

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.

#### **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.

#### **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 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.

#### **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 the Superintendent's designee;
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,
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, and
5. reimbursement for travel costs for employees who have out-of-pocket expenses related to approved Board travel in accordance with Board travel policies.

**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

**RELATED POLICIES:**

03.125; 03.225



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 only for purposes which contribute generally to the benefit of the students and all activity funds shall be administered in accordance with state regulations. 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 system<sup>1</sup> and activity fund accounting procedures set out in Kentucky Administrative Regulation.<sup>2</sup>

#### 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 or the Principal's designee.

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 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.

#### 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.<sup>1</sup>



School Activity FundsSUPPORT/BOOSTER CLUBS FUNDS

Parent-teacher associations and booster club funds are not subject to deposit and accounting procedures as school activity funds,<sup>3</sup> but any action taken by a PTA or booster group shall be approved in advance by the Principal. Each year the Principal shall ~~obtain~~be provided the following from all support/booster club organizations as required by the 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;<sup>1</sup> and
3. All other information required by Accounting Procedures for Kentucky School Activity Funds.

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.

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.

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.

**School Activity Funds****FUND-RAISING PROJECTS**

All school-wide fund-raising projects conducted by the schools must have prior Board approval.<sup>4</sup>

All fund-raising projects conducted by school-related groups that use school facilities and/or employ students shall have prior approval of the Principal [or a designee](#).

No school group shall conduct more than two (2) fund-raising projects per year. No duplication of projects for sale shall be allowed.

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.

[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:**

<sup>1</sup>702 KAR 3:130; Accounting Procedures for Kentucky School Activity Funds

<sup>2</sup>702 KAR 3:120

<sup>3</sup>OAG 79-556

<sup>4</sup>KRS 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. Annual 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.

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 in writing 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.

**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.

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.

### **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.

### **REFERENCES:**

KRS 158.164

A New Section of KRS Chapter 158

### **RELATED POLICY:**

05.4

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.

## SCHOOL FACILITIES

05.42

### Severe Weather/Tornado and Disaster 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 disaster and safe area evacuation drills are to be held at least four (4) times each school year including during the first thirty (30) instructional days of the school year and in January. Designated ~~safety area~~ school 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.

#### STUDENTS WITH DISABILITIES

Provisions shall be made to assist students with disabilities by assigning an adult or responsible student during drills or exits.

#### 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

## 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.<sup>3</sup>

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

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

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

Exceptions:

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

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

The penalty for students possessing a firearm at school or bringing a firearm or other deadly weapon, destructive device, or booby trap device<sup>1</sup> 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.<sup>2</sup>



## 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.<sup>1</sup>

### **STATE POSTING REQUIREMENTS**

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

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

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

### **STATE REPORTING REQUIREMENTS**

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

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

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

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

### **ENFORCEMENT**

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

**Weapons**

**REFERENCES:**

<sup>1</sup>KRS 527.0720; [KRS 158.150](#); 20 U.S.C. §7141 (Gun-Free Schools Act)  
18 U.S.C. §921(a)

<sup>2</sup>~~KRS 527.070~~; [KRS 500.080](#)

<sup>3</sup>~~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 3:305 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: NONE ANTICIPATED

## CURRICULUM AND INSTRUCTION

08.113

### Graduation Requirements

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic Expectations, Students must complete a minimum of twenty-seven (27) credits, including demonstrated performance-based competency in technology, in order to graduate from Henderson County High School ~~beginning with the class of 2014~~. Students must complete a minimum of twenty-four (24) credits in order to graduate from Central Academy ~~beginning with the class of 2013~~.

#### 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 the 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.
6. Students taking performance-based courses for credit toward graduation must be enrolled in Central Academy, in the Credit Recovery Program at Henderson County High School or make application to the Principal/designee of Henderson County High School.



## Graduation Requirements

### **DIPLOMA PROGRAMS**

All high school graduates of the District shall meet the requirements as written in one of three (3) career paths and the requirements of 704 KAR 3:305.

### **OTHER PROVISIONS**

Students shall complete an individual graduation/learning plan that focuses incorporates emphasis on career-development exploration and related postsecondary education and training needs.

