

LEGAL: THIS CLARIFIES THAT PER 702 KAR 7:125, FOR STUDENTS TO BE COUNTED PRESENT, SCHOOL-RELATED TRIPS TAKEN DURING THE SCHOOL DAY MUST BE INSTRUCTIONAL IN NATURE.

FINANCIAL IMPLICATIONS: POSSIBLE REDUCTION IN THE NUMBER OF TRIPS TAKEN DURING THE SCHOOL DAY THAT ARE NON-INSTRUCTIONAL IN NATURE

STUDENTS

09.36

School-Related Student Trips

PRINCIPAL TO APPROVE

The school Principal shall have the authority to approve field study/special event learning trips which fall into the following categories:

1. All regularly scheduled athletic events,
2. All athletic trips which are part of a tournament or play-off in which the school is a participant, and
3. All in-state, day school-related student trips.

Prior approval of the Principal is required for each of the above trips.

FEES

Student trip fees are considered student fees and require Board approval. The amount collected from students for a trip must only include the actual expenses for the trip. When calculating the per-student cost, the total cost of the trip is to be divided by the total number of participating students. The amount may be rounded to the nearest dollar. In-state, day trips, with a per-student cost of \$15 or less, may be approved by the Principal without further Board approval. Any student trip with a per-student cost in excess of \$15 will require Board review and approval.

BOARD REGULARLY INFORMED

The Board shall be regularly informed of any trip falling within these guidelines.

BOARD APPROVAL

Any out-of-state, overnight, or out-of-country trips shall require prior Board approval. Out-of-state trip requests shall be submitted to the Central Office by the Principal at least fifteen (15) calendar days prior to the Board meeting and shall include the same information as provided to the SBDM council. Except in special circumstances specifically approved by the Superintendent, all trip destinations shall be limited to the forty-eight (48) contiguous states and no ocean cruises shall be considered. A student, students, or group making requests must be deserving of the trip by virtue of achievements. Cost of participation to the school or District shall be weighed against the benefits to the school or district as a whole. Board-approved out-of-state or out-of-country trips shall be subject to change when the Department of Homeland Security issues a security advisory of conditions that warrant reconsideration. When this occurs, the Board will no longer sponsor or endorse the trip. The parent/guardian must then determine whether their student will still participate in the trip and, if so, the parent/guardian must assume complete financial and full personal responsibility.

Prior approval of the Board is required before organizations make payments towards or begin fund-raising activities for out-of-state or out-of-country trips.

School-Related Student Trips**SCHEDULING**

Trips should be planned in a timely manner and scheduled to cause minimal disruption to the regular school day. Whenever possible, these trips should occur when school is not in session.

In order for students to be counted present during school-related trips during the school day, the activity must be co-curricular or instructional.

DRIVERS

All District-owned vehicles shall be driven by an adult duly qualified and licensed to operate the vehicle. Drivers of school vehicles and operation of District-owned passenger vehicles transporting students shall be in compliance with requirements specified in applicable statutes and administrative regulations.¹

NON-SCHOOL DISTRICT TRANSPORTATION

The District shall provide transportation in District-owned vehicles or by Board-approved certificated common carrier service for all school-sponsored or school-endorsed trips whether in-state, out-of-state, or out-of-country. All school-endorsed trips shall be funded by the school activity and/or student.

Parents/guardians shall be permitted to decline use of District provided transportation for their child going to, or returning from, any school-sponsored or school-endorsed trip taken after the school day. Parents/guardians who make the voluntary choice to decline District-provided transportation shall be required to sign a waiver on a form created for that purpose by the District.

The school Principal shall determine the date, no later than two (2) days prior to the trip, that the signed and dated waiver must be received by the Principal/designee. Waivers must be kept on file at least one (1) calendar year from the date of receipt. Waivers shall not be accepted for trips taken during the school day.

In no event and under no circumstances shall a Principal/designee accept a form waiving school District-provided transportation, the effect of which would lead to a student being transported in a vehicle to be driven by an enrolled District student or anyone under the age of twenty-one (21). If District-provided transportation to a school-sponsored or school-endorsed trip is declined by parents/guardians for their child, the District expressly hereby advises that neither it nor its employees or officials will assume liability or otherwise be held accountable for either the means or safety of the transportation chosen as an alternate to District-provided transportation.

