



**FLOYD COUNTY BOARD OF EDUCATION**  
**Steve Trimble, Interim Superintendent**  
**106 North Front Avenue**  
**Prestonsburg, Kentucky 41653**  
**Telephone (606) 886-2354 Fax (606) 886-8862**  
**www.floyd.kyschools.us**

Sherry Robinson- Chair - District 5  
Dr. Chandra Varia, Vice-Chair - District 2  
Linda C. Gearheart, Member - District 1  
William Newsome, Jr., Member - District 3  
Rhonda Meade, Member - District 4

**Consent Agenda Item :** Consider\Approve the second reading for KSBA Policy Update # 40 and Procedure Update # 21.

**Applicable Statute or Regulation:** KRS 162.90 Powers and duties of the local board.

**Fiscal/Budgetary Impact:** As noted on individual policies.

**History/Background:** As part of the policy service to districts, KSBA provides an annual update for policy and procedure to districts. Additionally, the Floyd County District Leadership Team has done policy vetting at monthly meetings. The attached policies have been carefully chosen for revision. All policies and procedures will be reviewed with appropriate board staff and the attorney.

**Recommended Action:** Approve as recommended..

**Contact Person(s):** Ted George 886-4507

  
Supefintendent

  
Director

**Date:** July 11, 2017

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

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.1

### Legal Status of the Board

#### BUSINESS POWERS

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

#### NOTICE OF NONDISCRIMINATION

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

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

#### WEBSITE ACCESSIBILITY

The District is committed to ensuring accessibility of its website for students, employees, visitors, and members of the community with disabilities. All pages on the District's website shall conform to Level AA of the Web Content Accessibility Guidelines (WCAG) 2.0 developed by the World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI), or updated equivalents of these guidelines.

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.

Formatted: sideheading

Formatted: Font

Formatted: ksb normal

**POWERS AND DUTIES OF THE BOARD OF EDUCATION**

**01.1  
(CONTINUED)**

**Legal Status of the Board**

**REFERENCES:**

<sup>1</sup>KRS 160.160  
KRS 160.370  
Americans with Disabilities Act  
Section 504 of the Rehabilitation Act of 1973  
Title VI of the Civil Rights Act of 1964  
42 U.S.C. 200c, Civil Rights Act of 1964, Title VII  
20 U.S.C. 1681, Education Amendments of 1972, Title IX  
Genetic Information Nondiscrimination Act of 2008  
20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)  
Web Content Accessibility Guidelines

Formatted: ksb normal

**RELATED POLICIES:**

03.113; 03.212; 03.162; 03.262  
05.3; 09.13; 09.3211; 09.42811  
10.5

Formatted: ksb normal

LEGAL HB 520 CREATES A NEW SECTION OF KRS 160 TO ALLOW CHARTER SCHOOLS IN KENTUCKY  
FINANCIAL IMPLICATIONS POSSIBLE FUNDING GOING FROM LOCAL DISTRICT SCHOOLS TO CHARTER SCHOOLS

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.11

### General Powers and Duties of the Board

#### ESTABLISHMENT OF SCHOOLS

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

#### CHARTER SCHOOLS

KRS 160.1590 provides for charter school authorization, application, evaluation of applications, and contracts with a charter school Board of Directors. Pursuant to this statute and Kentucky Board of Education regulations, the Board may serve as an authorizer for charter schools in the District.

#### REQUEST FOR WAIVERS AND EXEMPTIONS

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

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

#### SCHOOL FUNDS AND PROPERTY

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

#### ADMINISTRATION

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

#### MANAGEMENT

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

#### SUBPOENA

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

Formatted: Space After: 6 pt

Formatted: lsba normal, Font: Not Bold

Formatted: lsba normal, Font: Not Bold

Formatted: Normal, Justified, Space After: 6 pt

Formatted: lsba normal, Font: Not Bold

Formatted: lsba normal

**General Powers and Duties of the Board**

**INSURANCE**

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

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

**FREE SUPPLIES**

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

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

**REPORTS**

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

**LEVY OF TAX RATES**

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

**POWER TO BORROW FUNDS**

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

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.11  
(CONTINUED)

### General Powers and Duties of the Board

#### CONTRACT WITH CONSULTANTS

The Board may contract for consulting services to provide specialized advice or assistance to the school system concerning educational, management, or administrative matters.<sup>1</sup>

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

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

#### APPLICATIONS FOR GRANTS

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

#### REFERENCES:

<sup>1</sup>KRS 160.290

<sup>2</sup>KRS 160.300

<sup>3</sup>KRS 160.310

<sup>4</sup>KRS 160.160

<sup>5</sup>KRS 160.330

<sup>6</sup>KRS 160.340

<sup>7</sup>KRS 160.470

<sup>8</sup>KRS 160.540

<sup>9</sup>KRS 160.345

<sup>10</sup>KRS 160.280

<sup>11</sup>KRS 156.108; KRS 160.107; KRS 160.346; 701 KAR 5:140

KRS 116.200; KRS 156.072; KRS 156.160

KRS 160.1390; KRS 161.158; KRS 162.010; KRS 416.560

OAG 91-10; OAG 91-122; OAG 95-10; 702 KAR 3:220;

Formatted: ksb normal

Formatted: ksb normal

#### RELATED POLICIES:

01.41; 01.5; 01.7

03.124; 03.224; 04.92

LEGAL THE "EVERY STUDENT SUCCEEDS ACT OF 2015 (P. L. 114-95)" INCLUDES AREAS THAT WILL NEED TO BE CONSIDERED WHEN A DISTRICT DEVELOPS ITS DISTRICT IMPROVEMENT PLAN. IN ADDITION, THE ACT EXPANDS THE LIST OF PERSONS TO BE CONSULTED IN DEVELOPMENT OF THE LOCAL PLAN.

FINANCIAL IMPLICATIONS NONE ANTICIPATED

LEGAL SB 1 CHANGES VARIOUS DATES SO THAT DATES IN THE PLANNING CYCLE SECTION SHOULD BE DELETED

FINANCIAL IMPLICATIONS NONE ANTICIPATED

LEGAL THE KDLA RECORDS RETENTION SCHEDULE NOW REQUIRES DISTRICT IMPROVEMENT PLANS TO BE RETAINED PERMANENTLY

FINANCIAL IMPLICATIONS NONE ANTICIPATED

LEGAL SB 1 AMENDS KRS 158.649 CHANGING THE BIENNIAL TARGET FOR ELIMINATING ACHIEVEMENT GAPS TO EVERY YEAR. THESE PROPOSED CHANGES ARE IN COMPLIANCE WITH THOSE AMENDMENTS

FINANCIAL IMPLICATIONS NONE ANTICIPATED

LEGAL THE EVERY STUDENT SUCCEEDS ACT OF 2015 REQUIRES THAT BEGINNING IN 2018-2019, STATES AND DISTRICTS DEVELOP REPORT CARDS THAT INCLUDE TIMELY AND ESSENTIAL INFORMATION TO INFORM THE EDUCATIONAL IMPROVEMENT FOR ALL STUDENTS

FINANCIAL IMPLICATIONS POSSIBLE COST OF PRINTING AND DISTRIBUTING REPORT CARDS

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111

### District Planning

#### PLANNING COMMITTEE

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

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

#### IMPROVEMENT PLANNING

The Board may designate the length of time for completing implementation of the comprehensive District Improvement Plan, which earmarks state and federal categorical funds to address priority needs, goals and objectives in the District. By April/January 1 each School/District Comprehensive Improvement Planning Committee shall review the school and District action plans and update components related to current achievement gap targets, as necessary. Revisions shall be forwarded to the District level committee to review for implications concerning the District plan.

#### PLANNING CYCLE

The District's planning cycle shall follow a process of continuous improvement as data becomes available from November 1 to October 31.

#### PLAN REQUIREMENTS

The primary purposes of the Comprehensive District Improvement Plan shall be:

- To improve student achievement on state and federally mandated testing/accountability instruments;
- To eliminate achievement gaps among groups of students; and
- To develop District strategies and services to address deficiencies and/or sustain or strengthen current efforts.

Timelines should be reviewed in light of new accountability system.

**District Planning****PLAN REQUIREMENTS (CONTINUED)**

The District Improvement Plan structure shall include components set out in 703 KAR 5:225 the Every Student Succeeds Act of 2015 (ESSA) and KRS 158.649.

The plan shall be updated as scheduled by the Board of Education and the Superintendent. The plan shall address, but not be limited to, the Standards and Indicators for School Improvement, Core Content for Assessment and the Kentucky Academic Standards. Strategies and Activities should be Best Practices, Research Based, strategies proving successful in other districts or strategies that are proving successful in our District that should be continued. The District Plan shall provide assistance in reducing physical, mental health, and academic barriers to learning, and address student equity.

The Superintendent shall present to the Board for review and approval the form and function of the District planning process, including format and timelines. All schools will turn in a mid-year and year-end report regarding the implementation and impact of strategies from the DIP in December and May to the Plan Coordinator. The District will turn in a mid-year and year-end report regarding the implementation and impact of strategies from the plan in January and June to the Plan Coordinators. The Superintendent's report concerning DIP to the Board shall be written and submitted in February and July each year and include all school and District data.

As part of the District planning process, the Board shall review District academic performance on the state assessments for various groups of students in compliance with legal requirements. Upon agreement of the council and the Superintendent, the Board shall review biennial/annual targets in the Comprehensive School Improvement Plan and the Comprehensive District Improvement Plan specifically for reducing identified gaps in achievement.<sup>2</sup>

**PUBLIC REVIEW**

The plan shall have public review prior to presentation to the Board for approval. If revisions are needed, the District planning committee shall forward proposed revisions to the Superintendent. Revisions must reflect requirements of Every Student Succeeds Act of 2015 and KRS 158.649. All recommendations for revisions require approval by the Board.

The Superintendent shall submit required assurances to the Kentucky Department of Education ~~and~~ and post the revisions on the District Web site immediately after adoption by the Board of Education.

**DISTRICT LEVEL PLANNING****IMPLEMENTATION**

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

The District Plan (DIP) shall serve as a resource for Board decision making. The Superintendent shall develop methods of implementing the District Plan.

**SCHOOL PLANS**

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



**District Planning****DISTRICT REPORT CARDS**

The District shall send a District report card to parents containing information about performance as outlined in KRS 158.6153 and 703 KAR 5:140, and information on electronic access to a summary of the results for the District shall be published in the newspaper with the largest circulation in the county.

In addition to the above requirements, beginning the 2018-2019 school year and annually thereafter, the District shall post the District report card on its website, as required by ESSA. District report cards shall be widely accessible to the public, in an understandable and uniform format, and when possible, written in a language that parents can understand.

**REFERENCES:**<sup>1</sup>KRS 156.500<sup>2</sup>KRS 158.649KRS 158.6153, KRS 160.290, KRS 160.340, KRS 160.345703 KAR 5:140, 703 KAR 5:225; 704 KAR 3:390P. L. 114-95, (Every Student Succeeds Act of 2015)**RELATED POLICIES:**02.44; 02.111, 02.442, 01.1

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

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.2

### Board Member Qualifications

#### ELIGIBILITY

To be eligible for membership on the Board, a person must meet the following qualifications:<sup>1</sup>

1. Has attained the age of twenty-four (24) years;
2. Has been a citizen of Kentucky for at least three (3) consecutive years preceding his/her election;
3. Is a legally qualified voter of the district for which s/he is elected;<sup>2</sup>

#### EDUCATION

4. Has completed at least the twelfth grade or has been issued a high school equivalency diploma or has received a high school diploma through participation in the external diploma program;
5. Cannot hold a state office requiring the constitutional oath;
6. Is not a member of the General Assembly;
7. Cannot hold or discharge the duties of any civil or political office, deputyship, or agency under the city or county of his/her residence;

Formatted: ksb normal

Formatted: ksb normal

Formatted: ksb normal

Formatted: ksb normal

#### NO CONFLICT OF INTEREST

8. Has no interest, direct or indirect, in the sale to the Board of books, stationery or any other property, materials, supplies, equipment, or services for which school funds are expended;
9. Has never been removed from membership on a Board of Education for cause; and
10. Has no relative, as defined in KRS 160.180, employed by the District. This prohibition does not apply to a member holding office on July 13, 1990 who has a relative who was initially employed by the District before the member was elected to the Board.

A Board member shall be eligible for reelection unless s/he becomes disqualified.

#### REFERENCES:

<sup>1</sup>KRS 160.180

<sup>2</sup>Moore v. Tiller, KY., 409 S.W. 2d 813 (1966)  
OAG 88-35

LEGAL SB 50 SETS NEW GUIDELINES FOR DEVELOPMENT OF THE SCHOOL CALENDAR INCLUDING SPECIFIC REQUIREMENTS FOR MEETINGS IN WHICH BOARDS HEAR DISCUSSION AND ADOPT SCHOOL CALENDARS  
FINANCIAL IMPLICATIONS NONE ANTICIPATED

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.42

### Regular Meetings

#### TIME AND PLACE

At a meeting in January, the Board shall adopt a schedule of regular meetings for the calendar year, identifying the date, time and place of each meeting. Rescheduled regular meetings shall be noticed and held as special meetings.<sup>1 & 4</sup>

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

#### PUBLICITY

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

Note: Additional notice requirements applicable to regular meetings held for purposes of adopting the school calendar are located in KRS 158.070 and are covered in Board Policy 08.3.

Formatted: ksb normal, Not Small caps

Formatted: ksb normal, Not Small caps

Formatted: ksb normal, Not Small caps

#### OPEN MEETINGS

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

#### VIDEO TELECONFERENCES

The Board may conduct its meeting by video teleconference. Notice of a video teleconference shall comply with the requirements of KRS 61.820. In addition, the notice shall clearly state that the meeting will be a video teleconference and precisely identify the locations involved, including the location, if any, that is primary.

The same procedures with regard to participation, distribution of materials and other matters shall apply in all video teleconference locations.

#### REFERENCES:

<sup>1</sup>KRS 160.270

<sup>2</sup>KRS 61.820; OAG 78-27; OAG 78-614

<sup>3</sup>KRS 61.810

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

KRS 158.070

KRS 61.826

Formatted: ksb normal

#### RELATED POLICIES:

01.421; 01.43; 01.44; 08.3; 08.31

Formatted: ksb normal

RECOMMENDED THIS CHANGE IS RECOMMENDED BECAUSE THERE IS NO STATUTORY MANDATE FOR A MEETING "AS EARLY AS IS PRACTICABLE" IN THE LAST YEAR OF THE SUPERINTENDENT'S CONTRACT, ALTHOUGH SUCH REMAINS GOOD PRACTICE. THE CHANGE ALLOWS FOR PERMISSIBLE VARIATIONS IN TIMING AS MAY BE COVERED IN SUPERINTENDENT CONTRACTS OR THE SUPERINTENDENT EVALUATION PROCESS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.1311

### Contract Renewal of Superintendent

#### REVIEW OF CONTRACT

As early as practical in the calendar year in which the Superintendent's contract expires, the Board ~~may~~<sup>will</sup> meet to consider the performance and to consider whether to renew the Superintendent's contract. This provision shall not be interpreted as prohibiting the Board from reviewing the Superintendent's performance and considering the renewal of the Superintendent's contract at an earlier date as may be permitted by law.

The Board may grant an extension of the Superintendent's contract as permitted by law.

#### NEW CONTRACT

The Board may agree to enter into a new contract with the Superintendent at any time so long as the term of no Board member will expire in the interim between the making of a contract and its effective date.<sup>1</sup> The new contract cannot become effective until the expiration of the present contract.

#### REFERENCES:

<sup>1</sup>KRS 160.350

OAG 78-274; 12-OMD-145

Board of Education of McCreary City v. Nevels, Ky App., 551 S.W.2d 15

LEGAL SB 1 AMENDS KRS 158.6453 TO NO LONGER REQUIRE WRITING PORTFOLIOS AND KRS 160.345 TO PROVIDE THAT COUNCIL POLICY ON USE OF SPACE DURING THE SCHOOL DAY RELATES TO IMPROVING CLASSROOM TEACHING AND LEARNING ALSO, CAMBRIDGE ADVANCED INTERNATIONAL HAS BEEN ADDED AS A POSSIBLE EXAMINATION OPPORTUNITY  
FINANCIAL IMPLICATIONS NONE ANTICIPATED

ADMINISTRATION

02.4241

### School Council Policies (SBDM)

#### ADOPTION OF POLICY

The school council shall adopt policy to be implemented by the Principal in each of the following areas of responsibility:

1. Determination of curriculum including needs assessment and curriculum development:  
Such policies shall determine the writing program for the school, ~~including the writing portfolio~~ consistent with KRS 158.6453, to be submitted to the Kentucky Department of Education for review and comment.
2. Assignment of all instructional and non-instructional staff time;
3. Assignment of students to classes and programs within the school;
  - Placement of students from the household of an active duty service member or civilian military employee transferring into the District before or during the school year shall be based initially on enrollment in courses offered at the sending school and/or educational assessments conducted at that school. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advanced Placement, Cambridge Advanced International, vocational, technical, and career pathways courses. Initial placement does not preclude the District/school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of students in the course(s).
  - Each secondary school-based decision making council shall establish a policy on the recruitment and assignment of students to ~~Advanced Placement (AP)~~, International Baccalaureate (IB), Cambridge Advanced International, dual enrollment, and dual credit courses that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum.
4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar, and transportation requirements established by the Board;
5. Determination of the use of school space during the school day related to improving classroom teaching and learning;
6. Planning and resolution of issues regarding instructional practices;
7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and Principal/designee;  
As reflected in the District Code of Acceptable Behavior and Discipline, loss of physical activity periods shall not be used as a disciplinary consequence.
8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;

**School Council Policies (SBDM)****ADOPTION OF POLICY (CONTINUED)**

The school shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

9. Adoption of a school emergency plan and implementation of safety practices required by KRS 158.162;
10. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;
11. Commitment to a parent involvement process that provides for:
  - a. Establishing an open, parent-friendly environment;
  - b. Increasing parental participation;
  - c. Improving two-way communication between school and home, including what their child will be expected to learn; and
  - d. Developing parental outreach programs.
12. Procedures to assist the council with consultation in the selection of personnel by the Principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.
13. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)

The Superintendent/designee shall provide assistance in identifying strategies and options to promote daily moderate to vigorous physical activity for students, which may include those that increase strength and flexibility, speed heart rate and breathing and stress activities such as stretching, walking, running, jumping rope, dancing, and competitive endeavors that involve all students.

