

- CERTIFIED PERSONNEL -**American Sign Language Proficiency and Assessment****MINIMUM PROFICIENCY REQUIREMENTS**

The Commissioner/Designee shall set the minimum proficiency requirements for American Sign Language (ASL) for all employees at Kentucky School for the Deaf (KSD), including timelines for employees to meet or exceed the minimum ASL proficiency requirements for their position. Minimum ASL proficiency requirements shall be based on the duties and responsibilities for each position classification.

ASSESSMENT

KSD Employees shall undergo a formal assessment to determine ASL proficiency—the Sign Language Proficiency Interview (SLPI)—to determine proficiency. The Commissioner/Designee shall establish procedures for the routine assessment of all employees at KSD. Assessment procedures shall not require any employee who failed to achieve the minimum ASL proficiency requirement for his/her position classification to undergo the formal ASL assessment SLPI more than one time every thirty (30) calendar days. Employees at KSD who meet or exceed the minimum ASL proficiency requirements for his/her position classification shall not be required to undergo the formal ASL assessment SLPI more than one (1) time each school year. All employees at KSD shall undergo the formal ASL assessment—SLPI at least one (1) time every two (2) school years. Formal ASL SLPI assessments shall be administered at no cost to employees of KSD.

NOTICE TO EMPLOYEES

Vacancy announcements for all positions at KSD shall include the minimum ASL proficiency requirement, including the timeline provided to the employee to meet or exceed the minimum proficiency requirement. Procedures established by the Commissioner/Designee shall be available for inspection by employees in the KSD human resources office during normal business hours.

EMPLOYEE DEVELOPMENT

The Commissioner/Designee shall establish procedures for the assistance of KSD employees who fail to meet or exceed the minimum ASL proficiency requirements for their position classification. The procedures shall include providing notice to employees of ASL development opportunities, requiring ASL courses, and potential disciplinary actions for failure to meet or exceed the minimum ASL proficiency requirements.

INTERPRETER ASSIGNMENT FOR INSTRUCTION

The Commissioner/Designee shall establish procedures for the assignment of ASL interpreters to KSD ~~employees—teachers~~ while delivering instruction. The procedures shall set forth the minimum formal ASL SLPI assessment ~~scoring~~ required of KSD employees to deliver instruction without an ASL interpreter. The procedures shall also provide for the phased release of ASL interpreters when ~~employees—teachers~~ meet the minimum formal ASL—SLPI assessment ~~rating—score~~ required to deliver instruction without an ASL interpreter. Said phased release shall not be less six (6) weeks.

Formatted: policytext+right

- CLASSIFIED PERSONNEL -**American Sign Language Proficiency and Assessment****MINIMUM PROFICIENCY REQUIREMENTS**

The Commissioner/Designee shall set the minimum proficiency requirements for American Sign Language (ASL) for all employees at Kentucky School for the Deaf (KSD), including timelines for employees to meet or exceed the minimum ASL proficiency requirements for their position. Minimum ASL proficiency requirements shall be based on the duties and responsibilities for each position classification.

ASSESSMENT

KSD Employees shall undergo a formal assessment the Sign Language Proficiency Interview (SLPI) to determine ASL proficiency. The Commissioner/Designee shall establish procedures for the routine assessment of all employees at KSD. Assessment procedures shall not require any employee who failed to achieve the minimum ASL proficiency requirement for his/her position classification to undergo the formal ASL assessment-SLPI more than one time every thirty (30) calendar days. Employees at KSD who meet or exceed the minimum ASL proficiency requirements for his/her position classification shall not be required to undergo the formal ASL assessment-SLPI more than one (1) time each school year. All employees at KSD shall undergo the formal ASL assessment-SLPI at least one (1) time every two (2) school years. Formal ASL-SLPI assessments shall be administered at no cost to employees of KSD.

NOTICE TO EMPLOYEES

Vacancy announcements for all positions at KSD shall include the minimum ASL proficiency requirement, including the timeline provided to the employee to meet or exceed the minimum proficiency requirement. Procedures established by the Commissioner/Designee shall be available for inspection by employees in the KSD human resources office during normal business hours.

EMPLOYEE DEVELOPMENT

The Commissioner/Designee shall establish procedures for the assistance of KSD employees who fail to meet or exceed the minimum ASL proficiency requirements for their position classification. The procedures shall include providing notice to employees of ASL development opportunities, requiring ASL courses, and potential disciplinary actions for failure to meet or exceed the minimum ASL proficiency requirements.

Formatted: policytext+right

Bus Drivers' Responsibilities

All bus drivers shall meet the qualifications of and be in compliance with the responsibilities noted in Kentucky Administrative Regulations.¹

WALKTHROUGH AT END OF RUN

Bus drivers shall conduct a walkthrough of their buses at the end of each run to ensure that all students have disembarked at their designated stops.

DISCIPLINARY ACTION

Bus drivers who fail to observe/perform their responsibilities shall be subject to appropriate disciplinary action.

REFERENCES:

¹ 702 KAR 5:080; 702 KAR 5:150

KRS 189.370

KRS 189.375

KRS 189.380

KRS 189.450

KRS 189.540

KRS 189.550

KRS 281A.175

KRS 281A.205

Regular Bus Stops**DISCHARGE OF PUPILS**

The bus driver shall discharge pupils at their regularly scheduled stops only, except with written authorization from the Principal to discharge a pupil at another location.¹ Preschool students shall be transported in accordance with applicable regulations.²

The Principal shall have authorization from a child's parents before permitting discharge at a location other than the regular stop.

EXCEPTION

The driver may discharge a pupil for disciplinary reasons in accordance with Policy 06.34 of this manual and with 702 KAR 5:080.¹

REFERENCES:

¹702 KAR 5:080

²702 KAR 5:150

KRS 158.110

KRS 189.370

KRS 189.375

KRS 189.540

Conduct on Bus

PRINCIPAL RESPONSIBLE

The Principal shall oversee the department of students who ride on the school bus and who walk to and from the school.

REPORTING OF VIOLATIONS

Bus drivers shall promptly report any violation of ~~District~~ KSB/KSD policy or school rules to the Principal.

DISCHARGE OF PUPILS FROM BUS

Drivers are in charge of their buses, and their first responsibility shall be to the safe transportation of their passengers. In the event that one or more pupils are behaving in a threatening or violent manner or in such a way as to endanger the safety of other pupils on the bus, ~~the driver shall stop the bus and contact the bus garage or Superintendent's~~ Commissioner's designee to send someone to pick up the student or, if the behavior warrants, the driver shall call law enforcement. ~~If calls for assistance are unsuccessful, the driver is authorized to order the offending student from the bus if the student is in the sixth (6th) grade or above. In the event a pupil is discharged for disciplinary reasons, the driver shall make every effort to do so near a house or open business establishment.~~ At the first reasonable opportunity, the driver shall notify the Principal of the school where the pupil attends or the ~~Superintendent~~ Commissioner's designee and the student's parent or legal guardian.¹

WITHHOLDING OF RIDING PRIVILEGES

The Principal is authorized to withhold bus-riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The Principal shall notify the parents in cases where bus-riding privileges have been withheld.

