

Harassment/Discrimination

GUIDELINES (CONTINUED)

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

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

2. A process to identify and implement, within five (5) working days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all staff, which may include, but not be limited to, the following:
 - written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets;
 - postings in the same location as are documents that must be posted according to state/federal law; and/or
 - such other measures as determined by the Superintendent/designee.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy.

4. Annual training explaining prohibited behaviors and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

PROHIBITED CONDUCT

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

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;

Harassment/Discrimination

PROHIBITED CONDUCT (CONTINUED)

6. Seeking to involve individuals with disabilities in antisocial, dangerous or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

CONFIDENTIALITY

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

APPEAL

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

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

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

RETALIATION PROHIBITED

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

OTHER CLAIMS

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

REFERENCES:

- ¹KRS 158.156
- 42 USC 2000e, Civil Rights Act of 1964, Title VII; KRS Chapter 344
- 29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC) Regulations Implementing Title VII
- 20 U.S.C. 1681, Education Amendments of 1972, Title IX
- 34 C.F.R. 106.1-106.71, U. S. Department of Education Office for Civil Rights Regulations Implementing Title IX
- Genetic Information Nondiscrimination Act of 2008

RELATED POLICIES:

03.212, 03.2325, 03.26, 09.2211, 09.422, 09.42811

LEGAL: 2 C.F.R. 200.318 REQUIRES THAT SCHOOL DISTRICTS HAVE A CODE OF CONDUCT FOR PROCUREMENT USING FEDERAL FUNDS. THIS CONFLICT OF INTEREST LANGUAGE SPEAKS TO THAT REQUIREMENT.

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

FEDERAL AWARDS/CONFLICT OF INTEREST

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.⁷

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The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. In determining whether an activity constitutes an impermissible acceptance of a gratuity or item of monetary value, the definition of "gratuity" (covering anything of more than fifty dollars [\$50] value) set forth in KRS 45A.445 shall apply. Violation of these standards may result in disciplinary action including, but not limited, to suspension, dismissal, or removal.

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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.

Bidding**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.

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 may 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 may become part of the contractual obligation of the contractor and may 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

Bidding

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

⁷~~2 C.F.R. 200.3187-C.F.R. 210.21 and 7 C.F.R. 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: SB 39 REQUIRES THE BEST AVAILABLE SEVERE WEATHER SAFE ZONES TO BE DETERMINED IN CONSULTATION WITH STATE AND LOCAL SAFETY OFFICIALS AND GUIDED BY PRINCIPLES SET FORTH BY THE NATIONAL WEATHER SERVICE AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SCHOOL FACILITIES

05.4

Safety

BOARD TO ADOPT

The Board shall adopt a plan for immediate and long-term strategies to address school safety and discipline, which shall be reviewed annually and revised, as needed. This plan shall utilize information gathered from the District assessment of school safety and student discipline required by law and shall include the Board's code of acceptable behavior and discipline and a description of instructional placement options for threatening or violent students. The committee that develops the plan for Board consideration shall include at least one (1) representative from each school in the District, as well as representatives from the community as required by law.

SCHOOL EMERGENCY PLANNING

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

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

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

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

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

1. Establish and post primary and secondary evacuation routes in each room by any doorway used for evacuation;
2. Identify the best available severe weather safe zones, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency, and post the location of the safe zones in each room. ~~These safe zones are to be reviewed by the local fire marshal or fire chief;~~
3. Develop school procedures to follow during an earthquake; and
4. Develop and adhere to practices to control access to the school.

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

Safety

PRECAUTIONS

Precautions will be taken for the safety of the students, employees, and visitors.

REPORTING HAZARDS

Each employee observing a potential safety or security hazard shall report such hazard in writing to his/her immediate supervisor who shall cause the situation to be remedied or reported to the proper authority for remedy.

COMMUNICATION SYSTEM

The Board shall establish a process for a two-way communication system for employees to notify the Principal, supervisor or other administrator of an existing emergency. The process may include, but is not limited to, use of intercoms, telephones, and two-way radios.

