

**General Powers and Duties of the Board****ESTABLISHMENT OF SCHOOLS**

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

**REQUEST FOR WAIVER AND EXEMPTIONS**

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

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

**SCHOOL FUNDS AND PROPERTY**

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

**ADMINISTRATION**

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

**MANAGEMENT**

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

**SUBPOENA**

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

**INSURANCE**

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

**General Powers and Duties of the Board****INSURANCE (CONTINUED)**

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

**FREE SUPPLIES**

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

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

**REPORTS**

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

**LEVY OF TAX RATES**

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

**POWER TO BORROW FUNDS**

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

**CONTRACT WITH CONSULTANTS**

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

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

**APPLICATIONS FOR GRANTS**

Schools, employees, and school-related groups who are applying for grants on behalf of the District or District schools shall send a copy of the completed application to the Superintendent/designee, who shall present the application to the Board with a recommendation for approval or disapproval. Such applications shall not be submitted until the Board gives its approval.

*that require matching funds  
or any other board liability*

**General Powers and Duties of the Board**

**REFERENCES:**

- <sup>1</sup>KRS 160.290
- <sup>2</sup>KRS 160.300
- <sup>3</sup>KRS 160.310
- <sup>4</sup>KRS 160.160
- <sup>5</sup>KRS 160.330
- <sup>6</sup>KRS 160.340
- <sup>7</sup>KRS 160.470
- <sup>8</sup>KRS 160.540
- <sup>9</sup>KRS 160.345
- <sup>10</sup>KRS 160.280
- <sup>11</sup>KRS 156.108; KRS 160.107; KRS 160.346; 701 KAR 005:140  
KRS 116.200; KRS 156.072; KRS 156.160  
KRS 161.158; KRS 162.010; KRS 416.560  
OAG 91-10; OAG 91-122; OAG 95-10; 702 KAR 003:220; 702 KAR 004:160

**RELATED POLICIES:**

01.41; 01.5; 01.7  
03.124; 03.224

Adopted/Amended: 06/21/2012  
Order #: 10288

accept

RECOMMENDED: SB 176 ALLOWS "CAREGIVERS" TO MAKE DESIGNATED HEALTH CARE AND EDUCATIONAL DECISIONS UPON PRESENTATION OF AN APPROPRIATE AFFIDAVIT. THIS CHANGE IS RECOMMENDED SO THAT DISTRICTS WILL NOT HAVE TO REVISE ALL POLICIES ADDRESSING PARENT RIGHTS, RESPONSIBILITIES, AND NOTIFICATIONS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

RECOMMENDED: HB 211 AMENDED KRS 158.070 AND REPLACED THE TERM "INSTRUCTIONAL DAY" WITH "STUDENT ATTENDANCE DAY". THIS CHANGE IS RECOMMENDED SO THAT DISTRICTS WILL NOT HAVE TO REVISE ALL POLICIES ADDRESSING INSTRUCTIONAL DAYS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

RECOMMENDED: SOME STATUTES AND REGULATIONS USE THE TERMS HEALTH CARE PROVIDER AND HEALTH CARE PRACTITIONER INTERCHANGEABLY. THIS IS TO CLARIFY THAT IN THIS MANUAL THE TWO TERMS HAVE THE SAME MEANING.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## POWERS AND DUTIES OF THE BOARD

01.0

### DEFINITIONS

The following expressions are defined with respect to their intended meanings in the context of this MANUAL:

#### **POLICIES**

An expression of the will of the elected Board of Education or the school council. Although other statutes may have Board policy implications, the general scope of Board policies is defined by KRS 160.290 and KRS 160.340. The scope of council policies is defined by KRS 160.345.

#### **ADMINISTRATIVE PROCEDURES**

Statements of the Superintendent and/or District administration. Procedures are administrative instruments to implement Board policy and other legal mandates.

#### **ADMINISTRATIVE REGULATIONS**

References such as "State Board regulations", state regulations", and "administrative regulations" shall mean Kentucky Administrative Regulations (KAR) promulgated by the Kentucky Board of Education.

#### **FULL-TIME/PART-TIME STATUS**

Employment status shall be determined in compliance with statute and regulation and shall be defined in the employee's contract.<sup>1</sup>

#### **SUPERINTENDENT**

Policies that charge the Superintendent with preparing and/or implementing provisions of procedures, plans or programs for Board review also direct any other employee to whom the Superintendent may delegate such charges.

#### **TEACHER**

Except for referenced statutes which specify a different definition for the purposes of those statutes, in this MANUAL the term teacher shall refer to any person, other than the Superintendent, for whom certification is required as a basis for employment.

#### **PARENT OR GUARDIAN**

Parent, as used in this MANUAL, means custodial parent, ~~or~~ legal guardian, or other person authorized by law to act as a parent as the context requires.



## **DEFINITIONS**

### **CHILDREN AND YOUTH WITH DISABILITIES**

In compliance with federal law and unless otherwise indicated, use of the terms "handicapped/exceptional/special education" shall refer to children and youth with disabilities.

### **SCHOOL NUTRITION PROGRAM**

Use of the term "food service" shall also refer to the District's School Nutrition Program.

### **STUDENT ATTENDANCE DAY**

Unless otherwise noted, use of the term "instructional day" shall have the same meaning as "student attendance day".

### **HEALTH PROVIDER**

Unless otherwise noted, the terms "health care provider" and "health care practitioner" have the same meaning.

### **RELATED POLICIES**

The listing of related policies at the bottom of a document is a generic list and may include some policy numbers that this MANUAL does not contain.

### **REFERENCES**

Legal references listed in this manual, such as state and federal statutes and regulations, Kentucky Attorney General Opinions, and court cases are provided as a tool for additional research and are not intended to be viewed as a complete listing of legal resources applicable to a particular topic.

### **REFERENCES:**

<sup>1</sup>KRS 157.320

<sup>1</sup>102 KAR 1:036

<sup>1</sup>702 KAR 1:035

KRS 158.144

KRS 160.290, KRS 160.340, KRS 160.345

KRS 405.028

702 KAR 6:010, 702 KAR 6:020, 702 KAR 6:040

702 KAR 6:045, 702 KAR 6:075, 702 KAR 6:090

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RECOMMENDED: KRS 160.270 REQUIRES THAT THE BOARD HOLD AT LEAST ONE REGULAR MEETING PER MONTH. KRS 61.820 REQUIRES ADOPTION OF A REGULAR MEETING SCHEDULE. RESCHEDULED REGULAR MEETINGS BECOME SPECIAL MEETINGS. HOWEVER, IN EXCEPTIONAL CIRCUMSTANCES, REASONABLE ADJUSTMENTS OF REGULAR MEETING START TIMES OR SITES DUE TO UNANTICIPATED CONDITIONS OR EMERGENCIES (SUCH AS UNEXPECTED OVERFLOW CROWDS, UNAVAILABILITY OF THE MEETING SITE, OR WEATHER RELATED EVENTS) MAY BE PERMISSIBLE.

THIS CHANGE IS NOT REQUIRED BY LAW BUT, ALLOWS FOR GREATER FLEXIBILITY IN THOSE EXCEPTIONAL CIRCUMSTANCES

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.42

### Regular Meetings

#### TIME AND PLACE

~~The first regular meeting of the Board shall be held in January on the third Thursday at 6:00 PM at the Board office. At the first special-called-a meeting each in~~ January, the Board shall adopt a schedule of regular meetings for the calendar year, identifying the date, time and place of each meeting. ~~Any change to this schedule~~ Rescheduled regular meetings shall be ~~a-noticed and held~~ as special-called meetings.<sup>1 & 4</sup>

#### PUBLICITY

All meetings of the Board, and any committees or subcommittees thereof, shall be held at specified times and places which are convenient to the public. The schedule of regular meetings shall be made available to the public.<sup>2</sup>

#### OPEN MEETINGS

All meetings of a quorum of the members of the Board at which any public business is discussed or at which any action is taken are to be public meetings, open to the public at all times, except as provided in KRS 61.810.<sup>3</sup>

#### REFERENCES:

<sup>1</sup>KRS 160.270

<sup>2</sup>KRS 61.820; OAG 78-274; OAG 78-614

<sup>3</sup>KRS 61.810

<sup>4</sup>92-OMD-1677; 04-OMD-056

KRS 61.826

#### RELATED POLICIES:

01.421; 01.43; 01.44



accept

RECOMMENDED: THE KSBA BOARD OF DIRECTORS APPROVED A CODE OF ETHICS FOR SCHOOL BOARD MEMBERS. THIS LANGUAGE IS BASED ON THAT CODE.  
THIS CHANGE IS NOT REQUIRED BY LAW.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.53

### Code of Ethics

As members of a Kentucky Board of Education and mindful of the pledges made in their oath of office, Board members shall accept the duty to represent their community and their District's students, parents and staff and to improve public education by putting "students first" in their decisions. To that end they will:

1. Govern effectively and with integrity, emphasize student achievement and practice good stewardship of the District's human, financial and property resources;
2. Participate in all Board meetings, insofar as possible, having studied advance materials and, having given careful consideration to input from individuals and/or interested community groups, ready to base decisions on independent judgment;
3. Act as a staunch advocate for high quality schools, instructional curricula and professional staff dedicated to the educational welfare of all children, regardless of their ability, race, creed, sex or social standing and maintain knowledge about educational advances as they evolve;
4. Obey and uphold all laws, rules, regulations and court orders of the Commonwealth of Kentucky and of the United States, reserving the right to bring about needed changes through legal and ethical procedures;
5. Help their constituents to understand the importance of broad community support and involvement in the public schools, especially by encouraging citizen participation in Board meetings, and in turn, serve their constituents by helping ensure accountability of the schools to the community;
6. Recognize their duty to listen as well as to lead, respect opinions which differ from their own, reflect that no one member acts or speaks for the Board, and remember that final actions, made by majority vote in an official meeting, should be supported by all members;
7. Provide community insight to the Superintendent and evaluate the administration's responses to community expectations, work to adopt effective policies which give the administration authority commensurate to its responsibilities, demonstrate the support and respect due the District's skilled, professional employees and shun actions which could be interpreted as an attempt to run the schools through the administration;
8. Avoid even the appearance of conflicts of interest by never performing official acts or otherwise engaging in financial transactions with the school system which could benefit them, accepting gifts of substantial economic value which could be viewed as improper influence, or disclosing or using confidential information acquired in the course of official duties for personal gain.



LEGAL: PER HB 5, A NEW SECTION OF KRS 61 HAS BEEN CREATED ADDRESSING SAFETY AND SECURITY OF PERSONAL INFORMATION AND PROCESSES FOR DEALING WITH INFORMATION BREACHES.

FINANCIAL IMPLICATIONS: POSSIBLE INCREASED COST OF NOTIFICATION OF INDIVIDUALS IF A SECURITY BREACH OCCURS

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.61

### **Records Management**

#### **RECORDS OFFICER**

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

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

#### **SUPERINTENDENT'S RESPONSIBILITIES**

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

#### **RETENTION AND DISPOSAL OF RECORDS**

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

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

When there is a question whether a particular record or group of records should be destroyed, the state archives and records commission shall have exclusive authority to make this decision.<sup>5</sup>

#### **LITIGATION**

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

#### **INFORMATION SECURITY BREACH**

Information security breaches shall be handled in accordance with KRS 61.931, KRS 61.932, and KRS 61.933 including, but not limited to, investigations and notifications.

Within seventy-two (72) hours of the discovery or notification of a security breach, the District shall notify the Commissioner of the Kentucky State Police, the Auditor of Public Accounts, the Attorney General, and the Education Commissioner.



## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.61  
(CONTINUED)**Records Management****RETENTION OF RECORDINGS**

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

- Retain for a minimum period of one (1) week a master copy of any digital, video, or audio recordings of school activities without editing, altering, or destroying any portion of the recordings, although secondary copies of the master copy may be edited; and
- Retain for a minimum of one (1) month in an appropriate format, a master copy of any digital, video, or audio recordings of activities that include, or allegedly include, injury to students or school employees without editing, altering, or destroying any portion of the recordings.<sup>6</sup>

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

**REFERENCES:**

<sup>1</sup>725 KAR 1:010

<sup>2</sup>KRS 171.710

<sup>3</sup>KRS 171.720

<sup>4</sup>725 KAR 1:030; KRS 171.420; KRS 171.570

<sup>5</sup>KRS 171.670; KRS 171.410; KRS 171.660; 725 KAR 1:020

<sup>6</sup>KRS 160.705

KRS 61.931; KRS 61.932; KRS 61.933

702 KAR 1:025; 725 KAR 1:025

Records Retention Schedule, Public School District

**RELATED POLICIES:**

01.5; 04.81

accept

LEGAL: 702 KAR 1:115 HAS BEEN AMENDED TO REVISE THE ANNUAL TRAINING REQUIREMENTS FOR BOARD MEMBERS. HB 154 REVISES KRS 160.180 TO MAKE ADDITIONAL CHANGES TO ANNUAL TRAINING REQUIREMENTS BEGINNING JANUARY OF 2015.  
FINANCIAL IMPLICATIONS: POSSIBLE INCREASED COST OF PROVIDING TRAINING ON SPECIFIC TOPICS (SCHOOL FINANCE, ETHICS AND SUPERINTENDENT EVALUATION)

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.83

### In-Service Training

The annual in-service training requirements for all school board members in office as of December 31, 2014 shall include training on topics required by regulation that meet the minimum number of total training hours as follows:<sup>1</sup>

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1. Twelve (12) hours for school board members with zero (0) to three (3) years of experience (to include five hours on the following: three (3) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation);
2. Eight (8) hours for school board members with four (4) to seven (7) years of experience (to include four hours on the following: two (2) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation); and
3. Four (4) hours for school board members with eight (8) or more years of experience (to include three hours on the following: one (1) hour of finance and one (1) hour of ethics annually and, one (1) hour of superintendent evaluation biennially).