The ~~Superintendent~~ Commissioner or the ~~Superintendent's~~ Commissioner's designee may withhold bus-riding privileges up to the remainder of the school year.

RESTITUTION OF DAMAGES

The parents or guardians may be held responsible for restitution of any damages, beyond normal usage, inflicted by their child.

STUDENTS WITH SPECIAL NEEDS

Students with **special needs** who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) **and/or 504 Plan** and the legal obligations and standards adopted by the Board.²

REFERENCES:

¹KRS 158.150; 702 KAR 5:080

²Individuals with Disabilities Education Improvement Act of 2004; Section 504 of Rehabilitation Act of 1973

KRS 158.110; **KRS 160.705**; 702 KAR 5:100

RELATED POLICIES:

09.226, 09.425, 09.434

Hazards in and on Bus

PROHIBITED ITEMS

Passengers shall not bring an object on the school bus that may block the bus aisles or exits.

A driver shall not knowingly permit any of the following to be transported on the bus:

1. Firearms or weapons, either operative or ceremonial;
2. Fireworks or other explosive materials of any type;
3. Live animals; **Note:** animals **that are not a risk to other bus riders and that are necessary** to enable a person to safely utilize the bus transportation as documented by adequate medical evidence, **or required by** a student's Individual Education or **Section 504 Plan, or a service animal shall be allowed on the bus.**
4. Preserved specimens that would likely frighten a pupil or cause a commotion on the bus; or
5. Glass objects or helium balloons.

REFERENCES:

KRS 158.110

702 KAR 5:080

702 KAR 5:150

Individuals with Disabilities Education Improvement Act of 2004

Section 504 of Rehabilitation Act of 1973

Americans with Disabilities Act

Bus Scheduling and Routing**RESPONSIBILITY**

The ~~KSB/KSD~~ ~~Superintendent or designee~~ shall be responsible for scheduling and routing all buses in keeping with applicable statutes and regulations. This shall include a system of notifying parents, pupils, and drivers of bus schedules and routes and, for those schools serving breakfast, arranging bus schedules so that buses arrive in sufficient time to provide breakfast prior to the student attendance day.

Buses shall be routed only on public roads which are safe for bus travel.

REGULAR ROUTE VEHICLES

Except in cases of emergencies or for the transportation of students with disabilities, only school buses as defined by applicable statute and administrative regulation shall be used for transporting students to and from school along regular bus routes.

REFERENCES:

KRS 156.153
KRS 158.070
KRS 158.110
702 KAR 5:030

Maintenance**INSPECTION**

At least once each month when school is in session, all school buses shall be thoroughly inspected and road-tested by a state-approved inspector to ensure satisfactory mechanical conditions. Any safety defects found shall be repaired before the bus is placed back into operation.

REPORTING DEFECTS

~~The Superintendent~~ **KDE** The Commissioner/designee shall develop rules and regulations for the reporting of mechanical defects of school buses, by their drivers, and for the repair of such defects.

REFERENCES:

KRS 158.110
702 KAR 5:030
702 KAR 5:130

Authority for Use of Buses**APPROVAL FROM SUPERINTENDENT**

Any use of school buses beyond the daily routing schedules will require approval from the Commissioner or the Commissioner's designee ~~KDE the Superintendent or the Superintendent's designee.~~

REFERENCES:

KRS 157.370
KRS 158.110
702 KAR 5:030

RELATED POLICIES:

06.5
09.36

Eligibility for Transportation**DISTANCE LIMITATION**

Pupils shall be eligible to be transported to and from school if they reside more than one (1) mile, by the nearest traveled road or street, from the school to which they are assigned. If traffic or other safety conditions make walking to school extremely hazardous, pupils shall be eligible for transportation without regard to the distance to their school.

A student's local school district of resident shall be responsible for providing transportation to and from KSB/KSD on a regularly scheduled basis in accordance with the requirements set forth in KRS 157.280. Transportation of the student shall be by the student's local school district of residence, or in cooperation with other local school districts.

PRESCHOOL TRANSPORTATION

Students attending preschool programs of the ~~KSB/KSD~~KSD District shall be transported in accordance with the provisions of 702 KAR 5:150 and other appropriate laws and regulations.

MODIFICATION

The Kentucky Board of Education reserves the right to modify the one-mile distance limitation where conditions make it advisable to include certain geographic, subdivision, or neighborhood areas.

REFERENCES:

KRS 157.280; KRS 158.110; KRS 158.115
702 KAR 5:020; 702 KAR 5:030
702 KAR 5:110 (Vocational Pupils)
702 KAR 5:120; 702 KAR 5:150
OAG 80-390; OAG 82-392; OAG 83-294

Bus Drivers' Use of Tobacco and Other Substances**TOBACCO PRODUCTS**

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

DEFINITIONS

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

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

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

USE PROHIBITED

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

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

REQUIRED REPORTS

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

TESTING

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

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

Formatted: ksba bold

Formatted: Font: Bold

Formatted: ksba bold

Formatted: ksba bold

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

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

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

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

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

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

TESTING COSTS

Pre-employment drug testing costs shall be paid for by the ~~District~~ **KSB/KSD**. All current employee drug and alcohol testing including reasonable suspicion, random and post-accident testing costs shall be paid for by the ~~District~~ **KSB/KSD**.

Formatted: ksba bold

Formatted: ksba bold

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

~~The Superintendent/designee~~ shall distribute educational materials to explain state and federal legal requirements for alcohol and controlled substance testing of CDL drivers and the ~~District~~ **KSB/KSD's** policies and procedures to implement it and answer questions about the materials. Materials shall meet content requirements of state and federal regulations and shall be distributed to each driver prior to the start of alcohol and controlled substances testing each year and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle. Each employee is required to sign a statement certifying that s/he has received a copy of these materials. If the ~~District~~ **KSB/KSD** recognizes an organization to represent bus drivers, the ~~District~~ **KSB/KSD** shall provide written notice to representatives of the organization of the availability of this information.¹

Formatted: ksba bold

Formatted: ksba bold

Formatted: ksba bold

Formatted: ksba bold

REFERENCES:¹49 C.F.R. Part 382²702 KAR 5:080

KRS 438.050

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

RELATED POLICIES:

03.11; 03.13251; 03.17

03.21; 03.23251; 03.27

Driver and Substitute Driver Training**SUPERINTENDENT KSB/KSD RESPONSIBILITY**

The ~~Superintendent~~ **KSB/KSD** shall be responsible for providing the annual required in-service school bus driver training in accordance with 702 KAR 5:030 and 702 KAR 5:080.