As an alternative to adopting separate policies, school councils may adopt Board policy or standards established by the Board as council policy in the above areas, or they may delegate responsibility for developing a policy to the Principal.

**OTHER POLICIES**

Councils may adopt policies for areas other than those listed above to provide an environment that enhances student achievement and to help the school meet goals established by law and by the Board, provided the policies adopted are consistent with Board policies in those areas.

**School Council Policies (SBDM)****REVIEW OF POLICIES**

Before final adoption of a council policy, it shall be reviewed by the Superintendent who may request that the proposed policy be reviewed by the Board Attorney. Any concerns shall be shared with the council within ten (10) working days of the Superintendent's and/or designee's receipt of the draft policy. If there are concerns, the Superintendent shall provide a copy of the council policy to the Board for review, along with any concerns s/he and the Board Attorney may have noted, such as possible conflicts with state and federal laws or contractual obligations, liability and/or health and safety questions, and budgetary issues.

The review process is not intended to interfere with a council's authority to adopt and implement legally and operationally permissible policies. Therefore, it is the Board's intent that information resulting from the review process be shared with the council in a timely manner.

**COMPLIANCE WITH BOARD POLICY**

In the development and application of school policies as permitted by statute, schools operating under SBDM shall comply with those policies that fall within the authority of the Board, including but not limited to those prohibiting discrimination based on age, race, sex, color, religion, national origin, political affiliation, or disability.

**WAIVER OF STATE REGULATIONS**

School councils who decide to request a waiver of state regulations and/or reporting requirements established by a Kentucky Revised Statute requiring paperwork to be submitted to the Kentucky Board of Education or the Department of Education shall submit the supporting information to the Superintendent as required by law. The Superintendent shall then forward the request to the Kentucky Board of Education.

**SCHOOLS OF INNOVATION**

In a designated school of innovation participating in a district of innovation application and plan, the council may request a waiver from KRS 160.345 or specific provisions within that statute by conducting a vote as set out in KRS 160.107.

The school council shall be responsible for conducting a vote to determine if the school shall be an applicant as a school of innovation in the District's application for district of innovation status and to approve the school's plan of innovation before it is submitted to the District. The vote shall be taken by secret ballot among eligible employees as defined in KRS 160.107. At least seventy percent (70%) of those casting votes in the affirmative shall be required before the school requests to be included in the District's plan and to approve the school's plan of innovation.

**REFERENCES:**

KRS 156.072; KRS 156.160; KRS 156.730; KRS 156.735  
KRS 158.197; KRS 158.645; KRS 158.6451; KRS 158.6453  
KRS 158.162; KRS 160.345; KRS 160.348  
KRS 156.108; KRS 160.107; 701 KAR 5:140  
OAG 93-55; OAG 94-29; 702 KAR 7:140; 704 KAR 3:510  
*Board of Educ. of Boone County v. Bushee, Ky., 889 S.W. 2d 809 (1994)*  
*U. S. Dept. of Agriculture's Dietary Guidelines for Americans*

ADMINISTRATION

02.4241  
(CONTINUED)

**School Council Policies (SBDM)**

**RELATED POLICIES:**

01.11; 02.422; 02.4231; 03.112; 08.1

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



LEGAL SB 1 AMENDS KRS 160.345 TO NO LONGER GIVE THE SUPERINTENDENT AUTHORITY TO APPOINT THE PRINCIPAL IN SCHOOLS BELOW THE ASSISTANCE LINE  
FINANCIAL IMPLICATIONS NONE ANTICIPATED  
LEGAL SB 1 PROVIDES AN ALTERNATIVE PRINCIPAL SELECTION PROCESS THAT MAY BE USED BY THE SCHOOL COUNCIL.  
FINANCIAL IMPLICATIONS NONE ANTICIPATED

ADMINISTRATION

02.4244

### School Hiring

#### PRINCIPAL SELECTION

When a vacancy exists in the position of school Principal, the outgoing Principal shall not serve on the council during the Principal selection process. The Superintendent/designee shall serve as the Chair of the council for the purpose of the hiring process and shall have voting rights during the selection process. The council shall have access to the applications of all persons certified for the position. The Principal shall be elected on a majority vote of the membership of the council.

No Principal who has been previously removed from a position in the District for cause may be considered for appointment as Principal.

A vacancy is created in the position of Principal by the resignation, removal, transfer, retirement or death of the current Principal.

~~When a Principal vacancy occurs and the school has an enrollment at the lowest one-third (1/3) of all schools below the assistance line and a completed schedule and a lack of effectiveness of the Principal and the council, the Superintendent shall appoint a Principal after consulting with the council.~~

The council shall undergo training, with a trainer of its choice, in recruitment and interviewing techniques prior to carrying out the process of selecting a new Principal. The Board encourages the council to follow one (1) or more of the following practices when arranging for this training:

1. Selection of a trainer approved by the Kentucky Association of School Councils (KASC);
2. Selection of a trainer certified by the Kentucky Department of Education (KDE); and/or
3. Requiring the trainer selected to emphasize recruiting and interviewing techniques that reflect model standards developed by KASC.

#### ALTERNATIVE PRINCIPAL SELECTION PROCESS

The following Principal selection process may be used by the school council.

Prior to a meeting called to select a Principal, all school council members shall receive informational materials regarding Kentucky Open Records and Open Meetings laws and sign a nondisclosure agreement forbidding the sharing of information shared and discussions held in the closed session:

1. The Superintendent shall convene the school council and move into closed session as provided in KRS 61.810(10) to confidentially recommend a candidate.
2. The council shall have the option to interview the recommended candidate while in closed session; and
3. After any discussion, at the conclusion of the closed session, the council shall decide, in a public meeting by majority vote of the membership of the council, whether to accept or reject the recommended Principal candidate.

If the recommended candidate is selected, and the recommended candidate accepts the offer, the name of the candidate shall be made public during the next meeting in open session.

Formatted: Normal, Justified, Space After: 4 pt

Formatted: Normal, Justified, Space After: 4 pt, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Space After: 4 pt, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Font Alignment: Auto

Formatted: Normal, Justified, Space After: 4 pt

**School Hiring****ALTERNATIVE PRINCIPAL SELECTION PROCESS (CONTINUED)**

If the recommended candidate is not accepted by the school council under the Alternative Principal Selection Process, then the Principal Selection process above applies.

Formatted: Normal, Justified, Space After: 4 pt

If the recommended candidate is not accepted by the school council, the confidentially recommended candidate's name and the discussions of the closed session shall remain confidential under KRS 61.810(1)(f), and any documents used or generated during the closed meeting shall not be subject to an open records request as provided in KRS 61.878(1)(a) and (1).

A school council member who is found to have disclosed confidential information regarding the proceeding of the closed session shall be subject to removal from the school council by the Kentucky Board of Education.

Formatted: Normal, Justified, Space After: 4 pt

Discretionary authority exercised by a school council pursuant to the statutory alternative Principal selection process shall not violate provisions of any employer-employee bargained contract existing between the District and its employees.

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

**OTHER VACANCIES**

When the position to be filled in the school is other than that of Principal, the Principal, after consulting with the council in accordance with procedures established by the council, shall fill the position from a list of qualified applicants provided by the Superintendent. The Superintendent shall provide names of all additional applicants to the Principal upon request when qualified applicants are available.

The Superintendent may forward to the council names of qualified applicants who have certification pending from the Education Professional Standards Board pursuant to state law. Applicants subsequently employed shall provide evidence they are certified prior to assuming the duties of their position.

If the applicant is the spouse of the Superintendent and meets the requirements of KRS 160.380, s/he shall only be employed upon the recommendation of the Principal and the approval of a majority vote of the school council.

**REFERENCES:**

- KRS 160.345
- KRS 160.380
- OAG 91-149; OAG 92-78; OAG 92-131
- OAG 95-10; OAG 96-38

Formatted: Superscript

**RELATED POLICIES:**

02.4241; 03.11; 03.21

LEGAL SB 1 AMENDS KRS 158.6458 TO SET SCHOOL TARGETS FOR ELIMINATING ACHIEVEMENT GAPS BY FEBRUARY 1 OF EACH YEAR  
FINANCIAL IMPLICATIONS NONE ANTICIPATED

ADMINISTRATION

02.44

### Accountability (SBDM)

As directed by Policy 02.442, each school shall provide to the Board a Comprehensive School Improvement Plan to include, but not be limited to, the school's goals and objectives and its plan for achieving them.

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

#### ANNUAL REPORT

By June 30 of each year, each school/school council shall make an annual report at a public meeting of the Board. The report shall describe the school's progress in meeting the educational goals set forth in KRS 158.6451 and District goals established by the Board.

#### REVIEW OF ACHIEVEMENT GAP PLANS

By February 1 of each year, each school-based decision making council, or the Principal if there is not a council, shall, with the involvement of parents, faculty, and staff, set the school's targets for eliminating any achievement gap and submit them to the Superintendent.

Formatted: ksba normal

Biennially/Annually, the Board shall review in a public meeting the portion of each school's comprehensive improvement plan that sets forth the activities and schedule to reduce the achievement gaps among various groups of students.<sup>1</sup>

#### REFERENCES:

<sup>1</sup>KRS 160.340; KRS 160.345  
KRS 158.645; KRS 158.6451, KRS 158.6458  
KRS 158.649  
KRS 160.290

Formatted: ksba normal

#### RELATED POLICIES:

01.111  
02.442

LEGAL SB 1 AMENDS THE APRIL 1 DEADLINE FOR REVIEW OF STUDENT ASSESSMENT DATA TO JANUARY 1

FINANCIAL IMPLICATIONS NONE ANTICIPATED

LEGAL SB 1 REQUIRES SCHOOL PRINCIPALS TO COMPLETE SCHOOL PROFILE REPORTS BY OCTOBER 1, SIGNED BY SBDM MEMBERS AND THE SUPERINTENDENT, AND SUBMIT ELECTRONICALLY TO KDE WITH THE ORIGINAL REPORT MAINTAINED AT THE BOARD OFFICE

FINANCIAL IMPLICATIONS NONE ANTICIPATED

LEGAL SB 1 AMENDS KRS 158.6453 TO REMOVE THE HIGH SCHOOL AND COLLEGE READINESS EXAMINATION FROM INCLUSION IN THE STATE STUDENT ASSESSMENT IN ADDITION, CAMBRIDGE ADVANCED INTERNATIONAL HAS BEEN ADDED AS A POSSIBLE EXAMINATION OPPORTUNITY

FINANCIAL IMPLICATIONS NONE ANTICIPATED

## ADMINISTRATION

02.441

### Assessment of Student Progress

#### REVIEW OF ASSESSMENT DATA

By ~~April~~ January 1 of each year and in keeping with the improvement planning process and timeline, the school council shall review student assessment data provided annually by the Kentucky Department of Education. After reviewing the data, the council shall adopt, modify, or revise the school's plan to assist each student in making progress toward statutory goals. This process shall address achievement gaps between various groups of students as required by law. In addition, the plan shall be submitted to the Superintendent and Board for review. In a school without a council, the Principal shall complete the review and planning process with the involvement of parents, faculty, and staff.

Formatted: ksb normal

~~Beginning with the 2012-2013 school year, the assessment data review process shall be completed by December 1 of each year.~~

#### Profile Reports

By October 1, each school Principal shall complete the school profile report, have it signed by members of the school council, or Principal if no council exists, and Superintendent, and submit it to the Kentucky Department of Education. The report shall be transmitted electronically with the original maintained on file at the Board office and available to the public upon request.

Formatted: ksb normal, Font: Not Bold

Formatted: ksb normal, Font: Not Bold

Formatted: policytext

Formatted: ksb normal, Font: Not Bold

Formatted: ksb normal, Font: Not Bold

#### REPORT TO BOARD

The Superintendent shall devise a schedule for Principals to present written reports to the Board regarding progress being made toward their school's educational objectives. The reports shall be in a format easily understood by parents and the community and shall make comparisons with the school's performance the previous year and any data available that compares the school to state or national standards.

The information to be reported shall include, but not be limited to, results on the state-mandated accountability test(s), ~~high school and college readiness test~~, college entrance exams (high school only), Advanced Placement/International Baccalaureate Exams Cambridge Advanced International (high school only), and summaries of grades assigned by teachers.

Formatted: ksb normal

#### SUMMARY REPORT TO COMMUNITY AND PARENTS

The information reported to the Board shall be put in summary format and shall be reported to parents of each student and made available to the community. The Superintendent shall devise the format to be used.

**Assessment of Student Progress**

**INDIVIDUAL REPORTS**

Each year, an individual student report shall be provided to parents of students in grades three through eight (3-8) in accordance with statutory requirements. ~~Beginning with the 2010-2011 school year,~~ Teachers and parents/guardians of each primary student shall be informed of results from reading and mathematics diagnostic assessments and prompts.

**REFERENCES:**

KRS 158.645; KRS 158.6451; KRS 158.6453; KRS 158.6455; KRS 158.6457  
KRS 158.6459; KRS 158.649; KRS 160.345

**RELATED POLICIES:**

02.442; 08.221; 08.222; 08.5

LEGAL BEGINNING IN 2018-2019, THE EVERY STUDENT SUCCEEDS ACT OF 2015 REQUIRES THAT STATES AND DISTRICTS DEVELOP REPORT CARDS THAT INCLUDE TIMELY AND ESSENTIAL INFORMATION TO INFORM THE EDUCATIONAL IMPROVEMENT FOR ALL STUDENTS  
FINANCIAL IMPLICATIONS POSSIBLE COST OF PRINTING AND DISTRIBUTING REPORT CARDS

## ADMINISTRATION

02.442

### Comprehensive School Improvement Plan (CSIP)

#### RESPONSIBILITY

Each school council, or Principal, in a school without a council, shall develop, monitor, and annually update a Comprehensive School Improvement Plan (CSIP).

In an SBDM school, the school council shall organize a planning process, consistent with District's established planning process.

In a school without a council, the Principal shall appoint a School Planning Committee comprised, at a minimum, of four (4) teachers, four (4) parents, and a community representative. The high school(s) shall include a student on the committee. The community representative shall not be a teacher, spouse of a teacher, or a parent of child(ren) attending the District schools.

Each school shall keep its data for needs assessment on file for a period of five (5) years.

The primary purposes of the CSIP shall be:

- To improve student achievement on state and federal mandated testing/accountability instruments; and
- To eliminate achievement gaps among groups of students.

#### FORM

Unless the school planning committee requests and is granted a waiver by the Board, the school committee shall use any improvement plan format that has been established and approved by the Board. The CSIP structure shall include the components set out in 703 KAR 5:225 Every Student Succeeds Act of 2015 (ESSA), and the elements required by KRS 158.649.

In addition, the school council, or school planning committee appointed by the Principal if there is no school council, shall review annually the school's disaggregated student data and revise the school's improvement plan, as required by applicable statute and regulation, to address any achievement gaps between various groups of students.

The plan shall also address the reduction of physical and mental health barriers to learning, student equity, District safety and student discipline assessments, and District goals established by the Board.

The school plan shall serve as a resource for school/council decision making and shall be posted to the school's web site.

#### PUBLIC REVIEW

The Principal shall convene a public meeting at the school to present and discuss the plan prior to submitting it to the Superintendent and Board.

**Comprehensive School Improvement Plan (CSIP)****School Report Cards**

Each school shall send to parents a school report card containing information about school performance as outlined in KRS 158.6153 and 703 KAR 5:140, and information on electronic access to a summary of the results for the District shall be published in the newspaper with the largest circulation in the county.

In addition to the above requirements, beginning the 2018-2019 school year and annually thereafter, each school shall post its school report card on its website as required by ESSA. School report cards shall be widely accessible to the public, in an understandable and uniform format, and when possible, written in a language that parents can understand.

**BOARD REVIEW**

The school's plan for eliminating gaps among various groups of students shall be presented to the Board for its review and comment. The Board may share its comments, in writing, with the council.

In keeping with Board Policy 02.44, each School Council or School Planning Committee shall annually report to the Board regarding the progress toward achieving the goals and desired outcomes and meeting the needs identified in the improvement plan, including those for student groups for whom data indicate an achievement gap exists.

**REFERENCES:**

KRS 158.645; KRS 158.6451; KRS 158.6153; KRS 158.649  
KRS 160.290; KRS 160.345  
703 KAR 5:140; 703 KAR 5:225  
P.L. 111-95 (Every Student Succeeds Act of 2015)

Formatted: Font: Not Bold

Formatted: Font: Not Bold

**RELATED POLICIES:**

01.111; 02.432; 02.44

LEGAL FEDERAL REGULATION 45 CFR § 1302.90 REQUIRES DISTRICTS WITH HEAD START PROGRAMS TO HAVE THE RESULTS OF A CRIMINAL RECORDS CHECK FOR HEAD START EMPLOYEES ON FILE. FEDERAL AUDITORS MAY ASK TO SEE DISTRICT POLICY ADDRESSING THIS REQUIREMENT.

FINANCIAL IMPLICATIONS: COSTS OF RUNNING ADDITIONAL BACKGROUND CHECKS.

