

5/11/2018

KSBA Policy Service

2018 Policy Update (#41) Checklist

District: Woodford County Schools

To enable KSBA to track and store your District's policies in our policy database, please indicate below what action you have taken on the new/revised policies enclosed for your review. We will forward printed or reproducible copies of the policies when we receive this form and update your online manual if you belong to that service.

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
01.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
01.11	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
01.111	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
01.42	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
01.43	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
01.83	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
01.91	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
01.911	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
01.9111	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
01.912	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
01.913	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
01.914	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
02.421	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
02.442	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.11	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.121	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Typo			<input type="checkbox"/>	<input type="checkbox"/>
03.1235	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.18	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.21	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.221	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
03.27	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.6	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
04.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
04.32	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
04.91	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
05.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
06.33	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
06.34	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
08.1341	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
08.1345	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
08.13451	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
08.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.11	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.12	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.1231	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.211	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.22	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.224	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.227	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.313	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>

Reminder: Legal Changes to be applied to corrected policy.

03.2235	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
09.36	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

*Please attach a copy of the modified policy. DO NOT RETYPE A DRAFT - simply indicate the district-initiated changes by writing in colored ink, circling, highlighting, etc.

Board Chair's Signature

Date

Superintendent's Signature

Date

Please return this completed form to KSBA at your earliest opportunity.
Please contact your KSBA Consultant IF you need KSBA to completely reprint all policy pages or to order additional new manuals, instead of just getting copies of the updated policies.

08.1133	Rescind		<input checked="" type="checkbox"/>
03.2231	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
03.2232	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
03.2236	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

LEGAL: PUBLIC CHARTER SCHOOLS AND AUTHORIZERS ARE DEFINED BY STATUTE AND INCLUDED IN THESE DEFINITIONS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

RECOMMENDED: CLARIFICATION THAT BOARD POLICIES ARE INTENDED FOR SCHOOL DISTRICT GOVERNANCE PURPOSES AND DO NOT IMPOSE JUDICIAL LIABILITY STANDARDS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.0

DEFINITIONS

The following expressions are defined with respect to their intended meanings in the context of this manual:

POLICIES

An expression of the will of the elected Board of Education or the school council. Although other statutes may have Board policy implications, the general scope of Board policies is defined by KRS 160.290 and KRS 160.340. The scope of council policies is defined by KRS 160.345. Board policies cover the general management and governance of school district operations and functions. Within the parameters of the District's legal authority, violations of policy may provide grounds for administrative response or action as relates to students, District employees, parents, and members of the community, but such policies are not intended to heighten standards of care, establish grounds for liability or create rules for immunities enjoyed by defendants in civil judicial actions against the Board, its members, District employees, officers, or volunteers.

ADMINISTRATIVE PROCEDURES

Statements of the Superintendent and/or district administration. Procedures are administrative instruments to implement Board policy and other legal mandates.

ADMINISTRATIVE REGULATIONS

References such as "State Board regulations", state regulations", and "administrative regulations" shall mean Kentucky Administrative Regulations (KAR) promulgated by the Kentucky Board of Education.

FULLTIME, PARTTIME STATUS

Employment status shall be determined in compliance with statute and regulation and shall be defined in the employee's contract.¹

SUPERINTENDENT

Policies that charge the Superintendent with preparing and/or implementing provisions of procedures, plans or programs for Board review also direct any other employee to whom the Superintendent may delegate such charges.

TEACHER

Except for referenced statutes which specify a different definition for the purposes of those statutes, in this manual the term teacher shall refer to any person, other than the Superintendent, for whom certification is required as a basis for employment.

HUSBAND AND WIFE

The term husband and wife, as used in the policy manual, shall be deemed to include a spouse in a legally recognized marriage unless the context otherwise requires.

DEFINITIONS

PARENT OR GUARDIAN

Parent, as used in this manual, means parent, legal guardian, or other person authorized by law to act as a parent as the context requires.

GENDER

Unless otherwise noted, all gender references include both male and female.

CHILDREN AND YOUTH WITH DISABILITIES

In compliance with federal law and unless otherwise indicated, use of the terms "handicapped/special education/exceptional" shall refer to children and youth with disabilities.

SCHOOL NUTRITION PROGRAM

Use of the term "food service" shall also refer to the District's School Nutrition Program.

STUDENT ATTENDANCE DAY

Unless otherwise noted, use of the term "instructional day" shall have the same meaning as "student attendance day".

HEALTH PROVIDER

Unless otherwise noted, the terms "health care provider" and "health care practitioner" have the same meaning.

CHARTER SCHOOL

Use of the term "charter school" means a public charter school.

CHARTER SCHOOL AUTHORIZER

A local board of education as defined in KRS 161.1590.

RELATED POLICIES

The listing of related policies at the bottom of a document is a generic list and may include some policy numbers that this manual does not contain.

REFERENCES

Legal references listed in this manual, such as state and federal statutes and regulations, Kentucky Attorney General Opinions, and court cases are provided as a tool for additional research and are not intended to be viewed as a complete listing of legal resources applicable to a particular topic.

DEFINITIONS

REFERENCES:

¹KRS 157.320; 102 KAR 1:036; 702 KAR 1:035

~~⁺102 KAR 1:036~~

~~⁺702 KAR 1:035~~

KRS 158.144

KRS 160.290;₃ KRS 160.340;₃ KRS 160.345

KRS 161.1590

KRS 405.028

701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040

702 KAR 6:010;₃ 702 KAR 6:020;₃ 702 KAR 6:040

702 KAR 6:045;₃ 702 KAR 6:075;₃ 702 KAR 6:090

LEGAL: HB 158 AMENDS KRS 18A.205 AND KRS 18A.210 TO PERMIT BOARD MEMBERS TO PURCHASE LIFE INSURANCE IF OFFERED AS PART OF A GROUP PLAN BY THE LOCAL BOARD OF EDUCATION.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.11

General Powers and Duties of the Board

ESTABLISHMENT OF SCHOOLS

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

CHARTER SCHOOLS

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

REQUEST FOR WAIVER AND EXEMPTIONS

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

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

SCHOOL FUNDS AND PROPERTY

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

ADMINISTRATION

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

MANAGEMENT

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

General Powers and Duties of the Board

SUBPOENA

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

INSURANCE

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

As long as they pay full cost of premiums required, Board members may choose to participate in any group life insurance¹² or any group medical or dental insurance provided by the District for employees.¹⁰

FREE SUPPLIES

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

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

REPORTS

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

LEVY OF TAX RATES

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

POWER TO BORROW MONEY

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

General Powers and Duties of the Board**APPLICATIONS FOR GRANTS**

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

REFERENCES:

- ¹KRS 160.290
- ²KRS 160.300
- ³KRS 160.310
- ⁴KRS 160.160
- ⁵KRS 160.330
- ⁶KRS 160.340
- ⁷KRS 160.470
- ⁸KRS 160.540
- ⁹KRS 160.345
- ¹⁰KRS 160.280
- ¹¹KRS 156.108; KRS 160.107; KRS 160.346; 701 KAR 5:140
- ¹²KRS 18A.205; KRS 18A.210
KRS 116.200; KRS 156.072; KRS 156.160
KRS 160.1590; KRS 160.1592; KRS 160.1593; KRS 160.1594; KRS 160.1595
KRS 160.1599; KRS 161.158; KRS 162.010; KRS 416.560
OAG 9110; OAG 91122; OAG 9510
702 KAR 3:220; 702 KAR 4:160

RELATED POLICIES:

- 01.41; 01.5; 01.7
- 03.124; 03.224; 04.92

LEGAL: REVISIONS TO 703 KAR 5:225 REQUIRE LOCAL BOARDS TO APPROVE THE CDIP BY JANUARY 1 OF EACH SCHOOL YEAR.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 366 AMENDS KRS 160.463 TO INCLUDE INFORMATION FOR PUBLICATION OF SCHOOL REPORT CARDS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111

District Planning

PLANNING COMMITTEE

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

Selection of committee members shall reflect reasonable minority representation and encourage active minority participation.'

The Superintendent shall present to the Board for review and approval the form and function of the District planning process, including format and timelines.

PLANNING CYCLE

The District's planning cycle shall follow a process of continuous improvement as data becomes available. The structure of the CDIP shall include completion of the Continuous Improvement Diagnostic between August 1 and October 1 of each school year and completion of the needs assessment between October 1 and November 1 of each school year.

PLAN REQUIREMENTS

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

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

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

The plan shall be updated on an annual basis, provide assistance in reducing physical, mental health, and academic barriers to learning, and address student equity.

Planning activities shall draw on information from a variety of sources that shall include an opportunity for parents and other citizens of the community to have input into the plan.

District Planning

PLAN REQUIREMENTS (CONTINUED)

As part of the District planning process, the Board shall review District academic performance on the state assessments for various groups of students in compliance with legal requirements. Upon agreement of the council, or the Principal if there is not a council, and the Superintendent, the Board shall establish an annual target for each school for reducing identified gaps in achievement.²

If the Board determines that a school has not met its target to reduce the identified group in student achievement for a group of students, the Board shall require the council, or the Principal if no council exists, to submit its revisions to the school improvement plan describing the use of the professional development funds and funds allocated for continuing education to reduce the school's achievement gap for review and approval by the Superintendent. The plan shall address how the school will meet the academic needs of the students in the various gap groups.

PUBLIC REVIEW

The plan shall have public review prior to presentation to the Board for final adoption. Opportunity for public and school staff review shall be provided for a period of at least two (2) weeks and shall be advertised in the newspaper of the largest circulation in the District, or as an alternative, post the plan on the District web site and provide for electronic review and feedback.

BOARD APPROVAL

The plan shall be completed between November 1 and January 1 of each school year and presented to the Board for approval. If revisions are needed, the District planning committee shall forward proposed revisions to the Superintendent. Revisions must reflect requirements of Every Student Succeeds Act of 2015 and KRS 158.649. All recommendations for revisions require approval by the Board.

