

LEGAL: HB 366 AMENDS KRS 160.463 AND KRS 424.220 REMOVING THE REQUIREMENT FOR THE FACTUAL LIST OF INDIVIDUAL SALARIES TO BE FURNISHED TO A QUALIFIED NEWSPAPER. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.221

- CLASSIFIED PERSONNEL -

Salaries

HOURLY OR SALARY BASIS

All regular and substitute classified personnel shall be paid on an hourly or salary basis as established by the Board. The workweek of all employees shall run from Monday to Sunday.

LENGTH OF WORK DAY

The length of the work day shall be established for each position by the Board.

QUALIFICATIONS

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

DETERMINATION OF EXPERIENCE

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

1. Previous experience in the District.

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

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

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

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

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

4. Classified personnel may receive one (1) year of experience credit for every two (2) years of active military service.

LIST OF SALARIES

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

PERSONNEL

03.221
(CONTINUED)

Salaries

PAYROLL DISTRIBUTION

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

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

PAYROLL DEDUCTION

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

OVERTIME

Except in cases of emergency, all overtime shall be approved in advance by the Superintendent or designee. Hourly employees required to work in excess of forty (40) hours per week will be paid at the rate of 1 1/2 times the regular rate for all hours beyond 40 as provided by law for overtime work. Compensatory time shall not be granted.

REFERENCES:

KRS 78.615; KRS 160.291; KRS 161.011
KRS 337.070; KRS 337.285; KRS 424.120; ~~KRS 424.220~~
702 KAR 3:320; 803 KAR 1:06; 803 KAR 1:070
Fair Labor Standards Act

RELATED POLICY:

03.2211

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PERSONNEL

- CLASSIFIED PERSONNEL -

Holidays & Vacations

All classified employees shall be paid for up to eight (8) holidays per year which shall be designated in the official school calendar. Four (4) of the eight (8) holidays are part of the school year required by state law.¹

The number of holidays to be received by a classified employee shall be determined by the total number of work days designated in their annual contract.

Classified employees working up to the minimum number of working days required by law shall receive four (4) holidays. Full-time classified employees shall be entitled to additional holidays based on the following schedule:

<u>Number of Days Worked</u>	<u>Number of Holidays Per Year</u>
190-198 days	One (1) additional holiday for a total of five (5)
199-211 days	Two (2) additional holidays for a total of six (6)
212-223 days	Three (3) additional holidays for a total of seven (7)
224-260 days	Four (4) additional holidays for a total of eight (8)

VACATION

Employees eligible for vacation days will receive the following number of days:

<u>First year of service</u>	<u>5 days</u>
<u>2 - 10 years</u>	<u>10 days</u>
<u>11 – 15 years</u>	<u>12 days</u>
<u>16 or more years</u>	<u>15 days</u>

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New employees who begin work on a day other than July 1 will receive a prorated portion of the five (5) days, receiving one (1) day for each two full months worked. Employees hired after May 1 will receive no vacation days until the following year. Employees may have a maximum carry forward vacation leave balance equal to two (2) years earned days. Employees who retire or separate employment with vacation day balances will be paid for those in a lump sum.

Vacation days must be approved in advance by the Superintendent/Principal/designee.

Eligible employees who separate employment for at least one (1) year and return later will receive five (5) vacation days the first year.

Employees who change job classifications, with the new position being one in which they will earn vacation, will earn ten (10) vacation days, or a prorated portion thereof in their first year provided they were employed by the Board for at least one year without interruption in the previous classification. Employees who change job classifications, with the new position being one that will not earn vacation days will be paid for all remaining vacation days at the time of the classification change.

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REFERENCES:

- KRS 158.070
- KRS 160.291

KRS 161.154
KRS 2.110
KRS 2.190

PERSONNEL

- CLASSIFIED PERSONNEL -

Sick Leave

NUMBER OF DAYS

All full-time classified personnel shall be entitled to sick leave with pay per year as follows:

166+79-205 contract days	10 days
206-225 contract days	11 days
> 225 contract days	12 days

Persons employed for less than a full-year contract shall receive a prorata part of the authorized sick leave days calculated to the nearest 1/2 day.

Persons employed on a full-year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

ACCUMULATIVE

Unused sick leave for classified employees shall accumulate without limitation.

DEFINITION

“Sickness” shall mean personal illness, including illness or temporary disabilities arising from pregnancy.

FAMILY ILLNESS/MOURNING

Sick leave can also be taken for illness in the immediate family or for the purpose of mourning a member of the employee’s immediate family. “Immediate family” shall mean employee’s spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, brothers and sisters, parents, spouse’s parents, grandparents, and spouse’s grandparents, without reference to the location or residence of said relative and any other blood relative who resides in the employee’s home.

TRANSFER OF SICK LEAVE

Classified employees coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the District.

SICK LEAVE DONATION PROGRAM

Under procedures developed by the Superintendent, classified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee’s sick leave balance to less than fifteen (15) days.

Classified employees are eligible to receive donated days if they meet the criteria established in procedures.

Any sick leave not used shall be returned on a proportionate/pro-rated basis to employees who donated days.

PERSONNEL

03.2232
(CONTINUED)

Sick Leave

PERSONAL DAY TRANSFER

Unused personal leave days shall transfer to an employee's accumulated sick leave days at the end of each school year to be used in calculating accumulated sick leave for the purposes of retirement at the time of retirement.

AFFIDAVIT

Upon return to work, an employee claiming sick leave must file a personal affidavit or a certificate of a physician stating that the employee was ill or that the employee was absent to attend a member of the immediate family who was ill.

REFERENCES:

KRS 161.155; OAG 79-148; OAG 93-39
Family & Medical Leave Act of 1993

RELATED POLICIES:

03.2231
03.2232
03.2233
03.224
03.273

LEGAL: SB 236 (2017) AMENDED KRS 160.380 TO REQUIRE EMPLOYEES TO REPORT TO THE SUPERINTENDENT WHEN THEY HAVE BEEN FOUND BY THE CABINET FOR HEALTH AND FAMILY SERVICES TO HAVE ABUSED OR NEGLECTED A CHILD AND AUTHORIZES DISCIPLINE FOR FAILURE TO REPORT. SB 101 (2018) HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE.

FINANCIAL IMPLICATIONS: POSSIBLE COST OF TERMINATION HEARINGS

PERSONNEL

03.27

- CLASSIFIED PERSONNEL -

Discipline, Suspension and Dismissal of Classified Employees

DISCIPLINARY OPTIONS

Classified employees may be subject to the following actions, to include, but not limited to:

1. Verbal warning or reprimand by Superintendent/designee
2. Written warning or private reprimand by Superintendent/designee
3. Probation imposed by Superintendent/designee
4. Reassignment (temporary or permanent) by Superintendent
5. Public reprimand by Superintendent
6. Suspension without pay by Superintendent/designee
7. Nonrenewal by Superintendent
8. Dismissal (termination of contract) by Superintendent/designee

ACTIONS WHICH MAY REQUIRE HEARING PROCEDURES

Only the Superintendent may issue a public reprimand, suspend without pay or terminate a classified employee. Subject to the employee's exercise of applicable hearing rights, these personnel actions shall be effective on the employee's receipt of written notice from the Superintendent. Subject to the completion of any pending administrative hearing procedure on the action, the Superintendent shall notify the Board at the first meeting following a public reprimand, suspension without pay, or termination and such notification shall be recorded in the Board minutes.

TEMPORARY SUSPENSION WITH PAY PENDING INVESTIGATION

An employee may be relieved from duty for the remainder of the work day (without loss of pay for the affected portion of the day) by the immediate supervisor, pending a review of the facts or allegations, when such time is needed to protect health or welfare of students or staff or to prevent disruption of the educational process.

An employee shall be suspended with pay only when the Superintendent determines there is a justifiable need to protect the health, safety, or welfare of students and staff or to prevent significant disruption of the workplace and/or educational process. The period of suspension with pay shall not exceed the time needed to conduct an investigation and to determine whether the employee is to return to active service or face disciplinary action. However, suspension with pay shall not exceed ten (10) working days. If circumstances arise that require an investigation or other proceedings that may extend beyond ten (10) days, the Superintendent may lengthen the period of suspension, not to exceed an additional fifteen (15) working days.

Employees suspended with pay shall remain available for immediate recall to active service.