LEGAL THE EVERY STUDENT SUCCEEDS ACT PROHIBITS EMPLOYERS FROM PROVIDING ANYTHING MORE THAN ADMINISTRATIVE AND PERSONNEL FILES FOR SCHOOL EMPLOYEES, CONTRACTORS, OR AGENTS THAT THEY KNOW OR HAVE PROBABLE CAUSE TO BELIEVE HAVE ENGAGED IN SEXUAL MISCONDUCT WITH A MINOR OR STUDENT.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

LEGAL SB 236 AMENDS KRS 160.380 TO REQUIRE APPLICANTS TO PROVIDE A LETTER FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THAT THERE ARE NO FINDINGS OF SUBSTANTIATED CHILD ABUSE OR NEGLECT ON RECORD. THIS BECOMES EFFECTIVE ON JULY 1, 2018.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

LEGAL HB 269 AMENDS KRS 160.380 TO PERMIT A RELATIVE TO BE HIRED AS A SUBSTITUTE FOR A CERTIFIED OR CLASSIFIED EMPLOYEE IF THE RELATIVE MEETS SPECIFIC GUIDELINES.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

LEGAL HB 195 AMENDS MULTIPLE STATUTES TO CHANGE THE GENERAL EDUCATION DIPLOMA (GED) TO HIGH SCHOOL EQUIVALENCY DIPLOMA.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

## PERSONNEL

03.11

### - CERTIFIED PERSONNEL -

#### Hiring

##### SUPERINTENDENT'S RESPONSIBILITIES

All appointments, promotions, and transfers of certified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes and, if a school-based position is to be filled, shall be submitted with a certified statement reflecting the school's entitlement, current staffing, the reason(s) why the position was vacant, and the financial impact of the employment.

When a vacancy occurs, the Superintendent shall notify the Commissioner of Education thirty (30) days before the position is to be filled.

When a vacancy needs to be filled in less than thirty (30) days to prevent disruption of necessary instructional or support services of the school District, the Superintendent may seek a waiver of the thirty (30)-day advance notice requirement from the Commissioner of Education. If the waiver is approved, the appointment shall not be made until the person selected by the Superintendent has been approved by the Commissioner of Education.

##### EFFECTIVE DATE

Personnel actions shall not be effective until the employee receives written notice of such action from the Superintendent. Certified employees may be appointed by the Superintendent for any school year at any time after February 1 next preceding the beginning of the school year.

##### QUALIFICATIONS

The Superintendent shall employ only individuals who are certified for the positions they will hold and who possess qualifications established by law, regulation and Board policy, except in the case where no individual applies who is properly certified and/or who meets established qualifications set by Board policy.

A "qualified applicant" is an individual who:

1. Holds proper certification for the position sought;



**Hiring****QUALIFICATIONS (CONTINUED)**

2. Has no actions pending or sanctions applied against his/her administrative and/or teaching certificate;
3. Is not currently under contractual agreement with another board of education and said agreement cannot be terminated without violating KRS 161.780(1); and
4. Has not been formally placed at another school within this District no later than thirty (30) days before the first student attendance day of the school year unless released from placement by the Superintendent pursuant to Policy 03.1311 (Transfer).

Hiring of certified personnel who have previously retired under KTRS shall be in compliance with applicable legal requirements.<sup>2</sup>

~~Beginning in the 2017-2018 school year, all~~ All teachers shall meet applicable certification or licensure requirements as defined by state and federal regulation.<sup>3</sup>

**CRIMINAL BACKGROUND CHECK AND TESTING**

Applicants, employees, and student teachers assigned within the District shall undergo records checks and testing as required by applicable statutes and regulations.<sup>4</sup>

Each application or renewal form provided applicants for a certified position shall conspicuously state the following: "FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AS A CONDITION OF EMPLOYMENT".<sup>5</sup>

~~Beginning July 1, 2018, individual applicants shall provide a letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record. In addition, each application or renewal form provided to applicants for a certified position shall conspicuously state the following:~~

~~FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND HAVE A LETTER PROVIDED BY THE INDIVIDUAL FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE EMPLOYEE IS CLEAR TO HIRE BASED ON NO FINDINGS OF SUBSTANTIATED CHILD ABUSE OR NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET FOR HEALTH AND FAMILY SERVICES AS A CONDITION OF EMPLOYMENT.~~

As permitted by KRS 160.380, employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender.

~~Additionally, beginning July 1, 2018, employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have a substantiated finding of child abuse or neglect in records maintained by the Cabinet.~~

~~Criminal records checks on persons employed in Head Start programs shall be conducted in conformity with 45 C.F.R. § 1302.90.~~

Formatted: Normal, Justified, Space After: 4 pt

**Hiring****JOB REGISTER**

The Superintendent or the Superintendent's designee shall maintain in the Central Office a job register listing all current job openings in the District. The register shall describe the duties and qualifications for each opening, and District employment policies shall be attached to the register. The job register shall be open to public inspection during Central Office business hours.

**VACANCIES POSTED**

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted in the Central Office and in each school building on a timely basis and shall refer interested persons to the Central Office job register for additional information. Postings of vacancies may be made with other agencies, as appropriate.

When a vacancy for a teaching position occurs in the District, the Superintendent shall conduct a search to locate minority candidates to be considered for the position.

**REVIEW OF APPLICATIONS**

The District Position Screening Committee shall review and screen all applications for District positions. ("District positions" are positions that serve two (2) or more schools or that provide services to the District at large.) This Committee shall represent five (5) groups of employees, consisting of one (1) building Principal, who shall serve as chair, one (1) member of the local teachers' organization, one (1) bus driver, one (1) member of the Central Office certified staff, and one (1) member of the Central Office classified staff. Selection of a representative of the local teachers' organization shall be made to minimize disruption to student learning. A majority of Committee members present shall be deemed as sufficient to conduct business. The Screening Committee shall rank applicants using the adopted point system. The Committee shall then recommend the highest ranking applicants to the Superintendent for interviews.

The Superintendent shall waive the District Position Screening Committee if five (5) or fewer qualified applications have been received for a position. The Superintendent shall appoint members of an Interview Committee. The Interview Committee, which may include the Superintendent, shall be composed of at least three (3) members, one (1) of whom shall be a building Principal. All applicant interviews shall be arranged through the Office of Human Resources.

Applications for candidates not employed shall be retained for three (3) years.

To be considered an applicant for a position, the person must have the following information on file in the District Office of Human Resources:

1. Completed application form;
2. Copy of valid Kentucky teaching certificate or Intern Statement of Eligibility, if required;
3. Official transcript of all college work and/or a copy of the person's high school diploma or ~~GED certificate~~ high school equivalency diploma; and
4. Three (3) letters of recommendation on the required form.

**Hiring****RELEASE OF APPLICATIONS**

Only complete applications shall be released to schools or to the District Position Screening Committee. The Office of Human Resources shall accept all applications for positions but shall release applications to school councils and interview committees beginning with applications submitted by individuals who are certified in terms of subject matter and grade range and who are currently employed by the District. If no hiring selection results from the initial release of applications, the District shall forward all remaining applications to the council or interview committee. A school council may receive all available applications with the initial release if such a request is made to the Superintendent.

**BEST-QUALIFIED APPLICANT**

Floyd County Schools is committed to hiring the best-qualified applicant for a certified vacancy as outlined in KRS 161.100 and 16 KAR 2:120. If a recommendation or selection is made to employ an applicant who is not the best qualified, then documentation shall be provided and shall support why the better qualified applicant(s) were not recommended or selected. The documentation shall be based on references, evaluations, attendance patterns, communications regarding past performance according to previous supervisors, and notes from personal interviews.

**RELATIONSHIPS**

The Superintendent shall not employ a relative of a member of the Board unless the relative was initially employed by the District prior to the tenure of the Board member and the member was seated on the Board prior to July 13, 1990.

A relative may be employed as a substitute for a certified or classified employee if the relative is

1. A regular full-time or part-time employee of the District;
2. Accruing continuing contract status or any other right to continuous employment;
3. Receiving fringe benefits other than those provided other substitutes; or
4. Receiving preference in employment or assignment over other substitutes.

A relative of the Superintendent shall not be employed except as provided by KRS 160.380.

**CONTRACT**

Except for noncontracted substitute teachers, all certified personnel shall enter into written contracts with the District.

**JOB DESCRIPTION**

All employees shall receive a copy of their job description and responsibilities.

**EMPLOYEES SEEKING A JOB CHANGE**

Other than the routine transmission of administrative and personnel files, District employees are prohibited from assisting a school employee, contractor, or agent in obtaining a new job if the individual knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law, and such school employee, contractor, or agent does not meet the exceptions outlined in 201 E.S.C. 7(2)(b).

Formatted: kbse normal

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Font Alignment: Auto

Formatted: Superscript

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Font Alignment: Auto

PERSONNEL

03.11  
(CONTINUED)

Hiring

REFERENCES:

<sup>1</sup>KRS 160.380

<sup>2</sup>KRS 161.605; 702 KAR 1:150

<sup>3</sup>P. L. 114-95, (Every Student Succeeds Act of 2015)

20 U.S.C. 7926, E.U.S.C. § 9813, et al

34 C.F.R. 200.55-200.56; 45 C.F.R. § 1302.90

KRS 17.160; KRS 17.165

KRS 156.106; KRS 160.345; KRS 160.390

KRS 161.042; KRS 161.611; KRS 161.750

KRS 335B.020; KRS 405.435

16 KAR 9.080; 702 KAR 3:320; 704 KAR 7:130

OAG 73-333; OAG 91-10; OAG 91-149; OAG 91-206

OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6

Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.1311; 03.132

LEGAL THE "EVERY STUDENT SUCCEEDS ACT OF 2015 (P. L. 114-95)" REQUIRES PARENTS TO BE INFORMED WHEN THEIR CHILD HAS BEEN ASSIGNED OR TAUGHT FOR FOUR (4) OR MORE CONSECUTIVE WEEKS BY A TEACHER NOT CERTIFIED IN THAT GRADE LEVEL AND SUBJECT AREA  
FINANCIAL IMPLICATIONS NONE ANTICIPATED

PERSONNEL

03.112

- CERTIFIED PERSONNEL -

### Certification and Records

#### **CERTIFICATION**

The Board shall set certification requirements for teachers of all grades/courses, including elective courses, in compliance with applicable legal requirements.

All persons appointed to positions requiring Kentucky certification shall present to the Superintendent a copy of the required certificate prior to assuming the duties of the position.

It shall be the responsibility of the employee to see that the required certification is on file in the Superintendent's Office and is kept current at all times.

#### **NOTICE TO PARENTS OF TEACHER'S QUALIFICATIONS/CERTIFICATION**

If the school receives Title I funds, the District shall notify parents of students attending the school annually that they may request the District to provide information regarding the professional qualifications of their child's classroom teachers. In complying with such requests, the District shall provide the information designated by federal law.

Schools receiving Title I funds shall notify parents when their child has been assigned to, or has been taught for four (4) or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

#### **CERTIFICATION FOR TEACHING ELECTIVE COURSES**

The Principal/designee shall forward to the Superintendent the course description for proposed new or revised elective courses, with a proposal for certification requirements for teachers of the course. The Superintendent shall present this information, along with a recommendation for certification requirements, to the Board for its approval.

In determining certification requirements for elective courses, the Board shall observe the following standards:

1. A teacher's preparation program should align with the basic structure of the elective course.
2. Teachers of interdisciplinary electives should be certified in at least one (1) of the disciplines included in the course.

#### **REFERENCES:**

KRS 160.350; KRS 161.020; KRS 161.048  
KRS 161.730; KRS 161.740; KRS 161.750  
KRS 161.760; KRS 161.780; KRS 161.790  
KRS 161.800; KRS 161.810  
16 KAR 1:030; 702 KAR 3:320  
34 C.F.R. 200.61  
P. L. 114-95, (Every Student Succeeds Act of 2015)

PERSONNEL

03.112  
(CONTINUED)

**Certification and Records**

RELATED POLICIES:

02.4241; 03.11; 03.5

LEGAL CHANGES TO 702 KAR 7:065 ADD A REQUIREMENT THAT COACHES AT THE MIDDLE SCHOOL LEVEL OBTAIN AND MAINTAIN CPR CERTIFICATION AND PROVIDE DOCUMENTATION TO SCHOOL.  
FINANCIAL IMPLICATIONS COST OF TRAINING AND CERTIFICATION

**PERSONNEL**

03.1161

**- CERTIFIED PERSONNEL -**

**Athletic Directors, Coaches and Assistant Coaches**

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include 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.

Nonteaching coaches and nonteaching 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.

Formatted: Normal, Justified, Space After: 3 pt

**SELECTION OF ATHLETIC DIRECTORS, HEAD COACHES AND ASSISTANT COACHES**

The Principal shall select the athletic director, where appropriate, and coach for each sport and the Superintendent shall complete the hiring action. However, under KRS 156.070 and related regulations, non-teaching personnel may be selected to serve as coaches.

**REQUIREMENTS**

**Athletic Director**

- Full time certified employee.
- Member of the school faculty where serving.

**Head Coach and Assistant Coach – All High School Sports**

- Employee of the District. Employment may be either full-time or part-time and either certified or classified.
- Successful completion of KHSAA coaching requirements.
- If not certified, successful completion of Floyd County Schools Volunteer Training is required. Certification is for two (2) years.
- If not a full time employee, an annual criminal records check under KRS 160.380 and KRS 161.185<sup>1</sup> shall be required.

**Head Coach and Assistant Coach – All Middle and Elementary School Sports**

- Successful completion of Floyd County Schools coaching seminar.
- Current CPR/First Aid Certification.
- If not certified, successful completion of Floyd County Schools Volunteer Training is required. Certification is for two (2) years.
- If not a full time employee, an annual criminal records check shall be required.
- Successful completion of the KHSAA Sports Safety Course

PERSONNEL

03.1161  
(CONTINUED)

Coaches and Assistant Coaches

REQUIREMENTS (CONTINUED)

\*Cheerleading and dance are considered sports by the Floyd County Schools and are subject to these requirements.

REFERENCES:

<sup>1</sup>KRS 160.380

<sup>2</sup>KRS 161.185

<sup>3</sup>702 KAR 7:005

Kentucky High School Athletic Association (KHSAA)

KRS 156.070; KRS 160.445; KRS 161.044; KRS 161.180; ~~KRS 161.185~~

OAG 73-206; OAG 76-555

RELATED POLICIES:

03.2141; 03.5; 09.221; 09.31; 09.311

Formatted: Superscript

Formatted: Superscript



LEGAL 11B 378 AMENDS KRS 337.070 TO REQUIRE PAPER OR ELECTRONIC STATEMENTS BE GIVEN TO EMPLOYEES. IN ADDITION, IF STATEMENTS ARE PROVIDED ELECTRONICALLY THEN EMPLOYEES MUST BE GIVEN ACCESS TO A COMPUTER AND PRINTER TO REVIEW AND PRINT SAID STATEMENTS  
FINANCIAL IMPLICATIONS: PRINTING COSTS FOR STATEMENTS

PERSONNEL

03.121

- CERTIFIED PERSONNEL -

### Salaries

#### **SINGLE-SALARY BASIS**

All salaries for certified personnel shall be based on a single-salary schedule providing, at minimum, for the number of working days required by law.

Although a school may submit a request for an increment for an extended employment position, extra service, or related adjustments, the Board must set increments in pay for positions requiring services beyond those normally expected of other positions if the duties rendered extend beyond the regular school day or require extended days.

#### **EXTENDED EMPLOYMENT**

Compensation for employment contracted beyond the minimum number of working days required by law shall be prorated.

Extended employment positions shall be established in a position job description, funded in the District budget, and specified in an addendum to the employee's contract.

Addition of days to be worked beyond the original contract or additional days of extended employment for a position require prior Board approval before the change goes into effect.

#### **EXTRA SERVICES, SUPPLEMENTS AND SUPERVISION**

The Board shall annually establish a schedule of compensation for extra services, hazardous duty supplements and supervision. As provided under law, teachers who attain certification from the National Board for Professional Teaching Standards shall be given an annual salary supplement of \$2000 for the life of the certificate.

#### **RANK AND EXPERIENCE**

The rank and experience of certified personnel shall be determined at time of hire. The Board shall direct the Superintendent to validate all experience of professional personnel employed in the District.

Changes in rank and experience shall be determined on September 15 of each year.

To assist with the budgeting process, candidates for National Board certification shall notify the Superintendent/designee in writing prior to September 15 that certification is pending in order for the employee to receive any rank-related increase retroactive to the beginning of the school year.

#### **EXCEPTION**

The Superintendent's salary may be established without regard to the above-mentioned schedules.

**Salaries****PAYROLL DISTRIBUTION**

Checks/direct deposits will be issued according to a schedule approved annually by the Board. The District shall furnish the employee with either a paper or electronic statement. If statements are provided electronically, employees shall be provided access to a computer and printer for review and printing of their statement.

At the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary prior to the end of the fiscal year.

All employees shall participate in the program to receive net pay deposited electronically to a designated account in any bank, savings and loan, or credit union that is a member of the National Automatic Clearing House Association (NACHA).

**QUALIFICATIONS**

Employees shall be responsible for providing the Superintendent with all required certificates, health examinations, and verifications of experience prior to beginning work.

**NOTICE OF SALARY**

Not later than forty-five (45) days before the first student attendance day of the succeeding school year or June 15, whichever occurs earlier, the Superintendent shall notify all certified personnel of the best estimate of the salary for the coming year.

**LIST OF SALARIES**

The Board shall maintain for public scrutiny a factual list of individual salaries of its employees for the fiscal year just closed and shall furnish that list by mail to a newspaper qualified under KRS 424.120 to publish advertisements for the District.

**PAYROLL DEDUCTIONS**

The Board shall approve all payroll deductions as specified by KRS 161.158 and Board Policy 03.1211.

