companion seating at events
- Use of power driven mobility devices
- Use of service animals

The District shall notify the public of any requirements and/or deadline for requesting such accommodation.

### **WEBSITE ACCESSIBILITY**

The District is committed to ensuring accessibility of its website for students, parents, and members of the community with disabilities. All pages on the District's website will conform to the W3C WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents.

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

### **REFERENCES:**

<sup>1</sup>[New Section of KRS 438](#)

<sup>2</sup>[KRS 438.050](#)

<sup>3</sup>[KRS 511.070; KRS 511.080; OAG 90-11](#)

[KRS 17.545; KRS 17.500; KRS 17.510](#)

[KRS 160.380; KRS 211.394, KRS 211.395; \[KRS 438.305\]\(#\)](#)

[KRS 600.020; KRS 620.146](#)

[OAG 91-137](#)

[P. L. 114-95, \(Every Student Succeeds Act of 2015\)](#)

[29 U.S.C. 794, Rehabilitation Act of 1973, \(Section 504\)](#)

[42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII](#)

[42 U.S.C. 12101 et seq., Americans with Disabilities Act](#)

**Visitors to the Schools**

**RELATED POLICIES:**

01.1

03.113; [03.1327](#); 03.162; 03.212; [03.2327](#); 03.262; 05.3; [05.31](#); [06.221](#)

09.1231; 09.227; 09.3211; [09.4232](#); 09.426; 09.42811

10.2



EXPLANATION: USE OF CERTIFICATED COMMON CARRIER SERVICE SHALL BE AUTHORIZED BY THE BOARD ON A CASE-BY-CASE BASIS, AND THE REASONS TO JUSTIFY SUCH USE SHALL BE CITED IN BOARD MINUTES.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

DRAFT 5/29/19

STUDENTS

09.36

### **School-Related Student Trips**

#### **EXTENSION OF CLASSROOM**

The Board encourages school-related trips that are of significant educational value. Such trips are to be an extension of the regular classroom work and an integral part of the educational program. School-related student trips shall include all trips, excursions and events under the sponsorship of the school, including those during which a student represents the District.

In order for students to be counted present during school-related trips during the school day, the activity must be co-curricular or instructional.

#### **PRINCIPAL/DESIGNEE**

Prior approval of the Principal/designee is required for all trips. The school Principal/designee shall have the authority to approve school-related trips which fall into the following categories:

1. All regularly scheduled competitive events within the state and Greater Cincinnati area;
2. All trips which are part of a tournament or play-off within the state in which the school is a participant; and
3. All school-related trips of less than one (1) day duration and those with destinations within the state and the Greater Cincinnati area.

Any trip approved by the Principal's designee shall then be reported to the school Principal.

#### **SUPERINTENDENT/DESIGNEE**

Any school-related trips not falling within the guidelines above shall require prior approval of the Principal/designee and the Superintendent/designee, including overnight and international trips and those made outside the state (except for the Greater Cincinnati area).

As part of the Board meeting agenda, the Board shall be notified of all trips that have been approved and any trip requests that were not approved by the Superintendent/designee.

Any trip approved by the Superintendent's designee shall then be reported to the Superintendent.

#### **DRIVERS/VEHICLES**

All District-owned and insured vehicles shall be driven by an adult duly qualified and licensed to operate the vehicle. Drivers of school vehicles and operation of District-owned passenger vehicles transporting students shall be in compliance with requirements specified in applicable statutes and administrative regulations.<sup>1</sup> Students and their parents/guardians shall be responsible for providing their own transportation for such trips in compliance with procedures adopted by the District in the event that the District does not provide transportation.

#### **INSURANCE**

Only Board-insured vehicles or appropriately certificated common carriers shall be used for transporting students.<sup>3</sup>

### **School-Related Student Trips**

#### **PRIOR APPROVAL FOR OTHER TRIPS**

Any school-related trips not falling within the guidelines above shall require prior Board approval.

Each year, the Board will approve a list of common carriers that may be used to provide student trip transportation.

Use of certificated common carrier service shall be authorized by the Board on a case-by-case basis, and the reasons to justify such use shall be cited in Board minutes.<sup>3</sup>

#### **SUPERVISION/CHAPERONES**

A District employee must accompany students on all school-sponsored or school-endorsed trips. For athletic trips, a nonfaculty coach or a nonfaculty assistant may accompany students as provided in statute. Persons designated to accompany students shall be at least twenty-one (21) years old.<sup>2</sup> Consistent with the requirements of the trip, an adequate number of chaperones (age 21 or older), as determined by the Principal, shall be provided.

Only students currently enrolled in the District may participate in school-related or endorsed trips. Once students graduate from the District, they may only participate in such trips as a chaperone, provided they have reached the age of 21 and meet all other requirements.