Central Academy students will receive a letter of completion upon receiving twenty-four (24) credits and receive their diploma at graduation services.

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

Upon the Principal's request and District approval, a student may be granted permission to receive credit for successful completion of a performance-based course at Henderson County High School.

The Board may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

Consistent with the District's graduation practices for all students, an alternative Hhigh 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.<sup>3</sup>

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.<sup>4</sup>

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

### **PARTICIPATION IN GRADUATION**

No pupil shall be permitted to participate in graduation exercises until all specified graduation requirements have been fulfilled, as determined by the Principal and staff.

### **DIPLOMAS FOR VETERANS**

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

**Graduation Requirements**

**REFERENCES:**

<sup>1</sup>KRS 40.010

<sup>2</sup>KRS 158.622

<sup>3</sup>KRS 156.160; [704 KAR 3:305](#); 20 U.S.C. sec. 1414

<sup>4</sup>[KRS 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, 08.1132, 08.136, 08.14, 08.22

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

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. FOR THOSE STUDENTS, THE NEW LAW PROHIBITS SCHOOL BOARDS FROM IMPOSING A GRADUATION REQUIREMENT THAT WOULD KEEP A STUDENT WHO IS PURSUING AN EARLY GRADUATION PROGRAM FROM FINISHING HIGH SCHOOL IN LESS THAN FOUR (4) YEARS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## CURRICULUM AND INSTRUCTION

08.1132

### Early Graduation

Students may graduate early when required credits have been earned and when all other requirements have been satisfied.

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.

#### CRITERIA

Unless they qualify for an Early Graduation Scholarship Certificate, Aall students attending Henderson County High School must complete eight (8) full semesters of high school to graduate. Any early graduate-Those students must have the recommendation of Henderson County High School Principal or Central Academy Principal and the senior guidance counselor AND the approval of the Board.

Any student attending Central Academy will receive a letter of completion upon fulfilling the program's graduation requirements and may attend graduation ceremonies at Central Academy at the end of the school year.

#### REFERENCE:

KRS 158.142

#### RELATED POLICIES:

08.113

08.136



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.<sup>1</sup>

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.<sup>2</sup> Beginning in 2017, children at risk of educational failure who are four (4) by August 1 may enter preschool.

#### **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.<sup>3</sup>

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.<sup>5</sup>

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.<sup>2</sup>

#### **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. 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. Then, based on staff recommendations, the Superintendent shall recommend to the Board whether to grant the request. The request may be granted based upon: 1) available space, 2) criteria met by the student, and 3) the agreement of the parent/guardian to bear the cost, which will be equivalent to the current school year SEEK formula amount.

**Entrance Age****CRITERIA FOR EARLY ENTRANCE**

Criteria for early entrance will include:

1. A score at or above the 95th percentile on the Brigance Kindergarten screener.
2. Scores on standardized intelligence tests, behavior rating scales, and standardized achievement test at or above the 95th percentile.

**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.<sup>4</sup>

**REFERENCES:**

<sup>1</sup>KRS 157.3175

<sup>2</sup>KRS 158.030

<sup>3</sup>KRS 157.226; KRS 159.030

<sup>4</sup>KRS 158.032; KRS 158.035; KRS 214.034

<sup>5</sup>KRS 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)

**Persons Over Compulsory Attendance Age**

**PROHIBITIONS**

Unless enrolled in the ~~Henderson County Central~~ Academy Performance Based Program, persons over twenty-one (21) years of age shall not be admitted to or served by the District's elementary or secondary schools.

Students under age twenty-one (21) who already have graduated from an accredited or four (4) year high school shall be considered to have completed high school, but may not be permitted to enroll in the District. Students who have earned a GED shall be permitted to enroll to work toward completion of graduation requirements.

**STUDENTS WITH DISABILITIES**

In cases which involve students with disabilities, the procedures mandated by federal and state law for such students shall be followed.<sup>1</sup>

**REFERENCES:**

- <sup>1</sup>P. L. 105-17
- KRS 158.100
- KRS 158.140
- KRS 159.010
- KRS 159.030
- 704 KAR 3:305



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.<sup>1</sup>

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.

