

LEGAL: FEDERAL LAW REQUIRES EACH DISTRICT RECEIVING FEDERAL FUNDS TO ESTABLISH A NOTICE OF NONDISCRIMINATION, WHICH MAY BE ASKED FOR AS PART OF A FEDERAL AUDIT. THE PROPOSED NEW LANGUAGE IS DESIGNED TO MEET REQUIREMENTS FOR SUCH A NOTICE AND DESIGNATIONS OF CONTACTS FOR TITLE IX AND 504/ADA COMPLAINTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.1

Legal Status of the Board

CORPORATE POWERS

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

NOTICE OF NONDISCRIMINATION

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

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

REFERENCES:

¹KRS 160.160

KRS 160.370

Americans with Disabilities Act

Section 504 of the Rehabilitation Act of 1973

Title VI of the Civil Rights Act of 1964

42 U.S.C. 200e, Civil Rights Act of 1964, Title VII

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

Genetic Information Nondiscrimination Act of 2008

20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)

RELATED POLICIES:

03.113, 03.212, 09.13

03.162, 03.262, 09.42811

05.3, 09.3211

LEGAL: CHANGES NOTED ARE SUGGESTED TO REFLECT REQUIREMENTS OF RECENTLY REVISED 703 KAR 5:225. THESE CHANGES HAVE BEEN REVIEWED BY THE KDE OFFICE OF NEXT GENERATION SCHOOLS AND DISTRICTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111

District Planning

PLANNING COMMITTEE

A District planning committee, representative of the community and the school district, shall be appointed by the Superintendent and approved by the Board to develop, monitor, and annually update a District Improvement Plan (DIP) as stated herein. The committee shall include teachers, Principals, council members, Central Office administrators, Board member(s), classified staff, parents, community representatives, and high school students.

The Superintendent shall develop, and present to the Board for review, procedures for appointment and training of the planning committee. The Superintendent shall make the procedures known to the community and school personnel.

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

PLANNING CYCLE

The District's planning cycle shall run from November 1-October 31.

PLAN SHALL INCLUDE REQUIREMENTS

The plan structure shall include, at a minimum, the following components set out in 703 KAR 5:225.

- a mission statement;
- short- and long-term goals and objectives;
- priority needs resulting from a comprehensive needs assessment;
- established gap targets;
- strategies and activities along with supporting budgetary information;
- opportunities to collaborate with businesses, colleges, and community organizations in providing services as part of or aligned with the District's extended school services (ESS) program; and
- a method of and schedule for evaluating the plan that includes implementation and impact checks on completion of plan activities and achievement of plan goals and objectives.

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

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

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

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

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111
(CONTINUED)

District Planning

PUBLIC REVIEW

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

BOARD APPROVAL

The plan shall be presented to the Board for approval by December 1. If revisions are needed, the District planning committee shall forward proposed revisions to the Superintendent. Revisions must reflect requirements of No Child Left Behind and KRS 158.649. All recommendations for revisions require approval by the Board.

~~The Principal of each school shall sign the assurance certification required as part of the plan application, prior to the Superintendent and Board Chair signing the certification.~~

The Superintendent shall submit required assurances to the Kentucky Department of Education via e-mail no later than July 1 of each year.

IMPLEMENTATION

The District shall maintain a copy of each plan for at least five (5) years and, consistent with the District's planning cycle, post the current plan on the District's web site.

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

SCHOOL PLANS

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

REFERENCES:

¹KRS 156.500

²KRS 158.649

KRS 160.290; KRS 160.345; 703 KAR 5:225; 704 KAR 3:390

RELATED POLICIES:

02.44, 02.442, 09.21

LEGAL: THE 2013 GENERAL ASSEMBLY AMENDED KRS 160.705 TO ESTABLISH REQUIREMENTS FOR DISTRICT RETENTION OF DIGITAL, VIDEO, AND AUDIO RECORDINGS.
FINANCIAL IMPLICATIONS: ADDITIONAL RECORD-KEEPING DUTIES

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.61

Records Management

RECORDS OFFICER

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

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

SUPERINTENDENT'S RESPONSIBILITIES

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

RETENTION AND DISPOSAL OF RECORDS

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

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

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

LITIGATION

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

RETENTION OF RECORDINGS

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

- Retain for a minimum period of one (1) week a master copy of any digital, video, or audio recordings of school activities without editing, altering, or destroying any portion of the recordings, although secondary copies of the master copy may be edited; and

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POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.61
(CONTINUED)Records ManagementRETENTION OF RECORDINGS (CONTINUED)

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

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

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REFERENCES:

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¹725 KAR 1:010²KRS 171.710³KRS 171.720⁴725 KAR 1:030; KRS 171.420; KRS 171.570⁵KRS 171.670; KRS 171.410; KRS 171.660; 725 KAR 1:020⁶KRS 160.705

702 KAR 1:025; 725 KAR 1:025

Records Retention Schedule, Public School DistrictRELATED POLICIES:

01.5; 04.81

6

RECOMMENDED: THE KENTUCKY STATE AUDITOR RECOMMENDS THAT BOARD POLICY ADDRESS BOARD MEMBER EXPENSES AND THAT THOSE WHICH ARE NOT IN COMPLIANCE WITH POLICY SHALL NOT BE REIMBURSED BY THE BOARD.
THIS CHANGE IS NOT REQUIRED BY LAW.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD

01.821

Board Member Expense Reimbursement

PER DIEM

Board members shall receive a per diem of seventy-five dollars (\$75) per regular or special Board meeting or training session attended as required by law, not to exceed \$3,000 per calendar year per member.

IN-DISTRICT EXPENSES

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

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

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

DEDUCTIONS

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

OUT-OF-DISTRICT TRAVEL

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

Expenses for personal entertainment shall not be reimbursed.

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

CREDIT CARDS

Board members are not to be issued credit cards.

SPOUSE'S TRAVEL

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

REFERENCES:

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

RELATED POLICIES:

01.4; 03.125; 03.225

RECOMMENDED: THE KENTUCKY STATE AUDITOR RECOMMENDS THAT THE BOARD APPROVE THE SUPERINTENDENT'S COMPENSATION PACKAGE AND CONSIDER THE DISTRICT'S FINANCIAL RESOURCES, CURRENT ECONOMIC CONDITIONS, EMPLOYEE PERFORMANCE, AND SALARY DATA FOR SIMILAR POSITIONS AT RELEVANT ORGANIZATIONS WITHIN THE REGION. THIS CHANGE IS NOT REQUIRED BY LAW. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.131

Contract of Superintendent

CONTRACT

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

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

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

VACANCY

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

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

RESIGNATION

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

REFERENCE:

¹KRS 160.350

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LEGAL: THE 2013 GENERAL ASSEMBLY REVISED KRS 156.557 TO REQUIRE THAT THE SUPERINTENDENT'S ANNUAL SUMMATIVE EVALUATION BE DONE IN WRITING.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.14

Evaluation

DEVELOPMENT AND APPROVAL

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

FREQUENCY OF EVALUATION

The Superintendent shall be evaluated annually in writing by the Board, and the summative evaluation shall be made available to the public on request. S/he shall be notified of the criteria on which s/he is to be evaluated no later than the end of the first month of reporting for employment for each fiscal year.

PROCESS

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

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

REFERENCES:

KRS 156.557
704 KAR 3:345

RELATED POLICY:

03.18

LEGAL: THE 2013 GENERAL ASSEMBLY ENACTED A NEW SECTION OF KRS CHAPTER 158 TO REQUIRE EACH COUNCIL TO ADOPT A SCHOOL EMERGENCY PLAN.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4241

School Council Policies (SBDM)

ADOPTION OF POLICY

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

1. Determination of curriculum including needs assessment and curriculum development;
Such policies shall determine the writing program for the school, including use of writing portfolios consistent with KRS 158.6453, to be submitted to the Kentucky Department of Education for review and comment.
2. Assignment of all instructional and non-instructional staff time;
3. Assignment of students to classes and programs within the school;
 - a) Placement of students from the household of an active duty service member or civilian military employee transferring into the District before or during the school year shall be based initially on enrollment in courses offered at the sending school and/or educational assessments conducted at that school. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advance Placement, vocational, technical, and career pathways courses. Initial placement does not preclude the District/school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of students in the course(s).
 - b) Each secondary school-based decision making council shall establish a policy on the recruitment and assignment of students to advanced placement (AP), International Baccalaureate (IB), dual enrollment, and dual credit courses that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum. Such policy shall not be in conflict of Board Policy 08.1131.
4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar, and transportation requirements established by the Board;
5. Determination of the use of school space during the school day;
6. Planning and resolution of issues regarding instructional practices;
7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and Principal;
As reflected in the District Code of Acceptable Behavior and Discipline, loss of physical activity periods other than recess, shall not be used as a disciplinary consequence. When loss of recess occurs, the student shall be sent to a supervised area that allows for physical activity.
8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;
The school shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

ADMINISTRATION

02.4241

(CONTINUED)

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

9. Adoption of a school emergency plan and implementation of safety practices required by KRS 158._____:

9.10. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;

10.11. Commitment to a parent involvement process that provides for:

- a) Establishing an open, parent-friendly environment;
- b) Increasing parental participation;
- c) Improving two-way communication between school and home, including what their child will be expected to learn; and
- d) Developing parental outreach programs.

11.12. Procedures to assist the council with consultation in the selection of personnel by the Principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.

12.13. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)

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

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

OTHER POLICIES

Councils may adopt policies for areas other than those listed above to provide an environment that enhances student achievement and to help the school meet goals established by law and by the Board, provided the policies adopted are consistent with Board policies in those areas.

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

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

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

COMPLIANCE WITH BOARD POLICY

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

WAIVER OF STATE REGULATIONS

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

SCHOOLS OF INNOVATION

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

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

ADMINISTRATION

02.4241
(CONTINUED)**School Council Policies (SBDM)****REFERENCES:**

KRS 156.072; KRS 156.160; KRS 156.730; KRS 156.735
KRS 158.197; KRS 158.645; KRS 158.6451; KRS 158.6453
A New Section of KRS Chapter 158
KRS 160.345; KRS 160.348
KRS 156.108; KRS 160.107; 701 KAR 5:140
OAG 93-55; OAG 94-29; 702 KAR 7:140; 704 KAR 3:510
Board of Educ. of Boone County v. Bushee, Ky., 889 S.W. 2d 809 (1994)
U. S. Dept. of Agriculture's *Dietary Guidelines for Americans*

RELATED POLICIES:

01.11; 02.422; 02.4231
03.112
08.1; 08.1131
09.126 (re requirements/exceptions for students from military families)

LEGAL: CHANGES NOTED ARE SUGGESTED TO REFLECT REQUIREMENTS OF RECENTLY REVISED 703 KAR 5:225. THESE CHANGES HAVE BEEN REVIEWED BY THE KDE OFFICE OF NEXT GENERATION SCHOOLS AND DISTRICTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.442

School Improvement Plan

RESPONSIBILITY

Each school council, or Principal, in a school without a council, shall develop, monitor, and annually update a School Improvement Plan (SIP).

In an SBDM school, the school council shall organize a planning process, consistent with District's established planning process.

In a school without a council, the Principal shall appoint a School Planning Committee comprised of teachers, parents, and a community representative.

The primary purposes of the SIP shall be:

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

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Unless the school planning committee requests and is granted a waiver by the Board, the school committee shall use any improvement plan format that has been established and approved by the Board. The SIP structure shall include, at a minimum, the following components set out in 703 KAR 5:225 and the elements required by KRS 158.649:

- a mission statement;
- short- and long-term goals and objectives;
- a comprehensive needs assessment process, as required by Board policy;
- established gap targets;
- plan to achieve the objectives;
- strategies and activities along with supporting budgetary information; and
- a method of and schedule for evaluating the plan that includes implementation and impact checks on completion of SIP activities and achievement of plan goals and objectives.

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

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

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

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ADMINISTRATION

02.442
(CONTINUED)

School Improvement Plan (SBDM)

BOARD REVIEW

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

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

REFERENCES:

KRS 158.645; KRS 158.6451; KRS 158.649
~~KRS 158.650~~; KRS 160.290; KRS 160.345
703 KAR 5:225

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RELATED POLICIES:

01.111; 02.432; 02.44

LEGAL: IF THE DISTRICT OBTAINS MEDICAL INFORMATION FROM EMPLOYEES AS PART OF THEIR REQUEST FOR AN ACCOMMODATION UNDER SECTION 504 OF THE REHABILITATION ACT, THAT INFORMATION MUST BY LAW BE KEPT CONFIDENTIAL.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.113

- CERTIFIED PERSONNEL -

Equal Employment Opportunity

NONDISCRIMINATION

The Superintendent shall adhere to a policy of equal employment opportunity in all personnel matters. No person shall be subjected to discrimination in regard to employment, retention, promotion, demotion, transfer or dismissal because of race, color, religion, sex, genetic information, national or ethnic origin, political affiliation, marital status, age or disabling condition.¹

INDIVIDUALS WITH DISABILITIES

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

District employment practices shall be in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

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

REASONABLE ACCOMMODATION

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

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

Reasonable accommodation shall be provided as required by law.

ADVISING EMPLOYEES

The Superintendent shall inform all school employees of the provisions of this policy.¹

PERSONNEL

03.113
(CONTINUED)

Equal Employment Opportunity

REFERENCES:

- ¹KRS 161.164
- ²29 U.S.C.A. 794
- ³29 U.S.C. section 1630.14
- KRS 207.135
- 34 C.F.R. 104.3 - 104.14
- 42 U.S.C. 200e, Civil Rights Act of 1964, Title VII; KRS Chapter 344
- Americans with Disabilities Act of 1990
- Kentucky Education Technology System (KETS)
- Section 504 of the Rehabilitation Act of 1973
- Title IX of the Education Amendments of 1972
- Genetic Information Nondiscrimination Act of 2008

RELATED POLICIES:

03.133, 05.11

RECOMMENDED: THE KENTUCKY STATE AUDITOR RECOMMENDS THAT PRIOR APPROVAL OF THE BOARD BE REQUIRED BEFORE THE NUMBER OF DAYS TO BE WORKED IN A CONTRACT OR AN EXTENDED EMPLOYMENT JOB DESCRIPTION FOR A POSITION GO INTO EFFECT. THIS CHANGE IS NOT REQUIRED BY LAW.
LEGAL: 702 KAR 3:070 SPECIFIES THAT ONLY THE BOARD HAS LEGAL AUTHORITY TO APPROVE A SALARY INCREMENT FOR EXTRA SERVICES
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.121

- CERTIFIED PERSONNEL -

Salaries

SINGLE-SALARY BASIS

All salaries for certified personnel shall be based on a single-salary schedule providing, at minimum, for the number of working days required by law.