If a Board member obtains hours through any sources other than KSBA, they shall have local Board approval prior to participation in the training event and send a copy of the record (Board minutes) to KSBA.

For Board members who begin initial service on or after January 1, 2015, annual in-service training requirements shall be twelve (12) hours for Board members with zero to eight (0-8) years of experience and eight (8) hours for Board members with more than eight (8) years of experience. Required annual training hours shall include:

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1. Three (3) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation for members with zero (0) to three (3) years experience;
2. Two (2) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation for members with four (4) to seven (7) years experience; and
3. One (1) hour of finance, one (1) hour of ethics annually, and one (1) hour of superintendent evaluation biennially for members with eight (8) or more years experience.

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### **ORIENTATION OF NEW BOARD MEMBERS**

The Superintendent/designee and/or the Board Chair shall acquaint new Board members with their duties and obligations and furnish them with a copy of the Board's policy manual and/or access to the District's online manual and such other information and guidance materials as necessary to prepare them for service. Areas should include, but not be limited to, District budgeting, planning and student learning indicators. In addition, new Board members shall be provided assistance in locating training opportunities to help them meet statutory training requirements and to support them in learning their roles and responsibilities.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.83  
(CONTINUED)

**In-Service Training**

**REFERENCES:**

<sup>1</sup>KRS 160.180  
\_702 KAR 1:115  
\_OAG 85-53; OAG 85-145



**- CERTIFIED PERSONNEL -****Hiring****SUPERINTENDENT'S RESPONSIBILITIES**

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

When a vacancy occurs, the Superintendent shall notify the Chief State School Officer thirty (30) days before the position is to be filled.

When a vacancy needs to be filled in less than thirty (30) days to prevent disruption of necessary instructional or support services of the school District, the Superintendent may seek a waiver of the thirty (30)-day advance notice requirement from the Chief State School Officer. If the waiver is approved, the appointment shall not be made until the person selected by the Superintendent has been approved by the Chief State School Officer.

**EFFECTIVE DATE**

Personnel actions shall not be effective until the employee receives written notice of such action from the Superintendent. Certified employees may be appointed by the Superintendent for any school year at any time after February 1 preceding the beginning of the school year.

**QUALIFICATIONS**

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

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

All teachers of core academic subjects shall be "highly qualified," as defined by state and federal regulation.<sup>3</sup>

In filling positions, the District shall consider only those applicants who have not been terminated or nonrenewed for cause or removed from a position for cause as an employee of the District.

**CRIMINAL BACKGROUND CHECK AND TESTING**

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

As permitted by KRS 160.380, employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender.

Each application or renewal form provided applicants for a certified position shall conspicuously state the following: "FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AS A CONDITION OF EMPLOYMENT".<sup>1</sup>

## Hiring

### **JOB REGISTER**

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

### **VACANCIES POSTED**

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted through ~~PATS in the Central Office~~ *an online application system and available through the HCS website* for public viewing and shall refer interested persons to the Central Office job register for additional information. Postings of vacancies may be made with other agencies, as appropriate.

### **REVIEW OF APPLICATIONS**

Under procedures developed by the Superintendent, each application shall be reviewed and each applicant so notified upon initial application. Applications shall be retained for three (3) years and shall remain active for one (1) year.

### **RELATIONSHIPS**

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

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

### **CONTRACT**

All certified nontenured personnel, excluding substitute teachers, shall enter into written contracts with the District.

### **JOB DESCRIPTION**

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

### **INTENT**

Under procedures developed by the Superintendent, employees may be requested to indicate their availability for employment for the next school year.

### **REFERENCES:**

<sup>1</sup>KRS 160.380

<sup>2</sup>702 KAR 005:080

<sup>3</sup>KRS 161.011

<sup>4</sup>P. L. 107-110 (No Child Left Behind Act of 2001)

34 CFR 200.58-200.59; KRS 17.160, KRS 17.165; KRS 160.345; KRS 160.390

KRS 335B.020; KRS 405.435; OAG 91-10, OAG 91-149, OAG 91-206

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

Kentucky Local District Classification Plan; 785 KAR 001:110

Records Retention Schedule, Public School District

**RELATED POLICIES:** 01.11; 02.4244; 03.132

Adopted/Amended: 06/17/2010

Order #: 10097

## PERSONNEL

03.1231

**- CERTIFIED PERSONNEL -****Personal Leave****NUMBER OF DAYS**

Full-time certified employees shall be entitled to three (3) days of personal leave with pay each school year. Personal leave may be taken only in whole- or half-day increments.

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

Persons employed on a full-year contract but scheduled for less than a full workday shall receive the authorized personal leave days equivalent to their normal working day, provided the employee works enough hours in the position to be considered at least one-half time.

**APPROVAL**

The Superintendent or designee (employee's immediate supervisor) must approve the leave date and should be given a written notice of one (1) week (and not later than one (1) day), but no reasons shall be required for the leave.

Approval shall be contingent upon the availability of qualified substitute employees. Those employees making earliest application shall be given preference.

Employees on paid leave shall not be compensated for any duties, regular or extra service, during the paid leave period.

**LIMITED NUMBER**

No more than five percent (5%) of a school's certified employees may take personal leave on a given day. If requests exceed five percent (5%) on the school level, those making earliest application will be given preference.

When the certified staff of a school is less than twenty (5% equaling one employee), one (1) person will be allowed personal leave on any one day.

**PROHIBITION**

Personal leave shall not be taken on the day before a holiday or calendar break, or on the first day following a holiday or calendar break, or taken during the first or last week of the school year without the written approval of the Superintendent.

**OPTIONS**

1. Personal leave days not taken during the school year shall not accumulate as personal leave days. On July 1 of each year, unused personal leave from the previous year will automatically be converted to sick leave unless a written request to do otherwise is received from the employee.
2. At the end of each fiscal year, the employee may exercise the option to be compensated at the rate of seventy-five dollars (\$75.00) for each unused personal leave day. Excluded from the seventy-five-dollar (\$75.00)-option are all Central Office staff, administrators, and counselors.
3. Unused personal leave will not be paid upon layoff, resignation, or termination. The exception will be made for an employee who completes the regular school year and chooses one of the two options above.



**Personal Leave**

**AFFIDAVIT**

Employees taking personal leave must file a personal affidavit ~~on their return to work~~ stating that the leave was personal in nature.

**REFERENCES:**

KRS 161.154; OAG 77-115

**RELATED POLICY:**

03.1232

Adopted/Amended: 06/21/2012  
Order #: 10288

## PERSONNEL

03.1312

**- CERTIFIED PERSONNEL -****Promotion**

The promotion of certified personnel shall be made by the Superintendent, who at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

The Superintendent shall not promote a personal relative or the relative of a Board member who continues employment in the District under the provisions of KRS 160.380.

The promotion of personnel shall be based on qualifications, success in past assignments, and potential for success in the new position.

**VACANCIES**

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

All vacancies shall be posted through ~~PATS in the Central Office~~ and in the schools and updated weekly or as the need occurs. Vacancies shall be advertised with the Kentucky Department of Education.

**REFERENCES:**KRS 160.380OAG 76-360OAG 91-149OAG 92-1**RELATED POLICY:**

02.4244

Adopted/Amended: 03/15/2007

Order #: 9612

Local

PERSONNEL

03.1327

- CERTIFIED PERSONNEL -

### Use of Tobacco

#### USE OF TOBACCO PROHIBITED

The use of any tobacco product is prohibited in any board-owned vehicle or building and/or grounds (to include seating areas of all outdoor arenas/stadiums) owned or operated by the Board. The use of any tobacco product is prohibited in the presence of students during school hours or in the presence of students while performing services for the District. The use of tobacco products on Board-owned property is permitted only in privately owned vehicles.

#### REFERENCES:

KRS 438.050

OAG 81-295

OAG 91-137

KRS 160.290

KRS 160.340

P. L. 107-110 (No Child Left Behind Act of 2001)

#### RELATED POLICY:

09.4232

Adopted/Amended: 06/21/2012

Order #: 10288



**- CERTIFIED PERSONNEL -****Hours of Duty****REGULAR HOURS**

Certified employees shall be prompt in attendance and shall remain on duty as specified by policy or their immediate supervisor.

No certified employee shall leave his/her job assignment during duty hours without the express approval of his/her immediate supervisor.

The normal duty hours of nonadministrative employees shall be 7.5 consecutive hours in length, including a duty-free lunch of a minimum of twenty (20) minutes.

The normal duty hours of administrative employees shall be 8.5 consecutive hours in length, including a one-hour duty-free, or 8 hours with a one-half hour duty-free lunch.

***Administrative*** means an employee who receives an administrative increment.

Paid additional and extracurricular assignments shall not count toward normal workday hours.

**ADDITIONAL HOURS**

Certified employees may be required to perform additional duties as directed by school policy or assigned by their immediate supervisor.

**INCLEMENT WEATHER**

When weather conditions require the alteration of normal school or District operations, the following guidelines are to be followed when scheduling the work hours of employees.

1. When schools are closed for an entire day, all twelve (12)-month employees are to report for work at their regularly scheduled time unless otherwise instructed. Said employees who do not report for work must use annual leave or personal leave in order to be paid for the day.
2. When schools are closed early due to a sudden change in weather conditions, all employees are to remain at work unless otherwise specifically instructed by their supervisor upon approval of the Superintendent or designee.
3. When schools are opened on a ~~one (1) hour~~ delay, employees are expected to report to work at the regular time.

**REFERENCES:**

KRS 160.290 (2), KRS 158.060, OAG 77-718, OAG 65-179, OAG 55-37, 675

**RELATED POLICY:**

03.121

Adopted/Amended: 06/17/2010

Order #: 10097

## **Harassment/Discrimination**

### **DEFINITION**

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

### **PROHIBITIONS**

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

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

### **DISCIPLINARY ACTIONS**

Persons engaging in discrimination or harassment of a student or employee in the Hardin County School System on the basis of any of the areas mentioned above shall be subject to disciplinary action including, but not limited to, termination of employment.

### **GUIDELINES**

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

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

The Superintendent shall provide for the following:

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

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

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

2. A process to identify and implement, within ~~five (5)~~ <sup>three (3) school</sup> working days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all staff, which may include, but not be limited to, the following:
- written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets;
  - postings in the same location as are documents that must be posted according to state/federal law; and/or
  - such other measures as determined by the Superintendent/designee.
- Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy.
4. Annual training explaining prohibited behaviors and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

**PROHIBITED CONDUCT**

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

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve individuals with disabilities in antisocial, dangerous or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.



**Harassment/Discrimination****CONFIDENTIALITY**

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

**APPEAL**

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the Superintendent, *or Civil Rights Compliance Officer (HRS Harassment/Discrimination Complaint Procedure).*

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

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

**NONRETALIATION**

No one shall retaliate against any person because s/he has submitted a grievance, assisted or participated in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

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

**OTHER CLAIMS**

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

**REFERENCES:**

<sup>1</sup>KRS 158.156

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

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

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

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

**RELATED POLICIES:**

03.113, 03.1325, 03.16, 09.2211, 09.422, 09.42811

Adopted/Amended: 06/21/2012  
Order #: 10288

accept

LEGAL: THESE CHANGES ARE NEEDED TO REFLECT REVISIONS TO 704 KAR 3:035 ADDRESSING PROFESSIONAL DEVELOPMENT REQUIREMENTS.  
FINANCIAL IMPACT: NONE ANTICIPATED

PERSONNEL

03.19

- CERTIFIED PERSONNEL -

### **Professional Development**

#### **PROGRAM TO BE PROVIDED**

The Board shall provide an efficient, systematic and high-quality professional development (PD) program that meets the goals established in KRS 158.6451 and in the local needs assessment. At the direction of the Superintendent or designee and in conjunction with each school, the PD coordinator shall facilitate the development and implementation of this program for all certified employees. Programs may also include classified staff and parent members of school councils and committees. Twenty-four (24) hours of professional development must be completed between June 1 and May 15 of the academic year.

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

#### **DISTRICT-WIDE PLAN**

The program shall be based on a Board-approved PD plan for the District, which is designed:

1. to help achieve student capacities established by KRS 158.645 and goals established by KRS 158.6451;
2. to support the District's mission, goals, and assessed needs; and
3. to increase teachers' understanding of curriculum content and methods of instruction appropriate for each content area based on individual school plans.