The Superintendent shall submit required assurances to the Kentucky Department of Education no later than September 30~~July 1~~ of each year.

IMPLEMENTATION

The District shall maintain a copy of each plan permanently and, consistent with the District's planning cycle, post the current plan on the District's web site.

The plan shall serve as a resource for Board decision making.

SCHOOL PLANS

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

District Planning

DISTRICT REPORT CARDS

The District shall post the District report card on its website, as required by ESSA. District report cards shall be widely accessible to the public, in an understandable and uniform format, and when possible, written in a language that parents can understand.

As outlined in KRS 1604.463, a copy of the report card is to be publicized by one of the following methods:

- a. In the newspaper of the largest general circulation in the county;
- b. Electronically on a website of the District; or
- c. By printed copy at a prearranged site at the main branch of the public library within the District.

If b or c above is selected, the Superintendent shall cause notification to be published in the newspaper with largest circulation in the county that includes the electronic address of the website or the address of the library where the report card can be viewed by the public.

The District shall send a District report card to parents containing information about performance as outlined in KRS 158.6453 and 703 KAR 5:140, and information on electronic access to a summary of the results for the District shall be published in the newspaper with the largest circulation in the county.

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

REFERENCES:

¹KRS 156.500

²KRS 158.649

KRS 158.6453; KRS 160.290; KRS 160.340; KRS 160.345; KRS 160.463

703 KAR 5:140; 703 KAR 5:225; 703 KAR 5:280; 704 KAR 3:390

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

RELATED POLICIES:

02.44; 02.441; 02.442; 04.1; 09.21

LEGAL: HB 592 AMENDS KRS 61.826 TO ALLOW CLOSED SESSIONS TO BE CONDUCTED THROUGH VIDEO TELECONFERENCE AND PRECISELY IDENTIFY THE PRIMARY LOCATION OF THE VIDEO TELECONFERENCE WHERE ALL MEMBERS CAN BE SEEN AND HEARD AND THE PUBLIC MAY ATTEND IN ACCORDANCE WITH KRS 61.840.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.42

Regular Meetings

TIME AND PLACE

At a meeting in December, the Board shall adopt a schedule of regular meetings for the upcoming calendar year, identifying the date, time and place of each meeting. Rescheduled regular meetings shall be noticed and held as special meetings.^{1 & 4}

PUBLICITY

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

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

OPEN MEETINGS

All meetings of a quorum of the members of the Board at which any public business is discussed or at which any action is taken are to be public meetings, open to the public at all times, except as provided in KRS 61.810.³

VIDEO TELECONFERENCES

The Board may conduct its meeting by video teleconference (including closed sessions). Notice of a video teleconference shall comply with the requirements of KRS 61.820. In addition, the notice shall clearly state that the meeting will be a video teleconference and precisely identify the locations involved, including the location, if any, that is primary location of the video teleconference where all members can be seen and heard and the public may attend in accordance with KRS 61.840.

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

REFERENCES:

¹KRS 160.270

²KRS 61.820; OAG 78274; OAG 78614

³KRS 61.810

⁴92OMD1677; 04-OMD-056

KRS 61.826; KRS 61.840; KRS 158.070

17-OMD-148

RELATED POLICIES:

01.421; 01.43; 01.44; 08.3; 08.31

LEGAL: HB 592 AMENDS KRS 61.826 TO ALLOW CLOSED SESSIONS TO BE CONDUCTED THROUGH VIDEO TELECONFERENCE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.43

Closed Sessions

AUTHORIZATION

The Board may at any meeting go into closed session to discuss any matters which it may lawfully discuss at a closed meeting.¹

REQUIREMENTS

Except as provided under KRS 61.810, the following requirements shall be met as a condition for conducting closed session:

1. Notice shall be given in open meetings of the general nature of the business to be discussed in closed session, the reason for the closed session, and the specific provision of KRS 61.810 authorizing the closed session;
2. Closed sessions may be held only after a motion is made and carried by a majority vote in open, public session;
3. No final action may be taken at a closed session, except as permitted by law;²
4. No matters may be discussed at a closed session other than those publicly announced prior to convening the closed session.³

Closed sessions by video teleconference may be held in properly noticed meetings as provided in KRS 61.826.⁴

SERIAL MEETINGS PROHIBITED

No series of meetings of less than a quorum of the Board, where those attending one or more meetings collectively constitute a quorum of the Board, may be held where the meetings are designed to avoid the requirements of the Open Meetings Law. Discussions between individual Board members may be held if the purpose of the discussion is to educate the members on specific issues.

REFERENCES:

¹KRS 61.810

²OAG 81135

³KRS 61.815

⁴KRS 61.826

15-OMD-090

LEGAL: 701 KAR 8:020 SETS NEW TRAINING REQUIREMENTS REGARDING CHARTER SCHOOLS. KDE HAS INDICATED THAT BOARD MEMBERS HAVE UNTIL DECEMBER 31, 2019 TO COMPLETE 12 HOURS OF CHARTER TRAINING AND TRACKING OF SAME WILL COMMENCE IN 2020.
FINANCIAL IMPLICATIONS: COST OF OBTAINING TRAINING

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.83

InService Training

Annual in-service training for all school board members in office as of December 31, 2014 shall include training on topics required by regulation that meet the minimum number of total training hours as follows:¹

1. Twelve (12) hours for school board members with zero (0) to three (3) years of experience (to include five hours on the following: three (3) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation);
2. Eight (8) hours for school board members with four (4) to seven (7) years of experience (to include four hours on the following: two (2) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation); and
3. Four (4) hours for school board members with eight (8) or more years of experience (to include three hours on the following: one (1) hour of finance and one (1) hour of ethics annually and, one (1) hour of superintendent evaluation biennially).

If a Board member obtains hours through any sources other than KSBA, they shall have local Board approval prior to participation in the training event and send a copy of the record (Board minutes) to KSBA.

For Board members who begin initial service on or after January 1, 2015, annual in-service training requirements shall be twelve (12) hours for Board members with zero to eight (0-8) years of experience and eight (8) hours for Board members with more than eight (8) years of experience. Required annual training hours shall include:

1. Three (3) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation for members with zero (0) to three (3) years experience;
2. Two (2) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation for members with four (4) to seven (7) years experience; and
3. One (1) hour of finance, one (1) hour of ethics annually, and one (1) hour of superintendent evaluation biennially for members with eight (8) or more years experience.

InService Training

INSERVICE TRAINING (SCHOOL BOARDS AS CHARTER SCHOOL AUTHORIZERS)

School Board members shall participate in annual in-service training as follows:

1. Twelve (12) hours for an authorizer or member with zero (0) to eight (8) years of experience as an authorizer;
2. Competency-based annual in-service training;
 - a) In-service training toward the board member training requirements of KRS 160.180 may also count toward the required twelve (12) hours of charter school training, to the extent the requirements of both are met by training contents. The charter school training requirements shall include the following topics of authorizer responsibility and charter school formation and operation:
 1. Financial governance and transparency;
 2. Conflict of interest;
 3. Charter application;
 4. Charter school contracting;
 5. Charter school monitoring;
 6. Charter school renewal, nonrenewal, and revocation;
 7. Charter school closure;
 8. Ethics;
 9. Curriculum and instruction;
 10. Educational services provided for special needs, at risk, English learner, gifted, and other special population students; and
 11. Physical restraint and seclusion of students.
 - b) The training shall be approved by the Commissioner of Education.

ORIENTATION OF NEW BOARD MEMBERS

The Superintendent/designee and/or the Board Chair shall acquaint new Board members with their duties and obligations and furnish them with a copy of the Board's policy manual and/or access to the District's online manual and such other information and guidance materials as necessary to prepare them for service. Areas should include, but not be limited to, District budgeting, planning and student learning indicators. In addition, new Board members shall be provided assistance in locating training opportunities to help them meet statutory training requirements and to support them in learning their roles and responsibilities.

InService Training

REFERENCES:

'KRS 160.180
701 KAR 8:020
702 KAR 1:115
OAG 8553; OAG 85145

LEGAL: CHARTER STATUTES AND REGULATIONS REQUIRE BOARDS AS AUTHORIZERS TO HAVE AN AUTHORIZATION PROCESS POLICY.

FINANCIAL IMPLICATIONS: DEPENDENT UPON AUTHORIZATION OF A CHARTER SCHOOL

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.91

Authorization of Charter Schools

AUTHORIZATION

Approval of charter school applications shall be subject to the Board finding that the school described in the application meets statutory and regulatory requirements and is likely to improve student learning and achievement; that the applicant demonstrates the ability to operate the school in an educationally and fiscally sound manner; and that approval of the application will:

- Improve student learning outcomes by creating additional high-performing schools with high standards for student performance;
- Encourage the use of different, high-quality models of teaching, governing, scheduling, or other aspects of schooling that meet a variety of student needs;
- Close achievement gaps between high-performing and low-performing groups of public school students;
- Allow schools freedom and flexibility in exchange for exceptional levels of results-driven accountability;
- Increase high-quality educational opportunities within the public education system for all students, especially those at risk of academic failure; and
- Provide students, parents, community members, and local entities with expanded opportunities for involvement in the public education system.

BOARD MISSION AND VISION FOR AUTHORIZING CHARTER SCHOOLS

The Board seeks to authorize high quality charter schools with innovative, unique, and effective academic programs that are designed to increase student performance and achievement in alignment with the strategic priorities of the Board as set forth in the District's vision, mission and strategic plans and is encouraged to give preference to applications that demonstrate the intent, capacity, and capability to provide comprehensive learning experiences to: (a) Students identified by the applicants as at risk of academic failure; and (b) Students with special needs as identified in their individualized education program as defined in KRS 158.281.

AUTHORIZER ORGANIZATIONAL CAPACITY

The Board shall allow the Superintendent/designee to file a letter of support or one objecting to approval of each charter application received based on substantial hardship that may result for the students who do not attend the charter school and shall allow comments at the public hearing from the Superintendent/designee if he or she has filed objections to the charter application. Any letter and supporting evidence filed by the Superintendent/designee must be published on the District website within three (3) days.