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

EXTENDED EMPLOYMENT

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

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

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

EXTRA SERVICES, SUPPLEMENTS AND SUPERVISION

The Board shall annually establish a schedule of and compensation for extra services, hazardous duty supplements and supervision. As provided under law, teachers who attain certification from the National Board for Professional Teaching Standards shall be given an annual salary supplement of \$2000 for the life of the certificate.

RANK AND EXPERIENCE

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

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

To assist with the budgeting process, candidates for National Board 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.

EXCEPTION

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

PERSONNEL

03.121
(CONTINUED)**Salaries****PAYROLL DISTRIBUTION**

Checks will be issued according to a schedule approved by the Board.

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

QUALIFICATIONS

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

NOTICE OF SALARY

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

LIST OF SALARIES

The Board shall maintain for public scrutiny a factual list of individual salaries of its employees for the fiscal year just closed and shall furnish that list by mail to a newspaper qualified under KRS 424.2120 to publish advertisements for the District.

PAYROLL DEDUCTIONS

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

REFERENCES:

KRS 157.075; KRS 157.320; KRS 157.350; KRS 157.360
KRS 157.390; KRS 157.395; KRS 157.397; KRS 157.420
KRS 160.290; KRS 160.291
KRS 161.1211; KRS 161.134; KRS 161.168; KRS 161.760
KRS 424.120; KRS 424.220; 16 KAR 1:040; OAG 97-25
702 KAR 3:060; 702 KAR 3:070; 702 KAR 3:100; 702 KAR 3:310
29 C.F.R. Section 541.303, 29 C.F.R. Section 541.602, 29 C.F.R. Section 541.710

RELATED POLICIES:

03.114, 03.1211, 03.4

LEGAL: AMENDED FEDERAL FAMILY AND MEDICAL LEAVE REGULATIONS WENT INTO EFFECT IN MARCH CONCERNING MILITARY CAREGIVER LEAVE AND QUALIFYING EXIGENCY REQUESTS. IN ADDITION, THE FAMILY AND MEDICAL LEAVE ACT PROHIBITS AN EMPLOYEE'S DIRECT SUPERVISOR FROM CONTACTING THE EMPLOYEE'S HEALTH CARE PROVIDER FOR INFORMATION CONCERNING A CERTIFICATION IN SUPPORT OF A REQUEST FOR FAMILY AND MEDICAL LEAVE. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

19

PERSONNEL

03.12322

- CERTIFIED PERSONNEL -

Family and Medical Leave

REASONS

In compliance with the Family and Medical Leave Act of 1993 and under procedures developed by the Superintendent, leave shall be granted to eligible employees for the following reasons:

1. For the birth and care of an employee's newborn child or for placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child, or parent who has a serious health condition, as defined by federal law;
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job;
4. To address a qualifying exigency (need) defined by federal regulation arising out of the covered active duty or call to active duty involving deployment to a foreign country of a covered family member the employee's (spouse, son, daughter, or parent) who serves in a reserve component or as an active or retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and
5. To care for a covered family service member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated an serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties of his/her office, grade, rank or rating or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

NOTICES AND DEADLINES

- Employees who may be eligible for or who request leave for any of the above reasons shall be provided an FMLA notice of eligibility and rights and responsibilities. Requests for family and medical leave should be made in writing but verbal requests may be made to the immediate supervisor or other designated administrator who shall then document the request. The District may require that a request for leave be supported by a certification for health care or military-related situations as permitted by federal law, but such requirements must be set out in the required notice.

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of District receipt of a request or the District being made aware of a potentially qualifying reason.

NOTE: Only the District's human resources professional, leave administrator, or personnel director may contact an employee's health care provider to clarify or authenticate an FML certification in support of an FML request about which there are questions. The employee's direct supervisor shall not contact the provider.

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Family and Medical Leave**NOTICES AND DEADLINES (CONTINUED)**

- The District shall designate an employee's leave, paid or unpaid, as FMLA-qualifying and shall provide a designation notice indicating whether the request is approved or if additional information is needed. Leave may be delayed if the employee does not provide proper notice (30 days advance notice for a foreseeable leave); otherwise, notice as soon as the need becomes known).

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of learning that an FMLA reason supports the leave.

ELIGIBILITY

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the District for twelve (12) months, have worked at least 1,250 hours during the twelve (12) months preceding the start of the leave, and otherwise qualify for family and medical leave. When family and medical military caregiver leave is taken based onto care for a service member's recovery from a serious illness or injury sustained in the line of duty of a covered service member, an eligible employee may take up to twenty-six (26) workweeks of leave during a single twelve-month period. This provision also applies to covered service members/veterans that have been on active duty within the past five (5) years as defined by federal regulation.

Full-time teachers are presumed to have worked at least 1,250 hours during a school year. In determining whether returning veterans meet the minimum 1,250 hour standard, hours actually worked for the District during the twelve-month period are to be combined with hours they would have worked for the District had they not been called for military service.

In situations involving both the Americans with Disabilities Act (ADA) and FMLA, the District shall apply the law affording the employee the greater benefit.

RESTRICTIONS

To the extent that an employee is entitled to any paid leave, such leave shall be taken and it shall run concurrently with family and medical leave, except that the employee may request to reserve ten (10) days of sick leave. (This requirement shall not apply to employees taking workers' compensation leave.) However, when an employee's work-related injury/medical state qualifies as a serious health condition, worker's compensation leave shall run concurrently with the twelve (12) work week entitlement.

Paid leave used by the employee as required under this policy shall count, as applicable, against the twelve (12) or twenty-six (26) FMLA workweek entitlement.

Entitlement to family and medical leave for the birth and care of a newborn child or placement of a child shall expire twelve (12) months after the date of such birth or placement.

When both husband and wife are employed by the District, the combined amount of family and medical leave for reasons other than personal illness or illness of a child shall be limited to twelve (12) workweeks. In cases of personal illness or illness of a child, each spouse is entitled to twelve (12) workweeks of family and medical leave.

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Family and Medical Leave**RESTRICTIONS (CONTINUED)**

Exception: The limit on the combined amount of family and medical leave shall be twenty-six (26) workweeks when both an eligible husband and wife are employed by the District and are eligible for leave that involves a covered Armed Forces service member/veteran.

Depending on the date family and medical leave is to begin, instructional employees as designated by federal regulation may be required to continue on leave until the end of the school term to avoid disruption.

Unused family and medical leave shall not accumulate from year to year.

INTERMITTENT LEAVE/REDUCED HOURS

Family and medical leave may be taken intermittently (when medically necessary) or on a reduced hours basis.

CONTINUATION OF BENEFITS

While on family and medical leave, employees shall be entitled to all employment benefits accrued prior to the date on which the leave commenced. Health insurance for an employee on family and medical leave shall continue to be provided by the state on the same basis had the employee not taken leave. Other employment benefits and seniority shall not accrue during unpaid family and medical leave.

RETURN TO WORK

As noted by the required notice of eligibility and rights and responsibilities when family and medical leave is taken due to an employee's own serious health condition, the employee shall provide fitness-for-duty certification before returning to work. This may include certification by the health care provider that the employee is able to perform essential functions specific to the job, as noted by the District in a list attached to the certification form.

Upon return to work, the employee shall be entitled to his/her same position (or an equivalent position with equivalent pay) with corresponding benefits and other terms and conditions of employment.

NOTICE

The District shall notify employees of family and medical leave provisions by posting appropriate notices in conspicuous places in the Central Office and each worksite and distributing notices as required by law.

REFERENCES:

Family and Medical Leave Act of 1993, 29 U.S.C. 2601-2654
Title I of the FMLA, as amended by the National Defense Authorization Act
Code of Federal Regulations, Title 29, Part 825

RELATED POLICIES:

03.123, 03.1232, 03.1233, 03.1234, 03.1238, 03.124

-RECOMMENDED: SEVERAL SUGGESTIONS REFLECT SUGGESTED PRACTICES FROM THE KENTUCKY STATE AUDITOR (FOCUS ON NECESSARY AND ACTUAL EXPENSES, DOCUMENTING FUNDING SOURCE FOR TRIP EXPENSES, PROPER DOCUMENTATION FOR REIMBURSEMENT, AND REVIEW OF SUPERINTENDENT'S TRAVEL EXPENSES IN AN OPEN MEETING PRIOR TO APPROVING REIMBURSEMENT).

THIS CHANGE IS NOT REQUIRED BY LAW

LEGAL: ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS REQUIRES THAT TRAVEL VOUCHERS BE SUBMITTED WITHIN ONE (1) WEEK OF THE TRAVEL.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.125

-CERTIFIED PERSONNEL-

Expense Reimbursement

Provided the Superintendent/designee has given prior approval to incur thenecessary and appropriate expenses, the Board shall reimburse school personnel for school-related travel when such travel is a required part of the duties of the employee or for school-related activities approved by the Superintendent and, when appropriate, the School Council. Travel expenses of school-based personnel in SBDM schools shall be paid from Council funds. In the case of expenses reimbursed from internal accounts, the Principal shall be the authority for approving reimbursement. Travel expenses for guests of employees shall not be reimbursed.

The expense reimbursement process shall require documentation of the funding source/category used to pay expenses for all approved trips.

The Board will be responsible only for actual expenses. Allowable expenses are:

MILEAGE

Actual mileage between official work stations within the school system and actual mileage for trips outside the school system which have been approved by the Superintendent and the Council in SBDM schools will be reimbursed at the rate applied by the state per mile when the employee uses his/her own vehicle.

GASOLINE

Actual cost of gasoline and oil purchased and placed in a Board-owned vehicle by an employee while engaged in school-related travel. Purchase must be substantiated by a receipt showing total gallons and total charges.

TOLLS AND FEES

All tolls and parking fees incurred in school-related travel. Fees must be substantiated by a ticket or receipt. (Tolls are not to be charged for District vehicles being operated in state in an official capacity.)

CAR RENTAL

Car rental charges when approved by the Superintendent and the Council in SBDM schools. Charges must be substantiated by a receipt.

COMMON CARRIERS

All charges or fares for necessary travel on common carriers (plane, bus, train, subway, taxi, ferry, etc.). Sight-seeing and pleasure tours are not reimbursable.

Expense Reimbursement

OUT-OF-STATE TRAVEL

Reimbursement for out-of-state travel by privately owned vehicles shall be made on the basis of airplane coach fare or mileage rate, whichever is more beneficial to the District, as determined by the Superintendent.

FOOD

Actual monies spent for food while on out-of-District trips, when an overnight stay is required. The maximum allowable food expenditure per day shall be paid at the rate set by the state unless an exception is approved by the Board. Actual monies for convention/meeting banquet tickets and luncheons shall be reimbursed. Any meal must be substantiated by an itemized receipt.

LODGING

Hotel or motel charges (not including food or other charges) incurred in school-related travel. Charges must be substantiated by a receipt.

EMERGENCY REPAIRS TO VEHICLES

Reimbursement will be made for emergency repairs or road service to Board-owned vehicles if incapacitated while out of District. Drivers may not obligate the Board for major repairs without the permission of the Director of Transportation or Superintendent.

REIMBURSEMENT FORM

Travel vouchers shall be submitted within one (1) week of the travel. No requests for travel reimbursement will be considered unless filed on the proper form and accompanied by the proper itemized receipts. Receipts are required for reimbursements of all expenditures.

Without proper documentation, individuals shall not receive reimbursement, and, if it is determined that reimbursement was made based on incomplete or improper documentation, the individual may be required to reimburse the District.

SUPERINTENDENT'S TRAVEL EXPENSES

Prior to granting approval for payment, the Board shall review itemized reimbursement requests for the Superintendent's travel expenses in an open board meeting.

REFERENCES:

KRS 160.290; KRS 160.410; KRS 175.525
OAG 80-395
United States v. Correll, 389 U.S. 299 (1967)
Accounting Procedures for Kentucky School Activity Funds

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RECOMMENDED: THE KENTUCKY STATE AUDITOR RECOMMENDS THAT BOARD POLICY ADDRESS MISSING PROPERTY OR PROPERTY BEING USED FOR OTHER THAN SCHOOL OR DISTRICT BUSINESS. ALSO, IF YOUR DISTRICT ASSIGNS A DISTRICT-OWNED VEHICLE TO ONE OR MORE EMPLOYEES, PLEASE CONTACT YOUR KSBA CONSULTANT FOR SUGGESTED LANGUAGE TO REQUIRE ADHERENCE TO IRS GUIDELINES FOR THAT TAXABLE BENEFIT.
THIS CHANGE IS NOT REQUIRED BY LAW.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1321

- CERTIFIED PERSONNEL -

Use of School Property

All personnel shall be responsible for the school equipment, supplies, books, furniture, and apparatus under their care and use. Any damaged, lost, stolen, or vandalized property shall be reported to the employee's immediate supervisor, who shall then report it to the Superintendent/designee once it is confirmed that the item cannot be recovered.

In addition, employees shall not perform personal services for themselves or for others for pay or profit during work time and/or using District property or facilities. District property being used for unauthorized purposes shall be reported to that employee's immediate supervisor.

OUTSIDE WORK

An employee shall not use any District facility, vehicle, electronic communication system, equipment or materials in performing outside work. These items (including security codes and electronic records, such as E-mail) are property of the District and shall be used solely for job-related purposes.

ELECTRONIC COMMUNICATIONS

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. Employees cannot expect confidentiality or privacy as to information entered or stored in their E-mail accounts. Authorized District personnel may monitor the use of electronic equipment from time to time.

DRIVING RECORD

Employees who have occasion to drive any Board-owned vehicle and/or transport students shall annually provide the Superintendent with a copy of their driving record from the Kentucky Department of Transportation. Any traffic citation received during the year shall be reported to the Superintendent prior to driving a Board-owned vehicle or transporting students.

USE OF ASSIGNED TELECOMMUNICATION DEVICES

The Board authorizes the purchase and employee use of telecommunication devices, as deemed appropriate by the Superintendent. These devices shall include, but are not limited to, pagers and digital or cell phones.