All training requirements include both regular and substitute drivers.

COMMERCIAL DRIVER'S LICENSE

The ~~Kentucky Board of Education~~ **KSB/KSD** may pay the fee for the commercial driver's license required for all bus drivers and substitute bus drivers. Any license certification beyond what is required to drive school buses must be paid for by the individual.

REFERENCES:

702 KAR 5:030
702 KAR 5:080
702 KAR 5:010
KRS 189.370
KRS 189.375
KRS 189.380
KRS 189.450
KRS 189.540
KRS 189.550
KRS 189.580
KRS 189.635

Inclement Weather**CLOSING SCHOOLS**

~~The Superintendent or designee~~ KDE The Commissioner/designee has the authority to close schools when weather or other emergency conditions would make operating the school bus fleet or otherwise transporting students unsafe.

SYSTEM OF NOTIFICATION

~~The Superintendent or designee~~ KDE KSB/KSD shall devise a system for notifying parents, pupils, teachers, and other employees when it becomes necessary to close schools because of emergency conditions.

REFERENCES:

KRS 158.110
KRS 160.310
702 KAR 5:030

RELATED POLICY:

08.33

Insurance

LIMITS

The Commissioner/designee KDE~~The Superintendent~~ shall recommend to the Kentucky Board of Education, after consulting with the proper officials within the Department of Education, the appropriate limits of liability insurance for all KSB/KSD~~Board~~-owned vehicles. **KSB/KSD shall comply with all statutes and administrative regulations governing insurance requirements for state fleet vehicles and school buses.**

Formatted: ksba bold

Formatted: ksba bold

REFERENCES:

KRS 160.310
702 KAR 5:130

Purchase**SPECIFICATIONS**

The Kentucky Board of Education requires that school buses purchased for use meet all Kentucky statutory requirements and all Kentucky State Department of Education specifications established for school buses at the time of purchase.

Procurement of school buses purchased for KSB/KSD shall be in accordance Policy 04.0.

KSB/KSD may enter into contracts with local school districts or other organizations for the provision of transportation services to students. Any contract for the provision of transportation services shall ensure compliance with all KSB/KSD policies related to transportation, as well as all applicable statutes and regulations for the transportation of public school students.

RETIREMENT

Every effort shall be made to retire buses from regular service when the amount calculated for annual depreciation under state regulations reaches zero (0) percent of the state bid price.

REFERENCES:

KRS 158.110
KRS 156.152
KRS 156.153
KRS 156.154
702 KAR 5:020
702 KAR 5:060
702 KAR 5:130

Bus Fleet**PUBLIC SCHOOL STUDENTS**

~~The Board~~**KDE** owns and operates the bus fleet exclusively for the transportation of public school pupils to and from the public schools or such other state institutions that may be required and for such other educational purposes as the **Kentucky Board of Education** may deem advisable.

REFERENCES:

KRS 156.153
KRS 157.370
KRS 158.110
KRS 158.115
702 KAR 5:060
OAG 80-390
OAG 82-392
OAG 83-294

RELATED POLICY:

09.36

Fuel and Equipment**PROCEDURES FOR ACQUIRING**

When drivers assume the duties of the position, ~~the Superintendent~~ KDEKSB/KSD shall furnish to each bus driver and other users of ~~Board~~ KDE-owned vehicles the procedure and place for acquiring fuel, oil, maintenance, and repairs, both on a regular and an emergency basis.

REFERENCES:

KRS 158.110

702 KAR 5:030

Transportation

The transportation program is a ~~District-wide~~ function administered by ~~the Superintendent/designee~~ KDE Commissioner/designee in keeping with the Kentucky Board of Education policies and ~~District~~ procedures.

IMPLEMENTATION OF SYSTEM

~~The Superintendent~~ KDE The Commissioner/designee shall develop and administer the necessary administrative procedures to implement the pupil transportation system, subject to review by the Kentucky Board of Education and consistent with 702 Kentucky Administrative Regulations, Chapter 5.¹

REFERENCES:

- ¹ 702 KAR 5:010
702 KAR 5:020, 702 KAR 5:030
KRS 158.110; KRS 158.115

Use of Buses by Outside Groups

The Kentucky Board of Education may, at its discretion, enter into contracts to lease ~~KSB/KSDB~~Board-owned vehicles to outside groups or individuals. Such lease agreements shall include the following express conditions:

1. School buses may be used only when they are not being used for school purposes. They shall not be used at any time that may conflict with their availability for school use.
2. School buses shall only be leased or rented in exchange for reasonable and adequate compensation.
3. Groups or individuals contracting for the use of school buses shall show evidence of insurance sufficient to cover all liability and losses of all persons who might reasonably be held responsible including the members of the Kentucky Board of Education and the ~~KSB/KSDDistrict~~Board. The Kentucky Board of Education and KSB/KSD shall be listed as an additional insured.
4. The groups or individuals using the vehicle or vehicles shall carry adequate collision insurance to cover the value of said vehicle or vehicles.

REFERENCES:

KRS 160.305
OAG 75-643

RELATED POLICY:

06.14

Formatted: ksba bold

Formatted: ksba bold

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: 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

03.11

- CERTIFIED PERSONNEL -

Hiring

PRINCIPAL'S RESPONSIBILITIES

All appointments, promotions, and transfers of certified personnel for positions authorized by the Commissioner/Designee shall be made by the Commissioner/Designee.

When a vacancy occurs, the Kentucky Department of Education 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 KSB/KSD, the Principal 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 Commissioner/Designee 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 Commissioner/Designee. Certified employees may be appointed by the Commissioner/Designee for any school year at any time after February 1 next preceding the beginning of the school year.

QUALIFICATIONS

The Commissioner/Designee 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.

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

All teachers shall meet applicable certification or licensure requirements as defined by state and federal regulation.³

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING

Applicants, employees, and student teachers assigned within KSB/KSD shall undergo records checks and testing as required by applicable statutes and regulations.¹

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".¹

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."

Formatted: Normal, Justified, Space After: 4 pt

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 Commissioner/Designee 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.

JOB REGISTER

The Commissioner or the Commissioner's designee shall maintain in the school human resources office a job register listing all current job openings at KSB/KSD. The register shall describe the duties and qualifications for each opening, and school employment policies shall be attached to the register. The job register shall be open to public inspection during school office business hours.

Hiring

VACANCIES POSTED

Under procedures developed by the Kentucky Department of Education, a listing of all KSB/KSD job openings shall be posted in the school human resources office 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 at KSB/KSD, the Commissioner/Designee shall conduct a search to locate minority candidates to be considered for the position.

