

## **DEFINITIONS**

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

### **POLICIES**

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

### **ADMINISTRATIVE PROCEDURES**

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

### **ADMINISTRATIVE REGULATIONS**

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

### **FULL-TIME, PART-TIME STATUS**

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

### **SUPERINTENDENT**

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

### **TEACHER**

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

### **PARENT OR GUARDIAN**

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

### **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".

**DEFINITIONS****HEALTH PROVIDER**

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

**RELATED POLICIES**

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

**REFERENCES**

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

**REFERENCES:**

<sup>1</sup>[KRS 157.320](#)

<sup>1</sup>[102 KAR 001:036](#)

<sup>1</sup>[702 KAR 001:035](#)

[KRS 158.144](#)

[KRS 160.290](#), [KRS 160.340](#), [KRS 160.345](#)

[KRS 405.028](#)

[702 KAR 006:010](#), [702 KAR 006:020](#), [702 KAR 006:040](#)

[702 KAR 006:045](#), [702 KAR 006:075](#), [702 KAR 006:090](#)

Adopted/Amended: 08/18/2014

Order #: 24

**Legal Status of the Board****CORPORATE POWERS**

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

**NOTICE OF NONDISCRIMINATION**

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

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

**REFERENCES:**

<sup>1</sup>[KRS 160.160](#)

[KRS 160.370](#)

Americans with Disabilities Act

Section 504 of the Rehabilitation Act of 1973

Title VI of the Civil Rights Act of 1964

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

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

Genetic Information Nondiscrimination Act of 2008

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

**RELATED POLICIES:**

03.113, 03.212, 03.162, 03.262

05.3, 09.13, 09.3211, 09.42811

Adopted/Amended: 08/19/2013

Order #: 23



## **General Powers and Duties of the Board**

### **ESTABLISHMENT OF SCHOOLS**

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

### **REQUEST FOR WAIVERS AND EXEMPTIONS**

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

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

### **SCHOOL FUNDS AND PROPERTY**

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

### **ADMINISTRATION**

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

### **MANAGEMENT**

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

### **SUBPOENA**

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

### **INSURANCE**

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

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

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

**FREE SUPPLIES**

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

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

**REPORTS**

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

**LEVY OF TAX RATES**

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

**POWER TO BORROW FUNDS**

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

**CONTRACT WITH CONSULTANTS**

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

Any proposed contracts with consultants shall be submitted to the Board for approval and shall be accompanied by figures showing the estimated cost of the consulting project to the District. Where appropriate, the Board may require bids for consulting services to be sought.

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

**APPLICATIONS FOR GRANTS**

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



**General Powers and Duties of the Board**

**REFERENCES:**

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

**RELATED POLICIES:**

01.41; 01.5; 01.7  
03.124; 03.224

Adopted/Amended: 07/16/2012  
Order #: 4

## **District Planning**

### **PLANNING COMMITTEE**

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

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

Selection of committee members shall reflect reasonable minority representation and encourage active minority participation.<sup>1</sup>

### **PLANNING CYCLE**

The District's planning cycle shall run from December 1 - November 30.

### **PLAN REQUIREMENTS**

The plan structure shall include the components set out in [703 KAR 005:225](#).

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

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

Planning activities shall draw on information from a variety of sources that shall include an opportunity for parents and other citizens of the community to have input into the plan. The plan shall include opportunities to collaborate with businesses, colleges, and community organizations in providing services as part of or aligned with the District's extended school services (ESS) program.

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

### **PUBLIC REVIEW**

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

**District Planning****BOARD APPROVAL**

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

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

**IMPLEMENTATION**

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

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

**SCHOOL PLANS**

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

**REFERENCES:**

<sup>1</sup>[KRS 156.500](#)

<sup>2</sup>[KRS 158.649](#)

[KRS 160.290](#); [KRS 160.345](#)

[703 KAR 005:225](#); [704 KAR 003:390](#)

**RELATED POLICIES:**

02.44, 02.442, 09.21

Adopted/Amended: 8/19/2013  
Order #: 23



**Meetings****QUORUM**

A majority of the Board shall constitute a quorum for the transaction of business.<sup>1</sup>

**MAJORITY VOTE**

A concurring vote of a majority of the full Board is necessary to take any particular action, unless otherwise specified by statute.<sup>2</sup>

**ABSTENTIONS**

Members of the Board who are present but abstain from voting are considered as acquiescing with the majority.<sup>2</sup>

**RULES OF ORDER**

The Board shall observe Robert's Rules of Order, except the chairperson may make a motion, second, discuss, and vote on all matters before the Board, or where otherwise provided by law.