Telecommunication devices may be assigned or made available on a temporary or on-going basis when it is determined that:

1. Assignment of a device to an employee is a prudent use of District resources.
2. The employee's job responsibilities require the ability to communicate frequently and access to a District or public telephone is not readily available.

PERSONNEL

03.1321
(CONTINUED)

Use of School Property

USE OF ASSIGNED TELECOMMUNICATION DEVICES (CONTINUED)

3. The employee's job involves situations where immediate communication is necessary to ensure the security of District property or safety of students, staff or others while on District property or engaged in District-sponsored activities.

District-owned telecommunication devices shall be used primarily for authorized District business purposes. However, occasional personal use of such equipment is permitted.

REFERENCES:

KRS 160.290; KRS 189.292; ~~KRS 189.294~~
KRS 281A.205
702 KAR 5:080

LEGAL: IF THE DISTRICT OBTAINS MEDICAL INFORMATION FROM EMPLOYEES AS PART OF THEIR REQUEST FOR AN ACCOMMODATION UNDER SECTION 504 OF THE REHABILITATION ACT, THAT INFORMATION MUST BY LAW BE KEPT CONFIDENTIAL.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.212

- CLASSIFIED PERSONNEL -

Equal Employment Opportunity

NONDISCRIMINATION

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

INDIVIDUALS WITH DISABILITIES

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

District employment practices shall be in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

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

REASONABLE ACCOMMODATION

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

Reasonable accommodation shall be provided as required by law.

ADVISING EMPLOYEES

The Superintendent shall inform all school employees of the provisions of this policy.¹

MINORITY RECRUITMENT

The Superintendent shall develop procedures to promote employment of minorities.

PERSONNEL

03.212
(CONTINUED)

Equal Employment Opportunity

REFERENCES:

¹KRS 161.164

²29 U.S.C.A. 794

³29 U.S.C. section 1630.14

KRS 207.135

34 C.F.R. 104.3 - 104.14

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

Americans with Disabilities Act of 1990

Kentucky Education Technology System (KETS)

Section 504 of the Rehabilitation Act of 1973

Title IX of the Education Amendments of 1972

Genetic Information Nondiscrimination Act of 2008

RELATED POLICIES:

03.133, 05.11

~~RECOMMENDED: THE KENTUCKY STATE AUDITOR RECOMMENDS THAT POLICY SHOULD ADDRESS HOW EXPERIENCE CREDIT WILL BE GRANTED TO NEW OR TRANSFERRING CLASSIFIED EMPLOYEES.~~
 THIS CHANGE IS NOT REQUIRED BY LAW.
 FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.221

- 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.

LENGTH OF WORK DAY

The length of the work day shall be established for each position by the Board.

QUALIFICATIONS

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

DETERMINATION OF EXPERIENCE

Upon initial employment or transfer of a classified employee, the Superintendent shall determine experience credit to be granted from any previous employment consistent with applicable salary schedules adopted by the Board and, in the absence of the issue being addressed in such schedules, experience credit shall be determined as follows:

1. Previous experience in the District.

Credit for years of experience in one (1) classified position with the District will transfer with the employee when assuming another classified position within the District, if there is no break in employment.

2. Previous experience in an equivalent position in another school district.

Years of experience in an equivalent position may be transferred from another school district.

3. Previous private sector experience in a job of a similar nature.

In determining whether previous experience is applicable to a District position, similar experience shall refer to the essential functions, licensing/training requirements, and/or daily job responsibilities of the positions being similar.

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LIST OF SALARIES

The Board shall maintain for public scrutiny a factual list of individual salaries of its employees for the fiscal year just closed and shall furnish that list by mail to a newspaper qualified under KRS 424.2120 to publish advertisements for the District.

PERSONNEL

03.221
(CONTINUED)Salaries**PAYROLL DISTRIBUTION**

Checks will be issued according to a schedule approved by the Board.

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.

OVERTIME

Except in cases of emergency, all overtime 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 1 1/2 times the regular rate for all hours beyond 40 as provided by law for overtime work. Compensatory time shall not be granted.

REFERENCES:

KRS 78.615; KRS 160.291; KRS 161.011
KRS 337.285; KRS 424.120; KRS 424.220
803 KAR 1:06; 803 KAR 1:070
Fair Labor Standards Act

RELATED POLICY:

03.2211

LEGAL: AMENDED FEDERAL FAMILY AND MEDICAL LEAVE REGULATIONS WENT INTO EFFECT IN MARCH CONCERNING MILITARY CAREGIVER LEAVE AND QUALIFYING EXIGENCY REQUESTS. IN ADDITION, THE FAMILY AND MEDICAL LEAVE ACT PROHIBITS AN EMPLOYEE'S DIRECT SUPERVISOR FROM CONTACTING THE EMPLOYEE'S HEALTH CARE PROVIDER FOR INFORMATION CONCERNING A CERTIFICATION IN SUPPORT OF A REQUEST FOR FAMILY AND MEDICAL LEAVE. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.22322

- CLASSIFIED PERSONNEL -

Family and Medical Leave

REASONS

In compliance with the Family and Medical Leave Act of 1993 and under procedures developed by the Superintendent, leave shall be granted to eligible employees for the following reasons:

1. For the birth and care of an employee's newborn child or for placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child, or parent who has a serious health condition, as defined by federal law;
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job;
4. To address a qualifying exigency (need) defined by federal regulation arising out of the covered active duty or call to active duty involving deployment to a foreign country of a covered family member the employee's (spouse, son, daughter, or parent) who serves in a reserve component or as an active or retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and
5. To care for a covered family service member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated an serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties of his/her office, grade, rank or rating or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

NOTICES AND DEADLINES

- Employees who may be eligible for or who request leave for any of the above reasons shall be provided an FMLA notice of eligibility and rights and responsibilities. Requests for family and medical leave entitlement should be made in writing but verbal requests may be made to the immediate supervisor or other designated administrator who shall then document the request. The District may require that a request for leave be supported by a certification for health care or military-related situations as permitted by federal law, but such requirements must be set out in the required notice.

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of District receipt of a request or the District being made aware of a potentially qualifying reason.

NOTE: Only the District's human resources professional, leave administrator, or personnel director may contact an employee's health care provider to clarify or authenticate an FML certification in support of an FML request about which there are questions. The employee's direct supervisor shall not contact the provider.

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PERSONNEL

03.22322
(CONTINUED)**Family and Medical Leave****NOTICES AND DEADLINES (CONTINUED)**

- The District shall designate an employee's leave, paid or unpaid, as FMLA-qualifying and shall provide a designation notice indicating whether the request is approved or if additional information is needed. Leave may be delayed if the employee does not provide proper notice (30 days advance notice for a foreseeable leave; otherwise, notice as soon as the need becomes known).

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of learning that an FMLA reason supports the leave.

ELIGIBILITY

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the District for twelve (12) months, have worked at least 1,250 hours during the twelve (12) months preceding the start of the leave, and otherwise qualify for family and medical leave. When family and medical military caregiver leave is taken based on care for a service member's recovery from a serious illness or injury sustained in the line of duty of a covered service member, an eligible employee may take up to twenty-six (26) workweeks of leave during a single twelve-month period. This provision also applies to covered service members/veterans that have been on active duty within the past five (5) years as defined by federal regulation.

In determining whether returning veterans meet the minimum 1,250 hour standard, hours actually worked for the District during the twelve-month period are to be combined with hours they would have worked for the District had they not been called for military service.

In situations involving both the Americans with Disabilities Act (ADA) and FMLA, the District shall apply the law affording the employee the greater benefit.

RESTRICTIONS

To the extent that an employee is entitled to any paid leave, such leave shall be taken and it shall run concurrently with family and medical leave, except that the employee may request to reserve ten (10) days of sick leave. (This requirement shall not apply to employees taking workers' compensation leave.) However, when an employee's work-related injury/medical state qualifies as a serious health condition, worker's compensation leave shall run concurrently with the twelve (12) workweek entitlement.

Paid leave used by the employee as required under this policy shall count, as applicable, against the twelve (12) or twenty-six (26) FMLA workweek entitlement.

Entitlement to family and medical leave for the birth and care of a newborn child or placement of a child shall expire twelve (12) months after the date of such birth or placement.

When both husband and wife are employed by the District, the combined amount of family and medical leave for reasons other than personal illness or illness of a child shall be limited to twelve (12) workweeks. In cases of personal illness or illness of a child, each spouse is entitled to twelve (12) workweeks of family and medical leave.

PERSONNEL

03.22322
(CONTINUED)**Family and Medical Leave****RESTRICTIONS (CONTINUED)**

Exception: The limit on the combined amount of family and medical leave shall be twenty-six (26) workweeks when both an eligible husband and wife are employed by the District and are eligible for leave that involves a covered Armed Forces service member/veteran.

Unused family and medical leave shall not accumulate from year to year.

INTERMITTENT LEAVE/REDUCED HOURS

Family and medical leave may be taken intermittently (when medically necessary) or on a reduced hours basis.

CONTINUATION OF BENEFITS

While on family and medical leave, employees shall be entitled to all employment benefits accrued prior to the date on which the leave commenced. Health insurance for an employee on family and medical leave shall continue to be provided by the state on the same basis had the employee not taken leave. Other employment benefits and seniority shall not accrue during unpaid family and medical leave.

RETURN TO WORK

As noted by the required notice of eligibility and rights and responsibilities, when family and medical leave is taken due to an employee's own serious health condition, the employee shall provide fitness-for-duty certification before returning to work. This may include certification by the health care provider that the employee is able to perform essential functions specific to the job, as noted by the District in a list attached to the certification form.

Upon return to work, the employee shall be entitled to his/her same position (or an equivalent position with equivalent pay) with corresponding benefits and other terms and conditions of employment.

NOTICE

The District shall notify employees of family and medical leave provisions by posting appropriate notices in conspicuous places in the Central Office and each worksite and distributing notices as required by law.

REFERENCES:

Family and Medical Leave Act of 1993, 29 U.S.C. 2601-2654
Title I of the FMLA, as amended by the National Defense Authorization Act
Code of Federal Regulations, Title 29, Part 825

RELATED POLICIES:

03.223; 03.2232
03.2233; 03.2234
03.2238; 03.224

RECOMMENDED: SEVERAL SUGGESTIONS REFLECT SUGGESTED PRACTICES FROM THE KENTUCKY STATE AUDITOR (FOCUS ON NECESSARY AND ACTUAL EXPENSES, DOCUMENTING FUNDING SOURCE FOR TRIP EXPENSES, AND PROPER DOCUMENTATION FOR REIMBURSEMENT). THIS CHANGE IS NOT REQUIRED BY LAW
 LEGAL: ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS REQUIRES THAT TRAVEL VOUCHERS BE SUBMITTED WITHIN ONE (1) WEEK OF THE TRAVEL.
 FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.225

- CLASSIFIED PERSONNEL -

Expense Reimbursement

Provided the Superintendent/designee has given prior approval to incur the expense, the Board shall reimburse school personnel for school-related travel when such travel is a required part of the duties of the employee or for school-related activities approved by the Superintendent and, when appropriate, the School Council. Travel expenses of school-based personnel in SBDM schools shall be paid from Council funds. In the case of expenses reimbursed from internal accounts, the Principal shall be the authority for approving reimbursement. Travel expenses for guests of employees shall not be reimbursed.

The expense reimbursement process shall require documentation of the funding source/category used to pay expenses for all approved trips.

The Board will be responsible only for actual expenses. Allowable expenses are:

MILEAGE

Actual mileage between official work stations within the school system and actual mileage for trips outside the school system which have been approved by the Superintendent and the Council in SBDM schools will be reimbursed at the rate applied by the state per mile when the employee uses his/her own vehicle.

GASOLINE

Actual cost of gasoline and oil purchased and placed in a Board-owned vehicle by an employee while engaged in school-related travel. Purchase must be substantiated by a receipt showing total gallons and total charges.

TOLLS AND FEES

All tolls and parking fees incurred in school-related travel. Fees must be substantiated by a ticket or receipt. (Tolls are not to be charged for District vehicles being operated in state in an official capacity.)

CAR RENTAL

Car rental charges when approved by the Superintendent and the Council in SBDM schools. Charges must be substantiated by a receipt.

COMMON CARRIERS

All charges or fares for necessary travel on common carriers (plane, bus, train, subway, taxi, ferry, etc.). Sight-seeing and pleasure tours are not reimbursable.

OUT-OF-STATE TRAVEL

Reimbursement for out-of-state travel by privately owned vehicles shall be made on the basis of airplane coach fare or mileage rate, whichever is more beneficial to the District, as determined by the Superintendent.

PERSONNEL

03.225
(CONTINUED)**Expense Reimbursement****FOOD**

Actual monies for food on out-of-District trips, when an overnight stay is required. The maximum allowable food expenditure per day shall be paid at the rate set by the state unless an exception is approved by the Board. Actual monies for convention/meeting banquet tickets and luncheons shall be reimbursed. Any meal must be substantiated by an itemized receipt.

LODGING

Hotel or motel charges (not including food or other charges) incurred in school-related travel. Charges must be substantiated by a receipt.

EMERGENCY REPAIRS TO VEHICLES

Reimbursement will be made for emergency repairs or road service to Board-owned vehicles if incapacitated while out of District. Drivers may not obligate the Board for major repairs without the permission of the Director of Transportation or Superintendent.

REIMBURSEMENT FORM

Travel vouchers shall be submitted within one (1) week of the travel. No requests for travel reimbursement will be considered unless filed on the proper form and accompanied by the properly itemized receipts. Receipts are required for reimbursements of all expenditures.

Without proper documentation, individuals shall not receive reimbursement, and, if it is determined that reimbursement was made based on incomplete or improper documentation, the individual may be required to reimburse the District.

REFERENCES:

KRS 160.290; KRS 160.410; KRS 175.525

OAG 80-395

United States v. Correll, 389 U.S. 299 (1967)

Accounting Procedures for Kentucky School Activity Funds

RECOMMENDED: THE KENTUCKY STATE AUDITOR RECOMMENDS THAT BOARD POLICY ADDRESS MISSING PROPERTY OR PROPERTY BEING USED FOR OTHER THAN SCHOOL OR DISTRICT BUSINESS. ALSO, IF YOUR DISTRICT ASSIGNS A DISTRICT-OWNED VEHICLE TO ONE OR MORE EMPLOYEES, PLEASE CONTACT YOUR KSBA CONSULTANT FOR SUGGESTED LANGUAGE TO REQUIRE ADHERENCE TO IRS GUIDELINES FOR THAT TAXABLE BENEFIT.
THIS CHANGE IS NOT REQUIRED BY LAW.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2321

- CLASSIFIED PERSONNEL -

Use of School Property

All personnel shall be responsible for the school equipment, supplies, books, furniture, and apparatus under their care and use. Any damaged, lost, stolen, or vandalized property shall be reported to the employee's immediate supervisor, who shall then report it to the Superintendent/designee once it is confirmed that the item cannot be recovered.

