

LEGAL: THE "EVERY STUDENT SUCCEEDS ACT OF 2015 (P. L. 114-95)" FOCUSES ON AND STRENGTHENS FAMILY ENGAGEMENT IN TITLE I PROGRAMS AND ACTIVITIES.
FINANCIAL IMPLICATIONS: WILL DEPEND ON EXTENT OF MATERIALS AND STAFF TIME NEEDED FOR REQUIRED NOTIFICATIONS

CURRICULUM AND INSTRUCTION

08.13451

Title I - Parent Involvement and Family Engagement Policy

This policy and the plan to implement it have been developed jointly and in agreement with, and will be distributed to, parents and family members of students participating in the Title I program. Parents and family shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language that parents/recipients can understand. This policy shall be made available to the local community and updated periodically to meet the changing needs of parents and family, and the school.

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EXPECTATIONS FOR PARENT INVOLVEMENT AND FAMILY ENGAGEMENT

Contingent on confirmation of resources and other necessary information being provided by state and federal authorities, it is the intent of the Board that parents and family of participating students shall be provided with flexible opportunities for organized, on-going, and timely participation in the planning, review, and improvement of the Title I program, including opportunities to suggest modifications, based on changing needs of parents, family and the schools.

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All comments indicating parents and family dissatisfaction with the Title I plan shall be collected and submitted along with the plan to the Department of Education.

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The Title I program shall be designed to assist students to acquire the capacities and achieve the goals established by law, as well as the goals and standards established by the Board. These goals and standards shall be shared with parents and family in a manner that will give them: (1) timely information about programs; (2) a description and explanation of the school's curriculum, the forms of academic assessment used to measure student progress, the proficiency levels students are expected to meet achievement levels in the challenging state academic standards; the achievement level of their child on each of the state academic the challenging state academic standards assessments; and (3) if requested, opportunities for regular meetings to formulate suggestions and to participate in decisions relating to the education of their children.

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SUPPORT FOR PROGRAM

If the District's Title I allocation is \$500,000 or more, the District shall reserve not less than one per cent (1%) of its allocation for the purpose of promoting parent involvement and family engagement and shall distribute to Title I schools not less than ninety-five percent (90.5%) of the reserved funds with priority given to high-need schools. Parents and family of participating students shall be provided the opportunity to help decide how this portion of the Title I funds will be allotted for parent involvement and family engagement activities.

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The District will provide coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective parent involvement and family engagement activities to improve student academic achievement and school performance. These measures may include, but shall not be limited to, the following:

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Title I - Parent involvementand family engagement Policy

SUPPORT FOR PROGRAM (CONTINUED)

1. Designation of resources to assist in communicating with parents and family, transporting them to meeting sites and/or implementing home visits, providing child-care for meetings, encouraging them to use available parent and family resource centers, and working with them to improve parenting skills, particularly those that will assist them in working with their child to improve his/her educational achievements. Resources may include individuals, agencies, materials, and services.
2. Sharing options for coordinating and integrating Title I program strategies with services of other community programs, businesses, and agencies.
3. Identification of ways in which parents and family can be involvedengaged in staff training activities to demonstrate the value of parent involvementand family engagement and various techniques designed to successfully engage parents and family as equal partners in their child's education.
4. Making a good faith effort to convene an annual meeting at a convenient time to which all parents and family of participating children shall be invited and encouraged to attend for informing parentsthem of their school's participation in and requirements for Title I programs and of their rights to be involved.
5. Designing and conducting an effective annual evaluation process whereby parents can share their ideas about the content and effectiveness of this policy in improving the academic quality of schools receiving Title I funds, and the plan designed to implement it. The process shall focus on the following questions:
Does this policy increase parent participation?
What barriers to parent participation still exist, and how can they be reduced or removed?
The findings produced by the annual evaluation shall be utilized to design strategies for school improvement and for revising this policy, if necessary.
6. In the design of activities and materials for parents, particular attention shall be given to reaching and involving those who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.

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SCHOOL POLICY

Each school shall submit to the Superintendent and Board, for review and comment, its Title I school parent involvementand family engagement policy, which must meet all legal requirements, including a school-parent compact developed in keeping with legal requirements. This policy shall be developed jointly with, and distributed by the school to, parents of participating students.

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A copy of each school's parent involvementand family engagement policy and accompanying checklist shall be kept on file in the Central Office.

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Title I - Parent Involvement and Family Engagement Policy

REFERENCES:

Section 1118 of Improving America's Schools Act (IASA) of 1994
P. L. 114-95, (Every Student Succeeds Act of 2015)
KRS 157.077; KRS 158.645, KRS 158.6451
KRS 158.865; KRS 158.866; KRS 158.867
20 U.S.C., § 6318; 34 C.F.R., § 200.28

RELATED POLICIES:

03.112; 08.1345; 09.11

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LEGAL: THE "EVERY STUDENT SUCCEEDS ACT OF 2015 (P. L. 114-95)" INCLUDES FAMILY UNDER PARENTAL AND COMMUNITY PARTICIPATION; EXPANDS WHAT IS TO BE INCLUDED IN THE PARENTAL NOTIFICATION; ADDS ACCOMMODATIONS FOR ASSESSMENTS, AND CHANGES THE TERM "LIMITED ENGLISH LANGUAGE PROFICIENT" TO "ENGLISH LEARNERS."
FINANCIAL IMPLICATIONS: PARENTAL NOTIFICATION COSTS

CURRICULUM AND INSTRUCTION

08.13452

English as a Second Language

The District shall provide an English language program to assist ~~limited-English language proficient students~~learners, including immigrant children and youth, to attain English proficiency, develop high levels of academic achievement in English, and achieve the same high standards in the same challenging state core-academic subjectsstandards that all students in the District are expected to meet.

The Superintendent/designee, through consultation with teachers, researchers, administrators, parents and family members, community members, public or private entities, and institutions of higher learning shall direct the development of English language instruction educational program guidelines for the District:

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- *Survey of Primary and Home Language* - At the time of initial enrollment, the parent/guardian of every student in the school (whether potential English ~~language learners~~ or not) shall be asked to complete a home language survey.
- *Annual Assessment of Proficiency* - Students whose primary or home language is other than English shall be administered an initial English language proficiency assessment ~~to~~ determine whether they are ~~limited-English language proficient~~learners according to the federal definition in ESSA, Title III.

Students identified as ~~limited-English language proficient~~learners shall receive an annual assessment of English language proficiency in reading, writing, speaking, and listening to measure progress and modify the individual Program Services Plan.

- *Individual Program Services Plan* - Assessment, placement, and the design of an individual Program Services Plan for ~~students with limited English language proficiency~~learners shall be made in compliance with appropriate state and federal education requirements.

Instructional and related services shall be designed to meet the English language and academic needs of students while assisting them to participate in the general education curriculum and to overcome language barriers to grade promotion or high school graduation. Students identified as ~~limited-English language proficient~~learners shall be provided the opportunity to participate in the school's English language instructional program.

- *Parental Notification* - As required by law, the Principal shall send written notification to parents of ~~limited-English proficient students~~learners addressing the following:
 - (a) Student's need for placement in the program;
 - (b) Student's level of English proficiency;
 - (b)(c) How such level was assessed;
 - (e)(d) Methods of instruction used in the program;
 - (d)(e) Student's lack of progress in the program;
 - (e)(f) How the program will meet the individual learning needs of the student;
 - (d)(g) How the program will help the student learn English;

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English as a Second Language

- *Parental Notification* (continued)

~~(g)~~(h) How the program will help the student meet achievement standards necessary for grade promotion and high school graduation; ~~and~~

~~(h)~~(i) Specific exit requirements for students in the program;

~~(i)~~(j) How such program meets the objectives of the individualized education program of the child (in the case of a child with a disability); and

(k) Information pertaining to parental rights that:

1. detail the right to have their child immediately removed from such program;
2. detail the option to decline enrollment of their child in such program or to choose another program or method of instruction if available; and
3. assist parents in selection among various programs and methods of instruction if more than one (1) program is offered.

This notification shall be sent as follows:

- For students already participating in, or identified for participation in, a program for limited-English-proficiency learning, parents shall be notified no later than thirty (30) calendar days after the beginning of the school year;
- ~~For students already participating in, or identified for participation in, a program for limited English proficiency, parents shall be notified no later than thirty (30) days after it is determined that those students are not making progress in the program; and~~
- For students identified after the beginning of the school year, parents shall be notified no later than fourteen (14) calendar days following the student's placement in the program.

Parents also shall be informed how they can be involved, including how to help the student attain English proficiency, achieve at high levels in academic subjects, and meet ~~the challenging s~~State's academic achievement (content and performance) standards.

Parents shall receive annual notification of their child's progress on the state's English proficiency objectives and required state assessments.

- *Parental, Family and Community Participation* – Parents, family, and community members of limited-English proficient learner children shall be given the opportunity to participate in and make recommendations for the District's language instruction educational programs.
- *Provision of Services* – Once their parent/guardian has received notification, limited English proficient students/learners shall be provided services consistent with scientifically based research effective language instruction educational programs and curricular foren teaching limited-English proficient children/learners, guidelines set out in the *Kentucky Academic Standards*, and national, state, and local standards for English language proficiency and academic performance.

Services necessary for the student to access and be involved in the general education curriculum shall be provided by certified general education teachers and English as a Second Language staff, trained bilingual instructional assistants, and/or volunteers.

English as a Second Language

- Assessments – English learners who have not attained English language proficiency, shall be assessed during state-wide testing in a valid, reliable manner and provided appropriate accommodations including, to the extent practicable, assessments in the language and form most likely to yield accurate data regarding student knowledge and ability in academic content areas.
- *Evaluation of Progress* – English language instructional programs shall be evaluated on a regularly scheduled basis to determine whether progress is being made toward removing language barriers and to identify changes that need to be made in District program services. District staff shall monitor student access to equal educational opportunities, both instructional and extracurricular.
- *Program Exit Criteria* – The program guidelines shall include an evaluation process that includes establishment of objective exit criteria to indicate when students:
 - (a) Have developed the required proficiency in using English to speak, listen, read, and write with comprehension;
 - (b) Can enter and successfully participate in classrooms not tailored for ~~limited~~-English ~~proficient children learners~~; and
 - (c) Can expect to graduate from high school.

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P. L. 114-95 (Every Student Succeeds Act of 2015); Title III, ~~3302 (20 U.S.C. §7012)~~
 Title VI of the Civil Rights Act of 1964; Equal Educational Opportunities Act of 1974
 Title VII of Improving America's Schools Act of 1994
 703 KAR 5:070; 704 KAR 3:305; Kentucky Academic Standards
Lau v. Nichols, 414 U.S. 563, 94 S.Ct. 786, 39 L.Ed.2d 1 (1974)
20 U.S.C. § 6318; 34 C.F.R. § 200.28

RELATED POLICIES:

02.4241; 09.13; 09.126 (re requirements/exceptions for students from military families)

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LEGAL: THIS CLARIFIES THAT "PRIVILEGE" ONLY APPLIES TO INFORMATION INTENDED TO BE CONFIDENTIAL BUT IS NOT ABSOLUTE AND BELONGS TO THE CLIENT. HOWEVER THIS MAY BE OVERRIDDEN BY REPORTING STATUTES.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.14

Guidance

Guidance and counseling services shall be provided for students.