**REFERENCES:**

KRS 157.075; KRS 157.320; KRS 157.350; KRS 157.360  
KRS 157.390; KRS 157.395; KRS 157.397; KRS 157.420  
KRS 160.290; KRS 160.291  
KRS 161.1211; KRS 161.134; KRS 161.168; KRS 161.760  
KRS 337.070; KRS 424.120; KRS 424.220; 16 KAR 1:040; OAG 97-25  
702 KAR 3:060; 702 KAR 3:070; 702 KAR 3:100; 702 KAR 3:310  
29 C.F.R. Section 541.303, 29 C.F.R. Section 541.602, 29 C.F.R. Section 541.710

**RELATED POLICIES:**

03.114, 03.1211, 03.4

LEGAL ENACTMENT OF SB 6 (2017) PROHIBITS THE AUTOMATIC WITHHOLDING OR DEDUCTION FROM PAYROLL FOR DUES OR FEES FOR EMPLOYEE ORGANIZATIONS, ASSOCIATIONS, OR UNIONS WITHOUT PRIOR WRITTEN CONSENT FROM THE EMPLOYEE. SUCH WITHHOLDINGS CANNOT BE MADE BASED SIMPLY ON AN EMPLOYEE'S FAILURE TO "OPT OUT." AN AFFIRMATIVE WRITTEN AUTHORIZATION IS REQUIRED. SB 6 PROVIDES THAT EXISTING CONTRACTS WITH EMPLOYEE ORGANIZATIONS/EMPLOYEES RELATING TO WITHHOLDINGS CAN CONTINUE TO BE HONORED. GIVEN THAT THIS NEW LAW TOOK EFFECT IN JANUARY OF 2017, IT IS UNLIKELY THAT ANY EXCEPTION FOR EXISTING CONTRACTS WILL APPLY GOING FORWARD (2017-18 YEAR AND BEYOND). YOU SHOULD CONSULT SCHOOL DISTRICT COUNSEL IF YOU HAVE QUESTIONS REGARDING ANY SUCH EXISTING CONTRACTS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## PERSONNEL

03.1211

### - CERTIFIED PERSONNEL -

#### Salary Deductions

##### MANDATORY DEDUCTIONS

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational tax, when applicable;
3. The Teachers' Retirement System of the State of Kentucky;
4. Any deductions required as a result of judicial process, e.g., salary attachments, etc.; and
5. Medicare (FICA) - applicable to personnel newly hired after 3/31/86.

##### OPTIONAL DEDUCTIONS

Pursuant to the provisions of KRS 161.158, the following optional payroll deductions are authorized by the Board for those employees who choose to participate:

1. Board approved health/life insurance program;
2. Board approved Tax Sheltered Annuity program;
3. Other state approved deferred compensation plan;
4. Board approved credit union;
5. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
6. Membership dues for professional teachers' organizations when thirty percent (30%) or more eligible members request the deduction. Such deductions may include a life insurance plan and an income protection plan associated therewith, but excluding teachers' organizations devoted to a particular discipline or disciplines, e.g., organizations for mathematics teachers, English teachers, etc. (For purposes of this policy, a professional teacher organization is one in which all teachers are eligible for membership.)
7. Membership dues in professional administrators' or supervisors' organizations when thirty percent (30%) or more of the eligible members request the deductions. Such deductions may include a life insurance plan and an income protection plan associated therewith, but excluding administrators' or supervisors' organizations devoted to a particular discipline or disciplines, e.g., organizations for school business officials, personnel officers, etc. (For purposes of this policy, a professional administrators' or supervisors' organization is defined as a professional organization in which all administrators and supervisors are eligible for membership.)

PERSONNEL

03.1211  
(CONTINUED)

**Salary Deductions**

**OPTIONAL DEDUCTIONS (CONTINUED)**

The above limitations as to groups specified in subsections (6) and (7) above are designed to permit the Board to maintain a practicable control over the number of payroll deductions.

Deductions for membership dues of an employee organization, association, or union shall only be made upon the express written consent of the employee. This consent may be revoked by the employee at any time by written notice to the employer.

Additional payroll deductions requested by employees shall be made only with the Superintendent's approval. Administrative procedures may limit the number of participants required before additional programs are approved.

**REFERENCES:**

KRS 160.291; KRS 161.158

KRS 336.134

702 KAR 1:035; OAG 72-802

LEGAL 11B 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

PERSONNEL

03.13253

- CERTIFIED PERSONNEL -

### **Domestic/Dating Violence Reporting and Education**

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.

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.

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.

#### **REFERENCES:**

KRS 209A.020, KRS 209A.100, KRS 209A.110  
KRS 209A.130, KRS 209.160, KRS 211.160  
KRS 403.720, KRS 456.010, KRS 620.030

#### **RELATED POLICIES:**

09.14, 09.2211, 09.227, 09.425

LEGAL SB 1 AMENDS KRS 156.557 TO REQUIRE DISTRICTS TO DEVELOP A PERSONNEL EVALUATION SYSTEM FOR CERTIFIED EMPLOYEES ALIGNED WITH KENTUCKY BOARD OF EDUCATION REGULATION AND THE STATEWIDE FRAMEWORK FOR TEACHING IN ADDITION, SUMMATIVE EVALUATIONS MUST BE DONE ON A SET CYCLE  
FINANCIAL IMPLICATIONS NONE ANTICIPATED

## PERSONNEL

03.18

### -CERTIFIED PERSONNEL-

#### Evaluation

##### DEVELOPMENT OF SYSTEM

The Superintendent shall recommend for approval by the Board and the Kentucky Department of Education an personnel evaluation system, developed by an evaluation committee, for all certified employees below the level of District Superintendent, which is in compliance with and which shall be implemented consistent with applicable statute and regulation.<sup>1</sup>

##### PURPOSE

The purpose of the professional growth and effectiveness personnel evaluation system shall be to support and improve performance of all certified school personnel and to inform individual personnel decisions.

~~The District may submit an alternative effectiveness evaluation system to the Kentucky Board of Education for approval.~~

##### FREQUENCY OF SUMMATIVE EVALUATIONS

At a minimum, summative evaluations shall occur annually for each teacher or other professional who has not attained continuing service status. Summative evaluations shall occur at least once every three (3) years for a teacher or other professional who has attained continuing service status, as well as principals, assistant principals, and other certified administrators.

Formatted: Normal, Justified, Space After: 6 pt

##### REPORTING

Results of evaluations shall not be included in the accountability system under KRS 158.6455.

~~The District shall report to KED the percentage of principals, assistant principals and teachers in each overall performance category and the percentage of tenured teachers on each professional growth plan level.~~

##### NOTIFICATION

The evaluation criteria and evaluation process to be used shall be explained to and discussed with certified school personnel no later than the end of the evaluatee's first thirty (30) calendar days of the school year as provided in regulation.

##### CONFIDENTIALITY

Evaluation data on individual classroom teachers shall not be disclosed under the Kentucky Open Records Act.

##### REVIEW

All employees shall be afforded an opportunity for a review of their evaluations. All written evaluations shall be discussed with the evaluatee, and he/she shall have the opportunity to submit a written response to be included in the certified employee's personnel record. Both the evaluator and evaluatee shall sign and date the evaluation instrument.

All evaluations shall be maintained in the employee's personnel file.<sup>2</sup>

**Evaluation**

**APPEAL PANEL**

The District shall establish a panel to hear appeals from summative evaluations as required by law.<sup>1</sup>

**ELECTION**

Two (2) members of the panel shall be elected by and from the certified employees of the District. Two (2) alternates shall also be elected by and from the certified employees, to serve in the event an elected member cannot serve. The Board shall appoint one (1) certified employee and one (1) alternate certified employee to the panel.

**TERMS**

All terms of panel members and alternates shall be for a period not to exceed three (3) years. Term of office shall be from July 1 to June 30. Members may be reappointed or reelected.

**CHAIRPERSON**

The chairperson of the panel shall be the certified employee appointed by the Board.

**APPEAL TO PANEL**

Any certified employee who believes that he or she was not fairly evaluated on the summative evaluation may appeal to the panel within five (5) working days of the receipt of the summative evaluation. The certified employee may review any evaluation material related to him/her. Both the evaluator and the evaluatee shall be given the opportunity to review documents to be given to the hearing committee reasonably in advance of the hearing and may have representation of their choosing.

**APPEAL FORM**

The appeal shall be signed and in writing on a form prescribed by the District evaluation committee. The form shall state that evaluation records may be presented to and reviewed by the panel.

**CONFLICTS OF INTEREST**

No panel member shall serve on any appeal panel considering an appeal for which s/he was the evaluator.

Whenever a panel member or a panel member's immediate family appeals to the panel, the member shall not serve for that appeal. Immediate family shall include father, mother, brother, sister, spouse, son, daughter, uncle, aunt, nephew, niece, grandparent, and corresponding in-laws.

A panel member shall not hear an appeal filed by his/her immediate supervisor.

**BURDEN OF PROOF**

The certified employee appealing to the panel has the burden of proof. The evaluator may respond to any statements made by the employee and may present written records which support the summative evaluation.

**HEARING**

The panel shall hold necessary hearings. The evaluation committee shall develop necessary procedures for conducting the hearings.

**Evaluation**

**PANEL DECISION**

The panel shall deliver its decision to the District Superintendent, who shall take whatever action is appropriate or necessary as permitted by law. The panel's written decision shall be issued within fifteen (15) working days from the date an appeal is filed. No extension of that deadline shall be granted without written approval of the Superintendent.

**SUPERINTENDENT**

The Superintendent shall receive the panel's decision and shall take such action as permitted by law as s/he deems appropriate or necessary.

**REVISIONS**

The Superintendent shall submit proposed revisions to the evaluation plan to the Board for its review to ensure compliance with applicable statute and regulation. Upon adoption, all revisions to the plan shall be submitted to the Kentucky Department of Education for approval.

**REFERENCES:**

<sup>1</sup>KRS 156.557; 704 KAR 3:370  
703 KAR 5:225  
OAG 92-135, Thompson v. Board of Educ., Ky., 838 S.W.2d 390 (1992)

**RELATED POLICIES:**

<sup>2</sup>03.15  
02.14; 03.16



LEGAL. THE "EVERY STUDENT SUCCEEDS ACT OF 2013 (P. L. 114-93)" REQUIRES HIGH QUALITY, PERSONALIZED AND EVIDENCE BASED PROFESSIONAL DEVELOPMENT  
FINANCIAL IMPLICATIONS COST OF PROVIDING TRAINING

PERSONNEL

03.19

- CERTIFIED PERSONNEL -

### **Professional Development**

#### **PROGRAM TO BE PROVIDED**

The Board shall provide a high quality, personalized, and evidence based professional development (PD) program that meets the goals established in KRS 158.6451, the Every Student Succeeds Act (ESSA), and in the local needs assessment. At the direction of the Superintendent or designee and in conjunction with each school, the PD coordinator shall facilitate the development and implementation of this program for all certified employees. Programs may also include classified staff and parent members of school councils and committees.

The PD program for the District and each school shall be incorporated into the Comprehensive School/District Improvement Plan. Prior to the implementation of the program, the school PD plan shall be made public, and the District PD plan shall be posted to the District web site.

The program shall be based on a Board-approved PD plan for the District, which is designed:

1. to help achieve student capacities established by KRS 158.645 and goals established by KRS 158.6451;
2. to support the District's mission, goals and assessed needs; and
3. to increase teachers' understanding of curriculum content and methods of instruction appropriate for each content area based on individual school plans.

The PD plan shall reflect individual needs of schools and be aligned with the Comprehensive School/District Improvement Plan, ESSA requirements, and teacher growth plans.

#### **SCHOOL RESPONSIBILITIES**

Each school shall plan professional development with the PD coordinator and, when appropriate, with other schools to maximize training opportunities. In addition, each school's PD plan shall be submitted to the Board for review and comment.

#### **DOCUMENTATION**

The school/District PD plan shall include the method for evaluating impact on student learning and using evaluation results to improve professional learning.

Documentation of completed professional development, including a written evaluation, shall be required. Unless an employee is granted leave under an appropriate Board policy, failure to complete and document the required hours of professional development by April 15 of each year shall result in a reduction in salary and may be reflected in the employee's evaluation.

PERSONNEL

03.19  
(CONTINUED)

**Professional Development**

**REFERENCES:**

KRS 156.095; KRS 156.553  
KRS 158.070; KRS 158.645; KRS 158.6451  
KRS 160.345  
704 KAR 3:035; 704 KAR 3:325  
P.L. 11-4-95 (Every Student Succeeds Act of 2015)

**RELATED POLICIES:**

03.1911; 09.22

Formatted: Space After: 6 pt

LEGAL FEDERAL REGULATION 45 C.F.R. § 1302.90 REQUIRES DISTRICTS WITH HEAD START PROGRAMS TO HAVE THE RESULTS OF A CRIMINAL RECORDS CHECK FOR HEAD START EMPLOYEES ON FILE. FEDERAL AUDITORS MAY ASK TO SEE DISTRICT POLICY ADDRESSING THIS REQUIREMENT.

FINANCIAL IMPLICATIONS: COSTS OF RUNNING ADDITIONAL BACKGROUND CHECKS.

LEGAL: THE EVERY STUDENT SUCCEEDS ACT PROHIBITS EMPLOYERS FROM PROVIDING ANYTHING MORE THAN ADMINISTRATIVE AND PERSONNEL FILES FOR SCHOOL EMPLOYEES, CONTRACTORS, OR AGENTS THAT THEY KNOW OR HAVE PROBABLE CAUSE TO BELIEVE HAVE ENGAGED IN SEXUAL MISCONDUCT WITH A MINOR OR STUDENT.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

LEGAL: HB 195 AMENDS MULTIPLE KRS TO CHANGE THE GENERAL EDUCATION DIPLOMA (GED) TO HIGH SCHOOL EQUIVALENCY DIPLOMA.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

LEGAL: SB 236 AMENDS KRS 160.380 TO REQUIRE APPLICANTS TO PROVIDE A LETTER FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THAT THERE ARE NO FINDINGS OF SUBSTANTIATED CHILD ABUSE OR NEGLECT ON RECORD. THIS BECOMES EFFECTIVE ON JULY 1, 2018.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

LEGAL: HB 269 AMENDS KRS 160.380 TO PERMIT A RELATIVE TO BE HIRED AS A SUBSTITUTE FOR A CERTIFIED OR CLASSIFIED EMPLOYEE IF THE RELATIVE MEETS SPECIFIC GUIDELINES.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED.

## PERSONNEL

03.21

### - CLASSIFIED PERSONNEL -

#### Hiring

##### SUPERINTENDENT'S RESPONSIBILITIES

All appointments, promotions, and transfers of classified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes and, if a school-based position is to be filled, shall be submitted with a certified statement reflecting the school's entitlement, current staffing, the reason(s) why the position was vacant, and the financial impact of the employment.

##### EFFECTIVE DATE

Personnel actions shall not be effective until the employee receives written notice of such action from the Superintendent.

##### HIRING OF RETIRED PERSONS

The Superintendent may rehire at full pay classified personnel (62 years of age or older) who have retired from the District and are receiving Social Security and County retirement benefits.

##### CRIMINAL BACKGROUND CHECK AND TESTING

Applicants and employees shall undergo records checks and testing as required by applicable statutes and regulations.<sup>1</sup> & <sup>2</sup>

Each application or renewal form provided applicants for a classified position shall conspicuously state the following: "FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A STATE CRIMINAL HISTORY BACKGROUND CHECK AS A CONDITION OF EMPLOYMENT. UNDER CERTAIN CIRCUMSTANCES, A NATIONAL CRIMINAL HISTORY BACKGROUND CHECK MAY BE REQUIRED AS A CONDITION OF EMPLOYMENT".<sup>1</sup>

**Hiring****CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)**

Beginning July 1, 2018, individual applicants shall provide a letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record. In addition, each application or renewal form provided to applicants for a classified position shall conspicuously state the following:

"FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND HAVE A LETTER PROVIDED BY THE INDIVIDUAL FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE EMPLOYEE IS CLEAR TO HIRE BASED ON NO FINDINGS OF SUBSTANTIATED CHILD ABUSE OR NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET FOR HEALTH AND FAMILY SERVICES AS A CONDITION OF EMPLOYMENT."

As permitted by KRS 160.380, employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender.

Additionally, beginning July 1, 2018, employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have a substantiated finding of child abuse or neglect in records maintained by the Cabinet.

Criminal records checks on persons employed in Head Start programs shall be conducted in conformity with 45 C.F.R. § 1302.90.

**EDUCATIONAL REQUIREMENTS**

No person shall be initially hired unless s/he holds at least a high school diploma or high school certificate of completion or ~~GED certificate~~High School Equivalency Diploma or unless s/he shows progress, as defined by Administrative Regulations of the State Board for Adult, and Technical Education, toward obtaining a ~~certificate~~High School ~~or~~ equivalency Diploma. Employees shall hold the qualifications for the position as established by the Commissioner of Education.<sup>3</sup>

All paraprofessionals shall satisfy educational requirements specified by federal law.<sup>4</sup>

**JOB REGISTER**

The Superintendent or the Superintendent's designee shall maintain in the Central Office a job register listing all current job openings in the District. The register shall describe the duties and qualifications for each opening, and District employment policies shall be attached to the register. The job register shall be open to public inspection during Central Office business hours.

## PERSONNEL

03.21  
(CONTINUED)

### Hiring

#### VACANCIES POSTED

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted in the Central Office and in each school building on a timely basis and shall refer interested persons to the Central Office job register for additional information. Postings of vacancies may be made with other agencies, as appropriate.