In addition, employees shall not perform personal services for themselves or for others for pay or profit during work time and/or using District property or facilities. District property being used for unauthorized purposes shall be reported to that employee's immediate supervisor.

OUTSIDE WORK

An employee shall not use any District facility, vehicle, electronic communication system, equipment, or materials in performing outside work. These items (including security codes and electronic records, such as E-mail) are property of the District and shall be used solely for job-related purposes.

ELECTRONIC COMMUNICATIONS

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. Employees cannot expect confidentiality or privacy as to information entered or stored in their E-mail accounts. Authorized District personnel may monitor the use of electronic equipment from time to time.

DRIVING RECORD

Employees who have occasion to drive a Board-owned vehicle and/or to transport students shall annually provide the Superintendent with a copy of their driving records from the Kentucky Department of Transportation. Any traffic citation received during the year shall be reported to the Superintendent prior to driving a Board-owned vehicle or transporting students.

USE OF ASSIGNED TELECOMMUNICATION DEVICES

The Board authorizes the purchase and employee use of telecommunication devices, as deemed appropriate by the Superintendent. These devices shall include, but are not limited to, pagers and digital or cell phones.

Telecommunication devices may be assigned or made available on a temporary or on-going basis when it is determined that:

1. Assignment of a device to an employee is a prudent use of District resources.
2. The employee's job responsibilities require the ability to communicate frequently and access to a District or public telephone is not readily available.
3. The employee's job involves situations where immediate communication is necessary to ensure the security of District property or safety of students, staff or others while on District property or engaged in District-sponsored activities.

36

PERSONNEL

03.2321
(CONTINUED)

Use of School Property

USE OF ASSIGNED TELECOMMUNICATION DEVICES (CONTINUED)

District-owned telecommunication devices shall be used primarily for authorized District business purposes. However, occasional personal use of such equipment is permitted.

REFERENCES:

KRS 160.290; KRS 189.292; ~~KRS 189.294~~
KRS 281A.205; 702 KAR 5:080

RECOMMENDED: SEVERAL SUGGESTIONS REFLECT RECOMMENDATIONS FROM THE KENTUCKY STATE AUDITOR. IF YOUR DISTRICT HAS NOT AUTHORIZED SCHOOL OR DISTRICT CREDIT CARDS, PLEASE MARK THROUGH THAT SECTION, MARK "ADOPT WITH MODIFICATION" ON THE UPDATE CHECKLIST, AND RETURN A COPY OF THIS DRAFT TO KSBA WITH YOUR CHECKLIST.
THIS CHANGE IS NOT REQUIRED BY LAW
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.31

Authority to Encumber and Expend Funds

FINANCIAL STATEMENT

The daily administration of the budget shall be the responsibility of the Superintendent. The Superintendent shall provide the Board with a monthly financial statement at each regular Board meeting. This shall include a report of receipts and disbursements and estimated status by major budget category, the cash balance on hand, and the amount of invested funds at the end of the immediate preceding month.

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EXPENDITURE OF FUNDS

Expenditures from any District fund shall be made in accordance with the budgets approved by the Board. All purchases shall require the prior approval of the Superintendent or the Superintendent's designee.

AUTHORITY TO OBLIGATE

Administrators designated by the Superintendent may initiate a purchase order, subject to the limits of their designated budgeted funds and approval by their supervisor.

The Board shall not be responsible for expenditures not properly authorized and not made according to the purchasing procedures developed by the Superintendent.

REVIEW OF CREDIT CARD TRANSACTIONS

The Superintendent shall establish a process consistent with Board policy to regulate use of credit cards and credit card accounts. This process will include procedures for recovery of District funds for any unauthorized purchases.

Employees shall report immediately any District/school credit card that is lost. Personal purchases on District/school credit cards are prohibited. Unauthorized charges made by employees to District/school credit cards may result in disciplinary action.

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BOARD APPROVAL REQUIRED

Prior Board approval shall be required in order for the District to participate in any cash management, bond issuance, tax revenue anticipation note, or other program involving commitment of District funds. The Board shall designate the fiscal agent and bond counsel.

REFERENCES:

KRS 160.340; KRS 160.370
KRS 160.390; KRS 160.470
KRS 160.530; KRS 160.550
702 KAR 3:050; 702 KAR 3:120
702 KAR 3:246; 702 KAR 3:300
School Council Allocation

RELATED POLICIES:

02.4242; 04.311; 04.3111

RECOMMENDED: SUGGESTION REFLECTS RECOMMENDATION FROM THE KENTUCKY STATE AUDITOR.

THIS CHANGE IS NOT REQUIRED BY LAW

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.3111

District Issuance of Checks

AUTHORIZATION

The treasurer shall prepare warrants or "Orders of the Treasurer" to be acted upon at each regular Board meeting. Except for situations as defined below providing for subsequent Board approval, before checks are issued, the treasurer shall have received the approved warrant or "Orders", or approved equivalent properly executed, which shall include signatures of the chairperson, treasurer and secretary of the Board.

The Board shall designate one (1) or more Board members to review bills before a meeting for items that may need clarification prior to presentation for final approval for payment.

PURCHASING

The Board desires to establish good business practices and requests that all purchasing be accomplished on an authorized purchase order. Adequate controls shall be established by the Superintendent on all appropriations to individual schools or departments.

PAYMENT OF BILLS

With the exception of recurring monthly payments such as utilities and fixed charges, no bill shall be paid without the following supportive information:

1. A purchase order signed by the Superintendent or his designated representative;
2. An invoice as to goods or services received; and
3. Confirmation that invoiced materials were received in accurate quantity and in good order.

BOARD MINUTES

The original copy of warrants or "Orders" shall be maintained on file as a part of the official Board minutes.

SUBSEQUENT APPROVAL

The Board shall give subsequent approval to all budgeted disbursements made between meetings of the Board. Payments made between regular Board meetings shall be confined to the following:

1. contract salaries,
2. payments to take advantage of discounts,
3. payments made to prevent penalties and disruption of services, and
4. payments for approved purchases made in accordance with District policy and procedures to avoid invoices being more than thirty (30) days past due as of the date of the Board meeting.

FISCAL MANAGEMENT

04.3111
(CONTINUED)

District Issuance of Checks

REFERENCES:

KRS 160.290, KRS 160.340, KRS 160.370, KRS 160.560
OAG 79-321, 702 KAR 3:120
Accounting Procedures for Kentucky School Activity Funds

LEGAL REQUIREMENTS FOR BOOSTER CLUBS AND NUMEROUS SCHOOL ACTIVITY FUNDS HAVE BEEN UPDATED IN THE REVISED ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS ISSUED BY THE KENTUCKY DEPARTMENT OF EDUCATION, WHICH WILL GO INTO EFFECT JULY 1, 2013.

FINANCIAL IMPLICATIONS: ADDITIONAL STAFF TIME TO MONITOR/DOCUMENT NEW REQUIREMENTS AND POSSIBLE LOSS OF REVENUE FROM ANY EXTERNAL ORGANIZATIONS UNABLE TO COMPLY.

FISCAL MANAGEMENT

04.312

School Activity Funds

School activity funds may be expended for purposes which contribute generally to the benefit of the students, provided expenditures are consistent with requirements set out in Accounting Procedures for Kentucky School Activity Funds. Based on a schedule developed by the Superintendent, the Board shall review the status of school activity funds at least twice each fiscal year.

UNIFORM ACCOUNTING

All personnel shall comply with the uniform financial accounting system¹ and activity fund accounting procedures set out in Kentucky Administrative Regulation.²

TWO SIGNATURES REQUIRED

The Principal, or school councils in SBDM schools, shall be responsible for the manner in which accounts are kept and preserved. Two (2) signatures shall be required on each check drawn against school activity funds, neither of which may be a signature stamp. The two (2) signatures shall be the manual signatures of the Principal/designee and the school treasurer.

PURCHASE ORDERS

Activity funds may only be expended as authorized in the Accounting Procedures for Kentucky School Activity Funds.

Activity fund purchases must be supported by a properly executed purchase request and authorization for payment by the Principal.

Because no school activity fund is permitted to end the fiscal year with a deficit balance, the school shall not expend or commit to expend any activity fund in excess of revenue received for the fiscal year. Should this occur, the employee(s) responsible shall be subject to appropriate disciplinary action, and the Superintendent may require the school/council to present for Board approval a plan for reimbursement of any deficit amount.

FINANCIAL REPORTS

Each month the Principal shall provide the Superintendent/District Finance Officer with a financial report for activity fund accounts. On or before July 25, following the end of the fiscal year, the Principal shall submit to the Superintendent/District Finance Officer an annual financial report for those accounts.

DEFINITION OF SCHOOL ACTIVITY FUNDS

School activity funds refer to all school funds including funds derived from fund-raising activities sponsored under the auspices of the school. Funds raised or received by organizations that do not come under the direct supervision of school authorities shall not be considered activity funds.

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School Activity Funds**AUDIT OF FUNDS**

All school activity funds shall be audited annually by a certified public accountant. All audit reports shall be reviewed and appropriate action taken as required by Kentucky Administrative Regulation.¹

SUPPORT/BOOSTER CLUBS FUNDS

Parent-teacher associations and booster club funds are not subject to deposit and accounting procedures as school activity funds.³ However, each year the Principal shall obtain the following from all support/booster club organizations as required by state activity fund accounting procedures:

1. Within the first thirty (30) days of the school year or within thirty (30) days of the first transaction for the group:
 - a. Names of club officers;
 - b. Federal tax exempt number; and
 - c. A copy of the annual budget, within the first thirty (30) days of the school year or within thirty (30) days of the first transaction for the group; and
2. An annual financial report by July 25-15 for the year ending June 30 reporting receipts, expenditures, and beginning and ending balances;¹ and
3. All other information required by Accounting Procedures for Kentucky School Activity Funds.

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All booster groups wishing to be recognized by and/or affiliated with the District shall comply with the following:

- Adhere to applicable state and federal laws, including taxable income reporting requirements, when conducting fund-raising activities to benefit the school or District; and
- Conduct fund-raising activities to benefit the entire group and not permit credit to be earned through fund-raising for an individual student in lieu of participation fees or related activity costs.

Each year the Superintendent shall report to the Board when all booster organizations have been informed of requirements from the Accounting Procedures for Kentucky School Activity Funds that apply to them.

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- External support/booster organizations shall obtain prior Board approval to establish and lend support, seek assistance, and/or raise funds in the name of the District or school or students or a District or school program.

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Although they may be general members, Board members and employees shall not serve as the treasurer or any other officer with check-signing authority on a bank account for an external support/booster organization. Employees may serve as a member of the executive board of an organization.

FISCAL MANAGEMENT

04.312
(CONTINUED)

School Activity Funds

FUND-RAISING PROJECTS

Schoolwide fund-raising projects must be approved by the Board.⁴

Proof of general liability insurance for external support/booster organizations must be submitted to the Principal prior to commencing any fund-raising activities.

All fund-raising activities conducted by school-sponsored groups shall be for the benefit of the entire school or group.

REFERENCES:

¹702 KAR 3:130; Accounting Procedures for Kentucky School Activity Funds

²702 KAR 3:120

³OAG 79-556

⁴KRS 158.290

KRS 139.497; KRS 156.070; KRS 160.290; KRS 160.340

RELATED POLICY:

09.33

RECOMMENDED: SUGGESTION REFLECTS RECOMMENDATION FROM THE KENTUCKY STATE AUDITOR.

THIS CHANGE IS NOT REQUIRED BY LAW

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.41

Fraud Prevention

All employees, Board members, consultants, vendors, contractors and other parties maintaining a business relationship with the District shall act with integrity and due diligence in matters involving District fiscal resources.

DEFINITION

As used in this policy, "fraud" refers to intentionally misrepresenting, concealing, or misusing information in an attempt to commit fiscal wrongdoing. Fraudulent actions include, but are not limited to:

- Behaving in a dishonest or false manner in relation to District assets, including theft of funds, securities, supplies, or other District properties.
- Forging or altering financial documents or accounts illegally or without proper authorization.
- Improper handling or reporting of financial transactions.
- Personally profiting as a result of insider knowledge.
- Disregarding confidentiality safeguards concerning financial information.
- Violating Board conflict of interest policies.
- Mishandling financial records or District assets (destroying, removing, or misusing).

STAFF RESPONSIBILITIES

Employees who suspect that financial fraud, impropriety or irregularity has occurred shall immediately report those suspicions to their immediate supervisor and/or the Superintendent/designee who shall have the primary responsibility for initiating necessary investigations. If the Superintendent is an alleged party in the fraud complaint, provision shall be made for addressing the complaint to the Board chairperson.

Investigations shall be conducted in coordination with legal counsel and other internal or external departments and agencies as appropriate.

The Superintendent/designee shall inform employees with financial/accounting responsibilities of the following anti-fraud standards established by the Board:

1. The District shall operate in a culture of honesty and ethical behavior with employees doing all within their power to further that goal.
2. Employees shall comply with all laws, rules, regulations and court orders of the Commonwealth of Kentucky and of the United States, as well as Board policy addressing fiscal matters.
3. Employees shall practice good stewardship of District financial resources, including timely reporting of fraudulent expenditures.
4. Employees with financial/accounting responsibilities shall support and follow sound business practices to the best of their ability and in keeping with their assigned responsibilities and job-related training by:

Fraud Prevention

STAFF RESPONSIBILITIES (CONTINUED)

- a. Maintaining and protecting District financial records;
- b. Performing one's job with the highest attention to detail to minimize and prevent error, falsification of accounting records, and omission of transactions;
- c. Reporting knowledge of fraud or suspected fraud, including intentional misstatements and omissions of amounts or disclosures;
- d. Guarding against misappropriation of assets;
- e. Refusing to reveal investment activities engaged in or contemplated by the District to unauthorized persons or agencies; and
- f. Resisting incentives, pressures, and negative attitudes that detract from performance of assigned responsibilities.

