

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 OF EDUCATION

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.¹

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**GENDER**

Unless otherwise noted, all gender references include both male and female.

CHILDREN AND YOUTH WITH DISABILITIES

In compliance with federal law and unless otherwise indicated, use of the terms "handicapped/special education/exceptional" 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:

¹KRS 157.320

¹102 KAR 1:036

¹702 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

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 Tuesday at 6:00 PM at the Henderson County Schools Professional Development Center. At this a meeting 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.^{1 & 4}

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.²

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 61.810.³

VIDEO TELECONFERENCES

The Board may conduct its meeting by video teleconference. Notice of a video teleconference shall comply with the requirements of KRS 61.820. In addition, the notice shall clearly state that the meeting will be a video teleconference and precisely identify the locations involved, including the location, if any, that is primary.

The same procedures with regard to participation, distribution of materials and other matters shall apply in all video teleconference locations.

REFERENCES:

¹KRS 160.270

²KRS 61.820, OAG 78-274; OAG 78-614

³KRS 61.810

⁴92-OMD-1677; 04-OMD-056

KRS 61.826

RELATED POLICIES:

01.421; 01.43; 01.44

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.¹

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

SUPERINTENDENT'S RESPONSIBILITIES

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

RETENTION AND DISPOSAL OF RECORDS

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

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

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

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.

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.⁶

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

REFERENCES:

¹725 KAR 1:010

²KRS 171.710

³KRS 171.720

⁴725 KAR 1:030; KRS 171.420; KRS 171.570

⁵KRS 171.670; KRS 171.410; KRS 171.660; 725 KAR 1:020

⁶KRS 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

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

Annual in-service training 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:¹

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:

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.

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.

In-Service Training

REFERENCES:

¹KRS 160.180

702 KAR 1:115

OAG 85-53; OAG 85-145

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.

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. In addition, each school's PD plan shall be submitted to the Board for review and comment.

OPTIONAL PAID DAYS

The District shall provide full-time certified employees an option of acquiring additional PD hours to enhance their professional developments needs: 240 day employees = two (2) optional days; 187 - 239 day employees = three (3) optional days; 186 day employees = four (4) optional days. Part-time employees shall be eligible to complete the appropriate portion of the optional twenty-four (24) hours as determined by their daily work schedule. Credit shall be awarded for PD ~~experiences~~ that address needs identified in the School/District Improvement Plan. The building Principal shall be responsible for the approval of District Optional Professional Development hours for his/her staff.

Check this language with your board attorney.

Professional Development**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. Unless an employee is granted leave under an appropriate Board policy, failure to complete and document the required hours of professional development during the academic year shall result in a reduction in salary and may be reflected in the employee's evaluation.

REFERENCES:

704 KAR 3:325; 704 KAR 3:035
KRS 156.095; KRS 156.553;
KRS 158.070; KRS 158.645; KRS 158.6451
KRS 160.345

RELATED POLICIES:

03.1911
09.22

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.460.¹ 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.²

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

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

1. The supplies and/or equipment meet the specifications of contracts awarded by the Division of Purchases, a federal agency (GSA), a cooperative agency, or a District bid;
2. The supplies and/or equipment are available for purchase at a lower price;
3. The purchase does not exceed \$2,500; 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.⁴

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.³

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.⁷

PRICE REDUCTIONS

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

Bidding**SMALL PURCHASES**

District small purchase procedures may be used for any contract in which the aggregate amount does not exceed \$20,000.00.⁵

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.⁶

REFERENCES:

¹KRS 45A.343

²KRS 45A.070; KRS 160.290; KRS 45A.380

³KRS 160.303; 200 KAR 5:400; KRS 45A.494

⁴KRS 156.076

⁵KRS 45A.385

⁶KRS 160.380

⁷7 CFR 210.21 and 7 CFR 3016.36

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

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

Kentucky Educational Technology Systems (KETS)

RELATED POLICIES:

05.6; 06.4; 07.13

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.

REFERENCES:

[KRS 160.431](#)

[KRS 160.463](#)

KRS 424.220

Governmental Accounting Standards Board

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

Facilities Construction/Naming

ADVICE SOUGHT

When the Board engages in a major construction project, it will seek the advice of employees and citizens of the school district, as appropriate, in determining the scope and educational specifications of the construction project.¹

FACILITY NAMING GUIDELINES

It is the responsibility of the Board to adopt official names for public school facilities. In doing so, it is preferred that school facilities be named for individuals who have made an outstanding contribution to the community, county, state or nation or to identify the facility with the community or neighborhood in which it is located. These names should be clearly identifying, widely known and recognized.