## 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.

### **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, address, phone number, date and place of birth, student's school email address, major field of study, 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.



## **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 such information is received, the Superintendent 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.<sup>2</sup>

### **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.



**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, i~~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~~s, the matter(s) may be referred to local counsel for advice.

**REFERENCES:**

<sup>1</sup>Section 152 of the Internal Revenue Code of 1986

<sup>2</sup>KRS 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

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

## **Student Fees**

### **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 for rental or purchase of instructional resources may be charged. If the Board authorizes charging rental fees for instructional resources for students in grades nine through twelve (9-12), the Board shall establish those fees annually.

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

### **ADVANCED PLACEMENT TESTING FEES**

Students enrolled in Advanced Placement (AP) courses will be required to take the AP exam in each AP subject in which they are enrolled. The student will be required to pay the AP test fee when textbook fees are due.

### **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.<sup>1</sup>

### **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.<sup>2</sup>

### **REFERENCES:**

<sup>1</sup>KRS 158.108; 704 KAR 3:455

<sup>2</sup>KRS 160.330; 702 KAR 3:220

Accounting Procedures for Kentucky School Activity Funds

### **RELATED POLICY:**

08.232



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

STUDENTS

09.22

## **Student Health and Safety**

### **PRIORITY**

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

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

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

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

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

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

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

### **SAFETY PROCEDURES**

All pupils shall receive annual instruction in school bus safety.

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

### **SUICIDE PREVENTION**

All 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.<sup>3</sup>

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.<sup>2</sup>



**Student Health and Safety**

**REFERENCES:**

- | <sup>1</sup>KRS 156.501; KRS 156.502; ~~704 KAR 4:020~~[702 KAR 1:160](#)
- | <sup>2</sup>KRS 156.095
- | <sup>3</sup>[KRS 158.070](#)
- | KRS 156.160
- | [KRS 158.836](#)
- | 702 KAR 5:030

**RELATED POLICY:**

09.2241

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.

Once a completed authorization form from the parent/guardian is on file, pupils may take medicine which is brought from home and specifically ordered by the pupil's personal physician.<sup>1</sup> Written documentation from the physician must be obtained prior to the issuance of medication to the pupil by school personnel.

#### **SELF-ADMINISTRATION**

Under procedures developed by the Superintendent, in certain situations, and as set forth in KRS 158.834 and KRS 158.836, a written physician's authorization shall allow a student to responsibly carry self-administered medication due to a pressing medical need (i.e. Epi-pen, inhaler, glucagon, insulin).

Provided the parent/guardian and physician files a completed authorization form each year as required by law.<sup>2</sup>

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.<sup>3</sup>

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:**

<sup>1</sup>OAG 73-768

<sup>2</sup>KRS 158.834

<sup>3</sup>KRS 158.836

OAG 77-530

OAG 83-115

#### **RELATED POLICIES:**

09.22, 09.224

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.

#### **CO-CURRICULAR/EXTRACURRICULAR ACTIVITIES**

Only students enrolled in and attending District schools may participate as member of teams, clubs or other extracurricular or co-curricular groups sponsored by the schools.

#### **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 student on athletic trips as provided in statute.<sup>1</sup>

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.<sup>2</sup>

#### **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.

#### **PARTICIPATION CRITERIA**

The following criteria for participation shall only apply to SBDM schools in the absence of council policy that establishes school criteria or when the council chooses to adopt criteria established by the Board:

Eligibility for a school-sponsored activity not required for a course will be in compliance with the Kentucky High School Athletic Association's academic requirements in the last previous reporting period and the maintenance of a good general citizenship record as determined by the Principal.



**Student Activities**

**REFERENCES:**

<sup>1</sup>KRS 161.185

<sup>2</sup>KRS 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

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, the policies and requirements of the local Board, 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).

#### ELIGIBILITY

Participants in grades six (6) through twelve (12) must meet all academic eligibility requirements. Any student who participates at any level in any KHSAA sanctioned sport or sport activity must be passing four subject areas, be on the eligibility list, and be progressing toward graduation according to KHSAA guidelines. The Principal or the Principal's designee shall be responsible for certifying compliance.