Authorization of Charter Schools

AUTHORIZER ORGANIZATIONAL CAPACITY (CONTINUED)

The Board shall consult with the Superintendent/designee on the timeline for submission, review, decision, and appeal for a charter application and/or request for contract renewal. The Board shall require the Superintendent/designee to provide information and evidence regarding the academic performance of the students identified in the charter application as the targeted community and shall publish the information on the District website within three (3) days of submission by the Superintendent/designee.

With respect to charter school applications and monitoring of existing charter schools, the Board shall not execute or renew a charter school contract if fiscal jeopardy or failure to make consistent progress towards the stated objectives of the charter school is evident or a likely outcome. In addition, the Board shall not allow an existing charter school to operate in a manner that would jeopardize the learning, safety, or well-being of its students and shall take appropriate intervention as warranted, up to and including revocation of the charter contract.

The Board shall:

- Receive, review, and take final action concerning all properly submitted charter school applications within the timelines established by all applicable statutes and regulations and shall provide a copy of a submitted charter application to the resident local District Superintendent and to any other authorizer within three (3) days.
- Conduct a comprehensive analysis of the strengths and weaknesses of each charter school application.
- Develop, in cooperation with the applicant, a charter contract that complies with all applicable statutes and regulations, subject to approval of the Board and the Commissioner of Education.
- Submit all required reports to the Kentucky Department of Education within the required timeframe, as established by all applicable statutes and regulations.
- Monitor each charter school's progress towards the goals, objectives, and performance framework established in its charter contract, including but not limited to:
 - Taking reasonable measures to obtain charter school compliance with all applicable statutes and regulations, including, but not limited to, the Kentucky Open Records and Open Meetings laws.
 - Holding the board of directors and officers of the charter school accountable to the Board through student achievement, financial, governance, operational, and climate and culture data that shall be collected throughout the year and provided to the Board.
 - Monitoring the charter school's academic, fiscal, and operational health, as well as school climate and culture, through a transparent accountability system, to include periodic reporting, monitoring visits, and publication of reports via the websites of the Board and the charter school.

Authorization of Charter Schools

AUTHORIZER ORGANIZATIONAL CAPACITY (CONTINUED)

- Documenting, in writing, any discrepancies or deficiencies whether fiscal, educational, operational, or related to school climate and culture of the charter school and the steps and timelines developed by the charter school for correction and conduct additional monitoring. Copies of the documentation shall be provided to the charter school board of directors.
- Consider, as appropriate and required by law, amendments to as well as renewal, nonrenewal, and/or revocation of a charter contract.
- Publication of required information on the District website as well as each charter school's website, including but not limited to, the charter school's original application, charter contract, and any contract amendments.
- Compliance by each charter school with its charter contract.

REFERENCES:

KRS 160.1590; KRS 160.1591; KRS 160.1592; KRS 160.1593; KRS 160.1594
KRS 160.1595; KRS 160.1596; KRS 160.1597; KRS 160.1598; KRS 160.1599
701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040

RELATED POLICIES:

01.11; 01.911; 01.9111; 01.912; 01.913; 01.914

LEGAL: CHARTER STATUTES AND REGULATIONS REQUIRE BOARDS AS AUTHORIZERS TO HAVE AN APPLICATION PROCESS POLICY. NOTE: THE OCTOBER 30 DATE CORRESPONDS WITH THE REGULATORY DEADLINE THAT APPLIES IN THE CASE OF CONVERSION CHARTER SCHOOLS. STATUTES/REGULATIONS DO NOT OFFER A DEADLINE FOR OTHER CHARTER APPLICATIONS SO THE DISTRICT MAY WISH TO EXPLORE OTHER OPTIONS.

FINANCIAL IMPLICATIONS: DEPENDENT UPON AUTHORIZATION OF A CHARTER SCHOOL

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.911

Charter School Application Process

APPLICATION PROCESS

Eligibility: An application to establish a charter school may be submitted to the Board by teachers, parents, school administrators, community residents, public organizations, nonprofit organizations, or a combination thereof. The Board shall accept and document the date and time of receipt of all charter school applications.

A charter school approved by the Board shall be nonsectarian in its organizational structure and operations. A charter school approved by the Board shall not discriminate against any student, employee, or any other person on the basis of ethnicity, religion, national origin, sex, disability, special needs, athletic ability, academic ability or any other ground that would be unlawful if done by a public school. A charter school approved by the Board may serve any grade or combination of grades from kindergarten through grade twelve (12).

Application: For a charter school application to be considered complete, the application (i) shall be submitted on the form of Kentucky Charter School Application as incorporated by reference in 701 KAR 8:020, (ii) shall satisfy the requirements of KRS 160.1593 and 701 KAR 8:020, and (iii) shall satisfy the requirements of the District. Incomplete applications shall be denied. An applicant shall be provided a detailed account of any deficiency in the application and shall be permitted ten (10) calendar days after receipt of such account to remedy the deficiency. If supplemental information is not provided to remedy the deficiency, or the supplemental information provided is not sufficient, the application shall be denied by the Board.1

Request for Charter School Applications: The request shall contain all information that will enable an applicant to submit a complete application to the Board, including but not limited to the form of Kentucky Charter School Application, a description of specific evidences to be provided by the applicant, a Scoring Rubric, and any additional information required by the Board.

An applicant shall complete and file the application on or before October 30.

Capacity: In order for an application to be approved, the applicant must demonstrate the capacity of the applicant's board of directors to operate a high-quality charter school as set forth in the performance contracting requirements. If an applicant intends to contract with an education management organization to operate all or parts of the proposed charter school, the applicant must demonstrate the ability of the applicant's board of directors to operate at arms' length from the education management organization as required in the Kentucky Charter School Application and Addendum.

Charter School Application Process

APPLICATION PROCESS (CONTINUED)

Charter Authorization: The Board shall approve only a charter school application that has been properly and timely submitted and that demonstrates a strong capacity to establish and sustainably operate a charter school that will provide high quality learning opportunities for all of its students and which satisfies the criteria for approval described in Policy 01.91. The Board shall review the Superintendent's recommendation and related materials and shall by majority vote approve or deny an application within sixty (60) days after the applicant's timely submission. The Board shall not approve a charter application unless the application meets all legal requirements. The Board shall only approve initial charter contracts with a term of five (5) years in length. Within five (5) days of an approval, the Board shall submit the approved charter application to the Commissioner of Education for review and approval.

Appeal: Following any decision to deny an application, the applicant may submit a notice of appeal to the Board and the Kentucky Board of Education. The notice of appeal shall be filed within thirty (30) days after the Board's decision to deny the application. The notice of appeal must comply with the requirements of KRS 160.1595 and 701 KAR 8:030. The requirements for the notice of appeal shall be posted on the District website.²

Conversion Charter Schools: The Board may by a majority vote designate an existing school within the District not scheduled for closure to be converted to a charter school. The processes for submission of a conversion application, community input, the Board's review and vote, the transfer of management and operations of a conversion charter school, and the transition of employees shall adhere to the requirements of KRS 160.1599 and 701 KAR 8:040. The requirements for petitioners advocating for conversion of an existing school within the District shall be posted on the District website.³

REFERENCES:

¹KRS 160.1592; KRS 160.1593; KRS 160.1594; 701 KAR 8:020

²KRS 160.1595; 701 KAR 8:030

³KRS 160.1599; 701 KAR 8:040

RELATED POLICIES:

01.11; 01.91; 01.9111; 01.912; 01.913; 01.914

LEGAL: CHARTER STATUTES AND REGULATIONS REQUIRE BOARDS AS AUTHORIZERS TO HAVE A CONTRACT POLICY AND PROCEDURE.

FINANCIAL IMPLICATIONS: DEPENDENT UPON AUTHORIZATION OF A CHARTER SCHOOL

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.9111

Charter School Contract

Subject to completion of the charter school application process and prior to negotiating a charter contract with a charter school board of directors, the Board shall verify the charter school board of directors has registered as a non-profit business entity with the Kentucky Secretary of State pursuant to KRS 14A.

Negotiation and entry into a charter contract shall comply with state laws and regulations.

The contract, to be executed within seventy-five (75) days of final approval of an application, shall:

- Become the final authorization for the public charter school;
- Establish the academic and operational performance expectations and measures by which the charter school shall be evaluated; and
- Cover terms required by applicable statutes and regulations (e.g. KRS 160.1596 and 701 KAR 8:020).

The contract may include any other terms and conditions agreed to between the local Board and the charter board of directors but shall not include enrollment caps or operational requirements that place undue constraints on the charter school or which contradict charter school statutes.

REFERENCES:

KRS 160.1590; KRS 160.1591; KRS 160.1592; KRS 160.1593; KRS 160.1594
KRS 160.1595; KRS 160.1596; KRS 160.1597; KRS 160.1598; KRS 160.1599
701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040

RELATED POLICIES:

01.11; 01.91; 01.911; 01.912; 01.913; 01.914

LEGAL: CHARTER STATUTES AND REGULATIONS REQUIRE BOARDS AS AUTHORIZERS TO HAVE A PERFORMANCE MONITORING POLICY.

FINANCIAL IMPLICATIONS: DEPENDENT UPON AUTHORIZATION OF A CHARTER SCHOOL

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.912

Charter School Monitoring, Assessment, and Annual Reports

PERFORMANCE MONITORING

The local Board may use the charter contact performance framework developed by the Kentucky Department of Education. The framework shall include academic, financial, and organizational frameworks and the following targets:

1. Student assessment and accountability;
2. Student graduation rates;
3. Student attendance rates;
4. Student admission and enrollment in postsecondary institutions; and
5. Other outcomes.

Where a charter school board of directors has governance over more than one (1) charter school and has failed to meet statutory requirements, the local Board shall begin an investigation to determine if the charter school board is in compliance with any charter contract(s) for other school(s) under the local Board's jurisdiction.

