

LEGAL: HB 319 AMENDS KRS 160.380 TO REQUIRE THAT WHEN A VACANCY OCCURS, THE SUPERINTENDENT SHALL SUBMIT THE JOB POSTING TO THE STATEWIDE JOB POSTING SYSTEM.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.11

- CERTIFIED PERSONNEL -

## **Hiring**

### **SUPERINTENDENT'S RESPONSIBILITIES**

When a vacancy occurs, the Superintendent shall submit the job posting to the statewide job posting system~~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.

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

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

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

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

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

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

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

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

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

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.

## **Hiring**

### **REPORT TO SUPERINTENDENT**

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

### **JOB REGISTER**

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

### **VACANCIES POSTED**

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted in the Central Office 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.

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.

**Hiring****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.

**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)

45 C.F.R. § 1302.90

KRS Chapter 13B

KRS 17.160; KRS 17.165

KRS 156.106; KRS 160.345; KRS 160.390

KRS 161.042; KRS 161.611; KRS 161.750

KRS 335B.020; KRS 405.435

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: PER SMITH V. BENNETT, 644 S.W.3D 516 (KY. APP. 2021) WHEN A TEACHER HAS ATTAINED CONTINUING SERVICE CONTRACT STATUS IN ONE DISTRICT AND BECOMES EMPLOYED IN ANOTHER DISTRICT, THE TEACHER SHALL RETAIN THAT STATUS. HOWEVER, A DISTRICT MAY REQUIRE A ONE (1) YEAR PROBATIONARY PERIOD OF SERVICE IN THAT DISTRICT BEFORE GRANTING THAT STATUS. THE CONTINUING SERVICE CONTRACT STATUS OF A TEACHER SHALL NOT BE TERMINATED WHEN THE TEACHER LEAVES EMPLOYMENT, ALL PROVISIONS OF KRS 161.720 TO 161.810 TO THE CONTRARY NOTWITHSTANDING, AND THE CONTINUING SERVICE CONTRACT STATUS SHALL BE TRANSFERRED TO THE NEXT SCHOOL DISTRICT FOR A PERIOD OF UP TO SEVEN (7) MONTHS FROM THE TIME EMPLOYMENT IN THE FIRST SCHOOL DISTRICT WAS TERMINATED.

FINANCIAL IMPLICATIONS: TEACHERS OBTAINING TENURE IN DISTRICT

PERSONNEL

03.115

- CERTIFIED PERSONNEL -

### **Transfer of Tenure**

The continuing **service** contract **status** of a teacher shall not be terminated when the teacher leaves employment, all provisions of KRS 161.720 to KRS 161.810 to the contrary notwithstanding, and the continuing service contract **status** shall be transferred to the next school district, for a period of up to seven (7) months from the time employment in the first school district has terminated.

All teachers employed who have attained continuing service contract status from another Kentucky district shall serve a one (1)-year probation period before being considered for continuing service contract status in the school District.

#### **REFERENCE:**

KRS 161.740-~~(1)-(e)~~

KRS 161.720 to KRS 161.810

Smith v. Bennett, 644 S.W.3d 516 (Ky. App. 2021)

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY MIDDLE AND HIGH SCHOOL BUILDING, AND AS FUNDS BECOME AVAILABLE, AT SCHOOL-SANCTIONED MIDDLE AND HIGH SCHOOL ATHLETIC PRACTICES AND COMPETITIONS, AND TO ADOPT PROCEDURES FOR THE USE OF AEDS DURING EMERGENCIES. IT ALSO REQUIRES ALL INTERSCHOLASTIC ATHLETIC COACHES BE TRAINED ON THE USE OF PORTABLE AEDS AND MAINTAIN A CPR CERTIFICATION RECOGNIZED BY A NATIONAL ACCREDITING BODY ON HEART HEALTH.

FINANCIAL IMPLICATIONS: COSTS OF PURCHASING, MAINTAINING AEDS, COPYING AND DISTRIBUTING PLANS, AND PERSONNEL TRAINING COSTS

PERSONNEL

03.1161

- CERTIFIED PERSONNEL -

### **Coaches and Assistant Coaches**

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a cardiopulmonary resuscitation (CPR)~~C.P.R.~~ course that includes the use of an automated ~~ed~~ external defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.<sup>2</sup> All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.<sup>3</sup>

Nonfaculty coaches and nonfaculty assistants shall complete District training that includes information on the physical and emotional development of students of the age with which they will be working, the District's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.<sup>1</sup>

#### **REFERENCES:**

<sup>1</sup>KRS 161.185

<sup>2</sup>702 KAR 7:065

<sup>3</sup>KRS 158.162

KRS 156.070

KRS 160.445

KRS 161.180

#### **RELATED POLICIES:**

03.2141

09.311

LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK AND PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1231

- CERTIFIED PERSONNEL -

## **Personal Leave**

### **NUMBER OF DAYS**

Full-time certified employees shall be entitled to two (2) days of personal leave with pay each school year.

### **PART TIME**

Persons employed for less than a full year contract shall receive a prorata part of the authorized personal leave days calculated to the nearest one-half (1/2) day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized personal leave days equivalent to their normal working day.

### **APPROVAL**

Unless prevented by circumstances beyond their control, employees must notify the building Principal or immediate supervisor at least three (3) school calendar days prior to a planned absence. The Principal or the employee's immediate supervisor must approve the leave date, but no reasons shall be required for the leave.

### **POST-APPROVAL**

Employees who must be away from school for personal reasons and who are unable to obtain the required prior approval, shall request written approval of the leave date within two (2) work days of returning to work.

### **LIMITED NUMBER**

No more than ten percent (10%) of a school's certified employees may take personal leave on a given day. If requests exceed that limit, employees making earliest application will be given preference.

### **PROHIBITION**

Personal leave shall not be granted on a professional development day or on the day prior to or the day following any non-instructional day (e.g. Labor Day, NKEA, Spring Break) which falls in the school year calendar.

However, due to an extraordinary situation as determined by the Superintendent, an exception to this prohibition may be granted based on a written request submitted in advance by the employee.

### **STATEMENT AFFIDAVIT**

Employees taking personal leave must file a personal statement affidavit stating that the leave was personal in nature.

### **ACCUMULATION**

Personal leave days not taken during the school year shall accumulate up to four (4) days. Personal leave days accumulated in excess of four (4) days shall be credited to the employee as sick leave days.

PERSONNEL

03.1231  
(CONTINUED)

**Personal Leave**

**REFERENCE:**

KRS 161.154

**RELATED POLICY:**

03.1232



LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK AND PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1232

- CERTIFIED PERSONNEL -

### **Sick Leave**

#### **NUMBER OF DAYS**

Full-time certified employees shall be entitled to ten (10) days of sick leave with pay each school year.

No portion of any employee's salary shall be paid once accumulated sick leave has been exhausted.

Persons hired after the opening day of school for less than a full year contract shall receive a prorata part of the authorized sick leave days calculated to the nearest one-half ( $\frac{1}{2}$ ) day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

#### **ACCUMULATION**

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation to the credit of the certified employee to whom they were granted.

At the end of each school year, employees who do not use any paid or unpaid leave, excluding professional leave, during the school year shall have one (1) additional day of sick leave added to their accumulated sick leave balance.

#### **DEFINITION**

Sickness shall mean personal illness, including illness or temporary disabilities arising from pregnancy.

#### **FAMILY ILLNESS/MOURNING**

Sick leave can also be taken for illness in the immediate family or for the purpose of mourning a member of the employee's immediate family. Immediate family shall mean the employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, siblings, spouse's siblings, parents, spouse's parents, grandparents, and spouse's grandparents, without reference to the location or residence of said relative and any other blood relative who resides in the employee's home.

#### **TRANSFER OF SICK LEAVE**

Teachers coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the District.

#### **SICK LEAVE DONATION PROGRAM**

Under procedures developed by the Superintendent, certified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee's sick leave balance to less than fifteen (15) days.

Certified employees are eligible to receive donated days if they meet the criteria established in statute.

**Sick Leave****SICK LEAVE DONATION PROGRAM (CONTINUED)**

Any sick leave not used shall be returned on a proportionate/pro-rated basis to employees who donated days.

**ABSENCES ON OPENING DAY OF SCHOOL**

Accumulated days of sick leave shall be granted to an employee if, prior to the opening day of the school year, a physician's affidavit or statement is presented to the Board, stating that the employee is unable to assume his duties on the opening day of the school year, but will be able to assume his duties within a period of time that the Board determines to be reasonable.<sup>1</sup>

**STATEMENT AFFIDAVIT**

A certified employee claiming sick leave must file a personal statement affidavit or a certificate of a physician stating that the employee was ill or that the employee was absent for the purpose of attending to a member of the immediate family who was ill.

**REFERENCES:**

<sup>1</sup>KRS 161.155;~~3~~, ~~Sec. 2~~; KRS 161.152;~~3~~; OAG 79-148  
OAG 93-39  
Family & Medical Leave Act of 1993

**RELATED POLICIES:**

03.12322; 03.1233; 03.124 (Worker's Compensation)  
03.175 (Retirement Compensation)

LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK (INCLUDING EMERGENCY LEAVE USED FOR THIS PURPOSE) AND PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1236

**-CERTIFIED PERSONNEL-**

**Emergency Leave**

**NUMBER OF DAYS**

Full-time certified employees shall be entitled to two (2) days of emergency leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized emergency leave days calculated to the nearest one-half (1/2)~~1/2~~ day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized emergency leave days equivalent to their normal working day.

Emergency leave shall be granted for the following reasons:

**BEREAVEMENT**

Death of a relative or personal friend.

**DISASTERS**

Personal disasters of the magnitude of tornadoes, fires, floods, etc. This applies only in cases not covered by sick leave.

**COURT/LEGAL**

Appearances as a witness or to produce documents when the employee's presence is required by subpoena. This is not to include appearances in actions in which the employee is a party and the subpoena is obtained by or on behalf of the employee. This also does not include jury duty. (See policy 03.1237.)

**OTHER**

Such other instances involving extreme hardships of an emergency or extraordinary nature as specifically approved in advance by the Superintendent.

**REQUEST FOR LEAVE**

Emergency leave must be requested through the Superintendent who will determine if the leave requested meets the Board's criteria.

**STATEMENT~~AFFIDAVIT~~**

Persons taking emergency leave must file a personal statement ~~affidavit~~ upon their return to work stating the specific reasons for their absence.

**POST-APPROVAL**

Employees who must be away from school for emergency reasons and who are unable to obtain the required prior approval, shall request written approval of the leave within two (2) work days of returning to work. The immediate supervisor shall notify the employee of the Superintendent's approval or disapproval within three (3) working days of receiving the request.

**Emergency Leave**

**ACCUMULATION**

On June 30, emergency leave days not taken during the current school year shall be transferred and credited to the employee's accumulated sick leave account.

**REFERENCES:**

KRS 161.152

KRS 161.155

OAG 72-348

OAG 74-770

OAG 76-427

~~OAG 72-348~~

**RELATED POLICIES:**

03.1232

03.1237

LEGAL: HB 547 CREATES A NEW SECTION OF KRS 158 WHICH PERMITS A SCHOOL DISTRICT EMPLOYEE ON DUTY TO ENGAGE IN RELIGIOUS EXPRESSION OTHERWISE PROTECTED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.13241

- CERTIFIED PERSONNEL -

### **Employee Religious Expression**

#### **“ON DUTY”**

Per KRS 158.193, "on duty" means those times when an employee is:

1. Required by the District to be on campus or at another designated location and required to perform the scope of the employee's duties; or
2. Otherwise acting as a designated representative of the District.

The District shall not punish or prohibit an employee from, or punish an employee for, engaging in private religious expression otherwise protected by the First Amendment to the United States Constitution absent a showing that the employee has engaged in actual coercion.

#### **EMPLOYEE MAY**

While an employee is on duty, the employee may, at a minimum:

1. Engage in religious expression and discussions and share religious materials with other employees at the same time and in the same manner that employees are permitted to engage in nonreligious expression and discussions outside the scope of duties;
2. Engage in private religious expression at a time when it is otherwise permissible for an employee to engage in private expressive conduct or act outside the scope of duties;
3. Meet with other District employees for prayer or religious study during times that the employee is allowed to act outside the scope of duties, including but not limited to employee breaks, time before school, and during lunch;
4. Work as a sponsor of a student religious club or organization and assist students in planning meetings, activities, and events to the same extent that employee sponsors of nonreligious clubs or organizations are permitted to do so;
5. Wear religious clothing, symbols, or jewelry, provided that such items otherwise comply with any dress code implemented by the District;
6. Decorate their desk and other personal spaces with personal items that reflect their religious beliefs to the same extent that other employees are permitted to decorate their desk and other personal spaces with personal items; and
7. During noninstructional time, engage in religious expression and share religious materials to the same extent that other employees may engage in private expression permitted under the First Amendment to the United States Constitution.

## **Employee Religious Expression**

### **AUTHORITY**

This shall not be construed to authorize the state or any other governmental organization to:

1. Require any person to participate in prayer or any other religious activity; or
2. Violate the constitutional rights of any person.

This shall not be construed to limit the District's authority to:

1. Maintain order and discipline on school property in a content-neutral and viewpoint-neutral manner;
2. Protect the safety of students, employees, and visitors; and
3. Adopt and enforce policies and procedures regarding student speech at school that respect the rights of students.

### **REFERENCES:**

KRS 158.193

Kennedy v. Bremerton School District 142 S.Ct. 2407 (2022)

### **RELATED POLICIES:**

03.1325; 03.2325; 09.32; 09.34; 09.426

LEGAL: HB 319 CREATES A NEW SECTION OF KRS 160 TO REQUIRE THE BOARD TO ADOPT A POLICY TO ENSURE THAT DISTRICT EMPLOYEES COMPLETE AN EXIT SURVEY WHEN THEY VOLUNTARILY LEAVE THE DISTRICT.

FINANCIAL IMPLICATIONS: POTENTIAL COST ASSOCIATED WITH THE SURVEY

PERSONNEL

03.17

**- CERTIFIED PERSONNEL -**

**Termination/Nonrenewal/Separation by Employee**

Termination and nonrenewal of contracts shall be the responsibility of the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

**CODE OF ETHICS**

Employees who violate provisions of the Professional Code of Ethics for Kentucky School Certified Personnel may be subject to disciplinary action, up to and including termination.

**TERMINATION**

No contract shall be terminated except upon notification of the Board by the Superintendent. Prior to notification of the Board, the Superintendent shall furnish the teacher with a written statement specifying in detail the charge against the teacher.<sup>1</sup>

Termination of contracts of certified personnel shall be made in compliance with the requirements of KRS 161.790.

**ALTERNATIVES TO TERMINATION**

As an alternative to termination, the Superintendent, upon notifying the Board and providing written notification to the teacher, may impose sanctions in accordance with KRS 161.790.