#### 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.

#### RESPONSIBILITY

The athletic program, an integral part of the total school structure, shall be under the supervision of the building Principal, the County athletic director and the respective coaches. All aspects of the athletic program are subject to the Board's approval.

**Athletics and Sport Activities****SCHEDULING**

Final schedules for all sports and sport activities shall be approved by the Athletic Director. Practices or contests for each sport and sport activity shall be held only between the dates set for that sport and sport activity; no other organized practices or contests shall be permitted. No conditioning programs or similar offerings shall be used to teach skills and techniques in a particular sport prior to the designated date for practice to begin.

**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.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>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.

STUDENTS

09.33

## **Fund-Raising Activities**

### **BOARD APPROVAL REQUIRED**

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

All other fund-raising activities, including the proposed use of the funds, shall require the approval of the Principal/SBDM.

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

The following sources of revenue shall be permitted for each school:

1. School picture sales and two (2) other school sales for a total of three (3) in the school year. This includes sales conducted by Family Resource/Youth Service Centers;
2. One fund-raising project for each student organization within the junior and senior high schools, except the band and choirs which will be allowed to have two fund-raising projects;
3. Bookstores (if available); and
4. Refreshment concessions (vending machines) in any school as long as they do not interfere with the instructional or lunchroom program.

### **SOLICITATIONS**

No solicitation of funds from students or the general public for a school or nonschool purpose shall be conducted without the approval of the Principal.

The Board prohibits students and/or student groups sponsored by a school employee from conducting door-to-door solicitations for the purpose of generating funds for school groups, classes, clubs, activities or programs.

### **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.<sup>2</sup>

### **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.<sup>3</sup>

### **PUPIL NOT COMPELLED**

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

**Fund-Raising Activities****EXCEPTION**

Sales for non-profit organizations may be conducted after obtaining prior approval of the building Principal.

**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.

**REFERENCES:**

<sup>1</sup>KRS 158.290,

<sup>2</sup>KRS 367.515 (3)

<sup>3</sup>KRS 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 POLICIES:**

04.312, 07.111, 07.12

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

STUDENTS

09.425

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

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

#### **PUPILS**

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

#### **SCHOOL PERSONNEL**

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

#### **REMOVAL OF STUDENTS**

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

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

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

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

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

#### **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.



**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:**

<sup>1</sup>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

**RELATED POLICIES:**

03.123, 03.223

06.34

09.14; 09.2211; 09.422

**Disrupting the Educational Process**

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

1. Conduct which threatens the health, safety, or welfare of others;
2. Conduct which may damage public or private property, including the property of students or staff;
3. Illegal activity;
4. Conduct that materially or substantially interferes with another student's access to educational opportunities or programs, including the ability to attend, participate in and benefit from instructional and extracurricular activities; or
5. Conduct that materially or substantially disrupts the delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

Repetition of student misconduct may result in a disciplinary hearing. A disciplinary hearing will be conducted by the Superintendent or designee. Attendees will include the Superintendent or designee, school administration, other school personnel who have specific information about the student, parent and/or guardian, and student.

Disciplinary hearing consequences may include: referral for expulsion, referral to alternative programs, including ~~CLC~~ Central Academy Day Program, and/or CLC Evening Central Academy Performance Based Program, ~~and/or HCA~~.

**OTHER CLAIMS**

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

**REFERENCES:**

KRS 158.150; KRS 158.165; KRS 160.290

**RELATED POLICIES:**

09.13; 09.422; 09.431; 09.42811; 09.438

## **Harassment/Discrimination**

### **DEFINITION**

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex or disability that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment.

The provisions of this policy shall not be interpreted as applying to speech otherwise protected under the state or federal constitutions where the speech does not otherwise materially or substantially disrupt the educational process, as defined by policy 09.426, or where it does not violate provisions of policy 09.422.

### **PROHIBITION**

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

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

### **DISCIPLINARY ACTION**

Students who engage in harassment/discrimination of an employee or another student on the basis of any of the areas mentioned above shall be subject to disciplinary action, including but not limited to suspension and expulsion.

