

**KSB and KSD Proposed Policy Amendments
February 2017**

Policy Heading	Location of Amendment	Original Language	Proposed Language	Justification
Pre-College Curriculum 08.1121	Page 2	Students shall be required to . . . take the ACT .	Students shall be required to . . . take an authorized college admissions assessment .	13 KAR 2:020 currently allows some flexibility on the college readiness assessment required to qualify for initial college admission and does not absolutely mandate the use of the “ACT” exam. This policy has been amended to reflect that flexibility.
Home/Hospital Instruction 08.1312	Page 3	The Admissions and Release Committee (ARC) or 504 Team shall determine.....homebound services for a student at the secondary level and the number of credits the student will be permitted to earn while on home/hospital instruction.	The Admissions and Release Committee (ARC) or 504 Team shall determine.....homebound services for a student, including the number of credits a student at the secondary level will be permitted to earn while on home/hospital instruction.	This clarifies that the ARC or 504 Team determines educational placement in Home/Hospital for elementary and secondary students with disabilities as well as determining the number of credits a secondary student may take while receiving home/hospital instruction.
Home/Hospital Instruction 08.1312	Page 4	None	References: 704 KAR 3:303 707 KAR 1:320 707 KAR 1:350 Section 504 of the Rehabilitation Act of 1973 34 C.F.R 104.35	<i>Same as above</i>
Extended School/Supplemental	Page 4	(Policy Heading) Extended School/ Supplemental Educational Services	Extended School Services	Under the “Every Student Succeeds Act of 2015 (P.L. 114-95)”, the NCLB Act waiver expires August 1,

Educational Services 08.133				2016 and ESSA no longer addresses supplemental educational services.
Extended School/Supplemental Educational Services	Page 5	<p>Pending renewal of the Kentucky Request to the U. S. Dept. of Education for flexibility, the following section is waived through the 2014-2015 school year. If request is not renewed, the following section will be in force.</p> <p>Supplemental Educational Services</p> <p>Eligible students shall be provided supplemental educational series as required by federal law. The KSB/KSD shall post on the KSB/KSD web site(s) information about available supplemental educational services in keeping with federal regulatory requirements.</p> <p>All language and references regarding supplemental educational services removed.</p>	<p>References:</p> <p>KRS 158.070</p> <p>704 KAR 3:390</p>	<i>Same as above</i>
Attendance Requirements 09.122	Page 6	None	Reference numbers were corrected	702 KAR 7:125 provides that a student participating in standards-based, performance-based credit awarded per 704 KAR 3:305 may be

				<p>an exception to physical presence at school.</p> <p>HB 87 and SB 256 amended KRS 159.035 to allow students attending basic training required by a branch of the United States Armed Forces to be considered present at school for up to ten (10) days.</p>
Attendance Requirements	Page 7	None	<p>7. The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, and that falls within one (1) or more of the categories of standards-based course work. A pupil may be counted in attendance for performance-based credit for a class or block for the year or semester in which the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in accordance with local policies.^{4&6}</p> <p>8. Students attending basic training required by a branch of the United States Armed Forces shall be considered present for all purposes for up to ten (10) days.³</p>	<p><i>Same as above</i></p>

		KRS 159.035	KRS 159.010; OAG 85-55 KRS 159.030 702 KAR 007:125 KRS 158.240 KRS 158.070 6704 KAR 3:305 KRS 159.180; KRS 159.990 OAG 79-68;OAG 79-539 OAB 87-40;OAG 97-26	
Attendance Requirements	Page 7	References: ³ KRS 159.035	References were renumbered	<i>Same as above</i>
Absences and Excuses 09.123	Page 8	8. Visitation for up to ten (10) days with the student's parent.....who while on active duty stationed outside of the country, is granted rest and recuperation leave, or 3. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.	9. Ten (10) days for students attending basic training required by a branch of the United States Armed Forces or (numbering corrected) 10. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.	HB 87 and SB 256 amended KRS 159.035 to allow students attending basic training required by a branch of the United States Armed Forces to be considered present at school for up to ten (10) days.
Dismissal from School	Page 10	Exceptions A student may be released to a person with lawful authority to take custody of the student, e.g., a police officer with a warrant. In such case, the student's parent shall be notified at the earliest opportunity.	A student may be released to a person with lawful authority to take custody of the student, e.g., a police officer with a warrant or the person authorized by the Cabinet for Health and Family Services when the student is committed to the	This clarifies that a school follows the direction of the Cabinet for Health and Family Services as to who may pick up a child from school only after a court has issue an order committing the child to the cabinet.