**NONRENEWAL**

The Principal/immediate supervisor shall provide the Superintendent with notice of recommended nonrenewals by March 30. Nonrenewal of limited contracts of certified personnel shall be made no later than May 15 in compliance with the requirements of KRS 161.750.

**SEPARATION BY EMPLOYEE**

Certified employees seeking to resign or terminate contracts in force shall do so in compliance with KRS 161.780.

A certified employee who voluntarily leaves the District shall complete an exit survey that includes, but is not limited to the position vacated, the employee's years of service in the position and in the District, if the employee is taking a similar position in another district, and the reason(s) provided for leaving the District. This information shall be reported to the Kentucky Department of Education (KDE) by the District in a system developed by KDE without providing personally identifiable information.

**REPORTING**

The Superintendent shall comply with the reporting requirements of KRS 161.120.

**Termination/Nonrenewal/Separation by Employee**

**REFERENCES:**

<sup>1</sup>KRS 161.790

[KRS 160.382](#)

KRS 161.120; KRS 161.750; KRS 161.780

OAG 83-362; OAG 92-135; 6 KAR 1:020 (Code of Ethics); 701 KAR 5:090

Consolidated Omnibus Budget Reconciliation Act

**RELATED POLICY:**

03.172



LEGAL: HB 13 AMENDS KRS 281A.175 RELATED TO THE PHYSICAL EXAM REQUIREMENT FOR SCHOOL BUS DRIVERS. IT CHANGES THE REQUIRED PHYSICAL EXAM FROM EVERY YEAR TO EVERY TWO (2) YEARS.

FINANCIAL IMPLICATIONS: LESS FREQUENT EXAMS COULD BE A COST SAVINGS

PERSONNEL

03.211

- CLASSIFIED PERSONNEL -

## **Medical Examination**

### **BUS DRIVERS**

As a condition of employment, each school bus driver, including substitute drivers, shall pass a medical examination on initial employment and every two (2) years~~each year~~ thereafter in accordance with KRS 281A.175, 702 KAR 5:030, and 702 KAR 5:080.

Before being allowed to drive a bus, the driver must be free of any medical condition which could endanger the health or safety of students in the performance of duties.

### **OTHER CLASSIFIED PERSONNEL**

As a condition of initial employment, all classified employees (except bus drivers), including substitute employees, shall pass a medical examination as indicated in 702 KAR 1:160. Unless otherwise provided in personnel documents, such as handbooks and/or job applications, the cost of the medical examination must be borne by the employee.

### **REPORT REQUIREMENTS**

Unless a new employee is hired after the beginning of the school year, examinations shall be conducted prior to August 1 of the school year in which the person is employed.

The medical examination shall be reported on the form required by Kentucky Administrative Regulation.

A copy of the required reports or electronic medical records must be filed with the Superintendent prior to assuming assigned duties. The report must indicate any communicable diseases present at the time of the examination; and if other health problems are present, they must be identified and any limitations that they would impose on the performance of duties should be addressed by the physician.

The examination must be performed within a ninety (90)-day period prior to employment.

### **TUBERCULOSIS (TB) SCREENING/TESTING**

The initial medical examination shall include a risk assessment for TBtuberculosis as required by Kentucky Administrative Regulation. Individuals identified by that assessment as being at high risk for TB shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by 702 KAR 1:160. In addition, other personnel exhibiting symptoms of chronic respiratory disease and having been exposed to infectious TBtuberculosis shall be tested for TBtuberculosis in compliance with Kentucky Administrative Regulation. A person who tests positive for TB shall be required to comply with the directives of the Board, local board of health and the Kentucky Department for Public Health, Cabinet for Health and Family Services for further evaluation and treatment of the TBtuberculosis infection.<sup>1, 2 & 3</sup>

**Medical Examination****OTHER EXAMINATIONS**

When, in the opinion of the Superintendent, there is evidence that an employee is no longer able to perform satisfactorily the assigned duties because of health problems or when the employee poses a health threat to students or other employees, the Superintendent may, consistent with the Americans with Disabilities Act and the Family Medical Leave Act, require the employee to provide evidence of fitness in the form of an examination and report by a physician of the Superintendent's choosing.

The Board shall bear the cost of this examination, not to exceed \$150.<sup>3</sup>

**SCHOOL TO REPORT**

Local school authorities shall report immediately all known or suspected cases of communicable disease to the local health department. Diseases to be reported shall not include those considered confidential, such as HIV/AIDS, as set forth in Kentucky Administrative Regulation.<sup>2</sup>

**MEDICAL CONFIDENTIALITY**

Signed consent of the employee designating personnel to be informed shall be required before the Superintendent advises personnel of the employee's medical condition.

The Superintendent shall determine which employees are to have access to medical information. This determination shall be made on a need-to-know basis.

**REFERENCES:**

<sup>1</sup>KRS 161.145; 702 KAR 5:080

<sup>2</sup>702 KAR 1:160; 902 KAR 2:020; KRS 214.181; KRS 214.625

[702 KAR 5:030; KRS 281A.175](#)

OAG 91-1

Genetic Information Nondiscrimination Act of 2008

Americans with Disabilities Act

Family Medical Leave Act of 1993

**RELATED POLICIES:**

<sup>3</sup>03.2234;~~03.23~~ 03.24

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY MIDDLE AND HIGH SCHOOL BUILDING, AND AS FUNDS BECOME AVAILABLE, AT SCHOOL-SANCTIONED MIDDLE AND HIGH SCHOOL ATHLETIC PRACTICES AND COMPETITIONS, AND TO ADOPT PROCEDURES FOR THE USE OF AEDS DURING EMERGENCIES. IT ALSO REQUIRES ALL INTERSCHOLASTIC ATHLETIC COACHES BE TRAINED ON THE USE OF PORTABLE AEDS AND MAINTAIN A CPR CERTIFICATION RECOGNIZED BY A NATIONAL ACCREDITING BODY ON HEART HEALTH.

FINANCIAL IMPLICATIONS: COSTS OF PURCHASING, MAINTAINING AEDS, COPYING AND DISTRIBUTING PLANS, AND PERSONNEL TRAINING COSTS

PERSONNEL

03.2141

- CLASSIFIED PERSONNEL -

### **Nonteaching Coaches and Assistant Coaches**

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a cardiopulmonary resuscitation (CPR)~~C.P.R.~~ course that includes the use of an automated ~~ie~~ external defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.<sup>2</sup> All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.<sup>3</sup>

Nonfaculty coaches and nonfaculty assistants shall complete District training that includes information on the physical and emotional development of students of the age with which they will be working, the District's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.<sup>1</sup>

#### **REFERENCES:**

<sup>1</sup>KRS 161.185

<sup>2</sup>702 KAR 7:065

<sup>3</sup>KRS 158.162

KRS 156.070

KRS 160.445

KRS 161.180

#### **RELATED POLICIES:**

03.1161

09.311

LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK AND PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2231

- CLASSIFIED PERSONNEL -

### **Personal Leave**

#### **NUMBER OF DAYS**

Full-time classified employees shall be entitled to two (2) days of personal leave with pay each school year.

#### **PART TIME**

Persons employed for less than a full year contract shall receive a prorata part of the authorized personal leave days calculated to the nearest one-half (1/2) day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized personal leave days equivalent to their normal working day.

#### **APPROVAL**

Unless prevented by circumstances beyond their control, employees must notify the building Principal or immediate supervisor at least three (3) school calendar days prior to a planned absence. The Principal or the employee's immediate supervisor must approve the leave date, but no reasons shall be required for the leave.

#### **POST-APPROVAL**

Employees who must be away from school for personal reasons and who are unable to obtain the required prior approval, shall request written approval of the leave date within two (2) work days of returning to work.

#### **LIMITED NUMBER**

No more than ten percent (10%) of a school's classified employees may take personal leave on a given day. If requests exceed that limit, employees making earliest application will be given preference.

#### **PROHIBITION**

Personal leave shall not be granted on the day prior to or the day following any non-instructional day (e.g. Labor Day, NKEA, Spring Break) which falls in the school year calendar.

However, due to an extraordinary situation as determined by the Superintendent, an exception to this prohibition may be granted based on a written request submitted in advance by the employee.

#### **AFFIDAVIT STATEMENT**

Employees taking personal leave must file a personal affidavit statement stating that the leave was personal in nature.

#### **ACCUMULATION**

Personal leave days not taken during the school year shall accumulate up to four (4) days. Personal leave days accumulated in excess of four (4) days shall be credited to the employee as sick leave days.

**Personal Leave**

**REFERENCES:**

KRS 161.154  
OAG 77-115

**RELATED POLICY:**

03.2232

LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK AND PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2232

- CLASSIFIED PERSONNEL -

## **Sick Leave**

### **NUMBER OF DAYS**

All full-time classified personnel shall be entitled to ten (10) days of sick leave with pay per year. No portion of any employee's salary shall be paid for any day the employee does not work due to illness once accumulated sick leave has been exhausted.

Persons hired after the opening day of school for less than a full year contract shall receive a prorata part of the authorized sick leave days calculated to the nearest one-half ( $\frac{1}{2}$ ) day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

### **ACCUMULATION**

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation to the credit of the classified employee to whom they were granted.

At the end of each school year, employees who do not use any paid or unpaid leave, excluding professional leave, during the school year shall have one (1) additional day of sick leave added to their accumulated sick leave balance.

### **DEFINITION**

Sickness shall mean personal illness, including illness or temporary disabilities arising from pregnancy.

### **FAMILY ILLNESS/MOURNING**

Sick leave can also be taken for illness in the immediate family or for the purpose of mourning a member of the employee's immediate family. Immediate family shall mean employee's spouse, children (including stepchildren and foster children), siblings, spouse's siblings, grandchildren, daughters-in-law and sons-in-law, parents, spouse's parents, grandparents, and spouse's grandparents, without reference to the location or residence of said relative and any other blood relative who resides in the employee's home.

### **TRANSFER OF SICK LEAVE**

Classified employees coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the District.

### **SICK LEAVE DONATION PROGRAM**

Under procedures developed by the Superintendent, classified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee's sick leave balance to less than fifteen (15) days.

Classified employees are eligible to receive donated days if they meet the criteria established in procedures.

Any sick leave not used shall be returned on a proportionate/pro-rated basis to employees who donated days.

## **Sick Leave**

### **STATEMENT AFFIDAVIT**

An employee claiming sick leave must file a personal statementaffidavit or a certificate of a physician stating that the employee was ill or that the employee was absent to attend a member of the immediate family who was ill.

### **REFERENCES:**

KRS 161.155  
OAG 79-148; OAG 93-39  
Family & Medical Leave Act of 1993

### **RELATED POLICIES:**

03.22322; 03.2233; 03.224; 03.273

LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK (INCLUDING EMERGENCY LEAVE USED FOR THIS PURPOSE) AND PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2236

- CLASSIFIED PERSONNEL -

## **Emergency Leave**

### **NUMBER OF DAYS**

Full-time classified employees shall be entitled to two (2) days of emergency leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized emergency leave days calculated to the nearest one-half (1/2)~~1/2~~ day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized emergency leave days equivalent to their normal working day.

Emergency leave shall be granted for the following reasons:

### **BEREAVEMENT**

Death of a relative or personal friend.

### **DISASTERS**

Personal disasters of the magnitude of tornados, fires, floods, etc. This applies only in cases not covered by sick leave.

### **COURT/LEGAL**

Appearances as a witness or to produce documents when the employee's presence is required by subpoena. This is not to include appearances in actions in which the employee is a party and the subpoena is obtained by or on behalf of the employee. This also does not include jury duty. (See policy 03.2237.)

### **OTHER**

Such other instances involving extreme hardships of an emergency or extraordinary nature as specifically approved in advance by the Superintendent.

### **REQUEST FOR LEAVE**

Emergency leave must be requested through the Superintendent or designee who will determine if the leave requested meets the Board's criteria.

### **STATEMENT~~AFFIDAVIT~~**

Persons taking emergency leave must file a personal statement~~affidavit~~ upon their return to work stating the specific reasons for their absence.

### **POST-APPROVAL**

Employees who must be away from school for emergency reasons and who are unable to obtain the required prior approval, shall request written approval of the leave within two (2) work days of returning to work. The immediate supervisor shall notify the employee of the Superintendent's approval or disapproval within three (3) working days of receiving the request.



**Emergency Leave**

**ACCUMULATION**

On June 30, emergency leave days not taken during the current school year shall be transferred and credited to the employee's accumulated sick leave account.

**REFERENCES:**

KRS 161.152; KRS 161.155

OAG 72-348; OAG 74-770; OAG 76-427; ~~OAG 72-348~~

**RELATED POLICIES:**

03.2232

03.2237

LEGAL: HB 547 CREATES A NEW SECTION OF KRS 158 WHICH PERMITS A SCHOOL DISTRICT EMPLOYEE ON DUTY TO ENGAGE IN RELIGIOUS EXPRESSION OTHERWISE PROTECTED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.23241

**- CLASSIFIED PERSONNEL -**

**Employee Religious Expression**

**“ON DUTY”**

Per KRS 158.193, "on duty" means those times when an employee is:

1. Required by the District to be on campus or at another designated location and required to perform the scope of the employee's duties; or
2. Otherwise acting as a designated representative of the District.

The District shall not punish or prohibit an employee from, or punish an employee for, engaging in private religious expression otherwise protected by the First Amendment to the United States Constitution absent a showing that the employee has engaged in actual coercion.

**EMPLOYEE MAY**

While an employee is on duty, the employee may, at a minimum:

1. Engage in religious expression and discussions and share religious materials with other employees at the same time and in the same manner that employees are permitted to engage in nonreligious expression and discussions outside the scope of duties;
2. Engage in private religious expression at a time when it is otherwise permissible for an employee to engage in private expressive conduct or act outside the scope of duties;
3. Meet with other District employees for prayer or religious study during times that the employee is allowed to act outside the scope of duties, including but not limited to employee breaks, time before school, and during lunch;
4. Work as a sponsor of a student religious club or organization and assist students in planning meetings, activities, and events to the same extent that employee sponsors of nonreligious clubs or organizations are permitted to do so;
5. Wear religious clothing, symbols, or jewelry, provided that such items otherwise comply with any dress code implemented by the District;
6. Decorate their desk and other personal spaces with personal items that reflect their religious beliefs to the same extent that other employees are permitted to decorate their desk and other personal spaces with personal items; and
7. During noninstructional time, engage in religious expression and share religious materials to the same extent that other employees may engage in private expression permitted under the First Amendment to the United States Constitution.

## **Employee Religious Expression**

### **AUTHORITY**

This shall not be construed to authorize the state or any other governmental organization to:

1. Require any person to participate in prayer or any other religious activity; or
2. Violate the constitutional rights of any person.

This shall not be construed to limit the District's authority to:

1. Maintain order and discipline on school property in a content-neutral and viewpoint-neutral manner;
2. Protect the safety of students, employees, and visitors; and
3. Adopt and enforce policies and procedures regarding student speech at school that respect the rights of students.