**REFERENCES:**

<sup>1</sup>[KRS 160.270](#) (1)

<sup>2</sup>[OAG 82-374](#); [Payne v. Petrie](#), Ky., 419 S.W. (2d) 761 (1967)

[OAG 88-35](#)

[OAG 92-77](#)

[OAG 92-136](#)

03-OMD-006

**RELATED POLICY:**

01.821

Adopted/Amended: 10/18/1993

Order #: 89

**Organizational Meetings**

**ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON**

At the first regular meeting in January following the election of Board members, the Board shall elect a chairperson and vice-chairperson.

**TERM OF OFFICE FOR CHAIRPERSON AND VICE-CHAIRPERSON**

The chairperson and vice-chairperson shall serve two (2) year terms beginning immediately following their election.

**VACANCIES**

In the event that the office of the Chairperson and/or Vice-Chairperson becomes vacant, an election to fill the vacancy shall be held. The newly-elected Chairperson and/or Vice-Chairperson shall serve for the remainder of the term of office

**REFERENCE:**

[KRS 160.160](#)

Adopted/Amended: 03/20/1989

Order #: 259

**Duties and Responsibilities of Chairperson and Vice-Chairperson**

1. The chairperson of the Board shall preside at meetings.
2. The chairperson may appoint special committees.
3. The chairperson may call special meetings of the Board.<sup>1</sup>
4. The chairperson may make or second motions and vote on motions.
5. The chairperson shall countersign all orders of the Board<sup>2</sup> (including contracts and reports as required by law).
6. When outside agencies send communications and notifications only to the chairperson, s/he shall bring before the Board information intended for all Board members.
7. The vice-chairperson shall perform the duties of the chairperson in the absence of the chairperson.

**REFERENCES:**<sup>1</sup>[KRS 160.270](#)<sup>2</sup>[KRS 160.440](#)

Adopted/Amended: 08/18/1997

Order #: 20



**Duties and Responsibilities of the Secretary****RECORDS**

The secretary shall keep the records of the Board and perform other duties imposed by the Board. All orders of the Board must be signed by the secretary and countersigned by the chairperson of the Board. The secretary shall be custodian of all securities, documents, title papers, and other papers of the Board under such conditions as the Board may direct. The secretary, when other than the Superintendent, shall make all records of the Board available to the Superintendent and the Board at any time upon request of the Superintendent or the Board.<sup>1</sup>

**MEETINGS**

The secretary shall be present at the meetings of the Board except when the tenure, salary, or the administration of the office is under consideration and shall record in a book provided for that purpose all its official proceedings, which shall be a public record open to inspection unless otherwise exempted from inspection by law.<sup>2</sup>

**DESIGNATION OF SECRETARY**

The secretary shall not be a member of the Board. The Board may appoint the Superintendent as secretary. However, if appointed secretary by the Board, the Superintendent shall not receive compensation in addition to that received for serving as Superintendent. If a person other than the Superintendent is appointed, the Board may fix a reasonable salary for the secretary.

The secretary may be appointed to a term ranging from one to four (1-4) years.