REVIEW OF APPLICATIONS

Under procedures developed by the Kentucky Department of Education, each application shall be reviewed and each applicant so notified upon initial application. Applications for candidates not employed shall be retained for three (3) years.

RELATIONSHIPS

The Commissioner/Designee shall not employ a relative of a member of the Board unless the relative was initially employed by KSB/KSD 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 KSB/KSD;
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.¹

A relative of the Commissioner 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 KSB/KSD.

JOB DESCRIPTION

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

INTENT

Under procedures developed by the Commissioner/Designee, employees may be requested to indicate their availability for employment for the next school year.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

Each year all full-time and part-time certified employees shall be notified in writing by the last day of school if they have reasonable assurance of continued employment for the following school year.

Certified employees assigned extra duties such as coaching shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.

Formatted: Space After: 6 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

PERSONNEL

03.11
(CONTINUED)

Hiring

EMPLOYEES SEEKING A JOB CHANGE

Other than the routine transmission of administrative and personnel files, KSB/KSD 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 20 U.S.C. 7926.

Formatted: Space After: 6 pt

REFERENCES:

¹KRS 160.380

²KRS 161.605; 702 KAR 1:150

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

20 U.S.C. 7926; 42 U.S.C. § 9843a(g)

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

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

16 KAR 9:080; 702 KAR 3:320; 704 KAR 7:130

Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 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 Commissioner/Designee 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 Commissioner/Designee 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 Human Resources Office and is kept current at all times.

NOTICE TO PARENTS OF TEACHER'S QUALIFICATIONS/CERTIFICATION

If the school receives Title I funds, the KSB/KSD shall notify parents of students attending the school annually that they may request the KSB/KSD to provide information regarding the professional qualifications of their child's classroom teachers. In complying with such requests, the KSB/KSD 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 Commissioner/Designee the course description for proposed new or revised elective courses, with a proposal for certification requirements for teachers of the course for approval by the Commissioner/Designee.

In determining certification requirements for elective courses, the Commissioner/Designee 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)

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 -

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~~KSB/KSD, 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.²

Nonfaculty coaches and nonfaculty assistants shall complete ~~District~~KSB/KSD 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~~KSB/KSD discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.¹

REFERENCES:

- ¹KRS 161.185
- ²702 KAR 7:065
- KRS 156.070
- KRS 160.445
- KRS 161.180

RELATED ~~POLICY~~POLICIES:

- 03.2141
- 09.311

Formatted: ksba normal, Font: Not Bold

Formatted: ksba normal, Font: Not Bold

Formatted: ksba normal

Formatted: ksba normal

Formatted: Font: Bold

Formatted: Superscript

Formatted: Superscript

LEGAL: HB 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 adopted by the Kentucky Department of Education pursuant to KRS 163.032.

Although a school may submit a request for an increment for an extended employment position, extra service, or related adjustments, the Kentucky Department of Education 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 KSB/KSD 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 approval by the Commissioner/Designee before the change goes into effect.

EXTRA SERVICES, SUPPLEMENTS AND SUPERVISION

The Kentucky Department of Education 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 Commissioner/Designee shall direct the Principal to validate all experience of professional personnel employed in the KSB/KSD.

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 Commissioner/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.

Salaries**PAYROLL DISTRIBUTION**

Checks will be issued according to a schedule approved annually by the Kentucky Department of Education and Kentucky Personnel Cabinet. ~~The District~~ KSB/KSD 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.

QUALIFICATIONS

Employees shall be responsible for providing the Principal 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 Principal shall notify all certified personnel of the best estimate of the salary for the coming year.

PAYROLL DEDUCTIONS

All payroll deductions, including those specified by KRS 161.158 and Board ~~p~~Policy 03.1211 shall be subject to all applicable statutes, regulations and policies of the Kentucky Personnel Cabinet.

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 161.158; KRS 161.168; KRS 161.760
KRS 163.032
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 Kentucky Department of Education 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.;
5. Medicare (FICA), for employees newly hired after 3/31/86.

OPTIONAL DEDUCTIONS

The following optional payroll deductions are authorized by the Kentucky Department of Education for those employees who choose to participate:

1. State approved health/life insurance program;
2. State approved credit union;
3. State approved deferred compensation plan;
4. Kentucky Employees Charitable Campaign;
5. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
6. Optional insurance companies and employee organizations as approved by the Kentucky Personnel Cabinet's Payroll Deduction Program.

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.

No other payroll deductions shall be made by the Kentucky Department of Education.

REFERENCES:

KRS 160.291; KRS 161.158
KRS 336.134
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

03.13253

- 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's ~~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 Principal shall recommend for approval by the Kentucky Department of Education ~~a~~ personnel evaluation system, for all certified employees, which is in compliance with and which shall be implemented consistent with applicable statute and regulation.¹

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 KSB/KSD 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 KSB/KSD shall report to KDE 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.²

Evaluation**APPEAL PANEL**

The KSB/KSD shall establish a panel to hear appeals from summative evaluations as required by law.¹

ELECTION

Two (2) members of the panel shall be elected by and from the certified employees of the KSB/KSD. Two (2) alternates shall also be elected by and from the certified employees, to serve in the event an elected member cannot serve. The Commissioner/Designee 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 one (1) year and run 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 Commissioner/Designee.

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 KSB/KSD evaluation committee. The form shall state that evaluation records may be presented to and reviewed by the panel.

CONFLICTS OF INTERESTS

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.

Evaluation**HEARING**

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

PANEL DECISION

The panel shall deliver its decision to the Commissioner/Designee, 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 Commissioner/Designee.

COMMISSIONER/DESIGNEE

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

REVISIONS

The Principal shall submit proposed revisions to the evaluation plan to the Kentucky Department of Education for its review to ensure compliance with applicable statute and regulation.

REFERENCES:

¹KRS 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:

²03.15³ 03.16³ 02.14

LEGAL: THE "EVERY STUDENT SUCCEEDS ACT OF 2015 (P. L. 114-95)" 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 KSB/KSD 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 Principal or designee and in conjunction with each school, the Principal or designee shall facilitate the development and implementation of this program for all certified employees.

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

The program shall be designed;

1. to help achieve student capacities established by KRS 158.645 and goals established by KRS 158.6451;
2. to support the KSB/KSD'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 KSB/KSD Comprehensive Improvement Plan, ESSA requirements, and teacher growth plans.