When a new or reconfigured school facility is initiated, the Superintendent will establish a temporary, generic name to designate the site or building for planning purposes. The Board may then seek input from the community as to a permanent facility name. At the direction of the Board, the Superintendent shall establish a committee to discuss and suggest facility names. This committee shall make a suggestion of at least two (2) naming options which the Superintendent shall bring to the Board.

If there is a strong interest within the community, the Board will also consider petitions to rename existing school facilities or a portion of a school facility, to include athletic facilities. Said petitions should be presented to the Superintendent, who will then present the petition to the Board.

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.¹²

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.²

REFERENCES:

¹Kentucky School Facilities Planning Manual, ~~702 KAR 4:180~~

²702 KAR 4:160

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

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

SUPPORT SERVICES

07.11

~~Free and Reduced Price Meals~~ Meal 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.

ELIGIBILITY

~~Free and reduced-price meals shall be granted on the basis of need and in accordance with state and federal guidelines.~~

~~The eligibility of each child shall be determined by the School Nutrition Operations Coordinator.~~

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
42 U.S.C. §1751 et seq.
42 U.S.C. Section 1771 et seq.

RELATED POLICY:

09.14

LEGAL: CHANGES TO 7 CFR PARTS 210 AND 220 HAVE REDEFINED "COMPETITIVE FOOD", "SCHOOL DAY", AND "SCHOOL CAMPUS". 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
REVISED 6/4/14

SUPPORT SERVICES

07.111

Competitive Foods

MINIMAL NUTRITIONAL VALUE

The sale of competitive foods and beverages to students during the school day shall be in compliance with current federal and state regulations. No competitive foods shall be sold ~~in~~ on the ~~lunchrooms~~ school campus.

DEFINITIONS

"Competitive Food" shall mean ~~any-all~~ any food ~~or-and~~ or beverages ~~item~~ items sold ~~in-competition-with~~ in ~~to~~ on ~~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~~ program ~~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.

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

NUTRITIONAL STANDARDS

No school may sell competitive foods or beverages, whether from vending machines, school stores or canteens, classrooms, teacher or parent groups, from ~~the time of arrival of the first student at the school building~~ midnight before until thirty (30) minutes after the last school lunch period ~~of the school day. From thirty (30) minutes after the last lunch period closes until thirty (30) minutes after the school day, food and beverages sold must conform with nutritional standards specified in state and federal regulations.~~ At the elementary school level during the school day, only school-day approved beverages shall be available in vending machines, school stores, or canteens or as fundraisers that involve sale of beverages by students, teachers, or groups.

~~Beginning with the 2006-2007 school year, each school shall limit access to no more than one (1) day each week to retail fast foods in the cafeteria, whether sold by contract, commercial vendor, or otherwise.~~

~~Foods and beverages sold during the school day outside of the National School Breakfast/Lunch program shall, at minimum, comply with local standards and minimum nutritional standards specified by Kentucky Administrative Regulation, unless the District requests, and is granted, an annual waiver from the Kentucky Board of Education (KBE).~~

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

Competitive Foods

FOOD 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

LEGAL: NUTRITION STANDARDS FOR ALL FOODS SOLD IN SCHOOL AS REQUIRED BY THE HEALTHY, HUNGER-FREE KIDS ACT OF 2010 HAVE REVISED ALLOWABLE BEVERAGES THAT CAN BE SOLD IN VENDING MACHINES ACCESSIBLE TO STUDENTS. ALSO, RECENT GUIDANCE FROM KDE REGARDING COMPETITIVE FOODS AND BEVERAGES IS ADDRESSED.
FINANCIAL IMPLICATIONS: POSSIBLE LOSS OF REVENUE FROM VENDING MACHINE SALES
REVISED 6/4/14

SUPPORT SERVICES

07.12

Vending Machines

REQUEST

Vending machines will be installed in the school only at the request of the Principal and subject to approval by the Board.

BIDDING

The Board may bid the installation of vending machines, using specifications established by the Superintendent/designee.

STUDENT USE

Vending machine use by students shall be in compliance with current federal and state regulations.