SUPERVISION

A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips. For athletic trips, a nonfaculty coach or a nonfaculty assistant may accompany students as provided in statute. Persons designated to accompany students shall be at least twenty-one (21) years old.² A certified employee shall accompany students on out-of-state athletic trips.

School-Related Student Trips**MINIMUM NUMBER OF CHAPERONES**

For Day Trips: One (1) adult for every ten (10) elementary students, one (1) adult for every fifteen (15) middle school students, or one (1) adult for every twenty (20) high school students.

For Overnight Trips: One (1) adult for every five (5) elementary students, one (1) adult for every ten (10) middle school students, or one (1) adult for every ten (10) high school students.

Male and female chaperones shall be required for overnight trips involving both male and female students.

INSURANCE

Only Board insured vehicles or appropriately certificated common carriers shall be used for transporting students.³

CERTIFICATED COMMON CARRIERS

Use of certificated common carrier service shall be authorized by the Board on a case-by-case basis, and the reasons to justify such use shall be cited in Board minutes.³

MEDICATION

Administration of medication to students during field trips shall comply with applicable law, regulation and medication administration training developed by the Kentucky Department of Education.

When students will be travelling outside the state, the Superintendent's designee shall do the following:

1. Determine applicable legal requirements concerning delegation of student medication responsibilities in states through which students will be travelling; and
2. Assign staff to accompany students on the field trip to address student medication needs.

PARENTS' APPROVAL

Parents are to be informed of the nature of the trip, the approximate departure and return times, means of transportation, and any other relevant information. Parents must give written approval for students to participate in school-sponsored trips.

REFERENCES:

¹KRS 156.153

²KRS 161.185

³702 KAR 5:060

KRS 158.110, KRS 158.838; KRS 160.340, KRS 189.125; KRS 189.540

702 KAR 1:160; 702 KAR 3:220, 702 KAR 5:030, 702 KAR 5:080, 702 KAR 5:130

702 KAR 7:125

RELATED POLICIES:

03.1321; 03.2321; 09.15; 09.122; 09.221; 09.2241

LEGAL: SB 228 AMENDED KRS 158.148 TO INCLUDE THE STATEWIDE DEFINITION OF BULLYING.
FINANCIAL IMPLICATIONS: REPRINTING DISTRICT CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

STUDENTS

09.422

Bullying/Hazing

In order to effectively participate in the democratic process as adults, students must learn to respect the rights of others and to interact with them in a civil manner. Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors to the schools.

BULLYING DEFINED

~~Bullying refers to any intentional act by a student or groups of students directed against another student to ridicule, humiliate, or intimidate the other student while on school grounds, or at a school-sponsored activity, which acts are repeated against the same student over time.~~

Bullying means any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event: or
2. That disrupts the education process.

This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process. ²

ACTIONS NOT TOLERATED

The use of lewd, profane or vulgar language is prohibited. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or other threatening behavior.¹ This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

Students who violate this policy shall be subject to appropriate disciplinary action.

PROGRAM TO ADDRESS

Each school, with assistance from the Superintendent/designee, shall implement a comprehensive program with the following goals to address bullying and hazing:

1. To send a clear message to students, staff, parents, and community members that such behavior will not be tolerated.
2. To train staff and students in taking proactive steps to prevent such behaviors from occurring.
3. To implement procedures for immediate intervention, investigation, and confrontation to students engaged in prohibited behavior.

Bullying/Hazing**PROGRAM TO ADDRESS (CONTINUED)**

4. To initiate efforts to change the prohibited behavior of students through education on acceptable behavior, discussions, counseling, and appropriate negative consequences.
5. To foster a productive partnership with parents and community members in order to help maintain a safe and civil environment.
6. To help develop peer support networks, social skills, and confidence for all students.
7. To recognize and praise positive, supportive behaviors of students toward one another on a regular basis.
8. Each school shall annually submit their bullying programs to be approved at the Regular Board meeting in July before the beginning of each school year.

REPORTS

As provided in the District Code of Acceptable Behavior and Discipline, students that believe they are victims of bullying/hazing shall be provided with a process to enable them to report such incidents to District personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it.

The District Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by Board policy 09.42811. The Principal/designee shall investigate and address alleged incidents of such misbehavior.