SCHOOL RESPONSIBILITIES

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

DOCUMENTATION

The KSB/KSD 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 KSB/KSD policy, failure to complete and document the required hours of professional development during the academic 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. 114-95 \(Every Student Succeeds Act of 2015\)](#)

RELATED POLICIES:

03.1911; 09.22

Formatted: Space After: 6 pt

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

03.2141

- 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.²

Formatted: Tab stops: Not at 0.25"

Nonfaculty coaches and nonfaculty assistants shall complete ~~District's~~ school 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.¹

Formatted: ksba normal

Formatted: ksba normal, Superscript

Formatted: Justified

Formatted: Font: Not Bold, Superscript, Not Small caps

REFERENCES:

¹KRS 161.185

²702 KAR 7:065

KRS 156.070

KRS 160.445

KRS 161.180

~~KRS 161.185~~

RELATED ~~POLICY~~ POLICIES:

03.1161

09.311

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 209A100
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

04.92

Uniform Guidance

Federal funds received by the ~~District~~KSB/KSD are to be administered and federally funded personnel expenses documented¹ in accordance with applicable Uniform Grant Guidance requirements¹

REFERENCES:

¹2 C.F.R 200.430(i)

2 C.F.R. Part 200

RELATED POLICIES:

01.11

08.1345

Formatted: ksba normal

Formatted: Space After: 6 pt

Formatted: ksba 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 KDE 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 KSB/KSD school District.

Formatted: ksba normal

Formatted: ksba normal

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 which are owned or leased by the Commonwealth or a local school district, 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

Child Safety Restraint Systems shall be utilized for preschool Head Start students being transported using ~~District~~ vehicles owned or leased by the Commonwealth or a local school district in compliance with guidelines established by the National Highway Traffic Safety Administration.

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](#)

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

MEALS

Lunchrooms shall serve meals that meet or exceed the requirements specified by state and federal regulations.

MEAL CHARGES

All parents shall be provided the written meal charge policy at the beginning of each school year or upon enrollment in the KSB/KSD 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.

When a student accumulates more than three (3) meal charges, the Principal/ designee shall initiate the established collection process to include notification of parents and appropriate follow-up. 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~~ KSB/KSD Attorney.

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

Students shall not be permitted to charge a la carte items, nor shall adults be permitted to charge meals or a la carte items.

FOOD SERVICE/SCHOOL NUTRITION DIRECTOR

The KSB/KSD shall appoint/select a Food Service/School Nutrition Director to oversee and manage the school nutrition service program.

DISCRIMINATION COMPLAINTS

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

In compliance with state and federal requirements, the Principal/designee shall develop a process to address complaints of alleged discrimination in the delivery of benefits or services in the KSB/KSD's school nutrition program, whether received in written or verbal form. KSB/KSD 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~~ school for students transferring in mid-year.

REFERENCES:

KRS 156.160; KRS 156.502

KRS 158.852; KRS 158.856; KRS 160.290

702 KAR 006:010; 702 KAR 006:050; 702 KAR 006:075; 702 KAR 006:090

7 C.F.R. part 15b; 7 C.F.R. §210.23; FNS Instruction 113

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

P.L. 111-296

Formatted: Font: Bold

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

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 will be installed in the school only at the request of the Principal and subject to approval by the Kentucky Board of Education.

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 regulation. 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.

REFERENCES:

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

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 Principal shall develop and disseminate to the schools a course of study for primary school through twelfth grade that will include minimum statutory and regulatory requirements¹ and additional requirements as specified by the Kentucky Board of Education.

ASSESSMENT OF STUDENT WORK / NONDISCRIMINATION

Consistent with ~~District~~ KSB/KSD 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.²

SYLLABUS

Teachers at all levels 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 Principal/designee.

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

CURRICULUM AND INSTRUCTION

08.11
(CONTINUED)

Course of Study

REFERENCES:

¹704 KAR 3:303

²KRS 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.

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 Kentucky Board of Education. 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: 3 pt

In addition to the credits required by the Kentucky Academic Standards, the Kentucky Board of Education 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 KSB/KSD's standards-based, performance-based credit system that complies with requirements of Kentucky Administrative Regulation. Procedures for 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 KSB/KSD 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 KSB/KSD 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 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.¹

OTHER PROVISIONS

The KSB/KSD 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 KSB/KSD may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

The KSB/KSD, Principal, or teacher may award special recognition to students.

Consistent with the KSB/KSD'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 Principal a request that the KSB/KSD provide them with an alternative high school diploma to replace the certificate of attainment they received at time of graduation.

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.²

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.

REFERENCES:

¹KRS 158.622

²KRS 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; KRS 156.160

20 U.S.C. sec. 1414

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

CURRICULUM AND INSTRUCTION

08.113
(CONTINUED)

Graduation Requirements

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 through the following means.

ONLINE COURSES

High school students may also earn academic credit to be applied toward graduation requirements by completing online courses offered through agencies approved by the Kentucky Board of Education. Credit from an online course may be earned only in the following circumstances:

1. The course is not offered at the high school;
2. Although the course is offered at the high school, the student will not be able to take it due to an unavoidable scheduling conflict that would keep the student from meeting graduation requirements;
3. The course will serve as a supplement to extend homebound instruction;
4. The student has been expelled from the regular school setting, but educational services are to be continued; or
5. The Principal, with agreement from the student's teachers and parents/guardians, determines the student requires a differentiated or accelerated learning environment.
6. Unless otherwise approved by the Principal/designee, students taking such courses must be enrolled in the KSB/KSD and take the courses during the regular school day at the school site.

The KSB/KSD 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.

As determined by school policy, students applying for permission to take an online course shall complete prerequisites and provide teacher/counselor recommendations to confirm the student possesses the maturity level needed to function effectively in an online learning environment. Online courses may be subject to review by the Principal/designee for conformance with Kentucky Academic Standards and KSB/KSD graduation requirements. In addition, the express approval of the Principal/designee shall be obtained before a student enrolls in an online course. The school must receive an official record of the final grade before credit toward graduation will be recognized.

Formatted: No underline

Alternative Credit Options

Provided online courses are part of the student's regular school day coursework and within budgetary parameters, the tuition fee and other costs for an online course shall be borne by the KSB/KSD for students enrolled full-time, from funds that have been allocated to the school. The Principal shall determine, within the budget, whether additional funding shall be granted, based on supporting data provided by the Principal. The ~~Kentucky Board of Education~~ KSB/KSD shall pay the fee for expelled students who are permitted to take online courses in alternative settings.

Through its policies and/or supervision plan, the school shall be responsible for providing appropriate supervision and monitoring of students taking online courses.

DUAL-CREDIT SCHOLARSHIP PROGRAM

~~The District~~ KSB/KSD 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.

REFERENCES:

KRS 158.622

KRS 164.786

RELATED POLICIES:

08.113; 08.2323; 09.1221; 09.3; 09.435

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Normal, Justified, Space After: 6 pt

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font, Font: Italic

Formatted: Default Paragraph Font

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

The Principal/designee shall develop a plan for diagnosing and addressing student academic deficiencies by providing extended school services (ESS) as required by state law.

EXTENDED SCHOOL SERVICES

The KSB/KSD shall provide extended school services consistent with students' intervention plans and goals included as part of individual learning plans, requirements of 704 KAR 003:390, and local plans and procedures.