Discipline, Suspension and Dismissal of Classified Employees**CAUSES FOR ACTION**

Any classified employee may be subject to appropriate disciplinary or job action for one (1) or more of the following reasons:

1. Dishonesty, neglect of duty, incompetence, inefficiency or insubordination.
2. Reporting to work under the influence of or use or possession of alcohol or controlled substances while on duty, or the illegal use or possession of controlled substances at any time.
3. Unsatisfactory evaluation of any factor on the employee's performance evaluation report.
4. Repeated unexcused absence, tardiness, absence without notification or abuse of sick leave.
5. Violation of or refusal to obey local policies or state regulations adopted by the Kentucky Board of Education or by the Board.
6. Failure to notify the Superintendent if the classified employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal.
7. Refusal to comply with safety directives.
8. Falsifying information supplied to the District including information on application forms, absence reports, or any other information.
9. Violation of local policy, state, or federal statutes or regulations that apply to assigned duties.
10. Being convicted of or entering an "Alford" plea or plea of nolo contendere to a felony or any crime (including misdemeanors) involving moral turpitude or illegal transactions with minors or students.
11. Immorality, misconduct, or conduct unbecoming a school employee.
12. Loss of licensure or certification required for the position.
13. Failure to maintain the confidentiality of information about students or staff obtained in the course of employment, unless disclosure serves a legitimate job-related purpose or is required by law.
14. Engaging in any sexually related behavior with a student with or without consent, including, but not limited to, behavior such as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape, threats of physical harm; and sexual assault.
15. Physical or mental disability, consistent with applicable laws protecting employees with disabilities.¹

Discipline, Suspension and Dismissal of Classified Employees**DUE PROCESS PROVISIONS**

The Superintendent shall develop/adopt procedures to provide adequate due process, covering matters that may result in public reprimand, suspension without pay or termination of classified employees. The procedures shall address, but are not limited to notice, opportunity to be heard, right to counsel, conducting a hearing (if requested), and the rendition of a decision or action.

Employees shall be provided written notification of the charges that may result in a public reprimand, suspension without pay or termination. The notification shall include a statement of the right to a hearing and a form, the signing and filing of which with the Superintendent shall constitute a demand for a hearing and a denial of the charges. If an employee wishes to request a hearing, the employee shall present the appropriate form to the Superintendent within ten (10) calendar days of the receipt of the written notification of the charges. If the employee does not file the demand for a hearing within the ten (10) day period, final personnel action may be taken or completed without a hearing or further proceedings.

OTHER DISCIPLINARY ACTIONS

When disciplinary actions other than public reprimand, suspension without pay or termination, are at issue, employees may submit a written response, which shall be placed in their file along with any documentation of the disciplinary action.

REFERENCES:

¹Americans with Disabilities Act
42 U.S.C. Section §12111 et seq.; KRS Chapter 344
KRS 160.380; KRS 160.390; KRS 161.011
OAG 76-290; OAG 92-135; OAG 96-3
Consolidated Omnibus Budget Reconciliation Act

RELATED POLICIES:

03.212; 03.23251; 03.26; 03.271; 03.2711; 07.162; 09.14; 09.42811

LEGAL: SB 101 AMENDS KRS 160.380 TO REQUIRE THAT THE APPLICANT IS 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. SB 101 HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.4

Substitute Teachers

QUALIFICATIONS

All substitute teachers shall meet background criminal records check requirements (including a letter from the Cabinet for Health and Family services stating that there are no findings of substantiated child abuse or neglect on record) and medical examination requirements as specified in policies 03.11 and 03.111. In addition, substitutes serving in a position on a long-term/extended basis must meet all certification requirements established by the Education Professional Standards Board.

[Link to DPP-156 Central Registry Check and more information on the required Cabinet Letter:](http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx)

<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx>

SUBSTITUTE LIST

The Superintendent or designee shall maintain a list of qualified substitute teachers. The Superintendent or designee shall engage substitutes from this list. Refusal of assignment as a substitute shall be documented, along with any reason provided.

RETIRED TEACHERS

Retired teachers may be re-employed as a part-time, temporary, or substitute teacher in keeping with requirements of the Teachers' Retirement System.

LENGTH OF DUTY

Substitute teachers shall observe the same hours of duty as the regular teacher. The substitute will continue to report for duty until relieved by the Superintendent or designee.

Substitute teachers shall follow daily lesson plans as outlined by the regular teacher and leave a written record of the work completed during their length of duty.

Substitute teachers shall not work more than one-hundred-twenty-nine (129) days annually unless pre-approved by the Superintendent based on certification needed for longer term assignments

SUBSTITUTE SALARY AND PAYMENT SCHEDULE

Substitutes shall be paid on a per-diem basis according to the salary schedule approved by the Board. The salary schedule may reflect adjustments for long-term/continuous assignment substitutes.

Payment shall be made on the next scheduled payday for substitutes.

EMPLOYMENT NOTIFICATION

Each year, substitute teachers on the District's substitute list shall be notified in writing by the last day of school if they have reasonable assurance of continued employment for the following school year.

Nonrenewal of substitute teachers on limited contracts shall be made in compliance with the requirements of KRS 161.750.

PERSONNEL

03.4
(CONTINUED)

Substitute Teachers

REFERENCES:

KRS 17.160; KRS 17.165
KRS 156.106; KRS 160.380; KRS 161.605; KRS 161.611
16 KAR 2:030; 16 KAR 2:120
102 KAR 1:030; 702 KAR 1:035; 702 KAR 3:075
P.L. 114-95 (Every Student Succeeds Act of 2015); 34 CFR 200.61; OAG 69-296
P. L. 111-148 (Affordable Care Act)

RELATED POLICIES:

03.11; 03.111; 03.112; 03.121

LEGAL: SB 236 (2017) AMENDED KRS 160.380 TO STATE THAT A SUPERINTENDENT WHO IS REQUIRING A BACKGROUND CHECK MAY ALSO REQUIRE THE VOLUNTEER 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. SB 101 (2018) HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.6

Volunteers

DEFINITION

Volunteers are persons who do not receive compensation for assisting in school or District programs. Volunteers are encouraged to use their time and effort to support school and District programs. The Superintendent shall develop procedures that encourage volunteers to assist in school and/or District programs and to facilitate effective communication with persons who volunteer.

Teacher education students or students enrolled in an educational institution and who participate in observations and educational activities under direct supervision of a local school teacher or administrator in a public school shall not be considered volunteers.

Parents, community members and other stakeholders who participate in curricular, co-curricular, extracurricular activities, booster and/or support organizations, whether in a leadership or service capacity, shall be considered to be volunteers.

SUPERVISION

All volunteers shall provide assistance only under the direction and supervision of a member of the professional administrative and teaching staff.¹

Applicants to the volunteer program must meet the guidelines of this policy as well as the guidelines set forth in KRS 160.380.

Volunteers who assist in the District on a scheduled and/or continuing basis shall be provided with the same liability insurance coverage as a District employee.

RECORDS CHECK

The District is required to conduct a state criminal records check on all volunteers who have contact with students on a regularly scheduled and/or continuing basis, or who have supervisory responsibility for children at a school site or on school-sponsored trips. Prior to volunteer services being provided, all potential volunteers must submit to a state criminal records check, and the results must be received by and satisfactory to the District.

The following guidelines shall apply to the acceptance of volunteers. Applicants with the following convictions shall not be authorized to volunteer:

1. All sex-related offense convictions
2. All offense convictions against minors
3. All felony offense convictions against persons or property
4. All drug-related offense convictions
5. All deadly weapon-related offense convictions

Notwithstanding a potential volunteer's ability to satisfy the above criteria, the District has the authority to decline or revoke the services or participatory privileges of any volunteer at any point. Any volunteer who is rejected under this provision may request a review of the decision by the Superintendent. The Superintendent's decision shall be final. Individuals may reapply the following school year.

Volunteers

RECORDS CHECK (CONTINUED)

Background checks shall be initiated upon:

- Entry into school from outside the District;
- Oldest child in system moving to next school level (elementary, middle, high);
- Entering third (3rd) grade if previously checked in lower grades; and/or
- Cause from activity in the community.

In years where above triggers are not activated, parents shall sign a form stating that background status has not changes since last checked. Accountability for this shall be held at the school level.

Pursuant to KRS 160.380, the Superintendent/designee also may require volunteers to submit to a state and national criminal (fingerprint) history background check and 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. for safety reasons. With prior approval of the Superintendent/designee, the background checks will be conducted at District expense. Otherwise, except as stated previously, the volunteer must pay for the background checks.