REFERENCES:

~~KRS 158.162~~

KRS 158.148; KRS 158.162; KRS 158.164; KRS 158.445

KRS 160.290; KRS 160.445

KRS 311.667; KRS 411.148

RELATED POLICIES:

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

09.22; 09.221; 09.4 (entire section)

LEGAL: SB 39 REQUIRES THE BEST AVAILABLE SEVERE WEATHER SAFE ZONES TO BE DETERMINED IN CONSULTATION WITH STATE AND LOCAL SAFETY OFFICIALS AND GUIDED BY PRINCIPLES SET FORTH BY THE NATIONAL WEATHER SERVICE AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SCHOOL FACILITIES

05.42

Severe Weather/Tornado Drills

PROCEDURE SYSTEM

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

1. A school building disaster plan that provides for a drop procedure and safe area evacuation practices;
2. Designation of the best available safe zones for each facility, in consultation with local and state safety officials and informed by guiding principles set forth by the national Weather Service and the Federal Emergency Management Agency ~~that have been reviewed by local fire marshal or fire chief as part of the school emergency planning process and posted in each room of the school;~~
3. Protective measures to be taken before, during, and following severe weather/tornado; and
4. Training of staff and students in the system, including use of a drop procedure.

TIMES FOR DRILLS

Severe weather/tornado and safe area evacuation drills are to be held during the first thirty (30) instructional days of the school year and in January. Designated school primary and secondary evacuation routes are to be posted by any doorway used for evacuation.

IMPLEMENTATION

The Principal is responsible for implementing this policy.

REFERENCES:

KRS 158.162

KRS 158.163

RELATED POLICY:

05.4

LEGAL: HB 315-THE 2015 GENERAL ASSEMBLY AMENDED KRS 189.125 TO REQUIRE THAT CHILDREN UNDER AGE 8 AND BETWEEN 40 AND 57 INCHES TALL BE PROPERLY SECURED IN CHILD BOOSTER SEATS WHEN BEING TRANSPORTED IN CERTAIN VEHICLES. ANY CHILD 57 INCHES OR TALLER DOES NOT HAVE TO BE SECURED IN A BOOSTER SEAT, NO MATTER THE AGE OF THE CHILD.

FINANCIAL IMPLICATIONS: COST OF ADDITIONAL BOOSTER SEATS

TRANSPORTATION

06.2

Safety

DEVELOPMENT OF PROGRAM

The Superintendent shall develop a transportation safety program as required by applicable law and administrative regulation. Appropriate safety information shall be disseminated annually in writing to employees, parents, and pupils of the school District.

BOOSTER SEATS

When students who are under seven-~~eight~~ (7~~8~~) years old and between forty (40) and fifty-seven (50~~57~~) inches in height are transported in District-owned or leased vehicles designed for ten-~~nine~~ (40~~9~~) or fewer passengers, they shall be properly secured in a child booster seat. Per KRS 189.125, a child of any age who is greater than fifty-seven (57) inches in height is not required to be secured in a booster seat.

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REFERENCES:

KRS 158.110
KRS 189.125
702 KAR 5:030
~~702 KAR 5:060~~
702 KAR 5:080

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RELATED POLICY:

06.12

LEGAL: THIS CHANGE IS TO CLARIFY THAT A SERVICE ANIMAL MUST BE ALLOWED ON DISTRICT
TRANSPORTATION WITHOUT MEDICAL DOCUMENTATION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

TRANSPORTATION

06.342

Hazards in and on Bus

PROHIBITED ITEMS

Passengers shall not bring an object on the school bus that may block the bus aisles or exits.

All items that a child transports on the bus must be held in the child's lap and the child must be able to board and leave the bus without the items causing problems for other children. The child must be able to handle without creating problems in loading or leaving the bus any items s/he transports on the bus.