SERVICES

Services provided by the guidance program shall include, but not be limited to, educational counseling; career and personal counseling; and testing.

INDIVIDUAL LEARNING PLANS

In keeping with Kentucky Administrative Regulation, the District shall implement an advising and guidance process to support development and implementation of an individual learning plan for each student that includes career development and awareness.

CONFIDENTIAL MATERIAL

All records and counseling information shall be kept in confidence as provided by applicable law.¹

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REFERENCES:

¹KRE 506 (Kentucky Rules of Evidence); KRS 158.154; KRS 158.155; KRS 158.156;
KRS 620.030
KRS 61.878;₃₅ 703 KAR 4:060;₃₅ 704 KAR 3:305

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RELATED POLICY:

08.113;₃₅ 09.14

LEGAL: SB 1 REQUIRES DISTRICT POLICY MINIMIZING THE REDUCTION IN INSTRUCTIONAL TIME RELATED TO THE ADMINISTRATION OF INTERIM ASSESSMENTS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: THE "EVERY STUDENT SUCCEEDS ACT OF 2015 (P. L. 114-95)" REQUIRES DISTRICTS TO MAKE WIDELY AVAILABLE INFORMATION ON ASSESSMENTS REQUIRED BY ESSA, STATE, AND THE DISTRICT. PARENTS MUST BE NOTIFIED OF THEIR RIGHT TO REQUEST AND RECEIVE INFORMATION REGARDING STATE OR DISTRICT ASSESSMENT POLICIES. IN ADDITION, PARENTS SHALL BE PROVIDED THEIR CHILD'S LEVEL OF ACHIEVEMENT AND ACADEMIC GROWTH ON REQUIRED STATE ASSESSMENTS.

FINANCIAL IMPLICATIONS: COST OF PROVIDING REQUIRED NOTICES

Handbook Website
** Parent teacher conference go over test results*

CURRICULUM AND INSTRUCTION

08.222

Assessment

CONTINUOUS ASSESSMENT

The Superintendent shall recommend and the Board shall adopt and implement a continuous assessment program in accordance with applicable statutes and regulations. If utilized, formative or interim assessments of students shall be administered so as to minimize any reduction in instructional time.

NOTICES

The District shall make widely available through public means for each grade served by the District, information on each assessment required by the state to comply with Every Student Succeeds Act of 2015 (ESSA), other state required assessments, and if information is available and feasible to report, District-wide required assessments. In posting this notice, the District shall provide the information designated by federal law.

If the school receives Title I funds, the District shall notify parents of students attending the school at the beginning of each school year that they may request the District to provide information regarding any State or District policy regarding student participation in any assessments mandated by ESSA and by the State or District. In complying with such requests, the District shall provide the information designated by federal law.

When such information is available and applicable, schools that receive Title I funds shall provide information on the level of achievement and academic growth of the student on each required state academic assessment to the parent of any student attending the school.

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REFERENCES:

KRS 158.645; KRS 158.6451; KRS 158.6453; KRS 158.6459
KRS 158.860; KRS 161.795
16 KAR 1:020; 703 KAR 5:010
P. L. 114-95 (Every Student Succeeds Act of 2015)

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RELATED POLICIES:

02.441; 08.1213; 08.131; 08.13451; 08.221
09.2; 09.21

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LEGAL: SB 17 CREATES A NEW CHAPTER OF KRS 158 TO ALLOW TEACHING ABOUT RELIGION WITH THE USE OF THE BIBLE OR OTHER SCRIPTURE, BUT WITHOUT PROVIDING RELIGIOUS INSTRUCTION, FOR SECULAR STUDY.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.232

Instructional Resources

SURVEY

Schools not having SBDM school councils shall survey teachers to determine their needs for instructional resources. The results of the survey shall be used to establish priorities for purchase.

ALLOCATION METHOD

Within budgetary limits, schools or school councils shall establish an equitable method of allocating funds to purchase instructional resources.

FINANCIAL REPORT

A financial report on allocations to and expenditures for instructional resources shall be prepared annually by the Board and shall be a public record.

Each school may carry forward to the next fiscal year any part of the instructional resource allocation distributed to the school that has not been spent or committed in the current fiscal year.

INSTRUCTIONAL RESOURCE FUND

Schools with any grade from P-8 may purchase instructional resources using State funds in accordance with 704 KAR 3:455.

Each school allocated instructional resource funds shall complete an annual plan to identify purchases following guidelines of the Kentucky Board of Education.

The annual plan shall be approved by the Board and by the School Council in SBDM schools.

All plans shall be approved by the local Board as to sufficiency of funding to support the requested purchases.

Any purchase exceeding the funds allocated shall be paid from other Council funds in SBDM schools.

FEES

If the Board authorizes charging rental fees for students in grades nine through twelve (9-12), the Board shall establish those fees annually.

Instructional resources shall be made available to all students. No student shall be denied full participation in any educational program due to an inability to pay for, or rent, all necessary instructional resources.¹

Fee waivers shall be provided as required by applicable statutes and regulations.²

RESPONSIBILITY

Students or parents shall compensate the District for instructional resources that are lost, damaged, or destroyed while in the student's possession.

Instructional Resources

SECTARIAN TEXTS

No book or other publication of a sectarian, infidel, or immoral character or one that reflects on any religious denomination shall be used or distributed in any school.³

This does not prevent a teacher, consistent with his or her assigned duties, from using or distributing books or other publications that reflect any religious denomination to teach the secular study or religion as permitted by the Constitutions of the United States of America or the Commonwealth of Kentucky.

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REFERENCES:

¹KRS 158.108

²KRS 160.330; 702 KAR 3:220

³KRS 158.190

KRS 156.162

KRS 156.433

KRS 156.439

KRS 157.110

KRS 158.188

702 KAR 3:246

704 KAR 3:455

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RELATED POLICIES:

02.4242

04.32

09.15

LEGAL: SB 50 AMENDS KRS 158.070 TO INCLUDE CREATION OF A MANDATORY CALENDAR COMMITTEE, ITS MAKEUP, AND REQUIRED STEPS IN DEVELOPING THE CALENDAR. SB 50 ALSO ALLOWS DISTRICTS THAT ADOPT A CALENDAR, IN WHICH THE FIRST STUDENT ATTENDANCE DAY IS NO EARLIER THAN THE MONDAY CLOSEST TO AUGUST 26, TO USE A VARIABLE STUDENT INSTRUCTIONAL YEAR IN WHICH STUDENT ATTENDANCE DAYS SHALL NOT CONTAIN MORE THAN SEVEN (7) HOURS OF INSTRUCTIONAL TIME.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

School Calendar

CALENDAR COMMITTEE

Beginning with the 2018-2019 school year, the Board, upon recommendation of the Superintendent, shall annually appoint a District Calendar Committee to review, develop, and recommend school calendar options.

The District Calendar Committee shall consist of:

1. One (1) District Principal;
2. One (1) District office administrator other than the Superintendent;
3. One (1) local Board member;
4. Two (2) parents of students attending a school in the District;
5. One (1) District elementary teacher;
6. One (1) District middle or high teacher;
7. Two (2) District classified employees; and
8. Two (2) community members from the local chamber of commerce, business community, or tourism commission.

DEVELOPMENT OF CALENDAR

The District Calendar Committee, after seeking feedback from District employees, parents, and community members, shall recommend school calendar options to the Superintendent for presentation to the Board. The committee's recommendations shall comply with state laws and regulations and consider the economic impact of the school calendar on the community and the state.

IN ORDER TO ACT ON THE SCHOOL CALENDAR, THE BOARD MUST HOLD TWO (2) MEETINGS: 1) ONE THAT INCLUDES HEARING AND DISCUSSING RECOMMENDATIONS FROM THE SUPERINTENDENT AND THE CALENDAR COMMITTEE AND 2) A SUBSEQUENT MEETING THAT INCLUDES ADOPTION OF THE CALENDAR.

THE MEETINGS MAY BE REGULAR OR SPECIAL.

IN THE CASE OF SPECIAL MEETINGS, THE REQUIREMENTS OF KRS 61.823 AND BOARD POLICY 01.44 APPLY, INCLUDING DESCRIBING IN THE APPLICABLE SPECIAL MEETING NOTICE(S) AND AGENDA(S) CONSIDERATION AND DISCUSSION OF THE RECOMMENDATIONS OF THE SUPERINTENDENT AND THE CALENDAR COMMITTEE (REGARDING AN INITIAL SPECIAL MEETING DEALING WITH THE SCHOOL CALENDAR) OR ADOPTION OF THE SCHOOL CALENDAR (REGARDING A SUBSEQUENT SPECIAL MEETING THAT INCLUDES ADOPTION OF THE CALENDAR).

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School Calendar**DEVELOPMENT OF CALENDAR (CONTINUED)**

IN THE CASE OF AN INITIAL REGULAR MEETING THAT INCLUDES THE REQUIRED RECOMMENDATIONS/DISCUSSION OR A SUBSEQUENT REGULAR MEETING THAT INCLUDES ADOPTION OF THE SCHOOL CALENDAR, NOTICE SHALL BE GIVEN TO MEDIA OUTLETS THAT HAVE REQUESTS ON FILE TO BE NOTIFIED OF SPECIAL MEETINGS STATING THE DATE OF THE REGULAR MEETING AND THAT ONE (1) OF THE ITEMS TO BE CONSIDERED IN THE REGULAR MEETING WILL BE THE SCHOOL CALENDAR. THE NOTICE SHALL BE SENT AT LEAST TWENTY-FOUR (24) HOURS BEFORE ANY SUCH REGULAR MEETING. THIS ADDITIONAL AND UNIQUE REGULAR MEETING NOTICE REQUIREMENT DOES NOT MAKE ANY OF THE REQUIREMENTS OR LIMITATIONS RELATING TO SPECIAL MEETINGS APPLICABLE TO THE REGULAR MEETING.

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On or before May 15, the Board, ~~upon recommendation of the Superintendent in a meeting subsequent to the meeting in which the Board heard the recommendations of the District Calendar Committee and the Superintendent,~~ shall adopt a school calendar prior to each upcoming school year that establishes or includes:

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1. Opening and closing dates of the school term,
2. Beginning and ending dates of each school month,
3. Days on which students are scheduled to receive instruction at school within designated start and dismissal times (student attendance days) and the length of each student attendance day in accordance with KRS 158.060,
4. A minimum school term of not less than one hundred eight-five (185) days composed of student attendance days, teacher professional days, and holidays,
5. A student instructional year of at least one thousand sixty-two (1062) hours of instructional time or not less than one-hundred seventy (170) student attendance days,
6. Instructional time required for kindergarten per KRS 157.320,
7. Any instructional time to be banked to make up for full days that may be missed due to an emergency,
8. Days in addition to the student instructional year for the make-up of instructional time missed due to emergency equal to the greatest number of days missed system-wide over the preceding five (5) school years, and
9. Days on which schools shall be dismissed.

ADDITIONAL REQUIREMENTS

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

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

Schools shall be closed on the Tuesday after the first Monday in November in Presidential election years.

School Calendar

ADDITIONAL REQUIREMENTS (CONTINUED)

If any school in the District is used as a polling place, the school District shall be closed on the day of the election, and those days may be used for professional development activities, professional meetings, or parent-teacher conferences. Subject to the requirement that schools shall be closed on Presidential Election Day, the District may be open on the day of an election if no school in the District is used as a polling place.