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No volunteer shall be utilized to supervise students, or deemed to have the authority to supervise students, unless the volunteer has been designated to supervise students by the Principal and approved by the Superintendent/designee, and the volunteer has undergone the required records check. The Superintendent may also require such a volunteer 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.

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[Link to DPP-156 Central Registry Check and more information on the required Cabinet Letter:](http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx)
<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx>

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WORK-BASED SITE SUPERVISORS

Work-based learning site supervisors are considered volunteers. Pursuant to KRS 160.380 and KRS 161.148, prior to being assigned to supervise a student for more than one (1) day in a work-based learning experience, the site supervisor shall have undergone a state criminal background check either as required by their employer at time of employment or within the past twelve (12) months, whichever is the more recent.

ORIENTATION

The Superintendent/designee shall develop orientation materials to be provided to all volunteers who have contact with students on a regularly scheduled or continuing basis. These materials shall include, but not be limited to, pertinent policies and safety and emergency procedures.

REFERENCES:

- ¹KRS 161.148
- KRS 160.380; KRS 161.044

RELATED POLICIES:

- 03.5; 08.113; 08.1131

LEGAL: HB 200 (BUDGET BILL) ALLOWS FLEXIBILITY REGARDING THE MINIMUM RESERVE SUBJECT TO KBE APPROVAL INCREASED OVERSIGHT BY KDE IN THE WORKING BUDGET FOR DISTRICTS DURING THE 2018-19 AND 2019-2020 SCHOOL YEARS.
FINANCIAL IMPLICATIONS: POSSIBLE INCREASED OPERATING FUNDS

FISCAL MANAGEMENT

04.1

Budget Planning and Adoption

PLANNING

The Superintendent shall establish procedures to provide for annual community, parent, professional, school and, where appropriate, student input in the development of recommendations to be considered for the District budget. These procedures shall include a needs assessment process to identify, confirm, reassess and/or prioritize recommendations regarding District goals for future financial emphasis. The plan shall provide for assessing the achievement of established goals and academic expectations of the District.

PREPARATION OF BUDGET

The Superintendent shall prepare for Board consideration and action a District budget showing the amount of money needed for current expenses, debt service, capital outlay, and other necessary expenses of the schools during the succeeding fiscal year. The Superintendent shall also prepare the estimated total amount that will be received from the state and the amount that will be needed to be raised by local taxation, including the rate of levy necessary to raise such amounts. The Superintendent, in preparing the budget, will take into consideration the educational needs of the District along with the District's financial ability to meet those needs.

Each year, school councils shall review the budgets for all categorical programs and provide comments to the Board prior to the adoption of the budgets.

TIMELINE

On or before January 31, the Board shall formally and publicly examine a detailed estimate of revenues and proposed expenditures by line item for the following fiscal year. On or before May 30, the Board shall adopt a tentative working budget, which includes a minimum reserve of two percent (2%) of the total budget. During the 2018-19 and 2019-2020 school years, the District may adopt, and the Kentucky Board of Education may approve, a working budget that includes a minimum reserve less than two percent (2%) of the total budget.

Within thirty (30) days of receipt of property assessment data, the Board shall levy tax rates for the District and forward them to the Kentucky Board of Education for approval or disapproval. By September 30, the Board shall adopt a close estimate or working budget for the District.

REFERENCES:

KRS 156.160; KRS 157.330; KRS 157.350; KRS 157.360
KRS 157.440; KRS 160.370; KRS 160.390
KRS 160.460; KRS 160.470; KRS 160.530; KRS 424.250; 2018 Budget Bill
702 KAR 3:100; 702 KAR 3:110; 702 KAR 3:246; OAG 67-510

RELATED POLICIES:

01.11; 02.4242; 02.4331; 04.91

District Issuance of Checks

AUTHORIZATION

The treasurer shall prepare warrants or "Orders of the Treasurer" to be acted upon at each regular Board meeting. Except for situations as defined below providing for subsequent Board approval, before checks are issued, the treasurer shall have received the approved warrant or "Orders", or approved equivalent properly executed, which shall include signatures of the chairperson, treasurer and secretary of the Board.

The Board shall designate one (1) or more Board members to review bills before a meeting for items that may need clarification prior to presentation for final approval for payment.

PURCHASING

The Board desires to establish good business practices and requests that all purchasing be accomplished on an authorized purchase order. Adequate controls shall be established by the Superintendent on all appropriations to individual schools or departments.

PAYMENT OF BILLS

With the exception of recurring monthly payments such as utilities and fixed charges, no bill shall be paid without the following supportive information:

1. A purchase order signed by the Superintendent or his designated representative;
2. An invoice as to goods or services received; and
3. Confirmation that invoiced materials were received in accurate quantity and in good order.

BOARD MINUTES

The original copy of warrants or "Orders" shall be maintained on file as a part of the official Board minutes.

SUBSEQUENT APPROVAL

The Board shall give subsequent approval to all budgeted disbursements made between meetings of the Board. Payments made between regular Board meetings shall be confined to the following:

1. contract salaries;
2. payments to take advantage of discounts;
3. payments made to prevent penalties, ~~and~~ disruption of services, and to avoid undue hardships on vendors and/or employees; and
4. payments for approved purchases made in accordance with District policy and procedures to avoid invoices being more than thirty (30) days past due as of the date of the Board meeting.

REFERENCES:

KRS 160.290, KRS 160.340, KRS 160.370, KRS 160.560
OAG 79-321, 702 KAR 3:120
Accounting Procedures for Kentucky School Activity Funds

LEGAL: SB 236 (2017) AMENDED KRS 160.380 TO GENERALLY REQUIRE A CONTRACTOR WHO WORKS ON SCHOOL PREMISES DURING SCHOOL HOURS WHEN STUDENTS ARE PRESENT 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. THE SUPERINTENDENT MAY REQUIRE A CONTRACTOR WHO DOES NOT HAVE CONTACT WITH STUDENTS TO SUBMIT TO THE BACKGROUND CHECK AND TO PROVIDE THE LETTER. SB 101 (2018) HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENT'S CURRENTLY EFFECTIVE
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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FISCAL MANAGEMENT

04.32

Bidding

AUTHORITY

Bidding procedures shall conform to the Model Procurement Code, KRS 45A.345 – KRS 45A.460.¹ All contracts or purchases shall be awarded by competitive sealed bidding or competitive negotiation, both of which may include the use of a reverse auction, except as otherwise provided by law.²

All purchases of Kentucky Education Technology System (KETS) components shall adhere to KETS architectural standards and procedures.

The District may purchase supplies and/or equipment outside an established price contract of the federal government (GSA), the State Division of Purchases, a cooperative agency bid approved by the Board, or a District bid if:

1. The supplies and/or equipment meet the specifications of contracts awarded by the Division of Purchases, a federal agency (GSA), a cooperative agency, or a District bid;
2. The supplies and/or equipment are available for purchase at a lower price;
3. The purchase does not exceed \$2,500; and
4. The District's finance or purchasing officer has certified compliance with the first and second requirements.

Prior to purchase of education technology components defined in the master technology plan, the Department of Education must certify that the items to be purchased meet or exceed the specifications of components of the original equipment of manufacturers currently holding Kentucky price contracts.⁴

When using federal grant funds, the District shall follow procedures outlined in the District Purchasing Manual for requesting and evaluating RFPs.

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FEDERAL AWARDS/CONFLICT OF INTEREST

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.⁷

The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. In determining whether an activity constitutes an impermissible acceptance of a gratuity or item of monetary value, the definition of "gratuity" (covering anything of more than fifty dollars [\$50] value) set forth in KRS 45A.445 shall apply. Violation of these standards may result in disciplinary action including, but not limited to, suspension, dismissal, or removal.

Bidding

ETHICAL STANDARDS

To avoid conflicts that may arise during the decision-making process for procurement of services and products for the District, employees shall adhere to the ethical standards set out in KRS 45A.455.

PREFERENCE FOR RESIDENT BIDDERS

For all contracts funded in whole or in part by the District, the Board shall apply the reciprocal preference for resident bidders required by law. Geographical preferences relating to school nutrition service purchases may be utilized only as permitted by applicable federal law.³

EXEMPTIONS

Federal regulatory requirements do not provide a bidding exception for purchase of perishables using school nutrition service funds. Such purchases must follow applicable federal regulations.⁷

PRICE REDUCTIONS

Price reductions may be accepted on supplies and/or equipment being offered by the vendor with whom a price agreement has been made if the supplies and/or equipment meet all terms and conditions specified in the price agreement except for price and if the price reduction is offered to all participants in the price agreement. Price reductions may be accepted even if the reduced price requires the purchase of a specified quantity of units different from the quantity stated in the original price agreement.