At the elementary school and middle school levels during the school day, only school-day-approved beverages shall be sold in vending machines, e.g. (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) as permitted by the school meal requirements.

For students at the high school level, only school-day-approved beverages may be sold in vending machines during the school day, e.g. (water, one hundred percent [100%] fruit/vegetable juice, low-fat milk (unflavored), non-fat milk (unflavored or flavored), as permitted by the school meal requirements.

In addition to the beverages listed above, other beverages as allowed in 7 C.F.R. Parts 210 and 220, and state law and regulation, (whichever is more restrictive) may be available in vending machines at the high school level.

Size of beverages shall not exceed eight (8) ounces for elementary schools, twelve (12) ounces for middle schools and twenty (20) ounces for high schools.

SALES

Any sales from vending machines shall be in compliance with applicable state and federal law and regulation. Specifically, competitive foods or beverages shall not be sold from ~~vending machines from the time of the arrival of the first student at the school building until midnight~~ before until thirty (30) minutes after the last school lunch period of the school day. From thirty (30) minutes after the last lunch period closes until thirty (30) minutes after the school day, food and beverages sold must conform with nutritional standards specified in state and federal regulations.

REFERENCES:

KRS 156.160; KRS 158.854; KRS 160.290
7 C.F.R. 210.11b; 7 C.F.R. 220
702 KAR 6:090

SUPPORT SERVICES

07.12
(CONTINUED)

Vending Machines

RELATED POLICY:

07.111

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, students must complete a minimum of twenty-seven (27) credits, including demonstrated performance-based competency in technology, in order to graduate from Henderson County High School. Students must complete a minimum of twenty-four (24) credits in order to graduate from Central Academy.

PERFORMANCE-BASED CREDITS

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

1. Conditions under which high school credit will be granted under the system that allow students to demonstrate proficiency and earn credit for learning acquired outside the normal classroom setting, outside of school, or in prior learning;
Performance-based credit may be earned while the student is still "in school," but the instructional setting will look different from a traditional "seat time" environment.
2. Performance descriptors and their linkages to State content standards and academic expectations;
At the high school level, performance descriptors and evaluation procedures shall be established to determine if the content and performance standards have been met.
3. Assessments and the extent to which state-mandated assessments will be used;
4. An objective grading and reporting process; and
5. Criteria to promote and support school and community learning experiences, such as internships and cooperative learning, in support of a student's individual learning plan. Such experiences shall be supervised by qualified instructors and aligned with State and District content and performance standards.
6. Students taking performance-based courses for credit toward graduation must be enrolled in Central Academy, in the Credit Recovery Program at Henderson County High School or make application to the Principal/designee of Henderson County High School.

DIPLOMA PROGRAMS

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

OTHER PROVISIONS

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

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

Graduation Requirements

OTHER PROVISIONS (CONTINUED)

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

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

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

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

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

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.~~⁴

~~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.~~

PARTICIPATION IN GRADUATION

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

DIPLOMAS FOR VETERANS

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

Graduation Requirements

REFERENCES:

¹KRS 40.010; KRS 158.140; 704 KAR 7:140

²KRS 158.622

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

⁴KRS 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, 08.1132, 08.136, 08.14, 08.22

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

LEGAL: PER GUIDANCE FROM KDE, THE DISTRICT MUST REQUEST APPROVAL FROM KDE TO PERMIT GRADUATION ASSISTANCE FOR HARDSHIP SITUATIONS THAT INVOLVE WAIVER OF MINIMUM STATE GRADUATION REQUIREMENTS. POLICY MUST DEFINE WHAT CONSTITUTES HARDSHIP AND EXPLAIN HOW STUDENTS WILL BE SUPPORTED IN ORDER TO MEET THE DISTRICT'S GRADUATION REQUIREMENTS AHEAD OF SCHEDULE. PLEASE CONTACT YOUR DISTRICT'S POLICY CONSULTANT IF YOUR BOARD WISHES TO SPECIFY ADDITIONAL OR DIFFERENT LANGUAGE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1132

Early Hardship Graduation

HARDSHIP REQUESTS

Students who experience extreme health or economic hardship may apply for assistance with graduation requirements for hardship reasons. In the case of extreme hardship, the District may provide alternative methods for the student to complete District graduation requirements which may allow for early graduation. Methods may include, but are not limited to, regular classroom instruction, alternative classroom instruction, online courses, performance-based opportunities, college programs, consideration of waiver of District requirements that exceed state minimums (the District cannot waive state minimums), or credit recovery.