As directed by the Superintendent/designee, each Principal shall report on a periodic basis the number of bullying/hazing incidents and progress made toward reducing reoccurrence.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy 09.2211; and
2. Investigate and complete documentation as required by policy 09.42811 covering federally protected areas.

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.426 and/or 09.42811. Harassment/discrimination allegations shall be governed by Policy 09.42811.

STUDENTS

09.422
(CONTINUED)

Bullying/Hazing

REFERENCES:

¹KRS 158.150

²KRS 158.148

KRS 158.156

KRS 160.290

KRS 525.080

Bethel School District No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549
(1986)

Tinker v. Des Moines Independent School District, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d
731 (1969)

RELATED POLICIES:

03.162; 03.262; 09.13; 09.421; 09.425; 09.426; 09.4281; 09.42811; 09.438
09.2211 (re reports required by law)

LEGAL: SB 228 AMENDED KRS 158.148 TO REQUIRE THE STUDENT DISCIPLINE CODE TO SPECIFICALLY PROHIBIT BULLYING.

FINANCIAL IMPLICATIONS: REPRINTING DISTRICT CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

RECOMMENDED: REMOVING THE DISTRIBUTION SECTION CLARIFIES THE POLICY TO CONFORM WITH STATUTORY LANGUAGE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.438

Student Discipline Code

DEVELOPMENT

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

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

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

DISTRIBUTION

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

REVIEW

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

REPORTING OF DATA

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

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

REFERENCES:

KRS 158.148; KRS 158.153; KRS 158.154; KRS 158.156; KRS 158.165

KRS 158.444; KRS 160.295

KRS 525.070; KRS 525.080

704 KAR 7:050, *Student Discipline Guidelines*, Kentucky Department of Education

RELATED POLICIES:

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

- CERTIFIED PERSONNEL -

Use of School Property

All personnel shall be responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. Any damaged, lost, stolen, or vandalized property shall be reported to the employee's immediate supervisor, who shall then report it to the Superintendent/designee once it is confirmed that the item cannot be recovered.

In addition, employees shall not perform personal services for themselves or for others for pay or profit during work time and/or using District property or facilities. District property being used for unauthorized purposes shall be reported to that employee's immediate supervisor.

OUTSIDE WORK

An employee shall not use any District facility, vehicle, electronic communication system, equipment or materials in performing outside work. These items (including security codes and electronic records, such as E-mail) are property of the District and shall be used solely for job-related purposes.

ELECTRONIC COMMUNICATIONS

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. Employees cannot expect confidentiality or privacy as to information entered or stored in their E-mail accounts. Authorized District personnel may monitor the use of electronic equipment from time to time.

USE OF VEHICLES

With prior approval of the Superintendent or designee, designated employees shall be assigned Board-owned vehicles to use in the performance of job-related duties. When the performance of job-related duties includes an employee's daily commute, the value of the daily commute shall be calculated monthly for daily commute use and annually for periodic commute use and included in the employee's earned income per Internal Revenue Service guidelines.

Board owned vehicles shall be used for authorized District business purposes only. The District requires employees to comply with all applicable local and state laws while driving.

Employees shall not use tobacco products [alternative nicotine products, or vapor products as defined in KRS 438.305](#) -in a Board-owned vehicle ~~used to transport students~~.

DRIVING RECORD

Employees who have occasion to drive any Board-owned vehicle and/or transport students shall provide the Superintendent upon request with a copy of their driving record from the Kentucky Department of Transportation. Any traffic citation received during the year shall be reported to the Superintendent prior to driving a Board-owned vehicle or transporting students. Employees shall have a current valid driver's license and proof of insurance on file at the Central Office before they may drive a Board-owned vehicle and/or transport students.

Use of School Property**USE OF ASSIGNED TELECOMMUNICATION DEVICES**

The Board authorizes the purchase and employee use of telecommunication devices, as deemed appropriate by the Superintendent. These devices shall include, but are not limited to, pagers and digital or cell phones.

Telecommunication devices may be assigned or made available on a temporary or on-going basis when it is determined that:

1. Assignment of a device to an employee is a prudent use of District resources.
2. The employee's job responsibilities require the ability to communicate frequently and access to a District or public telephone is not readily available.
3. The employee's job involves situations where immediate communication is necessary to ensure the security of District property or safety of students, staff or others while on District property or engaged in District-sponsored activities.
4. The job function of the employee requires him/her to be accessible outside of scheduled or normal working hours.