CALENDAR OPTIONS

Beginning with the 2018-2019 school year, if the Board adopts a school calendar with the first student attendance day in the school term starting no earlier than the Monday closest to August 26, the adopted calendar may use a variable student instructional year. The District may set the length of individual student attendance days in a variable student instructional schedule, but no student attendance day shall contain more than seven (7) hours of instructional time unless the District submitted and received approval from the Commissioner of Education for an innovative alternative calendar.¹

A variable student instructional year means at least one thousand sixty-two (1,062) hours of instructional time delivered on the number of student attendance days adopted by the Board which shall be considered proportionally equivalent to one hundred and seventy (170) student attendance days and calendar days for the purposes of a student instructional year, employment contracts that are based on the school term, service credit under KRS 161.500, and funding under KRS 157.350.¹

AMENDING THE CALENDAR

The Board may amend the school calendar after it is adopted due to an emergency. The Board may lengthen or shorten any remaining student attendance days by thirty (30) minutes or more, as necessary provided it meets at minimum, a student instructional year as defined in statute. No student attendance day may contain more than seven (7) hours of instructional time unless the District submits and receives approval from the Commissioner of Education for an innovative alternative calendar.

EMERGENCY WAIVERS

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

REFERENCES:

- ¹KRS 157.350; KRS 158.070; KRS 161.500
- KRS 2.190; KRS 118.035
- KRS 157.320; KRS 157.360
- ~~KRS 158.070~~; KRS 158.6453
- 702 KAR 7:130; 702 KAR 7:140

RELATED POLICIES:

- 01.42; 08.31

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LEGAL: HB 195 AMENDS MULTIPLE STATUTES TO CHANGE THE GENERAL EDUCATION DIPLOMA (GED) TO HIGH SCHOOL EQUIVALENCY DIPLOMA.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.4

Adult/Community Education

PURPOSE OF PROGRAM

The Board authorizes the Superintendent or designee to plan and operate an educational program based on the needs and interests of adults and youth of the community.

The Board may establish an adult education program to provide basic skills, career and technical training and/or to prepare for meeting equivalency requirements. The Board also may enter into an agreement with the Council on Postsecondary Education to establish an external diploma program.

The conduct of the above adult/community education programs and determination of eligibility for participation in the ~~GED-High School Equivalency Diploma~~ program shall be consistent with requirements established by applicable statutes and administrative regulations, including, but not limited to, those addressing minimum age requirements, and enrollment status ~~and GED test readiness~~.

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SCHOOL FACILITIES AND RESOURCES

The Board authorizes the use of school facilities and resources for conducting these programs and further authorizes the acceptance of other agency funds for their operation.

REFERENCES:

KRS 158.143

KRS 160.155; KRS 160.156; KRS 160.157; KRS 164.0064
13 KAR 3:010; 13 KAR 3:050

RELATED POLICIES:

05.3; 05.31

LEGAL: SB 1 AMENDS KRS 158.6453 TO REMOVE PROGRAM REVIEWS AND PROGRAM AUDITS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.5

Program Evaluation

IMPLEMENTATION OF PLAN

The Superintendent shall develop and implement a plan for the evaluation of educational programs focused primarily on measurable student achievement data. This plan shall include both objective and subjective measures of student outcomes in relation to District educational objectives developed and approved by the Board.

~~Based on the timeline, criteria and procedures developed by the Kentucky Department of Education, the District's program evaluation plan shall include audits and reviews in the areas designated by regulation.[†]~~

CALENDAR FOR REVIEW OF EXISTING PROGRAMS

~~At the time it sets its annual calendar of regular meeting dates, the Board shall establish a process to review District programs addressing the following aspects:~~

- ~~1. Programs to be evaluated~~
- ~~2. A master schedule indicating when each program will be reviewed~~
- ~~3. Meeting(s) during the current school year at which a program will be discussed~~
- ~~4. Data to be presented and the format~~
- ~~5. Key questions that will be asked~~
- ~~6. Stakeholders to be invited~~
- ~~7. Information to be shared with the community and its format~~

~~The Board shall utilize findings to evaluate program impact on student achievement and to make decisions concerning program status, including continuation, budget and staffing issues.~~

REVIEW OF NEW PROGRAMS

Prior to implementation, the Board shall review proposals to offer new school and District programs not addressed by the Kentucky Academic Standards. The Board shall require proposals to provide data supporting the need for the program, an explanation of how the program is expected to improve student achievement, and a schedule for updating the Board on student progress resulting from the new program.

REFERENCES:

KRS 158.645; KRS 158.6451; KRS 158.6453
[†]703 KAR 5:230

RELATED POLICIES:

01.111; 01.42
02.44; 02.441; 02.442
04.1; 08.222

LEGAL: HB 195 AMENDS MULTIPLE STATUTES TO CHANGE THE GENERAL EDUCATION DIPLOMA (GED) TO HIGH SCHOOL EQUIVALENCY DIPLOMA.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.111

Transfers and Withdrawals

TEACHER TO ASCERTAIN REASON

When a pupil of compulsory school age withdraws from school, the teacher of the pupil shall ascertain the reason.¹

REPORT TO DPP

The teacher shall immediately report the withdrawal and the reason for it to the Superintendent's office (Director of Pupil Personnel).

CHANGE OF RESIDENCE

If the child has withdrawn because of residence, the next residence shall be ascertained and included in the report. The District shall notify the Kentucky Department of Education when a new student enrolls.¹

MISSING CHILDREN

The Director of Pupil Personnel shall notify the Justice Cabinet of any request for the records of a student who has been flagged as missing.¹

PERMISSION

No written permission for withdrawal shall be required after the student's eighteenth (18th) birthday.²

Students between the ages of six (6) and eighteen (18) shall enroll and be in regular attendance in the schools to which they are assigned and shall be subject to compulsory attendance.²

FOLLOW-UP BY DISTRICT PERSONNEL

Within three (3) months of the date of a student's withdrawal from school, District personnel designated by the Superintendent shall contact each student who has withdrawn from school to encourage reenrollment in a regular, alternative, or ~~GED preparation~~ High School Equivalency Diploma program. If the student does not reenroll at that time, personnel shall make at least one (1) more attempt toward reenrollment of the student before the beginning of the next school year.²

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REFERENCES:

¹KRS 159.170; KRS 158.032

²KRS 159.010; KRS 159.020

RELATED POLICY:

09.122

LEGAL: THE "EVERY STUDENT SUCCEEDS ACT OF 2015 (P. L. 114-95)" REQUIRES DISTRICTS TO ADDRESS ADMISSION OF FOSTER CHILDREN AND HOW THEY WILL BE TRANSPORTED.

FINANCIAL IMPLICATIONS: POSSIBLE INCREASED TRANSPORTATION COSTS

LEGAL: THE "EVERY STUDENT SUCCEEDS ACT OF 2015 (P. L. 114-95)" AND MCKINNEY-VENTO ACT REQUIRE DISTRICTS TO ADDRESS ADMISSION OF HOMELESS YOUTH INCLUDING HOW THEY WILL BE TRANSPORTED AND A DISPUTE RESOLUTION PROCESS.

FINANCIAL IMPLICATIONS: POSSIBLE INCREASED TRANSPORTATION COSTS

STUDENTS

09.12

Admissions and Attendance

RESIDENCE DEFINED

Pupils whose parent or guardian resides in the District and has custody of the student, or pupils who are legal residents of the school district, or as otherwise provided by state or federal law, shall be considered residents and entitled to the privileges of the District's schools.

All other pupils shall be classified as nonresidents for school purposes.¹

HOMELESS CHILDREN AND YOUTH

The District shall provide educational and related services to homeless children and youth (including preschool-aged homeless children) in a manner that does not segregate or stigmatize students on the basis of their homeless status.

The District shall provide its schools with guidelines that detail the rights of homeless students and the responsibilities that schools have to meet their needs and eliminate barriers to school attendance. These guidelines shall emphasize the right of homeless students to:

1. Have equal access to all educational programs and services, including transportation, that non-homeless children enjoy;
2. Have access to preschool programs as provided to other children in the District;
3. Continue attending their school of origin, when deemed in the best interest of the child, for the duration of homelessness;
4. Attend regular public school with non-homeless students; and
5. Continue to receive all services for which they are eligible (i.e., special education, gifted and talented, limited-English proficient learner).

The District shall provide transportation to the school of origin for homeless children at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison) if the child continues to live within the area served by the District in which the school of origin is located. If the child locates to a District other than that of his/her school of origin, the districts shall work together to apportion transportation to and from the school of origin and associated costs. If the districts are unable to reach agreement, responsibility and costs for transportation shall be shared equally.

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The District shall designate an appropriate staff person to serve as liaison to homeless children and youth. In addition to coordination of McKinney-Vento implementation in the District, the liaison is responsible for:

- "Outreach" to other entities and agencies so that homeless students are identified;
- must provide public notice of the educational rights of homeless children in places locations frequented by parents/guardians and unaccompanied youths. This notice is to be in a manner and form that is understandable; where they receive services.²

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Admissions and Attendance

HOMELESS CHILDREN AND YOUTH (CONTINUED)

- Seeing that school personnel who provide McKinney-Vento Services receive professional development and other support; and
- Ensuring that unaccompanied youths are enrolled in school and receive support to accrue credits and access to higher education.

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The District shall inform school personnel, service providers, advocates working with homeless families, parents, guardians and homeless children and youths of the duties of the liaison.

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Disputes over eligibility, school selection, or enrollment are to be appealed to the Kentucky Department of Education using the Dispute Resolution for Homeless form located at the link below:

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[http://education.ky.gov/federal/progs/txc/Documents/Homeless Dispute Resolution Form.docx](http://education.ky.gov/federal/progs/txc/Documents/Homeless_Dispute_Resolution_Form.docx)

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The District shall provide services for homeless children and youths with disabilities as required by law.

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CHILDREN IN FOSTER CARE

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Students in foster care shall have equal access to all educational programs and services, including transportation, which all other students enjoy.

Foster children are to be immediately enrolled in a new school. The District shall contact the student's prior school for relevant records.

The Superintendent shall appoint a Point of Contact (POC) to coordinate activities relating to the District's provision of services to children placed in foster care, including transportation services, when the District is notified by the Cabinet for Health and Family Services in writing that the Cabinet has designated its foster care POC for the District. The Superintendent may appoint the District POC prior to such notice from the Cabinet.

Children in foster care, including preschool aged children if the District offers a preschool program, shall be eligible to attend their "school of origin" unless a determination is made that it is not in the child's best interest. When possible, such determination will be made in collaboration with the child welfare agency. Dispute resolutions shall be handled by all agencies involved in the determination of the foster child's placement.

When possible, a child exiting the foster care program during the school year shall be allowed to complete the school year in the school of origin.

IMMIGRANTS

No student shall be denied enrollment based on his/her immigration status, and documentation of immigration status shall not be required as a condition of enrollment.

The District may provide an approved high school program to a student who is a refugee or legal alien until the student graduates or until the end of the school year in which the student reaches the age of twenty-one (21), whichever comes first.

Admissions and Attendance**NONRESIDENTS**

Nonresident pupils may be admitted to the District's schools in accordance with Board policy and upon approval of the Superintendent.³

Written nonresident pupil contract information shall be kept on file at both the attending and resident districts.