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

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

CRITERIA

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

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

REFERENCE:

~~KRS 158.142;~~ 704 KAR 3:305

RELATED POLICIES:

08.113

08.136

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 schools shall develop a plan for diagnosing and addressing student academic deficiencies by providing extended school services (ESS) and supplemental educational service (SES) as required by federal or state law.

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 inter-session program and, when a waiver for alternative service delivery has been obtained, during the regular school day. 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 20143-20154 school year. If request is not renewed, the following section will be in force.

SUPPLEMENTAL EDUCATIONAL SERVICES

Eligible students shall be provided supplemental educational services as required by federal law.¹

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:

¹P. 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

RELATED POLICY:

08.222

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

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.

REFERENCES:

702 KAR 7:130; 702 KAR 7:140
KRS 2.190; KRS 118.035
KRS 157.360; KRS 158.070
KRS 158.6453

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

08.32

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.¹

REFERENCES:

¹KRS 158.070
702 KAR 7:125; 704 KAR 3:035
KRS 2.110; KRS 156.095
OAG 97-25

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 ZONES

All pupils shall be assigned by geographic attendance zones and will attend the school designated to serve their area of residence. Specific areas served by each attendance zone will be marked on a map in the central administration office. In cases of joint custody, the student will be assigned to the area serving the residence of the parent with whom the child primarily resides. If pursuant to court order the child's time is split exactly in half between parents, the parents may choose which of the two (2) assigned schools the child will attend. Specific areas served by each attendance zone will be marked on a map in the central administration office. The Board may revise attendance zones from time to time to attain maximum utilization of school facilities.¹

PROOF OF RESIDENCE

Upon request, parents/guardians shall submit written documentation verifying the primary residence of the child. For school purposes, a child's residence is not necessarily the residence of the child's parent(s), and if the child has assumed a permanent home with some other person standing in loco parentis to the child, then the residence of the child for school purposes is the same as that person.

IF FAMILIES MOVE

If a family moves from one attendance zone to another within the school system, the pupil may be permitted to finish the semester in the school in which s/he was last enrolled based on the following criteria:

1. The Principal gives approval;
2. Class size limits are not exceeded;
3. The student maintains a "C" grade (cumulative through the student's previous semester);
4. The student/parent provides transportation;
5. The student is not a discipline problem; and
6. There is no service provided or cost incurred by the Board.

Approval shall be granted with the understanding the student may be required to enroll at the school serving his/her attendance zone if, during the remainder of the semester, cap size limits are exceeded. The pupil must enroll the following semester in the school in the attendance zone of his/her legal residence.

REQUESTS FOR TRANSFER

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

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

School Attendance Areas**REQUESTS FOR TRANSFER (CONTINUED)**

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.³

*~~Because~~Pending renewal of the Kentucky request to the U. S. Dept. of Education for flexibility ~~was granted, this~~ reason #2 above shall ~~beis~~ waived through the 201~~43~~-201~~54~~ school year. If request is not renewed, then transfer reason #2 will be in force.

REFERENCES:

¹KRS 159.070; OAG 80-394

²OAG 77-311

³P. L. 107-110 (No Child Left Behind Act of 2001)

34 CFR 200.44

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

Children at risk of educational failure who are four (4) by ~~August~~ October 1 may enter preschool. All other four (4) year old children shall be served to the extent placements are available.¹ ~~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.³

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

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

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

PETITION PROCESS

Parents/guardians may petition the Board to allow their child to enter school earlier than permitted under statutory age requirements. On receipt of a petition, the District shall conduct an evaluation process to help determine a student's readiness to engage in and benefit from early entry to school. Developmentally appropriate measures, which may include state-approved screening instruments, shall be used to determine a student's level of developmental, academic and social readiness. Then, based on staff recommendations, the Superintendent shall recommend to the Board whether to grant the request. The request may be granted based upon: 1) available space, 2) criteria met by the student, and 3) the agreement of the parent/guardian to bear the cost, which will be equivalent to the current school year SEEK formula amount.

