

- CERTIFIED PERSONNEL -

Use of Tobacco

USE OF TOBACCO PROHIBITED

Tobacco use, including alternative nicotine products and vapor products as defined by KRS 438.305, is prohibited twenty-four (24) hours a day, seven (7) days a week, inside Board-owned buildings or vehicles, on school-owned property including stadiums/athletic facilities, and during school-related student trips.

Employees who violate these prohibitions shall be subject to disciplinary action.

DESIGNATED AREAS

~~Employees may use tobacco products only in areas outside of school buildings and athletic complexes designated by the building Principal/designee, or the site based council as appropriate. Such areas shall be clearly identified and, if possible, isolated from the view of students. The use of tobacco products in other areas is prohibited during times when employees are on school premises in the capacity for which they are employed.~~

~~Areas outside of administrative offices, maintenance and transportation complexes shall be selected by the Superintendent/designee.~~

TOBACCO PRODUCTS

~~Tobacco products include, but are not limited to, cigarettes, cigars, pipe tobacco, chewing tobacco and snuff.~~

PUBLIC SCHOOL PREMISES

~~Public school premises shall be any building and attendant grounds, and motor vehicles owned, leased by, or under the control of the Board.~~

VIOLATION

~~Penalties for violation of this policy shall include private or public reprimand, demotion, suspension, or a combination of any such penalties, or termination. All reprimands/penalties shall be noted in the employee's personnel file and on the employee's final performance review. Violations of this policy shall not be carried forward to any succeeding school year.~~

~~The provisions of this policy relating to the demotion, public reprimand, suspension and termination of certified employees shall be governed by the applicable provisions of KRS 161.765 and KRS 161.790.~~

REFERENCES:

KRS 160.290

KRS 160.340

KRS 438.050

KRS 438.305

OAG 81-295

OAG 91-137

P .L. 114-95, (Every Student Succeeds Act of 2015)

- CLASSIFIED PERSONNEL -

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REFERENCES:

KRS 160.290

KRS 160.340

KRS 438.050

KRS 438.305

OAG 81-295

OAG 91-137

P .L. 114-95, (Every Student Succeeds Act of 2015)

Application and Contract

CONDITIONS OF USE

The use of school facilities is subject to the following conditions:

1. An official application shall be made to the Principal.
2. Permission to use facilities will be granted only to responsible and organized groups, and responsible officers of that group must sign the application and the contract.
 - a. Acceptance of responsibility by officials of the organization for any damage or loss resulting from the usage;
 - b. Agreement that organizations, and officers thereof, shall assume all liability for any personal injuries incurred during their use of the facilities and shall hold the Board harmless from any such claims against it;
 - c. Agreement to observe all fire and safety regulations;
 - d. Agreement that the use of tobacco, including alternative nicotine products and vapor products shall not occur within the building twenty-four (24) hours a day, seven (7) days a week, inside Board-owned buildings or vehicles, on school-owned property including stadiums/athletic fields;
 - e. Prohibition of alcoholic beverages in school buildings or on school grounds;
 - f. Observance that no immoral or illegal activity shall be allowed on the premises;
 - g. The presence of a Board employee at all times. The wage of the employee(s) must be included in the contract along with the social security and retirement payments required by law. If the employee's services are required beyond the normal 40-hour week as defined by the Board, overtime wages must be paid.
 - h. Agreement that no alterations to the buildings or grounds be made without prior approval;
 - i. Agreement that parties shall not sublease or reassign any portion of the building or item of equipment covered by the contract;
 - j. Agreement that school equipment shall not be a part of the contract unless specifically enumerated; and
 - k. Agreement to leave the facilities in as good a condition as before used.