The PD plan shall reflect individual needs of schools and be aligned with the school/District improvement plan and teacher growth plans.

#### **SCHOOL RESPONSIBILITIES**

Each school shall plan high-quality professional development experiences with the PD coordinator and, when appropriate, with other schools to maximize training opportunities.

#### **DOCUMENTATION**

The school/District PD plan shall include the method for evaluating each professional development experience for its impact on student learning and using evaluation results to for improving professional development initiatives learning.

Documentation of completed professional development experiences, including a written evaluation, shall be required. Individuals are to sign the required documents relating to PD and file them in a timely fashion with their Principal, supervisor, or the professional development director, as appropriate. This includes the timely signing of payrolls that reflect the professional development days.

Failure to complete and document the required hours of professional development by May 15 of the academic year shall result in a reduction in salary and may be reflected in the employee's evaluation.

PERSONNEL

03.19  
(CONTINUED)

**Professional Development**

**DOCUMENTATION (CONTINUED)**

Professional development credit shall not be granted on a regular school day with the exception of hours attended after regular school hours.

When the District declares a District-wide PD day, it is mandatory for all certified employees. No other PD activities/hours may be substituted. No personal leave or annual leave may be used on that day (emergency situations must be approved by the Superintendent).

**REFERENCES:**

704 KAR 3:035, 704 KAR 3:325

KRS 156.095, KRS 156.553, KRS 158.070, [KRS 158.645](#), [KRS 158.6451](#)

KRS 160.345

**RELATED POLICY:**

09.22

**- CLASSIFIED PERSONNEL -**

**Hiring**

**SUPERINTENDENT'S RESPONSIBILITIES**

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

**EFFECTIVE DATE**

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

When a classified vacancy occurs, the position shall be posted for ten (10) days. When a classified vacancy needs to be filled in less than ten (10) days to prevent disruption of instruction, the hiring authority may request an exception through the Superintendent.

**QUALIFICATIONS**

The Superintendent shall employ only individuals who possess qualifications established by law, regulation, and Board policy except in the case where no individual applies who meets established qualifications.

In filling positions, the District shall consider only those applicants who have not been terminated or nonrenewed for cause or removed from a position for cause as an employee of the District.

**EDUCATIONAL REQUIREMENTS**

No person shall be initially hired unless s/he holds at least a high school diploma or high school certificate of completion or GED certificate. Employees must provide this documentation within thirty (30) days of their hire date. Employees shall hold the qualifications for the position as established by the Commissioner of Education.<sup>3</sup>

All paraprofessionals shall satisfy educational requirements specified by federal law.<sup>4</sup>

**CRIMINAL BACKGROUND CHECK AND TESTING**

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

Each application or renewal form provided applicants for a classified position shall conspicuously state the following: "FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A STATE HISTORY BACKGROUND CHECK AS A CONDITION OF EMPLOYMENT. UNDER CERTAIN CIRCUMSTANCES, A NATIONAL CRIMINAL HISTORY BACKGROUND CHECK MAY BE REQUIRED AS A CONDITION OF EMPLOYMENT."<sup>1</sup>

As permitted by KRS 160.380, employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender.



## **Hiring**

### **JOB REGISTER**

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

### **JOB VACANCY POSTING**

When a vacancy occurs in an approved position, the Principal or supervisor will notify Human Resources to open the position for posting through the online application system,. Letters of resignation should be forwarded to Human Resources before a position is opened for posting.

### **VACANCIES POSTED**

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted through the online application system, in the Central Office and in each school building on a timely basis and shall refer interested persons to the Central Office job register for additional information. Postings of vacancies may be made with other agencies, as appropriate.

### **REVIEW OF APPLICATIONS**

Under procedures developed by the Superintendent, each application shall be reviewed and each applicant so notified. Applications shall be retained for three (3) years and shall remain active for one (1) year.

### **EMPLOYMENT DECISIONS**

Employees shall not comment on employment decisions except to name the successful candidate. The Principal shall also notify all candidates who were interviewed but not selected for a position.

### **RECOMMENDATION TO HIRE**

The Principal shall recommend the applicant through the online application system, to Human Resources. No employee shall report to work until the hiring process is completed in Human Resources.

### **RELATIONSHIPS**

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

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

### **CONTRACT**

All regular full-time and part-time classified personnel shall enter into annual written contracts with the District.

## **Hiring**

### **EMERGENCY HIRING**

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

### **JOB DESCRIPTION**

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

### **INTENT OF EMPLOYMENT**

Under procedures developed by the Superintendent, employees may be requested to indicate their availability for employment for the next school year.

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

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

~~Classified employees assigned extra duties such as coaching shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.~~

### **REFERENCES:**

<sup>1</sup>KRS 160.380

<sup>2</sup>702 KAR 005:080

<sup>3</sup>KRS 161.011

<sup>4</sup>P. L. 107-110 (No Child Left Behind Act of 2001)

34 CFR 200.58-200.59

KRS 17.160, KRS 17.165; KRS 156.070; KRS 160.345; KRS 160.390

KRS 335B.020; KRS 405.435

OAG 91-10, OAG 91-149, OAG 91-206

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

Kentucky Local District Classification Plan; 785 KAR 001:110

Records Retention Schedule, Public School District

### **RELATED POLICIES:**

01.11, 02.4244, 03.232, 03.5, 06.221

Adopted/Amended: 06/21/2012

Order #: 10288

Local

PERSONNEL

03.22 AP.1

- CLASSIFIED PERSONNEL -

### **Benefits Procedures**

#### **CHANGE IN EMPLOYMENT STATUS**

Upon termination, the former employee has some options for continued coverage under the State's group health benefits program. For continuation of coverage, the former employee must contact the Human Resources/benefits department within sixty (60) days of the termination date.

A former employee must notify the State life insurance carrier if coverage is to continue more than thirty-one (31) days from the date of separation from employment. The action necessary to obtain continuous coverage is the employee's responsibility. The required form for the action follows:

#### **LIFE INSURANCE COVERAGE**

TO: PERSONNEL LEAVING THE HARDIN COUNTY SCHOOL SYSTEM

FROM: SUPERINTENDENT OF HARDIN COUNTY SCHOOLS

Your status as an employee of the Hardin County Board of Education will change as far as eligibility for life insurance benefits are concerned on the last day that you work. Your status change is checked below to allow you the opportunity to continue life insurance coverage if you wish to do so. **THE ACTION NECESSARY TO OBTAIN CONTINUOUS COVERAGE IS YOUR RESPONSIBILITY.**

☐ **RETIRED, RESIGNED, OR DISMISSED** - Your life insurance will automatically terminate on the ~~first~~<sup>last</sup> day of the ~~second~~ month ~~which follows the month~~ you last worked as a full-time eligible employee. You may convert your group coverage to individual coverage by making arrangements to pay premiums directly with the state sponsored life insurance. This action must be taken by you within thirty-one (31) days after the termination of your insurance.

☐ **APPROVED LEAVE WITHOUT PAY BECAUSE OF PERSONAL ILLNESS (INCLUDING PREGNANCY) OR INJURY** - Your life insurance coverage will automatically terminate on the ~~first~~<sup>last</sup> day of the ~~second~~ month ~~which follows the month~~ you last worked as a full-time eligible employee. (Leave with pay may be counted as days worked.) You may continue your present coverage at state rates for a maximum period of one (1) year or to age seventy (70), whichever is earlier. Insurance will not be counted unless you make timely payments of the required premium for the insurance. You may make arrangements to pay premiums directly with the state sponsored life insurance. This action must be taken by you within thirty-one (31) days after the termination of your insurance.

If you have any questions concerning your status change or the continuation of your life insurance coverage, please contact the **Hardin County Board of Education at 769-8813.**

Review/Revised:6/17/10

Local

## PERSONNEL

03.221

### - CLASSIFIED PERSONNEL -

#### Salaries

##### **HOURLY OR SALARY BASIS**

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

##### **WORK DAY/WORK WEEK**

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

##### **DETERMINATION OF EXPERIENCE**

The experience of classified personnel shall be determined at time of hire. Upon initial employment, the Superintendent may grant up to five (5) years for pay purposes when a person's specific work experience is determined to be of such importance as to make them the best-qualified candidate for the position. Classified personnel may receive up to two (2) years experience credit for active military service. The six-month training requirement for National Guard and Reserve service will not qualify an employee for the experience credit.

##### **TRANSFER OF EXPERIENCE CREDIT**

When a certified employee transfers to a classified position or when a former certified employee returns to work as a classified employee, the employee shall receive up to five (5) years of experience credit for salary purposes on the classified salary schedule with verification of the prior experience.

##### **QUALIFICATIONS**

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

##### **LIST OF SALARIES**

The Board shall maintain for public scrutiny a factual list of individual salaries of its employees for the fiscal year just closed and shall furnish that list by mail to a newspaper qualified under KRS 424.120 to publish advertisements for the District.

##### **PAYROLL DISTRIBUTION**

Payments will be issued monthly (twelve [12] times annually) through Direct Deposit only. New employees may be issued thirteen (13) payments the first year of employment. Payments will be issued on the 28<sup>th</sup> of each month unless the 28<sup>th</sup> falls on a Saturday, Sunday, or holiday; in which case the payment will be made on the preceding day.

The Board shall make all deferred salary payments on or before June 30 of the current fiscal year, and these deferred payments shall then be directly deposited at the regular pay periods in June, July and August, except that at the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary prior to the end of the fiscal year.

##### **PAYROLL DEDUCTION**

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



**Salaries****NUMBER OF HOURS**

No employee may work for more than forty (40) hours per week unless it has been cleared by the employee's supervisor(s) and the Finance/Personnel Offices. If an employee works in more than one area (e.g., instructional assistant and bus driver), the total amount of work time cannot exceed forty (40) hours per week unless approved by the Finance/Personnel Offices.

**TIME RECORDS**

All classified employees working in a non-exempt position must maintain accurate time records. Those time records may be in written form or by time clock. When reporting to work, the employee must not sign in or clock in until they begin the duties of the position. When leaving work at the end of a work day, the employee must sign out or clock out. All times entered must reflect the accurate time to the minute. Approximate times are not acceptable.

**OVERTIME**

Overtime work shall be approved in advance by the Superintendent or designee.

Employees required to work in excess of forty (40) hours per week will be paid at the rate of 1½ times the regular rate for all hours beyond 40 as provided by the Fair Labor Standards Act for overtime work. Employees required to work in excess of forty (40) hours per week on days when schools and offices are closed as designated in Board policy 03.222 shall be paid at the rate of 1½ times the regular rate for all hours beyond 40 as provided by the Fair Labor Standards Act for overtime work. Twelve-month classified employees required to work on holidays as designated in Board policy 03.222 shall be paid double time.

Employees who are required to work in excess of their regularly scheduled number of hours short of overtime (40 hours per week) shall be compensated for the extra hours at their scheduled straight-time hourly rate.

**EXTRA SERVICE**

Classified personnel may receive extra-service pay for duties connected with handling and accounting for funds at activities scheduled outside the regular school day, provided the rate of pay does not exceed the hourly rate approved by the Board for their regular assignments. Any payment made to an employee must be processed through the payroll process.

**EXCEPTION**

A compensation error/adjustment that needs to be corrected shall be adjusted within the fiscal year that the discovery of such is made. Errors identified in previous fiscal years may be corrected if the employee had submitted the necessary paperwork within three (3) months of start date.

**Salaries****EXTENDED EMPLOYMENT**

The Principal/Supervisor shall work with the employee to establish an extended employment work plan. The plan shall be filed annually with Human Resources.

Employees whose positions include 1– 45 extended days must work the days and submit documentation to Human Resources by June 23 unless an exception is designated on the extended employment work plan that is approved by the Principal/Supervisor.

All employees who are requesting to be paid all salary owed prior to the end of the fiscal year, as provided in KRS 160.291, must work all extended days and submit documentation to Human Resources by June 23.

Sick and/or personal leave cannot be used for an extended day unless the day is designated on the extended employment work plan that is submitted to Human Resources.

Extended employment days may be worked only in whole- or half-day increments. Extended employment days cannot be worked on a Saturday or Sunday. A rare exception may be granted if approval is made in advance by the employee's Immediate Supervisor and Human Resources.

Addition of days to be worked beyond the original contract or additional days of extended employment for a position require prior Board approval before the change goes into effect. *Extended days cannot be worked on a regular work day.*

**CLASSIFIED SUBSTITUTES**

Classified substitutes will be paid at Step A of the level of the position for which they are substituting.

**WORK EXPERIENCE CREDIT**

A full-time employee will receive credit for one (1) year of experience each year s/he works one hundred forty (140) days or more between July 1 and June 30.

**RETIRED RE-EMPLOYMENT**

Employees who retire and return to work in the District shall be paid at "step A" of the level of the position for which they are hired.