INTERNAL CONTROLS/INVESTIGATIONS

The Superintendent/designee shall be responsible for developing internal controls to aid in preventing and detecting fraud or financial impropriety or irregularity within the District. Reports of suspected fraudulent activities shall be investigated in a manner that protects the confidentiality of the parties and avoid unfounded accusations. Employees involved in the investigation shall be advised to keep information about the investigation confidential.

If an investigation substantiates occurrence of a fraudulent activity, the Superintendent/designee shall issue a report to appropriate personnel and to the Board of Education. Final disposition of the matter and any decision to file a criminal complaint or refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with legal counsel. Results of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate need to know.

REFERENCES:

Governmental Accounting Standards
KRS 7.410; KRS 158.155
725 KAR 1:030; KRS 171.420
Records Retention Schedule, Public School District

RELATED POLICIES:

01.61
03.17/03.27
03.1721/03.2721
04.8; 04.81

LEGAL: THE 2013 GENERAL ASSEMBLY ENACTED A NEW SECTION OF KRS CHAPTER 158 TO REQUIRE EACH SCHOOL TO DEVELOP AN EMERGENCY PLAN.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

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. Reports to the Board concerning implementation of the plan and its effects on District students, personnel, and operations;
7. Emergency/crisis intervention;
8. Community involvement.

SCHOOL EMERGENCY PLANNING

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

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

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

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

Safety**SCHOOL EMERGENCY PLANNING (CONTINUED)**

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 severe weather safe zones and post the location of the safe zones in each room. These safe zones are to be reviewed by the local fire marshal or fire chief;
3. Develop school procedures to follow during an earthquake; and
4. Develop and adhere to practices to control access to the school.

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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.

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 to his/her 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.

SCHOOL FACILITIES

05.4
(CONTINUED)

Safety

REFERENCES:

| A New Section of KRS Chapter 158

KRS 158.148; KRS 158.445; KRS 160.290; KRS 160.445

KRS 311.667; KRS 411.148

RELATED POLICIES:

| 03.14; 03.24; 05.2; 05.21; 05.41; 05.411; 05.42; 05.45; 05.47

09.22; 09.221; 09.4 (entire section)

LEGAL: THE 2013 GENERAL ASSEMBLY ENACTED A NEW SECTION OF KRS CHAPTER 158 TO ESTABLISH NEW REQUIREMENTS FOR LOCKDOWN DRILLS AND PROCEDURES.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

48

SCHOOL FACILITIES

05.411

Building Lockdowns

DEFINITION

Building lockdown means to restrict the mobility of building occupants to maintain their safety and care.

ANNUAL PRACTICES

A building lockdown practice shall be implemented at least ~~one~~ twice during each school year. At a minimum, lockdown drills are to be held during the first thirty (30) instructional days of the school year and in January. As directed by the Superintendent, the Principal or other building supervisor shall document that the practice has occurred.

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PROCEDURE REQUIRED

The school council or, if none exists, the Principal shall establish procedures to perform a building lockdown, including protective measures to be taken during and immediately following the lockdown. Local law enforcement agencies shall be invited to assist in establishing lockdown procedures. Each school year, the school shall provide appropriate notice of building lockdown procedures to students, ~~parents, guardians,~~ certified staff, and classified staff.

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REFERENCES:

KRS 158.164

A New Section of KRS Chapter 158

RELATED POLICY:

05.4

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LEGAL: THE 2013 GENERAL ASSEMBLY ENACTED A NEW SECTION OF KRS CHAPTER 158 TO ESTABLISH NEW REQUIREMENTS FOR SEVERE WEATHER DRILLS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

49

SCHOOL FACILITIES

05.42

Severe Weather/Tornado Drills

PROCEDURE SYSTEM

To maintain the safety and care of students and employees, a severe weather/tornado emergency procedure system shall be established to include, but not be limited to, the following components:

1. A school building disaster plan that provides for a drop procedure and safe area evacuation practices;
2. Designation of a safe zones area for each facility that have been reviewed by local fire marshal or fire chief as part of the school emergency planning process and posted in each room of the school;
3. Protective measures to be taken before, during, and following a severe weather/tornado; and
4. Training of staff and students in the system, including use of a drop procedure.

TIMES FOR DRILLS

Severe weather/Tornado and safe area evacuation drills are to be held during the first full month thirty (30) instructional days of the school year and in February/January. Designated safety areasschool primary and secondary evacuation routes and the route thereto are to be posted in all classrooms and other areas where students assemble by any doorway used for evacuation.

IMPLEMENTATION

The Principal is responsible for implementing this policy.

REFERENCES:

A New Section of KRS Chapter 158
KRS 158.163

RELATED POLICY:

05.4

LEGAL: KRS 527.070 (3)-REFLECTS THAT POLICE AND PEACE OFFICERS ARE EXCEPTED FROM THE
GENERAL BAN ON WEAPONS ON SCHOOL GROUNDS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

50

SCHOOL FACILITIES

05.48

Weapons

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

WEAPONS PROHIBITED

Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity is prohibited.³

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

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

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

Exceptions:

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

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FEDERAL REQUIREMENTS REGARDING STUDENTS

The penalty for students possessing a firearm at school or bringing a firearm or other deadly weapon, destructive device, or booby trap device⁴ to school or onto the school campus/property under jurisdiction of the District shall be expulsion for a minimum of twelve (12) months under Policy 09.435. However, the Board may modify such expulsions on a case-by-case basis. Any case-by-case modification of the one (1)-year expulsion requirement, including those made for students with disabilities to meet the requirements of IDEA and Section 504, shall be in writing and may be based upon a recommendation of the Superintendent/designee.

Any student who possesses a firearm at school or brings to school a firearm or other deadly weapon, destructive device, or booby trap device shall be referred to the criminal justice or juvenile delinquency system.³

Weapons**FEDERAL REQUIREMENTS REGARDING STUDENTS (CONTINUED)**

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

STATE POSTING REQUIREMENTS

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

UNLAWFUL POSSESSION OF A WEAPON ON SCHOOL PROPERTY IN KENTUCKY IS A FELONY PUNISHABLE BY A MAXIMUM OF FIVE (5) YEARS IN PRISON AND A TEN THOUSAND DOLLAR (\$10,000) FINE.²¹

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

STATE REPORTING REQUIREMENTS

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

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

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

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

ENFORCEMENT

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

52

SCHOOL FACILITIES

05.48
(CONTINUED)

Weapons

REFERENCES:

- ¹KRS 527.0720; KRS 158.150; 20 U.S.C. §7141 (Gun-Free Schools Act)
18 U.S.C. §921(a)
²~~KRS 527.070~~; ~~KRS 500.080~~
³~~KRS 237.106~~
~~KRS 158.150~~; KRS 158.154
KRS 158.155; KRS 160.290; KRS 160.340; KRS 161.790
KRS 237.106; KRS 237.110; ~~KRS 500.080~~
~~KRS 508.075~~; KRS 508.078; ~~KRS 527.020~~
Individuals with Disabilities Education Improvement Act (IDEA)
Section 504 of the Rehabilitation Act of 1973, as amended

RELATED POLICIES:

09.435; 09.436; 09.4361

RECOMMENDED: PER REVISED 704 KAR 3:340, THE STATE WILL NO LONGER ISSUE A COMMONWEALTH DIPLOMA AFTER THE CURRENT (2012-2013) SCHOOL YEAR. HOWEVER, DISTRICTS HAVE THE OPTION TO CONTINUE TO AWARD A LOCAL COMMONWEALTH DIPLOMA AT DISTRICT EXPENSE. PER REVISED 704 KAR 3:305 AND AT STUDENT REQUEST, THE DISTRICT HAS THE OPTION TO AWARD AN ALTERNATIVE HIGH SCHOOL DIPLOMA TO FORMER STUDENTS WHO RECEIVED A CERTIFICATION OF ATTAINMENT AT TIME OF GRADUATION FROM THE DISTRICT. THESE CHANGES ARE NOT REQUIRED BY LAW.

LEGAL: THE 2013 GENERAL ASSEMBLY ENACTED KRS 158.142 TO ALLOW STUDENTS TO EARN AN EARLY GRADUATION SCHOLARSHIP CERTIFICATE BEGINNING WITH THE 2014-2015 SCHOOL YEAR.

FINANCIAL IMPLICATIONS: IF THE DISTRICT AWARDS A LOCAL COMMONWEALTH DIPLOMA, ALL COSTS WILL BE ABSORBED BY THE DISTRICT.

CURRICULUM AND INSTRUCTION

08.113

Graduation Requirements

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

In addition to the credits required by the Kentucky Core Academic Standards, the Board may impose other credit requirements for graduation from high school. Students shall complete an individual graduation/learning plan that focuses incorporates emphasis on career development exploration and related postsecondary education and training needs.

PERFORMANCE-BASED CREDITS

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

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

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

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

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

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

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

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

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Graduation Requirements

HIGH SCHOOL CREDIT FOR MIDDLE SCHOOL STUDENTS

Provided they earn a passing grade, middle school students shall be entitled to earn high school credit for Algebra I.

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.²

COMMONWEALTH DIPLOMA

~~A Commonwealth Diploma shall be issued to each student who successfully completes and meets the requirements of the Commonwealth Diploma Program, as specified in 704 KAR 3:340.~~

OTHER PROVISIONS

The Board may grant different diplomas to those students who complete credits and conditions above the minimum number as established by the Kentucky Board of Education. In addition, the Board may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

The Board, Superintendent, Principal, or teacher may award special recognition to students.

Consistent with the District's graduation practices for all students, an alternative High school diplomas 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.³

Beginning with the 2014-2015 school year, students who complete an early high school graduation program and meet all applicable legal requirements shall be awarded an Early Graduation Scholarship Certificate. Students planning to complete an early graduation program shall notify the Principal of their intent prior to the beginning of grade nine (9) or as soon thereafter as the intent is known.⁴

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.¹

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Graduation Requirements

REFERENCES:

¹KRS 40.010

²KRS 158.622

³KRS 156.160; 704 KAR 3:305; 20 U.S.C. sec. 1414

⁴KRS 158.142

KRS 158.140; 704 KAR 7:140

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 3:340~~

OAG 78-348; OAG 82-386

Kentucky Core Academic Standards

RELATED POLICIES:

08.1131; 08.14; 08.22

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

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LEGAL: 704 KAR 7:150 HAS BEEN REPEALED. STUDENTS WHO DROP OUT AND STILL CHOOSE TO EARN A GED MAY DO SO THROUGH KENTUCKY ADULT EDUCATION OR KENTUCKY EDUCATIONAL TELEVISION. THE SECONDARY GED PROGRAM WILL BE DISCONTINUED AFTER THE 2013-14 SCHOOL YEAR.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.4

Adult/Community Education

OPERATION OF PROGRAM

The Board authorizes the Superintendent or designee to plan and operate an educational program based on the needs and interests of adults and youth in the community. This program shall be under the direction of the Adult Education Director.

The Board may establish an adult education program to provide basic skills, career and technical training, and/or to prepare for meeting equivalency requirements. The Board also may enter into an agreement with the Council on Postsecondary Education to establish an external diploma program.

The conduct of adult/community education programs and determination of eligibility for participation in the GED program shall be consistent with requirements established by applicable statutes and administrative regulations, including, but not limited to, those addressing minimum age requirements, enrollment status and GED test readiness.

SECONDARY GED PROGRAM

Through the end of the 2013-14 school year and provided prior approval has been secured from the Kentucky Department of Education, the District may establish a Secondary GED Program.
Implementation of the program shall comply with Kentucky Administrative Regulation.¹

SCHOOL FACILITIES

The Board authorizes the use of school facilities for conducting such programs and further authorizes the acceptance of tuition and funds from other agencies for the operation of such programs.

REFERENCES:

- ~~704 KAR 7:150~~
- KRS 151B.125
- KRS 160.155; KRS 160.156; KRS 160.157
- 785 KAR 1:010, 785 KAR 1:130

LEGAL: THE 2013 GENERAL ASSEMBLY AMENDED KRS 157.3175 TO ALLOW CHILDREN WHO ARE FOUR (4) BY AUGUST 1, BEGINNING IN 2017, TO ENTER PRESCHOOL IF THEY ARE AT RISK OF EDUCATIONAL FAILURE.

FINANCIAL IMPLICATIONS: COST OF ADDITIONAL RESOURCES IF MORE STUDENTS ARE ELIGIBLE TO ATTEND.

STUDENTS

09.121

Entrance Age

PRESCHOOL

In accordance with appropriate state and federal legal requirements, any child who has been identified as disabled or as exceptional, and who is three (3) or four (4) years of age, or who may become five (5) years of age after October 1 of the current year, shall be eligible for a free and appropriate preschool education and related services.¹

Children at risk of educational failure who are four (4) by October 1 may enter preschool. All other four (4) year old children shall be served to the extent placements are available.² Beginning in 2017, children at risk of educational failure who are four (4) by August 1 may enter preschool.

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PRIMARY SCHOOL

A child who becomes five (5) by October 1 may enter primary school and may advance through the primary program without regard to age in accordance with KRS 158.030. A child who becomes six (6) by October 1 shall attend public school unless s/he qualifies for an exemption as provided by law.³

The District shall establish guidelines to determine a student's level of academic and social skills when that student is being considered for advancement through the primary program. A student who is at least five (5) years of age, but less than six (6) years of age on or before October 1, may be enrolled in the second level of the primary program in keeping with the process set out in Kentucky Administrative Regulation.⁵

Beginning with the 2017-2018 school year, the following provisions shall apply:

- A child who becomes five (5) by August 1 may enter primary school and may advance through the primary program without regard to age in accordance with KRS 158.031. A child who becomes six (6) by August 1 shall attend public school unless s/he qualifies for an exemption as provided by law.
- A child who is six (6) years of age, or who may become six (6) years of age by August 1, shall attend public school or qualify for an exemption as provided by KRS 159.030.²

PETITION PROCESS

~~Effective with the 2012-2013 school year, p~~Parents/guardians may petition the Board to allow their child to enter school earlier than permitted under statutory age requirements. On receipt of a petition, the District shall conduct an evaluation process to help determine a student's readiness to engage in and benefit from early entry to school. The process shall be established in accordance with the following:

1. The District shall establish guidelines to determine a student's readiness for entry, including the date by which petitions must be submitted to the Central Office.

58

Entrance Age**PETITION PROCESS (CONTINUED)**

2. Developmentally appropriate measures, which may include state-approved screening instruments, shall be used to determine a student's level of developmental, academic and social readiness.
3. Based on staff recommendations, the Superintendent shall recommend to the Board whether to grant the request.
4. Considerations may include availability of space and funding.