REFERENCES:

KRS 162.055; KRS 438.050; KRS 438.305

OAG 81-295

P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICY:

10.3

SCHOOL FACILITIES

05.31 AP.22

Reporting Form for Employee Extra Pay

SCHOOL _____

ACTIVITY/ORGANIZATION _____

DESTINATION _____
(Bus Drivers)

DATE FACILITY USED _____

SCHOOL EMPLOYEE TO BE PAID _____

**Facility/Activity
(Check one)**Athletic Field _____
Gym _____
Auditorium _____
Cafeteria _____
Bus _____
Admissions _____SIGNATURE _____ SIGNATURE _____
(Employee) (Principal)**COST CALCULATION FOR THIS AGREEMENT:**

Hours Paid _____	X	\$ _____	= \$ _____
		(rate of pay)	
Utility Fee _____	X	\$ 5.00 per hour	= \$ _____
Mileage Fee _____	X	\$ 0.94 per mile	= \$ _____
Athletic Field Lighting _____	X	\$20.00 per hour	= \$ _____
TOTAL DUE			\$ _____

ACTIVITIES LEGEND PAY TO BOARD EMPLOYEE PAY (less deductions)

Building Supervisor

Cafeteria Workers*

Bus Drivers

Admissions Employees

SCHEDULE TO BE CALCULATED EACH YEAR

The difference in the amount due the Board and employee pay is to cover the cost of matching social security, retirement, unemployment tax and worker's compensation.

***When cafeteria workers are being paid, two (2) sets of forms must be completed:**

1. One form for utility costs submitted to Board of Education accompanied by check or cash.
2. Second form for employee paid-submitted to School Cafeteria Account accompanied by cash or check.

PROCEDURE FOR SUBMITTING MONEY, REPORTING FORMS, BUILDING USE FORMS, AND TIME SHEET TO BOARD OFFICE:

1. Money, Reporting Form, Building Use Forms and timesheets must be submitted together to the Finance Department, Accounts Receivable. Submit Reporting form in duplicate.
2. The above is to be submitted to Accounts Receivable no later than the 25th of the month.

Building Use Form PD Center**POLICIES: AGREEMENT FOR USE OF PD CENTER MEETING ROOMS
HENDERSON COUNTY SCHOOLS
HENDERSON, KY 42420**

This lease/rental agreement is between Henderson County Schools (the owner) and _____,
_____, the leaser/renter, to use on _____,
(Name of the requesting organization/group)

_____ in the amount of \$ _____
(Specific date requested) (Rental fee, if applicable)

which allows for access between the hours of _____
(Please include time for set-up and clean-up)

Purpose of this activity (please be specific): _____

1. Henderson County Schools supported groups have first priority. Henderson County School organizations and activities include, but are not limited to: Board meetings, Principal meetings, District committees, FRYSC activities and meetings, department meetings, school sponsored activities and meetings, and professional development activities. Non-Henderson County School groups will be considered as "outside groups".
2. Henderson County School groups may reserve meeting space up to one (1) year in advance. The PD Center staff reserves the right to re-locate any group as needed. Henderson County School supported groups have first priority to meeting space. Outside groups may reserve meeting space, up to three (3) months in advance, with the approval of Henderson County Schools.
3. Use of the facilities is limited to educational and/or business meeting related to education, youth development, literacy, family strengthening, and community partnerships. Private parties, family reunions, receptions, showers, dances, political functions (exception: use as official polling place) etc., are examples of events that are not allowed. Regardless of the unique qualifier for the individual group/organization, Henderson County Schools serve all people regardless of race, color, age, sex, religion, disability, or national origin. The responsible person for the meeting is expected to meet any specific needs for those in attendance.
4. A \$100.00 "Facility Deposit" is required no less than thirty (30) days prior to the planned event for all profit and non-profit groups wishing to utilize the PD Center facilities. If the space is left in satisfactory condition, the deposit will be returned to the renter. If the deposit is not presented to the PD Center staff, the meeting space will not be held for the requested date. No-shows, without cancellation fourteen (14) days prior to the meeting, will forfeit the return of the deposit.
5. Rental fees are assessed to those groups who are not considered to be a "Henderson County Schools sponsored activity" at the following rates:

