

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**

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

The Superintendent shall delegate the responsibility of supervision for improvement of instruction to those persons who have been identified for the task within the organizational structure. All staff shall be informed of the name of their immediate supervisor. The goal of supervision shall be to maximize employee capabilities in the pursuit of educational excellence.

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

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

**FREQUENCY OF SUMMATIVE EVALUATIONS**

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

**REPORTING**

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

~~The District 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.

The procedures for such evaluations shall be established and implemented by the Superintendent in accordance with state statute/regulations. Evaluations, along with any response materials an individual employee wishes to submit, will become a part of the employee's personnel record.

**Evaluation****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.

**REFERENCES:**

<sup>1</sup>KRS 156.557; 704 KAR 3:370

703 KAR 5:225

OAG 92-135, Thompson v. Board of Educ., Ky., 838 S.W.2d 390 (1992)

**RELATED POLICIES:**

02.14

03.15

03.16

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

PERSONNEL

03.112

- CERTIFIED PERSONNEL -

### **Certification and Records**

#### **CERTIFICATION**

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

No person shall be eligible to hold the position of Superintendent, principal, teacher, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in such position, unless the person holds a certificate of legal qualifications for such position.

All persons appointed to positions requiring Kentucky certification shall present to the Superintendent a copy of the required certificate prior to assuming the duties of the position. It shall be the responsibility of the employee to see that the required certification is on file in the Superintendent's Office and is kept current at all times. The validity and terms for the renewal of any certificate shall be determined by the laws and regulations in effect at the time the certificate was issued.

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

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

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

Schools shall notify parents or guardians when their child has been:

1. Assigned to a classroom that will be taught for four (4) or more consecutive weeks by an instructor who is not certified, by a substitute teacher, or solely by a paraprofessional; or
2. Taught for four (4) or more consecutive weeks by an instructor who is not certified, a substitute teacher, or solely by a paraprofessional.

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

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

**Certification and Records****CERTIFICATION FOR TEACHING ELECTIVE COURSES (CONTINUED)**

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

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

**REFERENCES:**

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

**RELATED POLICIES:**

02.4241; 03.11; 03.5

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 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: 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: 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, employees shall report criminal activity as required by state law.

#### **KRS 620.030**

District personnel who know or have reasonable cause to believe that a child is dependent, neglected or abused, **or is a victim of human trafficking** shall immediately make a report to the appropriate state agency as required by KRS 620.030.

#### **KRS 158.155**

School personnel who know or have reasonable cause to believe that a violation of state law involving the carrying, possession or use of a deadly weapon; the use, possession or sale of a controlled substance; or any felony offense, has occurred on school premises or within one thousand (1,000) feet of school premises, on a school bus or at a school-sponsored event, shall promptly make a report to the appropriate law enforcement agency as required by KRS 158.155.

#### **KRS 158.156**

School personnel who know or have reasonable cause to believe that a student has been the victim of a 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 make a report to the victim's Principal as required by KRS 158.156. The Principal shall file a written report with the Board and the appropriate law enforcement agency within forty-eight (48) hours of the original report. The Principal shall also notify the parents/guardians of the students involved.

#### **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.**

**Employee Reports of Criminal Activity****KRS 158.154**

Principals who have a reasonable belief that an act has occurred on school property, on a school bus 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 shall immediately report the act to the appropriate law enforcement agency as required by KRS 158.154.

**REFERENCES:**

KRS 158.154

KRS 158.155

KRS 158.156

KRS 209A.100

KRS 209A.110

KRS 525.070; KRS 525.080

KRS 527.070; KRS 527.080

KRS 620.030

**RELATED POLICIES:**

03.13251; 03.23251

03.13253; 03.23253

05.48

09.227; 09.422; 09.423; 09.425

09.426; 09.438



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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: COST OF SIGNAGE

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.227

## **Child Abuse**

### **REPORT REQUIRED**

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected<sup>1</sup>, or a victim of human trafficking shall immediately make a report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's Attorney or the County Attorney in accordance with KRS 620.030.<sup>2</sup>

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

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

### **WRITTEN REPORT**

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

## **Child Abuse**

### **WRITTEN RECORDS**

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

### **INTERVIEWS**

If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent<sup>3</sup> and shall provide the Cabinet access to a child subject to an investigation without parental consent.<sup>4</sup>

### **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.

### **REQUIRED TRAINING**

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

### **OTHER**

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

**Child Abuse**

**REFERENCES:**

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

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

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

<sup>4</sup>KRS 620.072

KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580

KRS 156.095; KRS 199.990; KRS 209.020

KRS 620.050; KRS 620.146

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

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

**RELATED POLICIES:**

09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

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.