SMALL PURCHASES

District small purchase procedures may be used for any contract in which the aggregate amount does not exceed \$20,000.00.⁵

BACKGROUND CHECK FOR CONTRACTORS

The Superintendent shall require that a contractor who works on school premises during school hours when students are present to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and 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 in keeping with KRS 160.380.

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The Superintendent may require that a contractor who does not have contact with students to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and 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. If required by the Superintendent, ~~this~~ these provisions shall become part of the contractual obligation of the contractor and shall be reflected in the bid specifications, or, if the contract is not subject to bid requirements, in the negotiations with the contractor.

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Link to DPP-156 Central Registry Check and more information on the required Cabinet Letter:

<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx>

Field Code Changed

“Contractor” shall refer to any adult who is permitted access to school grounds pursuant to a current or prospective contractual agreement with the school, school board, school district, or school-affiliated entity, at times when students are present. The term “contractor” includes an employee of a contractor.⁶

Bidding

REFERENCES:

¹KRS 45A.343

²KRS 45A.070; KRS 160.290; KRS 45A.380

³KRS 160.303; 200 KAR 5:400; KRS 45A.494

⁴KRS 156.076

⁵KRS 45A.385

⁶KRS 160.380

⁷2 C.F.R. 200.318

OAG 79-501; OAG 82-170; OAG 82-407

KRS 45A.343; KRS 45A.352; KRS 45A.345; KRS 45A.360; KRS 45A.365; KRS 45A.370

KRS 45A.420; KRS 45A.445; KRS 45A.455; KRS 45A.460; KRS 45A.620

KRS 65.027; KRS 160.151; KRS 164A.575; KRS 176.080

Kentucky Educational Technology Systems (KETS)

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RELATED POLICIES:

05.6; 06.4; 07.13

LEGAL: HB 366 AMENDS KRS 160.463 TO INCLUDE INFORMATION FOR PUBLICATION OF ANNUAL FINANCIAL REPORT.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 200 (BUDGET BILL) INCLUDES INFORMATION FOR A FINANCIAL REPORT TO BE PREPARED AND PRESENTED TO THE LEGISLATIVE RESEARCH COMMISSION AND THE KENTUCKY DEPARTMENT OF EDUCATION BY DECEMBER 1 OF EACH FISCAL YEAR FOR THE PREVIOUS FISCAL YEAR.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.91

Financial Statements and Reports

The Superintendent shall cause financial statements and annual financial reports to be produced and reported in accordance with ~~KRS 424.220~~KRS 160.431 and KRS 160.463 ~~or applicable State provisions~~. Annual financial reports shall be posted on the District website as required by law.

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The finance officer shall present a detailed monthly financial report for Board approval to include the previous month's revenues and expenditures of the District. Financial reports shall be posted on the District website as required by law.

The District shall submit a report to the Legislative Research Commission and the Kentucky Department of Education no later than December 1 of each fiscal year for the past fiscal year. The report shall include the following:

1. All expenses charged to Instruction, Student Support Services, Instructional Staff Support Services, District Administrative Support Services, School Administrative Support Services and Business Support Services delineated by the relevant subfunction codes, for the previous fiscal year;
2. A comparison of the previous fiscal year's expenses as detailed in #1 with the same expenses in the preceding fiscal year;
3. A detailed section explaining steps to reduce administrative expenditures while maintaining and expanding instructional expenditures; and
4. A copy of the District's policy for maintaining a reserve fund balance in compliance with appropriate government and accounting standards.

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REFERENCES:

- KRS 160.431
- KRS 160.463
- ~~KRS 424.220~~
- KRS 424.230
- 2018 Budget Bill
- Governmental Accounting Standards Board

RELATED POLICY:

04.1

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RECOMMENDED: THIS CLARIFIES THAT THE PRINCIPAL HAS GENERAL OVERSIGHT OF SCHOOL PROPERTY AND REMOVES MINISTERIAL DUTY OF BEING "HELD RESPONSIBLE" FOR REASONABLE SECURITY.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SCHOOL FACILITIES

05.5

Security

DEVELOPMENT OF PLAN

The Superintendent shall develop and implement a plan ensuring the reasonable security of district property.

RESPONSIBILITY

The Principal has general oversight shall be held responsible for the reasonable security of all school property under his or her supervision and shall use good judgement for the reasonable security of such property.

REFERENCE:

KRS 158.162

RELATED POLICY:

05.4

LEGAL: THIS CLARIFIES THAT THE PRINCIPAL OR DESIGNEE SHALL HAVE AUTHORIZATION TO PERMIT A STUDENT TO BE DISCHARGED AT A LOCATION OTHER THAN THE REGULAR BUS STOP.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

TRANSPORTATION

06.33

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/designee to discharge a pupil at another location.¹ Preschool students shall be transported in accordance with applicable regulations.²

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

SPECIAL PERMIT

Upon written request from a parent, the Principal/designee may issue a special permit for a student to ride another bus temporarily in emergency cases.

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:

¹ 702 KAR 5:080

² 702 KAR 5:150

KRS 158.110

KRS 189.370

KRS 189.375

KRS 189.540

LEGAL: THIS CLARIFIES THAT THE PRINCIPAL HAS GENERAL AUTHORITY AND IS RESPONSIBLE FOR THE DISCIPLINE OF PUPILS WHO RIDE SCHOOL BUSES.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

TRANSPORTATION

06.34

Conduct on Bus

PRINCIPAL ~~AUTHORITY RESPONSIBLE~~

~~Consistent with the District Code of Acceptable Behavior and Discipline, The Principal shall oversee the deportment of students who ride on the school bus and who walk to and from the school has authority to discipline pupils who ride school buses.~~

REPORTING OF VIOLATIONS

Bus drivers shall promptly report any violation of District 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 notify the Superintendent/designee. The Director of Transportation shall notify the Principal of the school where the student attends or the Superintendent 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 or the Superintendent'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 the 504 Plan and the legal obligations and standards adopted by the Board.³

REFERENCES:

¹~~702 KAR 5:030~~; 702 KAR 5:080~~;~~ KRS 158.150

²P. L. 101-476; Individuals 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

Food/School Nutrition Services

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

BREAKFAST AND LUNCH

Lunchrooms shall serve complete hot or cold meals as defined by federal regulations.

FOOD SERVICE/SCHOOL NUTRITION PROGRAM DIRECTOR

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

ANNUAL REPORT/PUBLIC FORUM

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

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

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

DISCRIMINATION COMPLAINTS

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

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

http://www.ascr.usda.gov/complaint_filing_cust.html

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

SPECIAL DIETARY NEEDS

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

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

Food/School Nutrition Services**MEAL CHARGES**

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

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

Any student who participates in the breakfast and/or lunch program may charge up to \$10.00. After that time, all charges must be paid before additional charges can be made. If parents have not contacted the Cafeteria Manager or submitted the amount indicated within ten (10) working days from the date of the final notice, the debt will be considered delinquent and may be directed to the Board Attorney.

~~An alternate meal will be provided after charges of \$10.00.~~

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

PROMOTING HEALTHY EATING BEHAVIORS

The Board supports promotion of more healthy eating behaviors among students and authorizes the Superintendent to develop procedures, in conjunction with the District schools and food service program, which offer students more healthy snacks and drinks.

REFERENCES:

KRS 156.160
KRS 158.852; KRS 158.856; KRS 160.290
702 KAR 6:010; 702 KAR 6:050
702 KAR 6:075; 702 KAR 6:090
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

LEGAL: HB 3 CREATES A NEW CHAPTER OF KRS 158 REQUIRING DISTRICTS TO IMPLEMENT ESSENTIAL WORKPLACE ETHICS PROGRAMS THAT PROMOTE CHARACTERISTICS THAT ARE CRITICAL TO SUCCESS IN THE WORKPLACE. DISTRICTS ARE ALSO REQUIRED TO DESIGN, AND ADOPT A DIPLOMA, SEAL, CERTIFICATE TO AWARD STUDENTS OF THE ATTAINMENT OF SUCH. FINANCIAL IMPLICATIONS: COST OF DEVELOPING PROGRAM/AWARDS

CURRICULUM AND INSTRUCTION

08.1341

Essential Workplace Programs

INDICATORS

Beginning with the 2019-2020 school year, the District shall implement essential workplace ethics programs that promote characteristics that are critical to success in the workplace. Each student in elementary, middle, and high school shall receive essential workplace ethics instruction that includes but is not limited to the following characteristics:

- a) Adaptability, including an openness to learning and problem solving, an ability to embrace new ways of doing things, and a capability for critical thinking;
- b) Diligence, including seeing a task through to completion;
- c) Initiative, including taking appropriate action when needed without waiting for direct instruction;
- d) Knowledge, including exhibiting an understanding of work-related information, the ability to apply that understanding to a job, and effectively explain the concepts to colleagues in reading, writing, mathematics, science, and technology as required by the job;
- e) Reliability, including showing up on time, wearing appropriate attire, self-control, motivation, and ethical behavior;
- f) Remaining drug free; and
- g) Working well with others, including effective communication skills, respect for different points of view and diversity of coworkers, the ability to cooperate and collaborate, enthusiasm, and the ability to provide appropriate leadership to or support for colleagues.