**REFERENCES:**

<sup>1</sup>[KRS 160.440](#)

<sup>2</sup>[KRS 160.270](#)

Adopted/Amended: 08/20/1990

Order #: 61

**Duties and Responsibilities of the Treasurer****BOND**

The treasurer shall execute an official bond for the faithful performance of the duties of the office, to be approved by the local Board and the Commissioner of Education. The bond shall be guaranteed by a surety company authorized to do business in this state and shall be in an amount determined by the Board in accordance with the administrative regulations of the Kentucky Board of Education. The premium on the bond shall be paid by the Board and a copy filed with the Commissioner of Education.<sup>1</sup>

**DESIGNATION OF TREASURER**

The Board shall elect a treasurer for the Board. The Board may elect the secretary to serve as treasurer. The Board may remove the treasurer from office at any time for cause by a vote of a majority of the members of the Board.

**DEPOSITS**

The treasurer shall receive all monies to which the Board is entitled by the Constitution or by the statutes, except as otherwise provided by law, or which may in any way come into its possession, and deposit such funds in the properly designated depository. The treasurer shall withdraw such funds from the depository only upon proper order of the Board.<sup>1</sup>

**ACCOUNTS**

The treasurer shall keep a full and complete account of all funds in such manner and make such reports concerning them as is required by the Board or by the Kentucky Board of Education. The treasurer shall preserve all records relating to the transactions and duties of the office and turn them over to a successor along with all public funds on hand and all accounts and records after due and proper audit is made by a competent outside agent when s/he is required to do so by the Board.<sup>1</sup>

**PAYMENTS**

The treasurer shall issue checks on the depository for payment of all legal claims, which have been authorized for payment in accordance with policies previously adopted by the Board and approved by the Commissioner of Education.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>[KRS 160.560](#)  
[KRS 160.613](#); [KRS 160.614](#); [KRS 160.615](#); [KRS 160.621](#)  
[KRS 160.625](#); [KRS 160.627](#); [KRS 160.635](#); [KRS 160.637](#)  
[702 KAR 003:080](#)

**RELATED POLICIES:**

See section 04

Adopted/Amended: 08/21/2000

Order #: 23

**Regular Meetings****TIME AND PLACE**

At 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. Rescheduled regular meetings shall be noticed and held as special meetings.<sup>1 & 4</sup>

**PUBLICITY**

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

**OPEN MEETINGS**

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

**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:**

<sup>1</sup>[KRS 160.270](#)

<sup>2</sup>[KRS 61.820](#); [OAG 78-274](#); [OAG 78-614](#)

<sup>3</sup>[KRS 61.810](#)

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

[KRS 61.826](#)

**RELATED POLICIES:**

01.421; 01.43; 01.44

Adopted/Amended: 8/18/2014

Order #: 24



**Public Participation in Open Meetings****PUBLIC ATTENDANCE**

The public and the news media are permitted to attend all open meetings of the Board. No person may be required to give identification in order to attend any such meeting.<sup>1</sup>

**EXCEPTION**

The chairperson may impose conditions upon attendance at a given meeting only if such conditions are required for the maintenance of order.<sup>1</sup>

**PUBLIC PARTICIPATION**

Persons wishing to address the Board must first be recognized by the chairperson.

**SPEAKERS**

The chairperson may require the name and address of the speaker. The chairperson may rule on the relevance of the topic to the Board's agenda. The chairperson may also establish time limits for speakers as may be required to maintain order and to ensure the expedient conduct of the Board's business.

**NON-AGENDA ISSUES**

The Board will not take official action on non-agenda issues introduced by the public in the meeting at which they are first introduced.

**REFERENCE:**

<sup>1</sup>[KRS 61.840](#)

**RELATED POLICIES:**

01.45

01.5

10.2

Adopted/Amended: 08/09/1988

Order #: 34

**Closed Sessions****AUTHORIZATION**

The Board may at any meeting go into closed session to discuss any matters which it may lawfully discuss at a closed meeting.<sup>1</sup>

**REQUIREMENTS**

Except as provided under [KRS 61.810](#), the following requirements shall be met as a condition for conducting closed session:

1. Notice shall be given in open meetings of the general nature of the business to be discussed in closed session, the reason for the closed session, and the specific provision of [KRS 61.810](#) authorizing the closed session;
2. Closed sessions may be held only after a motion is made and carried by a majority vote in open, public session;
3. No final action may be taken at a closed session, except as permitted by law;<sup>2</sup>
4. No matters may be discussed at a closed session other than those publicly announced prior to convening the closed session.<sup>3</sup>

**SERIAL MEETINGS PROHIBITED**

No series of meetings of less than a quorum of the Board, where those attending one or more meetings collectively constitute a quorum of the Board, may be held where the meetings are designed to avoid the requirements of the Open Meetings Law. Discussions between individual Board members may be held if the purpose of the discussion is to educate the members on specific issues.