#### **STUDENTS**

Any student who threatens, assaults, batters or abuses another student shall be subject to appropriate disciplinary action, including suspension or expulsion.<sup>1</sup> Procedures for dealing with aggressive and assaultive behavior and the resulting consequences shall be set out in the Code of Acceptable Behavior and Discipline.

#### **SCHOOL PERSONNEL**

Any student who threatens, assaults, batters or physically or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action<sup>1</sup> up to and including expulsion from school and/or legal action.

#### **REMOVAL OF STUDENTS**

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

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

Removal of students from a bus shall be made in compliance with 702 KAR 5:080. Each school shall develop procedures for the immediate removal of a threatening or violent student from the classroom and submit them to the Superintendent/designee for approval.

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

**Assault and Threats of Violence****DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION**

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

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

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

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

**NOTIFICATIONS**

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

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

**REFERENCES:**

<sup>1</sup>KRS 158.150

KRS 158.154; KRS 160.290

KRS 161.155; KRS 161.190; KRS 161.195

KRS 209A:020; KRS 209.160

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

KRS 211.160; KRS 403.720; KRS 456.010

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

702 KAR 5:080

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

STUDENTS

09.13

## **Equal Educational Opportunities**

### **DISCRIMINATION PROHIBITED**

No student shall be denied equal educational opportunity by the Board because of his or her race color, national origin, age, religion, marital or parental status, political affiliations or beliefs, sex, sexual orientation, gender identity, gender expression, veteran status or disability.<sup>1</sup>

### **STUDENTS WITH DISABILITIES**

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

The District shall operate its programs in accordance with the procedures addressing requirements of the Americans with Disabilities Act of 1990, as amended by the ADA Amendments Act of 2009, and Section 504 of the Rehabilitation Act of 1973.

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

### **STUDENT RELIGIOUS ACTIVITIES OR POLITICAL EXPRESSION**

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

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

Student complaints concerning possible violations of their rights of religious or political expression 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.

**Equal Educational Opportunities****REFERENCES:**

<sup>1</sup>Bd. of Educ., etc. v. Rowley, 458 U.S. 176 (1982)  
District special education policy and procedures manual; District 504 procedures  
KRS 157.200; KRS 157.224; ~~KRS 157.226~~; KRS 157.230; KRS 157.350; KRS 158.183  
KRS 160.295; Age Discrimination Act of 1975  
Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act  
Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972  
Vietnam Era Veterans Readjustment Assistance Act of 1974  
Kentucky Education Technology System (KETS); 28 C.F.R. 35.101 et seq.

**RELATED POLICIES:**

03.113; 03.212; 05.11; 08.131; 09.3211



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**

The Superintendent/designee shall develop guidelines for school-sponsored student media such as newspapers, yearbooks, magazines, television, radio, video production and electronically-generated media, in which students shall be expected to express their views and opinions within the bounds of accepted practices.

#### **PRIOR SUBMISSION**

Student media shall be under the supervision of the local school administration.

Materials to be published shall be submitted to the Principal before publication and/or distribution.

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

#### **APPEAL**

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

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

## CURRICULUM AND INSTRUCTION

08.11

### Course of Study

#### **DEVELOPMENT**

The Superintendent/designee shall develop a District curriculum framework that establishes course descriptions and reflects statutory and regulatory requirements<sup>1</sup>. This curriculum framework shall support and reflect the District's curriculum documents and shall be submitted to the Board for approval.

#### **ASSESSMENT OF STUDENT WORK / NONDISCRIMINATION**

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

#### **IMPLEMENTATION**

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

#### **CURRICULUM FRAMEWORK**

The Superintendent/designee shall develop a curriculum framework and make it available to schools. The framework shall translate state learning goals and academic expectations into a curriculum framework useful to teachers and accessible to parents while supporting the curriculum mapping system. The framework, course descriptions, curriculum maps, ancillary materials and textbooks shall support the curriculum to be used by schools and school-based decision making councils in the development of local instructional decisions.

#### **CURRICULUM DESIGN**

The Superintendent shall provide the schools with the curriculum framework and curriculum maps, and support through professional development, to ensure that all students receive a challenging curriculum in reading/language arts, mathematics, science, social studies, arts and humanities, practical living and vocational studies.