District-owned telecommunication devices shall be used primarily for authorized District business purposes. However, occasional personal use of such equipment is permitted.

Should personal use of the telecommunication device cause an additional charge to be added to the monthly basic plan charge, the excess charge is to be reimbursed to the District by the employee.

REFERENCES:

KRS 160.290
KRS 189.292
KRS 281A.205
KRS 438.305
702 KAR 5:080
15-ORD-190

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- CERTIFIED PERSONNEL -

Use of Tobacco

The use of ~~any~~ tobacco products, alternative nicotine products, or vapor products as defined in KRS 438.305 is prohibited twenty-four (24) hours a day, seven (7) days a week in ~~any board-owned vehicle and~~ any building and on any property owned or operated by the Board of Education. This will apply to indoor and outdoor facilities, inside Board-owned vehicles, stadiums/athletic fields and during school-sponsored trips and activities. ~~The use of any tobacco product is prohibited in the presence of students during school hours or in the presence of students while performing services for the District.~~

REFERENCES:

KRS 160.290

KRS 160.340

KRS 438.305

KRS 438.050

OAG 81-295

OAG 91-137

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

RELATED POLICY:

09.4232

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- CLASSIFIED PERSONNEL -

Use of School Property

All personnel shall be responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. Any damaged, lost, stolen, or vandalized property shall be reported to the employee's immediate supervisor, who shall then report it to the Superintendent/designee once it is confirmed that the item cannot be recovered.

In addition, employees shall not perform personal services for themselves or for others for pay or profit during work time and/or using District property or facilities. District property being used for unauthorized purposes shall be reported to that employee's immediate supervisor.

OUTSIDE WORK

An employee shall not use any District facility, vehicle, electronic communication system, equipment or materials in performing outside work. These items (including security codes and electronic records, such as E-mail) are property of the District and shall be used solely for job-related purposes.

ELECTRONIC COMMUNICATIONS

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. Employees cannot expect confidentiality or privacy as to information entered or stored in their E-mail accounts. Authorized District personnel may monitor the use of electronic equipment from time to time.

USE OF VEHICLES

With prior approval of the Superintendent or designee, designated employees shall be assigned Board-owned vehicles to use in the performance of job-related duties. When the performance of job-related duties includes an employee's daily commute, the value of the daily commute shall be calculated monthly for daily commute use and annually for periodic commute use and included in the employee's earned income per Internal Revenue Service guidelines.

Employees shall not use tobacco products, [alternative nicotine products, or vapor products as defined in KRS 438.305](#) -in a Board-owned vehicle~~used to transport students~~.

Board owned vehicles shall be used for authorized District business purposes only. The District requires employees to comply with all applicable local and state laws while driving.

DRIVING RECORD

Employees who have occasion to drive any Board-owned vehicle and/or transport students shall provide the Superintendent upon request with a copy of their driving record from the Kentucky Department of Transportation. Any traffic citation received during the year shall be reported to the Superintendent prior to driving a Board-owned vehicle or transporting students. Employees shall have a current valid driver's license and proof of insurance on file at the Central Office before they may drive a Board-owned vehicle and/or transport students.

Use of School Property**USE OF ASSIGNED TELECOMMUNICATION DEVICES**

The Board authorizes the purchase and employee use of telecommunication devices, as deemed appropriate by the Superintendent. These devices shall include, but are not limited to, pagers and digital or cell phones.

Telecommunication devices may be assigned or made available on a temporary or on-going basis when it is determined that:

5. Assignment of a device to an employee is a prudent use of District resources.
6. The employee's job responsibilities require the ability to communicate frequently and access to a District or public telephone is not readily available.
7. The employee's job involves situations where immediate communication is necessary to ensure the security of District property or safety of students, staff or others while on District property or engaged in District-sponsored activities.
8. The job function of the employee requires him/her to be accessible outside of scheduled or normal working hours.

District-owned telecommunication devices shall be used primarily for authorized District business purposes. However, occasional personal use of such equipment is permitted.

Should personal use of the telecommunication device cause an additional charge to be added to the monthly basic plan charge, the excess charge is to be reimbursed to the District by the employee.