The local Board shall also monitor the performance of contracts between the charter board and any Educational Service Provider (ESP). If the local Board believes there is an issue with any aspect of performance of the charter contract or compliance with statutory or regulatory requirements, then the local Board shall begin an investigation.

Verification of an issue with any aspect of performance of the charter contract or compliance with statutory or regulatory requirements shall result in notification to the Commissioner by the local Board who may request assistance in addressing and remedying the issue. The local Board shall also notify the charter school of the issue and take necessary action, which may include unilateral imposition of conditions on the charter school, revocation, or nonrenewal of the charter contract. The local Board shall provide notice of such an issue and resolution to all charter school students, parents, persons with custody or charge, and the Kentucky Department of Education.

FINANCIAL MONITORING

The local Board shall at least monthly review the financial budget reports of the charter school.

If budget projects indicate the charter school's annual operating expenses may at any time during the school year cause annual operating revenues to fall below two percent (2%) of the total projected annual operating revenues in the school's approved budget, the charter school shall provide specific notice to the local Board and the local Board shall take the following action:

1. Require the school to implement a cash management plan approved by the local Board;

Charter School Monitoring, Assessment, and Annual Reports

FINANCIAL MONITORING (CONTINUED)

2. Begin a more in-depth review, and audit if necessary, of the school's financial budget reports, expenditures, and revenues;
3. Request financial management assistance for the charter school from the Department; and
4. Restrict the school's expenditures and obtain the local Board's approval prior to expenditure of school funds for the remainder of the year.

If the school defaults on a financial obligation or if the local Board suspects the school may close prior to the end of the school year or the charter contract term, the local Board shall take the following action:

1. Consult with the Commissioner of Education;
2. Communicate with the charter school board to determine the need for charter contract revocation;
3. Commence the same action as required as if annual operating revenues fall below the two percent (2%) of total projected operating revenue;
4. Review closure protocol and charter contract termination provisions and communicate such with the charter board; and
5. Notify students and resident local school districts as soon as necessary to ensure they are provided adequate preparation time for student transition and to provide free and appropriate public education to any returning students.

REFERENCES:

KRS 160.1590; KRS 160.1591; KRS 160.1592; KRS 160.1593; KRS 160.1594
KRS 160.1595; KRS 160.1596; KRS 160.1597; KRS 160.1598; KRS 160.1599

RELATED POLICIES:

01.0; 01.11; 01.6; 01.61; 01.61
01.91; 01.911; 01.9111; 01.913; 01.914

LEGAL: CHARTER STATUTES AND REGULATIONS REQUIRE BOARDS AS AUTHORIZERS TO HAVE A POLICY REGARDING RENEWAL, NONRENEWAL, REVOCATION, AND CLOSURE.
FINANCIAL IMPLICATIONS: DEPENDENT UPON AUTHORIZATION OF A CHARTER SCHOOL

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.913

Charter School Renewal, Non-Renewal, Revocation, and Closure

CONTRACT RENEWAL, NON-RENEWAL, AND REVOCATION

The local Board shall not approve an application, contract with, or renew a contract with a charter school board of directors for a charter school that does not:

- a. Operate a breakfast program under the 42 U.S.C. 1773, as amended (CNA), and a lunch program under 42 U.S.C. 1751 et seq. (NSLA); or
- b. Operate a breakfast and lunch program with provision of meals at no cost to students who qualify for free meals under the CAN and NSLA and with the provision of meals at a reduced cost to students who qualify for reduced price meals under the CAN and NSLA; or
- c. Provide initial and continuing evidence and assurances of the charter school's financial solvency and financial sustainability, as demonstrated initially by the financial plan in the charter application, to cover the expenses of start-up or conversion, operation, and any foreseen or unforeseen closure of the charter school during the fiscal year or during the contract term.

The local Board shall also require:

- a. Inclusion of at least two (2) local school District resident parents or persons with custody or charge of local school District resident students who will attend the charter school on the charter school board of directors;
- b. That any exercise of the charter school board of directors authority to incur debt in anticipation of receipt of funds or encumber assets for loans and extensions of credit is permitted only as allowed for the local Board per KRS 160.540; and
- c. Participation of all members of the charter board in annual training requirements, approved by the Commissioner of the Education on topics required by state law and regulations.

The charter board or any education service provider shall provide to the local Board information and copies of all records of:

- a. Use of the Individual with Disabilities Education Act dispute resolution procedures, 707 KAR 1:340;
- b. Use of physical restraint or seclusion of charter school students;
- c. Allegations received or substantiated of violation of any health, safety, civil rights, and disability rights of students, staff, or parents or persons with custody or charge.
- d. Attendance records and data at least monthly during the school year.

The charter board shall adhere to any prohibitions and/or restrictions on expenditure of school resources and funds as required in state laws and statutes. The charter board shall obtain written consent of the local Board and amendment of the charter contract prior to any addition to or moving of any location of the charter school.

Charter School Renewal, Non-Renewal, Revocation, and Closure

CONTRACT RENEWAL, NON-RENEWAL, AND REVOCATION (CONTINUED)

The charter school shall provide reports to the local Board on student enrollment and attendance at least twice a month. The local Board shall require continuous enrollment at the charter school of at least eighty percent (80%) of the charter contract minimum student enrollment requirements. The local Board shall monitor the reports. Failure of the charter school to maintain the minimum enrollment requirements shall result in immediate review by the local Board of:

1. The charter school's operations;
2. The charter school's financial solvency and financial sustainability through the end of the school year and the end of the charter contract term;
3. Potential for closure;
4. Violation of the charter contract; and
5. The need for imposition of unilateral conditions, amendment, non-renewal, or revocation of the charter contract, or immediate revocation of the charter contract pursuant to KRS 160.1598.¹

The local Board shall revoke or non-renew a charter school contract if the Commissioner of Education has determined a member of the charter board, or an education service provider at the direction of a charter board member, or an employee at the direction of a board member, has knowingly violated 703 KAR 5:080 or KRS 160.1592 related to performance framework of the charter contract or the state accountability system.

The local Board shall remove a member of a charter school board of directors that has been convicted of a crime described in KRS 61.040 and remove any or all of the members of the charter school board in connection with ensuring a smooth and orderly closure when the member(s) threaten the health, safety, civil rights, or disability rights of the students or the community pursuant to KRS 160.1598.¹ This removal authority may be confirmed in charter school corporate governance documents or the charter contract.

Prior to renewing a charter school contract, the local Board shall hold a public hearing in the resident local school District and allow oral or written comments at the hearing as well as written comments to be submitted prior the hearing. The local Board shall allow comment by the resident Superintendent who has filed an objection to the charter application.

CLOSURE

The charter school shall provide contact information and resident local school district information for all parents, persons with custody or charge, adult students, and emancipated youth students to the local Board. Notification to these parties by the charter school shall include:

1. The closure decision and closure process;
2. Information on student instruction and reassignment;
3. Information on courses, levels, and credits completed by the student;

Charter School Renewal, Non-Renewal, Revocation, and Closure**CLOSURE (CONTINUED)**

4. Information on the process for obtaining a copy of the student's education records; and
5. Contact information for additional information.

The charter school notification to the resident local school district(s) and the department shall include:

1. The closure decision and closure process;
2. The closure timeline and dates;
3. Information on student instruction and reassignment;
4. Employment, payroll, and benefits information;
5. Transfer of federal and state funds and assets according to the federal and state requirements; and
6. Contact information for additional information.

Additional and final charter school notification to parents and resident local school district(s) shall include:

1. Information on the existence and role of any appeal of the closure;
2. Identifying the last student day;
3. Detailing end of the year activities and transition activities for students; and
4. Providing information and assistance for reassignment of students.

The local Board's charter school closure protocol shall also include notification and reporting requirements regarding financial records and accounting and other requirements for the charter school as applicable in state laws and regulations.

REFERENCES:

1701 KAR 8:020
KRS 160.1590; KRS 160.1591; KRS 160.1592; KRS 160.1593; KRS 160.1594
KRS 160.1595; KRS 160.1596; KRS 160.1597; KRS 160.1598; KRS 160.1599
KRS 160.540
701 KAR 8:010; 8:030; 08.040
707 KAR 1:340
42 U.S.C. 1751 et seq.; 42 U.S.C. 1773

RELATED POLICIES:

01.11; 01.91; 01.911; 01.9111; 01.912; 01.914

LEGAL: POTENTIAL CONVERSION OF A PUBLIC SCHOOL TO A PUBLIC CHARTER SCHOOL IS COVERED IN KRS 160.1599 AND 704 KAR 8:040.

FINANCIAL IMPLICATIONS: DEPENDENT UPON AUTHORIZATION OF A CHARTER SCHOOL

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.914

Conversion to Charter Schools

PETITION FOR CONVERSION

Public schools that are eligible for conversion to public charter schools through the petition process as indicated in statute, shall be published annually on the Kentucky Department of Education (KDE) website by school level.

Prior to circulation of a conversion petition, the petitioner shall file a notice of intent with the Board.

A valid application and petition for a conversion charter school shall be submitted to the Board on or before October 30 preceding the academic year in which students will be enrolled and no later than ninety (90) days after the date of the first signature on the petition.

Timelines and standards covering the submission, processing and action on notices of intent, petitions, and applications relating to the conversion of a public school to a public charter school are as set forth in KRS 160.1599 and 701 KAR 8:040.

CONVERSION

No conversion public charter school shall begin operation after the beginning of a school year.

Upon Board approval of the conversion of an existing public school to a public charter school or the completion of the petition process and meeting statutory and regulatory requirements including Board approval, the Superintendent shall:

1. Cause notice to be provided to resident students of the existing public school of the conversion including provide information regarding student application to the conversion charter school during the time that information on other school programs within the District is provided;
2. Create, with the conversion charter school board of directors, a conversion plan including, but not limited to, timelines, roles, responsibilities, and notification requirements for the following:
 - a. Coordination of student application, lottery, enrollment, and transfer to and from the conversion charter school; and
 - b. Transfer of management and operation of the conversion charter school in the same public school facility for the school years included in the conversion charter school's operation under the charter school's contract.
3. Meet during the first year of the charter contract with the charter school board of directors to coordinate student application, lottery, enrollment, and transfer of students; and
4. Meet throughout the charter contract with the charter school board of directors regarding the usage and maintenance of the facility by the charter school board of directors.