Nonresident students designated as homeless or foster children may be required to be enrolled consistent with the "child's best interest" or "school of origin" requirements under the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA.

ADDITIONAL REQUIREMENTS

Pending receipt of the student's records from the previous school, the Board reserves the right to withhold placement of a nonresident student.

TRANSFER OF ADA

Nonresident pupils may be admitted to the District schools upon payment of tuition and/or transfer of the pupil's average daily attendance as defined under Kentucky's public school fund.^{4&5}

NON-IMMIGRANT FOREIGN STUDENTS

Non-immigrant foreign students qualifying for F-1 immigration status or who obtain an F-1 student visa may be admitted to the District based on the following guidelines:

1. These students shall not be permitted to attend any publicly funded adult education program.
2. These students may be permitted to attend in grades nine through twelve (9-12), but not at earlier grade levels.
3. As required by law, these students shall pay a tuition fee equal to the full, unsubsidized per capita cost to the District for providing education to the student for the period of attendance.
4. The period of attendance shall not exceed twelve (12) months.

These requirements do not apply to immigrant students residing in the District or foreign students in any other immigration status, including exchange students.

EXPELLED/CONVICTED STUDENTS

The parent, guardian, Principal, or other person or agency responsible for the student shall provide to the school prior to admission, a sworn statement or affirmation concerning any of the following that have occurred in or outside Kentucky:

1. If a student has been expelled from school; or
2. If a student has been adjudicated guilty/convicted of, homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.

Assault shall mean any physical assault, including sexual assault.

Admissions and Attendance**EXPELLED/CONVICTED STUDENTS (CONTINUED)**

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.⁶

If a student is suspended or expelled for any reason, or faces charges that may lead to suspension or expulsion, but withdraws prior to a hearing from any public or private school in Kentucky or any other state and then moves into the District and seeks to enroll, the District shall review the details of the charges, suspension, or expulsion and determine if the student will be admitted, and if so, what conditions may be imposed upon the admission. Prior to a decision to deny admission, the District shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the Board.

REFERENCES:

¹KRS 159.010; OAG 78-64; OAG 91-171

²42 U.S.C. 11431 et seq. (McKinney-Vento Act)

³KRS 158.120; OAG 80-47; OAG 79-327; OAG 75-602

⁴KRS 157.320

⁵702 KAR 7:125

⁶KRS 158.155; KRS 157.330; KRS 158.150

KRS 157.360; KRS 158.100

704 KAR 7:090; Public Law 104-208;

P. L. 114-95 (Every Student Succeeds Act of 2015), 20 U.S.C. § 6301 et seq.

8 U.S.C. Sections 1101 and 1184; 8 C.F.R. Section 214

22 C.F.R. §62.25

Plyler v. Doe, 457 U.S. 202 (1982)

Equal Educational Opportunities Act of 1974 (EEOA)

RELATED POLICIES:

06.32; 08.1114

09.11; 09.121; 09.122; 09.123; 09.124; 09.125; ~~09.211~~

09.126 (re requirements/exceptions for students from military families)

09.14; 09.211

LEGAL: THIS REVISION REFLECTS PROVISIONS OF KRS 158.030(2) WHICH ARE EFFECTIVE AS OF THE 2017-2018 SCHOOL YEAR.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.121

Entrance Age

PRESCHOOL

In accordance with appropriate state and federal legal requirements, any child who has been identified as disabled, and who is three (3) or four (4) years of age, by August 1 of the current year, shall be eligible for a free and appropriate preschool education and related services.

Children at risk of educational failure who are four (4) by August 1 may enter preschool. All other four (4) year old children shall be served to the extent placements are available.¹

PRIMARY SCHOOL

~~A child who becomes five (5) by October 1 may enter primary school and may advance through the primary program without regard to age in accordance with KRS 158.030. A child who becomes six (6) by October 1 shall attend public school unless s/he qualifies for an exemption as provided by law.³~~

~~Beginning with the 2017-2018 school year, the following provisions shall apply:~~

A child who ~~becomes is~~ five (5) ~~or who may become five (5) years of age~~ by August 1 may enter primary school and may advance through the primary program without regard to age in accordance with KRS 158.031. ~~A child who becomes six (6) by August 1 shall attend public school unless s/he qualifies for an exemption as provided by law.~~

A child who is six (6) years of age, or who may become six (6) years of age by August 1, shall attend public school or qualify for an exemption as provided by KRS 159.030.²

The District shall establish guidelines to determine a student's level of academic and social skills when that student is being considered for advancement through the primary program.³ A student who is at least five (5) years of age, but less than six (6) years of age ~~on or before October 1~~, may be enrolled in the second level of the primary program in keeping with the process set out in Kentucky Administrative Regulation.^{3 & 4}

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PETITION PROCESS

Parents/guardians may petition the Board to allow their child to enter school earlier than permitted under statutory age requirements. On receipt of a petition, the District shall conduct an evaluation process to help determine a student's readiness to engage in and benefit from early entry to school. The process shall be established in accordance with the following:

1. The District shall establish guidelines to determine a student's readiness for entry, including the date by which petitions must be submitted to the Central Office.
2. Developmentally appropriate measures, which may include state-approved screening instruments, shall be used to determine a student's level of developmental, academic and social readiness.
3. Based on staff recommendations, the Superintendent shall recommend to the Board whether to grant the request.
4. Considerations may include availability of space and funding.

Any tuition amounts charged to students permitted early entry under this Policy shall be the same as that charged to other tuition paying students who meet statutory age requirements.²

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Entrance Age**PROOF OF AGE**

Upon enrollment for the first time in any elementary or secondary school, a student or student's parent shall provide:

- A certified copy of the student's birth certificate, or
- Other reliable proof of the student's identity and age with an affidavit explaining the inability to produce a copy of the birth certificate.⁴⁵

REFERENCES:

¹KRS 157.3175; [2016 Budget Bill](#)

²KRS 158.030

³~~KRS 157.226; KRS 159.030~~ [702 KAR 7:125](#)

⁵⁴KRS 158.031; ~~702 KAR 1:160; 702 KAR 7:125~~

⁴⁵KRS 158.032; KRS 158.035; KRS 214.034

KRS 158.990; KRS 159.010; [KRS 159.030](#)

[702 KAR 1:160](#); 704 KAR 5:070

OAG 82-408; OAG 85-55

[P. L. 114-95, \(Every Student Succeeds Act of 2015\), 20 U.S.C. § 6301 et seq.](#)

[McKinney-Vento Act, 42 U.S.C. 11431 et seq.](#)

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RELATED POLICIES:

08.22

09.124

09.126 (re requirements/exceptions for students from military families)

LEGAL: THIS CLARIFIES THE TIMING OF IRREVOCABLE ENTRY INTO KINDERGARTEN BY FIVE YEAR OLDS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: THIS REVISION REFLECTS PROVISIONS OF KRS 158.030(2) WHICH ARE EFFECTIVE AS OF THE 2017-2018 SCHOOL YEAR.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.122

Attendance Requirements

COMPULSORY ATTENDANCE

All children in the district who have entered kindergarten or are between the ages of six (6), as of ~~October~~ August 1, and eighteen (18), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned.¹

Per 704 KAR 5:060, any five (5) year old child not otherwise subject to compulsory attendance laws, but who voluntarily enrolls in the primary school program at the beginning of the school year, may upon parental or guardian's written request be withdrawn from the program at any time within the first two (2) school calendar months. At the end of such trial period a child shall be considered irrevocably entered into the primary school program for purposes of KRS 159.010 and KRS 159.020.

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EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school,
2. A pupil who is enrolled in a private or parochial school,
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten nursery school,
4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study,
5. A pupil who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children, or
6. A pupil who is enrolled and in regular attendance in a state supported program for exceptional children.²

PHYSICIAN'S STATEMENT REQUIRED

The Board, before granting an exemption for a physical or mental condition, shall require a signed statement as required by law unless a student's individual education plan (IEP) specifies that placement of the child with a disability at home or in a hospital is the least restrictive environment for providing services.²

EXCEPTIONS TO PRESENCE AT SCHOOL

Students must be physically present in school to be counted in attendance, except under the following conditions:

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,² or court-ordered instruction in another setting.

Attendance Requirements**EXCEPTIONS TO PRESENCE AT SCHOOL (CONTINUED)**

2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.³
3. Students may participate in cocurricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when cocurricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.⁴
4. Students participating in an off-site virtual high school class or block may be counted in attendance in accordance with requirements set out in Kentucky Administration Regulation.⁴
5. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.⁴
6. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.⁵
7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.⁶
8. 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 & 7}
9. 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

STUDENTS

09.122
(CONTINUED)

Attendance Requirements

REFERENCES:

¹KRS 159.010; OAG 85-55

²KRS 159.030

³KRS 159.035

⁴702 KAR 7:125

⁵KRS 158.240

⁶KRS 158.070

⁷704 KAR 3:305

KRS 158.030; KRS 158.143

KRS 159.020; KRS 159.180; KRS 159.990

704 KAR 5:060

OAG 79-68; OAG 79-539; OAG 87-40; OAG 97-26

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RELATED POLICIES:

08.131; 08.1312

09.111; 09.121; 09.123; 09.36

LEGAL: HB 195 AMENDS MULTIPLE STATUTES TO CHANGE THE GENERAL EDUCATION DIPLOMA (GED) TO HIGH SCHOOL EQUIVALENCY DIPLOMA.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.1223

Persons Over Compulsory Attendance Age

Any student between the ages of sixteen (16) and twenty-one (21) who has not met graduation requirements may continue in school as long as s/he:

1. Is in regular daily attendance;
2. Is making satisfactory progress in all subjects in which s/he is enrolled;
3. Refrains from causing any disciplinary problems; and
4. Abides by school regulations.

CONFERENCE

Before classwork begins, the person shall confer with the guidance counselor and/or the Principal to review previous school records (transcripts, etc.), to determine a course of study, and to discuss an educational program which is alternative to classroom instruction (correspondence courses, ~~eighth-grade and high-school equivalency certificates~~, GED High School Equivalency Diploma, adult education, etc.).

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AFFIDAVIT

If the person decides to undertake an educational program alternative to classroom instruction, the student and the parent, if the student is not emancipated, shall sign an affidavit which states a conference has taken place and the person understands the conditions of the agreement.

PROHIBITIONS

Persons over twenty-one (21) years of age shall not be admitted to or served by the District's elementary or secondary schools.

Students under age twenty-one (21) who already have graduated from an accredited or four (4) year high school shall be considered to have completed high school and shall not be permitted to enroll in the District. Students who have earned a GED High School Equivalency Diploma shall be permitted to enroll to work toward completion of graduation requirements.

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EXCEPTION

The District may provide an approved high school program to a student who is a refugee or legal alien until the student graduates or until the end of the school year in which the student reaches the age of twenty-one (21), whichever comes first.