The District shall use these characteristics when creating or choosing an existing program. By January 1, 2019 and every two (2) years thereafter, the Board shall collaborate with the local workforce investment board, in conjunction with local economic development organizations and other economic, workforce, or industry organizations the workforce investment board deems necessary, to establish essential workplace ethics indicators for middle and high school students that are aligned with the characteristics listed above.

ATTAINMENT

The Board shall design and adopt a diploma seal, certificate, card, or other identifiable symbol to award students deemed as having minimally demonstrated attainment of the Board's essential workplace ethics indicators.

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Essential Workplace Programs

REPORTING REQUIREMENT

By September 1, 2019, and every two (2) years thereafter, the Superintendent shall provide a report to the Commissioner of Education, in a format specified by the Commissioner, describing the District's essential work ethics programs and their implementation at each school.

REFERENCE:

KRS 158.1413

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LEGAL: THIS REVISES POLICY TO CONFORM WITH THE EVERY STUDENT SUCCEEDS ACT (ESSA), UNIFORM GUIDANCE, AND UPDATES REFERENCES TO SUCH. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1345

Federal Programs Funding

The District Board may participate in federal programs which in the judgment of the administrative staff shall be beneficial to the total school program. All projects written to secure federal funds shall be on the recommendation of the Superintendent and approval of the Board.

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In keeping with the requirements of the Every Student Succeeds Act (ESSA)¹ and EDGAR², the District Board shall provide the Kentucky Department of Education with a written assurance that the District has established and implemented:

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1. A District-wide salary schedule which applies to all instructional personnel;
2. A policy to ensure Equivalence among schools in teachers, administrators, and other staff/auxiliary personnel; and
3. A policy to ensure Equivalence among schools in the provision of curriculum materials and instructional supplies; and
4. Parental consultation in project planning, implementation and evaluation.

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The District Board shall comply with all federal and state certification requirements for alcohol and drug abuse education and prevention programs.

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REFERENCES:

¹Elementary and Secondary School Improvement Amendments

²Education Department General Administrative Regulations

~~20 USCA, Sec. 3801, et. seq.~~

~~704 KAR 3:292~~

~~34 C.F.R. 200.53-Parts 75, 76, and 98~~

~~P. L. 101-226~~

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

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RELATED POLICIES:

01.11

03.13251; 03.23251

04.92

09.423

RECOMMENDED: THIS CLARIFIES THAT TO BE CONSISTENT WITH FERPA NOT ALL FAMILY MEMBERS HAVE ACCESS TO INDIVIDUAL TEST RESULTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.13451

Title I - Parent and Family Engagement Policy

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

EXPECTATIONS FOR PARENT AND FAMILY ENGAGEMENT

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

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

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

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SUPPORT FOR PROGRAM

If the District's Title I allocation is \$500,000 or more, the District shall reserve not less than one percent (1%) of its allocation for the purpose of promoting parent and family engagement and shall distribute to Title I schools not less than ninety percent (90%) of the reserved funds with priority given to high-need schools. Parents and family of participating students shall be provided the opportunity to help decide how this portion of the Title I funds will be allotted for parent and family engagement activities.

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

1. Designation of resources to assist in communicating with parents and family, transporting them to meeting sites and/or implementing home visits, providing child-care for meetings, encouraging them to use available parent and family resource centers, and working with them to improve parenting skills, particularly those that will assist them in working with their child to improve his/her educational achievements. Resources may include individuals, agencies, materials, and services.

Title I - Parent and Family Engagement Policy

SUPPORT FOR PROGRAM (CONTINUED)

2. Sharing options for coordinating and integrating Title I program strategies with services of other community programs, businesses, and agencies.
3. Identification of ways in which parents and family can be engaged in staff training activities to demonstrate the value of parent and family engagement and various techniques designed to successfully engage parents and family as equal partners in their child's education.
4. Making a good faith effort to convene an annual meeting at a convenient time to which all parents and family of participating children shall be invited and encouraged to attend for informing them of their school's participation in and requirements for Title I programs and of their rights to be involved.
5. Designing and conducting an effective annual evaluation process whereby parents can share their ideas about the content and effectiveness of this Policy in improving the academic quality of schools receiving Title I funds, and the plan designed to implement it. The process shall focus on the following questions:
Does this Policy increase parent participation?
What barriers to parent participation still exist, and how can they be reduced or removed?
The findings produced by the annual evaluation shall be utilized to design strategies for school improvement and for revising this Policy, if necessary.
6. In the design of activities and materials for parents, particular attention shall be given to reaching and involving those who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.

SCHOOL POLICY

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

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

REFERENCES:

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

RELATED POLICIES:

- 03.112; 08.1345; 09.11

LEGAL: SB 73 AMENDS KRS 158.070 TO ALLOW FOR APPOINTMENTS TO THE CALENDAR COMMITTEE IN ADDITION TO THOSE LISTED BELOW
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.3

School Calendar

CALENDAR COMMITTEE

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

The District Calendar Committee shall consist of at least the following:

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

DEVELOPMENT OF CALENDAR

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

In order to act on the school calendar, the Board must hold two (2) meetings: 1) one that includes hearing and discussing recommendations from the Superintendent and the calendar committee and 2) a subsequent meeting that includes adoption of the calendar.

The meetings may be regular or special.

In the case of special meetings, the requirements of KRS 61.823 and Board Policy 01.44 apply, including describing in the applicable special meeting notice(s) and agenda(s) consideration and discussion of the recommendations of the Superintendent and the calendar committee (regarding an initial special meeting dealing with the school calendar) or adoption of the school calendar (regarding a subsequent special meeting that includes adoption of the calendar).

In the case of an initial regular meeting that includes the required recommendations/discussion or a subsequent regular meeting that includes adoption of the school calendar, notice shall be given to media outlets that have requests on file to be notified of special meetings stating the date of the regular meeting and that one (1) of the items to be considered in the regular meeting will be the school calendar. The notice shall be sent at least twenty-four (24) hours before any such regular meeting. This additional and unique regular meeting notice requirement does not make any of the requirements or limitations relating to special meetings applicable to the regular meeting.

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

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

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

ADDITIONAL REQUIREMENTS

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

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

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

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

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

School Calendar**CALENDAR OPTIONS**

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

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

AMENDING THE CALENDAR

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

EMERGENCY WAIVERS

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

REFERENCES:

1KRS 157.350; KRS 158.070; KRS 161.500
KRS 2.190; KRS 61.823; KRS 118.035
KRS 157.320; KRS 157.360
KRS 158.060; KRS 158.6453
702 KAR 7:130; 702 KAR 7:140

RELATED POLICIES:

01.42; 08.31

LEGAL: KRS 160.1592 PROHIBITS A LOCAL SCHOOL DISTRICT FROM ASSIGNING OR REQUIRING ANY STUDENT ENROLLED IN THE LOCAL SCHOOL DISTRICT TO ATTEND A PUBLIC CHARTER SCHOOL.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.11

School Attendance Areas

ASSIGNED DISTRICT

All pupils shall be assigned by geographic attendance areas and shall attend the school designated to serve their area of residence. Specific areas served by each attendance area shall be marked on a map in the central administration office. The Board may revise attendance areas from time to time to attain maximum utilization of school facilities.¹

No student may be assigned to or required to attend a charter school by the District.

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IF FAMILIES MOVE

If a family moves from one attendance area to another within the school system, the parent may select for his/her child to finish the school year in the school in which the child was last enrolled (at no cost or service by the Board). The pupil must, however, enroll the following year in the school in the attendance area of his/her legal residence. Students in grades 4, 7 or 11 whose families move mid-year may elect to complete their following (final year) at their current school of enrollment. Seniors whose parents or guardians move out of the school District anytime following the end of the student's junior year may continue for one (1) full year without paying tuition provided the district of residence agrees to exchange ADA.