**REFERENCES:**

KRS 78.615; KRS 160.291; KRS 161.011

KRS 337.285; KRS 424.120; KRS 424.220

803 KAR 001:060; 803 KAR 001:070

Fair Labor Standards Act

Garcia v. San Antonio Metropolitan Transit Authority, 105 S. Ct. 1005 (1985)

**RELATED POLICY:**

03.2211

Adopted/Amended: 06/20/2013

Order #: 10351

**- CLASSIFIED PERSONNEL -****Personal Leave****NUMBER OF DAYS**

Full-time classified employees shall be entitled to three (3) days of personal leave with pay each school year. Personal leave may be taken only in whole- or half-day increments.

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

Persons employed on a full-year contract but scheduled for less than a full workday shall receive the authorized personal leave days equivalent to their normal working day, provided the employee works enough hours in the position to be considered at least one-half time.

**APPROVAL**

The Superintendent or designee (employee's immediate supervisor) must approve the leave date and should be given a written notice of one (1) week (and not less than one (1) day), but no reasons shall be required for the leave. The administration reserves the right to deny personal leave on a particular date if such leave would affect the normal operations of the school.

Employees on paid leave shall not be compensated for any duties, regular or extra services, during the paid leave period.

**LIMITED NUMBER**

No more than five percent (5%) of a school's classified employees may take personal leave on a given day. If requests exceed five percent (5%), those making earliest application will be given preference.

**PROHIBITION**

Personal leave shall not be taken on the day before a holiday or calendar break, or on the first day following a holiday or calendar break, or taken during the first or last week of the school year without the written approval of the Superintendent.

**OPTIONS**

1. Personal leave days not taken during the school year shall not accumulate as personal leave days. On July 1 of each year, unused personal leave from the previous year will automatically be converted to sick leave unless a written request to do otherwise is received from the employee.
2. At the end of each fiscal year, the employee may exercise the option to be compensated at the rate of thirty dollars (\$30.00) or the daily rate, whichever is less. Excluded from the thirty-dollar (\$30.00)-option are all twelve (12)-month employees and administrators.
3. Unused personal leave will not be paid upon layoff, resignation, or termination. The exception will be made for an employee who completes the regular school year and chooses one of the two options above.

**Personal Leave**

**AFFIDAVIT**

Employees taking personal leave must file a personal affidavit ~~on their return to work~~ stating that the leave was personal in nature.

**REFERENCE:**

OAG 77-115

**RELATED POLICY:**

03.2232

Adopted/Amended: 06/21/2012

Order #: 10288



PERSONNEL

03.2311

**- CLASSIFIED PERSONNEL -****Transfer**

The transfer of classified personnel shall be made by the Superintendent who, at the first meeting following the transfer, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

~~Employees who work directly with students will not be allowed to laterally transfer between schools once the employees have met with students at the local school site. Lateral means a position of the same salary. Transfer requests for positions which would be a salary change of status will be considered.~~

**TRANSFER OF EMPLOYEES CHARGED WITH A FELONY**

Notwithstanding any other policy provision, the Superintendent may transfer an employee charged with a felony offense as permitted under KRS 160.380.

**REFERENCE:**KRS 160.380KRS 160.390OAG 92-135OAG 92-1

Adopted/Amended: 06/22/2006

Order #: 9528

PERSONNEL

03.2327

**- CLASSIFIED PERSONNEL -****Use of Tobacco****USE OF TOBACCO PROHIBITED**

The use of any tobacco product is prohibited in any board-owned vehicle or building and/or grounds (to include seating areas of all outdoor arenas/stadiums) owned or operated by the Board. The use of any tobacco product is prohibited in the presence of students during school hours or in the presence of students while performing services for the District. The use of tobacco products on Board-owned property is permitted only in privately owned vehicles.

**REFERENCES:**KRS 438.050OAG 81-295OAG 91-137KRS 160.290KRS 160.340

P. L. 107-110 (No Child Left Behind Act of 2001)

alternative nicotine product or vapor product as defined by KRS 438.305

**RELATED POLICY:**

09.4232

Adopted/Amended: 06/21/2012

Order #: 10288

**- CLASSIFIED PERSONNEL -****Hours of Duty****WORK SCHEDULE**

Classified employees shall be prompt in attendance and shall remain on duty as specified in their work schedule.

The work schedule for all classified personnel shall be specified by position in Board policy and shall be compatible with job requirements and applicable governmental regulations.

No classified employee shall leave his/her job assignment during duty hours without the express approval of his/her immediate supervisor.

No supervisor shall require any classified employee to work without a rest period of at least ten (10) minutes during each four (4) hours worked. It is not necessary to schedule rest periods when employees are allowed to take breaks as needed.

The regularly scheduled lunch period should not be considered a "work period."

Employees will not be paid for work (regular or overtime) performed at home unless approved in advance by the Superintendent.

**MEETINGS**

Employees shall attend meetings called by the Superintendent, building Principals, supervisors, or their designees. Absence from staff meetings must have approval of the administrator who called the meeting.

**INCLEMENT WEATHER**

When weather conditions require the alteration of normal school or District operations, the following guidelines are to be followed when scheduling the work hours of employees.

1. When schools are closed for an entire day, all twelve (12)-month employees are to report for work at their regularly scheduled time unless otherwise instructed. Said employees who do not report for work must use annual leave or personal leave in order to be paid for the day.
2. When schools are closed early due to a sudden change in weather conditions, all employees are to remain at work unless otherwise specifically instructed by their supervisor upon approval of the Superintendent or designee.
3. When schools are opened on a ~~one (1) hour~~ delay, all employees are expected to report to work at the regular time.

**REFERENCE:**

KRS 160.290 (2)

Adopted/Amended: 06/17/2010

Order #: 10097

- CLASSIFIED PERSONNEL -

### Harassment/Discrimination Definition

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

#### PROHIBITIONS

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

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

#### DISCIPLINARY ACTION

Persons engaging in discrimination or harassment of a student or employee in the Hardin County School System on the basis of any of the areas mentioned above shall be subject to disciplinary action including, but not limited to, termination of employment.

#### GUIDELINES

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

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

The Superintendent shall provide for the following:

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

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



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

2. A process to identify and implement, within ~~five (5)~~ <sup>three (3) school</sup> working days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all staff, which may include, but not be limited to, the following:
- written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets;
  - postings in the same location as are documents that must be posted according to state/federal law; and/or
  - such other measures as determined by the Superintendent/designee.
- Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy.
4. Annual training explaining prohibited behaviors and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

**PROHIBITED CONDUCT**

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

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve individuals with disabilities in antisocial, dangerous or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

**CONFIDENTIALITY**

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

**Harassment/Discrimination****APPEAL**

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

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

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

**NONRETALIATION**

No one shall retaliate against any person because s/he has submitted a grievance, assisted or participated in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

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

**OTHER CLAIMS**

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

**REFERENCES:**

<sup>1</sup>KRS 158.156

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

29 C.F.R. 1604, 11, Equal Employment Opportunity Commission (EEOC) Regulations  
Implementing Title VII

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

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

Genetic Information Nondiscrimination Act of 2008

**RELATED POLICIES:**

03.212, 03.2325, 03.26, 09.2211, 09.422, 09.42811

Adopted/Amended: 06/21/2012

Order #: 10288

**Substitute and Temporary Employees****DEFINITION—SUBSTITUTE EMPLOYEE**

Substitute employees are those who are hired when a full-time or part-time employee is absent from duty.

**QUALIFICATIONS**

All substitute employees shall meet criminal records check and medical examination requirements as specified in Policies 03.11 and 03.111. In addition, substitutes serving in a position on a long-term/extended basis must meet all certification requirements established by the Education Professional Standards Board.

**SUBSTITUTE LIST**

The Superintendent or designee shall maintain a list of qualified substitute teachers.

**RETIRED TEACHERS**

Retired teachers may be re-employed as a part-time, temporary, or substitute teacher in keeping with the requirements of the Kentucky Teachers' Retirement System.

**LENGTH OF DUTY**

Substitute teachers shall observe the same hours of duty as the regular teacher.

Substitute teachers shall follow daily lesson plans as outlined by the regular teacher and leave a written record of the work completed during their length of duty.

**EMPLOYMENT NOTIFICATION**

Each year, substitute teachers on the District's substitute list shall be notified in writing by the last day of school if they have reasonable assurance of continued employment for the following school year.

Nonrenewal of substitute teachers on limited contracts shall be made in compliance with the requirements of KRS 161.750.

**DEFINITION—TEMPORARY EMPLOYEE**

Temporary employees are hired to perform a particular service. Upon completion of the particular service to be rendered, a temporary assignment ceases with no obligation of continued employment. Temporary employees shall not be eligible for benefits.

All requests for temporary employees must be submitted in writing to the Director of Employment. The request should provide an explanation of the duties to be performed by the temporary, the length of employment, and the start date of employment. The Superintendent approves all temporary requests for employees based on a recommendation from Human Resources.

**WORK CYCLE**

The work cycle of temporary employees is limited to ninety (90) work days.

An extension of the ninety (90)-day work cycle may be approved for a period of time not to exceed a total of twelve (12) months [including the ninety (90)-day period] and is granted in thirty (30)-day increments.

Extension of the work cycle beyond twelve (12) months is specifically prohibited.

**Substitute and Temporary Employees**

**~~TEMPORARY EMPLOYEE BENEFITS~~**

~~With the exception of workers' compensation and unemployment insurance, employee benefits are not applicable to personnel employed in temporary positions.~~

**REFERENCES:**

KRS 17.160; KRS 17.165; KRS 156.106; KRS 161.605; KRS 161.611  
016 KAR 002:030; 016 KAR 002:120; 102 KAR 001:030; 702 KAR 001:035; 702 KAR  
003:075  
OAG 69-296

**RELATED POLICIES:**

03.11  
03.111  
03.1211

Adopted/Amended: 06/16/2011  
Order #: 10208

Local

**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 <sup>✓ or standard invoice</sup> 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; for example, by way of a signed standard invoice.

**BOARD MINUTES**

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

**APPROVAL**

The treasurer shall receive a signed warrant or “Orders of the Treasurer” as appropriate, or approved equivalent, properly executed, including signatures of the chairperson and secretary of the Board, before issuing checks.

**SUBSEQUENT APPROVAL**

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

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

**REFERENCES:**

KRS 160.290; KRS 160.340

KRS 160.370; KRS 160.560

OAG 79-321; 702 KAR 003:120

Accounting Procedures for Kentucky School Activity Funds

Adopted/Amended: 06/20/2013

Order #: 10351



Accept

LEGAL: EMPLOYEES IN DISTRICTS THAT HAVE ADOPTED THE MODEL PROCUREMENT CODE ARE ACCOUNTABLE FOR COMPLYING WITH THE ETHICAL STANDARDS SET OUT IN KRS 45A.455.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.32

### **Bidding**

#### **AUTHORITY**

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

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

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

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

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

#### **ETHICAL STANDARDS**

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

#### **PREFERENCE FOR RESIDENT BIDDERS**

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

#### **EXEMPTIONS**

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

#### **PRICE REDUCTIONS**

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

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**Bidding****SMALL PURCHASES**

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

**BACKGROUND CHECK FOR CONTRACTORS**

The Superintendent shall require that a contractor submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation in keeping with KRS 160.380. This provision shall become part of the contractual obligation of the contractor and shall be reflected in the bid specifications, or, if the contract is not subject to bid requirements, in the negotiations with the contractor.

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

**REFERENCES:**

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

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

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

<sup>4</sup>KRS 156.076

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

<sup>6</sup>KRS 160.380

<sup>7</sup>7 CFR 210.21 and 7 CFR 3016.36

KRS 45A.345; KRS 45A.360; KRS 45A.365; KRS 45A.370

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

OAG 79-501, OAG 82-170, OAG 82-407

Kentucky Educational Technology Systems (KETS)

**RELATED POLICIES:**

05.6, 06.4, 07.13

## Audits

### **BOARD ACCOUNTS**

The Superintendent shall recommend for Board approval a CPA firm to conduct annual audits of all accounts under the jurisdiction of the Board. Before any audit is initiated, the Superintendent shall secure the necessary approval from the appropriate state agencies. The Superintendent shall be responsible for the distribution of copies of each audit to members of the Board and appropriate state agencies. The Board shall see that actions are taken to respond to significant deficiencies and material weaknesses identified in the audit report.

All audits shall be conducted in compliance with requirements for local school districts established by the State Committee for School District Audits.