Conversion to Charter Schools

CONVERSION (CONTINUED)

Execution of a lease for the public school facility between the Board and the charter school entity through its board of directors is required prior to operation of a conversion public school.

RESIDENT STUDENTS NOT ATTENDING THE CONVERSION CHARTER SCHOOL

The District shall provide to the students and parents or guardians of students attending the existing public school but who choose not to attend the conversion charter school any information and plan the District uses to address their educational needs and placement.

OPERATION OF CONVERSION CHARTER SCHOOLS

The Board may renew, non-renew, revoke, or take other action regarding a conversion charter school as provided in KRS 160.1590 to KRS 160.1599, KRS 161.141, and 701 KAR 8:010 to 701 KAR 8:040.

With any closed conversion charter school reverting to its former status as a non-charter school, the Board shall solicit feedback on the future of the school from parents, guardians, adult students, and emancipated youth students prior to reversion.

REFERENCES:

KRS 160.1590; KRS 160.1591; KRS 160.1592; KRS 160.1593; KRS 160.1594
KRS 160.1595; KRS 160.1596; KRS 160.1597; KRS 160.1598; KRS 160.1599
KRS 161.141
701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040

RELATED POLICIES:

01.0; 01.11; 01.6; 01.61; 01.91
01.911; 01.9111; 01.912; 01.913

LEGAL: SB 236 (2017) AMENDED KRS 160.380 TO REQUIRE A SBDM COUNCIL PARENT MEMBER 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 ALSO CHANGED THE DEFINITION OF RELATIVE. SB 101 (2018) HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.421

Election of School Council Members

ELECTION OF TEACHER MEMBERS

Teachers may nominate themselves or another teacher. A written ballot containing the names of all teachers who are assigned to the building and who are nominated shall be prepared and kept on file with other council records. The teachers attending the meeting shall choose a chairperson to chair the meeting to elect teacher members to the council. Balloting will continue until three (3) teachers are elected. Teacher members must be employees of the District and currently assigned to the school where they are elected as council members. For the purpose of electing teacher council members, a Principal or Assistant Principal may not vote or serve as a teacher council member. The election of each teacher to the council shall be by majority vote of all teachers assigned to the school.

Itinerant teachers may vote at all schools to which they are assigned and may serve on the council of any of those schools.

Teachers elected to a council shall not be involuntarily transferred during their term of office.

ELECTION OF PARENT MEMBERS

Parents of students assigned to a school shall organize the election to select parent council members. They may request the Principal to provide administrative assistance required to conduct the election.

The president of the parent-teacher organization shall organize and oversee the election of parent council members. If the school does not have a parentteacher organization, then parents shall set the date and time for parents to elect parent council members and shall provide notice of the election to parents.

A parent council member shall be a parent, stepparent, or foster parent of a student to be enrolled in the school during the parent's term of council service. Parent shall also mean a person who has legal custody of a student pursuant to a court order and with whom the student resides. A parent council member shall not be an employee or the relative of an employee of the school in which that parent serves, nor shall the parent representative be an employee or a relative of an employee in the District administrative offices. A parent representative shall not be a local Board member or Board member's spouse. Relative shall mean father, mother, brother, sister, husband, wife, son, and daughter, ~~aunt, uncle, soninlaw or daughterinlaw.~~

A parent council member shall submit to a state and national fingerprint-supported criminal history background as required by KRS 160.380. In addition, the parent council member shall provide a letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record. Receipt of notice or verification of a finding of neglect or abuse shall subject the parent council member to removal under KRS 160.347. A parent member may serve prior to the receipt of the criminal history background check report, but shall be removed from the council on receipt by the District of a report documenting a record of a sex crime or criminal offense against a victim who is a minor as defined in KRS 17.500 or as a violent offender as defined in KRS 17.165 and no further procedures shall be required.

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>

Election of School Council Members

MINORITY REPRESENTATION

If the council formed under the elections described above does not have a minority member, and the school has eight percent (8%) or greater enrollment of minority students, the Principal shall be responsible for carrying out the following:

1. The Principal shall organize a special election no sooner than ten (10) and no later than twenty (20) calendar days following the elections described above to elect a minority parent to the council by ballot. The Principal shall notify all parents of the date, time, and location of the election. The notice shall call for nominations of minority parents for the ballot. The election shall be conducted using the same procedures as the election of the two (2) other parent members of the council.
2. The Principal shall call a meeting of all teachers in the building within seven (7) days following the initial election of parent and teacher council members. The teachers shall select one (1) minority teacher to serve as a teacher member on the council.
3. If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. Procedures for election of the teacher representative shall be the same as the procedures for election of the other three (3) teacher members of the council.

TERMS

Terms of school council members shall be for one (1) year and shall begin on July 1 and end on June 30 of the following year. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. Term limitations shall not apply for a minority teacher member who is the only minority on faculty. Annual elections for the following year's terms shall be held on a date set by the council.

COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS

When a new school is opened or schools are consolidated, these guidelines shall be followed:

- If a school is scheduled for closing, there is no need to hold council elections for the upcoming school year.
- Council members of a school being consolidated with another school may not carry over a term of office to the newly consolidated school's council, but may stand for election if otherwise qualified.
- Following the opening of a new or consolidated school, elections shall be held to form a council.

CONFLICT OF INTEREST

Council members shall not have a conflict of interest pursuant to KRS Chapter 45A, except the salary paid to District employees.

REMOVAL OF COUNCIL MEMBERS

On recommendation of the Commissioner of Education and pursuant to statutory requirements, the Board may remove a council member for cause by a vote of four-fifths (4/5) of the Board's membership.

Election of School Council Members

VACANCIES

Council vacancies shall be filled at a special called election and shall follow the guidelines set forth in this policy.

REFERENCES:

KRS 17.165; KRS 17.500; KRS 156.132
KRS 160.345; KRS 160.347; KRS 160.380
OAG 91-148; OAG 91-192; OAG 91-206
OAG 92-88; OAG 93-49; OAG 94-41

LEGAL: REVISIONS TO 703 KAR 5:225 REQUIRE EACH SCHOOL TO APPROVE THE CSIP BY JANUARY 1 OF EACH SCHOOL YEAR.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 366 AMENDS KRS 160.463 TO INCLUDE INFORMATION FOR PUBLICATION OF SCHOOL REPORT CARDS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.442

Comprehensive School Improvement Plan

RESPONSIBILITY

Each school council, or Principal, in a school without a council, shall develop, monitor, and annually update a Comprehensive School Improvement Plan (CSIP) by January 1 of each school year.

In an SBDM school, the school council shall organize a planning process, consistent with District's established planning process. The structure of the CSIP shall include completion of the Continuous Improvement Diagnostic between August 1 and October 1 of each school year and completion of the needs assessment between October 1 and November 1 of each school year.

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

The primary purposes of the CSIP shall be:

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

FORM

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

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

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

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

PUBLIC REVIEW

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

Comprehensive School Improvement Plan

SCHOOL REPORT CARDS

Each school shall post its school report card on its website as required by ESSA. School report cards shall be widely accessible to the public, in an understandable and uniform format, and when possible, written in a language that parents can understand.

~~Each school shall send to parents a school report card containing information about school performance as outlined in KRS 158.6453 and 703 KAR 5:140, and information on electronic access to a summary of the results for the District shall be published in the newspaper with the largest circulation in the county.~~

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

As outlined in KRS 160.463, a copy of the report card is to be publicized by one of the following methods:

- a. In the newspaper of the largest general circulation in the county;
- b. Electronically on a website of the District; or
- c. By printed copy at a prearranged site at the main branch of the public library within the District.

If b or c above is selected, the Superintendent shall be directed to publish notification in the newspaper with the largest circulation in the county. The notification shall include the electronic address of the website or the address of the library where the report card can be viewed by the public.

Each school shall send to parents a school report card containing information about school performance as outlined in KRS 158.6453 and 703 KAR 5:140, and information on electronic access to a summary of the results for the District shall be published in the newspaper with the largest circulation in the county.

BOARD REVIEW

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

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

REFERENCES:

KRS 158.645; KRS 158.6451; KRS 158.6453; KRS 158.649
KRS 160.290; KRS 160.345; KRS 160.463
703 KAR 5:140; 703 KAR 5:225; 703 KAR 5:280
P. L. 114-95, (Every Student Succeeds Act of 2015)

ADMINISTRATION

02.442
(CONTINUED)

Comprehensive School Improvement Plan

RELATED POLICIES:

01.111; 02.432; 02.44

LEGAL: SB 101 AMENDS KRS 160.380 TO CHANGE THE THIRTY DAY VACANCY REQUIREMENTS TO FIFTEEN DAYS. SB 101 HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE. 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.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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. SB 101 (2018) HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE.

FINANCIAL IMPLICATIONS: POSSIBLE COST OF TERMINATION HEARINGS

PERSONNEL

03.11

CERTIFIED PERSONNEL

Hiring

SUPERINTENDENT'S RESPONSIBILITIES

All appointments, promotions, and transfers of certified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes.

When a vacancy occurs, the Superintendent shall notify the Commissioner of Education fifteen (15) ~~thirty~~ (30) days before the position is to be filled.

When a vacancy needs to be filled in less than fifteen (15) ~~thirty~~ (30) days to prevent disruption of necessary instructional or support services of the school District, the Superintendent may seek a waiver of the fifteen (15) ~~thirty~~ (30)-day advance notice requirement from the Commissioner of Education. If the waiver is approved, the appointment shall not be made until the person selected by the Superintendent has been approved by the Commissioner of Education.

EFFECTIVE DATE

Personnel actions shall not be effective until notified by the Superintendent. Certified employees may be appointed by the Superintendent for any school year at any time after February 1 preceding the beginning of the school year.