A driver shall not knowingly permit any of the following to be transported on the bus:

1. Firearms or weapons, either operative or ceremonial;
2. Fireworks or other explosive materials of any type;
3. Live animals; Note: except for an animals that are not a risk to other bus riders and that are is necessary to enable a person to safely utilize the bus transportation as documented by adequate medical evidence, or required by a student's Individual Education or Section 504 Plan, or a service animal and that is not a risk to other bus riders; shall be allowed on the bus.
4. Preserved specimens that would likely frighten a pupil or cause a commotion on the bus; or
5. Glass objects or helium balloons.

REFERENCES:

KRS 158.110

702 KAR 5:080

702 KAR 5:150

Individuals with Disabilities Education Improvement Act of 2004

Section 504 of Rehabilitation Act of 1973

Americans with Disabilities Act

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LEGAL: THE HEALTHY, HUNGER-FREE KIDS ACT OF 2010 PUTS IN PLACE PROFESSIONAL STANDARDS FOR STATE AND LOCAL SCHOOL NUTRITION PERSONNEL. THESE GO INTO EFFECT JULY 1, 2015.

FINANCIAL IMPLICATIONS: POSSIBLE SALARY IMPLICATIONS

LEGAL: IN ADDITION, SCHOOL NUTRITION AUDITORS ADVISE THAT ALL FNS ASSISTANCE PROGRAMS MUST NOTIFY PARTICIPANTS OF THEIR RIGHT TO FILE A COMPLAINT AND HOW TO DO SO. THIS LINK AND MAILING ADDRESS SPEAK TO THOSE REQUIREMENTS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SUPPORT SERVICES

07.1

Food/School Nutrition Services

The Board shall provide a District-wide school nutrition program in compliance with applicable state and federal statutes and regulations. It is the intent of the Board that school nutrition services be a self-supporting program.

MEALS

Lunchrooms shall serve meals that meet or exceed the requirements specified by state and federal regulations.

The Board shall establish the price of meals served by the lunchroom.

MEAL CHARGES

Meal charges are discouraged and limited to the cost of five (5) lunch meals and five (5) breakfast meals. Once the charge limit has been reached, a student who is not approved for free or reduced price meals that comes to breakfast or lunch with no money or bag lunch, shall be provided with a nutritious emergency snack at no cost. These snacks will not consist of featured menu items.

Parents, school counselors, family resource and/or Social Services may be notified if a student requests emergency snacks several days in a row, or establishes a pattern of needing emergency snacks.

Milk and ala carte items may not be charged. ("Ala carte" refers to those items purchased separate from the meal or meal choices.)

Adults shall not charge meals or a la carte items.

Food Service funds shall not be used to collect outstanding meal charges.

RETURNED CHECKS

The School Nutrition Office will notify parents of any returned checks upon receipt. These checks must be covered within three (3) working days from notification. During the period the student will receive an alternate sustenance meal. If the check is not covered, the student will stay on the alternate sustenance meal.

FOOD SERVICE/SCHOOL NUTRITION PROGRAM DIRECTOR

The District (or food service area to which the District belongs) shall appoint/select a Food Service/School Nutrition Program Director to oversee and manage the school nutrition service program. All Food Service/School Nutrition Program Directors shall meet minimum educational requirements and annual training requirements in accordance with federal and state law.

Food/School Nutrition Services

ANNUAL REPORT/PUBLIC FORUM

Immediately following the release of the annual school nutrition report, the Board shall discuss the findings and seek public comment during a publicly advertised Board meeting.

By January 31 of each year, the Board shall hold an advertised public forum to present a plan to improve school nutrition in the District.

The District shall compile a summary of findings and recommendations and submit the summary to the Kentucky Board of Education.

DISCRIMINATION COMPLAINTS

The District does not discriminate on the basis of race, color, national origin, sex, age, or disability in its school nutrition program.

~~In compliance with state and federal requirements, the Superintendent/designee shall develop a process to address complaints of alleged discrimination in the delivery of benefits or services in the District's school nutrition program, whether received in written or verbal form.~~

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Anyone wishing to initiate a complaint concerning discrimination in the delivery of benefits or services in the District's school nutrition program should go to the link below or mail a written complaint to the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, or email, program.intake@usda.gov.

http://www.ascr.usda.gov/complaint_filing_cust.html

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District personnel shall assist parents/guardians and students wishing to file a complaint.