### **REFERENCES:**

KRS 158.193

Kennedy v. Bremerton School District 142 S.Ct. 2407 (2022)

### **RELATED POLICIES:**

03.1325; 03.2325; 09.32; 09.34; 09.426

LEGAL: HB 319 CREATES A NEW SECTION OF KRS 160 TO REQUIRE THE BOARD TO ADOPT A POLICY TO ENSURE THAT DISTRICT EMPLOYEES COMPLETE AN EXIT SURVEY WHEN THEY VOLUNTARILY LEAVE THE DISTRICT.

FINANCIAL IMPLICATIONS: POTENTIAL COST ASSOCIATED WITH THE SURVEY

PERSONNEL

03.272

- CLASSIFIED PERSONNEL -

### **Separation by Employee**

A classified employee who voluntarily leaves the District shall complete an exit survey that includes, but is not limited to the position vacated, the employee's years of service in the position and in the District, if the employee is taking a similar position in another district, and the reason(s) provided for leaving the District. This information shall be reported to the Kentucky Department of Education (KDE) by the District in a system developed by KDE without providing personally identifiable information.

#### **REFERENCE:**

KRS 160.382

#### **RELATED POLICY:**

03.27

LEGAL: SB 169 AMENDS KRS 65.028 BY PERMITTING SCHOOL DISTRICTS TO ENGAGE IN PUBLIC-PRIVATE PARTNERSHIPS WITH BOARD APPROVAL.

FINANCIAL IMPLICATIONS: POTENTIAL SAVINGS IN SHARING COST OF PROJECTS

LEGAL: HB 522 AMENDS KRS 45A.385 INCREASING THE AGGREGATE CONTRACT AMOUNT MAXIMUM FOR SMALL PURCHASE TO \$40,000.

FINANCIAL IMPLICATIONS: LARGER AMOUNT FOR SMALL PURCHASE PROCEDURES

## FISCAL MANAGEMENT

04.32

### **Model Procurement Code Purchasing**

#### **AUTHORITY**

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</sup> & <sup>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>

#### **PUBLIC-PRIVATE PARTNERSHIPS**

The Board may utilize a public-private partnership delivery method. Public-private partnerships shall comply with KRS 65.028 and other applicable state laws and regulations.

#### **FEDERAL AWARDS/CONFLICT OF INTEREST**

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.<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****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 \$~~40,000.00~~30,000.00.<sup>5</sup>

**BACKGROUND CHECKS**

The Superintendent shall require an adult who is permitted access to school grounds on a regularly scheduled and continuing basis pursuant to a written agreement for the purpose of providing services directly to a student or students as part of a school-sponsored program or activity to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and to provide a clear CA/N check in keeping with KRS 160.380.<sup>6</sup>

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

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

**Model Procurement Code Purchasing**

**REFERENCES:**

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

<sup>2</sup>KRS 45A.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

KRS 45A.352; KRS 45A.365; KRS 45A.370

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

KRS 65.027; [KRS 65.028](#); KRS 160.151; KRS 164A.575; KRS 176.080

[200 KAR 5:355](#)

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

Kentucky Educational Technology Systems (KETS)

**RELATED POLICIES:**

05.6; 06.4; 07.13

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE EACH SCHOOL TO HAVE A WRITTEN CARDIAC EMERGENCY RESPONSE PLAN. IT ALSO REQUIRES THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY MIDDLE AND HIGH SCHOOL BUILDING, AND AS FUNDS BECOME AVAILABLE, AT SCHOOL-SANCTIONED MIDDLE AND HIGH SCHOOL ATHLETIC PRACTICES AND COMPETITIONS, AND TO ADOPT PROCEDURES FOR THE USE OF AEDS DURING EMERGENCIES. IT ALSO CREATES A NEW SECTION OF KRS 158 TO REQUIRE THE DISTRICT TO REPORT THE NUMBER OF AEDS AT EACH SCHOOL TO THE KENTUCKY DEPARTMENT OF EDUCATION.

FINANCIAL IMPLICATIONS: COSTS OF PURCHASING, MAINTAINING AEDS, COPYING AND DISTRIBUTING PLANS, AND PERSONNEL TRAINING COSTS

## 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); and
8. Community involvement.

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

The Superintendent shall appoint an individual to serve as the District's School Safety Coordinator (SSC) and primary point of contact for public school safety and security functions.<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;
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;



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

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.

The SSC, and any school employees participating in the activities of a School Safety and Security Threat Assessment Team, acting in good faith upon reasonable cause in the identification of students, shall be immune from any civil or criminal liability that might otherwise be incurred or imposed from:

- a. Identifying the student and implementing a response pursuant to policies and procedures adopted as required above; or
- b. Participating in any judicial proceeding that results from the identification.

**SUPERINTENDENT TO REPORT**

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

**AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs)**

The District shall maintain AEDs in designated locations throughout the District. An AED shall be used in emergency situations warranting its use in accordance with KRS 311.665 to KRS 311.669.

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

AEDs shall be kept on school property and will not accompany EMS personnel to a hospital emergency room.

## Safety

### SCHOOL EMERGENCY PLANNING

The Board shall require ~~The~~ the school council or, if none exists, the Principal ~~to~~shall adopt an emergency plan for the school that shall include:

1. ~~p~~Procedures to be followed in cases of medical emergency, fire, severe weather, earthquake, or a building lockdown as defined in KRS 158.164;
2. A written cardiac emergency response plan; and
3. ~~A copy of the emergency plan, including a~~ diagram of the ~~facility~~facilities that clearly identifies the location of each AED.

The emergency plan shall be ~~provided~~given to appropriate first responders, ~~including local fire, police, and emergency medical personnel and all school staff.~~

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

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

The cardiac emergency response plan shall be rehearsed by simulation prior to the beginning of each athletic season by all:

1. Licensed athletic trainers, school nurses, and athletic directors; and
2. Interscholastic coaches and volunteer coaches of each athletic team active during that athletic season.

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

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

1. Establish and post primary and secondary evacuation routes in each room by any doorway used for evacuation;
2. Identify the best available severe weather safe zones, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency, and post the location of the safe zones in each room;
3. Develop school procedures to follow during an earthquake; ~~and~~
4. Develop and adhere to practices to control access to the school. ~~As soon as practicable but no later than July 1, 2022, p~~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;

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

- Requiring classroom doors to be equipped with hardware that allows the door to be locked from the outside but opened from the inside;
- Requiring classroom doors to remain closed and locked during instructional time, except in instances when only one (1) student and one (1) adult are in the classroom or when approved in writing by the State School Security Marshal;
- Requiring classroom doors with windows to be equipped with material to quickly cover the window during a building lockdown;
- Requiring all visitors to report to the front office of the building, provide valid identification, and state the purpose of the visit; and
- Providing a visitor's badge to be visibly displayed on a visitor's outer garment;:-

5. Maintain a portable AED in a public, readily accessible, well-marked location in every middle and high school building and, as funds become available, at school-sanctioned middle and high school athletic practices and competitions and:

a) Adopt procedures for the use of the portable AED during an emergency;

b) Adopt policies for compliance with KRS 311.665 to KRS 311.669 on training, maintenance, notification, and communication with the local emergency medical services system;

c) Ensure that a minimum of three (3) employees in the school and all interscholastic athletic coaches be trained on the use of a portable AED in accordance with KRS 311.667; and

d) Ensure that all interscholastic athletic coaches maintain a cardiopulmonary resuscitation certification recognized by a national accrediting body on heart health; and

6. Require development of an event-specific emergency action plan for each school-sanctioned nonathletic event held off-campus to be used during a medical emergency, which may include the provision of a portable AED. The plan shall:

a) Include a delineation of the roles of staff and emergency personnel, methods of communication, any assigned emergency equipment including a portable AED, a cardiac emergency response plan, and access to and plan for emergency transport; and

b) Be in writing and distributed to any member of school personnel attending the school-sanctioned event in an official capacity.

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

By August 1 of each year, the Superintendent shall report to the Kentucky Department of Education on the number of portable AEDs at each school within the District.<sup>2</sup>

**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>KRS 158.4412

<sup>2</sup>KRS 158.1621

KRS 61.870 to KRS 61.884

KRS 158.148; KRS 158.162; KRS 158.164; KRS 158.4410; KRS 158.445

KRS 160.290; KRS 160.445

KRS 311.665 to KRS 311.669; KRS 311.667; KRS 411.148

702 KAR 1:180

**RELATED POLICIES:**

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

09.22; 09.221; 09.4 (entire section); 10.5

LEGAL: REVISIONS TO 704 KAR 3:305 IMPACT THE INDIVIDUAL LEARNING PLAN, PERFORMANCE-BASED CREDITS, AND THE EARLY GRADUATION PROGRAM.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.113

### **Graduation Requirements**

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic Standards, 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.

#### **CIVICS EXAM REQUIREMENT**

Students 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>54</sup>

#### **INDIVIDUAL LEARNING PLAN (ILP)**

~~The development of the~~Students shall complete an Individual Learning Plan (ILP) for each student shall be established within the first ninety (90) days of the sixth (6th) grade year and shall be that focuseds on career exploration and related postsecondary education and training needs.

#### **ADDITIONAL REQUIREMENTS OF THE BOARD**

In addition to the 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 requirements for graduation from high school. However, the Board shall not adopt any graduation requirements that include achieving a minimum score on a statewide assessment.

The high school student handbook shall include complete details concerning specific graduation requirements, including courses that meet the minimum requirements.

**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:

English/Language Arts	Four (4) Credits total (English I, II, III, and IV)
Social Studies	Three (3) Credits total — Including World History, U.S. History, and Government
Mathematics	Four (4) Credits must be taken in high school. (Graduation Requirements include Algebra I, Geometry, and Algebra II at minimum.)
Science	Three (3) Credits total incorporating lab-based scientific investigation experiences
Health	One half (1/2) Credit
P.E.	One half (1/2) Credit
Visual and Performing Arts	One (1) Credit or a standards-based specialized arts course based on the student's ILP
Academic and Career Interest Standards-based Learning Experiences	Six (6) Credits total
Technology	Demonstrated performance-based competency

**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:

English/Language Arts	Four (4) Credits total (English I, II, III, and IV)
Social Studies	Three (3) Credits total – Including World History, U.S. History, and Government
Mathematics	Four (4) Credits total must be taken in high school. (Graduation requirements include Algebra I, Geometry, and Algebra II at minimum.)
Science	Three (3) Credits total incorporating lab-based scientific investigation experiences
Health	One-half (1/2) Credit
P.E.	One-half (1/2) Credit
Visual and Performing Arts	One (1) Credit or a standards-based specialized arts course based on the student's ILP
Academic and Career Interest Standards-based Learning Experiences	Six (6) Credits total
Technology	Demonstrated performance-based competency
Financial Literacy	One (1) or more courses or programs that meet the financial literacy requirements pursuant to KRS 158.1411.

## **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(MOVING TO POLICY 08.1131)**

~~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;~~

~~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. 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, including courses that meet the minimum requirements.~~

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

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.

In collaboration with department chairs, the SBDM Council shall determine the courses that meet credit requirements.

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 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**

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.

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.

## **Graduation Requirements**

### **EARLY GRADUATION CERTIFICATE (MOVING TO NEW POLICY 08.11311)**

~~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 to support their efforts.~~

~~To graduate early and earn an Early Graduation Certificate, a student shall successfully complete the requirements for early high school graduation as established in administrative regulation by the Kentucky Board of Education.~~

~~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>

### **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. § 1414

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

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

KRS 156.027; KRS 158.135

KRS 158.1411; ~~KRS 158.1413; KRS 158.142;~~ 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 3:305;~~ 704 KAR 3:306; ~~704 KAR 3:535;~~ 704 KAR 7:090

704 KAR Chapter 8

OAG 78-348; OAG 82-386

Kentucky Academic Standards

**Graduation Requirements**

**RELATED POLICIES:**

| 08.1131; 08.11311; 08.14; 08.22; 08.2211; 08.222; 08.4  
09.126 (re: requirements/exceptions for students from military families)

**RELATED PROCEDURE:**

09.12 AP.25

### **Alternative Credit Options**

In addition to regular classroom-based instruction, students may earn credit through the following means:

#### **ONLINE COURSES**

High school students may earn academic credit to be applied toward graduation requirements by completing online courses offered through agencies approved by the Board. Credit from an online course may be earned only in the following circumstances:

1. The course is not offered at the high school;
2. Although an elective course is offered at the high school, the student will not be able to take it due to an unavoidable scheduling conflict that would keep the student from meeting graduation requirements;
3. The course will serve as a supplement to extend homebound instruction;
4. The student has been expelled from the regular school setting, but educational services are to be continued; or
5. The Principal, with agreement from the student's teachers and parents/guardians, determines the student requires a differentiated or accelerated learning environment.

Unless otherwise approved by the Principal/designee, students taking such courses must be enrolled in the District and take the courses during the regular school day at the school site.

The District shall recognize only those online courses that meet the international standards for online teachers, courses, and programs that have been adopted by the Kentucky Department of Education.

As determined by school/council policy, students applying for permission to take an online course shall complete prerequisites and provide teacher/counselor recommendations to confirm the student possesses the maturity level needed to function effectively in an online learning environment. Online courses may be subject to review by the Superintendent/designee for conformance with Kentucky Academic Standards and District graduation requirements. In addition, the express approval of the Principal/designee shall be obtained before a student enrolls in an online course. The school must receive an official record of the final grade before credit toward graduation will be recognized.

Provided online courses are part of the student's regular school day coursework and within budgetary parameters, the tuition fee and other costs for an online course shall be borne by the high District for students enrolled full-time, from funds that have been allocated to the school. The Superintendent shall determine, within the budget adopted by the Board, whether additional funding shall be granted, based on supporting data provided by the Principal. The Board shall pay the fee for expelled students who are permitted to take online courses in alternative settings.

Through its policies and/or supervision plan, the school shall be responsible for providing appropriate supervision and monitoring of students taking online courses.

### **Alternative Credit Options**

#### **COLLEGE CREDIT (DUAL CREDIT)**

High school students may earn units of academic credit to be applied toward graduation requirements by completing dual credit courses from an approved college or university through attendance on the college/university campus, through admission to an approved residence program, or through attendance in an approved college course taught at the high school by approved staff.

As determined by school/council policy, students applying for permission to take a college credit/dual credit course shall complete prerequisites and provide teacher/counselor recommendations to confirm the student possesses the maturity level needed to function effectively in a college credit/dual credit learning experience. College credit/dual credit courses may be subject to review by the Superintendent/designee for conformance with Kentucky Academic Standards and District graduation requirements. In addition, the express approval of the Principal/designee shall be obtained before a student enrolls in a college credit/dual credit course. The school must receive an official record of the final grade before credit toward graduation will be recognized.

Students will receive one (1) high school credit for each course consisting of three (3) or more college credit hours. Grades will be calculated in weighted form for class rank and GPA, applying the same weight as an Advanced Placement courses. Failure to complete the course shall be recorded according to school policy.

Students shall be responsible for all related costs and transportation for dual-credit courses, including online dual-credit courses.