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law shall be followed.¹

REFERENCES:

- ¹P. L. 105-17
KRS 157.200; KRS 157.360
KRS 158.100; KRS 158.140; KRS 159.010; KRS 159.030
704 KAR 3:305

RELATED POLICIES:

08.113, 08.22, 08.221, 08.4; 09.12, 09.123, 09.4

RECOMMENDED: THIS CLARIFIES THAT A STUDENT'S PARENT IS NOT TO BE NOTIFIED IF A COURT ORDER PROVIDES TO THE CONTRARY (FOR EXAMPLE IN AN EMERGENCY ABUSE SITUATION).
FINANCIAL IMPLICATIONS: NONE ANTICIPATED
LEGAL: HB 33 CREATES A NEW SECTION OF KRS 620 DETAILING THE CABINET'S NOTIFICATION REQUIREMENTS WHEN IT IS AWARDED CUSTODY OF AN ABUSED, NEGLECTED OR DEPENDENT CHILD.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.1231

Dismissal from School

RELEASE OF STUDENTS

At any time students are dismissed from school, they shall be released according to the written instructions provided by the custodial parent/guardian. The instructions, which shall be requested at the time the student registers/enrolls for the school year, shall include the student's regular mode of transportation at the end of the day and a list of persons, in addition to the custodial parent/guardian, who are authorized to pick up the child from school. Any deviation from the authorized release process must be approved by the Principal/designee prior to the student departing school in another manner.

It shall be the responsibility of the custodial parent/guardian to notify the school in writing if release instructions are to be revised. If written instructions are not provided to the school, the student shall only be released to ride home on the assigned bus or with the custodial parent/guardian.

Any student who leaves the school grounds at any time without proper authorization shall be subject to appropriate disciplinary action.

RELEASE PROCESS

The custodial parent/guardian or designee who picks up the student early shall report to the Principal's office and sign for the student's release

Each school shall maintain a daily entry and exit log of students signing in late or signing out early and shall require proof of identification from individuals (visual identification by an employee, driver's license, picture identification, etc.) to assure that they are authorized to pick up the student.

Those students who are not on record as being under the care or control of a parent/guardian may sign for their own dismissal.

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 or the person authorized by the Cabinet for Health and Family Services when the student is committed to the Cabinet or when the Cabinet is granted custody of the student by a court order. In such case, the student's parent shall be notified at the earliest opportunity except as otherwise provided by a court order or law.¹

Dismissal from School

EXCEPTIONS (CONTINUED)

When custody of a student is granted to the Cabinet by a court order as a result of dependency, neglect, or abuse, the Cabinet shall notify the Principal, Assistant Principal, or Guidance Counselor of the names of persons authorized to contact the child at school or remove the child from school grounds.

The notification shall be provided to the school by the Cabinet:

- a) Verbally and documented in writing by the Principal, Assistant Principal, or Guidance Counselor on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. The verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By written document within ten (10) calendar days following a change of custody or change in contact or removal authority.

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In addition, the Board authorizes emergency release of students for illness or other bona fide reasons, as determined by the Principal.

REFERENCES:

- ¹OAG 85-134; OAG 92-138
- KRS 620.146
- 702 KAR 7:125

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RELATED POLICIES:

- 09.12311; 09.227; 09.3; 09.31; 09.432
- 09.434; 10.5

LEGAL: SB 17 ALLOWS STUDENTS TO EXPRESS RELIGIOUS OR POLITICAL VIEWS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.13

Equal Educational Opportunities

DISCRIMINATION PROHIBITED

No pupil shall be discriminated against because of age, color, disability¹, race, national origin, religion, sex, or veteran status.

STUDENTS WITH DISABILITIES

The District shall provide a free, appropriate public education to each qualified student with a disability, as defined by law, within its jurisdiction.

The District shall operate its programs in accordance with the procedures addressing requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

Parents of students who have a temporary or permanent disability may request the District supervisor to provide appropriate accommodations necessary for them to participate in instructional and extracurricular activities, as required by law. Students who are at least eighteen (18) years of age may submit their own requests.

STUDENT RELIGIOUS ACTIVITIES OR POLITICAL EXPRESSION

The District shall observe the rights of students to voluntarily engage in religious activities, ~~or~~ Students may express religious or political viewpoints while at school to the same extent and under the same circumstances as other permitted activities or expression, as established by ~~Consistent with the United States~~ Constitutions of the United States and the Commonwealth of Kentucky and law, students shall be permitted to engage in these activities and express these viewpoints, provided they do not:

1. Infringe on the rights of the school to:
 - a. Maintain order and discipline;
 - b. Prevent disruption of the educational process; and
 - c. Determine education curriculum;
2. Harass other persons or coerce other persons to participate in the activity; or
3. Otherwise infringe on the rights of other persons.

Student complaints concerning possible violations of their religious rights shall be addressed in keeping with legal requirements. Their complaints shall be directed to the Principal, who shall investigate and take appropriate action within thirty (30) days of receipt of the written notification.

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STUDENTS

09.13
(CONTINUED)

Equal Educational Opportunities

REFERENCES:

¹Bd. of Educ., etc. v. Rowley 102 S.Ct. 3034 (1982)
District special education policy and procedures manual; District 504 procedures
KRS 157.200; KRS 157.224; ~~KRS 157.226~~; KRS 157.230; KRS 157.350
KRS 158.183; KRS 160.295; Age Discrimination Act of 1975
Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act
Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972
Vietnam Era Veterans Readjustment Assistance Act of 1974
Kentucky Education Technology System (KETS); 28 C.F.R. Section 35.101 et seq.

RELATED POLICIES:

03.113; 03.212; 05.11; 08.131; 09.3211

LEGAL: THE BOARD MAY DESIGNATE A STUDENT'S ADDRESS AS DIRECTORY INFORMATION UNDER FERPA; HOWEVER, UNDER THE MCKINNEY-VENTO ACT, INFORMATION REGARDING A STUDENT'S LIVING SITUATION IS NOT CONSIDERED DIRECTORY INFORMATION. AS A RESULT, INFORMATION ABOUT A STUDENT'S LIVING SITUATION MUST BE PROVIDED THE SAME PROTECTIONS AS OTHER NON-DIRECTORY, PERSONALLY IDENTIFIABLE INFORMATION (PII) CONTAINED IN STUDENT EDUCATION RECORDS UNDER FERPA.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.14

Student Records

Data and information about students shall be gathered to provide a sound basis for educational decisions and to enable preparation of necessary reports.

PROCEDURE TO BE ESTABLISHED

The Superintendent shall establish procedures to promote effective notification of parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) and to ensure District compliance with applicable state and federal student record requirements.

DISCLOSURE OF RECORDS

Student records shall be made available for inspection and review to the parent/guardian(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. Eligible students are those 18 years of age or older or those duly enrolled in a post-secondary school program. In general, FERPA rights pass to the eligible student upon either of those events. Parents may be provided access to the educational records of an eligible student 18 years old or older if the student is dependent under federal tax laws.¹

Upon written request, parents, guardians, or eligible students may be provided copies of their educational records, including those maintained in electronic format, when necessary to reasonably permit inspection. Such copies shall be provided in a manner that protects the confidentiality of other students. A reasonable fee may be charged for copies of student records.

District personnel must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the District discloses personally identifiable information from education records.

In addition, considering the totality of the circumstances, the District may disclose information from education records to appropriate parties, including parents of eligible students, whose knowledge of the information is necessary to protect the health or safety of a student or another individual, if there is an actual, impending, or imminent articulable and significant threat to the health or safety of a student or other individual. In such instances, the basis for a decision that a health or safety emergency existed shall be recorded in the student's education records.

Authorized District personnel also may disclose personally identifiable information to the following without written parental consent:

- Officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer;
- Authorized representatives of a Kentucky state child welfare agency if such agency presents to the District an official court order placing the student whose records are requested under the care and protection of said agency. The state welfare agency representative receiving such records must be authorized to access the child's case plan.

Student Records**DISCLOSURE OF RECORDS (CONTINUED)**

- School officials (such as teachers, instructional aides, administrators, including health or medical staff and law enforcement unit personnel) and other service providers (such as contractors, consultants, and volunteers used by the District to perform institutional services and functions) having a legitimate educational interest in the information.

District and school officials/staff may only access student record information in which they have a legitimate educational interest.

Contractors, consultants, volunteers, and other parties to whom the District has outsourced services or functions may access student records provided they are:

- Under the District's direct control with respect to the use and maintenance of education records; and
- Prohibited from disclosing the information to any other party without the prior written consent of the parent/eligible student, or as otherwise authorized by law.

DISCLOSURE TO REPRESENTATIVES FOR FEDERAL OR STATE PROGRAM PURPOSES

Personally identifiable student information may be released to those other than employees who are designated by the Superintendent in connection with audit, evaluation, enforcement, or compliance activities regarding Federal or State programs. Such designation must be executed in writing with the authorized representative and specify information as required by 34 C.F.R. Part 99.35.

DUTY TO REPORT

If it is determined that the District cannot comply with any part of FERPA or its implementing regulations due to a conflict with state or local law, the District must notify the Family Policy Compliance Office (FPCO) within forty-five (45) days of the determination and provide the text and citation of the conflicting law.

STUDENT DIRECTORY INFORMATION

The Superintendent or the Superintendent's designee is authorized to release Board approved directory information.

Approved "directory information" shall be: student names and addresses, telephone numbers, date and place of birth, student's school email address, major field of study, participation in officially recognized activities and sports, photograph/picture, grade level, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, and most recent educational institution attended by student.

Any eligible student, parent, or guardian who does not wish to have directory information released shall notify the Superintendent in writing within thirty (30) calendar days after receiving notification of FERPA rights.

Information about the living situation of a student designated as homeless is not to be treated as directory information and is not to be disclosed unless prior written consent is given or unless the information meets one of FERPA's exceptions to required consent. The living situation is not considered directory information.

The District allows for disclosure of directory information only to specific parties for specific purposes. Such limitations are specified in the student directory information notification.

Student Records**STUDENT DIRECTORY INFORMATION (CONTINUED)**

Unless the parent/guardian or student who has reached age 18 requests in writing that the District not release such information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters and institutions of higher education upon their request.

SURVEYS OF PROTECTED INFORMATION

The District shall provide direct notice to parents/guardian to obtain prior written consent for their minor child(ren) to participate in any protected information survey, analysis, or evaluation, if the survey is funded in whole or in part by a program of the U.S. Department of Education.

Parents/eligible students also shall be notified of and given opportunity to opt their child(ren) out of participation in the following activities:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Parents/eligible students may inspect, upon written request and prior to administration or use, materials or instruments used for the collection, disclosure, or use of protected information.

PPRA requirements do not apply to evaluations administered to students in accordance with the Individuals with Disabilities Education Improvement Act of 2004.

STUDENTS WITH DISABILITIES

The District's special education policy and procedures manual shall include information concerning records of students with disabilities.

RECORDS RELEASE TO JUVENILE JUSTICE SYSTEM

Once a complaint is filed with a court-designated worker alleging that a child has committed a status offense or public offense, schools shall provide all records specifically requested in writing, and pertaining to that child to any agency that is listed as part of Kentucky's juvenile justice system in KRS 17.125 if the purpose of the release is to provide the juvenile justice system with the ability to effectively serve, prior to adjudication, the needs of the student whose records are sought. The authorities to which the data are released shall certify that any educational records obtained pursuant to this section shall only be released to persons authorized by statute and shall not be released to any other person without the written consent of the parent of the child. The request, certification, and a record of the release shall be maintained in the student's file.