For students eligible to attend ESS, the KSB/KSD 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 KSB/KSD 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 KSB/KSD may provide extended school services during the regular school day when a waiver for alternative service delivery has been obtained.

DIRECT STUDENT SERVICES

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

The Principal/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 KSB/KSD:

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

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

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

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

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

English as a Second Language**PARENTAL NOTIFICATION (CONTINUED)**

- (h) How the program will help the student meet achievement standards necessary for grade promotion and high school graduation ~~and~~
- (i) Specific exit requirements for students in the program;
- (j) How such program meets the objectives of the individualized education program of the child (in the case of a child with a disability); and
- (k) Information pertaining to parental rights that:
 1. detail the right to have their child immediately removed from such program;
 2. detail the option to decline enrollment of their child in such program or to choose another program or method of instruction if available; and
 - ~~3.~~ assist parents in selection among various programs and methods of instruction if more than one (1) program is offered.

This notification shall be sent as follows:

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

Parents also shall be informed how they can be involved, including how to help the student attain English proficiency, achieve at high levels in core academic subjects, and meet ~~the~~ challenging ~~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 KSB/KSD's language instruction educational programs.
- *Provision of Services* – Once their parent/guardian has received notification, ~~limited English proficient students~~ learners shall be provided services consistent with ~~scientifically based research effective language instruction educational programs and curricular for~~ on 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 KSB/KSD program services. 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, 3302 (20 U.S.C. §7012)
Title VI of the Civil Rights Act of 1964; Equal Educational Opportunities Act of 1974
Title VII of Improving America's Schools Act of 1994
703 KAR 5:070; 704 KAR 3:305; Kentucky Academic Standards
Lau v. Nichols, 414 U.S. 563, 94 S.Ct. 786, 39 L.Ed.2d 1 (1974)
20 U.S.C. § 6318; 34 C.F.R. § 200.28

Formatted: Font: Italic

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

Formatted: Font: Bold, Not Highlight

Formatted: ksba 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~~ KSB/KSD shall implement an advising and guidance process to support development and implementation of an individual learning plan for each student that includes career development and awareness.

CONFIDENTIAL MATERIAL

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

Formatted: ksba normal, Font color: Auto

REFERENCES:

¹KRE 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

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

CONTINUOUS ASSESSMENT

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

NOTICES

The KSB/KSD shall make widely available through public means for each grade served by the KSB/KSD, 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, KSB/KSD-wide required assessments. In posting this notice, the KSB/KSD shall provide the information designated by federal law.

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

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

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:

08.1213;~~08.131;~~ 08.13451; 08.221

09.2;~~09.21~~

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

KSB/KSD 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, KSB/KSD shall establish an equitable method of allocating funds to purchase instructional resources.

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.

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

FEES

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

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

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

RESPONSIBILITY

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

SECTARIAN TEXTS

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

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

Instructional Resources

REFERENCES:

¹KRS 158.108

²KRS 160.330; 702 KAR 3:220

³KRS 158.190

[KRS 156.162](#)

KRS 156.433

KRS 156.439

KRS 157.110; [KRS 158.188](#)

702 KAR 3:246

704 KAR 3:455

RELATED POLICY:

09.15

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

CURRICULUM AND INSTRUCTION

08.5

Program Evaluation

IMPLEMENTATION OF PLAN

The Principal 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 KSB/KSD educational objectives developed and approved by the Board.

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

CALENDAR FOR REVIEW OF EXISTING PROGRAMS

~~At the time it sets its annual calendar of regular meeting dates, the Kentucky Board of Education shall establish a process to review KSB/KSD programs addressing the following aspects:-~~

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

~~The Kentucky Board of Education 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 ~~Kentucky Board of Education~~Commissioner/designee shall review proposals to offer new school and KSB/KSD programs not addressed by the Kentucky Academic Standards. The ~~Kentucky Board of Education~~Commissioner/designee 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 ~~Kentucky Board of Education~~Commissioner/designee on student progress resulting from the new program.

REFERENCES:

KRS 158.645; KRS 158.6451; KRS 158.6453
703 KAR 5:230

RELATED POLICY:

08.222

Formatted: No underline

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: 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. THE CHANGES BELOW REFLECT KRS 159.010.

FINANCIAL IMPLICATIONS: ADDITIONAL STUDENTS MAY REQUIRE ADDITIONAL STAFFING AND RESOURCES

STUDENTS

09.111

Transfers and Withdrawals

TEACHER TO ASCERTAIN REASON

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

REPORT TO PRINCIPAL

The teacher shall immediately report the withdrawal and the reason for it to the Principal.

CHANGE OF RESIDENCE

If the child has withdrawn because of residence, the next residence shall be ascertained and included in the report. KSB/KSD shall notify the Kentucky Department of Education when a new student enrolls.¹ The ~~District~~ KSB/KSD will convene an ARC with the receiving LEA to change the district of residence.

MISSING CHILDREN

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

PERMISSION ~~REQUIRED~~

Prior to withdrawal of a student, the ~~District~~ KSB/KSD will convene an ARC in conjunction with the student's LEA.

~~Before an unmarried student between the ages of sixteen (16) and eighteen (18) may withdraw from school and terminate his/her education prior to graduation, s/he shall comply with the requirements of KRS 159.010.~~

~~A written permission for withdrawal shall be required from the parent, guardian, or other person residing in the state and having custody or charge of the student before the unmarried student may withdraw.~~

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

~~Beginning with the 2015-2016 school year, s~~Students between the ages of six (6) and eighteen (18) shall enroll and be in regular attendance in the schools to which they are assigned and shall be subject to compulsory attendance.²

FOLLOW-UP BY DISTRICT PERSONNEL

Within three (3) months of the date of a student's withdrawal from school, KSB/KSD personnel designated by the Principal, in conjunction with the student's local school district of residence, shall contact each student who has withdrawn from school to encourage reenrollment. If the student does not reenroll at that time, personnel shall make at least one (1) more attempt toward reenrollment of the student before the beginning of the next school year.²

STUDENTS

09.111
(CONTINUED)

Transfers and Withdrawals

REFERENCES:

- ¹[KRS 159.170](#); [KRS 158.032](#)
- ²[KRS 159.010](#); [KRS 159.020](#)

RELATED POLICY:

09.122

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

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

Decisions concerning placement at/admission to KSB or KSD are made subject to applicable state and federal law and after full consideration of the obligation of local districts to provide educational services in the least restrictive environment.

HOMELESS CHILDREN AND YOUTH

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

~~The District~~KSB/KSD shall provide its ~~schools~~ administrators 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 students enjoy;
2. Have access to preschool programs as provided to other children in the District KSB/KSD;
3. Continue attending their school of origin, when deemed in the best interest of the child, for the duration of homelessness;
4. Attend regular public school with non-homeless students; and
5. Continue to receive all services for which they are eligible (i.e., special education, gifted and talented, ~~limited-English~~ proficient learner).