REQUESTS FOR TRANSFER

Requests for transfer to another District school must be based on physical, psychological, or educational reasons. Family hardship may also be considered in changing school assignment. Requests must be made to the Superintendent.

Students living within the District shall not be permitted to enroll in a school outside their geographic attendance zone/area if the school in which they would enroll meets or exceeds the ninety percent (90%) of its enrollment capacity. Applications must be submitted by January 31st in order to be considered for the following school year.

All students approved for out-of-area placements must provide their own transportation and must maintain good attendance. While in most cases placements shall be continued year to year, an annual review of student attendance, behavior and academic progress might lead to revocation.

When other factors are equal, date of enrollment shall determine order of assignment and reassignment.

In compliance with and as set forth by federal requirements, the District shall allow students to transfer to another District school if:

1. The assigned school is designated by the state as being "persistently dangerous"; or
2. The student becomes a victim of a violent criminal offense, as determined by state law, while attending school.²

APPEAL

A parent/legal guardian or adult student who disagrees with the denial of an out-of-area request may file a written appeal with the Director of Pupil Personnel (DPP) within five (5) days of receipt of the decision or the right to appeal the decisions is waived. A review of the decision shall be conducted by the Director of Pupil Personnel who shall either uphold or deny the decision. The parent/legal guardian and the Principal shall be notified of the decision in writing. The decision of the DPP as the Superintendent's designee, is final.

STUDENTS

09.11
(CONTINUED)

School Attendance Areas

REFERENCES:

¹KRS 159.070; OAG 80-394

²P. L. 114-95, (Every Student Succeeds Act of 2015); 20 U.S.C. § 6301 et seq.

[KRS 160.1592](#)

McKinney-Vento Act, 42 U.S.C. 11431 et seq.; 20 U.S.C. § 7912(a)

34 C.F.R. 200.44

LEGAL: HB 527 DEFINES BEST INTEREST OF THE CHILD AS IT RELATES TO EDUCATIONAL STABILITY.
FINANCIAL IMPLICATIONS: COST OF TRANSPORTING STUDENTS
LEGAL: CHANGES TO 704 KAR 7:090 ADD UNACCOMPANIED YOUTH, AND REVISE THE APPEALS PROCESS.
FINANCIAL IMPLICATION: NONE ANTICIPATED

STUDENTS

09.12

Admissions and Attendance

RESIDENCE DEFINED

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

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

HOMELESS CHILDREN AND UNACCOMPANIED YOUTH

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

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

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

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

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

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

Admissions and Attendance

HOMELESS CHILDREN AND UNACCOMPANIED YOUTH (CONTINUED)

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

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

All concerns regarding the education of homeless children and unaccompanied youth shall be referred to the District liaison. If a complaint arises regarding services or placement of homeless children and unaccompanied youth, the dispute resolution procedures as set forth in 704 KAR 7:090 shall apply.

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

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

<https://education.ky.gov/federal/progs/txc/Documents/Homeless%20Dispute%20Resolution%20Form.pdf>

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The liaison shall provide a copy of the referenced form to the complainant.

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

CHILDREN IN FOSTER CARE

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

Foster children are to be immediately enrolled in a new school. The District shall collaborate with the Cabinet to ensure immediate and appropriate enrollment of the child and immediately contact the student's previous school for relevant records. The previous school shall provide the new school records maintained within the student information system by the Kentucky Department of Education within three (3) working days of receipt of a request. Remaining records shall be provided within ten (10) working days of the request.

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

Children in foster care, including preschool aged children if the District offers a preschool program, shall be eligible to attend their "school of origin" unless a determination is made that it is not in the child's best interest. ~~When possible, s~~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.

Admissions and Attendance

CHILDREN IN FOSTER CARE (CONTINUED)

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.

BEST INTEREST OF THE CHILD

Determining the best interest of the child takes into consideration the following factors, including but not limited to;

- The benefits to the child of maintaining educational stability;
- The appropriateness of the current educational setting;
- The child's attachment and meaningful relationships with staff and peers at the current educational setting;
- The influence of the school's climate on the child;
- The safety of the child; and
- The proximity of the placement to the school of origin, and how the length of a commute would impact the child.

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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.

NONRESIDENTS

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

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

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

TRANSFER OF ADA

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

NON-IMMIGRANT FOREIGN STUDENTS

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

1. These students shall not be permitted to attend any publicly funded adult education program.
2. These students may be permitted to attend in grades nine through twelve (9-12), but not at earlier grade levels.

Admissions and Attendance**NON-IMMIGRANT FOREIGN STUDENTS (CONTINUED)**

3. As required by law, these students shall pay a tuition fee equal to the full, unsubsidized per capita cost to the District for providing education to the student for the period of attendance.
4. The period of attendance shall not exceed twelve (12) months.

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

EXPELLED/CONVICTED STUDENTS

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

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

Assault shall mean any physical assault, including sexual assault.

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

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

REFERENCES:

¹KRS 159.010; OAG 78-64

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

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

⁴KRS 157.320

⁵702 KAR 7:125

⁶KRS 158.155; KRS 157.330; KRS 158.150

KRS 157.360; KRS 158.100

[KRS 199.802](#)

704 KAR 7:090; OAG 91-171

P. L. 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)

STUDENTS

09.12
(CONTINUED)

Admissions and Attendance

RELATED POLICIES:

06.32; 08.1114
09.11; 09.121; 09.1223; 09.123; 09.124; 09.125
09.126 (re requirements/exceptions for students from military families)
09.14; 09.211

Absences and Excuses

Pupils are required to attend regularly and punctually the school in which they are enrolled. Recording of absences and tardies shall be made in compliance with the requirements of 702 KAR 7:125.¹

TRUANCY DEFINED

Any student who has attained the age of six (6), but has not reached his/her eighteenth (18th) birthday, who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant.

Any student enrolled in a public school who has attained the age of eighteen (18) years, but has not reached his/her twenty-first (21st) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days, is a truant.

A student who has been reported as a truant two (2) or more times is an habitual truant. The class attendance requirements stated below do not in any way supersede or change the compulsory school attendance laws stated in KRS 159.010. When a student is declared a habitual truant, the parent may be notified by a certified letter and/or by a personal visit. If truancy continues, both parent(s) and student may be required to attend the Truancy Mediation Program. As a final recourse, court proceeding will be instituted if truancy continues.

For the purposes of establishing a student's status as a truant, a student's attendance record is cumulative for an entire school year. When students transfer from one Kentucky district to another, attendance information from the previous district shall become part of their official attendance record for that school year.

TARDINESS

A tardy shall be recorded for a pupil who is absent less than thirty-five (35%) percent of the regularly scheduled school day for the pupil's grade level. Late arrivals or early dismissals shall be counted as an absence or tardy according to the arrival/departure time.

The process for determining whether tardiness to school is excused or unexcused is identical to that for excused and unexcused absences.

EXCUSED ABSENCES

An excused absence or tardiness is one such as:

1. Death or severe illness in the pupil's immediate family;
2. Illness of the pupil. (Parent notes are accepted for ~~four five (45)~~ all day or part of the day per semester for students in grades Kindergarten through ~~fifth (K-5)~~ and for ~~three (3)~~ all day or part of the day per semester for student in grades six through twelve (~~K6-12~~) for illness or other excusable reason that is listed. One (1) parent note ~~excuses only one (1) day or tardy may be written to excuse two (2) days or tardies~~. All other student absences due to illness require a note from health professional, court officials, etc.);

Absences and Excuses**EXCUSED ABSENCES (CONTINUED)**

3. Medical, dental, or legal appointments that cannot be scheduled outside of school hours. (Times and dates shall be verified by the health professional or court officials);
Students will be excused only for the length of time of a scheduled doctor's appointment and a reasonable amount of travel time. Doctor's excuses shall state the date(s) and/or number of days for which the student will be excused
When a student must miss more than five (5) consecutive school days due to illness or surgery, the parent/guardian is to contact the attendance office or the Director of Pupil Personnel who will explore the possibility of home/hospital instruction.;
4. Court appearances requiring the student's attendance. (Students will be excused only for the length of time of the scheduled court appearance and a reasonable amount of travel time);
5. Religious holidays and practices;
6. One (1) day for attendance at the Kentucky State Fair (per state law). (Proof of attendance must be provided);
7. Two (2) visits to colleges or universities; (Visit shall be approved at least three (3) school days in advance by the Principal and restricted to seniors. Documentation from the college visited shall be required);
8. Drivers test for permit or license. (A half (1/2) day may be allowed twice during the school year);
9. One (1) day for students with lice.- If the student is sent home, he/she will be excused for the remainder of that day;
10. Failure of bus transportation (missing the bus is not excused);
11. Documented military leave;
12. One (1) day prior to departure of parent/guardian called to active military duty;
13. One (1) day upon the return of parent/guardian from active military duty;
14. Ten (10) days for students attending basic training required by a branch of the United States Armed Forces; or
15. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave;

Absences and Excuses**EXCUSED ABSENCES (CONTINUED)**

16. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.

