

2017 KSBA Policies – Academic Services

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

The instructional programs shall be extended as needed to provide an appropriate education to all students, within the confines of state regulations.

PLAN FOR DIAGNOSING

The Superintendent/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 Board shall provide extended school services consistent with students' intervention Pending renewal of individual learning plans, requirements of 704 KAR 3:390, and local plans and procedures.

For students eligible to attend ESS, the District shall:

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

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

The Board may provide a summer school program on a tuition basis to meet the needs and interests of students who wish to enroll.

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

DIRECT STUDENT SERVICES

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

REFERENCES:

KRS 158.070

704 KAR 3:390

20 U.S.C. § 6303b

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

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

ADMINISTRATION

02.4241

School Council Policies (SBDM)

RESPONSIBILITIES OF SCHOOL COUNCIL

The school council shall have the responsibility to set school policy, consistent with District Board policy, which shall provide an environment to enhance the students' achievement and help the school meet the goals established by KRS 158.645 and KRS 158.6451.

ADOPTION OF POLICY

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

1. Determination of curriculum including needs assessment and curriculum development;
Such policies shall determine the writing program for the school, ~~including use of writing portfolios~~ consistent with KRS 158.6453, to be submitted to the Kentucky Department of Education for review and comment.
2. Assignment of all instructional and non-instructional staff time;
3. Assignment of students to classes and programs within the school;
 - Assignment to classes in the elementary and middle school shall be made based on the judgment and decision of the Principal and counselor prior to the opening of school or upon the enrollment of a new student. Assignment to classes in high school shall be accomplished by course selection by the student and parent and the approval of the Principal or designee.
 - Placement of students from the household of an active duty service member or civilian military employee transferring into the District before or during the school year shall be based initially on enrollment in courses offered at the sending school and/or educational assessments conducted at that school. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advanced Placement, ~~Cambridge Advanced International~~, vocational, technical, and career pathways courses. Initial placement does not preclude the District/school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of students in the course(s).
 - Each secondary school-based decision making council shall establish a policy on the recruitment and assignment of students to ~~a~~Advanced ~~p~~Placement (AP), International Baccalaureate (IB), ~~Cambridge Advanced International~~, dual enrollment, and dual credit courses that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum.
4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar, and transportation requirements established by the Board;

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

5. Determination of the use of school space during the school day related to improving classroom teaching and learning;
6. Planning and resolution of issues regarding instructional practices;
7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and Principal;
As reflected in the Student Support and Behavior Intervention Handbook, loss of physical activity periods shall not be used as a disciplinary consequence.
8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;
The school shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.
9. Adoption of a school emergency plan and implementation of safety practices required by KRS 158.162;
10. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;
11. Commitment to a parent involvement process that provides for:
 - a. Establishing an open, parent-friendly environment;
 - b. Increasing parental participation;
 - c. Improving two-way communication between school and home, including what their child will be expected to learn; and
 - d. Developing parental outreach programs.
12. Procedures to assist the council with consultation in the selection of personnel by the Principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.
13. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)
The Superintendent/designee shall provide assistance in identifying strategies and options to promote daily moderate to vigorous physical activity for students, which may include those that increase strength and flexibility, speed heart rate and breathing and stress activities such as stretching, walking, running, jumping rope, dancing, and competitive endeavors that involve all students.

School Council Policies (SBDM)**OTHER POLICIES**

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

REVIEW OF POLICIES

Before final adoption of a council policy, it shall be reviewed by the Superintendent/designee who may request that the proposed policy be reviewed by the General Counsel. Any concerns shall be shared with the council within ten (10) working days of the Superintendent/designee's receipt of the draft policy.

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

COMPLIANCE WITH BOARD POLICY

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

WAIVER OF STATE REGULATIONS

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

SCHOOLS OF INNOVATION

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

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

REFERENCES:

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

ADMINISTRATION

02.4241
(CONTINUED)

School Council Policies (SBDM)

RELATED POLICIES:

01.11; 02.422; 02.4231; 03.112; 08.1

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

LEGAL: SB 1 AMENDS KRS 160.345 TO NO LONGER GIVE THE SUPERINTENDENT AUTHORITY TO APPOINT THE PRINCIPAL IN SCHOOLS BELOW THE ASSISTANCE LINE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: SB 1 PROVIDES AN ALTERNATIVE PRINCIPAL SELECTION PROCESS THAT MAY BE USED BY THE SCHOOL COUNCIL.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4244

School Hiring (SBDM)

PRINCIPAL SELECTION

When a vacancy exists in the position of school Principal, the outgoing Principal shall not serve on the council during the Principal selection process.

The Superintendent/designee shall serve as the Chair of the council for the purpose of the hiring process and shall have voting rights during the selection process. The council shall have access to the applications of all persons certified for the position. The Principal shall be elected on a majority vote of the membership of the council.

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

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

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

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

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

ALTERNATIVE PRINCIPAL SELECTION PROCESS

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

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

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

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

If the recommended candidate is selected, and the recommended candidate accepts the offer, the name of the candidate shall be made public during the next meeting in open session;¹

If the recommended candidate is not accepted by the school council under the Alternative Principal Selection Process, then the Principal Selection process above applies.¹

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

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

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

OTHER VACANCIES

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

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

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

REFERENCES:

- ¹KRS 160.345
- KRS 160.380
- OAG 91-149; OAG 92-131; OAG 92-78
- OAG 95-10; OAG 96-38

RELATED POLICIES:

02.4241; 03.11; 03.21