**REFERENCES:**

<sup>1</sup>[KRS 61.810](#)

<sup>2</sup>[OAG 81-135](#)

<sup>3</sup>[KRS 61.815](#)

Adopted/Amended: 08/18/1997

Order #: 20

**Special Called Meetings****AUTHORIZATION**

The Board may hold such special meetings as are necessary to expedite its business.<sup>1</sup> A special meeting may be open or closed, and the Board may accordingly conduct any activities in a special meeting that are permitted in an open or closed meeting.<sup>2</sup> The Board may consider only those subjects set forth in the notice of the meeting and agenda.<sup>3</sup>

**CALL AND NOTICE**

A special meeting may be called at any time by the chairperson or on request of three (3) Board members. The secretary shall provide written notice of the special meeting. The notice shall consist of the date, time and place of the special meeting and the agenda. Discussion and action at the meeting shall be limited to items listed on the agenda in the notice.<sup>1</sup>

**DELIVERY AND TIMING OF NOTICE**

Notice of a special meeting must be delivered personally, transmitted by fax, mailed, or, if requested in writing, by electronic mail (email) so that it is received at least twenty-four (24) hours prior to the time of such meeting as specified in the notice. Notice shall be given to each Board member and to each media organization, which has on file with the Board a written request to be notified of special meetings. Written notice shall also be posted at least twenty-four (24) hours before the meeting in a conspicuous place in the building where the meeting will take place and in the Board central office.<sup>4</sup>

**EXCEPTION**

Requirements for notice, delivery and timing are not required in case of an emergency, which prevents compliance. In such a case reasonable effort shall be made to notify Board members, media organizations that have filed a written request for notification and the public of the emergency meeting. At the beginning of the meeting, the Chairperson shall explain, for the record, the emergency circumstances preventing compliance with notice, delivery and timing requirements. This explanation shall be recorded in the minutes of the meeting. Discussion and action at this meeting shall be limited to the emergency for which the meeting has been called.<sup>4</sup>

**REFERENCES:**

<sup>1</sup>[KRS 160.270](#)

<sup>2</sup>[OAG 78-274](#)

<sup>3</sup>[OAG 77-221](#); [OAG 61-24](#)

<sup>4</sup>[KRS 61.823](#)

92-OMD-1677

Adopted/Amended: 08/18/2008

Order #: 16



**Board Meeting Agenda****PREPARATION**

Agenda for Board meetings shall be prepared by the Superintendent at the direction of, and subject to the approval of, the Chairperson.

Any member of the Board may submit items for the agenda for a regular meeting through the Chairperson or the Superintendent. The agenda shall be closed to Board members ten (10) calendar days preceding the scheduled regular meeting unless the addition of a late item is approved by the Chairperson or by a request of three (3) Board members.

Items may be placed on a proposed special called meeting agenda at the direction of the Chairperson and shall be placed on the proposed agenda if requested by three (3) or more Board members.

The agenda of a regular meeting may be amended at the meeting upon affirmative vote of at least three (3) members. However, once the agenda for a special called meeting is posted or delivered to Board members and requesting media, it may only be amended when a new notice and reposting of the agenda, as amended, is completed prior to the twenty-four (24) hour period before the meeting as required by statute.

**DISTRICT EMPLOYEES/MEMBERS OF THE PUBLIC**

District employees and any member of the public may submit items to be considered for addition to the agenda to the Superintendent ten (10) calendar days prior to the date of the meeting by filing the appropriate form. Items may include a request that the Board consider adoption or amendment of a policy for future application.