#### REVIEW OF APPLICATIONS

The District Position Screening Committee shall review and screen all applications for District positions. ("District positions" are positions that serve two (2) or more schools or that provide services to the District at large.) This Committee shall represent five (5) groups of employees, consisting of one (1) building Principal, who shall serve as chair, one (1) member of the local teachers' organization, one (1) bus driver, one (1) member of the Central Office certified staff, and one (1) member of the Central Office classified staff. Selection of a representative of the local teachers' organization shall be made to minimize disruption to student learning. A majority of Committee members present shall be deemed as sufficient to conduct business. The Screening Committee shall rank applicants using the adopted point system. The Committee shall then recommend the highest ranking applicants to the Superintendent for interviews.

Applications for candidates not employed shall be retained for three (3) years.

The Superintendent shall waive the District Position Screening Committee if five (5) or fewer qualified applicants have been received for a position. If the screening process is waived, all qualified applicants for the position shall be interviewed. The Superintendent shall appoint members of an Interview Committee. The Interview Committee, which may include the Superintendent, shall be composed of at least three (3) members, one (1) of whom shall be a building Principal. All applicant interviews shall be arranged through the Office of Human Resources.

To be considered an applicant for a position, the person must have the following information on file in the Office of Human Resources:

1. Completed application form;
2. Current license, if required, by position;
3. Official transcript of all college work and/or a copy of the person's high school diploma or 64-13 certified High School Equivalency Diploma; and
4. Three (3) letters of recommendation on the required form.

#### HIRING RELATIONSHIPS

The Superintendent shall not employ a relative of a member of the Board unless the relative was initially employed by the District prior to the tenure of the Board member and the member was seated on the Board prior to July 13, 1990.

A relative may be employed as a substitute for a certified or classified employee if the relative is not:

1. A regular full-time or part-time employee of the District;
2. Accruing continuing contract status or any other right to continuous employment;
3. Receiving fringe benefits other than those provided other substitutes; or
4. Receiving preference in employment or assignment over other substitutes.

PERSONNEL

03.21  
(CONTINUED)

**Hiring**

**EMERGENCY HIRING**

During emergency situations, job openings may be filled without listing in the job register or posting in District buildings.

**JOB DESCRIPTION**

All employees shall receive a copy of their job description and responsibilities.

**CONTRACT**

All regular full-time and part-time employees shall receive a contract.

**REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT FOR SUBSTITUTE CLASSIFIED EMPLOYEES**

Substitute classified employees shall be notified in writing by April 30 of each year as to whether they have reasonable assurance of continued employment for the following year.

**EMPLOYEES SEEKING A JOB CHANGE**

Other than the routine transmission of administrative and personnel files, District employees are prohibited from assisting a school employee, contractor, or agent in obtaining a new job if the individual knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law and such school employee, contractor, or agent does not meet the exceptions outlined in 201, S.C. 7926.

**REFERENCES:**

<sup>1</sup>KRS 160.380

<sup>2</sup>702 KAR 5:080, KRS 160.345, KRS 160.390

<sup>3</sup>KRS 161.011

<sup>4</sup>P. L. 114-95, (Every Student Succeeds Act of 2015)

20 USC 7926, P.L. SC. § 9843a

34 C.F.R. 200.58-200.59, 45 C.F.R. § 1302.90

KRS 17.160, KRS 17.165; KRS 156.070

KRS 335B.020, KRS 405.435

OAG 91-10, OAG 91-149, OAG 91-206

OAG 92-1, OAG 92-59, OAG 92-78, OAG 92-131

13 KAR 3:030; 702 KAR 3:320

Kentucky Local District Classification Plan

Records Retention Schedule, Public School District

**RELATED POLICIES:**

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

Formatted: Font: Not Bold

LEGAL CHANGES TO 702 KAR 7:063 ADD A REQUIREMENT THAT COACHES AT THE MIDDLE SCHOOL LEVEL OBTAIN AND MAINTAIN CPR CERTIFICATION AND PROVIDE DOCUMENTATION TO SCHOOL

FINANCIAL IMPLICATIONS COST OF TRAINING AND CERTIFICATION

PERSONNEL

03.2141

- CLASSIFIED PERSONNEL -

### Nonteaching Coaches and Assistant Coaches

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include 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.

Nonteaching coaches and nonteaching 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.

The Superintendent shall give preference to the hiring or assignment of certified personnel over nonteaching personnel for coaching positions in any sport or sport activity. The employment and utilization of nonteaching assistant coaches shall be in compliance with the state law, regulation and by-laws of the Kentucky High School Athletic Association.

#### REFERENCES:

KRS 161.185

702 KAR 7:063

Kentucky High School Athletic Association (KHSAA)

KRS 156.070; KRS 160.445

#### RELATED POLICIES:

03.1161

09.221

09.311

Formatted: lsba normal, Font: Not Bold

Formatted: Tab stops: Not at 0.25"

Formatted: lsba normal, Font: Not Bold

Formatted: lsba normal, Font: Not Bold

Formatted: lsba normal, Font: Not Bold, Superscript

Formatted: lsba normal, Superscript

Formatted: top, Left, Space After: 6 pt

Formatted: lsba normal, Font: Not Bold, Superscript

LEGAL 11B 378 AMENDS KRS 337.070 TO REQUIRE PAPER OR ELECTRONIC STATEMENTS BE GIVEN TO EMPLOYEES. IN ADDITION, IF STATEMENTS ARE PROVIDED ELECTRONICALLY THEN EMPLOYEES MUST BE GIVEN ACCESS TO A COMPUTER AND PRINTER TO REVIEW AND PRINT SAID STATEMENTS  
FINANCIAL IMPLICATIONS: PRINTING COSTS FOR STATEMENTS

PERSONNEL

03.221

- CLASSIFIED PERSONNEL -

### Salaries

#### HOURLY OR SALARY BASIS

All regular and substitute classified personnel shall be paid on an hourly or salary basis as established by the Board.

#### WORK DAY/WORK WEEK

The length of the work day shall be established for each position by the Board. The work week for hourly (non-exempt) employees shall not exceed forty (40) hours per week, unless overtime is authorized as provided by this policy.

#### QUALIFICATIONS

Employees shall be responsible for providing the Superintendent with all required certificates, other credentials, health examinations, and verifications of experience prior to beginning work.

#### DETERMINATION OF EXPERIENCE

Upon initial employment or transfer of a classified employee, the Superintendent shall determine experience credit to be granted from any previous employment consistent with applicable salary schedules adopted by the Board and, in the absence of the issue being addressed in such schedules, experience credit shall be determined as follows:

1. Previous experience in the District.

Credit for years of experience in one (1) classified position with the District will transfer with the employee when assuming another classified position within the District, if there is no break in employment.

2. Previous experience in an equivalent position in another school district.

Years of experience in an equivalent position may be transferred from another school district.

3. Previous private sector experience in a job of a similar nature.

In determining whether previous experience is applicable to a District position, similar experience shall refer to the essential functions, licensing/training requirements, and/or daily job responsibilities of the positions being similar.

#### LIST OF SALARIES

The Board shall maintain for public scrutiny a factual list of individual salaries of its employees for the fiscal year just closed and shall furnish that list by mail to a newspaper qualified under KRS 424.120 to publish advertisements for the District.



PERSONNEL

03.221  
(CONTINUED)

Salaries

**PAYROLL DISTRIBUTION**

Checks/direct deposits will be issued according to a schedule approved annually by the Board. The District shall furnish the employee with either a paper or electronic statement. If statements are provided electronically, employees shall be provided access to a computer and printer for review and printing of their statement.

All employees shall participate in the program to receive net pay deposited electronically to a designated account in any bank, savings and loan, or credit union that is a member of the National Automatic Clearing House Association (NACHA).

At the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary prior to the end of the fiscal year.

**PAYROLL DEDUCTION**

The Board shall approve all payroll deductions as specified by KRS 161.158 and Board Policy 03.2211.

**OVERTIME**

Overtime work shall be approved in advance by the Superintendent or designee. Hourly employees required to work in excess of forty (40) hours per week will be paid at the rate of 1½ times the regular rate for all hours beyond 40 as provided by law for overtime work.

**REFERENCES:**

KRS 78.615; KRS 160.291; KRS 161.011  
~~KRS 337.070~~; KRS 337.285; KRS 424.120; KRS 424.220  
702 KAR 3:320; 803 KAR 1:060; 803 KAR 1:070  
Fair Labor Standards Act  
Garcia v. San Antonio Metropolitan Transit Authority, 105 S.Ct. 1005 (1985)

**RELATED POLICY:**

03.2211

LEGAL ENACTMENT OF SB 6 (2017) PROHIBITS THE AUTOMATIC WITHHOLDING OR DEDUCTION FROM PAYROLL FOR DUES OR FEES FOR EMPLOYEE ORGANIZATIONS, ASSOCIATIONS, OR UNIONS WITHOUT PRIOR WRITTEN CONSENT FROM THE EMPLOYEE. SUCH WITHHOLDINGS CANNOT BE MADE BASED SIMPLY ON AN EMPLOYEE'S FAILURE TO "OPT OUT." AN AFFIRMATIVE WRITTEN AUTHORIZATION IS REQUIRED. SB 6 PROVIDES THAT EXISTING CONTRACTS WITH EMPLOYEE ORGANIZATIONS/EMPLOYEES RELATING TO WITHHOLDINGS CAN CONTINUE TO BE HONORED GIVEN THAT THIS NEW LAW TOOK EFFECT IN JANUARY OF 2017, IT IS UNLIKELY THAT ANY EXCEPTION FOR EXISTING CONTRACTS WILL APPLY GOING FORWARD (2017-18 YEAR AND BEYOND). YOU SHOULD CONSULT SCHOOL DISTRICT COUNSEL IF YOU HAVE QUESTIONS REGARDING ANY SUCH EXISTING CONTRACTS  
FINANCIAL IMPLICATIONS NONE ANTICIPATED

PERSONNEL

03.2211

- CLASSIFIED PERSONNEL -

### Salary Deductions

#### MANDATORY DEDUCTIONS

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational tax, when applicable;
3. Social Security, when applicable;
4. County Employees' Retirement System of the State of Kentucky, when applicable;
5. Any deductions required as a result of judicial process, e.g., salary attachments, etc.; and
6. Medicare (FICA) - applicable to personnel newly hired after 3/31/86.

#### OPTIONAL DEDUCTIONS

Pursuant to the provisions of KRS 161.158, the following optional payroll deductions are authorized by the Board for those employees who choose to participate:

1. Board approved health/life insurance program;
2. Board approved Tax Sheltered Annuity program;
3. Other state approved deferred compensation plan;
4. Board approved credit union;
5. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
6. Membership dues for job-related organizations when thirty percent (30%) or more eligible members request the deduction(s). Such deductions may include a life insurance plan and an income protection plan associated therewith.

Deductions for membership dues of an employee organization, association, or union shall only be made upon the express written consent of the employee. This consent may be revoked by the employee at any time by written notice to the employer.

Additional payroll deductions requested by employees shall be made only with the Superintendent's approval. Administrative procedures may limit the number of participants required before additional programs are approved.

Formatted: polycytext

PERSONNEL

03.2211  
(CONTINUED)

**Salary Deductions**

**REFERENCES:**

KRS 160.291; KRS 161.158  
KRS 336.134  
702 KAR 1:035; OAG 72-802

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

PERSONNEL

03.23253

- CLASSIFIED PERSONNEL -

### Domestic/Dating Violence Reporting and Education

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.

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.

If a professional as defined in KRS 209A.020, 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, they shall provide the victim with educational materials related to domestic violence and abuse or dating violence and abuse. Those materials shall include information about how s/he may access regional domestic violence programs under KRS 209.160 or rape crisis centers under KRS 211.600 and information about how to access protective orders.

#### REFERENCES:

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 620.030

#### RELATED POLICIES:

09.14, 09.2211; 09.425

LEGAL 2 C.F.R. § 200.430 REQUIRES DISTRICTS TO FOLLOW UNIFORM GRANT GUIDANCE FOR TRACKING PERSONNEL EXPENSES PAID FOR BY FEDERAL FUNDS. AUDITORS MAY ASK FOR A POLICY STATING SUCH. THIS NEW POLICY COMPORTS WITH THAT REGULATION.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.93

### Uniform Guidance

Federal funds received by the District are to be administered and federally funded personnel expenses documented in accordance with applicable Uniform Grant Guidance requirements.

#### REFERENCES:

2 C.F.R. 200.430(a)

2 C.F.R. Part 200

#### RELATED POLICIES:

01.11

08.13.15

Formatted: kba normal

Formatted: Space After: 6 pt

Formatted: kba normal

LEGAL FEDERAL REGULATION 45 C.F.R. § 1310.10 REQUIRES THAT SCHOOL DISTRICTS PROVIDE CHILD SAFETY RESTRAINT SYSTEMS FOR PRESCHOOL HEAD START STUDENTS USING DISTRICT TRANSPORTATION  
FINANCIAL IMPLICATIONS POSSIBLE COST OF CHILD SAFETY RESTRAINT SYSTEMS

TRANSPORTATION

06.2

### Safety

#### DEVELOPMENT OF PROGRAM

The Superintendent shall develop a transportation safety program as required by applicable law and administrative regulation. Appropriate safety information shall be disseminated annually in writing to employees, parents, and pupils of the school District.

#### BOOSTER SEATS

When students who are under eight (8) years old and between forty (40) and fifty-seven (57) inches in height are transported in District-owned or leased vehicles designed for nine (9) or fewer passengers, they shall be properly secured in a child booster seat. Per KRS 189.125, a child of any age who is greater than fifty-seven (57) inches in height is not required to be secured in a booster seat.

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Child Safety Restraint Systems shall be utilized for preschool Head Start students being transported using District vehicles in compliance with guidelines established by the National Highway Traffic Safety Administration.

Formatted: lsba normal, Font: Not Bold

Formatted: lsba normal

#### REFERENCES:

KRS 158.110  
KRS 189.125  
702 KAR 5:030  
702 KAR 5:060  
702 KAR 5:080  
45 C.F.R. § 1310.10

Formatted: lsba normal

Formatted: lsba normal

#### RELATED POLICY:

06.12

LEGAL AS PART OF ASSURING COMPLIANCE, FOOD SERVICE AUDITORS MAY ASK TO SEE THE DISTRICT'S COLLECTION AND PARENT NOTIFICATION POLICY.

FINANCIAL IMPLICATIONS COST OF PRINTING NOTICES

LEGAL THIS IS TO CLARIFY THAT PER 7 C.F.R. 15B.15, PARENTS MUST BE NOTIFIED HOW TO REQUEST SPECIAL DIETARY SERVICES FOR THEIR CHILD AND HOW TO ARRANGE FOR A HEARING TO RESOLVE GRIEVANCES RELATED TO REQUESTS FOR MODIFICATIONS BASED ON A DISABILITY

FINANCIAL IMPLICATIONS COST OF PRINTING NOTICES

## **SUPPORT SERVICES**

07.1

### **Food/School Nutrition Services**

The Board shall provide a District-wide school nutrition program in compliance with applicable state and federal statutes and regulations. It is the intent of the Board that school nutrition services be a self-supporting program.

#### **BREAKFAST AND LUNCH**

Schools may serve a complete breakfast, hot or cold as defined by federal regulations. The noon meal shall be a complete lunch, hot or cold, as defined by federal regulations; and servings shall be of such size as to provide at least one-third (1/3) to one-half (1/2) of the daily nutritional requirements.

#### **FOOD SERVICE/SCHOOL NUTRITION PROGRAM DIRECTOR**

The District (or food service area to which the District belongs) shall appoint/select a Food Service/School Nutrition Program Director to oversee and manage the school nutrition service program. All Food Service/School Nutrition Program Directors shall meet minimum educational requirements and annual training requirements in accordance with federal and state law.

#### **ANNUAL REPORT/PUBLIC FORUM**

Immediately following the release of the annual school nutrition report, the Board shall discuss the findings and seek public comment during a publicly advertised Board meeting.

By January 31 of each year, the Board shall hold an advertised public forum to present a plan to improve school nutrition in the District.

The District shall compile a summary of findings and recommendations and submit the summary to the Kentucky Board of Education.

#### **DISCRIMINATION COMPLAINTS**

The District does not discriminate on the basis of race, color, national origin, sex, age, or disability in its school nutrition program.

Anyone wishing to initiate a complaint concerning discrimination in the delivery of benefits or services in the District's school nutrition program should go to the link below or mail a written complaint to the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, or email, [program\\_intake@usda.gov](mailto:program_intake@usda.gov).

[http://www.asec.usda.gov/complaint\\_filing\\_cust.html](http://www.asec.usda.gov/complaint_filing_cust.html)

District personnel shall assist parents/guardians and students wishing to file a complaint.

**Food/School Nutrition Services****SPECIAL DIETARY NEEDS**

Students whose dietary needs qualify them for an adaptation under law shall be provided accommodations in keeping with local procedures.

All parents shall be provided notice of how to request meal accommodations and how to submit a grievance related to a request for modifications based on a disability, at the beginning of each school year or upon enrollment in the District for students transferring in mid-year.

Formatted: Font: Bold

**MEAL CHARGES**

All parents shall be provided the written meal charge policy at the beginning of each school year or upon enrollment in the District for students transferring in mid-year. In addition, parents shall be advised of the available payment systems and meal prices.

The written meal charge policy shall be distributed to all school level staff including school nutrition employees involved in policy enforcement.

Charges are permitted in emergency situations when parents forget to provide or students forget to bring money for breakfast or lunch. Students may charge meals up to five (5) days. After the third (3) meal charge, a letter from the District Office of Food Service with notification to the school Principal, shall be mailed to the home address of the student's parent/guardian noting the status of the meal charges. Within five (5) school days of a fifth charge, the parent/guardian shall be informed in writing that they must pay all outstanding/delinquent charges or furnish their child's meal. If parents have not contacted the Cafeteria Manager or submitted the amount indicated within ten (10) working days from the date of the final notice, the debt will be considered delinquent and may be directed to the Board Attorney.