#### **DUAL-CREDIT SCHOLARSHIP PROGRAM**

The District may offer the opportunity for students to earn dual-credits through the Kentucky Dual-Credit Scholarship Program and follows the guidelines outlined in the “*Kentucky Council on Postsecondary Education and Kentucky Department of Education Dual Credit Policy for Kentucky Public and Participating Postsecondary Institutions and Secondary Schools*,” located on the Kentucky Department of Education website.

#### **PERFORMANCE-BASED CREDITS**

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

1. Conditions under which each high school may grant performance-based credits and the related performance descriptors and assessments;
2. Objective grading and reporting procedures;
3. Content standards established in 704 KAR 3:303 and 704 KAR Chapter 8;
4. The extent to which state-provided assessments will be used;

**Alternative Credit Options****PERFORMANCE-BASED CREDITS (CONTINUED)**

5. The ability for students to demonstrate proficiency and earn credit for learning acquired outside of school or in prior learning; and
6. Criteria to ensure that internships, cooperative learning experiences, and other learning in the school and community are:
  - Designed to further student progress towards the Individual Learning Plan;
  - Supervised by qualified instructors; and
  - Aligned with State and District content and performance standards.

**REFERENCES:**

KRS 158.622

KRS 164.786

704 KAR 3:303; 704 KAR 3:305; 704 KAR Chapter 8**RELATED POLICIES:**08.113; 08.11311; 08.221; 08.2323

09.1221; 09.3; 09.435

LEGAL: REVISIONS TO 704 KAR 3:395 CLARIFY THAT EXTENDED SCHOOL SERVICES SHALL BE PROVIDED TO ELIGIBLE STUDENTS WHO ARE IN THE FIRST YEAR OF THE PRIMARY SCHOOL PROGRAM THROUGH GRADE TWELVE. STUDENTS SHALL BE ELIGIBLE TO RECEIVE THESE SERVICES UNTIL THEY GRADUATE FROM GRADE TWELVE OR REACH TWENTY-ONE (21) YEARS OF AGE, WHICHEVER COMES FIRST.

FINANCIAL IMPLICATIONS: COST OF PROVIDING ESS

## CURRICULUM AND INSTRUCTION

08.133

### **Extended School/Direct Student Services**

#### **PLAN FOR DIAGNOSING**

The Superintendent/designee shall develop a plan for diagnosing and addressing student academic deficiencies by providing Extended School Services (ESS) as required by state law.

#### **ESSEXTENDED SCHOOL SERVICES**

ESS shall be provided to eligible students who are in the first year of the primary school program through grade twelve. Students shall be eligible to receive these services until they graduate from grade twelve or reach twenty-one (21) years of age, whichever comes first. The Board shall provide ESSextended school services consistent with students' intervention plans and goals included as part of individual learning plans, requirements of 704 KAR 3:395, and local plans and procedures.

For students eligible to attend ESS, the District shall:

- Identify learning goals and benchmarks for each student that, if achieved, indicate that the student may exit the ESSextended school services program;
- Determine conditions under which a student's absence from the program may be considered excused or unexcused; and
- Determine method for transporting students mandated to attend.

The District shall select pupils who need additional instructional time or differentiated opportunity to learn academic and enrichment content aligned with their individual student needs to improve their present level of performance in one (1) or more content areas. Priority for ESS services shall be placed on designing and delivering services to students at risk academically.

The District may provide ESSextended school services during the regular school day when a waiver for alternative service delivery has been obtained. ESSExtended school services offered during the summer shall be available to all eligible students residing in the District regardless of whether they attend District schools.

#### **DIRECT STUDENT SERVICES**

The District may apply for Title I funding for Direct Student Services if eligible as provided in Every Student Succeeds Act and the state plan required under federal law. Required notices, funding, and provision of Direct Student Services shall be consistent with federal and state requirements.

#### **REFERENCES:**

KRS 158.070

704 KAR 3:395

20 U.S.C. § 6303b

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

LEGAL: SB 247 CREATES A NEW SECTION OF KRS 158 TO ALLOW THE PARENT OR GUARDIAN OF A STUDENT WHO HAS CHANGED RESIDENCES WITHIN THE DISTRICT AND IS IN GRADES K-3 THE OPTION TO REQUEST TO REMAIN IN THE ORIGINAL SCHOOL REGARDLESS OF TRANSPORTATION DECISION.

FINANCIAL IMPLICATIONS: COSTS OF TRANSPORTING STUDENTS TO ANOTHER SCHOOL

STUDENTS

09.11

## **School Attendance Areas**

### **ASSIGNED ZONES**

All pupils shall be assigned by geographic attendance zones and will attend the school designated to serve their area of residence. Specific areas served by each attendance zone will be marked on a map in the central administration office. The Board may revise attendance zones from time to time to attain maximum utilization of school facilities.<sup>1</sup>

**No student may be assigned to or required to attend a charter school by the District.**

### **IF FAMILIES MOVE**

If a family moves from one attendance zone to another within the school system, the pupil may be permitted to finish the school year in the school in which he was last enrolled (at no cost or service by the Board). The pupil must enroll the following year in the school in the attendance zone of his/her legal residence.

### **ELIGIBLE STUDENTS AND TRANSPORTATION**

**Per KRS 158.072, “eligible student” is defined as a student enrolled in kindergarten or grade one (1), two (2), or three (3) who qualifies for free or reduced-price school meals or attends a school that participates in the community eligibility provision of the National School Lunch Program.**

**If the eligible student changes residence and the change in residence results in the student being assigned to a different school within the District, the parent or guardian of the eligible student shall have the option to request the student, and any of the student's siblings enrolled in the same school in any grade, remain enrolled in the original school regardless of the transportation decision made by the Superintendent.**

**The District shall provide transportation to the original school from the eligible student’s new residence unless the Superintendent denies the transportation request if s/he determines the distance and travel time that the student would spend in transport is impracticable. The District shall report the transportation denial and supporting rationale to the Kentucky Department of Education.**

### **REQUESTS FOR TRANSFER**

Requests for transfer to another District school must be based on physical, psychological, or educational reasons. Family hardship may also be considered in changing school assignment.

In compliance with and as set forth by federal requirements, the District shall allow students to transfer to another District school if:

1. The assigned school is designated by the state as being “persistently dangerous”; or
2. The student becomes a victim of a violent criminal offense, as determined by state law, while attending school.<sup>2</sup>



**School Attendance Areas**

**REFERENCES:**

<sup>1</sup>KRS 159.070

<sup>2</sup>P. L. 114-95, (Every Student Succeeds Act of 2015); 20 U.S.C. § 6301 et seq.

[KRS 158.072](#)

KRS 160.1592

McKinney-Vento Act, 42 U.S.C. 11431 et seq.; 20 U.S.C. § 7912(a)

OAG 80-394

LEGAL: REVISIONS TO 702 KAR 7:125 ADD ANOTHER EXCEPTION TO THE REQUIREMENT FOR STUDENTS TO BE PHYSICALLY PRESENT IN SCHOOL TO BE COUNTED IN ATTENDANCE.  
FINANCIAL IMPLICATIONS: STUDENTS COUNTED AS PRESENT UNDER SEEK

STUDENTS

09.122

## **Attendance Requirements**

### **COMPULSORY ATTENDANCE**

All children in the District who have entered kindergarten or who are between the ages of six (6), as of August 1, and eighteen (18), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned.<sup>1</sup>

Per 704 KAR 5:060, any five (5) year old child not otherwise subject to compulsory attendance laws, but who voluntarily enrolls in the primary school program at the beginning of the school year, may upon parental or guardian's written request be withdrawn from the program at any time within the first two (2) school calendar months. At the end of such trial period a child shall be considered irrevocably entered into the primary school program for purposes of KRS 159.010 and KRS 159.020.

### **EXEMPTIONS FROM COMPULSORY ATTENDANCE**

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school;
2. A pupil who is enrolled in a private or an approved parochial school;
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten nursery school;
4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study;
5. A pupil who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children;
6. A pupil who is enrolled and in regular attendance in a state supported program for exceptional children;<sup>2</sup> or
7. A student enrolled in a District-operated alternative education program who attains a High School Equivalency Diploma.<sup>8</sup>

### **STATEMENT REQUIRED**

The Board, before granting an exemption, shall require a signed statement as required by law unless a student's individual education plan (IEP) specifies that placement of the child with a disability at home or in a hospital is the least restrictive environment for providing services.<sup>2</sup>

### **EXCEPTIONS TO PRESENCE AT SCHOOL**

Students must be physically present in school to be counted in attendance, except under the following conditions:

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,<sup>2</sup> or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.<sup>3</sup>

**Attendance Requirements****EXCEPTIONS TO PRESENCE AT SCHOOL (CONTINUED)**

3. Students may participate in cocurricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when cocurricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.<sup>4</sup>
- ~~3.4.~~ Students enrolled and participating in a full-time, online, virtual and remote learning program, or participating in an off-site virtual high school class or block may be counted in attendance in keeping with statute and regulation accordance with requirements set out in Kentucky Administration Regulation.<sup>4, & 9</sup>
- ~~4.5.~~ Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.<sup>4</sup>
- ~~5.6.~~ Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.<sup>5</sup>
- ~~6.7.~~ Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.<sup>6</sup>
- ~~7.8.~~ The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, and that falls within one (1) or more of the categories of standards-based course work. A pupil may be counted in attendance for performance-based credit for a class or block for the year or semester in which the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in accordance with local policies.<sup>4 & 7</sup>
- ~~8.9.~~ Students attending basic training required by a branch of the United States Armed Forces shall be considered present for all purposes for up to ten (10) days.<sup>3</sup>
- ~~9.10.~~ Students participating in any of the page programs of the General Assembly.<sup>3</sup>

**Attendance Requirements**

**REFERENCES:**

<sup>1</sup>KRS 159.010; OAG 85-55

<sup>2</sup>KRS 159.030

<sup>3</sup>KRS 159.035

<sup>4</sup>702 KAR 7:125

<sup>5</sup>KRS 158.240

<sup>6</sup>KRS 158.070

<sup>7</sup>704 KAR 3:305

<sup>8</sup>KRS 158.143

<sup>9</sup>[KRS 158.150](#)

KRS 158.030; KRS 159.020; KRS 159.180; KRS 159.990

[704 KAR 3:535](#); 704 KAR 5:060

OAG 79-68; OAG 79-539; OAG 87-40; OAG 97-26

**RELATED POLICIES:**

08.131; 08.1312

09.111; 09.121; 09.123; 09.36

LEGAL: SB 150 (EFFECTIVE NOW) CREATES A NEW SECTION OF KRS 158 TO REQUIRE THE BOARD TO ADOPT POLICIES NECESSARY TO PROTECT THE PRIVACY RIGHTS OF STUDENTS.  
FINANCIAL IMPLICATIONS: COST OF LITIGATION DEFENDING THIS LEGISLATION

STUDENTS

09.141

### **Student Privacy Rights**

#### **PUBLIC COMMENT REQUIRED**

KRS 158.189 requires the Board, after allowing public comment at an open meeting, to adopt this Policy (09.141), necessary to protect the privacy rights for students, that at a minimum, does not allow students to use restrooms, locker rooms, or shower rooms that are reserved for students of a different biological sex.

A student who asserts to school officials that his or her gender is different from his or her biological sex and whose parent or legal guardian provides written consent to school officials shall be provided with the best available accommodation, but that accommodation shall not include the use of school restrooms, locker rooms, or shower rooms designated for use by students of the opposite biological sex while students of the opposite biological sex are present or could be present.

Acceptable accommodations may include but are not limited to access to single-stall restrooms or controlled use of faculty bathrooms, locker rooms, or shower rooms.

#### **REFERENCE:**

KRS 158.189

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY MIDDLE AND HIGH SCHOOL BUILDING, AND AS FUNDS BECOME AVAILABLE, AT SCHOOL-SANCTIONED MIDDLE AND HIGH SCHOOL ATHLETIC PRACTICES AND COMPETITIONS, AND TO ADOPT PROCEDURES FOR THE USE OF AEDS DURING EMERGENCIES.

FINANCIAL IMPLICATIONS: COSTS OF PURCHASING, MAINTAINING AEDS, COPYING AND DISTRIBUTING PLANS, AND PERSONNEL TRAINING COSTS

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.

### **AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)**

The District shall maintain a portable AED in a public, readily accessible, well-marked location in every middle and high school building and, as funds become available, at school-sanctioned middle and high school athletic practices and competitions. A minimum of three (3) employees in the school and all interscholastic athletic coaches shall be trained on the use of a portable AED.<sup>2</sup>

### **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.

**Emergency Medical Treatment**

**REFERENCES:**

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

<sup>2</sup>[KRS 158.162](#)

KRS 156.160; KRS 156.502; KRS 158.836; KRS 158.838

Kentucky Department of Education Health Services Reference Guide (HSRG)

**RELATED POLICIES:**

[05.4](#); 09.21; 09.22; 09.2241

LEGAL: SB 229 AMENDS KRS 620.030 REMOVING DUPLICATE REPORTING TO AUTHORITIES AND ADDS FACILITATING COOPERATION BETWEEN AGENCIES.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.227

## **Child Abuse**

### **REPORT REQUIRED**

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused, neglected,<sup>1</sup> or a victim of human trafficking, or is a victim of female genital mutilation, or molested in or out of school shall immediately make an oral report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's attorney or the eCounty aAttorney, ~~and to the Principal (who shall also make a report to the proper authorities) and Superintendent~~ in accordance with KRS 620.030<sup>2</sup>

After making that oral report, the employee shall then immediately notify the Principal of the suspected abuse. If the Principal is suspected of child abuse, the employee shall notify the Superintendent/designee ~~who shall also promptly report to the proper authorities for investigation.~~

Upon notification, the Principal or the Superintendent/designee shall facilitate the cooperation of the school with the investigation of the report. Any person who knowingly causes intimidation, retaliation, or obstruction in the investigation of the report shall be guilty of a Class A misdemeanor.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the District shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the District, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel action.

### **WRITTEN REPORT**

The person reporting shall, if requested, in addition to the report required above, file with the local law enforcement agency or the Kentucky State Police or the Commonwealth's or County's Attorney or the Cabinet for Health and Family Services or its designated representative within forty-eight (48) hours of the original report a written report containing specific information regarding the child, the child's parents or guardians, and the person allegedly responsible for the abuse or neglect.

### **WRITTEN RECORDS**

Copies of reports kept by the District that are submitted to authorities in compliance with the child abuse law are educational records and subject to inspection by the parents of the alleged victim of child abuse. Whether the records are considered "internal records," and not maintained with the students' "permanent records," is immaterial if such records are directly related to students and are maintained by the school or school District.

### **INTERVIEWS**

If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent<sup>3</sup> and shall provide the Cabinet access to a child subject to an investigation or assessment without parental consent.<sup>4</sup>



**Child Abuse****AGENCY CUSTODY**

If, as a result of dependency, neglect, or abuse, a child has been placed in the custody of the Cabinet, the Principal, or any Assistant Principal of the school in which the child is enrolled, and the District's Director of Pupil Personnel shall be notified of the names of persons authorized to contact the child at school, in accordance with school visitation or communication policy, or remove the child from school grounds.