District employees and members of the public may address the Board during the period set aside by the Board without submitting an item for the agenda. No action shall be taken during this portion of the meeting on issues raised by employees or the public unless deemed an emergency by the Board.

Employee concerns dealing with a grievance/communication issue must first be addressed in keeping with the Board's established policy/procedures.

**EXCEPTIONS**

Any item submitted after the printing of a regular Board meeting agenda, and approved by the Superintendent or Board Chairperson as an item requiring immediate action by the Board, shall be printed as an addendum and considered part of the agenda. The necessity for immediate action shall be listed on the addendum.

**REFERENCE:**

[KRS 160.290](#)

**RELATED POLICIES:**

01.44, 01.5; 03.16/03.26

Adopted/Amended: 8/17/2015

Order #: 23

**Consent Calendar**

When multiple items are presented for Board consideration under the consent calendar, any individual board member shall have the right to remove any item from the calendar and place it on the agenda for separate consideration.

Adopted/Amended: 08/09/1988

Order #: 34

**School Board Policies****TOPICS**

The Board shall file in the Board's office its policies including, but not limited to, the following matters:

1. Transportation of pupils;
2. Discipline and conduct of pupils;
3. Limitations or restrictions on use of school facilities;
4. Conduct of meeting of the Board; including policies on the calling of executive sessions;
5. Personnel policies that apply to certified employees including duties, fringe benefits, salary schedules, non-classroom duties, professional development, teacher-student ratio, hiring, assignment, transfer, dismissal, suspension, reinstatement, promotion and demotion;
6. Employment and evaluation of the Superintendent of schools;
7. Identification and statement of District goals and objectives and establishment of criteria to determine District progress;
8. Evaluation of certified employees;
9. Selection of textbooks and instructional materials;
10. Expenditure and accounting for school funds, including all special funds; and
11. Policies dealing with school-based decision making.<sup>1</sup>

**INTENTION**

It is intended that these policies shall cover matters within the authority and discretion of the Board and not matters otherwise required by law or regulation.<sup>1</sup>

**UPDATING**

Such policies shall be kept up-to-date by filing annual amendments thereto by August 15 and shall be public records.<sup>1</sup>

**ENACTMENT OF POLICY**

Except when indicated by an emergency situation, the Board will not enact or revise policy in the same meeting that it is initially introduced. Additional readings shall not be required if the Board amends the policy proposal under consideration at either the first or second reading.

**DISSEMINATION OF POLICY**

The Superintendent shall develop and implement a system whereby each employee or student shall have access to Board policies. In addition, each new Board member shall be provided with a copy of the Board policy manual and/or access to the District's online manual.

All Board policies shall be reasonably accessible to all District personnel and to the public at large.



**School Board Policies****MAINTENANCE OF POLICY MANUALS**

All copies of the official policy manual shall be numbered, housed in specified locations, and kept current through a system developed and implemented by the Superintendent.

**POLICIES ARE BINDING**

All policies of the Board are binding on employees of the District, schools, students, and on the Board itself.<sup>2</sup> Employees and students who fail to comply with Board policies may be subject to disciplinary action.

Exception: Policy exemptions may apply to a participating school of innovation as specified in the District's application for district of innovation status as approved by the Kentucky Board of Education.<sup>3</sup>

Exception: In the areas specified by [KRS 160.345](#), councils may adopt school policies that differ from Board policy.

**REFERENCES:**

<sup>1</sup>[KRS 160.340](#)

<sup>2</sup>[KRS 160.290](#)

<sup>3</sup>[KRS 156.108](#)

[KRS 160.107](#)

[KRS 160.345](#)

**RELATED POLICIES:**

01.0

01.11

01.6

01.61

Adopted/Amended: 07/16/2012

Order #: 4

**Administrative Procedures**

The Superintendent shall prepare and present to the Board for review and comment, administrative procedures designed to facilitate the implementation of Board policies. Board minutes shall reflect the Board's review and comment process. This oversight process shall be followed when procedures are initially developed and at any time they must be revised.