Students shall be granted an excused absence for up to ten (10) school days to pursue an educational enhancement opportunity determined by the Principal to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts.

Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within State or District testing periods shall not be granted. The Principal's determination may be appealed to the Superintendent/designee whose decision may then be appealed to the Board under its grievance policy and procedures.

(The Principal's determination may be appealed to the Superintendent/designee whose decision may then be appealed to the Board under its grievance policy and procedures.)

NOTES REQUIRED

Upon returning to school following an absence or tardy, a student has three (3) school days to turn in a note to the attendance office. ~~One parent note may be written for two days absences or tardies.~~ The note must be a signed and dated parent note, physician statement or court statement explaining the reason for every day the student was absent or tardy and a return to school date. If a written statement verifying a valid reason for each day of absence or tardy is not received within three (3) school days after the student returns to school, the absence or tardy will be recorded as unexcused. Students presenting false or altered verification shall be subject to disciplinary action.

MAKE-UP WORK

Students shall have the opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation.

Requesting and completing work missed during any absence is the responsibility of the student/parent. Students are expected to make up all work assigned to or completed by the class during any absence. Students shall have time to complete the make-up work equal to the number of days/class periods missed.

If a student is excusably absent for only one (1) day, he or she may secure a make-up assignment when he or she returns to school. Parents who feel they have special circumstances may request assignments on the first day of absence.

If a student is excusably absent for more than one (1) day and there is a desire to secure make-up assignments before the student returns to school, parents may request the assignments by calling the Principal's office or counseling office within one (1) hour of the beginning of the school day on the day the student's parents wish to pick up the assignments. Personnel will endeavor to have the assignment available for pick up by the end of the school day.

If there is a special need during the instructional day, a message for a teacher to call the parent may be left on the teacher's voicemail.

STUDENTS

09.123
(CONTINUED)

Absences and Excuses

REFERENCES:

1702 KAR 7:125
KRS 36.396, KRS 38.470, KRS 40.366
KRS 158.070, KRS 158.183, KRS 158.293, KRS 158.294
KRS 159.035, KRS 159.140, KRS 159.150, KRS 159.180
OAG 76-566, OAG 79-68, OAG 79-539, OAG 91-79, OAG 96-28

RELATED POLICIES:

09.111, 09.122, 09.4281
09.126 (re requirements/exceptions for students from military families)

LEGAL: HB 1 AMENDS KRS 620.146 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, OR ANY ASSISTANT PRINCIPAL, AND DPP OF THE NAMES OF PERSONS AUTHORIZED TO CONTACT OR REMOVE THE CHILD FROM SCHOOL GROUNDS. THE NOTIFICATION SHALL BE PROVIDED BY THE CABINET BY WRITTEN NOTICE VIA EMAIL OR FAX. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.1231

Dismissal from School

RELEASE OF STUDENTS

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

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

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

RELEASE PROCESS

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, or any Assistant Principal, of the school in which the child is enrolled, or ~~Guidance Counselor~~ and the District's Director of Pupil Personnel, 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) ~~By written notice via email or fax~~~~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 v~~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 ~~email, fax, or hand delivery of a copy of the court order~~~~written document~~ within ten (10) calendar days following ~~the Cabinet's receipt of the court order of~~ a change of custody or change in contact or removal authority.

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

REFERENCES:

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

RELATED POLICIES:

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

LEGAL: 902 KAR 2:060 REQUIRES A CURRENT IMMUNIZATION CERTIFICATE FOR HOME-SCHOOLED STUDENTS WHO ARE ATTENDING IN-SCHOOL CLASSES OR PARTICIPATING IN SPORTS OR OTHER SCHOOL SPONSORED EXTRA-CURRICULAR ACTIVITIES. ADDITIONALLY, CERTIFICATES MAY NO LONGER HAVE HANDWRITTEN INFORMATION. PARENT/GUARDIANS MUST SUBMIT IMMUNIZATION CERTIFICATES TO THE SCHOOL PER THE SCHEDULE LISTED BELOW.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.211

Health Care Examination

All pupils shall undergo preventive student health care, dental, and vision examinations as required by Kentucky Administrative Regulation, which shall be reported on the state forms or an electronic medical record that includes all of the data equivalent to that on the appropriate forms required by state regulation.^{1&3}

IMMUNIZATIONS

The immunization certificate form required by 702 KAR 1:160 shall be on file within two (2) weeks of a student's enrollment in school.^{1, 2 & 3}

A current immunization certificate shall be required for home-schooled students prior to attending one (1) or more in-school classes or participating in sports or other school-sponsored extra-curricular activities.

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Forms relating to exemptions from immunization requirements shall be available at each school.

Immunization certificates shall be kept current.¹

The parent/guardian shall provide a current immunization certificate at enrollment in a day care center, kindergarten, seventh grade, eleventh grade, and for the 2018-2019 school year for twelfth grade; new enrollment at any grade; upon legal name change; and at a school required examination pursuant to 702 KAR 1:160.

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REFERENCES:

¹KRS 156.160; 702 KAR 1:160

²KRS 214.034; KRS 214.036

³KRS 158.035

⁴902 KAR 2:060;

902 KAR 2:090

OAG 82-131

Health Services Reference Guide, Kentucky Department of Education

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

McKinney-Vento Act, 42 U.S.C. 11431 et seq.

RELATED POLICIES:

09.121

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

LEGAL: EFFECTIVE WITH THE 2018-2019 SCHOOL YEAR, HB 30 CHANGED CURRENT SUICIDE TRAINING TO EVERY OTHER YEAR WITH A MINIMUM 1 HR TRAINING FOR ALL HIGH/MIDDLE SCHOOL PRINCIPALS, GUIDANCE COUNSELORS, AND TEACHERS. TRAINING MUST BE IN-PERSON, LIVE STREAM, OR VIDEO RECORDING AND MAY BE INCLUDED IN THE CURRENT 4 DAY REQUIREMENT. EMPLOYEES SUBJECT TO TRAINING HIRED DURING THE OFF YEAR SHALL RECEIVE MATERIALS TO REVIEW. THE DATE BY WHICH MATERIALS MUST BE DISTRIBUTED TO STUDENTS ALSO CHANGED TO SEPTEMBER 15.

FINANCIAL IMPLICATIONS: NEGLIGIBLE SINCE IT WILL NOW BE WITHIN THE 4 DAY REQUIREMENT.

LEGAL: HB 147 AMENDS KRS 158.070 TO REQUIRE AT LEAST ONE (1) HOUR OF SELF-STUDY REVIEW OF SEIZURE DISORDER MATERIALS FOR ALL PRINCIPALS, GUIDANCE COUNSELORS, AND TEACHERS HIRED AFTER JULY 1, 2019.

FINANCIAL IMPLICATIONS: COST OF MATERIALS

STUDENTS

09.22

Student Health and Safety

PRIORITY

Student health, welfare and safety shall receive priority consideration by the Board.

Rules and regulations on health and safety promulgated by the Kentucky Board of Education under Kentucky statute and by local and state boards of health relating to student safety and sanitary conditions shall be implemented in each school.

HEALTH SERVICES TO BE PROVIDED

In keeping with applicable legal requirements, only licensed medical professionals or school employees who have been appropriately trained and authorized to do so shall provide health services to students.

Employees to whom health service responsibilities have been delegated must be approved in writing by the delegating physician or nurse. The approval form shall state the employee consents to perform the health service when the employee does not have the administration of health services in his/her contract or job description as a job responsibility, possesses sufficient training and skills, and has demonstrated competency to safely and effectively perform the health service. The approval form shall be maintained as required by law. Delegation of health service responsibilities shall be valid only for the current school year.¹

If the delegation involves administration of medication, the District will maintain proof that the employee has completed the required training provided by the Kentucky Department of Education (KDE) or as allowed under KRS 158.838.