Entrance Age**CRITERIA FOR EARLY ENTRANCE**

Criteria for early entrance will include:

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

PROOF OF AGE

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

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

REFERENCES:

¹KRS 157.3175; [2014 Budget Bill](#)

²KRS 158.030

³KRS 157.226; KRS 159.030

⁴KRS 158.032; KRS 158.035; KRS 214.034

⁵KRS 158.031; 702 KAR 1:160; 702 KAR 7:125

KRS 158.990; KRS 159.010

704 KAR 5:070

OAG 82-408; OAG 85-55

RELATED POLICIES:

08.22

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

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

DRAFT 7/16/14, REVISED 7/17/14

STUDENTS

09.1223

Persons Over Compulsory Attendance Age

PROHIBITIONS

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

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

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

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

REFERENCES:

¹P. 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

LEGAL: 702 KAR 7:125 HAS BEEN REVISED TO REQUIRE FOR FUNDING PURPOSES THAT PUPILS ABSENT 84% OR MORE OF A DAY TO BE COUNTED AS BEING ABSENT FOR A FULL DAY; THOSE ABSENT 35% OR LESS OF A DAY TO BE COUNTED AS BEING TARDY, AND THOSE IN ATTENDANCE FOR 36% TO 84% OF A DAY TO BE COUNTED AS BEING PRESENT ONE-HALF DAY
FINANCIAL IMPLICATIONS: VARIATIONS IN ADA FUNDING

DRAFT 7/16/14

STUDENTS

09.123

Absences and Excuses

Pupils are required to attend regularly and punctually the school in which they are enrolled. Recording of absences and tardies shall be made in compliance with the requirements of 702 KAR 7:125.¹

Tardiness is not just being late for school as traditionally interpreted; it is defined by law, ~~as "any moment of instructional time missed that is the length of one (1) minute to fifty-nine (59) minutes."~~ A tardy shall be recorded for a pupil who is absent thirty-five percent (35%) or less of the regularly-scheduled school day for the pupil's grade level.

Teachers are required to keep an accurate attendance record for each of their classroom assignments.

TRUANCY DEFINED

Any student who has attained the age of six (6), but has not reached his/her eighteenth (18th) birthday, who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant.

Any student enrolled in a public school who has attained the age of eighteen (18) years, but has not reached his/her twenty-first (21st) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days, is a truant.

Any student who has been reported as a truant two (2) or more times is an habitual truant.

The Director of Student Services may hold a parental conference and/or attendance hearing with the student and parent(s) after a student is truant.

For the purposes of establishing a student's status as a truant, a student's attendance record is cumulative for an entire school year. When students transfer from one Kentucky district to another, attendance information from the previous district shall become part of their official attendance record for that school year.

EXCUSED ABSENCES

Reasons for an excused absence or tardiness include:

1. Death, funeral, or severe illness in the pupil's immediate family,
2. Illness of the pupil,
3. Religious holidays and practices,
4. Appointments with doctor or dentist,
5. Failure of bus transportation,
6. Summons to appear in court,
7. One (1) day for attendance at the Kentucky State Fair as a participant,
8. Documented military leave,

Absences and Excuses**EXCUSED ABSENCES (CONTINUED)**

9. One (1) day prior to departure of parent/guardian called to active military duty,
10. One (1) day upon the return of parent/guardian from active military duty
11. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave, or
12. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.

Students shall be granted an excused absence for up to ten (10) school days to pursue an educational enhancement opportunity determined by the Principal to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts.

Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within State or District testing periods shall not be granted.

The Principal's determination may be appealed to the Superintendent/designee whose decision may then be appealed to the Board under its grievance policy and procedures.

Students receiving an excused absence under this section shall have the opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence.

Within three (3) school days of an absence, students shall submit a written statement of verification from a parent, doctor, or public health official which shall be approved by the Principal or the Principal's designee in order for the absence to be excused.

Any absence or tardy, regardless the length of time, is considered an attendance event. A maximum of eight (8) absences and/or tardy events per school year (four [4] per semester) may be excused by a parent note. A statement from a medical practitioner, dentist, the judicial system, or county health department will be required for any additional absences and/or tardies.

UNEXCUSED ABSENCES

All other absences shall be considered unexcused. Absences before or after a scheduled holiday, Christmas break, spring break, intersessions, or the senior prom will be automatically unexcused unless the student shows proof of a doctor's excuse or an emergency. In the event of an emergency or doctor's statement, the Principal's designee will check to verify that the reason is authentic.