**TIME LINE FOR DEVELOPMENT**

When a new or revised policy directs development of administrative procedures, the Superintendent shall present the procedures for Board review within one (1) month of policy adoption/amendment, unless Board minutes specify an alternate date for completion. When the Board adopts an entirely new policy manual or an annual policy update requiring numerous policy and procedure changes, the required new or revised administrative procedures shall be presented within three (3) months of adoption of the policy manual/update, unless Board minutes specify an alternate date for completion.

Adopted/Amended: 08/18/1997

Order #: 20

**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.

Adopted/Amended: 08/18/2014

Order #: 24



**Board Records**

Records of the Board shall be maintained in the Central Office and shall be under the custody of the Secretary to the Board.<sup>1</sup>

The Secretary shall develop and submit for Board review procedures as noted in [KRS 61.876](#) to provide public access to public records and to ensure the security and orderly maintenance of the records. Said procedures shall be printed and made available to the public upon request.

**REFERENCES:**

<sup>1</sup>[KRS 160.440](#)

[KRS 61.870](#)

[KRS 61.872](#)

[KRS 61.874](#)

[KRS 61.876](#)

[KRS 61.878](#)

[KRS 61.884](#)

[OAG 92-59](#)

[OAG 92-131](#)

1996 Open Records Decision 159

**RELATED POLICY:**

10.11

Adopted/Amended: 08/19/1996

Order #: 17

## **Records Management**

### **RECORDS OFFICER**

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

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

### **SUPERINTENDENT'S RESPONSIBILITIES**

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

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

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

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

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

### **LITIGATION**

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

### **INFORMATION SECURITY BREACH**

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

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

**Records Management****RETENTION OF RECORDINGS**

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

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

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

**REFERENCES:**

<sup>1</sup>[725 KAR 001:010](#)

<sup>2</sup>[KRS 171.710](#)

<sup>3</sup>[KRS 171.720](#)

<sup>4</sup>[725 KAR 001:030](#); [KRS 171.420](#); [KRS 171.570](#)

<sup>5</sup>[KRS 171.670](#); [KRS 171.410](#); [KRS 171.660](#); [725 KAR 001:020](#)

<sup>6</sup>[KRS 160.705](#)

[KRS 61.931](#); [KRS 61.932](#); [KRS 61.933](#)

[702 KAR 001:025](#); [725 KAR 001:025](#)

Records Retention Schedule, Public School District

**RELATED POLICIES:**

01.5; 04.81

Adopted/Amended: 08/18/2014

Order #: 24



**Board Attorney**

The Board may employ an attorney to advise and represent it in legal matters. In special cases the Board may employ additional attorneys as needed.

**REFERENCES:**

[OAG 58-41-216](#)

[OAG 56-38-219](#)

[Hogan](#) v. [Glasscock](#), Ky.324 SW(2d) 815, 75 ALR 2d 1335 (1959)

Adopted/Amended: 08/09/1988

Order #: 34

**Professional Memberships**

The Board shall maintain membership in the state school board association, and, to enhance the Board's ability to attain school district goals, may subscribe to services offered by regional and national school boards associations.

Adopted/Amended: 09/16/1991

Order #: 65

**Board Member Expense Reimbursement****PER DIEM**

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

**IN-DISTRICT EXPENSES**

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

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

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

**DEDUCTIONS**

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

**OUT-OF-DISTRICT TRAVEL**

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

Expenses for personal entertainment shall not be reimbursed.

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

**CREDIT CARDS**

Board members shall not be issued District credit cards.

**SPOUSE'S TRAVEL**

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

**REFERENCES:**

[KRS 160.280](#); [KRS 161.158](#)

[OAG 76-329](#); [OAG 80-395](#); [OAG 85-53](#); [OAG 92-136](#)

**RELATED POLICIES:**

01.4; 03.125; 03.225

Adopted/Amended: 7/20/2015

Order #: 3



### **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:<sup>1</sup>

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.

### **REFERENCES:**

<sup>1</sup>[KRS 160.180](#)  
[702 KAR 001:115](#)  
[OAG 85-53](#); [OAG 85-145](#)

Adopted/Amended: 08/18/2014

Order #: 24