### **INTERNAL**

~~Activity fund accounts shall be audited annually by a certified public accountant. Other internal accounts shall be audited annually by a certified public accountant or by a committee selected by the Board and approved by the Division of School Management and Audit, Department of Education.<sup>1</sup>~~

### **OTHER AUDITS**

~~An independent financial audit shall be made of appropriate accounts when selected personnel are replaced, including but not limited to, office managers and principals. The audit shall be made on all accounts for which the person was accountable and may be a cash or a complete audit.~~

### **REFERENCES:**

<sup>1</sup>702 KAR 003:130

KRS 156.255; KRS 156.265

KRS 156.275; KRS 156.285

KRS 160.290

702 KAR 003:150; OAG 61-407

Governmental Accounting Standards Board, Statement on Auditing Standards (SAS) No. 112

Adopted/Amended: 06/19/2008

Order #: 9796

accept

LEGAL: HB 154 REQUIRES THAT THE FINANCE OFFICER PRESENT DETAILED FINANCIAL REPORTS TO THE BOARD AND THAT SUCH REPORTS BE POSTED ON THE DISTRICT WEBSITE FOR SPECIFIED PERIODS OF TIME AS REQUIRED BY LAW.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.91

### **Financial Statements**

The Superintendent shall cause financial statements to be produced and reported in accordance with KRS 424.220 or applicable State provisions.

The finance officer shall present a detailed monthly financial report for Board approval to include the previous month's revenues and expenditures of the District. Financial reports shall be posted on the District website as required by law.

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#### **REFERENCES:**

KRS 160.431

KRS 160.463

KRS 424.220

Governmental Accounting Standards Board

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LEGAL: 702 KAR 4:160 HAS BEEN REVISED TO DETAIL THE CAPITAL CONSTRUCTION PROCESS. THIS POLICY LETS THE USER KNOW THAT CHANGES HAVE BEEN MADE AND THAT THEY MUST BE FOLLOWED.

FINANCIAL IMPLICATION: NONE ANTICIPATED

## SCHOOL FACILITIES

05.1

### Construction

#### ADVICE SOUGHT

When the Board engages in a major construction project, it will seek the advice of employees and citizens (potential and projected users) of the school District, as appropriate, in determining the scope and educational specifications of the construction project.

#### FACILITIES PLAN

In compliance with applicable statutes and administrative regulations, the Local Planning Committee shall prepare a school facilities plan for approval by the Board.<sup>1</sup>

#### CONSTRUCTION OVERSIGHT

Construction projects shall be undertaken and conducted in compliance with standards set forth in applicable statutes and regulations, including, but not limited to, rules covering the capital construction process.<sup>1</sup>

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#### REFERENCES:

<sup>1</sup>702 KAR 4:160, *Kentucky School Facilities Planning Manual*

KRS 157.615; KRS 157.620; KRS 157.622; KRS 158.447

KRS 162.060; KRS 162.070; KRS 162.080; KRS 162.090

KRS 162.100; KRS 162.120; KRS 162.160

KRS 162.290; KRS 162.300; KRS 322.360

KRS 424.260; KRS Chapter 45A

702 KAR 4:005; 702 KAR 4:050

702 KAR 4:100; ~~702 KAR 4:160~~ 702 KAR 4:170; 702 KAR 4:180

750 KAR 1:010

Kentucky School Facilities Planning Manual



accept

RECOMMENDED: THIS CHANGE WILL CLARIFY THAT MEAL PRICES AND CONFIDENTIALITY APPLY WHETHER THE DISTRICT IS USING THE COMMUNITY ELIGIBILITY PROVISION (CEP) OR THE FREE AND REDUCED PRICE MEAL PROGRAM.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

#### SCHOOL NUTRITION

07.11

##### Free and Reduced-Price MealsMeal Pricing

The Superintendent/designee shall annually submit, for Board review, administrative regulations governing the price of all meals and, in keeping with state and federal requirements, implement a process to protect the confidentiality of information concerning students ~~eligibility for free and reduced-price meals as required by law.~~

Only District employees and contractors designated by the Superintendent/designee and representatives of agencies directly connected with the administration or enforcement of the District's School Nutrition Program shall have access to individual student eligibility information without parental consent. A list of designated District employees and contractors by position shall be maintained at the school and in the Central Office. ~~Detailed guidelines may be found in the Disclosure Agreement for Free and Reduced Price Information located in the Central Office.~~

#### REFERENCES:

KRS 160.290  
702 KAR 6:010  
702 KAR 6:050  
7 C.F.R. §245.6; 7 C.F.R. 210.18(q)  
20 U.S.C. 1232g, 34 C.F.R. 99.1 – 99.67  
402 U.S.C. §1751 et seq.  
402 U.S.C. Section 1771 et seq.

#### RELATED POLICY:

09.14

accept

LEGAL: CHANGES TO 7 CFR PARTS 210 AND 220 HAVE REDEFINED "COMPETITIVE FOOD", "SCHOOL DAY", "SCHOOL CAMPUS", AND WHAT QUALIFIES AS A "SCHOOL-DAY-APPROVED BEVERAGE". THESE POLICY REVISIONS REFLECT THOSE CHANGES MADE TO THE INTERIM FINAL RULE AND WHICH GO INTO EFFECT JULY 1, 2014.

FINANCIAL IMPLICATIONS: POSSIBLE LOSS OF REVENUE FROM SALE OF COMPETITIVE FOODS

SCHOOL NUTRITION

07.111

### **Competitive Foods**

#### **MINIMAL NUTRITIONAL VALUE**

The sale or service of competitive food or beverages to students during the school day shall be in compliance with current federal and state regulations.

#### **DEFINITIONS**

"Competitive Food" shall mean ~~any all food or and beverages item sold in competition with to students on the school campus during the school day, other than those meals reimbursable under the programs authorized by the National School Breakfast/Lunch program with the exception of foods or beverages sold a la carte in the cafeteria.~~ Act and the Child Nutrition Act.

"School-day" means the period of time ~~between the arrival of the first student at the school building and the end of the last instructional period from midnight before to thirty (30) minutes after the end of the official school day.~~

"School Campus" shall mean all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

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"School-day-approved beverage" means water, one hundred percent (100%) fruit/vegetable juice, low-fat milk, ~~and any beverage that contains no more than ten (10) grams of sugar per serving (unflavored), non-fat milk (unflavored or flavored) and nutritionally equivalent milk alternatives.~~

Fund-raising activities held off ~~the school property campus and not during the school day~~ are not subject to regulatory requirements of 702 KAR 6:090 or federal competitive food limitations.

#### **FOOD/BEVERAGES AS REWARDS**

When possible, rewards given to students shall be other than food/beverages items. When food/beverage items are used as rewards, such items shall comply with nutritional guidelines set out in Kentucky Administrative Regulation.

#### **REFERENCES:**

7 C.F.R. 210.11b  
7 C.F.R. 220.12  
KRS 156.160; KRS 158.850; KRS 158.854  
702 KAR 6:090  
U. S. Dept. of Agriculture's *Dietary Guidelines for Americans*

#### **RELATED POLICY:**

07.12



accept

LEGAL: CHANGES TO 704 KAR 3:305 REGARDING EARLY GRADUATION CERTIFICATES REQUIRE A LETTER OF INTENT TO APPLY BE ENTERED INTO THE STUDENT INFORMATION SYSTEM NO LATER THAN OCTOBER 1. ALSO, STUDENTS ARE TO NOTIFY THE PRINCIPAL NO LATER THAN 30 DAYS INTO THE ACADEMIC YEAR IN WHICH THEY WISH TO GRADUATE.  
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, each student shall complete an individual learning plan that focuses on career exploration and related postsecondary education and training needs, to include Academic Expectations 2.36, 2.37, and 2.38, and shall have a total of at least twenty-two (22) credits for high school graduation, including demonstrated performance-based competency in technology. Those credits shall include the following minimum requirements:

Language arts – four (4) credits (including English I, II, III, and IV);

Social studies – three (3) credits (to incorporate U. S. History, Economics, Government, World Geography, and World Civilization)

Mathematics –four (4) credits (including Algebra I, Algebra II, Geometry, and one [1] elective as provided in the Kentucky Core Academic Standards, 704 KAR 3:303)

Science – three (3) credits (including life science, physical science, and earth and space science as provided in Kentucky Core Academic Standards, 704 KAR 3:303)

Health – one-half ( $\frac{1}{2}$ ) credit

Physical education – one-half ( $\frac{1}{2}$ ) credit

History and appreciation of visual and performing arts (or another arts course that incorporates this content) – one (1) credit

Electives – six (6) credits

All required courses shall include content contained in the Kentucky Core Academic Standards, and electives shall address academic and career interest standards-based learning experiences, including four (4) credits in an academic or career interest based on the student's individual learning plan.

Students must take one (1) mathematics course each year of high school. Required courses include: Algebra I, Geometry and Algebra II. An integrated, applied, interdisciplinary, technical or occupational course that prepares a student for a career path based on the student's individual learning plan (ILP) may be substituted for a traditional Algebra I, II or Geometry course. This decision is made on an individual student basis. These courses must meet the content standards in the Kentucky Core Academic Standards.

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

#### ADDITIONAL REQUIREMENTS

All students will be enrolled for eight (8) semesters or twelve (12) trimesters of high school unless the high school Principal, in consultation with the high school counselor, student, and legal guardian/parent, recommends an exception.

Provided all requirements for graduation are met and the Principal determines it is in the best interest of the student, the Principal may recommend an exception for a particular student(s) to the Board. (For an exception, see section ~~about the e~~Early ~~high school g~~Graduation ~~program~~Certificate.)

**Graduation Requirements****ADDITIONAL REQUIREMENTS (CONTINUED)**

The consultation shall include a review of the student's high school course of study, grades, test scores, discipline records, extracurricular activities, and individual graduation plan for the purpose of determining the extent to which the student would benefit from an exception. The decision of the Principal to recommend an exception to the Board shall be on the basis of the student's readiness and need for accelerated coursework that is not available in the high school's curriculum or other extenuating circumstances.

Fractional credit may be granted for one-credit courses.

Students who have completed the requirements for graduation at each high school are eligible for a diploma from that school.

**COMMENCEMENT**

Graduation exercises and the issuing of diplomas shall occur only once each year at the end of the school term and shall involve only those students who have completed the requirements.

Honor Student recognition will be determined by school councils.

**HIGH SCHOOL CREDIT EARNED IN MIDDLE SCHOOL**

It is expected that most students will earn these credits during their high school years. However, local school districts may offer these courses to middle level students if the following criteria are met:

1. The content and the rigor of the course is the same as established in the Kentucky Core Academic Standards;
2. The students demonstrate mastery of the middle level content as specified in the Kentucky Core Academic Standards;
3. The District has criteria in place to make reasonable determination that the middle level student is capable of success in the high school course; and,
4. The middle level course is taught by teachers with either secondary or middle level certification with appropriate content specialization.

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>

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

Individual site-based councils, with Board approval, may determine additional graduation requirements.

**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:

**Graduation Requirements****PERFORMANCE-BASED CREDITS (CONTINUED)**

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.

**OTHER PROVISIONS**

The Board may authorize different diploma programs. In order to graduate, seniors must have successfully completed requirements of the state assessment and accountability program. Individual site-based councils, with Board approval, may establish additional graduation requirements related to state-mandated standards-based assessment.

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

**EARLY GRADUATION CERTIFICATE**

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

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

Students who meet all applicable legal requirements shall be awarded a diploma and an Early Graduation Certificate.

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STUDENTS

08.113  
(CONTINUED)

### **Graduation Requirements**

#### **DIPLOMAS FOR VETERANS**

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

#### **REFERENCES:**

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

<sup>2</sup>KRS 158.622

<sup>3</sup>KRS 156.160; ~~704 KAR 3:305~~; 20 U.S.C. sec. 1414

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

~~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

OAG 78-348; OAG 82-386

Kentucky Core Academic Standards

#### **RELATED POLICIES:**

08.1131, 08.14, 08.2211

09.126 (re requirements for students from military families)

accept

LEGAL: REVISIONS TO 704 KAR 3:390 OUTLINE SPECIFIC AREAS THE DISTRICT MUST ADDRESS CONCERNING ESS ATTENDANCE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

EXPLANATION: AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER THE STATE'S REQUEST FOR AN NCLB WAIVER EXTENSION WILL BE GRANTED. IF THE WAIVER REQUEST IS NOT RENEWED ALL PROVISIONS IN THIS POLICY MUST BE FOLLOWED.

FINANCIAL IMPLICATIONS: POSSIBLE COSTS OF REINSTATING SUPPLEMENTAL EDUCATION SERVICES

CURRICULUM AND INSTRUCTION

08.133

### **Extended School/Supplemental Educational Services**

#### **PLAN FOR DIAGNOSING**

The Superintendent/designee shall develop a plan for diagnosing and addressing student academic deficiencies by providing extended school services (ESS) and supplemental educational services (SES) as required by federal or state law.<sup>1</sup>

#### **EXTENDED SCHOOL SERVICES**

The Board shall provide extended school services consistent with students' intervention ~~or plans~~ and goals included as part of individual learning plans, requirements of 704 KAR 3:390, and local plans and procedures.

For students eligible to attend ESS, the District shall:

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

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

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

~~Because~~ Pending renewal of the Kentucky request to the U. S. Dept. of Education for flexibility was granted, the following section is waived through the 2014-2015 school year. If request is not renewed, the following section will be in force.

#### **SUPPLEMENTAL EDUCATIONAL SERVICES**

The District shall post on the District/school web site(s) information about available supplemental educational services in keeping with federal regulatory requirements.