PROOF OF AGE

Upon enrollment for the first time in any elementary or secondary school, a student or student's parent shall provide:

- A certified copy of the student's birth certificate, or
- Other reliable proof of the student's identity and age with an affidavit explaining the inability to produce a copy of the birth certificate.⁴

REFERENCES:¹KRS 157.3175²KRS 158.030³KRS 157.226; KRS 159.030⁴KRS 158.032; KRS 158.035; KRS 214.034⁵KRS 158.031; 702 KAR 1:160; 702 KAR 7:125~~KRS 158.140~~; KRS 158.990; KRS 159.010~~704 KAR 5:070~~

OAG 82-408; OAG 85-55

RELATED POLICIES:

08.22

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

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RECOMMENDED: THE 2013 GENERAL ASSEMBLY AMENDED KRS 159.010 TO ALLOW DISTRICTS TO SET THE DROPOUT AGE AT 18 EFFECTIVE WITH THE 2015-2016 SCHOOL YEAR. DISTRICTS THAT CHOOSE THIS OPTION SHALL BE REQUIRED TO CERTIFY WITH THE KENTUCKY DEPARTMENT OF EDUCATION THAT THEY HAVE OR WILL HAVE PROGRAMS IN PLACE TO MEET THE NEEDS OF POTENTIAL DROPOUTS.

THIS CHANGE IS NOT REQUIRED BY LAW AT THIS TIME. HOWEVER, ONCE 55% OF ALL SCHOOL BOARDS ADOPT SUCH A POLICY, ALL DISTRICTS MUST COMPLY WITHIN FOUR (4) YEARS.

FINANCIAL IMPLICATIONS: ADDITIONAL PROGRAMS FOR STUDENTS AT RISK OF DROPPING OUT MAY REQUIRE ADDITIONAL STAFFING AND RESOURCES.

59

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 October 1, and sixteen (16), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned. Beginning with the 2015-2016 school year, students between the ages of six (6) and eighteen (18) shall enroll and be in regular attendance in the schools to which they are assigned and shall be subject to compulsory attendance.¹

Before an unmarried student between the ages of sixteen (16) and eighteen (18) may withdraw from school and terminate education prior to graduation, s/he shall confer with the Principal or designee, and s/he shall secure written permission from her/his parents, guardian, or other person residing in the state and having custody or charge of the student.¹ (See Board Policy 09.111.)

EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school,
2. A pupil who is enrolled in a private or parochial school,
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten nursery school,
4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study,
5. A pupil who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children, or
6. A pupil who is enrolled and in regular attendance in a state supported program for exceptional children.²

PHYSICIAN'S STATEMENT REQUIRED

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

EXCEPTIONS TO PRESENCE AT SCHOOL

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

60

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

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,² or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.³
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.⁴
4. Students participating in an off-site virtual high school class or block may be counted in attendance in accordance with requirements set out in Kentucky Administration Regulation.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.⁴
6. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.⁵
7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled school day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.⁶

REFERENCES:¹KRS 159.010; OAG 85-55²KRS 159.030³KRS 159.035⁴702 KAR 7:125⁵KRS 158.240⁶KRS 158.070

KRS 159.180; KRS 159.990

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

RELATED POLICIES:

08.131; 08.1312

09.111; 09.123; 09.36

RECOMMENDED: CHANGES REFLECT RELEASE OF RECORDS AS ALLOWED BY THE RECENTLY ENACTED UNINTERRUPTED SCHOLARS ACT (20 U.S.C. 1232G(B)(1)(L) AND (2)(B). CLARIFICATION ALSO IS PROVIDED CONCERNING NOTIFICATION OF PARENTS/STUDENTS ABOUT ISSUANCE OF A COURT ORDER OR SUBPOENA.

THIS CHANGE IS NOT REQUIRED BY LAW.

LEGAL: REQUIREMENTS FOR RELEASE OF STUDENT INFORMATION THAT IS PART OF OUTSOURCED SERVICES OR FUNCTIONS PROHIBIT DISCLOSURE OF THE INFORMATION TO ANY OTHER PARTY WITHOUT PRIOR WRITTEN CONSENT OF THE PARENT/ELIGIBLE STUDENT OR AS OTHERWISE AUTHORIZED BY LAW.

FINANCIAL IMPACT: NONE ANTICIPATED

STUDENTS

09.14

Student Records

Data and information about students shall be gathered to provide a sound basis for educational decisions and to enable preparation of necessary reports.

PROCEDURE TO BE ESTABLISHED

The Superintendent shall establish procedures to promote effective notification of parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) and to ensure District compliance with applicable state and federal student record requirements.

DISCLOSURE OF RECORDS

Student records shall be made available for inspection and review to the parent(s) of a student or to an eligible student on request. Eligible students are those 18 years of age or older or those duly enrolled in a post-secondary school program. In general, FERPA rights pass to the eligible student upon either of those events. Parents may be provided access to the educational records of an eligible student 18 years old or older if the student is dependent under federal tax laws.¹

Upon written request, parents or eligible students may be provided copies of their educational records, including those maintained in electronic format, when necessary to reasonably permit inspection. Such copies shall be provided in a manner that protects the confidentiality of other students. A reasonable fee may be charged for copies.

District personnel must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the District discloses personally identifiable information from education records.

In addition, considering the totality of the circumstances, the District may disclose information from education records to appropriate parties, including parents of eligible students, whose knowledge of the information is necessary to protect the health or safety of a student or another individual, if there is an actual, impending, or imminent articulable and significant threat to the health or safety of a student or other individual. In such instances, the basis for a decision that a health or safety emergency existed shall be recorded in the student's education records.

Authorized District personnel also may disclose personally identifiable information to the following without written parental consent:

- Officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer;
- Authorized representatives of a Kentucky state child welfare agency if such agency presents to the District an official court order placing the student whose records are requested under the care and protection of said agency. The state welfare agency representative receiving such records must be authorized to access the child's case plan.

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62

Student Records**DISCLOSURE OF RECORDS (CONTINUED)**

- School officials (such as teachers, instructional aides, administrators) and other service providers (such as contractors, consultants, and volunteers used by the District to perform institutional services and functions) having a legitimate educational interest in the information.

District and school officials/staff may only access student record information in which they have a legitimate educational interest.

Contractors, consultants, volunteers, and other parties to whom the District has outsourced services or functions may access student records provided they are:

- Under the District's direct control with respect to the use and maintenance of education records; and
- Prohibited from disclosing the information to any other party without the prior written consent of the parent/eligible student, or as otherwise authorized by law.

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DISCLOSURE TO REPRESENTATIVES FOR FEDERAL OR STATE PROGRAM PURPOSES

Personally identifiable student information may be released to those other than employees who are designated by the Superintendent in connection with audit, evaluation, enforcement, or compliance activities regarding Federal or State programs. Such designation must be executed in writing with the authorized representative and specify information as required by 34 CFR Part 99.35.

DUTY TO REPORT

If it is determined that the District cannot comply with any part of FERPA or its implementing regulations due to a conflict with state or local law, the District must notify the Family Policy Compliance Office (FPCO) within forty-five (45) days of the determination and provide the text and citation of the conflicting law.

DIRECTORY INFORMATION

The Superintendent/designee is authorized to release Board-approved student directory information. Approved "directory information" shall be: name, student's school email address, participation in officially recognized activities and sports, photograph/picture, grade level, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, and most recent educational institution attended. Any eligible student or parent/guardian who does not wish to have directory information released shall notify the Superintendent/designee in writing within thirty (30) calendar days after receiving notification of FERPA rights.

The District allows for disclosure of directory information only to specific parties for specific purposes. Such limitations are specified in the student directory information notification.

Unless the parent/guardian or secondary school student requests in writing that the District not release such information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters upon their request.

63

Student Records**SURVEYS OF PROTECTED INFORMATION**

The District shall provide direct notice to parents/guardian to obtain prior written consent for their minor child(ren) to participate in any protected information survey, analysis, or evaluation, if the survey is funded in whole or in part by a program of the U.S. Department of Education.

Parents/eligible students also shall be notified of and given opportunity to opt their child(ren) out of participation in the following activities:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Parents/eligible students may inspect, upon written request and prior to administration or use, materials or instruments used for the collection, disclosure, or use of protected information.

PPRA requirements do not apply to evaluations administered to students in accordance with the Individuals with Disabilities Education Improvement Act (IDEIA).

STUDENTS WITH DISABILITIES

The District's special education policy and procedures manual shall include information concerning records of students with disabilities.

JUVENILE COURT RECORDS

Records or information received on youthful or violent offenders shall not be disclosed except as permitted by law. When the Superintendent receives such information, s/he shall notify the Principal of the school in which the child is enrolled. The Principal shall then release the information as permitted by law. Only the Superintendent and school administrative, transportation, and counseling personnel or teachers or other school employees with whom the student may come in contact, shall be privy to this information, which shall be kept in a locked file when not in use and opened only with permission of the administrator. Notification in writing of the nature of offenses committed by the student and any probation requirements shall not become a part of the child's student record.²

RECORDS OF MISSING CHILDREN

Upon notification by the Commissioner of Education of a child's disappearance, the District in which the child is currently or was previously enrolled shall flag the record of such child in a manner that whenever a copy of or information regarding the child's record is requested, the District shall be alerted to the fact that the record is that of a missing child. Instead of forwarding the records of a child who has been reported missing to the agency, institution, or individual making the request, the District shall notify the Justice Cabinet.

STUDENTS

09.14
(CONTINUED)

Student Records

COURT ORDER/SUBPOENA

Prior to complying with a lawfully issued court order or subpoena requiring disclosure of personally identifiable student information, school authorities shall make a documented effort to notify the parent or eligible student. However, in compliance with FERPA, when a lawfully issued notice to the parent is not required when a court order or subpoena requires directs that disclosure be made without notification of the student or parent, or when the order is issued in the context of a dependency, neglect, or abuse proceeding in which the parent is a party, the District shall comply with that requirement. If the District receives such an order, the matter(s) may be referred to local counsel for advice.

REFERENCES:

¹Section 152 of the Internal Revenue Code of 1986

²KRS 158.153; KRS 610.320; KRS 610.340; KRS 610.345

KRS 7.110; KRS 15A.067; KRS 158.032; KRS 159.160; KRS 159.250

KRS 160.990; KRS 161.200; KRS 161.210;

A New Section of KRS Chapter 600

702 KAR 1:140; 702 KAR 3:220

20 U.S.C. 1232g et seq., 34 C.F.R. 99.1 - 99.67

20 U.S.C. 1232h (Protection of Pupil Rights Amendment); 34 C.F.R. 98

OAG 80-33; OAG 85-130; OAG 85-140; OAG 86-2; OAG 93-35

Kentucky Family Educational Rights and Privacy Act (KRS 160.700; KRS 160.705

KRS 160.710; KRS 160.715; KRS 160.720; KRS 160.725; KRS 160.730)

Individuals with Disabilities Education Improvement Act of 2004

Kentucky Education Technology System (KETS)

P. L. 107-110, Sections 1061 and 9528 (No Child Left Behind Act of 2001)

RELATED POLICIES:

09.111, 09.12311, 09.43

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LEGAL: THE RECENTLY REVISED ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS REQUIRES THAT FEES BE USED FOR THE PURPOSE FOR WHICH THEY WERE COLLECTED.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.15

65

Student Fees

INSTRUCTIONAL FEES

Fees are to be used only for the purchase of resources directly related to the instructional program.

BOARD APPROVAL REQUIRED

All student fees and charges shall be adopted by the Board, including any student activity fees or membership dues. Approved fees shall remain in place until modified or removed by Board resolution.

Fees collected for a specific purpose shall be used for that purpose only.

ADDITIONAL FEES

Additional fees may be required in classes that use consumable items, for items which are to remain the student's property, and for use of school equipment.

REIMBURSEMENT

All fees are non-refundable after two (2) weeks.

INABILITY TO PAY

No child shall be denied full participation in any educational program due to an inability to pay for, or rent, necessary instructional resources.¹

WAIVER OF FEES

The Superintendent shall recommend and the Board shall approve a process to waive fees for students who qualify for free and reduced price meals. At the beginning of the school year or at the time of enrollment all students who qualify shall be given clear and prominent written notice of the fee waiver provisions. The written notice of the fee waiver process shall include a form that parents may use to request waiver of fees. Mandatory waiver of fees for qualifying students shall be accomplished in compliance with applicable statutory and regulatory requirements.²

REFERENCES:

¹KRS 158.108; 704 KAR 3:455

²KRS 160.330; 702 KAR 3:220

KRS 156.070

Accounting Procedures for Kentucky School Activity Funds

RELATED POLICY:

08.232

66

LEGAL: THIS LANGUAGE IS BEING ADDED TO CLARIFY THAT ALL MIDDLE AND HIGH PRINCIPALS, GUIDANCE COUNSELORS, AND TEACHERS MUST COMPLETE A MINIMUM OF TWO (2) HOURS OF SELF-STUDY REVIEW OF SUICIDE PREVENTION MATERIALS IN ADDITION TO THE TWENTY-FOUR (24) HOURS OF PROFESSIONAL DEVELOPMENT REQUIRED BY KRS 158.070.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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STUDENTS

09.22

Student Health and Safety

PRIORITY

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

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

HEALTH SERVICES TO BE PROVIDED

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

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

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

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

SAFETY PROCEDURES

All pupils shall receive annual instruction in school bus safety.

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

ANIMALS IN SCHOOL BUILDING OR AT SCHOOL ACTIVITIES

The presence of animals in school buildings and at school activities shall relate to curricular objectives and shall be permitted in accordance with procedures developed by the Superintendent to include, but not be limited to, consideration of acceptable risk, students safety, and service animals. No animal shall be permitted on school property or at school-sponsored events without the approval of the Principal/designee.

A written request for the presence of animals shall be submitted to the building Principal who shall determine if the request is a moderate or high level risk. Moderate and high level risk requests shall require Board approval.

67

STUDENTS

09.22
(CONTINUED)

Student Health and Safety

ANIMALS IN SCHOOL BUILDING OR AT SCHOOL ACTIVITIES (CONTINUED)

NOTE: The District ADA/504 Coordinator shall determine use of a service animals in accordance with Section 504 of the Rehabilitation Act of 1973.