Student Records**JUVENILE COURT RECORDS**

Records or information received on youthful or violent offenders shall not be disclosed except as permitted by law. When such information is received, the Superintendent shall notify the Principal of the school in which the child is enrolled. The Principal shall then release the information as permitted by law. Only the Superintendent and school administrative, transportation, and counseling personnel or teachers or other school employees with whom the student may come in contact, shall be privy to this information, which shall be kept in a locked file when not in use and opened only with permission of the administrator. Notification in writing of the nature of offenses committed by the student and any probation requirements shall not become a part of the child's student record.²

RECORDS OF MISSING CHILDREN

Upon notification by the Commissioner of Education of a child's disappearance, the District in which the child is currently or was previously enrolled shall flag the record of such child in a manner that whenever a copy of or information regarding the child's record is requested, the District shall be alerted to the fact that the record is that of a missing child. Instead of forwarding the records of a child who has been reported as missing to the agency, institution, or individual making the request, the District shall notify the Justice Cabinet.

COURT ORDER/SUBPOENA

Prior to complying with a lawfully issued court order or subpoena requiring disclosure of personally identifiable student information, school authorities shall make a documented effort to notify the parent or eligible student. In compliance with FERPA, notice to the parent is not required when a court order directs that disclosure be made without notification of the student or parent, or when the order is issued in the context of a dependency, neglect, or abuse proceeding in which the parent is a party. If the District receives such orders, the matter(s) may be referred to local counsel for advice.

REFERENCES:

¹Section 152 of the Internal Revenue Code of 1986

²KRS 158.153; KRS 610.320; KRS 610.340; KRS 610.345

KRS 7.110; KRS 15A.067; KRS 17.125; KRS 158.032; KRS 159.160; KRS 159.250

KRS 160.990; KRS 161.200; KRS 161.210

KRS 365.732; KRS 365.734; KRS 600.070

702 KAR 1:140; 702 KAR 3:220; 20 U.S.C. 1232g et seq., 34 C.F.R. 99.1 - 99.67

20 U.S.C. 1232h (Protection of Pupil Rights Amendment); 34 C.F.R. 98

OAG 80-33; OAG 85-130; OAG 85-140; OAG 86-2; OAG 93-35

Kentucky Family Educational Rights and Privacy Act (KRS 160.700; KRS 160.705

KRS 160.710; KRS 160.715; KRS 160.720; KRS 160.725; KRS 160.730)

Individuals with Disabilities Education Improvement Act of 2004

Kentucky Education Technology System (KETS)

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

[42 U.S.C. 11431 et seq. \(McKinney-Vento Act\)](#)

RELATED POLICIES:

09.111; 09.12311; 09.43

LEGAL: AMENDMENTS TO FEDERAL (7 C.F.R. PART 210) AND STATE (702 KAR 6:090) FOOD AND NUTRITION REGULATIONS ADDRESS WELLNESS PLANS AND FOOD DISTRIBUTION AND MARKETING.

FINANCIAL IMPLICATIONS: POSSIBLE COST WITH RENEGOTIATED MARKETING CONTRACTS

NOTE: PER GUIDANCE FROM KDE, IN ORDER FOR K-5 SCHOOLS TO COUNT RECESS AS INSTRUCTIONAL TIME IN ACCORDANCE WITH KRS 160.345 (30 MINUTES/DAY OR 150 MINUTES/WEEK) AND ALSO IN COMPLIANCE WITH THE SCHOOL CALENDAR REGULATION, 702 KAR 7:140 (5), ALL OF THE FOLLOWING CRITERIA MUST BE MET: STUDENT LEARNING OBJECTIVES FOR RECESS ACTIVITIES ARE ALIGNED TO THE KENTUCKY ACADEMIC STANDARDS (PRACTICAL LIVING) AND EVIDENCED VIA LESSON PLANS; AS WITH INSTRUCTIONAL TIME FOR OTHER CONTENT AREAS, RECESS, WHEN BEING COUNTED AS INSTRUCTIONAL TIME, CANNOT BE WITHHELD OR TAKEN AWAY AS A FORM OF PUNISHMENT. SCHOOLS HAVE THE OPTION OF SCHEDULED RECESS TIME OUTSIDE OF THE SCHOOL CALENDAR/INSTRUCTIONAL TIME. IT IS AT THE DISCRETION OF THE DISTRICT OR SCHOOL LEVEL WELLNESS POLICY ON DETERMINATION OF APPROPRIATE PRACTICES AROUND NON-INSTRUCTIONAL TIME RECESS BEING WITHHELD OR BEING TAKEN AWAY AS PUNISHMENT. RECESS MEETING THE ABOVE CRITERIA DOES NOT REPLACE PHYSICAL EDUCATION CLASSES OR COMPETE WITH THE PERMITTED 30 MINUTES/DAY OR 150 MINUTES/WEEK IN KRS 160.345. PHYSICAL EDUCATION STANDARDS WITHIN KENTUCKY'S PRACTICAL LIVING EXPECTATIONS PROMOTE SEQUENTIAL INSTRUCTION TO ENHANCE THE DEVELOPMENT OF PHYSICAL LITERACY VIA MOTOR SKILLS, MOVEMENT CONCEPTS, AND PHYSICAL FITNESS. RECESS, EITHER COUNTED AS INSTRUCTIONAL TIME OR NOT, IS AN OPPORTUNITY TO ALLOW STUDENTS TO PRACTICE AND DEMONSTRATE THOSE ACQUIRED PHYSICAL LITERACY SKILLS.

STUDENTS

Student Welfare and Wellness

09.2
Melissa Weather

The health and safety of pupils shall be a priority consideration in all Board decisions.

The Board is committed to providing school environments that promote and protect student health, well-being, and ability to learn by supporting healthy eating and physical activity. To this end, the Board supports school efforts to implement the following:

- To the maximum extent practicable, schools will participate in available federal school meal programs.
- Schools will provide and promote nutrition education and physical education to foster lifelong habits of healthy eating and physical activity and will establish linkages between health education, school meal programs, and related community services.
- All schools containing grades K-5 or any combination thereof, shall develop and implement an individual wellness policy per KRS 160.345 and Board Policy 02.4241.

NUTRITION PROMOTION AND EDUCATION, PHYSICAL ACTIVITY, AND OTHER SCHOOL BASED ACTIVITIES

WELLNESS LEADERSHIP

The Superintendent/designee will direct District officials ("wellness leadership group") to monitor compliance with this and related policies. At the school level, the Principal/designee will monitor compliance with those policies in his/her school and will report on the school's compliance as directed by the Superintendent/designee.

The wellness leadership group shall work to encourage and support all students to be physically active on a regular basis as provided by school/council policy. Each school shall review and consider evidence-based strategies ~~is~~ to set measurable goals in providing nutrition education and engaging in nutrition promotion to positively influence lifelong eating behaviors.

Student Welfare and Wellness**WELLNESS LEADERSHIP (CONTINUED)**

Suggested language may include goals related to activities and opportunities:

- offered at each grade level as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;
- offered as part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects;
- that include enjoyable, developmentally-appropriate, culturally-relevant, participatory activities, such as contests, promotions, taste testing, farm visits, and school gardens;
- that promote fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods, and health-enhancing nutrition practices;
- that emphasize caloric balance between food intake and energy expenditure (physical activity/exercise);
- that link with school meal programs, other school foods, and nutrition-related community services;
- ~~that provide all students with opportunities, support, and encouragement to be physically active on a regular basis as provided by school/council policy. Schools with K-5 organization, or any configuration thereof, shall include in their wellness policy, moderate to vigorous physical activity each day in accordance with KRS 160.345 and Board Policy 02.4241;~~
- that teach media literacy with an emphasis on food marketing; and
- that include training for teachers and other staff.

PHYSICAL ACTIVITY AND PHYSICAL EDUCATION

- Each school council of a school containing grades K-5 or any combination thereof, or if there is no school council, the Principal, shall develop and implement a wellness policy that includes moderate to vigorous physical activity each day and encourages healthy choices among students consistent with KRS 160.345 and Board Policy 02.4241.
- The policy may permit physical activity to be considered part of the instructional day, (not to exceed thirty (30) minutes/day or 150 minutes/week) and also in compliance with the school calendar regulation, 702 KAR 7:140 and Board Policy 08.1346.

DISTRICT WELLNESS PLAN/PUBLIC AND STAFF INPUT

The District shall ~~form a District Wellness Committee and~~ actively seek to engage students, parents, physical and/or health education teachers, school food service professionals, school health professionals, school board members, school administrators, and other interested community members in developing, implementing, monitoring, and reviewing this ~~p~~Policy and in providing input on the District Wellness Plan.

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Student Welfare and Wellness**DISTRICT WELLNESS PLAN/PUBLIC AND STAFF INPUT (CONTINUED)**

The District shall permit community participation in the student wellness process by:

- Making a nutrition and physical activity report to be prepared by the School Nutrition Director available to the public on the District website no later than sixty (60) days prior to the public forum covered in KRS 158.156. (702 KAR 6:090)
- Discussing the findings of the nutrition report and physical activity report and seeking public comments during a publicly advertised special Board meeting or at the next regularly scheduled Board meeting following the release of the nutrition and physical activity reports.
- Holding an advertised public forum by January 31 of each year, to present a plan to improve the school nutrition and physical activities in the District in accordance with KRS 158.856.

The Superintendent shall submit the wellness plan that includes a summary of the findings and recommendations of the nutrition and physical activity report as required by May 1 of each year to the Kentucky Department of Education (KDE).

The Wellness Plan submitted to KDE District shall ~~measure and make available to the public once every three (3) years at a minimum, the content and progress of implementation of its school wellness efforts. The report shall include~~include within the findings and recommendations the following:

1. Extent to which the District is in compliance with this ~~p~~Policy;
2. A comparison of how the District measures up to model wellness policies provided by recognized state and national authorities; and
3. A description of the measurable progress made towards reaching goals of the District wellness policy and addressing any gaps identified in the wellness report for the previous year.

RECORDKEEPING

The District and each school in the District shall maintain the following records:

- A copy of the written wellness policy or plan;
- Documentation on how the policy and assessments are made available to the public;
- The most recent assessment of implementation of the policy;
- Documentation of efforts to review and update the policy, including who was involved in the process and how stakeholders were made aware of their ability to participate; and
- Documentation demonstrating compliance with annual public notification requirements and annual reporting to the KDE.

Student Welfare and Wellness**STANDARDS AND NUTRITION GUIDELINES FOR ALL FOODS AND BEVERAGES**

~~Each school is to follow minimum federal and state nutrition standards. Below is suggested language for the District to choose from to reach District specific desired outcomes:~~

Foods and beverages sold during the school day shall be done in accordance with state and federal regulations and Board Policies 07.111 and 07.12.

STANDARDS FOR ALL FOODS AND BEVERAGES SOLD TO STUDENTS

Foods and beverages sold or served at school shall be consistent with the state and federal regulations for school meal nutrition standards. Nutrition guidelines for all foods and beverages served or sold on campus shall be maintained by the Superintendent/designee and made available upon request. The Superintendent shall designate an individual or individuals to monitor compliance of beverages and food sold ala carte with state and federal nutrition requirements.

Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.

STANDARDS FOR ALL FOODS AND BEVERAGES PROVIDED BUT NOT SOLD TO STUDENTS

- When possible, rewards given to students shall be other than food/beverage items. When food/beverage items are used as rewards, such items shall comply with nutritional guidelines set out in 7 C.F.R 210.11 and 702 KAR 6:090Kentucky Administrative Regulation.
- Foods and beverages provided in school, but not made available for sale, shall meet standards outlined in the schools' individual wellness plan (if applicable) and will not conflict with District Policy.