The notification shall be provided to the school by the Cabinet:

- a) By written notice via email or fax on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. Verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By email, fax, or hand delivery of a copy of the court order within ten (10) calendar days following the Cabinet's receipt of the court order of a change of custody or change in contact or removal authority.

**REQUIRED TRAINING**

All current school administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors shall complete Board selected training on child abuse and neglect prevention, recognition, and reporting by January 31, 2017, and every two (2) years thereafter. School administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors hired after January 31, 2017, shall complete the training within ninety (90) days of being hired, and every two (2) years thereafter.

**OTHER**

Each school shall prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services and the National Human Trafficking Reporting Hotline number administered by the United States Department for Health and Human Services.

**REFERENCES:**

<sup>1</sup>KRS 600.020

<sup>2</sup>KRS 620.030; KRS 620.040

<sup>3</sup>OAG 85-134; OAG 92-138

<sup>4</sup>KRS 620.072

KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580

KRS 156.095; KRS 199.990

KRS 209.020; KRS 508.125; KRS 620.050; KRS 620.146

OAG 77-407; OAG 77-506; OAG 80-50; OAG 85-134

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

**RELATED POLICIES:**

09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY MIDDLE AND HIGH SCHOOL BUILDING, AND AS FUNDS BECOME AVAILABLE, AT SCHOOL-SANCTIONED MIDDLE AND HIGH SCHOOL ATHLETIC PRACTICES AND COMPETITIONS, AND TO ADOPT PROCEDURES FOR THE USE OF AEDS DURING EMERGENCIES. IT ALSO REQUIRES ALL INTERSCHOLASTIC ATHLETIC COACHES BE TRAINED ON THE USE OF PORTABLE AEDS AND MAINTAIN A CPR CERTIFICATION RECOGNIZED BY A NATIONAL ACCREDITING BODY ON HEART HEALTH.

FINANCIAL IMPLICATIONS: COSTS OF PURCHASING, MAINTAINING AEDS, COPYING AND DISTRIBUTING PLANS, AND PERSONNEL TRAINING COSTS

STUDENTS

09.311

### **Safety (Athletics)**

District policy and procedures shall be developed to conform with statutory and regulatory requirements designed to protect the safety of the students in all athletic practices and events.

#### **SUPERVISION**

All athletic practices and events shall be under the direct supervision of a qualified employee of the Board.

#### **TRAINING**

All persons employed by the District as a coach for any interscholastic athletic activity or sport shall meet statutory training requirements. Training shall include how to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion.

In addition, at least one (1) person who has completed the required course shall be present at every interscholastic athletic practice and competition.<sup>1</sup>

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete training as required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a cardiopulmonary resuscitation (CPR)~~C.P.R.~~ course that includes the use of an automated~~automatic~~ external defibrillator (AED) and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.<sup>4</sup> All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.<sup>5</sup>

Nonfaculty coaches and nonfaculty assistants shall complete District training that includes information on the physical and emotional development of students of the age with which they will be working, the District's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.<sup>3</sup>

#### **EMERGENCY ACTION PLAN**

In keeping with rules established by Kentucky Board of Education (KBE) or the Kentucky High School Athletic Association (KHSAA), each school participating in interscholastic athletics shall develop and implement a venue-specific, written emergency action plan and submit annual written verification of the plan to the designated agency. The school plan shall be reviewed, distributed, posted, and rehearsed annually as provided in statute.<sup>1</sup>

**Safety (Athletics)****CARDIAC EMERGENCY RESPONSE PLAN**

A written cardiac emergency response plan that clearly identifies the location of each AED shall be rehearsed by simulation prior to the beginning of each athletic season by all: licensed athletic trainers, school nurses, and athletic directors; and interscholastic coaches and volunteer coaches of each athletic team active during that athletic season.

**CONCUSSIONS**

When an interscholastic coach, school athletic personnel, or contest official suspect that a student athlete has sustained a concussion during an athletic practice or competition, the student shall be removed from play and evaluated by a physician or licensed health care provider, as specified in statute, who shall determine if a concussion has occurred. Upon the completion of the required evaluation, the coach may return the student to play if it is determined that no concussion has occurred. If no physician or licensed health care provider is present to perform the required evaluation, the coach shall not return the student to play or participation in subsequent practices or athletic competitions until written clearance is provided.

A student athlete deemed to be concussed shall not be permitted to participate in any athletic practice or competition occurring on the day of the injury or, unless a physician provides written clearance, participate in any practice or athletic competition held on a subsequent day.

**MEDICAL EXAMINATION**

Each student seeking eligibility to participate in any school athletic activity or sport must pass an annual medical examination performed and signed by a medical practitioner as required by law.<sup>2</sup>

The required physical examination and parental authorization shall include acknowledgement of receipt of information on the nature and risk of concussion and head injury, including the continuance of playing after concussion or head injury.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 160.445

<sup>2</sup>KRS 156.070

<sup>3</sup>KRS 161.185

<sup>4</sup>702 KAR 7:065

<sup>5</sup>KRS 158.162

**RELATED POLICIES:**

03.1161

03.2141

LEGAL: SB 145 AMENDS KRS 156.070 REMOVING THE STATUTORY ELIGIBILITY RESTRICTION FOR NONRESIDENT STUDENT PARTICIPATION IN INTERSCHOLASTIC ATHLETICS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.313

### **Eligibility (Athletics)**

Determination of athletic eligibility shall be made in compliance with applicable administrative regulations and Kentucky High School Athletic Association (KHSAA) requirements. ~~Any student who transfers enrollment from a district of residence to a nonresident district shall be ineligible to participate in interscholastic athletics for one (1) calendar year from the date of transfer.~~<sup>2</sup>

District standards for playing up from middle school (grades seven and eight [7 & 8]) to high school in sports other than football and soccer may include, but are not limited to, considerations related to safety, physical readiness, use of school space after the school day, transportation, funding, the student's disciplinary status and record, any substance testing restrictions, equitable opportunities for participation, and harmonizing any conflicting school-based decision making ("SBDM") requirements. SBDM Council policies apply to the selection of sports activities, and student participation based on academic qualifications and attendance requirements, program evaluation, and supervision.<sup>1</sup>

To be eligible to try out and participate at the high school level, middle school students must meet all applicable KHSAA, District, and SBDM requirements. The Superintendent/Designee in cooperation with principals, SBDM councils, coaches, and athletic directors, as deemed appropriate, may develop guidelines for Board approval addressing playing up standards.

#### **CHARTER SCHOOL STUDENTS**

A student enrolled in a public charter school that offers any interscholastic athletic activity shall be ineligible to participate in interscholastic activities at any other school. Subject to applicable law, regulations and bylaws (e.g. KHSAA, Title IX) and the terms of the charter contract, students who are enrolled in a charter school that does not offer any interscholastic athletic activities shall be eligible to participate in such activities at the District school of that student's residence.

#### **REFERENCES:**

<sup>1</sup>KRS 160.345

<sup>2</sup>KRS 156.070

KRS 160.1592

702 KAR 7:065; OAG 15-022

Kentucky High School Athletic Association (KHSAA)

#### **RELATED POLICIES:**

02.4241

09.1222

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

09.423

LEGAL: SB 9 CREATES A NEW SECTION OF KRS 508 WHICH MAKES HAZING A CRIMINAL OFFENSE AND INCLUDES DEFINITIONS OF HAZING AND AN ORGANIZATION.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.422

### **Bullying/Hazing**

In order to effectively participate in the democratic process as adults, students must learn to respect the rights of others and to interact with them in a civil manner. Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors to the schools.

#### **ACTIONS NOT TOLERATED**

The use of lewd, profane or vulgar language is prohibited. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or other threatening behavior.<sup>1</sup> This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

Students who violate this policy shall be subject to appropriate disciplinary action.

#### **BULLYING DEFINED**

Per KRS 158.148, B”bullying” is defined as means any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

- 3.1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event: or
- 4.2. That disrupts the education process.

This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process.<sup>2</sup>

#### **HAZING DEFINED**

Per KRS 508.150, ‘hazing’ is defined as an action which endangers the mental or physical health of a minor or student for the purpose of recruitment, initiation into, affiliation with, or enhancing or maintaining membership or status within any organization\*, including but not limited to actions which cause, coerce, or force a minor or a student to:

- (a) Violate federal or state criminal law;
- (b) Consume any food, liquid, alcoholic liquid, drug, tobacco product, or other controlled substance which subjects the minor or student to a risk of mental harm or physical injury;
- (c) Endure brutality of a physical nature, including whipping, beating or paddling, branding, or exposure to the elements;

**Bullying/Hazing****HAZING DEFINED (CONTINUED)**

- (d) Endure brutality of a mental nature, including personal servitude, sleep deprivation, or circumstances which would cause a reasonable person to suffer substantial mental distress;
- (e) Endure brutality of a sexual nature; or
- (f) Endure any other activity that creates a reasonable likelihood or mental harm or physical injury to the minor or student.

\*Per KRS 508.180, “organization” is defined as a number of persons who are associated with a school or postsecondary education institution and each other, including a student organization, fraternity, sorority, association, corporation, order, society, corps, club, or similar group and includes any student organization registered pursuant to policies of the school or postsecondary education institution at any time during the previous five (5) years.

**REPORTS**

As provided in the District Code of Acceptable Behavior and Discipline, students that believe they are victims of bullying/hazing shall be provided with a process to enable them to report such incidents to District personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it.

The District Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim’s Principal, as directed by Board policy 09.42811. The Principal/designee shall investigate and address alleged incidents of such misbehavior.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy 09.2211; and
2. Investigate and complete documentation as required by policy 09.42811 covering federally protected areas.

**OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.426 and/or 09.42811. Harassment/discrimination allegations shall be governed by Policy 09.42811.

**Bullying/Hazing**

**REFERENCES:**

<sup>1</sup>KRS 158.150

<sup>2</sup>KRS 158.148

KRS 158.156

KRS 160.290

KRS 508.180

KRS 525.080

Bethel School District No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)

Mahanoy Area School District v. B. L., 594 US \_ (2021)

Tinker v. Des Moines Independent School District, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

**RELATED POLICIES:**

03.162; 03.262; 09.13; 09.421; 09.425; 09.426; 09.4281; 09.42811; 09.438

09.2211 (re: reports required by law)

LEGAL: HB 538 AMENDS KRS 158.150 TO INCLUDE BEHAVIORS THAT OCCUR OFF SCHOOL PROPERTY IF THE INCIDENT IS LIKELY TO SUBSTANTIALLY DISRUPT THE EDUCATIONAL PROCESS AND OPTIONS FOR REMOVAL OF STUDENTS.

FINANCIAL IMPLICATIONS: COST OF EDUCATING EXPELLED STUDENTS AND CONDUCTING HEARINGS

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.

#### **STUDENTS**

Any ~~student~~pupil who threatens, physically assaults, batters or abuses another ~~student~~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>

#### **EDUCATIONAL** ~~SCHOOL~~ PERSONNEL

Any ~~student~~pupil who threatens, physically assaults, batters or physically or verbally abuses ~~a teacher or other school~~educational personnel on or off school property (and the incident is likely to substantially disrupt the educational process) 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. Disrupts the classroom environment and education process or the student challenges the authority of a supervising adult.

~~1.~~2. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.

~~2.~~3. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

The Principal may establish (school) procedures for a student's removal from and reentry to the classroom when the student's behavior disrupts the classroom environment and education process or the student challenges the authority of a supervising adult. In addition to removal, the student shall be subject to further discipline for the behavior consistent with the school's code of conduct.

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

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



**Assault and Threats of Violence****REMOVAL OF STUDENTS (CONTINUED)**

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.

Per KRS 158.150, a student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered “chronically disruptive” and may be suspended from school and no other basis for suspension shall be deemed necessary.

At any time during the school year, for a student who has been removed from the classroom the Principal may require a review of the classroom issues with the teacher and the parent, guardian, or other person having legal custody or control of the student and determine a course of action for the teacher and student regarding the student's continued placement in the classroom.

At any time during the school year, the Principal may permanently remove a student from a classroom for the remainder of the school year if the Principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students.

When a student is removed from a classroom temporarily or permanently, the Principal shall determine the placement of the student in lieu of that classroom, which may include but is not limited to:

- Another classroom in that school; or
- An alternative program or setting, which may be provided virtually, as approved by the Superintendent.

Any permanent action by the Principal shall be subject to an appeal process in accordance with Policy 09.4281/Grievances.

**REPORT TO LAW ENFORCEMENT AGENCY**

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

**DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION**

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

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

**Assault and Threats of Violence****DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION (CONTINUED)**

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.

**REFERENCES:**

<sup>1</sup>KRS 158.150  
<sup>2</sup>KRS158.1559  
KRS 158.154; KRS 160.290  
KRS 161.155; KRS 161.190; KRS 161.195  
KRS 209A:020; KRS 209.160  
KRS 209A.100; KRS 209A.110; KRS 209A.130  
KRS 211.160; KRS 403.720; KRS 456.010  
KRS 508.025; KRS 508.075; KRS 508.078; KRS 525.080  
KRS 532.060; KRS 534.030; KRS 620.030  
702 KAR 5:080

**RELATED POLICIES:**

03.123; 03.13253; 03.223; 03.23253; 05.4; [05.48](#)  
06.34; 09.14; 09.2211; 09.422; [09.426](#); [09.4281](#); 09.429; [09.4341](#)

LEGAL: HB 538 AMENDS KRS 158.150 TO DEFINE "CHRONICALLY DISRUPTIVE" TO THE EDUCATIONAL PROCESS AND OPTIONS FOR REMOVAL OF STUDENTS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.426

### **Disrupting the Educational Process**

Behavior that materially or substantially disrupts the educational process, whether on or off school property or at school-sponsored events and activities, shall not be tolerated and shall subject the offending studentpupil to appropriate disciplinary action. For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct that disrupts the classroom environment and education process or the student challenges the authority of a supervising adult;
- 1.2. Conduct which threatens the health, safety, or welfare of others;
- 2.3. Conduct which may damage public or private property, including the property of students or staff;
- 3.4. Illegal activity;
- 4.5. Conduct that materially or substantially interferes with another student's access to educational opportunities or programs, including the ability to attend, participate in and benefit from instructional and extracurricular activities; or
- 5.6. Conduct that materially or substantially disrupts the delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

### **REMOVAL**

Per KRS 158.150, a student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered "chronically disruptive" and may be suspended from school and no other basis for suspension shall be deemed necessary.

At any time during the school year, for a student who has been removed from the classroom the Principal may require a review of the classroom issues with the teacher and the parent, guardian, or other person having legal custody or control of the student and determine a course of action for the teacher and student regarding the student's continued placement in the classroom.