The local ~~D~~district of residence 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 local ~~D~~district of residence in which the school of origin is located. If the child locates to a local ~~D~~district other than that of his/her school of origin, the school 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.

~~The District~~ KSB/KSD 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~~ KSB/KSD, the liaison is responsible for:

- "Outreach" to other entities and agencies so that homeless students are identified;
- ~~must provide~~ Providing 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.¹

Formatted: Justified, Space After: 6 pt

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

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.

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

The District KSB/KSD 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:

Formatted: Space After: 6 pt

http://education.ky.gov/federal/progs/txc/Documents/Homeless_Dispute_Resolution_Form.docx

Formatted: Font: Not Italic

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

Formatted: Centered, Space After: 6 pt

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

CHILDREN IN FOSTER CARE

Formatted: sideheading, Space After: 0 pt

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

In the event Foster children are to be immediately enrolled at KSB/KSD in a new school, KSB/KSD. The District shall contact the student's prior school for relevant records.

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

Children in foster care, including preschool aged children if the District KSB/KSD 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.

NONRESIDENTS

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.

Admissions and Attendance**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~~KSB/KSD 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.

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~~KSB/KSD 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~~KSB/KSD 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 a local school D~~district or foreign students in any other immigration status, including exchange students.

EXPELLED/CONVICTED STUDENTS

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

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

Assault shall mean any physical assault, including sexual assault.

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.²

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 a local school D~~district and seeks to enroll, the local school ~~D~~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 local school ~~D~~district shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the local district ~~B~~board of education.

STUDENTS

09.12
(CONTINUED)

Admissions and Attendance

REFERENCES:

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

²KRS 158.155; KRS 157.330, KRS 158.150

KRS 157.360; KRS 158.100

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

KRS 159.010; OAG 78-64

704 KAR 7:090; OAG 91-171

~~P. L. 114-95~~ ~~Public Law~~ 104-208;

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

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

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

Equal Educational Opportunities Act of 1974 (EEOA)

RELATED POLICIES:

06.32; 09.11; 09.121; 09.123; 09.124; 09.125; 09.14; 09.211

Formatted: Font: Not Bold

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

LEGAL: 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. THE POLICY CHANGES BELOW REFLECT KRS 159.010. THIS REMOVES REFERENCES TO DROP OUT OR DROP OUT AGE.

FINANCIAL IMPLICATIONS: ADDITIONAL STUDENTS MAY REQUIRE ADDITIONAL STAFFING AND RESOURCES

STUDENTS

09.122

Attendance Requirements

COMPULSORY ATTENDANCE

All children ~~in the district~~ enrolled at KSB/KSD who have entered kindergarten or who are between the ages of six (6), as of ~~October~~ August 1, and ~~sixteen (16)~~ eighteen (18), except those specifically exempted by statute, shall remain enrolled and be in regular attendance in the schools to which they are assigned. ~~Beginning with the 2015-2016 school year, 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.~~¹

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

Formatted: ksba normal, Not Superscript/ Subscript

~~Before an unmarried student between the ages of sixteen (16) and eighteen (18) may withdraw from school and terminate education prior to graduation, s/he shall confer with the Principal or designee, and s/he shall secure written permission from her/his parents, guardian, or other person residing in the state and having custody or charge of the student.~~¹ (See Board Policy 09.111.)

PHYSICIAN'S STATEMENT REQUIRED

KSB/KSD in conjunction with the LEA, 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.²

EXCEPTIONS TO PRESENCE AT SCHOOL

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

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,² or court-ordered instruction in another setting.
2. 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.³

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

3. 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.³
4. 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.³
5. 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.⁴
6. 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.⁵
7. The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, and that falls within one (1) or more of the categories of standards-based course work. A pupil may be counted in attendance for performance-based credit for a class or block for the year or semester in which the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in accordance with local policies.^{4 & 6}
8. Students attending basic training required by a branch of the United States Armed Forces shall be considered present for all purposes for up to ten (10) days.³

REFERENCES:¹KRS 159.010; OAG 85-55²KRS 159.030³702 KAR 007:125⁴KRS 158.240⁵KRS 158.070⁶704 KAR 3:305[KRS 158.030](#); [KRS 158.143](#); [KRS 159.020](#); KRS 159.180; KRS 159.990
[704 KAR 5:060](#)

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

RELATED POLICIES:

08.131; 08.1312

09.111; [09.121](#); 09.123; 09.36

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

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/week 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

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.¹

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.

Dismissal from School**EXCEPTIONS (CONTINUED)**

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.

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

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

REFERENCES:

¹OAG 85-134; OAG 92-138

KRS 620.146

702 KAR 7:125

Formatted: ksba normal, Superscript

Formatted: ksba normal

RELATED POLICIES:

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

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

STUDENTS

09.13

Equal Educational Opportunities

DISCRIMINATION PROHIBITED

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

STUDENTS WITH DISABILITIES

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

KSB/KSD 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 Principal/~~State 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

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

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

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

STUDENTS

09.13
(CONTINUED)

Equal Educational Opportunities

REFERENCES:

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

RELATED POLICIES:

03.113; 03.212; 05.11; 08.131; 09.3211

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

STUDENTS

09.14

Student Records

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

PROCEDURE TO BE ESTABLISHED

The Principal 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 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.¹

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.

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

In addition, considering the totality of the circumstances, KSB/KSD 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 KSB/KSD 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 KSB/KSD an official court order placing the student whose records are requested under the care and protection of said agency. The state welfare agency representative receiving such records must be authorized to access the child's case plan.

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

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

KSB/KSD 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 KSB/KSD has outsourced services or functions may access student records provided they are:

- Under KSB/KSD'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 Principal 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 KSB/KSD cannot comply with any part of FERPA or its implementing regulations due to a conflict with state or local law, KSB/KSD 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 Principal is authorized to release 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~~Principal 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.

KSB/KSD 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 KSB/KSD 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.

Student Records**SURVEYS OF PROTECTED INFORMATION**

KSB/KSD 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

KSB/KSD'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.

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

Student Records**RECORDS OF MISSING CHILDREN**

Upon notification by the Commissioner of Education of a child's disappearance, ~~KSB/KSD in which the child~~ if the child is currently or was previously enrolled at KSB/KSD, the school shall flag the record of such child in a manner that whenever a copy of or information regarding the child's record is requested, KSB/KSD 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, KSB/KSD 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 KSB/KSD receives such orders, the matter(s) may be referred to counsel for advice.