Employees to whom health service responsibilities have been delegated shall notify their immediate supervisor by April 15 of each year if they are not willing to perform the service(s) during the next school year.

SAFETY PROCEDURES

All pupils shall receive annual instruction in school bus safety.

The Superintendent shall develop procedures designed to promote the safety of all students. Said procedures shall specify specific responsibilities for line positions having responsibility for student supervision.

Student Health and Safety**ANIMALS IN SCHOOL BUILDING OR AT SCHOOL ACTIVITIES**

The presence of animals in school buildings and at school activities shall relate to curricular objectives and shall be permitted in accordance with procedures developed by the Superintendent to include, but not be limited to, consideration of acceptable risk, students' safety, and service animals. No animal shall be permitted on school property or at school-sponsored events without the approval of the Principal/designee.

A written request for the presence of animals shall be submitted to the building Principal who shall determine if the request is a moderate or high level risk. Moderate and high level risk requests shall require Board approval.

NOTE: The District ADA/504 Coordinator shall determine use of a service animal in accordance with Section 504 of the Rehabilitation Act of 1973.

Animal handlers shall use appropriate and necessary restraint including a leash, muzzle, and harness at all times for controlling animals. Animals used for curricular purposes shall be treated humanely at all times.

SUICIDE PREVENTION

All middle and high school teachers, principals, and guidance counselors shall ~~annually~~ complete a minimum ~~one of two (12)~~ hours of ~~self-study review of high-quality suicide prevention materials training~~. Such training shall be in-person, by live streaming, or via video recording and may be included in the four (4) days of professional development required by statute. The District shall provide suicide prevention materials for review by any employee subject to training hired during a year in which the in-person, live streaming, or video recording training is not required.³

By September 15 of each school year, administrators shall provide suicide prevention awareness information to students in middle school grades and above, as provided by the Cabinet for Health and Family Services or a commercially developed suicide prevention training program.²

SEIZURE DISORDER MATERIALS

All principals, guidance counselors, and teachers shall complete at least one (1) hour of self-study review of seizure disorder materials no later than July 1, 2019. At least one (1) hour of self-study review of seizure disorder materials shall also be required for all principals, guidance counselors, and teachers hired after July 1, 2019.³

REFERENCES:

¹KRS 156.501; KRS 156.502; 702 KAR 1:160

²KRS 156.095

³KRS 158.070

KRS 156.160

KRS 158.836; KRS 158.838

702 KAR 5:030

RELATED POLICY:

09.2241

LEGAL: HB 147 AMENDS KRS 158.838 TO ADD MEDICATION PRESCRIBED TO TREAT SEIZURE DISORDER SYMPTOMS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED
LEGAL: THIS CLARIFIES THAT SCHOOLS SHALL HAVE EMERGENCY CARE PROCEDURES THAT COMPORT WITH REGULATION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.224

Emergency Medical Treatment

FIRST AID TO BE PROVIDED

First aid shall be provided to all pupils in case of an accident or sudden illness until the services of a health care professional become available.

FIRST-AID ROOM

A first-aid area with appropriate equipment, supplies and provisions for the child to recline shall be designated in each school. At least two (2) adult employees in each school, at least one (1) of whom shall be present at the school at all times during school hours, shall have completed and been certified in a standard first aid course that includes CPR for infants and children.

The District shall have employees trained in accordance with the law to administer or help administer emergency medications.

When enrolled students, for whom documentation under KRS 158.838 has been provided to the school, are present during school hours or as participants in school-related activities, a school employee who has been appropriately trained to administer or assist with the self-administration of glucagon, insulin, or seizure rescue medications, or medication prescribed to treat seizure disorder symptoms shall be present.

INFORMATION NEEDED

A number at which parents can be reached and the name of the family physician shall be maintained at each school for all its pupils.¹ Parents will be notified in the event of an accident.

EMERGENCY CARE PROCEDURES

Schools shall have emergency care procedures comporting with regulation¹ and may utilize the Kentucky Department of Education's Health Services Reference Guide (HSRG) as a resource.

~~Each Principal shall develop a procedure for handling medical emergencies.~~

When an emergency arises and the student's parent/guardian or designee cannot be reached in a timely manner, the school may take action necessary to maintain the student's health, such as calling emergency medical personnel or taking the student to a health care facility.

REFERENCES:

¹702 KAR 1:160

KRS 156.160; KRS 156.502; KRS 158.836; KRS 158.838

Kentucky Department of Education Health Services Reference Guide (HSRG)

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RELATED POLICIES:

09.21; 09.22; 09.2241

LEGAL: HB 1 AMENDS KRS 620.146 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, OR ANY ASSISTANT PRINCIPAL, AND DPP OF THE NAMES OF PERSONS AUTHORIZED TO CONTACT OR REMOVE THE CHILD FROM SCHOOL GROUNDS. THE NOTIFICATION SHALL BE PROVIDED BY THE CABINET BY WRITTEN NOTICE VIA EMAIL OR FAX.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.227

Child Abuse

REPORT REQUIRED

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

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

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

WRITTEN REPORT

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

WRITTEN RECORDS

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

INTERVIEWS

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

Child Abuse**AGENCY CUSTODY**

If, as a result of dependency, neglect, or abuse, a child has been placed in the custody of the Cabinet, the Principal, or any Assistant Principal, or Guidance Counselor of the school in which the child is enrolled, and the District's Director of Pupil Personnel 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) By written notice via email or fax~~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 email, fax, or hand delivery of a copy of the court order~~written document~~ within ten (10) calendar days following the Cabinet's receipt of the court order of 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.

STUDENTS

09.227
(CONTINUED)

Child Abuse

REFERENCES:

- ¹KRS 600.020 (1)(15)
- ²KRS 620.030; KRS 620.040
- ³OAG 85-134; OAG 92-138
- ⁴KRS 620.072
- KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580
- KRS 156.095; KRS 199.990; KRS 209.020
- KRS 620.050; KRS 620.146
- OAG 77-407; OAG 77-506; OAG 80-50; OAG 85-134
- 34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights
Regulations Implementing Title IX

RELATED POLICIES:

- 09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

LEGAL: KRS 160.1592 REQUIRES STUDENTS ENROLLED IN A PUBLIC CHARTER SCHOOL THAT DOES NOT OFFER INTERSCHOLASTIC ATHLETIC ACTIVITIES ARE TO BE ELIGIBLE TO PARTICIPATE IN THAT ACTIVITY AT THE DISTRICT SCHOOL OF THE STUDENT'S RESIDENCE.
FINANCIAL IMPLICATIONS: POTENTIAL INCREASED COSTS FOR THE DISTRICT ATTRIBUTABLE TO ATHLETIC PARTICIPATION

STUDENTS

09.313

Eligibility (Athletics)

Determination of athletic eligibility shall be made in compliance with applicable administrative regulations and Kentucky High School Athletic Association requirements.

District standards for playing up from middle school (grades seven and eight [7 & 8]) to high school in sports other than football and soccer may include, but are not limited to, considerations related to safety, physical readiness, use of school space after the school day, transportation, funding, the student's disciplinary status and record, any substance testing restrictions, equitable opportunities for participation, and harmonizing any conflicting school-based decision making ("SBDM") requirements. SBDM Council policies apply to the selection of sports activities, and student participation based on academic qualifications and attendance requirements, program evaluation, and supervision¹.

To be eligible to try out and participate at the high school level, middle school students must meet all applicable KHSAA, District, and SBDM requirements. The Superintendent/Designee in cooperation with principals, SBDM councils, coaches, and athletic directors, as deemed appropriate, may develop guidelines for Board approval addressing playing up standards.

CHARTER SCHOOL STUDENTS

A student enrolled in a public charter school that offers any interscholastic athletic activity shall be ineligible to participate in interscholastic activities at any other school. Subject to applicable law, regulations and bylaws (e.g. KHSAA, Title IX) and the terms of the charter contract, students who are enrolled in a charter school that does not offer any interscholastic athletic activities shall be eligible to participate in such activities at the District school of that student's residence.

REFERENCES:

¹KRS 160.345
KRS 156.070; [KRS 160.1592](#)
702 KAR 7:065; OAG 15-022
Kentucky High School Athletic Association (KHSAA)

RELATED POLICIES:

02.4241
09.126 (re requirements/exceptions for students from military families)
09.423