FOOD AND BEVERAGE MARKETING

~~All marketing on the school campus during the school day shall be of only those foods and beverages that meet the nutrition standards of the Smart Snack in School Nutrition Standards (7 C.F.R 210.11 and 702 KAR 6:090).~~

SCHOOL WELLNESS PLANS

~~After reviewing guidelines set out in District Policy 09.2, each school shall develop a Wellness Plan detailing how those guidelines shall be incorporated in the school.~~

EVALUATION AND ENFORCEMENT**Leadership:**

~~The Superintendent/designee will monitor compliance with this and related policies. At the school level, the Principal/designee will monitor compliance with those policies in his/her school and will report on the school's compliance as directed by the Superintendent/designee. The District shall form a District Wellness Committee and actively seek to engage students, parents, physical and/or health education teachers, school food service professionals, school health professionals, school board members, school administrators, and other interested community members in developing, implementing, monitoring, and reviewing this policy.~~

Student Welfare and Wellness

Annual Progress Report:

The District shall inform and update the public annually on the content and progress of implementation of its school wellness efforts. The report shall include:

1. The District website and/or other information on how the public can access copies of school and District Wellness Policies;
2. A summary of each school's wellness events and/or activities;
3. A description of each school's progress in meeting the school wellness goals;
4. Contact information for the leader(s) of the Wellness Committee; and
5. Information on how individuals can get involved.

ASSESSMENT

The District shall measure and make available to the public once every three (3) years at a minimum, the content and progress of implementation of its school wellness efforts. The report shall include:

4. Extent to which the District is in compliance with this policy;
5. A comparison of how the District measures up to model wellness policies provided by recognized state and national authorities; and
6. A description of the measurable progress made towards reaching goals of the District wellness policy and addressing any gaps identified in the wellness report for the previous year.

REFERENCES:

KRS 158.850; KRS 158.854
[KRS 160.290](#)
702 KAR 6:090
P. L. 111-296
7 C.F.R. Part 210
7 C.F.R. Part 220
U. S. Dept. of Agriculture's Dietary Guidelines for Americans

RELATED POLICIES:

02.4241₃₃; 07.1₃₃; 07.111₃₃; 07.12; [08.1346](#)

LEGAL: KRS 620.030 REQUIRES TEACHERS, SCHOOL ADMINISTRATORS, OR OTHER SCHOOL PERSONNEL WHO KNOW OR HAVE REASONABLE CAUSE TO BELIEVE THAT A CHILD UNDER 18 IS DEPENDENT, ABUSED OR NEGLECTED, OR IS A VICTIM OF HUMAN TRAFFICKING TO REPORT IT TO LAW ENFORCEMENT.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 309 CREATES NEW SECTIONS OF KRS 209A THAT REQUIRE REPORTING ACTS OF DOMESTIC VIOLENCE AND ABUSE OR DATING VIOLENCE AND ABUSE TO A LAW ENFORCEMENT OFFICER UPON THE REQUEST OF THE VICTIM. IN ADDITION, IF IT IS THE BELIEF OF THE PROFESSIONAL THAT THE DEATH OF A VICTIM WITH WHOM THEY HAVE HAD A PROFESSIONAL INTERACTION IS RELATED TO DOMESTIC VIOLENCE AND ABUSE OR DATING VIOLENCE AND ABUSE, THAT MUST BE REPORTED.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.2211

Employee Reports of Criminal Activity

To promote the safety and well-being of students, the District requires employees to make reports required by state law in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

KRS 158.154

When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this section, "school property" means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the Principal.

KRS 158.155

An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise, if:

- 1 The person knows or has reasonable cause to believe that conduct has occurred which constitutes:
 - a. A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
 - i Carrying, possession, or use of a deadly weapon; or
 - ii Use, possession, or sale of controlled substances; or
 - b. Any felony offense under the laws of this Commonwealth; and
- 2 The conduct occurred on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.

KRS 158.156

Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim. The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The Principal shall file a written report with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight (48) hours of the original report.

Employee Reports of Criminal Activity**KRS 209A.100**

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

KRS 209A.110

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with who s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

KRS 620.030

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused, or is a victim of human trafficking shall immediately cause an oral or written report to be made to a local law enforcement agency or the Department of Kentucky State Police; the cabinet or its designated representative; the Commonwealth's Attorney or the County Attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.

REFERENCES:

KRS 158.154

KRS 158.155

KRS 158.156

KRS 209A.100KRS 209A.110

KRS 525.070; KRS 525.080

KRS 527.070; KRS 527.080

KRS 620.030

RELATED POLICIES:

03.13251; 03.23251

03.13253; 03.23253

05.48

09.227

09.422

09.423

09.425

09.426

09.438

LEGAL: KRS 620.030 REQUIRES TEACHERS, SCHOOL ADMINISTRATORS, OR OTHER SCHOOL PERSONNEL WHO KNOW OR HAVE REASONABLE CAUSE TO BELIEVE THAT A CHILD UNDER 18 IS DEPENDENT, ABUSED OR NEGLECTED, OR IS A VICTIM OF HUMAN TRAFFICKING TO REPORT IT AS REQUIRED BY LAW.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 33 CREATES A NEW SECTION OF KRS CHAPTER 620 REQUIRING THAT WHEN THE CABINET FOR HEALTH AND FAMILY SERVICES IS AWARDED CUSTODY OF AN ABUSED, NEGLECTED, OR DEPENDENT CHILD, IT MUST NOTIFY THE PRINCIPAL, ASSISTANT PRINCIPAL, OR GUIDANCE COUNSELOR OF THE NAMES OF PERSONS AUTHORIZED TO CONTACT OR REMOVE THE CHILD FROM SCHOOL GROUNDS. THE PRINCIPAL, ASSISTANT PRINCIPAL, OR GUIDANCE COUNSELOR MUST DOCUMENT WHEN THEY RECEIVE SUCH NOTIFICATION.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 524 AMENDED KRS 156.095 TO REQUIRE EACH SCHOOL TO PROMINENTLY DISPLAY THE NATIONAL HUMAN TRAFFICKING REPORTING HOTLINE NUMBER ADMINISTERED BY THE UNITED STATES DEPARTMENT FOR HEALTH AND HUMAN SERVICES.

FINANCIAL IMPLICATIONS: COST OF SIGNAGE

LEGAL: HB 253 CREATES A NEW SECTION OF KRS 620 WHICH WILL REQUIRE A SCHOOL TO PROVIDE THE CABINET ACCESS TO A CHILD SUBJECT TO AN INVESTIGATION WITHOUT PARENTAL CONSENT.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.227

Child Abuse

REPORT REQUIRED

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected¹, or a victim of human trafficking shall immediately make a report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's Attorney or the County Attorney in accordance with KRS 620.030.²

After making the report, the employee shall notify the Principal of the suspected abuse, who then shall also promptly make a report to the proper authorities for investigation. If the Principal is suspected of child abuse, the employee shall notify the Superintendent/designee who shall also promptly report to the proper authorities for investigation.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the District shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the District, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel action.

WRITTEN REPORT

The person reporting shall, if requested, in addition to the report required above, file with the local law enforcement agency or the Kentucky State Police or the Commonwealth's or County's Attorney or the Cabinet for Health and Family Services or its designated representative within forty-eight (48) hours of the original report a written report containing specific information regarding the child, the child's parents or guardians, and the person allegedly responsible for the abuse or neglect.

Child Abuse

WRITTEN RECORDS

Copies of reports kept by the District that are submitted to authorities in compliance with the child abuse law are educational records and subject to inspection by the parents of the alleged victim of child abuse. Whether the records are considered "internal records", and not maintained with the students' "permanent records", is immaterial if such records are directly related to students and are maintained by the school or school District.

INTERVIEWS

If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent³ and shall provide the Cabinet access to a child subject to an investigation without parental consent.⁴

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AGENCY CUSTODY

If, as a result of dependency, neglect, or abuse, a child has been placed in the custody of the Cabinet, the Principal, Assistant Principal, or Guidance Counselor of the school in which the child is enrolled shall be notified of the names of persons authorized to contact the child at school, in accordance with school visitation or communication policy, or remove the child from school grounds.

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The notification shall be provided to the school by the Cabinet:

- a) Verbally and documented in writing by the Principal, Assistant Principal, or Guidance Counselor on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. The verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By written document within ten (10) calendar days following a change of custody or change in contact or removal authority.

The Principal, Assistant Principal, or Guidance Counselor shall document in writing when they have received the notification.

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REQUIRED TRAINING

All current school administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors shall complete Board selected training on child abuse and neglect prevention, recognition, and reporting by January 31, 2017, and every two (2) years thereafter. School administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors hired after January 31, 2017, shall complete the training within ninety (90) days of being hired, and every two (2) years thereafter.

OTHER

Each school shall prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services and the National Human Trafficking Reporting Hotline number administered by the United States Department for Health and Human Services.

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STUDENTS

09.227
(CONTINUED)

Child Abuse

REFERENCES:

¹KRS 600.020 (1)(15)

²KRS 620.030; KRS 620.040

³OAG 85-134; OAG 92-138

4KRS 620.072

KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580

KRS 156.095; KRS 199.990; KRS 209.020

KRS 620.050; **KRS 620.146**

OAG 77-407; OAG 77-506; OAG 80-50; OAG 85-134

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights
Regulations Implementing Title IX

RELATED POLICIES:

09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

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SCHOOL LEVEL OBTAIN AND MAINTAIN CPR CERTIFICATION AND PROVIDE DOCUMENTATION TO THE SCHOOL.

FINANCIAL IMPLICATIONS: COST OF TRAINING AND CERTIFICATION

LEGAL: HB 241 AMENDS KRS 160.445 TO PROHIBIT A STUDENT ATHLETE SUSPECTED OF SUFFERING A CONCUSSION FROM RETURNING TO PLAY PRIOR TO PASSING THE REQUIRED EVALUATION ADMINISTERED BY A PHYSICIAN OR LICENSED HEALTH CARE PROVIDER.

FINANCIAL IMPLICATIONS: POSSIBLE COST OF HAVING LICENSED HEALTH CARE PROVIDER AT COMPETITIONS OR PRACTICES

STUDENTS

09.311

Murnie Broadway

Safety (Athletics)

The Superintendent shall develop procedures to insure that the safety of the student shall be the first consideration. District policy and procedures shall be developed to conform with statutory and regulatory requirements designed to protect the safety of the students in all athletic practices and events.

SUPERVISION

All athletic practices and events shall be under the direct supervision of a qualified employee of the Board.

TRAINING

All persons employed by the District as a coach for any interscholastic athletic activity or sport shall meet statutory training requirements. Training shall include how to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion.