A la carte items shall not be charged. Students may resume charging meals on an emergency basis once the previous meal charges have been paid. Meal charges shall not transfer to another school and all students must have a zero balance at the end of each school year. Should additional or other arrangements be needed, the parent/guardian of the student shall contact the Food Service Program Director, who may make a referral to the Family Resource Center.

If the situation is a result of the economic condition of the household or changes in that condition, FRC/YSC staff shall make available to the household an application for free/reduced price meals and provide any needed assistance in completing the application. Meal service to children in these situations shall not be interrupted. Food service will be reimbursed from the general fund if required by state and/or federal standards for the cost of the meals while applications are being processed.

Adults shall not be permitted to charge meals or a la carte items.

Food Service funds shall not may be used to collect outstanding/delinquent meal charges.



## SUPPORT SERVICES

07.1  
(CONTINUED)

### Food/School Nutrition Services

#### PRE-PAY OPTION

The District School Food Service Program employs a computerized point of sale system at each school that allows each student to have a unique account number. All students have the option to pre-pay meals for as many days as the parent/guardian chooses. The parent/guardian may opt to disallow the purchase of extra items and only meals will be subtracted from the pre-payment amount in the student's account.

#### DEPOSIT OF FOOD SERVICE FUNDS

The Superintendent shall develop procedures regulating the safekeeping and deposit of school food service funds.

#### REFERENCES:

KRS 156.160; KRS 158.852; KRS 158.856; KRS 160.290  
702 KAR 6:010; 702 KAR 6:020; 702 KAR 6:040; 702 KAR 6:045; 702 KAR 6:050  
702 KAR 6:060; 702 KAR 6:075; 702 KAR 6:090  
7 C.F.R. part 15b; 7 C.F.R. §210.23; 7 C.F.R. §210.314; FNS Instruction 113  
Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act,  
P.L. 111-296

Formatted: Space After: 0 pt

LEGAL 702 KAR 6:090 HAS BEEN REVISED SO THAT THE STATE NUTRITIONAL REQUIREMENTS FOR COMPETITIVE FOODS NOW ALIGN WITH THOSE OF THE FEDERAL REGULATION 7 C.F.R. 210.11. FINANCIAL IMPLICATIONS NONE ANTICIPATED

**SUPPORT SERVICES**

07.12

**Vending Machines**

**REQUEST**

Vending machines may be installed in Board facilities only on the approval of the Superintendent.

**BIDDING**

The Board may bid the installation of vending machines, using specifications established by the Superintendent/designee.

**STUDENT USE**

Vending machine use by students shall be in compliance with current federal and state regulations.

At the elementary school and middle school levels during the school day, only school-day-approved beverages shall be sold in vending machines, e.g. (water, one hundred percent (100%) fruit /vegetable juice, low-fat milk, (unflavored), non-fat milk (unflavored or flavored) as permitted by the school meal requirements.

For students at the high school level, only school-day-approved beverages may be sold in vending machines during the school day, e.g. (water, one hundred percent (100%) fruit/vegetable juice, low-fat milk (unflavored), non-fat milk (unflavored or flavored), as permitted by the school meal requirements.

In addition to the beverages listed above, other beverages as allowed in 7 C.F.R. Parts 210 and 220, ~~and state law and regulation (whichever is more restrictive)~~ may be available in vending machines at the high school level.

Size of beverages shall not exceed eight (8) ounces for elementary schools, twelve (12) ounces for middle schools and twenty (20) ounces for high schools.

**SALES**

Any sales from vending machines shall be in compliance with applicable state and federal law and regulations. Specifically, competitive foods or beverages shall not be sold from midnight before until thirty (30) minutes after the last school lunch period of the school day. From thirty (30) minutes after the last lunch period closes until thirty (30) minutes after the school day, food and beverages sold must conform with nutritional standards specified in state and federal regulations.

Any profit from vending machines shall be properly accounted for and be used for the benefit of the school system.

**REFERENCES:**

KRS 156.160; KRS 158.854; KRS 160.290  
702 KAR 6:070; 702 KAR 6:090  
7 C.F.R. 210.11b; 7 C.F.R. 220

**RELATED POLICY:**

07.111

LEGAL SB 17 COVERS STUDENT EXPRESSION OF RELIGIOUS OR POLITICAL VIEWS IN ASSIGNMENTS WHILE MAINTAINING SCHOOL OVERSIGHT OF CURRICULUM  
FINANCIAL IMPLICATIONS NONE ANTICIPATED

## CURRICULUM AND INSTRUCTION

08.11

### Course of Study

#### DEVELOPMENT

The Superintendent shall develop and disseminate to the schools a course of study for primary school through twelfth grade that will include minimum statutory and regulatory requirements<sup>1</sup> and additional requirements as specified by the Board.

#### ASSESSMENT OF STUDENT WORK / NONDISCRIMINATION

Consistent with District policies addressing assessment of student progress and grading as well as council and school policies relating to the determination of curriculum and assignments, instructional staff are expected to issue grades or assessments of student assignments, including in the classroom, based on responsiveness to the assigned task(s), accuracy, and quality of work, utilizing sound pedagogical judgment and providing modifications for students with disabilities as required by law, free from discrimination or penalty based on constitutionally protected expressions of religious or political views in otherwise responsive student submissions.

Formatted: Normal, Justified, Space After: 6 pt

Formatted: Font: Bold, Small caps

#### IMPLEMENTATION

Each teacher shall implement the course of study prescribed for the assigned grade and subject area.<sup>2</sup>

#### SBDM SCHOOLS

In schools operating under SBDM, the council shall determine curriculum for the school.

#### SYLLABUS

~~Effective with the 2001-2002 school year,~~ Teachers at all levels (preschool through adult education) shall develop a syllabus for each course, grade/level or subject (single and/or interdisciplinary area) they teach to communicate to students and parents the following information:

1. Prerequisites for the course
2. Topics to be covered
3. Order of material to be covered
4. Resources to be used
5. Planned testing points
6. Performance standards and expectations

Each year teachers shall distribute a current syllabus to their students and the students' parents/guardians as directed by the Superintendent/designee.

The Principal/designee shall make pertinent student achievement data available to each teacher and, in keeping with policies set by the council, monitor the process of reviewing and updating syllabi in response to such data.

**Course of Study**

**COURSE COMPLETION**

Credit shall be awarded following successful of high school courses and final grades will be calculated as follows:

1. 1st nine weeks – 20%
2. 2nd nine weeks – 20%
3. 3rd nine weeks – 20%
4. 4th nine weeks – 20%
5. End of Course Assessment or Comprehensive Final – 20%

**REFERENCES:**

<sup>1</sup>704 KAR 3:303

<sup>2</sup>KRS 161.170

KRS 156.160; KRS 158.100; KRS 158.183

KRS 158.645; KRS 158.6451

KRS 160.345

702 KAR 7:125; 703 KAR 4:060

704 KAR 3:305

LEGAL SB 159 CREATES A NEW SECTION OF KRS 158 TO REQUIRE STUDENTS TO PASS A 100 QUESTION CIVICS TEST DRAWN FROM THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES TEST TO BECOME A CITIZEN  
FINANCIAL IMPLICATIONS POSSIBLE COST OF TESTING  
LEGAL HB 522 CREATED A NEW SECTION OF KRS 158 TO ALLOW STATE AGENCY CHILDREN WHO ARE AT LEAST SEVENTEEN (17) TO SEEK A HIGH SCHOOL EQUIVALENCY DIPLOMA  
FINANCIAL IMPLICATIONS NONE ANTICIPATED

## CURRICULUM AND INSTRUCTION

08.113

### Graduation Requirements

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic Expectations, students must complete a minimum of twenty-two (22) credits, including demonstrated performance-based competency in technology, and all other state and local requirements in order to graduate from high school in the District.

Beginning July 1, 2018, students wishing to receive a regular diploma must pass a civics test made up of one hundred (100) questions selected from the civics test administered to persons seeking to become naturalized citizens and prepared or approved by the Board. A minimum score of sixty percent (60%) is required to pass the test and students may take the test as many times as needed to pass. Students that have passed a similar test within the previous five (5) years shall be exempt from this civics test. This shall be subject to the requirements and accommodations of a student's individualized education program or a Section 504 Plan.

Formatted: Space After: 6 pt

In addition to the credits required by the Kentucky Academic Standards, the Board may impose other credit requirements for graduation from high school. Students shall complete an individual learning plan that focuses on career exploration and related postsecondary education and training needs.

Students that do not meet the college readiness benchmarks for English and language arts and/or mathematics shall take a transitional course or intervention before exiting high school.

#### PERFORMANCE-BASED CREDITS

In addition to Carnegie units, students may earn credit toward high school graduation through the District's standards-based, performance-based credit system that complies with requirements of Kentucky Administrative Regulation. Procedures for the developing and amending the system shall address the following:

1. Conditions under which high school credit will be granted under the system that allow students to demonstrate proficiency and earn credit for learning acquired outside the normal classroom setting, outside of school, or in prior learning:  
Performance-based credit may be earned while the student is still "in school," but the instructional setting will look different from a traditional "seat time" environment.
2. Performance descriptors and their linkages to State content standards and academic expectations:  
At the high school level, performance descriptors and evaluation procedures shall be established to determine if the content and performance standards have been met.
3. Assessments and the extent to which state-mandated assessments will be used;
4. An objective grading and reporting process; and
5. Criteria to promote and support school and community learning experiences, such as internships and cooperative learning, in support of a student's individual learning plan. Such experiences shall be supervised by qualified instructors and aligned with State and District content and performance standards.

**Graduation Requirements****PERFORMANCE-BASED CREDITS (CONTINUED)**

The high school student handbook shall include complete details concerning specific graduation requirements.

In keeping with statutory requirements, the District shall accept for credit toward graduation and completion of high school course requirements an advanced placement or a high school equivalent course taken by a student in grades 5, 6, 7, or 8 if that student attains performance levels expected of high school students in the District as determined by achieving a score of "3" or higher on a College Board Advanced Placement examination or a grade of "B" or better in a high school equivalent.<sup>2</sup>

**SENIOR RECORD REVIEW**

By the end of the first semester, each senior's record shall be reviewed to determine eligibility for graduation. Written notification of ineligibility for graduation shall be provided by the Principal to both the student and parent.

**TRANSITIONAL CLASS REQUIREMENTS**

All students that have not met the Council for Post-Secondary Education's college readiness requirements in math based on the ACT scores during their junior year or by other approved assessments, will be required to take transitional math courses, as determined by the placement assessments, during their senior year.

**OTHER PROVISIONS**

The Board may grant different diplomas to those students who complete credits above the minimum number as established by the Kentucky Board of Education. In addition, the Board may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

The Board, Superintendent, Principal, or teacher may award special recognition to students.

Consistent with the District's graduation practices for all students, an alternative high school diploma shall be awarded to students with disabilities in compliance with applicable legal requirements. In addition, former students may submit to the Superintendent a request that the District provide them with an alternative high school diploma to replace the certificate of attainment they received at time of graduation from the District.<sup>3</sup>

A student who is at least seventeen (17) years of age and who is a state agency child, as defined in KRS 158.135, shall be eligible to seek attainment of a High School Equivalency Diploma.

**EARLY GRADUATION CERTIFICATE**

Students who meet all applicable legal requirements shall be eligible for early graduation in relation to receipt of an Early Graduation Certificate. Students wishing to follow an early graduation pathway shall notify the Principal of their intent prior to the beginning of grade nine (9) or as soon thereafter as the intent is known, but within the first thirty (30) school days of the academic year in which they wish to graduate. A Letter of Intent to Apply shall be entered into the student information system by October 1 of the year the student declares intent to graduate early.<sup>4</sup>

**Graduation Requirements****EARLY GRADUATION CERTIFICATE (CONTINUED)**

Students working toward receipt of an Early Graduation Certificate shall be supported by development and monitoring of an individual learning plan.

Students who meet all applicable legal requirements shall be awarded a diploma and an Early Graduation Certificate.

**GRADUATION CEREMONIES**

Students shall have completed the necessary requirements to earn a diploma before they may participate in the graduation exercises.

The Superintendent or the Principal, with the written approval of the Superintendent, may deny any senior the privilege of participating in any or all of the graduation activities if the senior's conduct is such that it will discredit the graduating class or school.

Graduation exercises at individual secondary schools shall be held no earlier than the evening of the last day of school in the school term.

**TRANSCRIPTS**

Each graduating senior is entitled to three (3) free copies of his/her transcript.

**DIPLOMAS FOR VETERANS**

In keeping with statute and regulation, the Board shall award an authentic high school diploma to an honorably discharged veteran who did not complete high school prior to being inducted into the United States Armed Forces during World War II, the Korean conflict, or the Vietnam War.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 40.010; KRS 158.140; 704 KAR 7:140

<sup>2</sup>KRS 158.622

<sup>3</sup>KRS 156.160; 20 U.S.C. sec. 1414

<sup>4</sup>KRS 158.142; 704 KAR 3:305

KRS 156.027; KRS 158.135

KRS 158.141; KRS 158.143; KRS 158.183; KRS 158.281

KRS 158.302; KRS 158.645

KRS 158.6451; KRS 158.860

13 KAR 2:020

702 KAR 7:125; 703 KAR 4:060

704 KAR 3:303

OAG 78-348; OAG 82-386

Kentucky Academic Standards

**RELATED POLICIES:**

08.1131; 08.14; 08.22; 08.222

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

RECOMMENDED. THIS IS TO CLARIFY THAT DISTRICTS THAT OFFER THE OPPORTUNITY FOR STUDENTS TO EARN DUAL-CREDITS THROUGH THE KENTUCKY DUAL-CREDIT SCHOLARSHIP PROGRAM, MUST FOLLOW THE REQUIREMENTS OUTLINED IN THE KENTUCKY COUNCIL ON POSTSECONDARY EDUCATION AND KENTUCKY DEPARTMENT OF EDUCATION DUAL CREDIT POLICY FOR KENTUCKY PUBLIC AND PARTICIPATING POSTSECONDARY INSTITUTIONS AND SECONDARY SCHOOLS  
FINANCIAL IMPLICATION DEPENDENT UPON AGREEMENTS WITH PARTICIPATING POSTSECONDARY INSTITUTION

## CURRICULUM AND INSTRUCTION

08.1131

### Alternative Credit Options

In addition to regular classroom-based instruction, students may earn credit by attending course(s) away from their high school of attendance to obtain certain courses required for graduation and/or to take advantage of postsecondary class/credit opportunities verified by the institution, the high school of attendance, and the District.

The District shall recognize only those online courses that meet the international standards for online teachers, courses, and programs that have been adopted by the Kentucky Department of Education.

Online courses may be subject to review by the Superintendent/designee for conformance with Kentucky Academic Standards and District graduation requirements.

#### DUAL-CREDIT SCHOLARSHIP PROGRAM

The District may offer the opportunity for students to earn dual-credits through the Kentucky Dual-Credit Scholarship Program and follows the guidelines outlined in the "Kentucky Council on Postsecondary Education and Kentucky Department of Education Dual Credit Policy for Kentucky Public and Participating Postsecondary Institutions and Secondary Schools," located on the Kentucky Department of Education website.

Formatted: policytext

Formatted: Font: Italic

#### REFERENCES:

KRS 158.622  
KRS 161.786  
13 KAR 002:020

#### RELATED POLICIES:

08.1121; 08.113



LEGAL THIS LANGUAGE IS INTENDED TO COMPLY WITH 20 U.S.C. § 6303b (ESSA) WHICH PROVIDES THAT THE STATE EDUCATIONAL AGENCY (KBE/KDE) MAY AWARD GRANTS TO SCHOOL DISTRICTS FOR "DIRECT STUDENT SERVICES" (DSS), GIVING PRIORITY TO DISTRICTS IDENTIFIED FOR COMPREHENSIVE OR TARGETED SUPPORT. THIS ESSA STATUTE ALSO SETS FORTH STANDARDS FOR PARENTAL/COMMUNITY NOTICES, FUNDING, AND PROVISION OF DSS. FINANCIAL IMPLICATIONS: POSSIBLE TRANSPORTATION AND MATERIAL/PROGRAM COSTS.

## CURRICULUM AND INSTRUCTION

08.133

### Extended School/Direct Student Services

#### PLAN FOR DIAGNOSING

A plan for diagnosing and addressing student academic deficiencies shall be developed to provide extended school services (ESS) as required by state law.

#### ADMINISTRATIVE PROCEDURE

An appropriate administrative procedure shall be formulated for implementation of this policy.

#### EXTENDED SCHOOL SERVICES

The Board shall provide extended school consistent with students' intervention plans and goals included as part of individual learning plans, requirements of 704 KAR 3:390, and local plans and procedures.

For students eligible to attend ESS, the District shall:

- Identify learning goals and benchmarks for each student that, if achieved, indicate that the student may exit the extended school services program;
- Determine conditions under which a student's absence from the program may be considered excused or unexcused; and
- Determine method for transporting students mandated to attend.

The District shall select pupils who need additional instructional time or differentiated opportunity to learn academic and enrichment content aligned with their individual student needs to improve their present level of performance in one (1) or more content areas. Priority for ESS services shall be placed on designing and delivering services to students at risk academically.

The District may provide extended school services during the regular school day when a waiver for alternative service delivery has been obtained. Extended school services offered during the summer shall be available to all eligible students residing in the District regardless of whether they attend District schools.

#### DIRECT STUDENT SERVICES

The District may apply for Title I funding for Direct Student Services if eligible as provided in Every Student Succeeds Act and the state plan required under federal law. Required notices, funding, and provision of Direct Student Services shall be consistent with federal and state requirements.

#### REFERENCES:

KRS 158.070

704 KAR 3:390

20 U.S.C. § 6303b

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

LEGAL THE "EVERY STUDENT SUCCEEDS ACT OF 2013 (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

08.13.451

### 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~~parents 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.