Adults who voluntarily contribute their time to serve as chaperones on field trips shall be under the direct supervision of school personnel assigned to the activity. Chaperones are expected to act as reasonably prudent adults in providing for the safety of students. The certified staff member(s) in charge of the trip shall serve in loco parentis for the participating students and shall be responsible for monitoring the behavior of both students and chaperones. All chaperones must meet all statutory requirements for school volunteers including background checks.

All participants (students, staff, and chaperones) shall be required to comply with District policies and procedures. The same standards of conduct shall apply to chaperones as apply to employees on a trip, including, but not limited to, those pertaining to alcohol and drug use.

Chaperones volunteering to assist with supervision for trips shall attend training designated by the Superintendent prior to serving as a chaperone.

#### **MEDICATION**

Administration of medication to students during field trips shall comply with applicable law, regulation and medication administration training developed by the Kentucky Department of Education.

When students will be travelling outside the state, the Superintendent's designee shall do the following:

1. Determine applicable legal requirements concerning delegation of student medication responsibilities in states through which students will be travelling; and
2. Assign staff to accompany students on the field trip to address student medication needs.

When students requiring medication participate in a field trip, at least one (1) employee who has completed the required medication training must accompany students on the trip.

**School-Related Student Trips****SAFETY OF STUDENTS**

The safety of students shall be the primary concern of all individuals participating in school-related student trips. The Principal or designee shall notify the school nurse of the trip and obtain from the nurse essential first aid supplies and materials to be taken on the trip.

**PARENTS' APPROVAL**

Parents are to be informed of the nature of the trip, the approximate departure and return times, means of transportation, and any other relevant information. Parents must give prior written approval for students to participate in school-sponsored trips.

Prior to the student's or group's departure, the teacher/coach/sponsor supervising the trip shall file written parental permission slips with the Principal. The teacher also shall provide the Principal with a listing of participating students and a copy of the complete itinerary, including times and destinations.

On all trips, the teacher/coach/sponsor/staff member in charge shall take a student roster that includes the names of all students, emergency contact information, and pertinent medical information. Athletics, teams, clubs, and organizations that have on-going events shall have one permission form on file that is obtained annually. If the parent wishes to rescind permission, he/she must submit a written notice to the club sponsor or coach.

**REFERENCES:**

<sup>1</sup>KRS 156.153

<sup>2</sup>KRS 161.185, 702 KAR 5:080

<sup>3</sup>702 KAR 5:060

KRS 158.110, KRS 158.838; KRS 160.340, KRS 189.125; KRS 189.540

702 KAR 1:160; 702 KAR 3:220, 702 KAR 5:030, 702 KAR 5:080, 702 KAR 5:130

702 KAR 7:125

**RELATED POLICIES:**

03.1321; 03.2321

09.122; 09.221; 09.2241

LEGAL: KRS 158.165 REQUIRES THAT THE BOARD OF EDUCATION OF EACH SCHOOL DISTRICT SHALL DEVELOP A POLICY REGARDING THE POSSESSION AND USE OF A PERSONAL TELECOMMUNICATIONS DEVICE BY A STUDENT WHILE ON SCHOOL PROPERTY OR WHILE ATTENDING A SCHOOL-SPONSORED OR SCHOOL-RELATED ACTIVITY ON OR OFF SCHOOL PROPERTY, AND SHALL INCLUDE THE POLICY IN THE DISTRICT'S WRITTEN STANDARDS OF STUDENT CONDUCT. A STUDENT WHO VIOLATES THE POLICY SHALL BE SUBJECT TO DISCIPLINE AS PROVIDED BY BOARD POLICY.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

0909.4261

## **Telecommunication Devices**

### **POSSESSION AND USE**

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess and use personal telecommunications devices as defined by law<sup>1</sup> and other related electronic devices, provided they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:
  - a. Poses a threat to academic integrity, such as cheating;
  - b. Violates confidentiality or privacy rights of another individual. This includes, but is not limited to, taking photographs, video, or audio recordings of others without the permission of the Principal/designee and the affected individual(s). An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena;
  - c. Is profane, indecent, or obscene;
  - d. Constitutes or promotes illegal activity or activity in violation of school rules; or
  - e. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

These restrictions shall not be interpreted to prohibit material protected under the state or federal constitutions where such material does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

2. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day and during the student's lunch break.
3. When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.
4. Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.

## **Telecommunication Devices**

### **POSSESSION AND USE (CONTINUED)**

5. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
6. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

### **NOTICE OF POLICY**

Notice of this policy and penalties for violating it shall be published annually in the District's Code of Acceptable Behavior and Discipline.

### **REFERENCES:**

<sup>1</sup>KRS 158.165  
KRS 525.080

### **RELATED POLICIES:**

08.2323; 09.426; 09.436; 09.438