In addition, at least one (1) person who has completed the required course shall be present at every interscholastic athletic practice and competition.¹

~~Prior to assuming their duties, nonfaculty coaches/coaching assistants~~ Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete training provided by the District as required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This, which shall include, but not limited to, the following:

- ~~1. Information on the physical and emotional development of students of the age with whom the nonfaculty coach and nonfaculty assistant will be working;~~
- ~~2. The District's and school's discipline policies;~~
- 1. Procedures for dealing with discipline problems; and

Safety and first aid training and providing the school documentation of successful completion of a C.P.R. course that includes the use of an automatic defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.⁴

Nonfaculty coaches and nonfaculty assistants shall complete District training that includes information on the physical and emotional development of students of the age with which they will be working, the District's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.³

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Safety (Athletics)**EMERGENCY ACTION PLAN**

In keeping with rules established by Kentucky Board of Education (KBE) or the Kentucky High School Athletic Association (KHSAA), each school participating in interscholastic athletics shall develop and implement a venue-specific, written emergency action plan and submit annual written verification of the plan to the designated agency. The school plan shall be reviewed, distributed, posted, and rehearsed annually as provided in statute.¹

CONCUSSIONS

When an interscholastic coach, school athletic personnel, or contest official suspect that a student athlete has sustained a concussion during an athletic practice or competition, the student shall be removed from play and evaluated by a physician or licensed health care provider, as specified in statute, who shall determine if a concussion has occurred. Upon the completion of the required evaluation, the coach may return ~~the student may return~~ to play if it is determined that no concussion has occurred. If no physician or licensed health care provider is present to perform the required evaluation, the coach shall not return the student to play or participation in subsequent practices or athletic competitions until written clearance is provided.

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A student athlete deemed to be concussed shall not be permitted to participate in any athletic practice or competition occurring on the day of the injury or, unless a physician provides written clearance, participate in any practice or athletic competition held on a subsequent day.

MEDICAL EXAMINATION

Each student seeking eligibility to participate in any school athletic activity or sport must pass an annual medical examination performed and signed by a medical practitioner as required by law.²

The required physical examination and parental authorization shall include acknowledgement of receipt of information on the nature and risk of concussion and head injury, including the continuance of playing after concussion or head injury.¹

REFERENCES:¹KRS 160.445²KRS 156.070³KRS 161.185⁴702 KAR 7:065

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RELATED POLICIES:03.116103.2141

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LEGAL: SB 17 ALLOWS STUDENTS TO EXPRESS RELIGIOUS OR POLITICAL VIEWS WHEN SPEAKING AT OFFICIAL EVENTS. THE STUDENT'S PREPARED REMARKS ARE NOT TO BE ALTERED BEFORE DELIVERY WITHOUT THE STUDENT'S CONSENT, EXCEPT IN A VIEWPOINT NEUTRAL MANNER.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.34

In handbook?

Student Publications and Speakers

SPONSOR PROVIDED

A designated faculty sponsor shall be provided for all student publications.

PRIOR SUBMISSION

Materials to be published shall be submitted to the Principal three (3) days before publication and/or distribution.

The Principal shall have the right to edit all materials for legitimate educational reasons including, but not limited to, items which could be reasonably expected to create a material and substantial disruption of school activities or operations or which may cause harm to others.

APPEAL

A student or author may appeal in writing to the Superintendent the Principal's decision.

STUDENT SPEAKERS

Selection of students to speak at official events shall be made in a viewpoint-neutral manner. If the prepared remarks of the student are reviewed by school personnel, the prepared remarks of the student shall not be altered prior to delivery, except in a viewpoint-neutral manner, unless requested by the student. However, student speakers shall not engage in speech that is, for example, obscene, vulgar, offensively lewd, or indecent. If the content of the student's speech is such that a reasonable observer may perceive affirmative institutional sponsorship or endorsement of the student speaker's religious or political viewpoint, the institution shall communicate, in writing, orally, or both, that the student's speech does not reflect the endorsement, sponsorship, position, or expression of the institution.

REFERENCES:

- KRS 158.183-
- KRS 160.290
- Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

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RELATED POLICIES:

- 08.11
- 09.426

LEGAL: HB 309 CREATES NEW SECTIONS OF KRS 209A THAT REQUIRE REPORTING ACTS OF DOMESTIC VIOLENCE AND ABUSE OR DATING VIOLENCE AND ABUSE TO A LAW ENFORCEMENT OFFICER UPON THE REQUEST OF THE VICTIM. IN ADDITION, IF IT IS THE BELIEF OF THE PROFESSIONAL THAT THE DEATH OF A VICTIM WITH WHOM THEY HAVE HAD A PROFESSIONAL INTERACTION IS RELATED TO DOMESTIC VIOLENCE AND ABUSE OR DATING VIOLENCE AND ABUSE, THAT MUST BE REPORTED. THIS NEW LANGUAGE ALSO REQUIRES EDUCATIONAL MATERIAL BE PROVIDED IF THERE IS REASONABLE CAUSE TO BELIEVE THAT A VICTIM WITH WHOM THEY HAVE HAD A PROFESSIONAL INTERACTION IS RELATED TO DOMESTIC VIOLENCE AND ABUSE OR DATING VIOLENCE AND ABUSE.

FINANCIAL IMPLICATIONS: POSSIBLE COST OF PRINTING MATERIALS

STUDENTS

09.425

Assault and Threats of Violence

For purposes of this policy, a "threat" shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

PUPILS

Any pupil who threatens, assaults, batters or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion.¹

SCHOOL PERSONNEL

Any pupil who threatens, assaults, batters or physically or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action¹ up to and including expulsion from school and/or legal action.

REMOVAL OF STUDENTS

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting or from the District's transportation system pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to:

1. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.
2. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

Removal of students from a bus shall be made in compliance with 702 KAR 5:080.

Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as practicable. The Principal shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

REPORT TO LAW ENFORCEMENT AGENCY

When they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon.

Assault and Threats of Violence

DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION

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Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

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School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child pursuant to KRS 620.030. This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

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If individual school personnel has reasonable cause to believe that a victim with whom s/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, s/he shall provide educational materials to the victim relating to such form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the school District's area.

NOTIFICATIONS

As soon as the Superintendent/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

Any District employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee prior to the assignment or contact.

REFERENCES:

- ¹KRS 158.150
- KRS 158.154; KRS 160.290; KRS 161.155; KRS 161.190
- KRS 161.195
- KRS 209A:020; KRS 209.160
- KRS 209A.100; KRS 209A.110; KRS 209A.130
- KRS 211.160; KRS 403.720; KRS 456.010
- ; KRS 508.025; KRS 508.075; KRS 508.078; KRS 620.030
- KRS 525.080; 702 KAR 5:080

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STUDENTS

09.425
(CONTINUED)

Assault and Threats of Violence

RELATED POLICIES:

03.123; [03.13253](#); 03.223; [03.23253](#); 06.34
09.14; 09.2211; 09.422

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RECOMMEND: THE 2013 GENERAL ASSEMBLY AMENDED KRS 159.010 TO ALLOW DISTRICTS TO SET THE DROP-OUT AGE AT 18 NO LATER THAN THE 2017-2018 SCHOOL YEAR. BEGINNING WITH THE 2017-2018 SCHOOL YEAR, DRIVER'S LICENSE REVOCATION WILL ONLY APPLY TO THOSE WHO ACCUMULATE NINE (9) UNEXCUSED ABSENCES FOR THE PRECEDING SEMESTER.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.4294

Driver's License Revocation

Students who are sixteen (16) or seventeen (17) years old who become academically deficient or deficient in attendance shall be reported to the Transportation Cabinet for driver's license, permit or driving privilege revocation.¹

ACADEMIC AND ATTENDANCE DEFICIENCIES

Academic and attendance deficiencies for students age sixteen (16) or seventeen (17) enrolled in regular, alternative, part-time, and special education programs shall be defined as follows:

1. They shall be deemed academically deficient if they have not received passing grades in at least four (4) courses, or the equivalent of four (4) courses, taken in the preceding semester.
2. They shall be deemed deficient in attendance when they ~~drop-out-of-school-or~~ accumulate nine (9) unexcused absences for the preceding semester. Suspensions shall be considered unexcused absences.

REINSTATEMENT OF DRIVING PRIVILEGE

Students whose driving permits are revoked, but later meet the statutory standards for reinstatement, must then apply to the Director of Pupil Personnel to have their standing confirmed. The District shall make the required report to the appropriate agency.

REFERENCES:

¹KRS 159.051, KRS 186.470
601 KAR 13:070; ~~704 KAR 7:050~~
~~Student Discipline Guidelines~~
-OAG 77-419

RELATED POLICIES:

08.221
09.123

LEGAL: HB 253 CREATES A NEW SECTION OF KRS 620 WHICH REQUIRES A SCHOOL TO PROVIDE THE CABINET ACCESS TO A CHILD SUBJECT TO AN INVESTIGATION WITHOUT PARENTAL CONSENT.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.4361

Police Officers in the School

School officials shall cooperate with law enforcement agencies in cases involving students (i.e., serving of subpoenas, juvenile petitions or warrants, or taking students into custody.) As soon as possible, officials shall endeavor to notify the parents of students who are arrested.¹

When students are arrested at school, the Principal/designee shall make a written record of the identity of the officer making the arrest, the nature of the offense charged, the name of the issuing authority of any arrest warrant, and the place of custody.

CRIMES OFF SCHOOL PROPERTY

In the interest of the student's welfare, the following requirements shall be followed when police officers ask to question or remove a student from the school whom they suspect of committing a crime off school property:

1. Parents/guardians shall be notified by school officials as soon as possible.
2. If the parent(s) come to the school or consent to permit the officer(s) to interview the student, a private place for the interview shall be provided.
3. If the parent(s) cannot come to the school and do not consent to the interview, the police should be advised to either bring a warrant, court order, or juvenile petition or arrange to interview the student off the school grounds.
4. If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent.² and shall provide the cabinet access to a child subject to an investigation without parental consent.³

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CRIMES ON SCHOOL PROPERTY

Except in cases of emergencies involving threats to health and safety as determined by the Superintendent, when the District calls law enforcement officials to question students concerning crimes committed on school property, the Principal shall make an effort to notify their parent(s).

REFERENCES:

¹OAG 76-129

²OAG 85-134, OAG 92-138

³[KRS 620.072](#)

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RELATED POLICIES:

09.1231; 09.227

LEGAL: THE OFFICE OF CIVIL RIGHTS REQUIRES DISTRICT WEBSITES TO BE ACCESSIBLE TO THOSE WITH DISABILITIES.
FINANCIAL IMPLICATIONS: COST OF CONDUCTING WEBSITE AUDIT FOR COMPLIANCE AND PROGRAMMING COSTS

COMMUNITY RELATIONS

10.5

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 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;

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.

USE OF TOBACCO

The use of tobacco products by any individual is prohibited inside school buildings, offices or vehicles owned by the District.

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.

Visitors to the Schools

WEBSITE ACCESSIBILITY

The District is committed to ensuring accessibility of its website for students, parents, and members of the community with disabilities. All pages on the District's website will conform to the W3C WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents.

Under District developed administrative procedures, students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 related to the accessibility of any official District web presence which is developed by, maintained by, or offered through the District or third party vendors and open sources.

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REFERENCES:

- KRS 17.545; KRS 17.500; KRS 17.510
- KRS 160.380; KRS 211.394, KRS 211.395; KRS 600.020; **KRS 620.146**
- OAG 91-13; P. L. 114-95, (Every Student Succeeds Act of 2015)
- 29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)
- 42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII
- 42 U.S.C. 12101 et seq., Americans with Disabilities Act
- Section 504 of the Rehabilitation Act of 1973

RELATED POLICIES:

- 01.1
- 03.113; 03.162; 03.212; 03.262; 05.3
- 09.1231; 09.227; 09.3211; 09.426; 09.42811
- 10.2

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