**Extended School/Supplemental Educational Services**

**REFERENCES:**

<sup>1</sup>P. L. 107-110 (No Child Left Behind Act of 2001)  
34 C.F.R. 200.45 – 200.48  
KRS 158.070  
704 KAR 3:390

## Promotion and Retention

### **CERTIFICATE AND TRANSFERS**

When a pupil in any public school completes the prescribed program of studies, s/he may receive a certificate of completion signed by the teacher. The certificate shall entitle the pupil to admission into any public high school. Any promotions or credits earned in attendance in any approved public school are valid in any other public school. In case a pupil transfers from the school of one district to the school of another district, s/he may not be assigned to a lower grade or course until the pupil has demonstrated that s/he is not suited for the work in the grade or course to which s/he has been promoted.<sup>1</sup>

A student who has completed the requirements established by the State Department of Education for a vocational program shall receive a vocational certificate of completion specifying the areas of competence.<sup>1</sup>

### **DIPLOMAS**

Upon successful completion of all state and Board requirements, the student shall receive a diploma indicating graduation from high school.

### **PROMOTION**

The elementary and middle school Principals or designee shall notify parents of students who are in danger of retention at the close of the first and third quarters. The high school Principal shall notify parents of students who are in danger of failing a ~~two-semester class~~ at the close of the ~~second and third quarters~~. For ~~semester~~ courses, the notification will be done at the end of the first quarter. Notification to parents of seniors who are failing shall be sent at the end of the third grading period.

Promotion of elementary students shall be based on demonstration of emotional, social, intellectual, and academic growth. The decision to retain shall be made by the teacher, Principal, and parent. Should there be a division of opinion regarding retention, the Principal shall make the final decision.

A student may advance through the primary program without regard to age if the District determines that s/he has acquired the academic and social skills taught in kindergarten and that advancement would be in his/her best educational interest. Successful completion of the primary program, as determined by methods set out in Kentucky Administrative Regulations, shall be a prerequisite for a child's entrance into the fourth grade.

Middle school students are to be promoted according to the number of classes passed. Students who fail two (2) or more core content classes (language arts, math, science, social studies) are to be retained. Students who fail one (1) core content class and related arts classes equivalent to one (1) core content class (i.e., physical education, family and consumer science, technology education, music, band, art, etc.) are to be retained. Exception to this provision of the policy may be appealed to the Superintendent or designee for a final judgment. The Superintendent or designee shall use criteria that includes but not be limited to home/school communications, ESS referral and intervention strategies used.

To be promoted from one grade level to another in elementary, middle, and high school, a student must complete all components of District and State assessment and accountability programs as specified in state guidelines.



**Promotion and Retention****PROMOTION (CONTINUED)**

Senior high students shall be promoted according to the number of credits stated in the student handbooks.

Students in grades nine through twelve (9-12) not enrolled at the beginning of the school year shall be given comprehensive tests to determine a grade to date for the subject areas in which they enroll.

**STUDENTS WITH DISABILITIES**

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

**REFERENCES:**

<sup>1</sup>KRS 158.140

<sup>2</sup>P. L. 101-476; 707 KAR 001:051 – 707 KAR 001:060

KRS 158.031; KRS 160.345

KRS 158.645; KRS 158.860

KRS 158.6451; KRS 158.6453

OAG 82-473

703 KAR 004:020; 703 KAR 004:040

*Honig v. Doe*, 108 S.Ct. 592 (1988)

**RELATED POLICIES:**

08.113

08.222

08.5

09.121

09.431

Adopted/Amended: 06/20/2013

Order #: 10351



## Grading

### **ACHIEVEMENT**

Teachers shall maintain detailed, systematic records of the achievement of each student. Teachers shall provide feedback on all assessments, assignments, and/or projects that are used for grading purposes within a reasonable amount of time after the tasks have been completed.

### **GRADE REPORTS**

Grade reports shall be issued every nine (9) weeks for elementary <sup>and</sup> middle, and <sup>every 12 weeks for</sup> high school students. These evaluations shall provide a record of academic progress and conduct.

Teachers shall send progress reports at the middle of each grading term to parents of students who are doing unsatisfactory work. This report may be written or verbal however interim report forms are available upon request. A copy of the interim report(s) shall be retained at the local school during the current academic year.

Conduct grades are not to be recorded on the permanent record card.

Special area teachers should collaborate with regular classroom teachers to report student progress. At the end of each grading period, the Principal shall have teachers report, on a form provided by the school, the names of students who are failing or in danger of failing.

### **UNIFORM GRADING**

It is beneficial to the school system and to the teachers to work toward uniformity in grading practices. Each Principal shall be responsible for reviewing the grading practice of the school staff after each grading period.

Nothing in this policy shall prevent a Principal from taking appropriate action on any grading problem.

### **PARENT/TEACHER CONFERENCES**

Conferences may be held when requested by the parent or teacher.

### **GRADING SCALE**

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

<u>Letter Grade</u>	<u>Numerical Grade</u>	<u>Descriptor</u>
A	92-100	Excellent
B	83- 91	Good
C	74- 82	Average
D	68- 73	Below Average
F	0- 67	Failing

Grades earned on end-of-course exams required for high school courses designated by Kentucky Administration Regulation shall count as twenty percent (20%) of a student's final grade in a course.

**Grading****ELEMENTARY PROGRESS REPORTS**

Elementary students will receive a progress report quarterly, utilizing the District assessment key as designated by the report card. Each primary teacher (grades K-3) shall provide parents with a comprehensive report that is based on samples of their child's work and that includes a descriptive, narrative evaluation of all aspects of the child's progress.

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

The Principal shall review the grading practices of each staff member after each grading period.

**STUDENTS WITH DISABILITIES**

Special education teachers and regular classroom teachers shall work together on grades reported in supported subjects.

The special education teacher shall report grades of those subjects taught exclusively by that teacher. If a student is not in the regular class for a full period of instruction due to attendance in a special class, the student shall be evaluated for only the time present in the regular class.

**REFERENCES:**

KRS 158.140, KRS 158.645, KRS 158.6451, KRS 158.860  
KRS 161.200, KRS 160.345  
703 KAR 004:040  
703 KAR 005:200

**RELATED POLICIES:**

02.441; 08.113; 08.22; 08.222; 08.5

Adopted/Amended: 06/20/2013  
Order #: 10351

accept

LEGAL: HB 211 HAS BEEN REVISED TO SPECIFY HOW BOARDS MAY AMEND CALENDARS AND LENGTHEN/SHORTEN DAYS WHEN AN EMERGENCY OCCURS. ALSO, KRS 158.070 NOW DEFINES STUDENT ATTENDANCE DAYS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 211 HAS BEEN REVISED TO ALLOW EMPLOYEES WHO ARE DELEGATES TO ATTEND STATEWIDE PROFESSIONAL MEETINGS THAT ARE SCHEDULED ON STUDENT ATTENDANCE DAYS.

FINANCIAL IMPLICATIONS: POSSIBLE COST OF SUBSTITUTES

## CURRICULUM AND INSTRUCTION

08.3

### School Calendar

#### DEVELOPMENT OF CALENDAR

The Superintendent shall annually develop and present to the Board for adoption a school calendar for the upcoming school year on or before May 15 of each year. The calendar shall establish the following:

1. Opening and closing dates of the school term,
2. Beginning and ending dates of each school month,
3. Number and minimum length of instructional student attendance days,
4. Instructional time required for kindergarten if in excess of the minimum three (3) hours of daily instruction,
5. Any instructional time to be banked to make up for full days that may be missed due to an emergency,
6. Days on which schools shall be dismissed, and
7. A testing window in accordance with KRS 158.6453 and KRS 164.302 to accommodate state-mandated assessments.

The Board may amend the school calendar after it is adopted due to an emergency. The Board may lengthen or shorten any remaining student attendance days by thirty (30) minutes or more, as necessary provided it meets at minimum, a student instructional year as defined in statute. No student attendance day may contain more than seven (7) hours of instructional time unless the District submits and receives approval from the Commissioner of Education for an innovative alternative calendar.

The Board may schedule days for breaks in the calendar that shall not be counted as part of the minimum school term.

Schools shall be closed on the Tuesday after the first Monday in November in Presidential election years.

Schools shall be closed on the day of a regular or primary election, and those days may be used for professional development activities, professional meetings, or parent-teacher conferences.

#### SCHOOL DAY

The length of the school day designated by the Board shall provide students with the equivalent of one hundred seventy-seven (177) six (6) hour instructional days (a minimum of 1,062 instructional hours each school year).

#### EXCEPTIONS

Kindergarten (entry level of the primary program) shall be provided the equivalent of one-half (1/2) day, five (5) days a week for a full school year for each kindergarten student (a minimum of 525 instructional hours each school year).

**School Calendar****EXCEPTIONS (CONTINUED)**

Students with disabilities shall attend school in accordance with the provisions of their Individual Education Plan (IEP).

Students with disabilities and students attending primary school may attend fewer than six (6) hours per day under programs approved by the Board and the Commissioner of Education.

**SCHOOL TERM**

The school term shall include at least four (4) days to be used for professional development and collegial planning activities for the professional staff as directed by statute, regulations, and policy. Additional days permitted by statute and authorized by the Board may be used for professional development and planning activities for the professional staff. Four (4) days may be used for holidays, and two (2) days may be used for planning activities.

If schools are scheduled to operate during days designated for statewide professional meetings, the District shall permit ~~teachers~~ employees who are delegates to attend in keeping with statutory requirements.

**REFERENCES:**

<sup>1</sup>KRS 158.070  
702 KAR 7:130; 702 KAR 7:140  
704 KAR 3:035  
KRS 2.110; KRS 2.190; KRS 118.035  
KRS 156.095; KRS 157.320; KRS 157.360  
KRS 158.030; KRS 158.060; KRS 158.070  
KRS 158.6453  
OAG 97-25



accept

LEGAL: THE KENTUCKY SECONDARY GED PROGRAM HAS BEEN REPEALED EFFECTIVE THE END OF THE 2013-2014 SCHOOL YEAR.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## CURRICULUM AND INSTRUCTION

08.4

### Adult/Community Education

#### **PURPOSE OF PROGRAM**

The Board authorizes the Superintendent or designee to plan and operate an educational program based on the needs and interests of adults and youth of the community.

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

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

#### **SECONDARY GED PROGRAM**

~~Through the end of the 2013-14 school year and provided prior approval has been secured from the Kentucky Department of Education, the District may establish a Secondary GED Program.~~

#### **SCHOOL FACILITIES AND RESOURCES**

The Board authorizes the use of school facilities and resources for conducting these programs and further authorizes the acceptance of other agency funds for their operation.

#### **REFERENCES:**

KRS 151B.125

KRS 160.155; KRS 160.156; KRS 160.157

13 KAR 3:010; 785 KAR 1:010, 785 KAR 1:130

#### **RELATED POLICIES:**

05.3; 05.31



accept

EXPLANATION: AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER THE STATE'S REQUEST FOR AN NCLB WAIVER EXTENSION WILL BE GRANTED. IF THE WAIVER REQUEST IS NOT RENEWED ALL PROVISIONS IN THIS POLICY MUST BE FOLLOWED.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## STUDENTS

09.11

### School Attendance Areas

#### ASSIGNED DISTRICT

All pupils shall be assigned by geographic attendance districts. Specific areas served by each attendance district will be marked on a map in the central administration office. The Board may revise attendance districts from time to time to attain maximum utilization of school facilities.<sup>1</sup> Once an area has been redistricted, a student affected by the redistricting may apply for an exception outside the month of December or entry level grade, according to this policy.

#### CLASS ENROLLMENT MAXIMUMS

Should classes in a particular school exceed the allowable size limit specified by law or regulation, the administration is permitted to move students from their respective attendance area to balance student/teacher assignments.

#### REQUESTS FOR TRANSFER

Parents may request that their child(ren) attend a school outside the assigned attendance area.

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

1. Another school option exists;
2. The assigned school is identified for school improvement under federal guidelines (priority for transfer will be given to the lowest achieving children from low-income families);\*
3. The assigned school is designated by the state as being "persistently dangerous"; or
4. The student becomes a victim of a violent criminal offense, as determined by state law, while attending school.<sup>2</sup>

\*Because Pending renewal of the Kentucky request to the U. S. Dept. of Education for flexibility was granted, this reason #2 above shall be waived through the 2014-2015 school year. If request is not renewed, then transfer reason #2 will be in force.

#### IF FAMILIES MOVE

If a family moves from one attendance district to another within the school system, the pupil may be permitted to finish the school year in the school in which s/he was last enrolled based on the following criteria: (1) Principal approval, (2) adequate space, and (3) no cost to the Board nor service provided by the Board. The pupil will enroll the following year in the school in the attendance district of his/her legal residence unless accepted as an out-of-district by the Principal under provision 1.A of procedure 09.11 AP.1. If a student moves during the testing window for CATS, the student shall remain at that school until the end of the year provided the parent transports.