Up to 10 people in the group:	\$25.00 for up to 4 hours \$50 for over 4 hours*
10-25 people in the group:	\$50.00 for up to 4 hours \$100.00 for over 4 hours*
25-50 people in the group:	\$75.00 for up to 4 hours \$150.00 for over 4 hours*
Over 50 people in the group:	\$100 for up to 4 hours \$200 for over 4 hours*
Use of the Kitchen:	Additional \$25.00 per use/day
(*- in a 24 hour time frame, or any one day)	

Building Use Form PD Center

6. Renter agrees to pay for any losses or damages to the premises and agrees to pay for the replacement, refurbishment, or repair of those articles, fixtures, or furnishings in, on, or about the premises which are damaged or destroyed through the willful or negligent act or acts of the part of the renter, its employees, agent, invitee, guests, or assigns. Sums shall include reasonable cost of labor incurred in making repairs, refurbishment or replacement. All repairs will be arranged for by Henderson County Schools.
7. The individual signing this lease in behalf of the renter does hereby and personally guarantee that he/she has full authority to act in behalf of the renter in the execution of this lease agreement.
8. The owner (Henderson County Schools or the Board of Education) assumes no risk. The renter releases the owner of any and all liability for damages, injury, or loss to any person, goods, merchandise, or machines from any cause whatsoever. Further, the renter hereby covenants to indemnify and save harmless said owner from any damage, injury, or loss from any cause, whosoever, arising in or out of said party of the renter's use or occupancy of the building or premises, including any goods, merchandise, fees for attorneys and litigation, machines, etc. left on the premises.
9. No sign, poster, advertisement, notice, or other attachment shall be inscribed, painted, or affixed on any part of the outside or inside of the building, except door glass. Do not tape, pin, nail, or tack anything on walls, facings, or wooden doors. Tape can be used on glass of doors only. No decorations can be attached to walls, facings, pictures, or doors. Easels are available upon prior request.
10. Renter furnishes all equipment and program materials, as well as their own table covers, eating utensils, paper products, cleaning items, towels, dish cloths, food condiments, etc. PD Center supplies in building are not to be used unless otherwise specified. Garbage bags will be furnished. Trash should be placed in the appropriate receptacles.
11. Renter is responsible for the set up of the facility. Renter is not to pull, drag or scoot tables, chairs, or furniture. Please pick up chairs and tables when they need to be moved. Please clean up after your group, removing all trash from the floors, tables, and counters. ROOM SHOULD BE LEFT IN THE CONDITION IN WHICH IT WAS FOUND.
12. No alcoholic beverages or illegal drugs, etc., are allowed on the premises. Use of tobacco including alternative nicotine products and vapor products inside the buildings is prohibited twenty-four (24) hours a day, seven (7) days a week, inside Board-owned buildings or vehicles, on school-owned property, including stadiums/athletic fields.
13. Henderson County Schools staff will have reasonable access to the premises during the term of this lease agreement. Rental/use of the facility will not interfere with any District activity or disrupt the operation of the school. Limited parking during school hours is available. There is no parking permitted in the bus lane or child pick up area.
14. Policies are subject to change at any time without written notice.
15. In all cases of disagreement arising herein, the statutes and laws of the Commonwealth of Kentucky shall govern. And, the renter further states that he/she does not intend to, and will not, use said premises for any other purpose that will constitute any violation of city, county, state, or federal laws. Will not allow immoral or illegal activity and shall observe fire and safety regulations.
16. Meeting space policy questions can be directed to the Professional Development Center by contacting Marilyn Schwallier at _____.
17. The leaser/renter agrees to be responsible for any cleanup costs incurred by the owner as a result of the room(s) being left in unacceptable condition. The owner will bill the leaser/renter for these cleanup costs, with payment expected within thirty (30) days of the billing. Any damage to the meeting space(s) or facility shall be in accordance with the statement #6 of this agreement. Proof of liability insurance shall be attached to the PD Center Agreement.