LOSS OF SCHOOL PRIVILEGES

Students may lose school privileges if his/her attendance results in six (6) or more unexcused absences or six (6) or more unexcused tardies.

Absences and Excuses

MAKE-UP WORK

In order to receive credit for make-up work, a student with an absence shall be required to make-up class work missed within five (5) school days of his/her return to school. Within the five (5) day limit, teachers shall have the discretion to base the number of days required to complete a make-up assignment on the length of the assignment and the number of days missed. Students shall receive a zero (0) for each assignment not made-up within the specified five (5) day or less period. The timeline for Tier 2, Tier 3, Special Education, and Section 504 eligible students shall not be subject to the five (5) day limitation and may be extended for a reasonable period of time to permit the work to be completed.

A student who has been given an out-of-school suspension will be responsible for completing all class work missed during their suspension. This work should be completed and returned within five (5) days of returning to school. Examinations and tests must be made up within five (5) days of their return to school.

Students shall be responsible for contacting teachers concerning make-up work.

MIDDLE SCHOOL/HIGH SCHOOL

Middle school or high school students sixteen (16) years of age and older who are absent ten (10) days unexcused, in a particular class or classes may be referred to the Attendance Board~~subject to dismissal according to~~ in accordance with the following conditions and exceptions:

1. When a student has been absent from a class ten (10) times, s/he may be required to appear before an Attendance Board ~~to justify remaining in school~~. The Attendance Board shall consist of teachers, the building Principal, dean, counselor and pupil personnel director.
2. The Attendance Board shall give the student and his/her parent or guardian notice of the time and place of the meeting at least forty-eight (48) hours in advance of the scheduled event.~~have the authority to recommend readmission to school. If the Attendance Board recommends that the student not be readmitted to school, the Superintendent will recommend expulsion at the next regular or special Board meeting. At the meeting, the Attendance Board shall hear testimony and review any documentation presented by the student, parent, guardian or other designated party with information relating to the student's absences.~~
3. If it is determined that the absences are not justified or excused, the Attendance Board shall have the authority to impose consequences including, but not limited to: requiring the student to sign an attendance contract, loss of school or extra-curricular activity privileges, loss of parking privileges, in-school disciplinary measures, Saturday school, referral to Alternative programming, referral to the Kentucky Transportation Cabinet for license revocation and/or court referral.
- 2.4. The student and/or parent/guardian may appeal actions taken to the Superintendent.

Absences and Excuses**ELEMENTARY SCHOOL/MIDDLE SCHOOL /HIGH SCHOOL**

Any student who is absent twenty (20) or more days unexcused, in a particular class during the school year is subject to failure in that class.

Each student shall have a minimum of ten (10) grades recorded for each grading period.

Any student who is under doctor's orders not to return to school and who is not on homebound instruction is responsible for all work missed. That student is to contact the school and request assignments for one (1) week, allowing the school 24 hours to collect the assignments. The student then has one (1) week to complete the assignments. The assignments shall be returned to the school and assignments for the next week shall be requested. The student has one (1) week to complete the work without being penalized. If no work is returned within the week, the student receives failing grades for each week absent.

~~ELEMENTARY SCHOOL/MIDDLE SCHOOL /HIGH SCHOOL (CONTINUED)~~

Any student who is absent ten (10) or more days with a valid doctor's excuse will have a parent conference with the Principal or designee of the school to complete an Authorization for Release/Inspection of Records.

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.

REFERENCES:

¹702 KAR 7:125,
KRS 36.396, KRS 38.470, KRS 40.366, KRS 158.070, KRS 158.183, KRS 158.293
KRS 158.294; KRS 159.035, KRS 159.140, KRS 159.150, KRS 159.180
OAG 76-566, OAG 79-68, OAG 79-539, OAG 91-79, OAG 96-28

RELATED POLICIES:

08.1312; 08.221; 08.222
09.111, 09.122, 09.1231, 09.4281, 09.4341
09.126 (re requirements/exceptions for students from military families)

RELATED PROCEDURE:

09.14 AP.24

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 18 years of age or older or those duly enrolled in a post-secondary school program. In general, FERPA rights pass to the eligible student upon either of those events. Parents may be provided access to the educational records of an eligible student 18 years old or older if the student is dependent under federal tax laws.¹