REFERENCE:

KRS 160.290; KRS 189.292
KRS 281A.205; [KRS 438.305](#)
702 KAR 5:080
15-ORD-190

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- CLASSIFIED PERSONNEL -

Use of Tobacco

The use of any tobacco products, alternative nicotine products, or vapor products as defined in KRS 438.305 is prohibited twenty-four (24) hours a day, seven (7) days a week in ~~any board-owned vehicle and~~ any building and on any property owned or operated by the Board of Education. This will apply to indoor and outdoor facilities, inside Board-owned vehicles, stadiums/athletic fields and during school-sponsored trips and activities. ~~The use of any tobacco product is prohibited in the presence of students during school hours or in the presence of students while performing services for the District.~~

REFERENCES:

KRS 160.290
KRS 160.340
KRS 438.050; KRS 438.305
OAG 81-295
OAG 91-137
702 KAR 5:080 (32)
P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICY:

09.4232

Rental or Lease Application and Contract

CONDITIONS OF RENTAL

All rental or lease of school facilities is subject to the following conditions:

1. An official application shall be made to the Superintendent or the Superintendent's designee.
2. Rentals or leases will be made only to responsible and organized groups, and responsible officers of that group must sign the application and the contract.
3. Conditions of that contract shall include:
 - a. Acceptance of responsibility by officials of the renting or leasing organization for any damage or loss resulting from the rental;
 - b. Agreement that renting or leasing 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 smoking use of tobacco products, alternative nicotine products, or vapor products as defined in KRS 438.305 shall not occur within the building or on any board-owned property twenty-four (24) hours a day, seven (7) days a week. This will apply to indoor and outdoor facilities, inside Board-owned vehicles, stadiums/athletic fields and during school-sponsored trips and activities.
 - ~~d.e.~~ and Agreement that the use of alcoholic beverages is prohibited in school buildings or on school grounds;
 - ~~e.f.~~ Observance that no games of chance or otherwise immoral or illegal activity shall be allowed on the premises;
 - ~~f.g.~~ The presence of a school employee at all times as may be required at the discretion of the Board, the appropriate school Principal, or other authorized school personnel. Unless an exception is approved by the Superintendent or designee, this employee shall be a food-service employee when kitchen facilities are used. The hourly wage of the employee may be included in the contract along with the social security and retirement payments required by law. If the employee is employed beyond the normal 40-hour week that he works for the Board, overtime wages must be paid.
 - ~~g.h.~~ Agreement that no alterations to the buildings or grounds be made without prior approval;
 - ~~h.i.~~ Agreement that the renting or leasing party shall not sublease or reassign any portion of the building or item of equipment covered by the rental contract;
 - ~~i.j.~~ Agreement that school equipment shall not be a part of the rental or lease contract unless specifically enumerated; and
 - ~~j.k.~~ Agreement to leave the facilities in as good a condition as before used.

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SCHOOL FACILITIES

05.31
(CONTINUED)

Rental or Lease Application and Contract

REFERENCES:

KRS 162.055; KRS 438.050; [KRS 438.305](#)
OAG 81-295
P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

05.3; 10.3

Bus Drivers' Use of Tobacco and Other Substances

TOBACCO PRODUCTS

The use of any tobacco products, alternative nicotine products, or vapor products as defined in KRS 438.305 is prohibited twenty-four (24) hours a day, seven (7) days a week ~~in any board-owned vehicle and~~ any building and on any property owned or operated by the Board of Education. This will apply to indoor and outdoor facilities, inside Board-owned vehicles, stadiums/athletic fields and during school-sponsored trips and activities. The use of any tobacco product is prohibited in the presence of students during school hours or in the presence of students while performing services for the District.

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.

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

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

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 shall 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 cost shall be paid for by the District.

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 member 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

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RELATED POLICIES:

03.11, 03.13251, 03.17

03.21, 03.23251, 03.27

Emergency Medical Treatment

FIRST AID TO BE PROVIDED

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

District schools shall maintain epinephrine for administration to students or staff who may have a life-threatening allergic reaction but have no written individual health plan in place. Epinephrine for such instances shall be administered following the protocols developed by the Kentucky Department of Public Health and approved by the Board.