			Cabinet by a court order. In such case, the student's parent shall be notified at the earliest opportunity.	
Release of Students and Student Information to Divorced, Separated, or Single Parents	Page 11	Policy Heading Release of Students and Student Information to Divorced, Separated, or Single Parents		All information regarding release of student information was omitted.
Release of Students and Student Information to Divorced, Separated, or Single Parents	Page 11	KSB/KSD shall release the student or information concerning the student to a parent, guardian, or individual acting as a parent of a student in the absence of a parent or guardian unless the school had been provided with evidence that here is a state law....to the contrary.	KSB/KSD shall release the student either parent or guardian or legal custodian unless the school has been informed and provided with evidence that here is a state law....to the contrary. Related Policies: 09.1231	This clarifies that release of the student and release of records are handled separately. The release of records is covered under FERPA in the Access to Student Records Policy 09.14.
Student Records	Page 12	None	Student records shall be made available for inspection and review to the parent(s) of a student or to an eligible student on request. Legal separation or divorce alone does not terminate a parent's record access rights.	This clarifies that parents are entitled to student educational records regardless of a legal separation or divorce, unless the parents' rights have been terminated. This clarifies that disclosure of personally identifiable information to school officials with a legitimate educational interest may include medical staff and/or law

				<p>enforcement who are employed by the district.</p> <p>The “Every Student Succeeds Act of 2015 (P.L. 114-95)” only allows parents/guardians of students who have reached age 18 to opt-out of release of information to military recruiters. In addition, changes to this act included opt-out to institutions of higher learning.</p>
Students Records	Page 13	<p>Unless the parent/guardian or secondary school student requests in writing that KSB/D not release such information....shall be released to Armed Forces recruiters upon their request.</p>	<p>School officials (such as teachers, instructional aides, administrators, including health or medical staff and law enforcement unit personnel) and other providers...</p> <p>Unless the parent/guardian or secondary school student who has reached age 18 requests in writing KSB/D not release such information....shall be released to Armed Forces recruiters and institutions of higher education upon their request.</p>	<i>Same as above</i>
Students Records	Page 15	<p>References: P.L. 107 110, Sections 1061 and 9528 (No Child Left Behind Act of 2001)</p>	<p>References: P.L. 114-95, (Every Student Succeeds Act of 2015)</p>	<i>Same as above</i>
Child Abuse	Page 16the Cabinet for Families	...the Cabinet for Health and	HB 111 amended KRS 156.095 to

		and Children....	Family Services....	require each school to prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services.
Eligibility (Athletics)	Page 18		Standards for playing up from middle school (grades seven and eight) to high school in sports other than football and soccer may include, but are not limited to, considerations related to safety, physical readiness, use of school space after the school day, transportation, funding , the student’s disciplinary status and record, any substance testing restrictions, and equitable opportunities for participation. To be eligible to try out and participate at the high school level, middle school students must meet all applicable KHSAA and school requirements. The Commissioner/Designee in cooperation with principals, coaches, and athletic directors, as deemed appropriate, may develop guidelines for Kentucky	The District may approve standards covering “playing up” from middle school to high school and related matters per recent OAG opinion, OAG-15-022. Except that any prohibitions relating to such practice covering soccer and football enacted by the Kentucky High School Athletic Association (KHSAA) continue to apply. This change is not required by law.

		References:OAG 90-87	Board of Education approval addressing playing up standards. References:OAG 15-022	
School-Related Student Trips	Page 19	...Principal....	...Commissioner/designee	Titles need to be changed to correlate with state government structure.
Bullying/Hazing 09.422	Page 21	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 had the potential to be repeated: <ol style="list-style-type: none"> 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 of federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the	SB 228 amended KRS 158.148 to include the statewide definition of bullying.

			education process. ²	
Bullying/Hazing	Page 22		References: KRS 525.080	<i>Same as above</i>
Student Discipline Code 09.438	Page 23	<p>The code shall establish standards of acceptable student behavior...</p> <p>The code also shall include a process addressing how students can report code violations to KSB/KSC personnel for appropriate action and information regarding the consequences of violating the code....</p> <p>Distribution Once reviewed and approved, the student discipline code shall be distributed to students and parents of KSB/KSD, including those students who enroll during the school year.</p>	<p>The code shall prohibit bullying and establish standards of acceptable student behavior....</p> <p>The code also shall include a process addressing how students can report code violations and incidents of bullying to KSB/KSC personnel for appropriate action and information regarding the consequences of bullying and violating the code....</p>	<p>SB 228 amended KRS 158.148 to require the student discipline code to specifically prohibit bullying.</p> <p>By removing the distribution section, this clarifies the policy to conform to statutory language.</p>

Red font: original language proposed for omission

Blue Font: language proposed for addition