Building Use Form PD Center

18. Reservations will be kept by the Henderson County School PD Center staff. Forms are available at the PD Center and available on the Henderson County Schools web page - <http://www.henderson.kyschools.us/>.
19. Scheduling will be done on a first come, first serve basis, with any Henderson County Schools supported program receiving priority.
20. Requests for use of facilities should be submitted on this form, which may be requested from the PD Center during business hours or accessed through the above listed web page. Telephone requests will be held for a maximum of two (2) working days pending receipt of the signed reservation form. If a for-profit group will be utilizing the facilities, a check for the appropriate rental fees is expected prior to the start of the planned event.
21. Refund of payment will be considered, if the planned event is cancelled a minimum of fourteen (14) days prior the planned usage. If Henderson County Schools are cancelled due to weather or emergency (not a day planned in the calendar) then the staff will work with the leaser/renter to reschedule an event.
22. By signing this agreement, the responsible party acknowledges and agrees that this organization does not discriminate in its membership and programming policies. Programs and membership are open to all persons regardless of race, color, age, sex, religion, disability, or national origin. Shall complete a statement of compliance with the non-discrimination policy of the Henderson County Schools.
23. Approval of the request for use of the PD meeting rooms does not signify District sponsorship, endorsement, or approval of an organization or activity.

Name of rental group/organization: _____

By: _____ Date: _____
(Signature required)_____
Address City State Zip_____
Phone

Received by: _____ Approved by: _____

Key # _____ issued

Facility Deposit Receipt # _____
This check made payable to "Henderson County Schools"Rental Fee (if applicable) Receipt # _____
This check made payable to "Henderson County Schools"

Building Use Form PD Center

**STATEMENT OF COMPLIANCE IN
NONDISCRIMINATING CONDUCT OF
NON-HENDERSON COUNTY SCHOOLS SPONSORED GROUPS**

This is to certify that

(Organization/Group Name)

does not discriminate in its membership and programming policies. Programs and membership are open to all persons regardless of race, color, age, sex, religion, disability, or national origin.

Signed:

President

Address

Date

Equal Educational and Employment Institution

Bus Drivers' Use of Tobacco and Other Substances

USE OF TOBACCO PRODUCTS PROHIBITED

Tobacco use, including alternative nicotine products and vapor products as defined by KRS 438.305, is prohibited twenty-four (24) hours a day, seven (7) days a week, inside Board-owned buildings or vehicles, on school-owned property including stadiums/athletic facilities, and during school-related student trips.

Employees who violate these prohibitions shall be subject to disciplinary action.

While on the bus, bus drivers shall not use tobacco products and shall not permit students to use them.

DEFINITIONS

The following definitions apply for purposes of drug and alcohol testing required by federal and state law:

"Drugs" refers to controlled substances as prohibited by the Omnibus Act, including but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

"Alcohol" refers to the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including but not limited to, methyl and isopropyl. Alcohol use includes the consumption of any beverage, mixture, or preparation, including any medication containing alcohol.

USE PROHIBITED

All employees subject to commercial driver's license (CDL) requirements shall be prohibited from:

1. The use of any drugs, that may affect the employee's ability to safely drive a school bus or perform other job responsibilities;
2. The use of alcohol:
 - a. While on duty;
 - b. Four (4) hours before driving;
 - c. Eight (8) hours following an accident; or
 - d. Consumption resulting in prohibited levels of alcohol in the system.

REQUIRED REPORTS

- Drivers taking medication either by prescription or without prescription shall report to the immediate supervisor and shall not drive if that medication may affect the driver's ability to safely drive a school bus or perform other driver responsibilities.²
- Drivers shall immediately report to the Superintendent or designee any traffic violation specified in Kentucky Administration Regulation.²

TESTING

All covered applicants and employees shall be subject to pre-employment testing (controlled substances only), and reasonable suspicion, random and post-accident testing for drugs and alcohol. Return-to-duty and follow-up testing shall also be required.