STUDENTS

09.11  
(CONTINUED)

**School Attendance Areas**

**REFERENCES:**

<sup>1</sup>KRS 159.070; OAG 80-394

<sup>2</sup>P. L. 107-110 (No Child Left Behind Act of 2001)  
34 CFR 200.44

**RELATED POLICIES:**

03.127, 03.226

9/11/12

LEGAL: HB 79 AMENDED KRS 158.100 TO GIVE DISTRICTS THE OPTION OF PROVIDING A HIGH SCHOOL PROGRAM TO A STUDENT REFUGEE OR LEGAL ALIEN UNTIL GRADUATION OR THE END OF THE SCHOOL YEAR IN WHICH THE STUDENT TURNS 21, WHICHEVER COMES FIRST.  
FINANCIAL IMPLICATIONS: COST OF PROVIDING SERVICES FOR ADDITIONAL STUDENTS

STUDENTS

09.12

### **Admissions and Attendance**

#### **DEFINITION OF LEGAL RESIDENCE**

The legal residence of a pupil is determined by the address of the legal residence of the parent or guardian who has custody of the student as evidenced by legal documents or as otherwise provided by state or federal law (and not by the address at which the pupil is living.)

All other pupils shall be classified as nonresidents for school purposes.<sup>1</sup>

#### **HOMELESS CHILDREN AND YOUTH**

The District shall provide educational and related services to homeless children and youth in a manner that does not segregate or stigmatize the students on the basis of their homeless status.

The District shall provide its schools with guidelines that detail the rights of homeless students and the responsibilities that schools have to meet their needs and eliminate barriers to school attendance. These guidelines shall emphasize the right of homeless students to:

1. Have equal access to all educational programs and services, including transportation, that non-homeless children enjoy;
2. Continue attending their school of origin for the duration of homelessness;
3. Attend regular public school with non-homeless students; and
4. Continue to receive all services for which they are eligible (i.e., special education, gifted and talented, limited English proficient).

The District shall designate an appropriate staff person to serve as liaison to homeless children and youth. The District liaison must provide public notice of the educational rights of homeless children in places where they receive services.<sup>2</sup>

#### **IMMIGRANTS**

No student shall be denied enrollment based on his/her immigration status, and documentation of immigration status shall not be required as a condition of enrollment.

The District may provide an approved high school program to a student who is a refugee or legal alien until the student graduates or until the end of the school year in which the student reaches the age of twenty-one (21), whichever comes first.

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#### **NONRESIDENTS**

Nonresident pupils may be admitted to the District's schools in accordance with Board policy and upon approval of the Superintendent.<sup>3</sup>

Written nonresident pupil contract information shall be kept on file at both the attending and resident districts.

**Admissions and Attendance****FORT KNOX COMMUNITY SCHOOLS**

Students whose guardian/s are active duty military or U.S. Government employees and reside on post must attend Ft. Knox Community Schools. If the parents of a student(s) residing in the Hardin County School District subsequently move on post prior to the beginning of the second semester (for trimester schedules, a student that moves to post during the first half of the school year would enroll on post), the student(s) will be withdrawn from the Hardin County Schools, except for rising seniors (juniors) and seniors who are on track to graduate. Students whose parents move on post after the beginning of the second semester may be permitted to attend Hardin County Schools for the remainder of that school year with the Principal's approval. Students that move with their families on post during their junior (rising senior) or senior year may remain enrolled in Hardin County Schools until graduation. Parents are responsible for transporting the student.

**TRANSFER OF ADA**

Nonresident pupils may be admitted to the District schools upon transfer of the pupil's average daily attendance as defined under public school fund.<sup>4 & 5</sup>

All costs for any special services offered to the child shall be paid by the resident district. The resident district shall be permitted to count the student for IDEA-B funding purposes.

**SURVEY**

Each year a survey shall be conducted to determine the number of students whose parents are civilians employed on Federal property or in active military service. The purpose of such survey shall be to determine how much Federal Impact Aid the District is eligible to receive.

Teachers shall assist in the distribution and collection of forms for such survey.

**FOREIGN EXCHANGE STUDENTS**

The Hardin County Schools will accept high school students participating in international exchange programs recognized by the United States Department of Education or the Kentucky State Department of Education.

**NON-IMMIGRANT FOREIGN STUDENTS**

Nonimmigrant foreign students qualifying for F-1 immigration status or who obtain an F-1 student visa may be admitted to the District based on the following guidelines:

1. These students shall not be permitted to attend any publicly funded adult education program.
2. These students may be permitted to attend in grades nine through twelve (9-12), but not at earlier grade levels.
3. As required by law, these students shall pay a tuition fee equal to the full, unsubsidized per capita cost to the District for providing education to the student for the period of attendance.
4. The period of attendance shall not exceed twelve (12) months.

These requirements do not apply to immigrant students residing in the District or foreign students in any other immigration status, including exchange students.



**Admissions and Attendance****EXPELLED/CONVICTED STUDENTS**

The parent, guardian, Principal, or other person or agency responsible for the student shall provide to the school prior to admission, a sworn statement or affirmation concerning any of the following that have occurred in or outside Kentucky:

1. If a student has been expelled from school; or
2. If a student has been adjudicated guilty/convicted of, homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.

Assault shall mean any physical assault, including sexual assault.

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.<sup>6</sup>

Any student currently serving an expulsion from any other public or private school system may not enroll in the Hardin County School System until the expulsion period has expired.

If a student is suspended or expelled for any reason, or faces charges that may lead to suspension or expulsion, but withdraws prior to a hearing from any public or private school in Kentucky or any other state and then moves into the District and seeks to enroll, the District shall review the details of the charges, suspension, or expulsion and determine if the student will be admitted, and if so, what conditions may be imposed upon the admission. Prior to a decision to deny admission, the District shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the Board.

**REFERENCES:**

<sup>1</sup>KRS 159.010; OAG 78-64; OAG 91-171

<sup>2</sup>42 U.S.C. 11431 et seq. (McKinney-Vento Act)

<sup>3</sup>KRS 158.120; OAG 80-47; OAG 79-327; OAG 75-602

<sup>4</sup>KRS 157.320

<sup>5</sup>702 KAR 7:125

<sup>6</sup>KRS 158.155; KRS 158.150

KRS 157.360; KRS 158.100

704 KAR 7:090

Public Law 104-208, 22 CFR §514.13(b)

P.L. 107-110 (No Child Left Behind Act of 2001)

8 U.S.C. Sections 1101 and 1184; 8 C.F.R. Section 214

*Plyler v. Doe*, 457 U.S. 202 (1982)

Equal Educational Opportunities Act of 1974 (EEOA)

**RELATED POLICIES:**

<sup>3</sup>03.127, 09.124, 09.125

03.226, 09.1223, 09.123, 09.211

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

accept

LEGAL: HB 235 (2014 BUDGET BILL) AMENDED PRESCHOOL ENTRANCE AGE TO AUGUST 1  
INSTEAD OF OCTOBER 1 EFFECTIVE WITH THE 2014-15 SCHOOL YEAR.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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~~ by August 1 of the current year, shall be eligible for a free and appropriate preschool education and related services.<sup>4</sup>

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

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

1. The District shall establish guidelines to determine a student's readiness for entry, including the date by which petitions must be submitted to the Central Office.
2. Developmentally appropriate measures, which may include state-approved screening instruments, shall be used to determine a student's level of developmental, academic and social readiness.
3. Based on staff recommendations, the Superintendent shall recommend to the Board whether to grant the request.
4. Considerations may include availability of space and funding.

STUDENTS

09.121  
(CONTINUED)

**Entrance Age**

**PROOF OF AGE**

Upon enrollment for the first time in any elementary or secondary school, a student or student's parent shall provide either a certified copy of the student's birth certificate or other reliable proof of the student's identity and age and an affidavit of the inability to produce a copy of the birth certificate.<sup>4</sup>

**REFERENCES:**

<sup>1</sup>KRS 157.3175; 2014 Budget Bill

<sup>2</sup>KRS 158.030

<sup>3</sup>KRS 158.030; 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

704 KAR 5:070

OAG 85-55; OAG 82-408

**RELATED POLICIES:**

08.22

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



accept

LEGAL: HB 79 AMENDED KRS 158.100 TO GIVE DISTRICTS THE OPTION OF PROVIDING A HIGH SCHOOL PROGRAM TO A STUDENT REFUGEE OR LEGAL ALIEN UNTIL GRADUATION OR THE END OF THE SCHOOL YEAR IN WHICH THE STUDENT TURNS 21, WHICHEVER COMES FIRST.  
FINANCIAL IMPLICATIONS: COST OF PROVIDING SERVICES FOR ADDITIONAL STUDENTS

STUDENTS

09.1223

### **Persons Over Compulsory Attendance Age**

#### **REQUIREMENTS**

1. All fifth-year senior students (any student who has completed four [4] years in high school but who has not met graduation requirements) may attend Hardin County High School in order to complete graduation requirements. Successful completion will result in the student's obtaining a Hardin County High School diploma; and
2. Any student between the ages of 16 and 21 who is two (2) or more academic years behind in meeting graduation requirements may attend Hardin County High School. Any student successfully completing this program will be granted a high school diploma from Hardin County High School.

Before classwork begins in Hardin County High School, the student shall confer with his/her guidance counselor to review previous school records to determine a course of study which is alternative to classroom instruction. The student and the parent, if the student is not emancipated, shall sign an affidavit that states a conference has taken place and she/he understands the conditions of the agreement.

Transportation to and from Hardin County High School will be the responsibility of the parent and/or student.

#### **PROHIBITIONS**

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 and shall 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.

#### **EXCEPTION**

The District may provide an approved high school program to a student who is a refugee or legal alien until the student graduates or until the end of the school year in which the student reaches the age of twenty-one (21), whichever comes first.

#### **STUDENTS WITH DISABILITIES**

When students with disabilities are involved, the procedures mandated by federal and state law shall be followed.<sup>1</sup>

#### **REFERENCES:**

<sup>1</sup>P. L. 105-17

KRS 157.200; KRS 157.360

KRS 158.100; KRS 158.140

KRS 159.010; KRS 159.030

704 KAR 3:305

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accept

LEGAL: KENTUCKY SENATE BILL 200 PROVIDES FERPA-COMPLIANT STATUTORY LANGUAGE ENABLING SCHOOL DISTRICTS TO RELEASE STUDENT RECORD INFORMATION TO KENTUCKY JUVENILE JUSTICE SYSTEM AGENCIES WHEN A COMPLAINT IS FILED IN ORDER TO ALLOW THE JUVENILE JUSTICE SYSTEM TO EFFECTIVELY SERVE THE CHILD PRIOR TO ADJUDICATION.  
FINANCIAL IMPLICATIONS: 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 eighteen (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 C.F.R. 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 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.

#### **RECORDS RELEASE TO JUVENILE JUSTICE SYSTEM**

Once a complaint is filed with a court-designated worker alleging that a child has committed a status offense or public offense, schools shall provide all records specifically requested in writing, and pertaining to that child to any agency that is listed as part of Kentucky's juvenile justice system in KRS 17.125 if the purpose of the release is to provide the juvenile justice system with the ability to effectively serve, prior to adjudication, the needs of the student whose records are sought. The authorities to which the data are released shall certify that any educational records obtained pursuant to this section shall only be released to persons authorized by statute and shall not be released to any other person without the written consent of the parent of the child. The request, certification, and a record of the release shall be maintained in the student's file.

#### **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>

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**Student Records****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.

**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. In compliance with FERPA, notice to the parent is not required when a court order 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. If the District receives such orders, 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 17.125; KRS 158.032; KRS 159.160; KRS 159.250; KRS 160.990

KRS 161.200; KRS 161.210

KRS 365.732; KRS 365.734; KRS 600.070

702 KAR 1:140; 702 KAR 3:220

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

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

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

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

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

Individuals with Disabilities Education Improvement Act of 2004

Kentucky Education Technology System (KETS)

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

**RELATED POLICIES:**

09.111; 09.12311; 09.43

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accept

LEGAL: HB 98 AMENDED KRS 158.838 MAKING IT NECESSARY TO HAVE TRAINED PERSONNEL TO ADMINISTER GLUCAGON AND FDA APPROVED SEIZURE MEDICATIONS BUT DOES NOT APPLY EXCLUSIVELY TO EMERGENCY SITUATIONS. THIS LANGUAGE WILL NOW BE COVERED IN THE DISTRICT'S STUDENT MEDICATION POLICY.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.224

### **Emergency Medical Treatment**

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

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

#### **FIRST-AID AREA**

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

The District shall have employees trained in accordance with the law to administer or help administer emergency medications. In accordance with KRS 158.838, the District shall train and have available employees to administer glucagons or diazepam rectal gel to students as required by law.

#### **INFORMATION NEEDED**

A number at which parents can be reached and the name of the family physician shall be maintained at each school for all its pupils.<sup>1</sup> A reasonable attempt will be made to contact the student's parent/guardian in the event of an accident.

#### **EMERGENCY PROCEDURES**

Each Principal shall develop a procedure for handling medical emergencies, including emergencies involving employees or visitors.

All such emergencies shall be reported immediately to the office of the Superintendent.