At any time during the school year, the Principal may permanently remove a student from a classroom for the remainder of the school year if the Principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students.

When a student is removed from a classroom temporarily or permanently, the Principal shall determine the placement of the student in lieu of that classroom, which may include but is not limited to:

- Another classroom in that school; or
- An alternative program or setting, which may be provided virtually, as approved by the Superintendent.

Any permanent action by the Principal shall be subject to an appeal process in accordance with Policy 09.4281/Grievances.

**Disrupting the Educational Process****OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.42811, which address harassment/discrimination allegations.

**REFERENCES:**

KRS 158.150; KRS 158.165; KRS 160.290

**RELATED POLICIES:**

09.13; 09.422; [09.425](#); [09.4281](#); 09.42811; [09.431](#); 09.438

STUDENTS

09.431

## **Due Process**

### **RIGHT TO DUE PROCESS**

Before being punished at the school level with suspension for violation of school regulations, a ~~student~~~~pupil~~ shall have the right of the following due process procedures.<sup>1</sup>

1. The ~~student~~~~pupil~~ shall be given oral or written notice of the charge(s) against him or her:-
2. If the ~~student~~~~pupil~~ denies the charge(s), ~~the student~~ shall be given an explanation of the evidence of the charge(s) against him or her:- and
3. The ~~student~~~~pupil~~ shall be given an opportunity to present his or her own version of the facts ~~relating to~~~~concerning~~ the charge(s).

### **STUDENTS WITH DISABILITIES**

In cases which involve students with disabilities, procedures mandated by federal and state law shall be followed.<sup>2</sup>

### **REFERENCES:**

<sup>1</sup>KRS 158.150

<sup>2</sup>P. L. 105-17; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592 (1988)

### **RELATED POLICIES:**

09.426

09.43

09.433

09.434

09.4341

09.435

LEGAL: HB 538 AMENDS KRS 158.150 TO DEFINE “CHRONICALLY DISRUPTIVE” TO THE EDUCATIONAL PROCESS AND ADDS STATUTORY GUIDELINES FOR SUSPENSION OF A STUDENT.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.434

## **Suspension**

### **WHO MAY SUSPEND**

In accordance with KRS 158.150,<sup>1</sup> the Superintendent, Principal or assistant Principal may suspend a student/pupil up to a maximum of ten (10) days per incident.

Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the Superintendent/designee.

### **PRIOR DUE PROCESS REQUIRED**

A student/pupil shall not be suspended until due process procedures have been provided as described in KRS 158.150 (09.431)<sup>1</sup>, unless immediate suspension is essential to protect persons or property or to avoid disruption. If the Superintendent lengthens the period of suspension imposed by the Principal, additional due process shall be provided.

A student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered “chronically disruptive” and may be suspended from school and no other basis for suspension shall be deemed necessary.

### **UNLESS THERE IS IMMINENT DANGER**

In such cases, due process shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.

### **MAKE-UP WORK**

Students serving a suspension shall not be allowed to make-up work, tests or quizzes, unless, as determined by the Principal/designee, they are permitted to complete it either during or through Saturday detention(s).

### **DRUG/ALCOHOL VIOLATIONS**

Violation of the District “Use of Alcohol, Drugs and Other Prohibited Substances” policy (09.423) will constitute reason for suspension of up to ten (10) days and/or expulsion. The local police department and/or the County Juvenile Service authorities shall be involved in every incident involving that policy. Refer to “Use of Alcohol, Drugs and Other Prohibited Substances” policy (09.423) for additional information.

### **WRITTEN REPORT REQUIRED**

The Principal or assistant Principal shall report any suspension in writing<sup>1</sup> immediately to the Superintendent and to the parent of the student/pupil being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

### **STUDENTS WITH DISABILITIES**

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.<sup>2</sup>

**Suspension**

**REFERENCES:**

<sup>1</sup>KRS 158.150

<sup>2</sup>20 U.S.C. Sections § 1400 et seq; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592(1988)

OAG 77-419; OAG 77-427; OAG 77-547

OAG 78-392; OAG 78-673; 707 KAR 1:340

Goss v. Lopez, 419 US 565 (1975)

**RELATED POLICIES:**

09.423; [09.425](#); [09.426](#); 09.43; 09.431

LEGAL: REVISIONS TO KRS 158.150 ALLOW STUDENTS TO BE PLACED IN AN ALTERNATIVE PROGRAM OR SETTING (INCLUDING VIRTUAL PROGRAMS OR SETTINGS) AND SPECIFIC PROCESSES FOR PLACEMENT IN LIEU OF EXPULSION OF STUDENTS.

FINANCIAL IMPLICATIONS: SEEK FUNDING FOR THE DISTRICT FOR STUDENTS IN THE VIRTUAL ALTERNATIVE PROGRAM OR SETTING, COST OF EDUCATING EXPELLED STUDENTS, AND CONDUCTING HEARINGS

LEGAL: REVISIONS TO 704 KAR 19:002 A STUDENT ENROLLED IN AN ALTERNATIVE EDUCATION PROGRAM MAY BE ELIGIBLE TO PARTICIPATE IN ONE (1) OR MORE TYPES OF PROGRAMS TO ADDRESS STUDENT LEARNING NEEDS THAT MAY INCLUDE AN ALTERNATIVE DIGITAL LEARNING ENVIRONMENT, CREDIT RECOVERY, OR AN INNOVATIVE PATH TO GRADUATION.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.4341

## **Alternative Education**

### **DEFINITION**

Alternative Education Program means a program that exists to meet the needs of students that cannot be addressed in a traditional classroom setting but through the assignment of students to alternative classrooms, centers, or campuses that are designed to remediate academic performance, improve behavior, or provide an enhanced learning experience. Alternative education programs do not include career or technical centers or departments.<sup>1</sup>

### **PURPOSE**

The purpose of the Board's Alternative Education Program is to provide:

- Learning activities that support innovative pathways and are aligned to college and career outcomes for all students.
- A curriculum that is aligned with the Kentucky Academic Standards and the learning goals in each student's Individual Learning Plan (ILP).
- Successful student transition to the regular school assignment, when possible, or to post-secondary status.
- A meaningful alternative to suspension and/or expulsion of a student.

### **ALTERNATIVE EDUCATION IN LIEU OF EXPULSION**

In lieu of expelling a student, or upon the expiration of a student's expulsion, the Superintendent may place a student into an alternative program or setting if the Superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or school staff.

The alternative program or setting may be provided virtually. Students placed in an alternative program or setting shall be subject to compulsory attendance requirements under KRS Chapter 159 and applicable Board policy.

Action to expel, extend the expulsion, or place in an alternative program or setting a student shall not be taken until the parent, guardian, or other person having legal custody or control of the student has had an opportunity for a hearing before the Board. Following the initial alternative placement of a student, the Board shall review the alternative program or setting placement at least once per year and determine if the placement should be continued.<sup>4</sup>

NOTE: Students do not have a right to assignment to alternative programs or services except as specifically provided by law.



### **Alternative Education**

As required by Kentucky Administrative Regulation the District shall ensure:

- That each~~The District's~~ Alternative Education Program ~~shall is not limited in scope or design and is aligned to the academic program of the District~~include training to build capacity of staff and administrators to deliver high-quality services and programming.
- A student enrolled in an Alternative Education Program may be eligible to participate in one (1) or more types of programs to address student learning needs that may include an alternative digital learning environment, credit recovery, or an innovative path to graduation.
- The Board shall review this policy and accompanying procedure(s) annually.<sup>2</sup>

#### **ELIGIBILITY CRITERIA**

Alternative education placements may be utilized for students at all grade levels.

Placement may be voluntary or involuntary, and the program may be offered either on-site or off-site.

An ILP shall exist for a student in grade six (6) and above as required by regulation prior to placement in a District Alternative Education Program. Criteria for involuntary assignment by District personnel in the Alternative Education Program may include one (1) or more of the following:

- The need for a different educational environment for the student that will reflect an instructional delivery style best provided in an alternative setting.
- The student has contributed to substantial and on-going disruption of the educational process.
- Documentation that there are specific academic and/or behavioral performance areas that require intensive assistance best provided in alternative setting.
- Confirmation that the student has significant and on-going truancy issues that are impeding academic growth.
- Documentation that that the student needs intensive support in the areas of social and personal issues that are impeding academic performance and/or behavioral expectations.
- The student has been assigned for code of conduct or Board policy violations for which assignment to an alternative program is authorized under the code or policy.
- The student has been identified as being at risk of academic failure and/or dropping out of school.
- The student has previously dropped out of school, but has requested to return to school via enrollment in an alternative education setting.
- The student is assigned to an alternative school or program for other reasons as provided in the code of conduct, Board policy, or other program standards adopted by the Board.
- Other reasons related to safety concerns and educational needs of the student referenced in 704 KAR 19:002.

**Alternative Education****ELIGIBILITY CRITERIA (CONTINUED)**

A student's parent/legal guardian or a student who is eighteen (18) years of age or older may request voluntary placement in the Alternative Education Program.

**NOTIFICATION**

The Principal or other designated administrator shall notify the parents by letter of their child's assignment to the Alternative Education Program. The letter shall include length and reason for assignment, expected behavior of the student, and notification that assignment may be extended or shortened depending upon the attitude and cooperation of the student.

The duration of the alternative assignment shall be as provided in applicable Board policy, code of conduct, or other alternative program standards adopted by the District or as decided by the team and approved by the Superintendent/designee.

**ATTAINMENT OF A HIGH SCHOOL EQUIVALENCY DIPLOMA**

Students enrolled in a District-operated alternative education program shall be eligible to seek attainment of a High School Equivalency Diploma if the student:

- Is at least seventeen (17) years of age;
- Is not on track to graduate\*; and
- Has previously attained a passing score on an official readiness test for a High School Equivalency Diploma.

\*Not on track to graduate – At the fourth (4th) school year, cumulative grade point average of less than 2.5 and/or not at the 75% mark to obtain the minimum twenty-two (22) credits to graduate.

A student who has attained a High School Equivalency Diploma shall be exempt from compulsory attendance.<sup>3</sup>

**ILPA TEAM**

The Superintendent/designee shall appoint members of a team to develop an Individual Learning Plan Addendum (ILPA) for students with long term placements in grades six through twelve (6-12) assigned to an alternative school or program. The team may consist of the lead administrator/designee of the student's current school/program, the lead administrator/designee of the alternative school/program, counselors, teachers and other staff as appropriate.

The Superintendent/designee shall chair the team and invite the guardiansparents, and as appropriate, the student to participate.

After consideration of input of the team, the counselor or the designated administrator shall prepare or revise the ILPA to address, as appropriate, academic and behavioral needs, criteria for re-entry into the traditional program and review of student progress.

## **Alternative Education**

### **EXCEPTIONS:**

- Such decisions for individual students with disabilities under the IDEA shall be made when required through the Admissions and Release Committee process and changes in service delivery required under the IDEA shall be made to the student's IEP.
- Such decisions for students identified under Section 504 shall be made through the team process as required under federal law and corresponding District policies and procedures.

### **EXTRACURRICULAR PARTICIPATION**

Students assigned to alternative schools or programs shall be eligible to participate in extracurricular activities including, but not limited to, sports activities, as allowed under applicable Board policy, code of conduct, SBDM policy, KHSAA rules or other alternative program standards adopted by the District.

### **CONTINUING SUPPORT**

Opportunities shall be provided for students to continue regular school work as appropriate under the supervision of Alternative Education Program staff. Students participating in an alternative program shall continue to be able to access tutoring, [transportation, library and media services, specialty course work](#), intervention, counseling, and other resources and services already available in the District as determined through the development of the ILPA.

### **TRANSITION**

Students may transition to a regular classroom setting in accordance with any criteria for re-entry established by the ILPA Team and in accordance with the following process:

2. The lead Alternative Education Program administrator/designee shall invite the student (age 18 or older) or the parent/legal guardian to meet to discuss the proposed transition. If the parent/legal guardian or adult student do not attend, written notification shall be provided to explain the proposed re-entry.

For IDEA or Section 504 students, the IEP or Section 504 team shall determine placement of students as required by law.

3. Strategies shall be documented to promote successful transition to include specific staff responsibilities and how follow-up monitoring will occur.
4. Should the transition not be successful for the student, reassignment to the Alternative Education Program may be considered, and the ILPA Team may be reconvened accordingly.

### **COLLABORATION WITH OUTSIDE AGENCIES**

The coordinator or lead administrator of the Alternative Education Program shall establish a process to collaborate with outside agencies involved with involuntary placements, including courts or other social service agencies to address student transitions between programs. Release of protected information about students involved in the program shall be in compliance with the Family Educational Rights and Privacy Act (FERPA).

<b>NOTE: THIS POLICY DOES NOT APPLY TO A TEMPORARY/SHORT-TERM INTERVENTION.</b>
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**Alternative Education**

**REFERENCES:**

<sup>1</sup>KRS 160.380

<sup>2</sup>704 KAR 19:002

<sup>3</sup>KRS 158.143

<sup>4</sup>[KRS 158.150](#)

[KRS Chapter 159](#)

707 KAR 1:320

*Student Discipline Guidelines*, Kentucky Department of Education

OAG 77-419

**RELATED POLICIES:**

08.131;~~08.132~~ 08.141

09.123;~~09.124~~ 09.14;~~09.141~~ 09.426; [09.431](#); [09.435](#)

LEGAL: HB 538 AMENDS KRS 158.150 TO REQUIRE EXPULSION FOR AT LEAST TWELVE (12) MONTHS IF A STUDENT MAKES THREATS THAT POSE A DANGER TO OTHER STUDENTS OR STAFF (WITH OPTIONAL MODIFICATION ON CASE-BY-CASE BASIS) AND REQUIRES LOCAL POLICY REGARDING A STUDENT WHO ASSAULTS OTHER STUDENTS OR STAFF OFF CAMPUS AND THE INCIDENT IS LIKELY TO SUBSTANTIALLY DISRUPT THE EDUCATIONAL PROCESS.

FINANCIAL IMPLICATIONS: COST OF EDUCATING EXPELLED STUDENTS AND CONDUCTING HEARINGS

STUDENTS

09.435

## **Expulsion**

### **BOARD MAY EXPEL**

The Board may expel or extend the expulsion of any ~~student~~pupil from the regular school setting for misconduct as defined by law. Provision of educational services will be required unless the Board determines, on the record and supported by clear and convincing evidence, that the expelled student posed a threat to the safety of other students or school staff and could not be placed in a state-funded agency program.<sup>1</sup>

The Board shall require the expulsion from school for a period of at least twelve (12) months for a student who is determined by the Board:

1. Through clear and convincing evidence to have made threats that pose a danger to the well-being of students, faculty, or staff of the District;
2. To have brought a weapon to a school under its jurisdiction per Board Policy 05.48.

The Board may expel a student for longer than twelve (12) months.