Formatted: ksb normal

#### 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 ~~and family~~ and the schools.

Formatted: ksb normal

Formatted: ksb normal

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

Formatted: ksb normal

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.

Formatted: ksb normal

#### 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 (95%) 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.

Formatted: ksb normal

Formatted: ksb normal

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:

Formatted: ksb normal

**Title I - Parent ~~involvement~~and 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 ~~involved~~engaged in staff training activities to demonstrate the value of parent ~~involvement~~and 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 ~~parents~~them 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.

Formatted: ksb normal

Formatted: ksb normal

Formatted: ksb normal

Formatted: ksb normal

Formatted: ksb normal

Formatted: ksb normal

**SCHOOL POLICY**

Each school shall submit to the Superintendent and Board, for review and comment, its Title I school parent ~~involvement~~and 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.

Formatted: ksb normal

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

Formatted: ksb normal

**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  
201 S.C. § 6318, 34 C.F.R. § 200.28

**RELATED POLICIES:**

03.112; 08.1345; 09.11

Formatted: lsba normal, Font: 12 pt, Not Highlight

Formatted: Font: Bold, Not Highlight

Formatted: lsba normal, Font: 12 pt, Not Highlight

Formatted: Font: Bold, Not Highlight

Formatted: Default Paragraph Font

LEGAL TITLE "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-student-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 subjects standards~~ 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:

Formatted: ksb normal

- *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-student-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;~~
  - (c)(d) Methods of instruction used in the program;
  - (c)(c) Student's lack of progress in the program;
  - (c)(f) How the program will meet the individual learning needs of the student;
  - (c)(g) How the program will help the student learn English;

Formatted: ksb normal

**English as a Second Language**• ***Parental Notification (continued)***

- ~~(e)(ii)~~ How the program will help the student meet achievement standards necessary for grade promotion and high school graduation; ~~and~~
- ~~(f)(i)~~ Specific exit requirements for students in the program;
- ~~(g)(i)~~ 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) calendar 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 challenge~~ 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 student-learners~~ shall be provided services consistent with ~~scientifically-based-research-effective language instruction educational programs and curricular for 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.

**REFERENCES:**

P. L. 114-95 (Every Student Succeeds Act of 2015); Title III-~~2012-2013~~ (~~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)

Formatted: Font: Italic

Formatted: Bulleted + Level: 1 + Aligned at: 0.25" + Tab  
after: 0.5" + Indent at: 0.5", Font Alignment: Auto

Formatted: ksb normal, Font: 12 pt, Not Highlight

Formatted: Font: Bold, Not Highlight

Formatted: ksb normal, Font: 12 pt, Not Highlight

Formatted: Font: Bold, Not Highlight

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 consist of educational counseling; career and personal counseling; testing, and other services requested by students, parents, or staff.

#### 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.

Formatted: ksb normal, Font color: Auto

#### REFERENCES:

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

Formatted: ksb normal

Formatted: ksb normal

#### RELATED POLICIES:

08.113; 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

## CURRICULUM AND INSTRUCTION

08.222

### Assessment

#### ASSESSMENT PROGRAM

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

#### VOCATIONAL ASSESSMENT TESTING

Each secondary student who enrolls in a vocational education program shall receive assessment of his/her interests, abilities, and special needs with respect to his/her successfully completing the vocational program. The following evaluation instruments will be utilized for vocational student assessment:

1. Skills test chosen by the State Department of Education
2. TAPS
3. PIC
4. VIP
5. PIES
6. Woodcock-Johnson
7. WISC-R

The Assessment Summary and Remediation Plan or the Individual Educational Plan will become part of the student's cumulative folder and will be utilized for vocational and career counseling.

#### 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.

**Assessment**

**NOTES (CONTINUED)**

Formatted: sideheading

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.

**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)

**RELATED POLICIES:**

02.441, 08.15451, 08.221

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.<sup>1</sup>

Fee waivers shall be provided as required by applicable statutes and regulations.<sup>2</sup>

#### **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.<sup>1</sup>

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 of religion as permitted by the Constitutions of the United States of America or the Commonwealth of Kentucky.

Formatted: lsba normal, Not Superscript/ Subscript

Formatted: lsba normal

**REFERENCES:**<sup>1</sup>KRS 158.108<sup>2</sup>KRS 160.330; 702 KAR 3:220<sup>3</sup>KRS 158.190KRS 156.162

KRS 156.433

KRS 156.439

KRS 157.110

KRS 158.188

702 KAR 3:246

704 KAR 3:455

Formatted: lsba normal

**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

## CURRICULUM AND INSTRUCTION

08.3

### 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

Two (2) community members from the local chamber of commerce, business community, or tourism commission.

Formatted: polycytext

#### DEVELOPMENT OF CALENDAR

The Superintendent may appoint a committee to recommend a school 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 61.825 and Board Policy 01.11 apply, including describing in the applicable special meeting notices) 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).

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

In the case of an initial regular meeting that includes the required recommendations, discussion on 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.

On or before May 15, the Board, upon recommendations of the Superintendent, 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:

Formatted: Default Paragraph Font

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.

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

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.

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.<sup>1</sup>

Formatted: polycytext, Space After: 3 pt

**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:**

<sup>1</sup>KRS 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

Formatted: lsba normal, Superscript

Formatted: Font: Not Bold

**RELATED POLICIES:**

01.42.08.31

Formatted: Font: Not Bold

LEGAL 118 195 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

#### OPERATION 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 in the community. This program shall be under the direction of the Adult Education Director.

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 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.~~

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

#### SCHOOL FACILITIES

The Board authorizes the use of school facilities for conducting such programs and further authorizes the acceptance of tuition and funds from other agencies for the operation of such programs.

#### REFERENCES:

KRS 158.143

KRS 160.155; KRS 160.156; KRS 160.157; KRS 164.0064

13 KAR 3:010; 13 KAR 3:050



**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 program evaluation plan shall include audits and reviews in the areas designated by regulation.<sup>1</sup>~~

~~**EVALUATION 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:~~

- ~~0. Programs to be evaluated~~
- ~~0. A master schedule indicating when each program will be reviewed~~
- ~~0. Meetings during the current school year at which a program will be discussed~~
- ~~0. Date to be presented and the format~~
- ~~0. Key questions that will be asked~~
- ~~0. Stakeholders to be invited~~
- ~~0. 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.<sup>1</sup>

#### **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.<sup>1</sup>

#### **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.<sup>1</sup>

#### **PERMISSION**

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

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.<sup>3</sup>

#### **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.<sup>2</sup>

Formatted: ksb normal

#### **REFERENCES:**

<sup>1</sup>KRS 159.170; KRS 158.032

<sup>2</sup>KRS 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.<sup>1</sup>

#### 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 the 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 proficiency~~).

~~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 relocates 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.~~

Formatted: Justified, Space After: 6 pt

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.
- ~~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.~~<sup>2</sup>

Formatted: Space After: 4 pt, Bulleted + Level: 1 + Aligned at: 0.29" + Indent at: 0.54", Font Alignment: Auto

## STUDENTS

09.12  
(CONTINUED)

### 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.

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.

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.

[http://education.ky.gov/federal/programs/documents/Homeless\\_Dispute\\_Resolution\\_Form.docx](http://education.ky.gov/federal/programs/documents/Homeless_Dispute_Resolution_Form.docx)

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

#### **CHILDREN IN FOSTER CARE**

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.**

Formatted: Indent: Left: 0.29", Hanging: 0.21", Space After: 6 pt, Bulleted + Level: 1 + Aligned at: 0.29" + Indent at: 0.54", Font Alignment: Auto

Formatted: Space After: 6 pt

Formatted: Font: Not Italic

Formatted: Font: Times New Roman, 12 pt, Font color: Auto, Pattern: Clear

Formatted: Centered, Space After: 6 pt

Formatted: sideheading, Space After: 0 pt

**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.<sup>3</sup>

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

Nonresident pupils who have been expelled from another district must have Board approval before admission.

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.

**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.<sup>4 & 5</sup>

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

**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.

**EXPULSED/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.

## STUDENTS

09.12  
(CONTINUED)

### Admissions and Attendance

#### EXPULLED/CONVICTED STUDENTS (CONTINUED)

The sworn statement of 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.<sup>6</sup>

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:

<sup>1</sup>KRS 159.010; OAG 78-64; OAG 91-171

<sup>2</sup>42 U.S.C. 11431 et seq. (McKinney-Vento Act)

<sup>3</sup>KRS 158.120; OAG 80-47; OAG 79-327; OAG 75-602

<sup>4</sup>KRS 157.320

<sup>5</sup>702 KAR 7:125

<sup>6</sup>KRS 158.155; KRS 157.330; KRS 158.150

KRS 157.360; KRS 158.100

704 KAR 7:090; P. L. 114-95

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, 08.111-1

09.11; 09.121; 09.1223; 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 Records

#### 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.<sup>1</sup>

#### 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 158.031. A child who becomes six (6) by October 1 shall attend public school unless he qualifies for an exemption as provided by law.<sup>2</sup>~~

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

A child who ~~becomes~~ is five (5) or who ~~may become~~ may ~~become~~ 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 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.<sup>2</sup>

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. A student who is at least five (5) years of age, but less than six (6) years of age ~~and is 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.<sup>3 & 4</sup>

Formatted: Superscript

#### 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,

Formatted: Superscript

## STUDENTS

09.121  
(CONTINUED)

### Entrance Records

#### 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.<sup>1</sup>

#### PRINCIPAL'S RESPONSIBILITY

Principals are responsible for implementing entrance requirements as set out in administrative procedure.

#### REFERENCES:

<sup>1</sup>KRS 157.3175; ~~2014 Budget Bill~~

<sup>2</sup>KRS 158.030

<sup>3</sup>~~KRS 157.226; KRS 159.040702 KAR 7:125~~

<sup>4</sup>~~KRS 158.031; 702 KAR 1:140; 702 KAR 7:125~~

<sup>4</sup>KRS 158.032; KRS 158.035; KRS 214.034

KRS 158.990; KRS 159.010 KRS 159.030

~~702 KAR 1:140; 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.

#### 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 who 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.<sup>1</sup>

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.

Formatted: ksb normal

Formatted: ksb normal, Not Superscript/ Subscript

Formatted: ksb normal

#### 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.<sup>2</sup>

#### PHYSICIAN'S STATEMENT REQUIRED

The Board, before granting an exemption, 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.<sup>2</sup>

#### 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,<sup>2</sup> or court-ordered instruction in another setting.
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.<sup>3</sup>

Attendance RequirementsEXCEPTIONS TO PRESENCE AT SCHOOL (CONTINUED)

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.<sup>1</sup>
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.<sup>4</sup>
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.<sup>4</sup>
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.<sup>5</sup>
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.<sup>6</sup>
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.<sup>4 & 7</sup>
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.<sup>3</sup>

REFERENCES:<sup>1</sup>KRS 159.010; OAG 85-55<sup>2</sup>KRS 159.030<sup>3</sup>KRS 159.035<sup>4</sup>702 KAR 7:125<sup>5</sup>KRS 158.240<sup>6</sup>KRS 158.070<sup>7</sup>704 KAR 3:305KRS 158.030, KRS 158.143KRS 159.020, KRS 159.180; KRS 159.990701 KAR 5:060

OAG 79-68; OAG 79-539

OAG 87-40; OAG 97-26

Formatted: ksb normal

Formatted: ksb normal

Formatted: ksb normal

Formatted: ksb normal

STUDENTS

09.122  
(CONTINUED)

**Attendance Requirements**

**RELATED POLICIES:**

08.131; 08.1312

09.111; 09.121; 09.123; 09.36

Formatted: ksb normal

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**

**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.

Formatted: kuba normal

**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 for such students shall be followed.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>P. 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

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

No student will be excused on a regular basis for reasons not pertaining to school.

If the student is to be picked up early, the custodial parent/guardian or designee 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.<sup>1</sup>

Formatted: ksb normal, Font: Not Bold

Formatted: ksb normal, Font: Not Bold

**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.

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

**REFERENCES:**

OAG 85-134, OAG 92-138

KRS 620.146

702 KAR 7:125

**RELATED POLICIES:**

09.12311; 09.227; 09.3; 09.31; 09.432

09.434; 10.5

Formatted: lsba normal, Font: Not Bold

Formatted: lsba normal

Formatted: lsba normal

Formatted: lsba normal

Formatted: lsba normal, Font: Not Bold

Formatted: lsba normal, Font: Not Bold

Formatted: lsba normal, Font: Not Bold

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Font Alignment: Auto

Formatted: lsba normal, Font: Not Bold

Formatted: lsba normal, Font: Not Bold

Formatted: lsba normal, Superscript

Formatted: lsba normal

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, disability<sup>1</sup>, 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 Constitution 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.

Formatted: tsba normal

Formatted: tsba normal

Formatted: tsba normal

Formatted: tsba normal

STUDENTS

09.13  
(CONTINUED)

**Equal Educational Opportunities**

**REFERENCES:**

<sup>1</sup>Bd. 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 157.224~~ 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(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.<sup>1</sup>

Upon written request, parents 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.

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.

## STUDENTS

09.14  
(CONTINUED)

### 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.

#### DIRECTORY INFORMATION

The Superintendent/designee is authorized to release Board-approved student directory information. Approved "directory information" shall be: name, address, phone number, 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. Any eligible student or parent/guardian who does not wish to have directory information released shall notify the Superintendent/designee 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.

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

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.

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 (IDEIA).

**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.

## STUDENTS

09.14  
(CONTINUED)

### 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.<sup>2</sup>

#### **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 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:**

<sup>1</sup>Section 152 of the Internal Revenue Code of 1986

<sup>2</sup>KRS 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. (McKinnley-Vento Act)

#### **RELATED POLICIES:**

09.111; 09.12311; 09.43

Formatted: lsba normal

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

09.2

### Student Welfare and Wellness

The Floyd County School District is committed to providing school environments that promote and protect children's health, well-being, ability to learn by supporting healthy eating and physical activity. It is the policy of the Floyd County School District that:

- All students in grades PreK-12<sup>th</sup> will have opportunities, support, and encouragement to be physically active on a regular basis.
- The District will engage students, parents, teacher, food service professionals, interested community partners in developing, implementing, monitoring, and reviewing the nutrition and physical activity policies.
- Food and beverages sold and/or served at school will meet the nutritional recommendations of the United States Dietary Guidelines for Americans.
- 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. This will include a clean, safe, and pleasant setting with an adequate time to eat.
- All school in the District will participate in the federal school meal programs which includes the School Breakfast Program and the National School Lunch Program.
- Schools will provide nutritional education and physical education to foster lifelong habits of healthy eating and physical activity so that students will understand the link between health education, school meal programs, and community related services to promote a healthier lifestyle.

**Student Welfare and Wellness****WELLNESS LEADERSHIP**

The superintendent/designee will direct District officials ("wellness leadership group") to ensure compliance with established District-wide nutrition and physical activity wellness policies. In each school, the Principal/designee will ensure compliance with those policies and will report on the school's compliance to the Superintendent/designee.

**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 160.545 and Board Policy 02.42.11.
- 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 8.13.46.

Formatted: Font: Not Bold

Formatted: List 123, Indent: Left: 0.25", Bulleted + Level: 1 + Aligned at: 0.5" + Indent at: 0.75"

Formatted: Normal, Justified, Indent: Left: 0.25", Space After: 6 pt, Bulleted + Level: 1 + Aligned at: 0.5" + Indent at: 0.75"

Formatted: kba normal, Font: Not Bold

**SCHOOL HEALTH COUNCILS**

The District and/or individual schools will create, strengthen, or work with existing school health councils to develop, implement, monitor, review, and revise as necessary school nutrition and physical activity policies. The councils will also serve as a resource to the schools for implementing these policies. The councils should include representatives from physical and/or health education teachers, students, parents, school administrators, school board members, health professional or other interested members of the public.

**NUTRITIONAL QUALITY OF FOODS AND BEVERAGES SOLD AND SERVED ON CAMPUS**

**School Meals** – Meals served through the National School Lunch Program and the School Breakfast Program should:

- Be served in a clean and pleasant environment
- Be appealing and attractive to students
- Meet the nutritional requirements established by the local, state, and federal statutes and regulations.
- Offer a variety of fruit and vegetables
- Offer a variety of fat-free or low-fat milk
- Offer whole grain products

School should offer taste tests of new products and conduct surveys in order to identify and select new healthful appealing choices. Schools should share nutritional information on menus, website, cafeteria menu boards, and other locations as deemed necessary.

**Student Welfare and Wellness****NUTRITIONAL QUALITY OF FOODS AND BEVERAGES SOLD AND SERVED ON CAMPUS  
(CONTINUED)**

**Breakfast** – To ensure that all children have breakfast, either at home or at school, in order to meet the nutritional needs and promote learning:

- Operate the School Breakfast Program
- To the extent possible, arrange bus schedules, breakfast schedules that encourage participation, which can include “grab-and-go” options as well as traditional style of serving fine breakfast. Students and parents will be notified of the availability of the School Breakfast Program.
- Schools will encourage parents to provide a healthy breakfast for their children through various means such as newsletters.

**Free Meals** – The Floyd County Schools will provide free meals (breakfast, lunch, after school snack, preschool snack) to the maximum extent possible.

**Summer Food Service** – The Floyd County Schools will sponsor the Summer Food Service Program based on anticipated student participation levels.