Bus Drivers' Use of Tobacco and Other Substances**TESTING (CONTINUED)**

All offers of employment with the District shall be made contingent upon testing results. An applicant who tests positive shall not be employed.

Current employees who test positive shall be subject to immediate disciplinary action up to and including dismissal in accordance with Board policy and administrative procedures. A school bus driver, substitute driver, school bus mechanic or anyone performing safety-sensitive pupil transportation duties who tests 0.02 percent or higher on the confirmation alcohol test immediately before, during, or immediately following the performance of these duties shall be relieved of these duties immediately. (Drivers found under the influence of alcohol or any illegal drugs while on duty or with remaining driving responsibilities that same day shall be dismissed from employment in accordance with Kentucky Administrative Regulation and Board policy and should not be eligible for reemployment for five [5] years.)

Employees who test positive shall be notified of referral services. Additionally, employees shall be subject to CDL prohibitions and penalties under the Omnibus Act and applicable Federal Motor Carrier Safety Regulations.

Applicants who refuse drug testing shall be eliminated immediately from employment consideration. Current employees who refuse to comply with testing requirements will be regarded as insubordinate and shall be subject to disciplinary action, up to and including dismissal.

Refusal to submit to an alcohol or controlled substance test means that the individual demonstrated noncompliance, including but not limited to the following actions:

- Failed to appear for any test within a reasonable period of time as determined by the employer and consistent with applicable Department of Transportation agency regulation;
- Failed to remain at the testing site until the testing process was completed;
- Failed to provide a sample specimen for any required test;
- Failed to provide a sample in an amount sufficient for testing without an adequate medical reason for the failure;
- Failed to undergo a medical examination as directed by the Medical Review Officer as part of the verification process for the previous listed reason;
- Failed or declined to submit to a second test that the employer or collector has directed the driver to take;
- Failed to cooperate with any of the testing process; and/or
- Adulterated or substituted a test result as reported by the Medical Review Officer.

TESTING COSTS

Pre-employment drug testing costs shall be paid for by the District. All current employee drug and alcohol testing including reasonable suspicion, random and post-accident testing costs shall be paid for by the District. Each employee who is drug tested shall receive one (1) hour pay at the extra-curricular rate.

Bus Drivers' Use of Tobacco and Other Substances**MATERIALS TO BE PROVIDED**

The Superintendent/designee shall distribute educational materials to explain state and federal legal requirements for alcohol and controlled substance testing of CDL drivers and the District's policies and procedures to implement it and answer questions about the materials. Materials shall meet content requirements of state and federal regulations and shall be distributed to each driver prior to the start of alcohol and controlled substances testing each year and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle.

Each employee is required to sign a statement certifying that s/he has received a copy of these materials. If the District recognizes an organization to represent bus drivers, the District shall provide written notice to representatives of the organization of the availability of this information.¹

REFERENCES:

¹49 C.F.R. Part 382

²702 KAR 5:080

KRS 438.050

KRS 438.305

Omnibus Employee Testing Act of 1991, Public Law 102-143, Title V

RELATED POLICIES:

03.11; 03.13251; 03.17

03.21; 03.23251; 03.27

Tobacco

Students shall not be permitted to use or possess any tobacco, alternative nicotine product, or vapor product as defined in KRS 438.305, twenty-four (24) hours a day, seven (7) days a week, on property owned or operated by the Board, including stadiums/athletic facilities, inside Board-owned vehicles, on the way to and from school, or during school-sponsored trips and activities. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline.