QUALIFICATIONS

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

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

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

CRIMINAL BACKGROUND CHECK AND TESTING

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

~~Each application or renewal form provided applicants for a certified position shall conspicuously state the following: "FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AS A CONDITION OF EMPLOYMENT".⁴~~

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

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

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

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

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

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

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

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

REPORT TO SUPERINTENDENT

An employee shall report to the Superintendent if the 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.

JOB REGISTER

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

HIRING OF RETURNING RETIRED PERSONNEL

Appointments of employees previously retired under the Teachers' Retirement System (TRS) shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such appointments shall follow the hiring provisions outlined in this policy and administrative procedures.

Hiring

VACANCIES POSTED

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

MINORITY RECRUITMENT

When vacancies occur, minority applicant packets will be available for principals to consider. Principals and school councils will be encouraged to interview minority candidates that have the qualifications to be considered for the position.

REVIEW OF APPLICATIONS

Under procedures developed by the Superintendent, each application shall be reviewed. Applications for candidates not employed shall be retained for three (3) years.

RELATIONSHIPS

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

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

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

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

CONTRACT

Noncontracted substitute teachers shall not enter into annual written contracts with the District.

JOB DESCRIPTION

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

INTENT

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

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

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

EMPLOYEES SEEKING A JOB CHANGE

Other than the routine transmission of administrative and personnel files, District employees are prohibited from assisting a school employee, contractor, or agent in obtaining a new job if the individual knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law and such school employee, contractor, or agent does not meet the exceptions outlined in 20 U.S.C. § 7926.

Hiring

REFERENCES:

¹KRS 160.380
²KRS 161.605; 702 KAR 1:150
³P. L. 114-95, (Every Student Succeeds Act of 2015)
20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)
34 C.F.R. 200.55-200.56; 45 C.F.R. § 1302.90
KRS 17.160; KRS 17.165
KRS 156.106; KRS 160.345; KRS 160.390
KRS 161.042; KRS 161.611; KRS 161.750
KRS 335B.020; KRS 405.435
16 KAR 9:080; 702 KAR 3:320; 704 KAR 7:130
OAG 73-333; OAG 91-10; OAG 91-149; OAG 91-206
OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6
Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.132

LEGAL: SB 152 AMENDS KRS 157.390 TO ALLOW A DISTRICT TO HAVE DIFFERENTIATED COMPENSATION FOR TEACHERS EMPLOYED IN A SCHOOL THAT IS IDENTIFIED BY THE KENTUCKY DEPARTMENT OF EDUCATION AS BEING IN TARGETED OR COMPREHENSIVE SUPPORT AND IMPROVEMENT STATUS.

FINANCIAL IMPLICATIONS: COST OF HIGHER SALARIES

PERSONNEL

03.121

CERTIFIED PERSONNEL

Salaries

SINGLESALARY BASIS

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

A District may provide monetary compensation, in addition to that provided through the single salary schedule, to all classroom teachers employed in a school that is identified by the Kentucky Department of Education as being in targeted or comprehensive support and improvement status.

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

EXTENDED EMPLOYMENT

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

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

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

EXTRA SERVICES, SUPPLEMENTS AND SUPERVISION

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

Certified staff who change work sites, as approved by the Superintendent, from one school to another within the District will receive one (1) day's pay for packing and moving Board property when such activity takes place outside the normal contract work day. Certified teaching staff who are transferred by Superintendent action from one room or grade to another within a school will receive onehalf (½) day's pay for packing and moving Board property when such activity takes place outside the normal contract work day.

RANK AND EXPERIENCE

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

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

Salaries

RANK AND EXPERIENCE (CONTINUED)

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

EXCEPTION

The Superintendent's salary may be established without regard to the abovementioned schedules.

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, upon request, that list by mail to a newspaper qualified under KRS 424.120 to publish advertisements for the District.

PAYROLL DISTRIBUTION

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

QUALIFICATIONS

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

NOTICE OF SALARY

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

PAYROLL DEDUCTIONS

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

REFERENCES:

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

RELATED POLICIES:

03.1211; 03.4

LEGAL: KRS 160.1592 REQUIRES A LOCAL BOARD TO GRANT A TWO-YEAR LEAVE OF ABSENCE TO TEACHERS UNDER CONTINUING SERVICE CONTRACTS WHO HAVE BEEN OFFERED EMPLOYMENT IN PUBLIC CHARTER SCHOOLS.

FINANCIAL IMPLICATIONS: HIRING ADDITIONAL PERSONNEL

PERSONNEL

03.1235

-CERTIFIED PERSONNEL-

Educational/Professional Leave

EDUCATIONAL/PROFESSIONAL PURPOSE

Upon written request of a teacher or the Superintendent, the Board may grant leave (without pay) for one (1) year for educational or professional purposes. An additional year may be granted by the Board. Leave may be granted for fulltime attendance at universities or other training or professional activities approved by the Board when those activities are related to the employee's job or to other jobs an employee might hold in the school system. Leave will not be granted for parttime educational activities.

EMPLOYMENT WITH A CHARTER SCHOOL

The Board shall grant a two (2) year leave of absence (without pay) to a teacher under a continuing service contract who has been offered employment with a charter school. A teacher who submits a timely request for return to a teaching position in the District within the two (2) years of leave, shall be allowed to do so at the appropriate salary for their experience and educational level. After two (2) years on leave, the relationship between the teacher and the Board shall be determined by the Board and the Board shall notify the teacher of the decision.

CONVERSION CHARTER SCHOOL

A teacher with continuing status shall notify the District of the teacher's intent to work in the converted charter school or to return to employment with the District the next school year by April 15 of each year of the granted leave.

LIMITATIONS

No more than two percent (2%) of the certified employees may be on educational/professional leave at one time. When requests exceed two percent (2%), those submitting the earliest requests will be given first consideration.

To be eligible for educational/professional leave, an employee shall have attained continuingcontract status.

TIME OF APPLICATION

Written application for educational/professional leave must be made at least sixty (60) days before the leave is to begin.

NOTIFICATION OF RETURN

Employees on educational/professional leave, including those on professional leave serving in charter schools, shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123 or April 15 in the case of employees serving in conversion charter schools. Teachers working in charter schools during a second year of leave shall provide written notice by the applicable date to the Superintendent and the Board Chairperson. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

Educational/Professional Leave

PLACEMENT UPON RETURN

Employees taking an educational/professional leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

REFERENCES:

KRS 158.782; KRS 160.1592; KRS 161.770
701 KAR 8:040
OAG 79106
OAG 8443
OAG 91134

RELATED POLICY:

03.123

LEGAL: CHANGES TO 704 KAR 3:370 REQUIRE THE DISTRICT'S CERTIFIED EVALUATION PLAN TO UTILIZE THE KENTUCKY FRAMEWORK FOR PERSONNEL EVALUATION. ADDITIONAL CHANGES CLARIFY APPEAL LANGUAGE. CHECK FOR CONFORMITY WITH YOUR DISTRICT CERTIFIED EVALUATION PLAN.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.18

-CERTIFIED PERSONNEL-

Evaluation

DEVELOPMENT OF SYSTEM

The Superintendent shall recommend for approval by the Board and the Kentucky Department of Education a personnel evaluation system, developed by an evaluation committee, for all certified employees below the level of District Superintendent, which is in compliance with and which shall be implemented consistent with applicable statute and regulation. The District's certified evaluation plan shall be aligned with the Kentucky Framework for Personnel Evaluation.¹

PURPOSE

The purpose of the personnel evaluation system shall be to: support and improve performance of all certified school personnel and to inform individual personnel decisions. The District certified evaluation plan for certified personnel assigned to the District level for purposes of evaluation shall be specific to the evaluatee's job category.

FREQUENCY OF SUMMATIVE EVALUATIONS

At a minimum, summative evaluations shall occur annually for certified employees below the level of superintendent~~teach teacher, or other professional~~ who ~~have~~has not attained continuing service status. Summative evaluations shall occur at least once every three (3) years for a teacher or other professional who has attained continuing service status, as well as principals, assistant principals, and other certified administrators.

REPORTING

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

NOTIFICATION

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

CONFIDENTIALITY

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

REVIEW

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

All evaluations shall be maintained in the employee's personnel file.²

APPEAL PANEL

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

Evaluation

ELECTION/TERMS

Two (2) members of the panel shall be elected by and from the certified employees of the District. One (1) alternate shall also be elected by and from the certified employees to serve in the event an elected member cannot serve. The certified employee receiving the greatest number of votes shall be elected for a two-year term. The certified employee receiving the second greatest number of votes shall be elected to a one-year term. The next highest recipient of votes shall be designated as an alternative member. Once elected and appointed to the local Evaluation Appeals Panel, a certified employee shall not serve a subsequent term that is successive.

Every two (2) years the Superintendent will present to the Board one (1) certified member and one (1) alternate to serve a two-year term.

CHAIRPERSON

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

APPEAL TO PANEL

Any certified employee who believes that he or she was not fairly evaluated on the summative evaluation may appeal to the panel within ten (10) working days of the receipt of the summative evaluation. ~~The certified employee may review any evaluation material related to him/her. Both the evaluator and the evaluatee shall be given the opportunity, at least five (5) days in advance of the hearing to review documents that are to be given to presented to the District evaluation appeals panel, the hearing committee reasonably in advance of the hearing and may have representation of their choosing.~~

APPEAL FORM

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

CONFLICTS OF INTERESTS

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

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

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

BURDEN OF PROOF

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

HEARING

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

Evaluation

PANEL RECOMMENDATIONS

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

SUPERINTENDENT

The Superintendent shall receive the panel's recommendation and shall take such action as permitted by law as s/he deems appropriate or necessary. The Superintendent must respond to the appellant no more than fourteen (14) calendar days after receipt of the written statement from the Appeals Panel Chair.