**Meal Times and Scheduling – School:**

- Will provide students an adequate amount of time to eat breakfast and lunch which ideally would be at least ten (10) minutes for breakfast and twenty (20) minutes for lunch after students receive their meal.
- Should schedule meals at appropriate times.
- Should avoid scheduling clubs, tutoring, organizational meetings or activities during mealtimes unless students can also eat during the activity
- Will provide students access to hand washing and/or hand sanitizing before they eat meals or snacks

**Qualifications of School Food Service Staff**

Qualified nutrition professionals will administer the school meal programs. The district will provide continuing professional development for all nutritional professionals in the schools. The professional development program should include appropriate certification and/or training programs for the School Nutrition Director, School Nutrition Managers, and School Cafeteria Staff according to their level of responsibility and job requirements.

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

- 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, & AR 6.090. Snacks served during the School Day should make a positive contribution to a student's diet and health, with an emphasis on serving fruit and vegetables or nutritionally healthful snacks. The district will disseminate a list of healthful snack items to teachers, parents, and school personnel.

Formatted: Underline

Formatted: Font: Bold, Underline, Small caps

**Student Welfare and Wellness****NUTRITIONAL QUALITY OF FOODS AND BEVERAGES SOLD AND SERVED ON CAMPUS  
(CONTINUED)**

- 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.

**Snacks****Celebrations**

It is recommended that schools limit celebrations that involve food during the school day to a reasonable number determined by the school principal and/or SADM Council. Food or beverages that meet nutritional standards for foods and beverages sold individually should be encouraged. The district will disseminate a list of suggested party snack ideas to parents and teachers.

It is recommended schools not use food or beverages, especially those that do not meet the nutritional standards for food and beverages. It is also recommended that schools not withhold food or beverage as a punishment for academic performance, behavior, or attendance.

**Fundraising Activities**

Schools should encourage fundraising activities that promote physical activity and a healthy lifestyle. Fundraising activities should follow state and federal guidelines for Smart Snacks or in accordance with 702 KAR 6:090 and only be available thirty (30) minutes after the last lunch period.

**Snacks**

Snacks served during the school day should make a positive contribution to a student's diet and health, with an emphasis on serving fruit and vegetable or nutritionally healthful snacks. The district will disseminate a list of healthful snack items to teachers, parents, and school personnel.

**Celebrations**

It is recommended that schools limit celebrations that involve food during the school day to a reasonable number determined by the school principal and/or SADM Council. Food or beverages that meet nutritional standards for foods and beverages sold individually should be encouraged. The district will disseminate a list of suggested party snack ideas to parents and teachers.

**NUTRITION AND PHYSICAL ACTIVITY PROMOTION AND FOOD MARKETING****Nutrition Education and Promotion**

Floyd County Schools aims to teach, encourage, promote, and support healthy eating by students. Schools should provide nutrition education and engage in nutrition promotion that:

- Is offered K-8<sup>th</sup> as part of a systematic sequential, comprehensive, standards based program designed to provide students with the knowledge and skills necessary to make choices that will promote and protect their health.
- Includes nutrition education as part of classroom subjects in not only health classes but in other subjects such as science, math, language arts, and social science classes.



### Student Welfare and Wellness

**NUTRITION AND PHYSICAL ACTIVITY PROMOTION AND MARKETING (CONTINUED)**

- Is developmentally appropriate, culturally relevant, enjoyable, and includes participatory activities such as contests, promotions, hands-on activities, taste testing, farm visits, and school gardens.
- Will promote fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods, and healthy nutrition practices.
- Will emphasize a healthy caloric intake which balances food intake and energy expenditure.
- Will link school meal programs, ala carte food choices, with healthy nutritional choices.
- Will teach media literacy with an emphasis on food marketing.
- Will include training and resources for teachers and other staff.

### Integrating Physical Activity into the Classroom Setting

For the students of the Floyd County Schools to receive the recommended amount of daily physical activity and for students to fully embrace regular physical activity as a personal behavior, students will need opportunities for physical activity beyond the regular physical education class. To meet that need:

- Classroom health education will complement physical education by reinforcing the knowledge and skills needed to maintain a physically-active lifestyle in order to decrease the amount of time spent on sedentary activities.
- Will provide physical activity incorporated into other subject areas and lessons.
- Will provide short activity breaks between lessons or classes as appropriate.
- Will incorporate whole brain teaching with a focus on movement techniques.

### Communication with Parents

The District/schools will support parent's efforts to provide a healthy diet and daily physical activity for their children. The District/school will offer healthy eating program and/or information for parents, provide nutrition information, and post nutrition tips on District and/or school websites. Schools should encourage parents to pack healthy snacks and/or lunches and to refrain from including beverages and foods that do not meet nutritional standards for individual foods and beverages. The District will provide parents a list of foods that meet healthy snack standards and will provide ideas for healthy celebration/parties, rewards, and fundraising activities.

The District/school will provide information about physical education and other school-based physical opportunities before, during, and after the school day and support parents' efforts to provide their children with opportunities to be physically active outside of the school. Such supports will include sharing information about physical activity and physical education through our website, newsletters, or other take-home materials, special events, or physical education homework.

**Student Welfare and Wellness****NUTRITION AND PHYSICAL ACTIVITY PROMOTION AND FOOD MARKETING (CONTINUED)****Staff Wellness**

The Floyd County School District highly values the health and well-being of every faculty and staff member and will encourage staff members to plan and implement activities that would support personal efforts to maintain a healthy lifestyle. Each school should establish and maintain a staff wellness committee composed of staff members as well as a member of the health care community and/or school nutrition staff. This committee could be a sub-committee of the school health council. The committee shall develop, promote, and oversee the plan to promote staff health and wellness. The plan shall be based on input from the school staff and should outline ways to encourage healthy eating, physical activity, and other elements of a healthy lifestyle among school staff. The staff wellness committee shall distribute the plan to the school health council annually.

**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).

Formatted: policytext, Space After: 4 pt

**PHYSICAL ACTIVITY OPPORTUNITIES AND PHYSICAL EDUCATION**

The Floyd County Schools will provide all students the opportunity to participate in physical activity up to but not to exceed thirty (30) minutes per day or one-hundred fifty (150) minutes per week.

**Daily Physical Education**

All students in grades K-5<sup>th</sup> including students with disabilities, special health-care needs, and in alternative educational settings, should receive physical education for the entire school year. Student involvement in other activities involving physical activity should not be substituted for meeting the physical education requirement. Students should spend at least 50% of their physical education class time participating in moderate to vigorous physical activity.

**Daily Recess**

All elementary schools should have at least ten (10) minutes of daily recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity in an area with appropriate space and equipment.

Schools should discourage extended periods of inactivity. When activities, such as mandatory testing make it necessary for students to remain indoors for long periods of time, schools should give students periodic breaks during which they are encouraged to stand and be moderately active.

**Physical Activity Opportunities Before and After School**

All elementary, middle, and high schools should offer extracurricular physical activity programs. The schools, as appropriate, should offer interscholastic programs to meet the needs, interests, and abilities of all students, including boys, girls, students with disabilities, and students with special health-care needs.

**Student Welfare and Wellness****PHYSICAL ACTIVITY OPPORTUNITIES AND PHYSICAL EDUCATION (CONTINUED)****Physical Activity and Punishment**

It is recommended that loss of physical activity periods should not be used as a disciplinary punishment or consequence.

**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 KDI.

**MONITORING AND POLICY REVIEW****Monitoring**

The superintendent/designee will ensure compliance with established District-wide nutrition and physical activity wellness policies. In each school, the Principal/designee will ensure compliance with those policies and will report on the school's compliance to the Superintendent/designee.

School food service staff, at the school or District level, will ensure compliance with nutrition policies with the school food service areas and will report on this matter to the Superintendent (or if done at the school level, to the Principal). In addition, the District will report on the most recent USDA school meal initiative review findings and any resulting changes.

The Superintendent/designee will develop a summary report on the District-wide compliance with the District's established nutrition and physical activity wellness policies based on the input from the schools within the District. The report will be provided to the Board and also distributed to all school health councils, parent/teacher organizations, Principals, and school health service personnel in the district.

**Policy Review**

Each school will review its existing nutrition and physical activity environment and policies using the School Health Index from the Centers for Disease Control and Prevention. The results will be compiled at the District level to identify, evaluate, and prioritize needs. The District and individual schools will, as necessary, revise the wellness policies and develop plans to facilitate their implementation.

**STUDENTS**

**09.2**  
**(CONTINUED)**

**Student Welfare and Wellness**

**REFERENCES:**

KRS 158.850; KRS 158.854; KRS 158.856  
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:**

02.4241; 07.1; 07.111; 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 209 A.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 209 A.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 209 A.100KRS 209 A.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 neglected<sup>1</sup>, 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.<sup>2</sup>

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 parent<sup>1</sup> and shall provide the Cabinet access to a child subject to an investigation without parental consent.<sup>1</sup>

Formatted: lsba normal

Formatted: lsba normal

**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 at 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.

Formatted: lsba normal

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.

Formatted: lsba normal

Formatted: Font: Bold, Not Superscript/ Subscript

**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.

Formatted: lsba normal



STUDENTS

09.227  
(CONTINUED)

Child Abuse

REFERENCES:

<sup>1</sup>KRS 600.020 (1)(15)

<sup>2</sup>KRS 620.030; KRS 620.040

<sup>3</sup>OAG 85-134; OAG 92-138

KRS 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 620.116

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:

09.1254; 09.3.00.31; 09.42811; 09.4361; 10.5

Formatted: Font: Bold

LEGAL CHANGES TO 702 KAR 7:065 ADD A REQUIREMENT THAT COACHES AT THE MIDDLE 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

### Safety (Athletics)

~~The Superintendent shall develop procedures to ensure 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. The Principal shall be responsible for the safety of all playground and athletic equipment purchased or donated for use in curricular or extracurricular athletic programs.~~

Formatted: ksb normal

#### SUPERVISION

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

At every football or basketball contest between two (2) county teams, the Principal or the Principal's designee from each school shall be present.

#### 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.<sup>1</sup>

~~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 is required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation, which shall include, but not limited to, the following:~~

Formatted: Default Paragraph Font

- ~~6. Information on the physical and emotional development of students of the ages with whom the nonfaculty coach and nonfaculty assistant will be working;~~
- ~~7. The District's and school's discipline policies;~~
- ~~8. Procedures for dealing with discipline problems; and~~
- ~~9. Safety and first aid training and providing the school documentation of successful completion of a CPR 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.<sup>2</sup>~~

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Formatted: Space After: 3 pt, No bullets or numbering

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font, Superscript

Recommend removing this language as it creates a ministerial duty not required by law.

**Safety (Athletics)****TRAINING (CONTINUED)**

Non-faculty coaches and non-faculty 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 the first aid training. Follow-up training shall be provided annually.<sup>1</sup>

**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.<sup>1</sup>

**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 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.

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.

**SAFETY AND SECURITY**

The Principal of each school shall meet with the Division of Safety and Security personnel at the beginning of each school year to develop procedures to promote the safety and control of spectators and participants before, during, and after athletic contests. The host school is responsible for providing safety and security for athletic contests.

Facilities used for practices and athletic competitions should be checked daily for safety and health hazards.

**MEDICAL EXAMINATION**

Each student seeking eligibility to participate in any school athletic activity must pass an annual medical examination performed and signed by a medical practitioner as required by law.<sup>1</sup>

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.<sup>1</sup>

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Formatted: kbsa normal

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

STUDENTS

09.311  
(CONTINUED)

Safety (Athletics)

REFERENCES:

- <sup>1</sup>KRS 160.445
- <sup>2</sup>KRS 156.070
- <sup>3</sup>KRS 161.185
- <sup>4</sup>702 KAR 7.065

RELATED POLICIES:

- 03.1161
- 05.2111

- Formatted: Superscript
- Formatted: Space After: 6 pt
- Formatted: kba normal
- Formatted: sideheading
- Formatted: kba normal

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

### 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)

Formatted: Font: Bold

#### **RELATED POLICIES:**

09.11

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**

#### **PUPILS**

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

#### **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 action<sup>1</sup> 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.

A written report of violent acts is to be submitted to the Superintendent or designee.

#### **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**

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.

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.

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 forms 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 on a continuing basis with a student who has 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.

The Board does recognize in rare and limited cases, legitimate acts of self defense do occur and in those instances, the student who is acting to defend his or her person from an unprovoked attack should not be automatically considered in violation of this policy.

**REFERENCES:**

<sup>1</sup>KRS 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 525.080; KRS 620.030  
702 KAR 5:080

Formatted: ksb normal, Small caps

Formatted: polycytext

Formatted: Not Highlight

Formatted: Space After: 6 pt

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Not Bold

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

Formatted: Font: Not Bold

Formatted: Font: Not Bold



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.<sup>1</sup>

#### 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:

<sup>1</sup>KRS 159.051, KRS 186.470  
601 KAR 13:070, ~~701 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.<sup>1</sup>

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<sup>2</sup> and shall provide the cabinet access to a child subject to an investigation without parental consent.<sup>3</sup>

Formatted: List123, Numbered + Level: 1 + Numbering  
Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at:  
0.4" + Indent at: 0.65"

#### **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:**

<sup>1</sup>OAG 76-129

<sup>2</sup>OAG 85-134, OAG 92-138

<sup>3</sup>KRS 620.072

Formatted: Reference

#### **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.

To provide a safe and secure learning environment, visitors shall abide by the following:

1. ALL VISITORS must enter through designated doors identified by the schools.
2. Visitors shall immediately report to the Main Office.
3. Visitors shall sign in and state the purpose of the visit and receive a visitor's pass on approval from the Principal. (ALL VISITORS MUST WEAR A VISITOR'S PASS IN A VISIBLE AREA.)
4. Visits to classroom must be scheduled in advance unless authorized by the Principal/designee.
5. Students are not permitted to bring guests or visitors to school without permission from the Principal.
6. Visits should be related to the need(s) of the child.

### REGISTRANTS

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

A registrant is defined as:

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

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

1. To pick up or drop off their child each day.

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

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

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

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

**OTHER RESTRICTIONS**

Guests or visitors of students are not allowed at school without permission from the Principal. In addition, no salespersons or peddlers shall come onto school property without prior approval of the Superintendent/designee.

Visitors shall not enter classrooms unless they have the prior consent of the Principal/designee.

**CONDUCT/PROHIBITION ON RECORDING**

All visitors to the schools shall 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).

**Visitors to the Schools****CONDUCT/PROHIBITION ON RECORDING (CONTINUED)**

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.

**ATTIRE**

Visitors shall observe the community standards of acceptable dress and, before entering the schools, wear attire that neither disrupts the educational process nor poses a health or safety threat to themselves or the students/staff.

**TOBACCO PRODUCTS PROHIBITED**

The use of any tobacco product in all Board owned buildings and vehicles is strictly prohibited. The use of any tobacco product on all other Board owned property is prohibited except during events, performances, activities and meetings scheduled after school hours and to which the public is either invited or otherwise entitled by law to attend.

The use of tobacco products, when permitted on Board property shall be only in outside areas designated by the school Principal/designee, school council, or Superintendent/designee, as appropriate. Tobacco product use areas including, but not limited to, such areas at outside athletic complexes, should be designated in isolation from public view and at least 25 (twenty-five) feet but not more than 100 feet away from entry/exit areas to minimize health issues for students, employees and visitors. Receptacles for used tobacco products shall be provided in the designated areas.

Outside athletic complexes shall have a designated tobacco use area within the complex so that readmission issues do not detract from the administration of the event or cause additional admission charges for visitors. The policy and the location of the designated tobacco product use area(s) must be announced at the start of all public events, performances, activities and meetings and at half times or at breaks, as applicable by the school Principal/designee or Superintendent designee.

**ACCOMMODATION**

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

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

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

## COMMUNITY RELATIONS

10.5  
(CONTINUED)

### 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.

Formatted: Space After: 6 pt

#### **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 91-13P, 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  
32 U.S.C., 12101 et seq., Americans with Disabilities Act  
Section 504 of the Rehabilitation Act of 1972**

#### **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

Formatted: lsba normal

Formatted: lsba normal

Formatted: lsba normal

Formatted: lsba normal

EXPLANATION CONSIDER REVISION TO CLARIFY WAIVERS DO NOT APPLY TO  
EXTRACURRICULAR ACTIVITIES.  
FINANCIAL IMPLICATIONS NONE ANTICIPATED

DRAFT 5.9.17

Formatted: Centered

STUDENTS

09.15

### Student Fees

#### INSTRUCTIONAL FEES

Fees are to be used only for the purchase of resources directly related to the instructional program.

#### BOARD APPROVAL REQUIRED

All student fees and charges shall be adopted by the Board, including any student activity fees or membership dues. Approved fees shall remain in place until modified or removed by Board resolution.

Fees collected for a specific purpose shall be used for that purpose only.

#### ADDITIONAL FEES

Additional fees may be required in classes that use consumable items, for items which are to remain the student's property, and for use of school equipment.

#### INABILITY TO PAY

No child shall be denied full participation in any educational program due to an inability to pay for, or rent, necessary instructional resources.<sup>1</sup>

#### ATHLETIC PROGRAM

Any student who cannot afford to furnish items of athletic equipment normally provided by the student shall not be prohibited from sports participation.

The school shall assist the student in acquiring the equipment however waiver of fees does not apply to extracurricular activities.

No student shall be required to attend nor be charged for his/her attendance in any camp, clinic, etc. as a prerequisite for full participation in or completion of any regular school athletic program in grades kindergarten through twelve.

#### WAIVER OF FEES

The Superintendent shall recommend and the Board shall approve a process to waive fees for students who qualify. At the beginning of the school year or at the time of enrollment all students who qualify shall be given clear and prominent written notice of the fee waiver provisions. The written notice of the fee waiver process shall include a form that parents may use to request waiver of fees. Mandatory waiver of fees for qualifying students shall be accomplished in compliance with applicable statutory and regulatory requirements.

#### REFERENCES:

<sup>1</sup>KRS 158.108

KRS 160.330

702 KAR 3:220; 704 KAR 3:455

Accounting Procedures for Kentucky School Activity Funds

#### RELATED POLICY:

08.232