Behavior that may be determined to pose a threat shall include, but not be limited to, the physical assault, battery, or abuse of others on or off school property (and the incident is likely to substantially disrupt the educational process); the threat of physical force; being under the influence of drugs or alcohol; the use, possession, sale, or transfer of drug or alcohol; the carrying, possessing, or transfer of weapons or dangerous instruments; and any other behavior that may endanger the safety of others.

The Superintendent shall present to the Board for its approval options for providing or ensuring that educational services are provided to expelled students.

In lieu of expelling a student, or upon the expiration of a student's expulsion, the Superintendent may place a student into an alternative program or setting if the Superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or school staff.

### **HEARING AND RECORDS REQUIRED**

Action to expel, extend the expulsion, or place in an alternative program or setting a ~~student~~pupil shall not be taken until the parent, guardian, or other person having legal custody or control of the ~~student~~pupil has had an opportunity for a hearing before the Board.<sup>1</sup> The special education and disciplinary records of IDEA eligible students shall be sent to the Board for review before the decision is made to expel.<sup>3</sup>

**Expulsion****HEARING AND RECORDS REQUIRED (CONTINUED)**

Within thirty (30) days prior to the end of a student's expulsion, the Board shall review the details of the expulsion and current factors and circumstances, including if ending the expulsion will substantially disrupt the education process or constitute a threat to the safety of students or school staff, to determine if the expulsion shall be extended for a period not to exceed twelve (12) months. The expulsion review process shall be used prior to the end of each expulsion period until the Board ends the expulsion or the student is no longer subject to compulsory attendance under KRS 159.010.

**BOARD DECISION FINAL**

The Board may establish an appeals committee and delegate authority to hear appeals to the committee. Otherwise, the Board's decision shall be final.<sup>1</sup>

**STUDENTS WITH DISABILITIES**

In cases which involve students with disabilities, procedures mandated by federal and state law for students with disabilities shall be followed. (Students with disabilities who are eligible for services under federal law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed. Educational services must continue for IDEA eligible students who are expelled.)<sup>1&3</sup>

**TRANSFER OF RECORDS**

Records transferred to another school must reflect the charges and final action of an expulsion hearing if the student was expelled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol or drugs. Records of a student facing an expulsion hearing on charges described above shall not be transferred until the expulsion hearing process is completed.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 158.150

<sup>2</sup>KRS 158.155

<sup>3</sup>20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA); 707 Chapter 1; Section 504 of the Rehabilitation Act of 1973, as amended

KRS 159.010

Honig v. Doe, 108 S.Ct. 592(1988); OAG 78-673

**RELATED POLICIES:**

05.48; 09.12; 09.423; 09.425; 09.426; 09.43; 09.431; 09.434

LEGAL: SB 80 AMENDS KRS 17.545 TO DEFINE AND INCLUDE LOITERING AND MOBILE BUSINESSES AS PART OF RESTRICTIONS FOR REGISTRANTS ON AND WITHIN 1,000 FEET OF SCHOOL GROUNDS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## 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, loiter within one thousand (1,000) feet of, or work in or operate any mobile business within one thousand (1,000) feet of the clearly defined grounds of a District school, except with the advance written permission of the Principal or the Board that has been given after full disclosure of the person's status under KRS 17.510 as a registrant or sex offender from another state and all registrant information as required in KRS 17.500.

A registrant is defined as:

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

Per KRS 17.545, "loiter" is defined as remaining in or about the clearly defined grounds of a District school, while not having any reason or relationship involving custody of or responsibility for a minor or any other specific legitimate reason for being there.

Per KRS 17.545, "mobile business" is defined as any business that operates from a motor vehicle or wheeled cart that can be operated, pushed, or pulled on a sidewalk, street, or highway where food, goods, or services are prepared, processed, or sold or dispensed to the public.

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

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.

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

4. To attend a school activity, including athletic practices and competition, in which the student is a participant.
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 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>



**Visitors to the Schools****USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED (CONTINUED)**

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

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

School employees shall enforce the policy. Persons in violation of this policy, in addition to fines which may be imposed by 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.

**Visitors to the Schools**

**REFERENCES:**

<sup>1</sup>KRS 438.345  
<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

**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

**- CERTIFIED PERSONNEL -**

**Drug-Free/Alcohol-Free Schools**

**DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

District employees shall not manufacture, distribute, dispense, be under the influence of, purchase, possess, use, or attempt to purchase or obtain, sell or transfer any of the following in the workplace or in the performance of duties:

1. Alcoholic beverages, with the sole exception of alcohol consumption with moderation at events conducted by their parties ~~at 20 N. Grand Avenue~~, as permitted in Policy 05.31;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the employee's intent to pass off the item as a controlled substance.

In addition, employees shall not possess prescription drugs for the purpose of sale or distribution.

**DEFINITIONS**

Controlled substance shall mean any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by the Kentucky Cabinet for Health and Human Services under regulations pursuant to KRS 218A.020.

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

**AUTHORIZED DRUGS**

Employees who personally use or who are designated to administer to a student a drug authorized by and administered in accordance with a prescription from a health professional shall not be considered in violation of this policy.

**WORKPLACE DEFINED**

Workplace shall mean the site for the performance of work done for the District including any place where work on a District program, project or activity is performed, including, but not limited to, a school building or other school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. "Workplace" shall also include school-sponsored or school-approved activities, events or functions which are held off school property and in which students are under District jurisdiction including, but not limited to, field trips and athletic events.

**SUSPENSION/TERMINATION/NON-RENEWAL**

Any employee who violates the terms of this policy may be suspended, non-renewed or terminated. In addition, violations may result in notification of appropriate legal officials.

**Drug-Free/Alcohol-Free Schools****ALTERNATIVE**

As an alternative, the superintendent may choose that an employee who violates the terms of the District's drug-free/alcohol-free workplace policies shall satisfactorily participate in a Board-approved drug/alcohol abuse assistance or rehabilitation program. If the employee fails to satisfactorily participate in such a program, the employee may be suspended, non-renewed or terminated.

**REPORTING**

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

**NOTIFICATION BY EMPLOYEE**

Any employee charged with and/or convicted of violation of criminal drug statutes shall, within five (5) working days, provide notification of the charge or conviction to the Superintendent.

**POST-DISCIPLINE DRUG TESTING**

Following determination by an administrative or judicial proceeding that s/he engaged in misconduct involving the illegal use of controlled substances, a teacher who has been reprimanded or disciplined for misconduct involving illegal use of controlled substances shall submit to random or periodic drug testing in accordance with applicable Kentucky Administrative Regulation for a period not to exceed twelve (12) months from the date of such reprimand or disciplinary action.

**PREVENTION PROGRAM**

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all employees which shall include notice of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/employee assistance programs; and
5. Penalties that may be imposed upon employees for violations of this policy.

**Drug-Free/Alcohol-Free Schools**

**REFERENCES:**

KRS 160.290; KRS 160.380; KRS 161.120; KRS 161.175  
KRS 161.790; KRS 217.900; KRS 218A.1430; KRS 218A.1447  
16 KAR 1:030; 701 KAR 5:130; 34 C.F.R Part 85

**RELATED POLICIES:**

03.1325; 08.1345; 09.2241

## **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 product, alternative nicotine product, or vapor product shall not occur on or in all property. The use of alcoholic beverages is prohibited in school buildings or on school grounds; however, the Superintendent may allow an exception regarding use of alcoholic beverages for the rental and use of school facilities located at ~~20 N. Grand Avenue and~~ 2504 Memorial Parkway, during non-school hours by third parties. When such an exception is permitted, the third party shall be responsible for all the other conditions and requirements set forth in this policy as well as compliance with all applicable federal, state, and local laws, regulations, and ordinances covering service and consumption of alcohol, shall not engage in the sale of alcoholic beverages, and shall provide proof of liability insurance affording minimum coverage of one million dollars that names the Fort Thomas Independent Board of Education as an additional insured and specifically provides coverage for social host/event liability.
  - 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; KRS 438.345  
OAG 81-295  
P. L. 114-95, (Every Student Succeeds Act of 2015)

**RELATED POLICIES:**

03.1327; 03.2327; 06.221; 09.4232; 10.3; 10.5

LEGAL: HB 241 CHANGES THE LIST OF PROVIDERS THAT MAY ISSUE STATEMENTS FOR HOME HOSPITAL INSTRUCTION.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

DRAFT 4/13/23

CURRICULUM AND INSTRUCTION

08.1312

## **Home/Hospital Instruction**

### **PURPOSE**

Home/hospital instruction provides educational services to students who cannot attend school for extended periods due to temporary or recurring conditions, including fractures, surgical recuperation, or other physical, health, or mental conditions. An “extended period” refers to an absence for more than five (5) consecutive school days.

For purposes of KRS 157.360, a student who receives home/hospital instruction for a minimum of two (2) instructional sessions per week, with a minimum of one (1) hour of instruction per session, by a certified teacher provided by the Board, shall equal the student attending five (5) days in school. An instructional session may be delivered in person, electronically, or through other means established in regulation. A parent/guardian or responsible adult must be present in the home/hospital room during the time the home/hospital teacher is present or is otherwise delivering instruction.

### **ELIGIBILITY**

A student in the District is eligible to apply for enrollment in a home/hospital instruction program if a ~~signed statement as required by law~~licensed physician, advanced registered nurse practitioner, psychologist or psychiatrist, or public health official certifies:

1. The student will be absent from school more than five (5) consecutive days due to a physical, health, or mental condition.
2. The student does not have a communicable disease that poses a serious health threat to a home/hospital teacher providing regular visitation. (Students with a communicable disease may receive instruction through utilization of telephone services.)

Determination of a student’s eligibility and provision of services for home/hospital instruction shall be made in compliance with applicable statutes and regulations. In accordance with KRS 159.030(2), the Board shall require evidence for students exempted from school attendance more than six (6) months. An exemption shall be reviewed annually.

At any time based on changes in the student’s condition, the home/hospital review committee may schedule a review of the student’s continued eligibility for home/hospital instruction. Eligibility for home/hospital instruction shall cease for students placed by the review committee if the student works, plays sports, or participates in extracurricular activities. For students with a 504 plan, eligibility for home/hospital instruction shall not cease if the student works, plays sports, or participates in extracurricular activities if participation is consistent with the student’s 504 plan.

The Admissions and Release Committee (ARC) shall determine placement in home/hospital instruction for a student with disabilities. The 504 Team for a student may facilitate submission of an application to the review committee.



**Home/Hospital Instruction****SECONDARY STUDENTS**

A high school student placed on home/hospital instruction for extended periods may carry all appropriate credits during the first semester of placement. Except for students with an Individual Education Plan (IEP) or a 504 plan, the number of credits to be carried during all subsequent semesters of placement shall be determined on a case-by-case basis by the review committee, based on the following criteria:

1. The student's ability to work independently during extended periods without direct assistance.
2. The student's capacity to complete assignments within a reasonable time frame.
3. The likelihood that the student will be able to complete course criteria required for graduation, as required by the Kentucky Academic Standards.
4. When considering the student's condition, should s/he take a full or reduced course load? If a reduced course load is appropriate, the committee shall determine the number of courses the student may take.

**STUDENTS WITH DISABILITIES**

Based on documentation of student need, including medical or mental health evaluation information, a student with disabilities may be placed in the home/hospital instructional program if his/her individual education plan (IEP) specifies such placement is the least restrictive environment for providing services. The ARC Chair shall provide written notice of eligibility and documentation to the District Director of Pupil Personnel for purposes of program enrollment.

The Admissions and Release Committee (ARC) or 504 Team shall determine on a case-by-case basis the type and extent of home/hospital services for a student, including the number of credits a student at the secondary level will be permitted to earn while on home/hospital instruction.

**REFERENCES:**

KRS 157.360; KRS 158.033; KRS 159.030  
702 KAR 7:150  
704 KAR 3:303  
707 KAR 1:320  
707 KAR 1:350  
20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)  
Section 504 of the Rehabilitation Act of 1973  
34 C.F.R. 104.35

**RELATED POLICIES:**

09.122; 09.123

**Accountability****COMPREHENSIVE SCHOOL IMPROVEMENT PLAN**

Each year the council shall develop, revise or affirm, as appropriate, a Comprehensive School Improvement Plan to be submitted to the Superintendent and Board for review and comment. This plan shall serve as a guide for the council in establishing the schools' goals and objectives for the following school year. Council goals shall address District goals and the goals set forth in KRS 158.6451.

The Comprehensive School Improvement Plan shall be submitted by the preceding April 15.

The council's goals, objectives and Improvement Plan shall be submitted to the Board for review and comment following adoption by the school council. This information shall be developed after consideration of the prior year's evaluation report.

To facilitate the development and implementation of the Improvement Plans, the Superintendent shall develop procedures addressing appropriate training of council members, Central Office assistance to councils and a flexible timeline for planning and implementation of plan components.

**ANNUAL REPORT**

Within ninety (90) days of the close of the council term on June 30, each school/school council ~~may shall~~ make an annual report at a public meeting of the Board. The report shall describe the school's progress in meeting the educational goals set forth in KRS 158.6451 and District goals established by the Board. The council also shall disseminate the report to all parents affiliated with the school.

**PRESENTATION TO THE BOARD**

The Principal, and at least one (1) parent and one (1) faculty member of the council shall present the council's Improvement Plan and its annual report to the Board.

**REVIEW OF ACHIEVEMENT GAP PLANS**

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

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

**REFERENCES:**

<sup>1</sup>KRS 160.340; KRS 160.345  
KRS 158.645; KRS 158.6451; KRS 158.6458  
KRS 158.649; KRS 160.290  
~~703 KAR 4:040~~

**RELATED POLICIES:**

01.111; 02.442

**- CERTIFIED PERSONNEL -**

**Salaries**

**SINGLE-SALARY BASIS**

All salaries for certified personnel shall be based on a single-salary schedule which recognizes training and experience. This salary schedule shall be adopted annually by the Board and provide, at minimum, for the number of working days required by law or as approved by the Board. The basic purpose of the schedule shall be to recruit, retain, and provide incentives and opportunities for the continued improvement of, quality personnel.

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

Although a school may submit a request for an increment for an extended employment position, extra service, or related adjustments, the Board must set increments in pay for positions requiring services beyond those normally expected of other positions if the duties rendered extend beyond the regular school day or require extended days.

Compensation for all services rendered as an employee of the District shall be processed through standard payroll procedures.

The rank and experience of certified personnel shall be determined at time of hire. The Board shall direct the Superintendent to validate all experience of professional personnel employed in the District.

Changes in rank and experience shall be determined on September 15 of each year.

To assist with the budgeting process, candidates for NBCT certification shall notify the Superintendent/designee in writing prior to September 15 that certification is pending in order for the employee to receive any rank-related increase retroactive to the beginning of the school year.

**DETERMINATION OF EXPERIENCE**

For the purpose of calculating salaries, prior experience of certified employees shall be determined in compliance with Kentucky Administrative Regulation.

Individual employees shall be responsible for validating their experience by providing to the Superintendent a properly executed experience verification form by September 1 of the school year for which the salary is being calculated.

~~Y~~Only years of experience in P-12 education are eligible for determination of placement on the certified salary schedule.