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

#### **RECORDS**

All school accident forms shall be turned in to the Central Office by June 30 of each year.

An annual evaluation of accident reports shall be made, and a formal report shall be presented to the Board.

#### **REFERENCES:**

<sup>1</sup>702 KAR 1:160  
KRS 156.160; KRS 156.502  
KRS 158.838

#### **RELATED POLICIES:**

09.21; 09.22; 09.2241

accept

LEGAL: STATUTES REQUIRE SPECIFIC TRAINING FOR NON-LICENSED SCHOOL PERSONNEL AUTHORIZED TO ADMINISTER OR ASSIST IN ADMINISTERING MEDICATIONS. THIS LANGUAGE MAKES THAT CLEAR. ALSO, HB 98 AMENDED KRS 158.838 TO ALLOW PERSONNEL WHO WILL BE ADMINISTERING OR ASSISTING IN THE ADMINISTRATION OF GLUCAGON AND FDA APPROVED SEIZURE MEDICATIONS TO RECEIVE TRAINING OTHER THAN THAT UNDER 702 KAR 1:160.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 98 AMENDED KRS 158.838 TO ALLOW STUDENTS TO CARRY AND SELF-ADMINISTER MEDICATION FOR DIABETES IF THE PARENT MAKES A REQUEST AND A WRITTEN AUTHORIZATION FROM THE HEALTH CARE PRACTITIONER IS IN PLACE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: IN ADDITION, THESE CHANGES ARE RECOMMENDED TO REFLECT RECENT CHANGES TO THE AMERICANS WITH DISABILITIES ACT LOWERING THE CRITERIA FOR DISABILITY ELIGIBILITY TO INCLUDE SERIOUS HEALTH PROBLEMS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## STUDENTS

09.2241

### Student Medication

School personnel authorized to give medications must be trained in accordance with KRS 158.838, KRS 156.502 and 702 KAR 1:160. Guidelines for diabetes medication administration under 702 KAR 1:160 no longer apply to training of non-licensed school personnel.

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#### ACCESS

Except for emergency medications (including, but not limited to Diastat, Glucagon, FDA approved seizure rescue medication and EpiPens) and medications approved for students to carry for self-medication purposes, all medications, both prescription and nonprescription, must be stored in a secure cabinet or container accessible only to personnel designated to administer medications.

All medications given must be documented immediately after it is given on a medication log.

#### PRESCRIPTION MEDICATION

School personnel who have completed training required by law, may administer medication to students after obtaining signed authorization from the parent. The medication must be sent to school in its original container with the prescription label attached. The prescription must contain information as required by administrative procedures.

#### NONPRESCRIPTION MEDICATION

Students may take nonprescription medications which are brought from home once a completed authorization form from the parent/guardian is on file.

On an individual basis, students may be permitted to carry medication that has been prescribed or ordered by a physician/health care practitioner to stay on or with the pupil due to a pressing medical need.

#### SELF-ADMINISTRATION

Provided the parent/guardian and physician/health care practitioner files a completed authorization form each year as required by law, a student under treatment for asthma, diabetes, or at risk of having anaphylaxis shall be permitted to self-administer medication.<sup>1</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>2</sup>



## STUDENTS

09.2241  
(CONTINUED)

### **Student Medication**

#### **SELF-ADMINISTRATION (CONTINUED)**

Students with serious allergies or other serious health conditions may be permitted to self-administer medication as provided in an individualized education program. Section 504 Plan or Health Plan.

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>KRS 158.834; [KRS 158.838](#)

<sup>2</sup>KRS 158.836

[KRS 156.502; KRS 158.832](#)

[702 KAR 1:160](#)

[Americans with Disabilities Act](#)

[Section 504 of the Rehabilitation Act of 1973](#)

OAG 73-768

OAG 77-530

OAG 83-115

#### **RELATED POLICIES:**

09.22

09.224

STUDENTS

**Student Fees**

09.15

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page for revised  
policy

**BOARD APPROVAL REQUIRED**

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

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

The Principal and teachers shall review costs to students and parents and submit an annual report to the school council as well as the Superintendent or designee.

**REFERENCE:**

Accounting Procedures for Kentucky School Activity Funds

**RELATED POLICY:**

08.232

Adopted/Amended: 06/20/2013

Order #: 10351



accept

## **Student Fees**

### **BOARD APPROVAL REQUIRED**

Fees for rental or purchase of instructional resources may be charged. All student fees and charges shall be adopted by the Board, including any student activity fees or membership dues. Approved fees shall remain in place until modified or removed by Board resolution.

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

### **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

accept

LEGAL: CHANGES REFLECT REVISIONS MADE TO 702 KAR 7:065. THIS IS ALSO TO CLARIFY THAT COACHES MUST BE AT LEAST TWENTY-ONE (21) YEARS OF AGE.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.31

### **Athletics and Sport Activities**

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

#### **RESPONSIBILITY**

The athletic program, an integral part of the total school structure, shall be the responsibility of the Superintendent. All aspects of its conduct shall be subject to the Superintendent's approval.

The Principal shall be responsible for the entire athletic program of the school.

#### **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.

#### **AGE RESTRICTION/REQUIRED RECORDS CHECKS**

All coaches, including volunteer and nonfaculty coaches and assistant coaches, shall be at least twenty-one (21) years of age and submit to a criminal record check as required by KRS 160.380 and KRS 161.185.<sup>1</sup>

#### **MIDDLE SCHOOL RULES AND LIMITATIONS**

~~Effective with the 2014-2015 school year, u~~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 school based scrimmages and regular season, school based 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 post season activities.~~

NOTE: Limitations set relative to items three (3) through five (5) shall not exceed the allowable limits in the following areas established for a sport or sport activity at the high school level:

- Limits on practice time;
- Number of contests; or
- Length of the playing season.

STUDENTS

09.31  
(CONTINUED)

**Athletics and Sport Activities**

**REFERENCES:**

<sup>1</sup>~~KRS 156.070~~; 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



accept

LEGAL: SB 109 AMENDED KRS 438.350 TO GENERALLY PROHIBIT PERSONS UNDER THE AGE OF 18 FROM POSSESSING OR USING ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS AS WELL AS TOBACCO.  
FINANCIAL IMPLICATIONS: POSSIBLE COST FOR NEW SIGNAGE

STUDENTS

09.4232

### Tobacco

Students (under the age of 18) shall not be permitted to use or possess any tobacco products, alternative nicotine product, or vapor product as defined in KRS 438.305 on property owned or operated by the Board, inside Board-owned vehicles, on the way to and from school, or during school-sponsored trips and activities. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the Code of Acceptable Behavior and Discipline.

The Superintendent shall develop procedures for the implementation of this policy.

#### REFERENCES:

P. L. 107-110 (No Child Left Behind Act of 2001)  
KRS 160.290  
KRS 160.340  
KRS 161.180  
KRS 438.050  
KRS 438.305  
KRS 438.350  
OAG 81-295  
OAG 91-137



## **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.

### **PROHIBITIONS**

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

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

### **DISCIPLINARY ACTION**

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

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

3. A process to identify and implement, within ~~five (5)~~ <sup>three (3)</sup> 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. 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.

When sexual harassment is alleged, the ~~District's Title IX Coordinator~~, as designated in the student handbook/code, shall be notified. <sup>Civil Rights Compliance Officer</sup>

**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**

2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors; and
3. Instances involving sexual violence.

**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, *or Civil Rights Compliance Officer (HCS Harassment/Discrimination Complaint Procedure).*

If a supervisor is an alleged party in the harassment/discrimination complaint, procedures shall also provide for addressing the complaint to a higher level of authority.

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

**NONRETALIATION**

No one shall retaliate against any student or any other person because s/he has submitted a grievance, assisted or participated in an investigation, proceeding, or hearing regarding discrimination or harassment 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.

**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.

**Harassment/Discrimination**

**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

Adopted/Amended: 06/21/2012

Order #: 10288



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LEGAL: SB 200 CREATED A NEW SECTION OF KRS CHAPTER 158 TO REQUIRE SCHOOLS TO REPORT TO KDE THROUGH THE STUDENT INFORMATION SYSTEM, AN ASSESSMENT OF SCHOOL INCIDENTS RELATING TO DISRUPTIVE BEHAVIORS RESULTING IN A CRIMINAL OR JUVENILE STATUS OFFENSE OR PUBLIC COMPLAINT.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.43

### **Student Disciplinary Processes**

#### **SCHOOL-RELATED ACTIVITIES**

The authority of the Board in matters of student behavior is not limited to school buildings and grounds or to times when the pupil is on his/her way to or from school, but extends to any activity which is school-related or school-sponsored.

#### **TREATMENT OF PUPILS**

Student disciplinary measures should not be administered in a manner that is humiliating, degrading, or unduly severe or in a manner that would cause the pupil to lose status before the peer group. Teachers should guard against making remarks to other pupils concerning a student's shortcomings.

Unless an administrator or the Board acts under authority of KRS 158.150, no school, school administrator, teacher, or other school employee shall expel or punish a student based on juvenile court information received by the employee from any source. Administrators may act to protect staff and students when the student's conduct, as reflected by the information, indicates a substantial likelihood of an immediate and continuing threat of harm to students or staff. In cases where such actions are necessary, the following provisions shall apply:

1. Restrictions imposed on the student shall represent the least restrictive alternative available and appropriate to remedy the threat.
2. Supporting material shall be documented in and kept with the student's juvenile court record.
3. The student and/or parent/guardian may appeal actions taken to the Superintendent or to the Circuit Court with appropriate jurisdiction.<sup>1</sup>

#### **SERIOUS PROBLEMS**

Serious disciplinary problems shall be promptly reported to the Principal and to the parent(s) of the student.

#### **COUNCIL RESPONSIBILITY**

Each school council shall select and implement discipline and classroom management techniques for the school. The council's discipline policies shall provide for involvement of parents in disciplinary situations involving their children.

In non-SBDM schools, the Principal shall make these decisions in compliance with Board policy.

#### **REPORTING**

Each school shall annually provide to the Department of Education, using the student information system, an assessment of school incidents relating to disruptive behaviors resulting in a criminal or juvenile status offense or public complaint, including whether:

1. The incident involved a public offense or noncriminal misconduct;

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**Student Disciplinary Processes****REPORTING (CONTINUED)**

2. The incident was reported to law enforcement or the court-designated worker and the charge or type of noncriminal misconduct that was the basis of the referral or report; and
3. The report was initiated by a school resource officer.

**CHILDREN AND YOUTH WITH DISABILITIES**

Discipline for children and youth with disabilities shall observe, and be in conformity with, federal and state procedures and guidelines.

**REFERENCES:**

<sup>1</sup>KRS 158.153  
KRS 158.150; KRS 158.449  
KRS 160.290; KRS 160.340; KRS 160.345  
KRS 161.180; KRS 610.345  
P. L. 105-17; P.L. 101-476; 707 KAR 1:051; 707 KAR 1:060

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LEGAL: UNDER SB 200, THE JUVENILE JUSTICE BILL, DISTRICTS NOW MUST INCLUDE INFORMATION ON KRS 158.154 AS WELL AS OTHER LISTED STATUTES ADDRESSING REPORTABLE VIOLATIONS (KRS 158.156 AND KRS 158.444) IN THE CODE.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.438

### Student Discipline Code

#### DEVELOPMENT

In accordance with KRS 158.148 and 704 KAR 7:050, the Board shall develop a student discipline code that shall be posted at each school, referenced in all school handbooks, and provided to school employees, parents, legal guardians, or other persons exercising custodial control or supervision. As required by KRS 158.148, a process shall be developed to provide information to those parties and to train employees.

The code shall establish standards of acceptable student behavior and discipline and may include District-wide standards of behavior for students who participate in extracurricular and co-curricular activities.

The code also shall include a process addressing how students can report code violations to District personnel for appropriate action and information regarding the consequences of violating the code and violations reportable under KRS 158.154, 158.156, or 158.444.

#### DISTRIBUTION

Once reviewed and approved, the student discipline code shall be distributed to students and parents in the District, including those students who enroll during the school year.

#### REVIEW

The Board shall update the student discipline code at least every two (2) years.

#### REPORTING OF DATA

As directed by the Kentucky Department of Education (KDE), the District shall report to the Center for School Safety when a student has been disciplined by the school for a serious incident, as defined by KDE; charged criminally for conduct constituting a violation under KRS Chapter 508; or charged criminally under KRS 525.070 or KRS 525.080 in relation to a serious incident.

Data collected on an individual student committing a reportable incident shall be placed in the student's disciplinary record.

#### REFERENCES:

~~KRS 158.444~~; KRS 158.148; KRS 158.153; ~~KRS 158.154; KRS 158.156~~; KRS 158.165  
~~KRS 158.444~~; KRS 160.295  
KRS 525.070; KRS 525.080  
704 KAR 7:050, *Student Discipline Guidelines*, Kentucky Department of Education

#### RELATED POLICIES:

09.2211, 09.3, 09.42, 09.421, 09.422, 09.426, 09.42811

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