SPECIAL DIETARY NEEDS

Students whose dietary needs qualify them for an adaptation under law shall be provided accommodations in keeping with local procedures.

REFERENCES:

KRS 156.160

~~KRS 156.502~~

KRS 158.852; KRS 158.856

KRS 160.290

702 KAR 6:010; 702 KAR 6:050

702 KAR 6:075, 702 KAR 6:090

7 C.F.R. §210.23; ~~7 C.F.R. §210.30~~; FNS Instruction 113

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

RECOMMENDED: THIS LANGUAGE IS BEING MOVED TO THE BOARD WELLNESS POLICY 09.2 SO THAT IT IS EASIER TO LOCATE WHEN FOOD SERVICE AUDITS TAKE PLACE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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.

DEFINITIONS

"Competitive Food" shall mean all food and beverages sold to students on the school campus during the school day, other than those meals reimbursable under the programs authorized by the National School Lunch Act and the Child Nutrition Act.

"School-day" means the period of time 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.

NUTRITIONAL STANDARDS

No school may sell competitive foods or beverages, whether from vending machines, school stores or canteens, classrooms, teacher or parent groups, from 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.

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

~~FOOD/BEVERAGES AS REWARDS~~

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

REFERENCES:

7 C.F.R. 210.11b; 7 C.F.R. 220.12

KRS 156.160; KRS 158.850; KRS 158.854

702 KAR 6:090

U. S. Dept. of Agriculture's *Dietary Guidelines for Americans*

RELATED POLICIES:

07.12

09.2

LEGAL: 2 C.F.R. 200.318 REQUIRES THAT SCHOOL DISTRICTS HAVE A CODE OF CONDUCT FOR PROCUREMENT USING FEDERAL FUNDS. THIS CONFLICT OF INTEREST LANGUAGE, ORIGINALLY LOCATED IN 07.13 AP.1 FOR DISTRICTS IN THE KSBA PROCEDURE SERVICE, SPEAKS TO THAT REQUIREMENT.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SUPPORT SERVICES

07.13

School Nutrition Procurement

OPEN BIDDING

In all applicable cases, food, food products, supplies, and equipment purchased with school food service funds shall be procured in accordance with the process and procedures established in Policy 04.32 in a manner that provides full and open competition consistent with the standards in applicable federal regulations.⁺

CONFLICT OF INTEREST

The following conduct will be expected of all persons who are engaged in the award and administration of contracts supported by School Food Service Program Funds.

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1. No employee, officer, or agent of the District shall participate in selection or in the award or administration of a contract supported by Program funds if a conflict of interest, real or apparent, would be involved. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award:

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a) District employee, officer, or agent;

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b) Any member of his/her immediate family;

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c) His/her partner;

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d) An organization that employs or is about to employ one of the above.

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2. District employees, officers, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements. In determining whether an item is an impermissible gratuity or of monetary value, the definition of "gratuity" (covering anything of more than fifty dollars [\$50] value) set forth in KRS 45A.445 shall apply.

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3. The purchase during the school day of any food or service from a contractor for individual use is prohibited.

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4. The removal of any food, supplies, equipment, or school property such as records, recipe books, and the like is prohibited.

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5. The outside sale of such items as used oil, empty cans, and the like will be sold by contract between the District and the outside agency. Individual sales by any school person to an outside agency or other school person is prohibited.

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Failure of any employee to abide by the above-stated code may result in disciplinary action, including but not limited to, a fine, suspension, or dismissal.