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The District shall designate an authorized medical provider (MD, DO, PA, or NP with prescriptive authority) to prescribe non-student- specific epinephrine for the school division, to be administered to any student believed to be having an anaphylactic reaction on school grounds, during regular school hours. Standing orders shall be renewed annually and with any change in prescriber.

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Building-level administration shall be responsible for identifying at least two (2) employees, in addition to the school nurse, to be trained in the administration of epinephrine by auto-injector.

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Epinephrine shall be stored in a minimum of two (2) locations in the school, including but not limited to the school office and the school cafeteria and shall keep epinephrine auto-injectors in a secure, accessible, but unlocked location. Staff should be made aware of the storage location in each school.

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FIRST-AID ROOM

A first-aid area with appropriate equipment, supplies and provisions for the child to recline shall be designated in each school. At least two (2) adult employees in each school, at least one (1) of whom shall be present at the school at all times during school hours, shall have completed and been certified in a standard first aid course that includes CPR for infants and children.

The District shall have employees trained in accordance with the law to administer or help administer emergency medications.

When enrolled students, for whom documentation under KRS 158.838 has been provided to the school, are present during school hours or as participants in school-related activities, a school employee who has been appropriately trained to administer or assist with the self-administration of glucagon, insulin, or seizure rescue medications shall be present.

INFORMATION NEEDED

A number at which parents can be reached and the name of the family physician shall be maintained at each school for all its pupils.¹

EMERGENCY PROCEDURES

Each Principal shall develop a procedure for handling medical emergencies.

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

| STUDENTS

09.224
(CONTINUED)

Emergency Medical Treatment

REFERENCES:

¹702 KAR 1:160
KRS 156.160
KRS 156.502
KRS 158.838

RELATED POLICIES:

09.21
09.22
09.2241

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. Persons visiting the District's schools shall do so under the following guidelines:

1. Visits shall not interrupt the instructional program for students; i.e., teaching, testing, etc., and shall be scheduled in advance unless authorized by the Principal/designee;
2. Visitors shall report immediately to the Principal's office upon entering the school to identify themselves and declare their purpose for visiting;
3. Visits must be reasonable in length and frequency;
4. Visitors shall be dressed appropriately; and
5. Visits should be related to the need(s) of the child.

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;

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

- 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;
- 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.

SMOKING/TOBACCO USE

The use of tobacco products, alternative nicotine products, or vapor products as defined in KRS 438.305 is prohibited twenty-four (24) hours a day, seven (7) days a week in any building and on any property owned or operated by the Board of Education. This will apply to indoor and outdoor facilities, inside Board-owned vehicles, stadiums/athletic fields and during school-sponsored trips and activities.

~~Smoking is prohibited in any building owned or operated by the Board where children meet on a routine or regular basis.~~

Visitors to the Schools**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
- Event ticket sales accommodation
- Companion seating at events
- Use of power driven mobility devices
- Use of service animals

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

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

Community Use of School Facilities

WHO MAY USE

Principals, following the guidelines contained in this policy, may grant the use of school facilities for purposes that provide demonstrable benefit to the schools or to the community as a whole. Use of school facilities shall not be granted when such use interferes with educational purposes or if such use would be detrimental to the facility's function as an educational institution. School facilities shall only be used by educational, religious, political, civic, or social groups and not for individuals or commercial entities.

The Board may authorize the use of school property by public members of the community during non-school hours for the purpose of recreation, sport, academic, literary, artistic, or community uses as defined in KRS Chapter 162 pursuant to this and other policies adopted by the Board and related procedures established by the Superintendent.¹

AVAILABILITY

Use of Board property by any group as set out above is permissive, and no group is entitled to use the Board property. The permitted use of Board property by any group or organization shall not create any expectation that the Board property shall be available for use by that same group at any time in the future. The Board shall determine when and which facilities will be available to the community and shall establish reasonable fees for their usage.

APPLICATION AND CONTRACT

The Board shall adopt an official application form and an official rental contract, both of which shall detail the conditions of usage. Persons authorized to represent officially their organization must sign the application and contract. Any person who signs a rental contract under a claim of authorization by an organization but does not have the actual authorization of the organization shall be held personally responsible for the terms of the contract and shall personally assume all liability under the contract, including any fees owed to the Board.