In cases involving dismissal, the Superintendent's decision, under law, is final for non-tenured appellants. As required by law, tenured employees facing dismissal may appeal the Superintendent's decision to a tribunal created for that purpose. (Tribunal members are not employed by the District.)

Certified staff members who feel that the District is not properly implementing the evaluation plan as approved by the Kentucky Department of Education shall have the opportunity to appeal their evaluation to the Kentucky Board of Education.

REVISIONS TO PREVIOUSLY APPROVED DISTRICT EVALUATION PLAN

If a revision adding or removing a source of evidence or changing a decision rule or calculation in the summative rating formula in the District's certified evaluation plan is made by the local certified evaluation committee, the revised certified evaluation plan shall be reviewed and approved by the Board. If the Board determines that changes do not meet the requirements of KRS 156.557, the certified evaluation plan shall be returned to the certified evaluation committee for revision. The Superintendent shall submit proposed revisions to the evaluation plan to the Board for its review to ensure compliance with applicable statute and regulation. Upon adoption, all revisions to the plan shall be submitted to the Kentucky Department of Education for approval.

REFERENCES:

¹KRS 156.557; 704 KAR 3:370

703 KAR 5:225

OAG 92135; Thompson v. Board of Educ., Ky., 838 S.W.2d 390 (1992)

RELATED POLICIES:

²02.14; 03.15; 03.16

~~03.16~~

~~02.14~~

LEGAL: SB 101 AMENDS KRS 160.380 AND HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE. 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.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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. SB 101 (2018) HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE.

FINANCIAL IMPLICATIONS: POSSIBLE COST OF TERMINATION HEARINGS

PERSONNEL

03.21

CLASSIFIED PERSONNEL

Hiring

SUPERINTENDENT'S RESPONSIBILITIES

All appointments, promotions, and transfers of classified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes.

EFFECTIVE DATE

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

QUALIFICATIONS

The Superintendent shall employ only individuals who possess qualifications established by law, regulation, and Board policy except in the case where no individual applies who meets established qualifications.

EDUCATIONAL REQUIREMENTS

No person shall be initially hired unless s/he holds at least a high school diploma or high school certificate of completion or High School Equivalency Diploma. Employees shall hold the qualifications for the position as established by the Commissioner of Education.³

Existing and new paraprofessionals who provide instructional service or support in programs supported by Title I funds shall satisfy educational requirements specified by federal law.⁴

CRIMINAL BACKGROUND CHECK AND TESTING

Applicants and employees shall undergo records checks and testing as required by applicable statutes and regulations.^{1 & 2}

~~Each application or renewal form provided applicants for a classified position shall conspicuously state the following: "FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A STATE CRIMINAL HISTORY BACKGROUND CHECK AS A CONDITION OF EMPLOYMENT. UNDER CERTAIN CIRCUMSTANCES, A NATIONAL CRIMINAL HISTORY BACKGROUND CHECK MAY BE REQUIRED AS A CONDITION OF EMPLOYMENT".⁴~~

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

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

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

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

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

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>

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

REPORT TO SUPERINTENDENT

An employee shall report to the Superintendent if the 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.

HIRING OF RETIRED EMPLOYEES

Appointments of employees previously retired under the Kentucky Retirement System (KRS) shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such appointments shall follow the hiring provisions outlined in this policy and administrative procedures. When the District hires full-time classified employees previously retired under KRS, those employees shall participate in the District's health insurance program.

QUALIFICATIONS

The Superintendent shall employ only individuals who possess qualifications established by law, regulation, and Board policy except in the case where no individual applies who meets established qualifications.

Hiring

EDUCATIONAL REQUIREMENTS

Individuals who are rehired for a classified position after retiring must hold at least a high school diploma or high school certificate of completion of High School Equivalency Diploma.

Paraprofessional who are rehired to provide instructional services or support in programs supported by Title I funds shall satisfy educational requirements specified by federal law (P. L. 107-110 (No Child Left Behind Act of 2001)).

Except for cases involving disability retirement, persons who have previously retired from the District and who subsequently are rehired as a 260-day employee shall be credited with a maximum of twenty (20) leave days at the beginning of the new period of employment, to be used in any way the employee decides (sick, vacation, personal, emergency). Persons who have previously retired from the District and who subsequently are rehired for less than 260 days shall be credited with a maximum of fifteen (15) leave days at the beginning of the new period of employment in accordance with the appropriate leave policy. However, for both the 260-day employee and the less than 260-day employee, no more than one (1) leave day per month shall be taken until the employee has been reemployed for at least six (6) months. Exceptions to this can be considered by the Superintendent upon receipt of a written request.

Unused leave days shall not accumulate.

JOB REGISTER

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

VACANCIES POSTED

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

REVIEW OF APPLICATIONS

Under procedures developed by the Superintendent, each application shall be reviewed and each applicant so notified. Applications for candidates not employed shall be retained for three (3) years.

RELATIONSHIPS

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

Hiring

RELATIONSHIPS (CONTINUED)

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

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

A relative of the Superintendent shall not be employed except as provided by KRS 160.380.¹

CONTRACT

All regular full-time and part-time classified personnel shall enter into annual written contracts with the District.

EMERGENCY HIRING

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

JOB DESCRIPTION

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

INTENT

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

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

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

EMPLOYEES SEEKING A JOB CHANGE

Other than the routine transmission of administrative and personnel files, District employees are prohibited from assisting a school employee, contractor, or agent in obtaining a new job if the individual knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law and such school employee, contractor, or agent does not meet the exceptions outlined in 20 U.S.C. § 7926.

Hiring

REFERENCES:

¹KRS 160.380
²702 KAR 5:080
³KRS 161.011
⁴P.L. 114-95, (Every Student Succeeds Act of 2015)
20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)
34 C.F.R. 200.58-200.59; 45 C.F.R. § 1302.90
703 KAR 4:050
KRS 17.160; KRS 17.165; KRS 156.070
KRS 160.345; KRS 160.390; KRS 335B.020
OAG 9110; OAG 91149; OAG 91206
OAG 921; OAG 9259; OAG 9278; OAG 92131; OAG 97-6
Kentucky Local District Classification Plan
702 KAR 3:320; 785 KAR 1:110
Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

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.

WORK DAY/WORK WEEK

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

QUALIFICATIONS

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

DETERMINATION OF EXPERIENCE

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

1. Previous experience in the District.

Credit for years of experience in one (1) classified position with the District will transfer with the employee when assuming another classified position within the District.

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

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

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

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

LIST OF SALARIES

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

Salaries**PAYROLL DISTRIBUTION**

All District employees shall participate in direct deposit of payroll. 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. Direct deposits will be issued according to a schedule approved annually by the Board.

PAYROLL DEDUCTION

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

OVERTIME

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

REFERENCES:

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

RELATED POLICY:

03.2211

LEGAL: 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
7. Nonrenewal by Superintendent
8. Dismissal (termination of contract) by Superintendent

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. Refusal to comply with safety directives.
7. Falsifying information supplied to the District including information on application forms, absence reports, or any other information.
8. Violation of local policy, state, or federal statutes or regulations that apply to assigned duties.
9. 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.
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 (SUSPENSION WITHOUT PAY/TERMINATION)**

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 76290; OAG 92135; OAG 96-3; OAG 05-006
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 backgroundcriminal 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>

SUBSTITUTE LIST

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

RETIRED TEACHERS

Retired teachers may be reemployed as a parttime, temporary or substitute teacher in keeping with requirements of the Teacher's 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.

Unless excused by the Principal, substitute teachers shall attend faculty meetings held during their length of duty.

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

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 longterm/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.

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
OAG 69296

RELATED POLICIES:

03.11_;; 03.111_;; 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.

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

SUPERVISION

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

RECORDS CHECK

A state criminal records check shall be conducted 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.

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 previously agreed upon, the volunteer must pay for the background checks.

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.

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>

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.

Volunteers**COMMUNITY AGENCY VOLUNTEERS**

Volunteers working in the schools through community agencies (i.e., Big Brothers/Big Sisters) shall be subject to the same policies and procedures as other volunteers. In addition, a permission form from the parent must be completed each year and kept on file in order for the volunteer to work with a specific child or children.

REFERENCES:

'KRS 161.148

KRS 160.380; KRS 161.044

RELATED POLICY:

03.5

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, 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 reviewing the achievement of established goals and academic expectations of the District.

PREPARATION OF BUDGETS

As part of the annual budget process, the Board shall determine priorities to guide the Superintendent in developing draft budgets for the next fiscal year. Prior to the Board setting budget priorities, the Superintendent shall provide the Board with the estimated amounts that will be received from available sources, including tax rate(s) necessary to generate such amounts. In setting budget priorities, the Board shall consider the following:

1. Results of the current needs assessment, recommendations resulting from that process, and current District/school improvement and/or long-range plans.
2. Revenue projections for the coming year.

After receiving the Board's budget priorities, the Superintendent shall prepare for Board consideration and action proposed District budgets for all active MUNIS fund accounts. Budgets shall address the educational needs of the District as reflected by priorities established by the Board and shall show the amount of money needed and source of funds for the upcoming school year.

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.

Budget Planning and Adoption

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

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 AMENDMENTS CURRENTLY EFFECTIVE
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.32

Procurement

AUTHORITY

Purchasing 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

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.

Procurement

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

DELEGATION OF PURCHASING AUTHORITY

The Superintendent is hereby designated as the chief purchasing officer for the District. The Superintendent will act as purchasing officer with authority to enter into and administer contracts and make written determinations and findings with respect thereto.

All products or services which have been advertised for competitive sealed bids shall be evaluated by the Superintendent or his/her designee. A recommendation concerning the award of the contract to the lowest bidder or lowest evaluated bidder shall be submitted to the Board at its next regular or special meeting.

All products or services to be purchased through noncompetitive negotiations costing \$3,000.00 or more shall be presented to the Superintendent for approval.

The Superintendent will identify to the Board the staff member(s) authorized to approve the issuance of purchase orders for procurement of goods and services which are bid.