Upon initial employment, the Superintendent may grant Career Technical Education (CTE) Teachers up to ten (10) years of relevant work field experience for pay purposes when a person's specific work is determined to be of such importance as to make them the best-qualified for the position. The Board shall direct the Superintendent to validate all experience of professional personnel employed in the District.

**Salaries****RANK**

The salary schedule shall include provisions for teachers who qualify for the following ranks:

Rank IV - Teachers holding emergency certificates and who have ninety-six (96) to one hundred twenty-eight (128) semester hours of approved college training or the equivalent.

Rank IVA - Teachers holding emergency certificates who have an approved four (4) year college degree, or a teaching certificate from another state, and who are teaching in their field.

Rank III - Teachers holding regular certifications and who have an approved four (4) year college degree or the equivalent.

Rank IIIA – Teachers with a Bachelor's Degree or its equivalent, plus fifteen (15) semester hours or more of graduate work.

Rank II - Teachers holding regular certification and who have a Master's Degree in a subject field approved by the Education Professional Standards Board or equivalent continuing education.

Rank IIA - Teachers with a Master's Degree or its equivalent, plus fifteen (15) semester hours or more of graduate work, or the successful completion of two (2) of the four (4) required components of NBCT certification leading to a Rank I certificate.

Rank I - Teachers holding regular certifications and who have a Master's Degree in a subject field approved by the Education Professional Standards Board or equivalent continuing education and who have earned thirty (30) semester hours of approved graduate work or equivalent continuing education, and those teachers who have met the requirements for Rank II and hold current certification of the National Board for Professional Teaching Standards.

**OUT-OF-STATE PROFESSIONAL PREPARATION**

Teachers who possess a teaching certificate, license or eligibility documentation from another state and who do not possess a Kentucky teaching certification or statement of eligibility shall be designated as either Rank II or Rank III on the salary schedule (depending on the level of undergraduate and graduate work completed), until such time as they are able to complete requirements for a Kentucky certificate or statement of eligibility. In order to continue the Rank II or III designation, those requirements must be completed within the current academic year.

**ADMINISTRATIVE SALARIES**

Salaries for administrative positions, other than that of the Superintendent, shall be calculated based on procedures developed by the Superintendent and shall require the approval of the Board.

**EXCEPTION**

The Superintendent's salary may be established without regard to the above-mentioned schedules.

## **Salaries**

### **STAFF INPUT**

The Salary Schedule Committee comprised of two (2) Board members and the Superintendent shall develop salary schedules for employees, and shall obtain input from classified employees and a representative group of teachers selected from the education association. These representatives, in turn, shall solicit input from the employees they represent.

### **EXTENDED EMPLOYMENT**

Compensation for employment contracted beyond the minimum number of working days required by law shall be prorated.

Extended employment positions shall be established in a position job description, funded in the District budget, and specified in an addendum to the employee's contract.

Addition of days to be worked beyond the original contract or additional days of extended employment for a position require prior Board approval before the change goes into effect.

### **EXTRA SERVICES AND SUPPLEMENTS**

Certified employees who are assigned extra responsibilities shall be compensated according to the schedule for extra services established annually by the Board. In developing this schedule, consideration shall be given to the following factors:

1. Number of hours required beyond the regular school day during the regular school term.
2. Number of students involved in the extra service for which the employee is responsible.
3. Number, if any, of additional teachers under the supervision of the teacher in charge of the extra duty.
4. Responsibility for accounting for funds.
5. Pressure factors including, but not limited to, special duty.
6. Other factors which are non-discriminatory as to the sex of the employee or to the school where the extra service is to be rendered.

### **NATIONAL BOARD CERTIFIED TEACHER (NBCT) SUPPLEMENT**

As provided under law, teachers who attain certification from the National Board for Professional Teaching Standards on or before July 1, 2020, shall be given an annual salary supplement of two thousand dollars (\$2,000) for the life of the certificate. A teacher who attains certification after July 1, 2020, shall be given an annual salary supplement for the life of the certificate, in accordance with the amount appropriated for this purpose by the General Assembly. If an annual supplement amount appropriated by the General Assembly is less than two thousand dollars (\$2,000), the Board may provide an additional supplement up to the amount required for the total annual supplement to equal two thousand dollars (\$2,000).

**Salaries****PAYROLL DISTRIBUTION**

Payroll will be distributed according to a schedule approved annually by the Board. The District shall furnish the employee with either a paper or electronic statement. If statements are provided electronically, employees shall be provided access to a computer and printer for review and printing of their statement.

At the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary prior to the end of the fiscal year.

**QUALIFICATIONS**

Employees shall be responsible for providing the Superintendent with all required certificates, other credentials, health examinations, and verifications of experience prior to beginning work.

**NOTICE OF SALARY**

Not later than forty-five (45) days before the first student attendance day of the succeeding school year or June 15, whichever occurs earlier, the Superintendent shall notify all certified personnel of the best estimate of the salary for the coming year.

The Board shall approve all payroll deductions as specified by KRS 161.158 and Board Policy 03.1211.

**REFERENCES:**

KRS 157.075; KRS 157.320; KRS 157.350; KRS 157.360  
KRS 157.390; KRS 157.395; KRS 157.397; KRS 157.420  
KRS 160.290; KRS 160.291; KRS 161.1211; KRS 161.134  
KRS 161.168; KRS 161.760; KRS 337.070; KRS 424.120  
16 KAR 4:030; 16 KAR 1:040  
702 KAR 3:060; 702 KAR 3:070  
702 KAR 3:100; 702 KAR 3:310; OAG 97-25  
29 C.F.R. Section 541.303; 29 C.F.R. section 541.602.29; C.F.R. section 541.710

**RELATED POLICIES:**

03.1211; 03.4

**- CLASSIFIED PERSONNEL -**

**Salaries**

**HOURLY OR SALARY BASIS**

All regular and substitute classified personnel shall be paid on an hourly or salary basis as established by the Board.

Compensation for all services rendered as an employee of the District shall be processed through standard payroll procedures.

**WORK DAY/WORK WEEK**

The length of the work day shall be established for each position by the Board. The work week for hourly (non-exempt) employees shall not exceed forty (40) hours per week, unless overtime is authorized as provided by this policy.

**QUALIFICATIONS**

Employees shall be responsible for providing the Superintendent with all required certificates, other credentials, health examinations, and verifications of experience prior to beginning work.

**DETERMINATION OF EXPERIENCE**

Upon initial employment, the Superintendent shall determine experience credit to be granted for classified positions from previous employment for pay purposes, based on the following:

1. Previous experience in any school:
  - a. Years of service ~~in a similar position~~ will receive ~~full~~ credit as determined by the superintendent.
  - ~~b. Year of service in a different position will receive one half (1/2) credit up to a maximum of ten (10) years. Example: Four (4) years as a custodian would count as two (2) years for placement on the secretary scale, provided the total does not exceed ten (10) years of converted experience.~~
2. Previous non-school/private sector employment in a position of a similar nature.
  - a. In determining whether previous experience is applicable to a District position, similar experience shall refer to the essential functions, licensing/training requirements, and/or daily job responsibilities of the positions being basically the same, as determined by the Superintendent.
  - b. Year of service in a different position will receive one-half (1/2) credit up to a maximum of ten (10) years. Example: Four (4) years as a custodian would count as two (2) years for placement on the secretary scale, provided the total does not exceed ten (10) years of converted experience.

**STAFF INPUT**

The Salary Schedule Committee comprised of two (2) Board members and the Superintendent shall develop salary schedules for employees and shall obtain input from classified employees and a representative group of teachers selected from the education association. These representatives, in turn, shall solicit input from the employees they represent.

**Salaries****PAYROLL DISTRIBUTION**

Payroll will be distributed according to a schedule approved annually by the Board. The District shall furnish the employee with either a paper or electronic statement. If statements are provided electronically, employees shall be provided access to a computer and printer for review and printing of their statement.

Deferred salary checks shall be written in accordance with applicable Kentucky Administrative Regulations. At the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary prior to the end of the fiscal year.

**PAYROLL DEDUCTION**

The Board shall approve all payroll deductions as specified by KRS 161.158 and Board policy 03.2211.

**REDUCTION OF SALARY**

Should it become necessary to reduce the salary level of a classified position, such reduction shall be approved by the Board and accomplished through procedures developed by the Superintendent.

**OVERTIME**

Overtime work shall be approved in advance by the Superintendent or designee. Hourly employees required to work in excess of forty (40) hours per week will be paid at the rate of 1½ times the regular rate for all hours beyond 40 as provided by law for overtime work. An employee cannot use paid leave for regular work hours and also be compensated with overtime pay in the same work day.

**REFERENCES:**

KRS 78.615; KRS 160.291; KRS 161.011  
KRS 337.070; KRS 337.285, KRS 424.120  
702 KAR 3:320; 803 KAR 1:060, 803 KAR 1:070  
Fair Labor Standards Act  
Garcia v. San Antonio Metropolitan Transit Authority, 105 S.Ct. 1005 (1985)

**RELATED POLICY:**

03.2211



## **Supervision of Students**

### **SUPERVISION**

Students, while in attendance at school or a school-sponsored activity, will be under the supervision of a qualified adult.

### **STRICT ACCOUNT**

Each teacher and administrator shall hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school-sponsored trips and activities.<sup>1</sup>

A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips. Persons designated to accompany students shall be at least twenty-one (21) years old. The Superintendent/designee may present for Board approval a list of job classifications of staff members who may be authorized to accompany students on school-sponsored or school-endorsed trips.<sup>2</sup>

A nonfaculty coach or a nonfaculty assistant may accompany students on athletic trips as provided in statute.<sup>1</sup>

### **ACCESS TO SCHOOL PROPERTY DURING THE SCHOOL DAY**

Unless they are authorized visitors, only those students who are enrolled in the District and on property for an official school purpose, such as receiving instruction or participating in a school sponsored extra-curricular activity, shall be permitted on the property during the school day. If a student who is officially absent or on home/hospital instruction wishes to come onto property during the school day, the student shall first go to the Principal/designee, seek permission to be on the property, and check in. Permission may be granted for the student to be on school property if the purpose relates to educational needs of the student that cannot be accomplished outside of school hours, and the student remains on the property only for the time needed to accomplish that purpose. This requirement is necessary to address supervision and safety concerns of students who come on property during the school day.

### **STUDENT REGISTRANTS**

The Principal is authorized to set supervision requirements and limitations, as appropriate, that apply to students enrolled in the school who are registrants as defined in KRS 17.500. If the Principal has set limitations, restrictions or requirements, they shall be put into writing and a copy provided to the student/guardian.

### **~~OPEN LUNCH PERIOD~~**

~~Students in grades nine through twelve (9-12) may be permitted to observe an open lunch period, subject to regulations and approval of the SBDM Council, provided they do not drive or ride in a motor vehicle during the lunch hour.~~

### **ERRANDS**

Employees shall not send students on errands off school property.

## STUDENTS

09.221  
(CONTINUED)

### SUPERVISION OF STUDENTS

#### REFERENCES:

<sup>1</sup>KRS 161.180  
<sup>2</sup>KRS 161.185  
KRS 17.545:1  
-702 KAR 5:030

#### RELATED POLICIES:

09.36:1  
10.5

**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 ~~may 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.
5. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
6. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

**Telecommunication Devices**

**NOTICE OF POLICY**

Notice of this policy and penalties for violating it shall be published annually in the District's Code of Acceptable Behavior and Discipline.

**REFERENCES:**

<sup>1</sup>KRS 158.165  
KRS 525.080

**RELATED POLICIES:**

08.2323; 09.426; 09.436; 09.438

### **Advertising in the Schools**

#### **PROHIBITION**

No advertising shall be allowed in the facilities or on the grounds of school property, except as expressly approved by the Board.

#### **EXCEPTION**

Nothing herein shall be construed to prevent advertising in publications which are published by student organizations, PTA/PTO, booster club, or other parent groups.

#### **SOLICITATIONS**

Salesmen, representatives, or agents shall not solicit or contact pupils, teachers, or other employees in the school during the school day without notice to and express prior approval of the Principal.

#### **MATERIALS FOR STUDENTS**

Principals shall determine whether nonschool-related advertising materials are to be sent home with students, using the following standards:

1. Activities advertised for non-profit, civic, and charitable organizations must primarily support student or general community interests, rather than a special or “for profit” interest of a sponsoring nonschool group. For example:
  - a. Materials from not-for-profit groups that are not school-related, but are providing athletic and/or recreational opportunities for students shall be considered.
  - b. Materials from not-for-profit organizations that are not school-related, but are dedicated to providing services to children shall be considered.
2. Students shall not be used to carry home materials that are strictly commercial in nature.

#### **COMMUNITY INVOLVEMENT AND SUPPORT**

The Board desires to provide optimal financial support for the essential needs of its educational programming and school facilities. To that end, the Board recognizes that financial relationships between Fort Thomas Independent Schools and businesses and individuals based on sound principles, along with community involvement, can contribute to high quality education and improved facilities. Positive financial relationships between the District and businesses and individuals should be ethical and structured in accordance with the following standards:

1. Community involvement must support the goals and objectives of the Fort Thomas Independent Schools.
2. Programs involving community financial support must be structured to meet identified educational or facility needs and must be evaluated by the District to determine their relevance to the goals and objectives of the District. As written in 10.4 AP.1, the Superintendent shall be allowed to create procedures for naming rights and sponsorship agreements.

**Advertising in the Schools****COMMUNITY INVOLVEMENT AND SUPPORT (CONTINUED)**

3. In recognition of the establishment of a community support program, appropriate signage or corporate logos may be posted on District property.

Public signs indicating the District's appreciation for a sponsor's support of the District shall likewise be permitted.

4. The District, its individual schools, and school groups may sell limited advertising such as programs, banners, etc., to support their programs as long as they have been expressly approved by the Board. Monies collected from the sale of advertising programs or signage will be collected by the activity sponsor and deposited into the respective school activity account by the school bookkeeper.
5. All community support or activity must be consistent with Board policies prohibiting discrimination on the basis of race color, national origin, religion, genetic information, sex, disability, age, or sexual orientation, and must be age-appropriate for the students involved.
6. No community support program will be permitted in the District or in the schools that:
  - a. Promotes the use of illicit drugs, alcohol, tobacco, or firearms with the sole exception of alcohol use by attendees at events conducted by third parties ~~20-N. Grand Avenue~~, as permitted in Policy 05.31
  - b. Promotes hostility, disorder, or violence
  - c. Attacks or demeans any ethnic, racial, or religious group
  - d. Is libelous
  - e. Promotes any specific religion
  - f. Inhibits the functioning of any school
  - f.g. Is contrary to the District agreement approved by the Board
7. The design and presentation of signage related to community support programs will be of high quality, which shall be determined by the Superintendent or designee.

**REFERENCES:**

KRS 158.183  
OAG 68-452

**RELATED POLICIES:**

03.162/03.262/09.42811  
04.312  
09.33