#### **INSTRUCTIONAL PROGRAM**

A basic instructional program shall be designed and implemented to meet the needs of students in P1-12 and preschool as required by law. This program shall include, but not be limited to, instruction in the foundation skills of reading/language arts, mathematics, science, social studies, arts and humanities, practical living and vocational studies.

**Course of Study****SYLLABUS**

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

1. Prerequisites for the course
2. Standards to be learned
3. Order of material to be utilized for learning
4. Resources to be used for learning
5. Ongoing formative and summative assessments as outlined in the District assessment system
6. Performance standards and expectations

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

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

**REFERENCES:**

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

<sup>2</sup>KRS 161.170

KRS 156.160; KRS 158.100; **KRS 158.183**

KRS 158.645; KRS 158.6451

KRS 160.345

702 KAR 7:125; 703 KAR 4:060

704 KAR 3:305

LEGAL: SB 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**

The annual school budget adopted by the Board shall provide human and material resources required to support and implement a curriculum designed to meet the needs and interests of students enrolled in the District.

#### **SURVEY**

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

#### **ALLOCATION METHOD**

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

#### **FINANCIAL REPORT**

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

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

#### **INSTRUCTIONAL RESOURCE FUND**

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

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

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

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

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

#### **FEES**

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

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

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

#### **RESPONSIBILITY**

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

**Instructional Resources****TEXTBOOK SELECTION**

No textbook or program shall be used in the District as a basal title unless it has been recommended and listed on the state multiple list by the State Textbook Commission or unless the school has followed the process set out below.

A school council, or if none exists, the Principal, may notify, through the Superintendent, the State Textbook Commission that it plans to adopt a basal textbook or program that is not on the recommended list, by submitting evidence that the title it has chosen meets the selection criteria of the State Textbook Commission, the subject specific criteria of the textbook reviewers, and complies with the required publishers specifications.

**SECTARIAN TEXTS**

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

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

**REFERENCES:**

<sup>1</sup>KRS 158.108

<sup>2</sup>KRS 160.330; 702 KAR 3:220

<sup>3</sup>KRS 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 POLICIES:**

02.4242

04.32

09.15

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**

Graduation requirements specified by state regulations and by the Board shall be completed before a student is awarded a high school diploma or alternative high school diploma for qualifying students with disabilities. The Superintendent/designee shall develop procedures to give reasonable prior notification of graduation requirements to all students.

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

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

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

#### **PERFORMANCE-BASED CREDITS**

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

**Graduation Requirements**

5. Criteria to promote and support school and community learning experiences, such as internships and cooperative learning, in support of a student's individual learning plan. Such experiences shall be supervised by qualified instructors and aligned with State and District content and performance standards.

The high school student progression, promotion, and grading handbook shall include complete details concerning specific graduation requirements.

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

**GRADUATION EXERCISES**

Students shall complete all requirements for graduation before taking part in graduation exercises. Summer graduation exercises may be provided for pupils completing requirements in summer school. Students are not required to participate in graduation exercises. Schools shall comply with state regulations regarding participation of students with disabilities in graduation exercises.

**OTHER PROVISIONS**

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

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

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

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

**EARLY GRADUATION CERTIFICATE**

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

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

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

**Graduation Requirements****DIPLOMAS FOR VETERANS**

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

**REFERENCES:**

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

<sup>2</sup>KRS 158.622

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

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

KRS 156.027; KRS 158.135

KRS 158.141; KRS 158.143; KRS 158.183; KRS 158.281

KRS 158.302; KRS 158.645; KRS 158.6451; KRS 158.860

13 KAR 2:020; 702 KAR 7:125; 703 KAR 4:060; 704 KAR 3:303

OAG 78-348; OAG 82-386

Kentucky Academic Standards

**RELATED POLICIES:**

08.1131; 08.14; 08.22; 08.222

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



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

## CURRICULUM AND INSTRUCTION

08.13452

### **English as a Second Language**

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

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

- *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.
- *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 NCLB, Title III and Kentucky Administrative Regulations.

Students identified as ~~limited~~ English ~~language-proficient~~~~learners~~ shall receive an annual assessment of English language proficiency in reading, writing, speaking, and listening in order to determine attainment, 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 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;

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

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

**English as a Second Language**

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

**REFERENCES:**

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

**RELATED POLICIES:**

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