REFERENCES:

P. L. 114-95, (Every Student Succeeds Act of 2015)
KRS 161.180
KRS 160.290
KRS 160.340
KRS 438.050
KRS 438.305
KRS 438.350
OAG 81-295
OAG 91-137

Visitors to the Schools

The Board encourages parents, professional educators, and others who have legitimate educational interests pertaining to the District's public school program to visit the schools. To ensure that school personnel are aware of visitors' presence, visits to classrooms shall be scheduled in advance unless authorized by the Principal/designee and all visitors must report immediately to the Principal's office and obtain permission to visit upon entering the school and identify themselves as well as declare their purposes for visiting.

REGISTRANTS

No registrant, as defined in KRS 17.500, nor any person residing outside of Kentucky who would be required to register under KRS 17.510 if the person resided in Kentucky, shall be on the clearly defined grounds of a District school, except with the advance written permission of the Principal or the Board that has been given after full disclosure of the person's status under KRS 17.510 as a registrant or sex offender from another state and all registrant information as required in KRS 17.500.

A registrant is defined as:

1. Any person eighteen (18) years of age or older at the time of the offense or any youthful offender, as defined in KRS 600.020, who has committed:
 - a. A sex crime; or
 - b. A criminal offense against a victim who is a minor; or
2. Any person required to register under KRS 17.510; or
3. Any sexually violent predator; or
4. Any person whose sexual offense has been diverted pursuant to KRS 533.250, until the diversionary period is successfully completed.

A registrant who is the parent/legal guardian, or the person designated by the parent/legal guardian to have access to a student, must request and receive prior permission from the Principal to come onto school grounds. The Principal shall determine whether the requesting registrant is permitted to come onto school grounds for the following reasons:

1. To pick up or drop off their child each day.
2. To pick up the child who is injured or ill.
3. To confer with school staff concerning academic, disciplinary or placement issues involving the student, including matters required by federal or state law.
4. To attend a school activity, including athletic practices and competition, in which the student is a participant.
5. To vote when the school has been designated as a polling place.

Depending on the facts of the particular request, the Principal's response options may include, but are not be limited to the following:

- Requiring the registrant to provide additional information needed;
- Specifying check-in and check-out requirements;
- Requiring the registrant to be directly supervised by an individual designated by the Principal while on school grounds;

Visitors to the Schools**REGISTRANTS (CONTINUED)**

- Restricting the registrant to a designated location on school grounds;
- Limiting the time the registrant will be permitted to be on school grounds; and
- Denying the request to come onto school grounds.

The Principal shall notify the Superintendent/designee of each request from a registrant and the response made to the registrant. If questions arise about a request, the Principal shall consult with the Superintendent concerning requests from registrants, and the Superintendent may seek further advice from the Board Attorney.

For all other reasons and for all individuals making a request other than parent/legal guardian/designee, the Principal shall consult with the Superintendent as the executive agent of the Board before making a final determination.

CONDUCT/PROHIBITION ON RECORDING

All visitors to the schools must conduct themselves so as not to interfere with the daily operation of the school program.

Due to privacy concerns, and except for emergency situations, personally owned recording devices are not to be used to create video or audio recordings or to take pictures except with prior permission from the Principal/designee and the affected individual(s).

An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena.

Such devices include, but are not limited to, personal cell phones and tablets.

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ACCOMMODATION

Visitors with disabilities shall be accommodated as required by law. Individuals requesting accommodation shall contact the District ADA/504 Coordinator for assistance and guidance. Accommodations may include, but are not limited to, the following considerations:

- Effective communication
- Use of power driven mobility devices
- Event ticket sales accommodation
- Use of service animals
- Companion seating at events

The District shall notify the public of any requirements and/or deadline for requesting such accommodation.

Visitors to the Schools

REFERENCES:

KRS 17.545; KRS 17.500; KRS 17.510
KRS 160.380; KRS 211.394, KRS 211.395; KRS 438.305; KRS 600.020
OAG 91-13
P. L. 114-95, (Every Student Succeeds Act of 2015)
Section 504 of the Rehabilitation Act of 1973

RELATED POLICIES:

05.3; 09.227; 09.3211; 09.426