Animal handlers shall use appropriate and necessary restraint including a leash, muzzle, and harness at all times for controlling animals. Animals used for curricular purposes shall be treated humanely at all times.

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SUICIDE PREVENTION

All middle and high school teachers, principals, and guidance counselors shall annually complete a minimum of two (2) hours of self-study review of suicide prevention materials.¹

By September 1 of each school year, administrators shall provide suicide prevention awareness information to students in middle school grades and above, as provided by the Cabinet for Health and Family Services or a commercially developed suicide prevention training program.²

REFERENCES:

¹KRS 156.501; KRS 156.502; ~~704 KAR 4:020~~ 702 KAR 1:160

²KRS 156.095

~~KRS 158.070~~

KRS 156.160

~~KRS 158.836~~

702 KAR 5:030

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RELATED POLICY:

09.2241

68

LEGAL: THE 2013 GENERAL ASSEMBLY AMENDED KRS 158.336 TO ALLOW CHILDREN OR DESIGNATED STAFF TO CARRY EPINEPHRINE AUTO-INJECTORS PROVIDED BY THE STUDENT'S PARENTS IF THE STUDENT HAS A DOCUMENTED LIFE-THREATENING ALLERGY AND AN INDIVIDUAL WRITTEN HEALTH PLAN IS IN PLACE FOR SAID STUDENT (WHICH MAY BE ADDRESSED THROUGH THE SECTION 504 OR IDEA PROCESS).

NOTE: IF A SCHOOL CONSIDERS ELECTING TO KEEP EPINEPHRINE AUTO-INJECTORS IN THE SCHOOL IN A MINIMUM OF TWO LOCATIONS FOR EMERGENCY USE AS "ENCOURAGED" BY THE STATUTORY AMENDMENT, THE DISTRICT MAY SEEK GUIDANCE FROM THE STATE OR LOCAL HEALTH DEPARTMENT OR LOCAL CLINICAL PROVIDER REGARDING HEALTH CARE PROTOCOLS. THE AMENDED LEGISLATION REQUIRES THE STATE HEALTH DEPARTMENT TO DEVELOP PROTOCOLS IN COLLABORATION WITH LOCAL HEALTH DEPARTMENTS OR CLINICAL PROVIDERS, SCHOOLS AND SCHOOL DISTRICTS TO ADDRESS AUTO-INJECTORS KEPT BY SCHOOLS. DISTRICTS MAY WANT TO AWAIT DEVELOPMENT OF THESE PROTOCOLS PRIOR TO DEVELOPMENT OF POLICY/PROCEDURE ADDRESSING MAINTENANCE OF SCHOOL PROVIDED AUTO-INJECTORS. FINANCIAL IMPLICATIONS: ADDITIONAL TRAINING AND STAFF TIME.

STUDENTS

09.2241

Student Medication

Internal medicine, including aspirin, shall not be provided by the school for the purpose of administering to pupils. Antiseptic and appropriate other emergency medications shall be maintained in the first-aid kit.

Pupils may take medicine which is brought from home once a completed authorization form from the parent/guardian is on file,¹ provided the conditions required by administrative procedures are met.

SELF-ADMINISTRATION

Under procedures developed by the Superintendent, a student may be permitted to carry medication that has been prescribed or ordered by a physician to stay on or with the pupil due to a pressing medical need.

Provided the parent/guardian and physician files a completed authorization form each year as required by law, a student under treatment for asthma shall be permitted to self-administer medication.²

In accordance with KRS 158.836, students with a documented life-threatening allergy or designated staff shall be permitted to carry an epinephrine auto-injector in all school environments. The auto-injector shall be provided by the student's parent/guardian, and a written individual health care plan shall be in place for the student.³

Students shall not share any prescription or over-the counter medication with another student. Each year, the District shall notify students in writing of this prohibition and that violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion.

REFERENCES:

¹OAG 73-768

²KRS 158.834

³KRS 158.836

OAG 77-530, OAG 83-115

RELATED POLICIES:

09.22, 09.224

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LEGAL: THE OFFICE OF CIVIL RIGHTS DIVISION OF THE UNITED STATES DEPARTMENT OF EDUCATION IS ADVISING SCHOOL DISTRICTS THAT UNDER THE DEPARTMENT'S SECTION 504 REGULATIONS, A SCHOOL DISTRICT IS REQUIRED TO PROVIDE A QUALIFYING STUDENT WITH A DISABILITY AN OPPORTUNITY TO BENEFIT FROM THE SCHOOL DISTRICT'S PROGRAM EQUAL TO THAT OF STUDENTS WITHOUT DISABILITIES. THIS REQUIREMENT EXTENDS TO STUDENT ACCESS TO STUDENT ACTIVITIES, FROM CLUBS TO ATHLETICS.

FINAL IMPLICATIONS: POSSIBLE ADDITIONAL COSTS FOR ACCOMMODATIONS AND PARALLEL ACTIVITIES.

STUDENTS

09.3

Student Activities

TO BE ENCOURAGED

Student activities of an educational nature shall be encouraged and maintained, based upon the needs and interests of pupils.

In schools operating under SBDM, the council shall determine selection of extracurricular activities, as well as academic qualifications, attendance requirements, evaluation procedures, and supervision for these programs.

CONTROL

All school-sponsored student activities shall be under the direction of the Principal and faculty of the school, except that a nonfaculty coach or nonfaculty assistant may accompany students on athletic trips as provided in statute.¹

The Principal may suspend a student's eligibility to participate in extracurricular and cocurricular activities, pending investigation of any allegation that the student has violated either the District behavior standards or the school council's criteria for participation.²

CO-CURRICULAR/EXTRA-CURRICULAR DEFINITIONS

Extra-curricular activities shall include activities that involve students as representatives of their organization or school in local, state, or national events and competitions.

Co-curricular activities shall include, but are not limited to, athletics, clubs and organizations, drama, band and chorus.

Only students who are enrolled in and regularly attend the District's schools may "tryout" for or participate in school-sponsored inter-/intra- scholastic sports and or other extracurricular/co-curricular activities.

STUDENTS WITH DISABILITIES

Students with disabilities shall have an equal opportunity to participate in nonacademic and extracurricular services and activities, including, but not limited to, extracurricular athletics, intramural athletics, and clubs.

NOTE: The District may require a level of skill or ability of a student in order for that student to participate in a selective or competitive program or activity, so long as the selection or competition criteria are not discriminatory.

STUDENTS

70
09.3
(CONTINUED)

Student Activities

REFERENCES:

¹KRS 161.185

²KRS 158.153

OAG 57-40812

KRS 161.180

702 KAR 7:125; 702 KAR 7:140

Section 504 of the Rehabilitation Act of 1973

RELATED POLICIES:

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

09.3211; 09.36; 09.438

71
LEGAL: THIS LANGUAGE IS BEING ADDED TO CLARIFY THAT STATE CRIMINAL BACKGROUND CHECKS AS REQUIRED BY STATUTE SHOULD BE RUN ON VOLUNTEER OR NONFACULTY COACHES OR ASSISTANTS DEPENDING ON THEIR STATUS (E.G. CLASSIFIED OR VOLUNTEER). SINCE KRS 161.185 REQUIRES CHECKS ON VOLUNTEER COACHES UNDER KRS 160.380, KSBA LEGAL RECOMMENDS THAT AT A MINIMUM A KENTUCKY STATE POLICE CHECK MUST BE RUN ON SUCH INDIVIDUALS. ALSO, NEWLY REVISED 702 KAR 7:065 REQUIRES DEVELOPMENT OF RULES AND LIMITATIONS REGARDING STUDENT PARTICIPATION IN SPORTS AND SPORT ACTIVITIES AT THE MIDDLE SCHOOL LEVEL. ALSO, KHSAA HAS CHANGED TERMINOLOGY FROM TOURNAMENT RULES TO COMPETITION RULES TO MORE ACCURATELY REFLECT THE CONTENTS OF SUCH.

FINANCIAL IMPLICATIONS: POSSIBLE INCREASE IN FEES

STUDENTS

09.31

Athletics and Sport Activities

All interscholastic and intramural athletic and sport activity competition shall be in compliance with the constitution, bylaws, and competition tournament rules of the Kentucky High School Athletic Association (KHSAA), the principles of the Southern Association of Colleges and Schools, and Title IX requirements. As a condition to KHSAA membership, each member school and Superintendent shall annually submit a written certification of compliance with 20 USC Section 1681 (Title IX).

PROGRAM EQUITY

Policy adopted by the school council relating to evaluation of the athletic program shall address program equity for both male and female athletics and sport activities. In non-SBDM schools, the Principal shall establish policy for program evaluation.

To assist councils (or the Principal in non-SBDM), the Superintendent/designee shall develop and oversee implementation of procedures to promote compliance with Title IX requirements.

REQUIRED RECORDS CHECKS

All coaches, including volunteer and nonfaculty coaches and assistant coaches, shall submit to a criminal record check as required by KRS 160.380 and KRS 161.185.

MIDDLE SCHOOL RULES AND LIMITATIONS

Unless the Board opts to follow rules established by other conferences or associations, the Board shall establish student participation rules and limitations for school sports or sport activities to reflect the following:

1. A defined age limitation for participating students;
2. A policy regarding the participation of students below grade six (6);
3. A limitation on practice time prior to the season in any sport or sport activity;
4. A limitation on the number of scrimmages and regular contests in each sport or sport activity;
5. A limitation on the length of the competitive season in each sport or sport activity, including any invitational activity following the season.

NOTE: Limitations set relative to items three (3) through five (5) shall not to exceed the allowable limits at the high school level.

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STUDENTS

09.31
(CONTINUED)

Athletics and Sport Activities

REFERENCES:

KRS 160.380; KRS 161.185

KRS 156.070

KRS 160.345; KRS 160.445

702 KAR 7:065

Kentucky High School Athletic Association (KHSAA) Handbook
20 USC Section 1681 (Title IX)

RELATED POLICIES:

02.4241

09.3

LEGAL: FUND-RAISING REQUIREMENTS HAVE BEEN REVISED IN THE ACCOUNTING PROCEDURES
FOR KENTUCKY SCHOOL ACTIVITY FUNDS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

73

STUDENTS

09.33

Fund-Raising Activities

BOARD APPROVAL REQUIRED

All schoolwide fund-raising activities, including the proposed use of the funds, must be approved by the Board.¹ Requests must be channeled through the Principal and Superintendent.

All other fund-raising activities, including the proposed use of the funds, shall be approved by the Principal or a designee.

All funds raised for a specific purpose shall be used for that purpose.

No sale shall be authorized or may originate from the school unless sales are properly recorded in the accounting system and the school group receives a fair percentage of sales for its work.

DOOR-TO DOOR SALES

The Superintendent shall develop and present for Board review door-to-door sales guidelines to reflect the following standards:

1. Students shall be permitted to participate only when mature enough to benefit safely from the experience;
2. To promote their safety and well-being, students shall be instructed to use specific sales strategies, including that students should be advised not to conduct door-to-door sales by themselves; and
3. Community members and businesses shall not be overburdened by continual appeals.

SUBSCRIPTION SALE OF PRINTED MATERIALS

The Superintendent shall provide written approval to the county clerk for all subscription sales of printed materials. This approval shall identify the product(s) being sold, the students involved as solicitors and the duration of sales.²

GAMING ACTIVITIES LICENSE

Schools and individual classes planning to conduct charitable gaming activities, as defined by law and Accounting Procedures for Kentucky School Activity Funds, shall obtain and display the appropriate license.³

PUPIL NOT COMPELLED

No student shall be compelled to participate in or meet any kind of quota in a fund-raising activity.¹ Students choosing not to participate in a fund-raiser shall not be excluded from benefiting from the fund-raiser or otherwise penalized in any way.³

CONDUCT OF ACTIVITIES

All school-sponsored groups and any booster group wishing to be recognized by and/or affiliated with the District shall conduct fund-raising activities to benefit the entire group and shall not permit credit to be earned through fund-raising for an individual student in lieu of participation fees or related activity costs.

STUDENTS

09.33
(CONTINUED)

74

Fund-Raising Activities

NON-SCHOOL

Fund-raising projects of booster organizations and the P.T.A. shall be approved and coordinated with the building Principal.

REFERENCES:

¹KRS 158.290

²KRS 367.515 (3)

³KRS 238.505; KRS 238.535; KRS 238.540: Accounting Procedures for Kentucky School Activity Funds

KRS 156.160; KRS 158.854; OAG 78-508; OAG 79-330; OAG 79-556

RELATED POLICY:

04.312

LEGAL: THE CHANGE INDICATED WILL CORRECT THE WORDING TO MAKE IT CONSISTENT WITH THE APPLICABLE LAW. KRS 161.195 DOES NOT INCLUDE WEAPONS VIOLATIONS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

75

STUDENTS

09.425

Assault and Threats of Violence

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

PUPILS

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

SCHOOL PERSONNEL

Any pupil who threatens, assaults, batters or physically or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action¹ up to and including expulsion from school and/or legal action.

REMOVAL OF STUDENTS

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

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

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

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

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

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.

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.

STUDENTS

09.425
(CONTINUED)

76

Assault and Threats of Violence

NOTIFICATIONS (CONTINUED)

Any District employee assigned to work directly with, or who comes in contact with, a student with a documented history of weapons violation and/or 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

REFERENCES:

KRS 158.150
KRS 158.154; KRS 160.290
KRS 161.155; KRS 161.190; KRS 161.195
KRS 508.025; KRS 508.075; KRS 508.078; 702 KAR 5:080

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RELATED POLICIES:

03.123, 03.223
06.34
09.14; 09.2211; 09.422

LEGAL: NEW REGULATION 704 KAR 19:002 REQUIRES DISTRICTS TO ADOPT ALTERNATIVE EDUCATION PROGRAM POLICIES AND PROCEDURES. IN ONE (1) SECTION NOTED BELOW, PLEASE CHECK THE OPTION YOUR BOARD WANTS INCLUDED OR ADD ALTERNATE LANGUAGE. THEN PLEASE RETURN A COPY OF THIS DRAFT WITH YOUR UPDATE CHECKLIST.

FINANCIAL IMPLICATIONS: IN ADDITION TO FUNDING FOR STAFF AND MATERIALS TO PROVIDE AN ENHANCED ALTERNATIVE EDUCATION PROGRAM, THERE MAY BE COSTS RELATED TO STAFF TIME REQUIRED FOR THE INDIVIDUAL LEARNING PLAN ADDENDUM (ILPA) TEAM TO FULFILL NEW RESPONSIBILITIES.