REFERENCES:

¹Section 152 of the Internal Revenue Code of 1986

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

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

KRS 160.990; KRS 161.200; KRS 161.210

KRS 365.732; KRS 365.734; KRS 600.070

702 KAR 1:140; 702 KAR 3:220

20 U.S.C. 1232g et seq., 34 C.F.R. 99.1 - 99.67

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

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

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

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

Individuals with Disabilities Education Improvement Act of 2004

Kentucky Education Technology System (KETS)

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

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

RELATED POLICIES:

09.111; 09.12311; 09.43

LEGAL: 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, KSB/KSD 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 school building, bus, 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 KSB/KSD 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.

STUDENTS

09.2211
(CONTINUED)

Employee Reports of Criminal Activity

KRS 209A.100

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

KRS 209A.110

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

KRS 620.030

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

REFERENCES:

KRS 158.154
KRS 158.155
KRS 158.156
KRS 209A.100
KRS 209A.110
KRS 209.020
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

Formatted: Font: Bold

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: COST OF SIGNAGE

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.227

Child Abuse

REPORT REQUIRED

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

After making the report, the employee shall notify the Principal of the suspected abuse, who then shall also promptly make a report to the proper authorities for investigation. If the Principal is suspected of child abuse, the employee shall notify the ~~Superintendent~~[Commissioner](#)/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, KSB/KSD 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 KSB/KSD, 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 KSB/KSD 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.

INTERVIEWS

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

AGENCY CUSTODY

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

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.

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.

REFERENCES:

¹KRS 600.020 (1)(15)

²KRS 620.030; KRS 620.040

³OAG 85-134; OAG 92-138

⁴KRS 620.072

KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580

KRS 199.990; KRS 209.020; KRS 620.050; KRS 620.146

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

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

STUDENTS

09.227
(CONTINUED)

Child Abuse

RELATED POLICIES:

[09.1231; 09.3; 09.31;](#) 09.42811; 10.5

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 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 Principal District Policies and procedures shall be developed procedures to insure that conform with the statutory and regulatory requirements designed to protect the safety of the students shall be the first consideration in all athletic practices and events.~~

SUPERVISION

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

TRAINING

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

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

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

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

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

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

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Formatted: Indent: Left: 0.25", Space After: 3 pt, No bullets or numbering

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font, Superscript

Safety (Athletics)**EMERGENCY ACTION PLAN**

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

CONCUSSIONS

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

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

MEDICAL EXAMINATION

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

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

REFERENCES:

¹KRS 160.445

²KRS 156.070

³KRS 161.185

⁴702 KAR 7:065

RELATED POLICIES:

03.1161

03.2141

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Formatted: Default Paragraph Font

Formatted: Space After: 6 pt

Formatted: Superscript

Formatted: ksba normal

Formatted: sideheading

Formatted: ksba 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 items which are substantially disruptive or which may cause harm to others.

APPEAL

A student or author may appeal in writing to the ~~State Supervisor~~Commissioner/designee 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)

RELATED POLICIES:

08.11

09.426

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

FINANCIAL IMPLICATIONS: POSSIBLE COST OF PRINTING MATERIALS

STUDENTS

09.425

Assault and Threats of Violence

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

PUPILS

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

SCHOOL PERSONNEL

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

REMOVAL OF STUDENTS

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting or from the LEA/KSB/KSD’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.

KSB/KSD 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/designee shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

REPORT TO LAW ENFORCEMENT AGENCY

When they have reasonable belief that a violation has taken place, the Principal 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 form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the school District's area.

NOTIFICATIONS

As soon as the Principal/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 KSB/KSD employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other official who has knowledge of the student's behavior prior to the assignment or contact.

REFERENCES:

¹KRS 158.150

KRS 158.154; KRS 160.290

KRS 161.155; KRS 161.190; KRS 161.195

KRS 209A.020; KRS 209.160

KRS 209A.100; KRS 209A.110; KRS 209A.130

KRS 211.160; KRS 403.720; KRS 456.010

KRS 508.025; KRS 508.075; KRS 508.078; KRS 525.080; KRS 620.030

702 KAR 5:080

Formatted: ksba normal, Small caps

Formatted: policytext

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

RECOMMENDED: SCHOOL OFFICIALS SHALL FOLLOW DIRECTIONS PROVIDED BY THE INVESTIGATING OFFICER OR CABINET AS TO WHETHER TO CONTACT A PARENT REGARDLESS OF WHO THE ALLEGED PERPETRATOR IS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED
LEGAL: HB 253 CREATES A NEW SECTION OF KRS 620 WHICH REQUIRES A SCHOOL TO PROVIDE THE CABINET ACCESS TO A CHILD SUBJECT TO AN INVESTIGATION WITHOUT PARENTAL CONSENT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.4361

Police Officers in the School

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

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

CRIMES OFF SCHOOL PROPERTY

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

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

Formatted: Font: Bold, Superscript

CRIMES ON SCHOOL PROPERTY

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

REFERENCES:

¹OAG 76-129

²OAG 85-134, OAG 92-138

³KRS 620.072

Formatted: Reference

RELATED POLICIES:

09.1231; 09.227

Formatted: Font: Not Bold, Superscript

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

LOCAL CITIZENS

The Kentucky Board of Education encourages parents, professional educators, and others who have legitimate educational interests pertaining to the KSB/KSD's public school program to visit the schools. To ensure that school personnel are aware of visitors' presence, all visitors must report immediately to the ~~Principal's office~~ designated visitors' check-in area upon entering the school and identify themselves, as well as declare their purposes for visiting.

REGISTRANTS

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

A registrant is defined as:

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

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

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

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

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

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 Kentucky Department of Education/~~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 ~~State Supervisor~~Commissioner/designee concerning requests from registrants, and the ~~State Supervisor~~Commissioner/designee may seek further advice from the ~~Kentucky Board of Education~~KSB/KSD Attorney.

For all other reasons and for all individuals making a request other than parent/legal guardian/designee, the Principal shall consult with the ~~State Supervisor~~Commissioner/designee before making a final determination.

OUTSIDERS

Professional educators and citizens who are from other communities and who wish to observe the schools in operation are welcome. Arrangements for such visits must be made in advance with the ~~Superintendent~~Commissioner/designee.

CONDUCT

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

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

Visitors to the Schools**WEBSITE ACCESSIBILITY**

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

Under ~~District's~~ school 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~~ KSB/KSD web presence which is developed by, maintained by, or offered through ~~the District~~ KSB/KSD or third party vendors and open sources.

USE OF TOBACCO PROHIBITED

The use of any tobacco product is prohibited in any building owned or operated by the KSB/KSD.

REFERENCES:

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

RELATED POLICIES:

[01.1](#)
[03.113](#); [03.162](#); [03.212](#); [03.262](#); [05.3](#)
[09.1231](#); [09.227](#); [09.3211](#); [09.42811](#)
[10.2](#)

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Field Code Changed

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal

Formatted: ksba normal