Applications from Community Groups must be submitted to the Principal Superintendent/Designee who will approve and schedule the use of facilities. Approval of a request to use District facilities does not signify District sponsorship, endorsement or approval of an organization or activity.

LIABILITY

The Board shall require each organization to assume all liability for injury to individuals by reason of the lease of Board property and that the organization indemnify and save harmless the Spencer County Board of Education, Superintendent, Principal, Board Members, Council Members and employees from any loss or damage thereby. Additionally, any organization using school property must assume liability for any damage to Board property which occurs during the time the organization occupies the Board property or which arises out of the organization's use of Board property, and shall reimburse the Board for any repair of damages to or replacement of school property which is lost, stolen, damaged or vandalized while under the care of the group or organization.

Community Use of School Facilities

INSURANCE

If the non-school related activity sponsored by the community group involves admission or is designated as a high-risk activity by the Superintendent or designee, the community group shall provide a certificate of liability insurance naming the Board as additional insured under the policy for the activity.

Under certain circumstances specified in District policy and/or procedure, the renting organization is required to provide liability insurance consisting of an insurance rider for the following amounts: Insurance liability waiver of **one (1) million dollars** with Spencer County Schools as additional insured.

The rider shall be for the time period of use of the building. Riders of this nature can be obtained from an insurance agency. The rider, including the name of the insurance agent, address, and phone number, shall be presented to the Board along with the application for use of facility.

FEES

The Board shall establish a fee for all rentals that are not civic or charitable in nature.

EXCEPTION

Activities that are sponsored by approved student organizations, faculty groups, local parks and recreation organizations, or school-related parent groups may use school facilities without charge when approved by the ~~Principal~~ Superintendent/Designee. The organization is responsible for supervision of the event and care of the facility and must still assume all liability as set forth above.

REQUEST FOR USE

~~Principals shall not grant any request for extended use of school property.~~ In order to allow all requesting educational, religious, agricultural, political, civic, or social groups to use Board property, qualified organizations must submit a request, in writing, to the Superintendent/designee, not more than four (4) weeks nor less than one (1) week prior to the date on which use of the property is requested. An event requested outside these parameters shall require a waiver by Superintendent/designee.

Requests will be accepted on a first-come, first-served basis, with the following exceptions;

- Requests which are received more than four (4) weeks or less than one (1) week prior to the requested use date may not be considered.
- Should two or more groups or organizations request the use of the same facility for the same time, the ~~Principal~~ Superintendent/Designee will determine if any of the requesting groups or organizations have used the facility in the sixty (60) days preceding the requested use date. If so, that group or organization will be disqualified from using the facility in favor of a group or organization which has not used the facility in the sixty (60) days preceding the requested use date.

Community Use of School Facilities**REQUEST FOR USE (CONTINUED)**

If more than one group or organization requests the use of the same facility for the same time period, the ~~Principal~~ Superintendent/Designee may, at his/her discretion, determine that different parts of the facility can be used by different groups or organizations at the same time (i.e., one group using the cafeteria while another uses the gymnasium). Factors which may be considered include the nature of each activity, whether one group's activity will interfere with the use of the facility by the other group or organization, and the number of people anticipated to be in attendance at each activity.

Requests may be submitted by mail, by facsimile, by e-mail or by hand-delivery to the main office of the facility which is the subject of the request and requests shall be reviewed on a case by case basis by the Superintendent/designee.

CANCELLATIONS

Fees for the use of the facility must be paid upon receipt of billing. Cancellations must be submitted in writing. Any cancellation by the group or organization which is received less than one week prior to the use date will result in a forfeiture of the fee.

In the event of a disaster or unforeseen emergency, the Board, the Superintendent, or the facility Principal may determine a particular activity needs to be cancelled due to anticipated use of the facility by the District during the requested use time. Any use fee which has been paid will be refunded if the cancellation is initiated by the District.

DISREGARD OF RULES

Disregard of the rules and procedures governing use of school facilities shall result in the disqualification of the offending group or organization for future requests for use of the facilities.

REFERENCES:

¹[KRS 162.055](#)

[KRS 160.290](#)

[KRS 160.293](#)

[KRS 160.340](#)

[KRS 162.050](#)

[OAG 60-389](#); [OAG 80-78](#)

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

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

RELATED POLICIES:

05.31

10.3

Adopted/Amended: 08/27/2012

Order #: 35