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.¹

PURPOSE

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

- Learning activities that support innovative pathways and are aligned to college and career outcomes for all students.
- A curriculum that is aligned with the Kentucky Core 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.

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

As required by Kentucky Administrative Regulation:

- The District's Alternative Education Program shall include training to build capacity of staff and administrators to deliver high-quality services and programming.
- The Board shall review this policy and accompanying procedure(s) annually.²

ELIGIBILITY CRITERIA

Alternative education placements may be utilized for students at:

PLEASE MARK A CHOICE and return a copy of the draft to KSBA.

- ☐ All grade levels
- ☐ Middle and high school grade levels
- ☐ High school level

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

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Alternative Education**ELIGIBILITY CRITERIA (CONTINUED)**

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

- The need for a different educational environment for the student that will reflect an instructional delivery style best provided in an alternative setting.
- The student has contributed to substantial and on-going disruption of the educational process.
- Documentation that there are specific academic and/or behavioral performance areas that require intensive assistance best provided in alternative setting.
- Confirmation that the student has significant and on-going truancy issues that are impeding academic growth.
- Documentation that the student needs intensive support in the areas of social and personal issues that are impeding academic performance and/or behavioral expectations.
- The student has been assigned for code of conduct or Board policy violations for which assignment to an alternative program is authorized under the code or policy.
- The student has been identified as being at risk of academic failure and/or dropping out of school.
- The student has previously dropped out of school, but has requested to return to school via enrollment in an alternative education setting.
- The student is assigned to an alternative school or program for other reasons as provided in the code of conduct, Board policy, or other program standards adopted by the Board.
- Other reasons related to safety concerns and educational needs of the student referenced in 702 KAR 19:002.

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

NOTIFICATION

The Principal or the Principal's designee or other designated administrator shall notify the parents by letter of their child's assignment to the alternative education program.

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.

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Alternative Education

ASSIGNMENT/ILPA TEAM

For conduct that disrupts the educational process, a student may be assigned to the Alternative Education program by the Principal or his/her designee.

The duration of assignment shall be fixed by the Principal or his/her designee.

The Superintendent/designee shall appoint members of a team to develop an Individual Learning Plan Addendum (ILPA) for students 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 parents, and as appropriate, the student to participate.

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

EXCEPTIONS:

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

EXTRACURRICULAR PARTICIPATION

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

SUPERVISION/CONTINUING SUPPORT

The student shall remain in the regular school setting but shall be isolated from the regular school schedule. Opportunities shall be provided for the students to continue regular school work as appropriate under the supervision of Alternative Education Program the school staff, and Students participating in an alternative program shall continue to be able to access tutoring, intervention, counseling, and other resources and services shall be provided to address school-related problems already available in the District as determined through the development of the ILPA.

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Alternative Education**TRANSITION**

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

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

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

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

COLLABORATION WITH OUTSIDE AGENCIES

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

NOTE: THIS POLICY DOES NOT APPLY TO A TEMPORARY/SHORT-TERM INTERVENTION.

REFERENCES:

¹KRS 160.380

²704 KAR 19:002

704 KAR 7:050

707 KAR 1:320

Student Discipline Guidelines, Kentucky Department of Education

OAG 77-419

RELATED POLICIES:

08.131, 08.141

09.123, 09.14, 09.426

09.434

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CURRICULUM AND INSTRUCTION

08.2323

Access to Electronic Media

(Acceptable Use Policy)

The Board supports reasonable access to various information formats by students, employees and the community and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner as required by this policy and related procedures, which apply to all parties who use District technology.

SAFETY PROCEDURES AND GUIDELINES

The Superintendent shall develop and implement appropriate procedures to provide guidance for access to electronic media. Guidelines shall address teacher supervision of student computer use, ethical use of electronic media (including, but not limited to, the Internet, e-mail, and other District technological resources), and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit utilization of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data.

Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Internet safety measures, which shall apply to all District-owned devices with Internet access or personal devices that are permitted to access the District's network, shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet and World Wide Web;
- Safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
- Preventing unauthorized access, including "hacking" and other unlawful activities by minors online;
- Unauthorized disclosure, use and dissemination of personal information regarding minors; and
- Restricting minors' access to materials harmful to them.

A technology protection measure may be disabled by the Board's designee during use by an adult to enable access for bona fide research or other lawful purpose.

The District shall provide reasonable public notice of, and at least one (1) public hearing or meeting to address and communicate, its initial Internet safety measures.

Specific expectations for appropriate Internet use shall be reflected in the District's code of acceptable behavior and discipline, including appropriate orientation for staff and students.

PERMISSION/AGREEMENT FORM

A written parental request shall be required prior to the student being granted independent access to electronic media involving District technological resources.

95

Access to Electronic Media

(Acceptable Use Policy)

PERMISSION/AGREEMENT FORM (CONTINUED)

The required permission/agreement form, which shall specify acceptable uses, rules of on-line behavior, access privileges, and penalties for policy/procedural violations, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Superintendent with a written request.

EMPLOYEE USE

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. (Authorization is not required each time the electronic media is accessed in performance of one's duties.) Each employee is responsible for the security of his/her own password.

Employees are encouraged to use electronic mail and other District technology-based materials, activities and communication tools resources to promote student learning and communication with the home and education-related entities. If those resources are used, they shall be appropriate for and within the range of knowledge, understanding, age and maturity of students with whom they are used. Technology resources shall be used for purposes directly related to work-related activities.

Activities that employees may not use electronic media to perform include, but are not limited to:

1. Engaging in illegal activity;
2. Promoting a commercial purpose for a nonschool-related reason;
3. Pursuing personal gain;
4. Advancing personal propaganda; or
5. Any organization whose activities include lobbying for salaries or fringe benefits will be required to clear all electronic mail through the Superintendent or designee before access is granted.

Employees are encouraged to use electronic mail and other District technology resources to promote student learning and communication with the home and education-related entities. If those resources are used, they shall be used for purposes directly related to work-related activities.

Technology-based materials, activities and communication tools shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students with whom they are used.

District employees and activity sponsors may set up blogs and other social networking accounts using District resources and following District guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction.

Networking, communication and other options offering instructional benefits may be used for the purpose of supplementing classroom instruction and to promote communications with students and parents concerning school-related activities.

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96

Access to Electronic Media

(Acceptable Use Policy)

EMPLOYEE USE (CONTINUED)

In order for District employees and activity sponsors to utilize a social networking site for instructional, administrative or other work-related communication purposes, they shall comply with the following:

1. They shall request prior permission from the Principal.
2. If permission is granted, staff members will set up the site following any District guidelines developed by the Communications/Technology of the District.
3. Guidelines may specify whether access to the site must be given to school/District technology staff.
4. If written parental consent is not otherwise granted through AUP forms provided by the District, staff shall notify parents of the site and obtain written permission for students to become "friends" prior to the students being granted access. This permission shall be kept on file at the school as determined by the Principal.
5. Once the site has been created, the sponsoring staff member is responsible for the following:
 - a. Monitoring and managing the site to promote safe and acceptable use; and
 - b. Observing confidentiality restrictions concerning release of student information under state and federal law.

Staff members are discouraged from creating personal social networking sites to which they invite students to be friends. Employees taking such action do so at their own risk.

All employees shall be subject to disciplinary action if their conduct relating to use of technology or online resources violates this policy or other applicable policy, statutory or regulatory provisions governing employee conduct. The Professional Code of Ethics for Kentucky School Certified Personnel requires certified staff to protect the health, safety, and emotional well-being of students and confidentiality of student information. Conduct in violation of this Code, including, but not limited to, such conduct relating to the use of technology or online resources, must be reported to Education Professional Standards Board (EPSB) as required by law and may form the basis for disciplinary action up to and including termination.

COMMUNITY USE

On recommendation of the Superintendent/designee, the Board shall determine when and which computer equipment, software, and information access systems will be available to the community.

Upon request to the Principal/Superintendent/designee, community members may have access to the Internet and other electronic information sources and programs available through the District's technology system, provided they attend any required training and abide by the rules of usage established by the Superintendent/designee.

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97

Access to Electronic Media

(Acceptable Use Policy)

DISREGARD OF RULES

~~Individuals~~ Employees and students who refuse to sign required acceptable use documents or who violate District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, or other computing and telecommunications technologies.

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Employees and students shall be subject to disciplinary action, up to and including termination (employees) and expulsion (students) for ~~violation~~ violating this policy and acceptable use rules and regulations established by the school or District.

RESPONSIBILITY FOR DAMAGES

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care. ~~Students or staff members~~ Individuals who deface a District web site or other electronic documents, or otherwise make unauthorized changes to a web site other electronic documents, shall be subject to disciplinary action, up to and including expulsion and termination, as appropriate.

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The District assumes no responsibility for lost, stolen, or damaged personal property.

RESPONDING TO CONCERNS

School officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

AUDIT OF USE

Users with network access shall not utilize District resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system.

The Superintendent/designee shall establish a process to determine whether the District's education technology is being used for purposes prohibited by law or for accessing sexually explicit materials. The process shall include, but not be limited to:

1. Utilizing technology that meets requirements of Kentucky Administrative Regulations and that blocks or filters Internet access for both minors and adults to certain visual depictions that are obscene, child pornography, or, with respect to computers with Internet access by minors, harmful to minors;
2. Maintaining and securing a usage log; and
3. Monitoring online activities of minors.

RETENTION OF RECORDS FOR E-RATE PARTICIPANTS

Following initial adoption, this policy and documentation of implementation shall be retained for at least five (5) years after the last day of service in a particular funding year.

98

Access to Electronic Media
(Acceptable Use Policy)

REFERENCES:

KRS 156.675; 701 KAR 5:120
16 KAR 1:020 (Code of Ethics)
47 U.S.C. 254/Children's Internet Protection Act; 45 C.F.R. 54.520
Kentucky Education Technology System (KETS)

RELATED POLICIES:

03.1325/03.2325; 03.17/03.27
08.1353, 08.2322, 08.2323
09.14, 09.421, 09.422, 09.425, 09.426

99

PERSONNEL

DRAFT (06/10/13)

03.2

Classified Personnel

DEFINITION

Classified personnel are all those employees who hold positions not requiring teacher certification.¹

FULL-TIME PERSONNEL

A full-time employee is one who works a minimum of eighty (80) hours or more per month on a regular basis.

SUBSTITUTE AND NON-FULLTIME EMPLOYEES

Solely for purposes of the County Employees Retirement System, substitute and non-fulltime employees shall serve a probationary period not to exceed twelve (12) months during which they shall not participate in CERS. If during the probationary period, the non-fulltime employee is hired on a fulltime basis, the probationary period for CERS retirement will cease on the day before the hire date. On the date the employee becomes fulltime, he/she will become eligible for retirement benefits.

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REFERENCES:

¹KRS 161.011 (1)

KRS 78.510

KRS 78.615

School-Related Student Trips**PRINCIPAL TO APPROVE**

The school Principal shall have the authority to approve school-related trips which fall into the following categories:

1. All regularly scheduled athletic events;
2. All athletic trips which are part of a tournament or play-off in which the school is a participant; and
3. All day-long, in-state field trips. Day-long, in state fields trips also require approval by the Executive Director of Instruction.

SCHEDULING

Scheduling of all trips shall be done by the Director of Transportation after the Principal's approval for the trip is received.

EXCEPTION

Prior Board approval is required for all overnight and out-of-state trips.

Use of certificated common carrier service shall be authorized by the Board on a case-by-case basis, and the reasons to justify such use shall be cited in Board minutes.³

BOARD REGULARLY INFORMED

The Board shall be regularly informed of any trip falling within these guidelines.

DRIVERS/VEHICLES

All District-owned vehicles shall be driven by an adult duly qualified and licensed to operate the vehicle. Drivers of school vehicles and operation of District-owned passenger vehicles transporting students shall be in compliance with requirements specified in applicable statutes and administrative regulations.¹

SUPERVISION

A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips. For athletic trips, a nonfaculty coach or a nonfaculty assistant may accompany students as provided in statute. Persons designated to accompany students shall be at least twenty-one (21) years old.²

INSURANCE

Only Board insured vehicles or appropriately certificated common carriers shall be used for transporting students.³

PRIVATE VEHICLES

Students shall be allowed to travel to or from school-related activities in properly insured private vehicles when the vehicle belongs to a parent/legal guardian, the group sponsor or a duly authorized District employee and in accordance with the following requirements:

1. Group sponsors shall obtain prior approval from the Superintendent or designee;

School-Related Student Trips**PRIVATE VEHICLES (CONTINUED)**

2. Parents of students shall be notified that their children are to be transported in private vehicles and in addition are notified of the person who will operate/drive that vehicle;
3. Drivers/owners of privately owned vehicles transporting students shall be required to show evidence of insurance coverage;
4. The Superintendent or designee shall give written notification to drivers, including employees, that their personal insurance will provide primary liability coverage in case of an accident; and
5. If a school-related trip is to terminate for any student prior to the point of designated return, the student shall only be released to his/her parent/legal guardian or other adult as designated prior to the trip in writing by the parent/legal guardian on a District approved release form.

MEDICATION

Administration of medication to students during field trips shall comply with applicable law, regulation and medication administration training developed by the Kentucky Department of Education.

When students will be travelling outside the state, the Superintendent's designee shall do the following:

1. Determine applicable legal requirements concerning delegation of student medication responsibilities in states through which students will be travelling; and
2. Assign staff to accompany students on the field trip to address student medication needs.

PARENTS' APPROVAL

Parents are to be informed of the nature of the trip, the approximate departure and return times, means of transportation, and any other relevant information. Parents must give written approval for students to participate in school-sponsored trips.

REIMBURSEMENT

Groups using District-owned vehicles, whether for educational or non-educational trips, shall reimburse for the Board for the expenses of the trip at a Board-approved rate. This shall include the cost of insurance if the trip is not covered by the Board's insurance.

REFERENCES:

¹KRS 156.153

²KRS 161.185

³702 KAR 5:060

702 KAR 3:220, 702 KAR 5:030, 702 KAR 5:080, 702 KAR 5:130

KRS 158.110, KRS 160.340, KRS 189.125, KRS 189.540

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STUDENTS

09.36
(CONTINUED)

School-Related Student Trips

RELATED POLICIES:

03.1321; 03.2321; 09.15
09.221
09.2241

Adopted/Amended: 5/17/11
Order #: V.H