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SUPPORT SERVICES

07.13
(CONTINUED)

School Nutrition Procurement

REFERENCES:

~~17 CFR 3016.36~~

~~7 CFR 210.21 2 C.F.R. 200.318~~

~~2 C.F.R. 200.320~~

KRS 160.290

KRS 424.260

KRS 45A.345 – KRS 45A.460

702 KAR 6:010

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RELATED POLICY:

04.32

LEGAL: THE HEALTHY, HUNGER-FREE KIDS ACT OF 2010 PUTS IN PLACE PROFESSIONAL STANDARDS FOR STATE AND LOCAL SCHOOL NUTRITION PERSONNEL. THESE GO INTO EFFECT JULY 1, 2015.

FINANCIAL IMPLICATIONS: POSSIBLE SALARY IMPLICATIONS

SUPPORT SERVICES

07.16

Food Service/School Nutrition Employees

FOOD SERVICE/SCHOOL NUTRITION EMPLOYEES

All food service/school nutrition employees shall meet the qualifications of and be in compliance with the responsibilities noted in federal regulation or 702 KAR 6:045, whichever is most stringent.¹ In addition, food service/school nutrition program directors and school cafeteria managers shall meet training and credential requirements specified in statute.²

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REFERENCES:

¹702 KAR 6:045; 7 C.F.R. §210.30

²KRS 158.852

KRS 156.160

KRS 161.011

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RELATED POLICIES:

See Section 03.2

07.1

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RECOMMENDED: THE STATE'S REQUEST FOR A FOUR (4) YEAR NCLB WAIVER EXTENSION HAS BEEN GRANTED.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.133

Extended School/Supplemental Educational Services

PLAN FOR DIAGNOSING

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

EXTENDED SCHOOL SERVICES

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

For students eligible to attend ESS, the District shall:

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

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

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

~~Pending renewal of~~Because the Kentucky request to the U. S. Dept. of Education for flexibility was granted, the following section is waived through the 2018-2019 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.

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

LEGAL: THE FEDERAL COMMUNICATIONS COMMISSION (FCC) ISSUED "E-RATE MODERNIZATION ORDERS" AND MADE REGULATORY CHANGES INCREASING THE RETENTION REQUIREMENTS FOR E-RATE DOCUMENTS RELATED TO THE APPLICATION FOR, RECEIPT, AND DELIVERY OF SUPPORTED SERVICES FROM FIVE (5) YEARS TO TEN (10) YEARS EFFECTIVE JULY 1, 2015. FINANCIAL IMPLICATIONS: ADDITIONAL RECORDS STORAGE COSTS; NOTE TO DISTRICT: THERE MAY BE POTENTIAL FUNDING IMPLICATIONS AS SUPPORTS FOR E-RATE SERVICES ARE PHASED OUT.

CURRICULUM AND INSTRUCTION

08.2323

Access to Electronic Media

(Acceptable Use Policy)

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

SAFETY PROCEDURES AND GUIDELINES

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

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

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

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

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

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

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

Access to Electronic Media

(Acceptable Use Policy)

PERMISSION/AGREEMENT FORM

An "Acceptable Use Policy" form shall be required prior to the student being granted independent access to electronic media involving District technological resources.

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

EMPLOYEE USE

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

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

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

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

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

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

COMMUNITY USE

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

Access to Electronic Media

(Acceptable Use Policy)

COMMUNITY USE (CONTINUED)

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

DISREGARD OF RULES

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

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

RESPONSIBILITY FOR DAMAGES

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

RESPONDING TO CONCERNS

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

AUDIT OF USE

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

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

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

First responsibility for monitoring student use falls with the classroom teacher; however, frequent and random monitoring of student use takes place at the District level.

Access to Electronic Media

(Acceptable Use Policy)

RETENTION OF RECORDS FOR E-RATE PARTICIPANTS

Following initial adoption, this policy and documentation of implementation shall be retained for at least ~~five-ten~~ (510) years after the last day of service in a particular funding year.