### **GUIDELINES**

Students who believe they or any other student, employee, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report. Without a report being made to the Principal, Superintendent or Title IX/Equity Coordinator, the District shall not be deemed to have received a complaint of harassment/ discrimination.

Employees who believe prohibited behavior is occurring or has occurred shall notify the victim's Principal, who shall immediately forward the information to the Superintendent.

The Superintendent shall provide for the following:

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



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

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

2. A process to identify and implement, within ten (10) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all students, which may include, but not be limited to, the following:
  - written notice provided in publications such as handbooks, codes, and/or pamphlets; and/or
  - such other measures as determined by the Superintendent/designee.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy/procedures and obtain assistance in reporting and responding to alleged incidents. Students, parents or guardians, as appropriate, will be directed to sign an acknowledgement form verifying receipt of information concerning this policy as part of the Board-approved code of acceptable behavior and discipline.

4. Age-appropriate training during the first month of school to include an explanation of prohibited behavior and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation, including, but not limited to, interpreters for hearing impaired and visually impaired students and assistance in reading and filling out necessary papers.

When sexual harassment is alleged, the District's Title IX Coordinator, as designated in the student handbook/code, shall be notified.

**NOTIFICATIONS**

Within twenty-four (24) hours of receiving a serious allegation of harassment/discrimination, District personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination.

In circumstances also involving suspected child abuse, additional notification shall be required by law. (See Policy 09.227.)

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

**PROHIBITED CONDUCT**

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

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;

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

2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

**CONFIDENTIALITY**

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violations.

**APPEAL**

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

If a supervisor is an alleged party in the harassment/discrimination complaint, a written complaint shall be submitted to a higher level of authority.

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

**RETALIATION PROHIBITED**

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

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

**FALSE COMPLAINTS**

Deliberately false or malicious complaints of harassment/discrimination may result in disciplinary action taken against the complainant.



**Harassment/Discrimination****OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.426.

**REFERENCES:**

<sup>1</sup>KRS 158.156  
42 USC 2000e, Civil Rights Act of 1964, Title VII  
Racial Incidents and Harassment Against Students at Educational Institutions;  
Investigative Guidance (U.S. Department of Education)  
U. S. Supreme Court - Franklin vs. Gwinnett County  
29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC)  
Regulations Implementing Title VII  
20 U.S.C. 1681, Education Amendments of 1972, Title IX  
34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights  
Regulations Implementing Title IX  
Gebser v. Lago Vista Independent School Dist., 118 S. Ct. 1989 (1998)  
Davis v. Monroe County Bd. of Educ., 119 S. Ct. 1661 (1999)

**RELATED POLICIES:**

03.162, 03.262, 09.13, 09.2211, 09.227, 09.422, 09.426, 09.438

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.

DRAFT 7/2/13

STUDENTS

09.4341

## Alternative Education

### DEFINITION

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

### PURPOSE

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

- Learning activities that support innovative pathways and are aligned to college and career outcomes for all students.
- A curriculum that is aligned with the Kentucky 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.<sup>2</sup>

### ELIGIBILITY CRITERIA

Alternative education placements may be utilized for students at middle and high school grade levels.

Placement may be voluntary or involuntary, and the program is offered at Central Academy.

**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 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~~ other designated administrator shall notify the parents of their child's pending assignment to the alternative education program. The final decision will be communicated from the DPP office.

The notification shall include length and reason for assignment, expected behavior of the student, and notification that assignment may be extended or shortened depending upon the attitude and cooperation of the student.

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



## Alternative Education

### ASSIGNMENT ILPA TEAM

~~For conduct that disrupts the educational process, the Principal may refer a student to Central Academy through the District DPP office.~~

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

## 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 **Principal or designee** 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:**

<sup>1</sup>KRS 160.380

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

~~704 KAR 7:050~~

707 KAR 1:320

*Student Discipline Guidelines*, Kentucky Department of Education

OAG 77-419

OAG 77-419

### **RELATED POLICIES:**

08.131, 08.141

09.123, 09.14, 09.426

08.13, 09.434