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

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

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

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

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

Student Records

DISCLOSURE OF RECORDS (CONTINUED)

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 their child(ren) out of participation in the following activities:

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

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

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

STUDENTS WITH DISABILITIES

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

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.²

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:

¹Section 152 of the Internal Revenue Code of 1986

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

KRS 7.110; KRS 15A.067; KRS 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

RECOMMENDED: THIS RECOMMENDED CHANGE WILL CLARIFY THAT THE FEE WAIVER PROCESS WILL APPLY WHETHER THE DISTRICT IS USING THE COMMUNITY ELIGIBILITY PROVISION (CEP) OR THE FREE AND REDUCED PRICE MEAL PROGRAM.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.15

Student Fees

BOARD APPROVAL REQUIRED

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

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

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

ADVANCED PLACEMENT TESTING FEES

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

INABILITY TO PAY

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

WAIVER OF FEES

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

REFERENCES:

¹KRS 158.108; ~~704 KAR 3:455~~

²KRS 160.330; ~~702 KAR 3:220~~

702 KAR 3:220; 704 KAR 3:455

Accounting Procedures for Kentucky School Activity Funds

RELATED POLICY:

08.232

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.

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 at least one (1) of whom shall be present at the school at all times during school hours, shall have completed and been certified in a standard first aid course that includes CPR for infants and children.

~~The District shall have employees trained in accordance with the law to administer or help administer emergency medications. 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.¹ Cards containing this and other health-related information appropriate to emergency care or treatment shall be maintained and updated on a regular basis. Parents will be notified in the event of an accident.

EMERGENCY PROCEDURES

Each Principal shall develop a procedure for handling medical emergencies. All emergency situations shall be reported to the building Principal, the school nurse and the Central Office.

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

REFERENCES:

¹702 KAR 1:160
KRS 156.502
KRS 156.160
KRS 158.838

RELATED POLICIES:

09.21; 09.22; 09.2241

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.

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

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

SELF-ADMINISTRATION

~~Under procedures developed by the Superintendent,~~ In certain situations, and as set forth in KRS 158.834, ~~and~~ KRS 158.836, ~~and~~ KRS 158.838, a written physieianhealth care practitioner's authorization shall allow a student to responsibly carry self-administered medication due to a pressing medical need (i.e. Epi-pen, inhaler, glucagon, insulin).

Provided the parent/guardian and physieianhealth care practitioner files a completed authorization form each year as required by law.²

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

Students 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.

Student Medication

REFERENCES:

¹OAG 73-768

²KRS 158.834; KRS 158.838

³KRS 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 77-530

OAG 83-115

RELATED POLICIES:

09.22, 09.224

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 and sport activity competition 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, the policies and requirements of the local Board, 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).

ELIGIBILITY

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

MIDDLE SCHOOL RULES AND LIMITATIONS

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

1. A defined age limitation for participating students;
2. A policy regarding the participation of students below grade six (6);
3. A limitation on practice time prior to the season in any sport or sport activity;
4. A limitation on the number of 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.

RESPONSIBILITY

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

SCHEDULING

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

Athletics and Sport Activities**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 161.185.¹

REFERENCES:

¹KRS 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

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 shall not be permitted to use or possess any tobacco, [alternative nicotine product, or vapor product as defined in KRS 438.305](#), ~~or nicotine products~~ 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. ~~Nicotine products include electronic cigarettes, nicotine gum, patches and other similar products. Students with a doctor's order or prescription shall provide the school with a copy to be kept on file.~~ Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline.

REFERENCES:

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

KRS 161.180

KRS 160.290

KRS 160.340

KRS 438.050

[KRS 438.305](#)

KRS 438.350

OAG 81-295

OAG 91-137

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.¹

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;

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:

¹KRS 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

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 which 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 cocurricular 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

At the beginning of the school year, students shall receive orientation to the Code. Orientation shall include, but not be limited to, assembly programs and classroom instruction. When they initially enroll, new students shall receive a copy of the Code as well as an explanation of its contents.

Copies of the Code shall be forwarded to parents by the students.

Teachers shall receive orientation to the Code before students enter schools.

REVIEW

At least every two (2) years, the Board shall appoint a committee to review the Code and to propose revisions as needed. The committee shall present its recommendations to the Board.

Any revisions to the Code shall be annually distributed as specified above to students, parents, and teachers.

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.

Student Discipline Code

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