REFERENCES:

KRS 156.675; KRS 365.732; KRS 365.734
701 KAR 5:120
16 KAR 1:020 (Code of Ethics)
47 U.S.C. 254/Children's Internet Protection Act; 45 C.F.R. 54.520
Kentucky Education Technology System (KETS)
~~47 C.F.R. 54.516~~

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RELATED POLICIES:

~~03.13214/03.23214~~; 03.1325/03.2325; 03.17/03.27
08.1353; 08.2322
09.14; 09.421; 09.422; 09.425; 09.426; 09.4261
10.5

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LEGAL: 702 KAR 7:140 HAS BEEN REVISED ESTABLISHING THE REQUIREMENTS FOR SCHOOL DISTRICTS TO FOLLOW REGARDING SCHOOL CALENDARS.
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 Board, upon recommendation of the Superintendent, shall adopt a school calendar prior to each upcoming school year that establishes or includes: 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~~ Days on which students are scheduled to receive instruction at school within designated start and dismissal times (student attendance days) and the length of each student attendance days in accordance with KRS 158.060,
4. A minimum school term of not less than one hundred eight-five (185) days composed of student attendance days, teacher professional days, and holidays,
5. A student instructional year of at least one thousand sixty-two (1062) hours of instructional time or not less than one hundred seventy (170) student attendance days,
- 4-6. Instructional time required for kindergarten per KRS 157.320 if in excess of the minimum three (3) hours of daily instruction,
- 6-7. Days in addition to the student instructional year for the make-up of instructional time missed due to emergency equal to the greatest number of days missed system-wide over the preceding five (5) school years, and
- 5-8. Days on which schools shall be dismissed, and

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ADDITIONAL REQUIREMENTS

A testing window in accordance with KRS 158.6453 and KRS 164.302 to accommodate state-mandated assessments shall also be included.

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

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.

AMENDING THE CALENDAR

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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.

School Calendar

EMERGENCY WAIVERS

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Emergency day waivers may be requested if the District has missed more than twenty (20) regular student attendance days and demonstrates that an extreme hardship will result if not granted the waiver. Board requests for District-wide emergency day waivers shall be submitted to the Commissioner.

REFERENCES:

702 KAR 7:130; 702 KAR 7:140

KRS 2.190; KRS 118.035

KRS 157.320; KRS 157.360; ~~KRS 158.070~~

KRS 158.070; KRS 158.6453

LEGAL: 702 KAR 7:140 HAS BEEN REVISED TO REQUIRE UP-TO-DATE MASTER (BELL) SCHEDULES FOR EACH SCHOOL IN THE DISTRICT TO BE ON FILE IN THE CENTRAL OFFICE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.31

Student Attendance Day

STUDENT ATTENDANCE DAY

The length of the student attendance day designated by the Board shall provide students with no less than the minimum number of instructional days/hours required by law. The Board may request approval of an alternative school calendar based on procedures set out in Kentucky Administrative Regulations.

EXCEPTIONS

Kindergarten (entry level of the primary program) shall be provided no less than the equivalent of half-day sessions, five (5) days a week for a full school year for each student with students assigned to either morning or afternoon sessions.

Students with disabilities and students attending primary school may attend less than six (6) hours per day under programs approved by the Board and the Commissioner of Education.¹

MASTER SCHEDULE

An up-to-date master (bell) schedule shall be on file in each school and up-to-date master (bell) schedules for each school shall be on file in the District's central office.

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REFERENCES:

¹KRS 158.060
KRS 157.320
KRS 157.360
KRS 158.030
702 KAR 7:125
702 KAR 7:140

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RECOMMENDED: THE STATE'S REQUEST FOR A FOUR (4) YEAR NCLB WAIVER EXTENSION HAS BEEN GRANTED.
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. The Board may revise attendance zones from time to time to attain maximum utilization of school facilities.¹

IF FAMILIES MOVE

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

REQUESTS FOR TRANSFER

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

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

~~*Pending renewal of~~Because the Kentucky request to the U. S. Dept. of Education for flexibility was granted, reason #2 above shall be waived through the 2018-2019 school year. If request is not renewed, then transfer reason #2 will be in force.

REFERENCES:

¹P. L. 107-110 (No Child Left Behind Act of 2001)
34 C.F.R. 200.44
KRS 159.070
OAG 80-394