The Superintendent will identify to the Board the staff member(s) authorized to approve small purchases related to their individual and specific areas of responsibility. Small purchase amount is set at less than \$3000.00.

Procurement

QUALIFYING, SUSPENDING, DEBARRING, AND REINSTATING PROSPECTIVE BIDDERS

Any contract the Board shall enter into with a contractor shall require the contractor to reveal any final determination of a violation by the contractor within the previous five (5) year period pursuant to KRS Chapters 136, 139, 141, 337, 338, 341, and 342 that apply to the contractor and shall require the contractor to be in continuous compliance with the those provisions for the duration of the contract.

The Board or their designee may elect to qualify supplies/bidders based on experience with the product or service, proven ability to perform or supply, availability to service and/or repair, evaluation and/or testing of the product, and other qualifications appropriate to ensure quality performance of supplies/equipment.

The Board may elect to suspend or debar a bidder/supplier from providing services if it finds that a contract agreement has been violated and/or inferior service, supplies, and/or equipment has been provided as part of a contract.

The Board may elect to reinstate a bidder/supplier after certain conditions have been met as outlined by the Board.

MODIFICATION AND TERMINATION OF CONTRACTS

Any vendor/contractor who is determined by the Superintendent to be in breach of any of the terms and conditions of a contract with the District shall at the discretion of the Board be declared in default and such contract may be terminated as the result of such default. Written notice of default shall be delivered to the vendor/contractor identifying the specific contract violations.

A default in performance by a contractor for which a contract may be terminated shall include, but shall not necessarily be limited to the following:

1. Failure to perform the contract according to its terms, conditions, and specifications.
 2. Failure to make delivery within the time specified or according to a delivery schedule fixed by the contract.
 3. Late payment or nonpayment of bills for labor, materials, supplies, or equipment furnished in connection with a contract for construction services as evidenced by mechanics' liens filed pursuant to the provisions of KRS Chapter 376 or letters of indebtedness received from creditors by the Superintendent.
 4. Late payment or nonpayment of bills for labor, material, supplies, or equipment furnished in connection with a contract that prevents the contractor from complying with the terms of a contract with the Board.
1. Failure to diligently pursue the work under a contract for services.

The Board shall not be liable for any further payment to a contractor under a contract terminated for the contractor's default after the date of such default as determined by the Board except for commodities, supplies, equipment, or services delivered and accepted on or before the date of default and for which payment had not been made as of the date. The contractor, and/or his/her surety, if a performance bond has been required under the contract, shall be jointly and severally liable to the Board for all loss, cost, or damage sustained as a result of the contractor's default; provided, however, that a contractor's surety liability shall not exceed the final sum specified in the contractor's bond.

Procurement

MODIFICATION AND TERMINATION OF CONTRACTS (CONTINUED)

All changes or modifications to contracts for the purchase of commodities, supplies, equipment, and services shall be affected by an advice of change order to the contract which shall be supported by a written determination by the purchasing official documenting the reason and the basis for the change or modification of the contract. Any change or modification of a contract which involves a cost increase of 10% of the total contract price or \$2500 shall be submitted to the Board for approval prior to being implemented. A copy of the advice of change in order and the supporting documentation relative to any change or modification to a contract shall be filed and maintained in the contract file by the Superintendent.

The Superintendent shall develop procedures to implement this policy.

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.

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. ~~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.

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>

“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

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

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

OAG 79501; OAG 82170; OAG 82407;

Kentucky Educational Technology Systems (KETS)

FISCAL MANAGEMENT

04.32
(CONTINUED)

Procurement

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.

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.

REFERENCES:

KRS 160.431

KRS 160.463

~~KRS 424.220~~

2018 Budget Bill

Governmental Accounting Standards Board

RELATED POLICY:

04.1

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 judgment 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.

EXCEPTION

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

REFERENCES:

¹702 KAR 5:080

²702 KAR 5:150

KRS 158.110

KRS 189.370

KRS 189.375

KRS 189.540

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/designee shall oversee the deportment of his 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

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

WITHHOLDING OF RIDING PRIVILEGES

The Principal is authorized to withhold busriding 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 busriding privileges have been withheld.

The Superintendent or his designee may withhold bus riding privileges up to the remainder of the school year.

RESTITUTION OF DAMAGES

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

STUDENTS WITH SPECIAL NEEDS

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

REFERENCES:

¹ 702 KAR 5:030; 702 KAR 5:050

² P. L. 101-476; Individuals with Disabilities Education Improvement Act of 2004; Section 504 of Rehabilitation Act of 1973

KRS 158.110; KRS 158.150; KRS 160.705; 702 KAR 5:100

RELATED POLICIES:

09.226; 09.425; 09.434

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.

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

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 ProgramsFunding

The ~~DistrictBoard~~ 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.

In keeping with the requirements of the Every Student Succeeds Act (ESSA)~~ESSIA¹ and~~
~~EDGAR²~~, the ~~DistrictBoard~~ shall provide the Kentucky Department of Education with a written
~~assures~~assurance that the District has established and implemented:

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

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

REFERENCES:

~~*Elementary and Secondary School Improvement Amendments~~

~~*Education 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. 101226~~

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

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, ongoing, 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.

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 childcare 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.

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 ZONES

All pupils shall be assigned by geographic attendance zones and will attend the school designated to serve their area of residence. Specific areas served by each attendance zone will be marked on a map in the central administration office. The Board may revise attendance zones 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.

EXCEPTIONS

If a family moves from one attendance zone to another within the school system, the pupil may be permitted to finish the school year in the school in which s/he was last enrolled (at no cost or service by the Board). The pupil must enroll the following year in the school in the attendance zone of his/her legal residence.

Students who attend a school, other than their assigned schools, shall provide their own transportation to and from school.

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.

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

REFERENCES:

¹KRS 159.070; OAG 80394

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

702 KAR 3:190

RELATED POLICIES:

06.32; 08.1211

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

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

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

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.

IMMIGRANTS

No student shall be denied enrollment based on his/her immigration status, and documentation of immigration status shall not be required as a condition of enrollment.

The District may provide an approved high school program to a student who is a refugee or legal alien until the student graduates or until the end of the school year in which the student reaches the age of twenty-one (21), whichever comes first.

NONRESIDENTS

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

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

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}

Admissions and Attendance

NONRESIDENT FOREIGN AND EXCHANGE STUDENTS

The District shall regulate the admission and participation of nonresident foreign and exchange students in any District education program in accordance with applicable administrative procedures.

All nonresident foreign and exchange students shall register with and be approved by the Superintendent or designee.

NON-IMMIGRANT FOREIGN STUDENTS

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

1. These students shall not be permitted to attend any publicly funded adult education program.
2. These students may be permitted to attend in grades nine through twelve (9-12), but not at earlier grade levels.
3. As required by law, these students shall pay a tuition fee equal to the full, unsubsidized per capita cost to the District for providing education to the student for the period of attendance.
4. The period of attendance shall not exceed twelve (12) months.

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

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

Admissions and Attendance**EXPELLED/CONVICTED STUDENTS (CONTINUED)**

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 7864; OAG 91-171

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

³KRS 158.120; OAG 8047; OAG 79327; OAG 75602

⁴KRS 157.320; KRS 158.150

⁵702 KAR 7:125

⁶KRS 158.155; 704 KAR 7:090; KRS 157.330

KRS 157.360; KRS 158.100

KRS 199.802

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

22 C.F.R. §62.25

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

Equal Educational Opportunities Act of 1974 (EEOA)

RELATED POLICIES:

06.32; 08.1114

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

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~~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:

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

RELATED POLICIES:

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

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 & 4}

IMMUNIZATIONS

The immunization certificate form required by 702 KAR 1:160 shall be on file within ten (10) days 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.

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.

REFERENCES:

¹KRS 156.160; 702 KAR 1:160

²KRS 214.036; KRS 214.034

³KRS 158.035

⁴902 KAR 2:060;

902 KAR 2:090

OAG 82131

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.

ANIMALS IN SCHOOL BUILDINGS 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 assist dogs for the handicapped.

A written request for the presence of animals shall be submitted to the building Principal who shall determine if the request complies with administrative guidelines.

Student Health and Safety

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 all pupils in case of an accident or sudden illness until the services of a health care professional become available. Automated external defibrillators may be used to provide emergency first aid in accordance with Policy 05.4 and established procedures.

FIRSTAID AREA

A firstaid 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 the 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 the 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.

~~The Principal shall develop a procedure for handling medical emergencies and shall prepare a written report for each injury.~~

When an emergency arises and the student's parent/guardian or designee cannot be reached in a timely manner, the school will take action necessary to maintain the student's health, such as calling emergency medical personnel or taking the student to a health care facility. In such instances, school personnel shall notify health professionals of any medications that they are aware the student is taking.

REFERENCES:

¹702 KAR 1:160

KRS 156.502; KRS 158.836; KRS 158.838

Kentucky Department of Education Health Services Reference Guide (HSRG)

RELATED POLICIES:

05.4; 09.2; 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 fortyeight (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 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 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.

REFERENCES:

¹KRS 600.020 (1)(15)

²KRS 620.030; KRS 620.040

³OAG 85134; OAG 92138

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 77407; OAG 77506; OAG 8050; OAG 85134

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

STUDENTS

09.227
(CONTINUED)

Child Abuse

RELATED POLICIES:

09.1231; 09.3; 09.31; 09.42811; 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

Student Drug Testing

EDUCATION AND PREVENTION PROGRAM

The Superintendent shall establish a comprehensive and on-going drugfree/alcoholfree prevention program for all students which shall include notice to students and parents of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information regarding drug/alcohol counseling programs and available rehabilitation services;
5. Penalties that apply to students who violate this policy.

Each semester at least one seminar on alcohol and/or drug abuse issues shall be conducted for all students in the District. Woodford County middle- and high-school students participating in interscholastic sports, activities of athletics, extracurricular activities and for students on school property. Each seminar participant shall be required to complete the assessment upon completion. If a student does not complete the assessment, there shall be an opportunity to make-up for the missing the seminar. If a student does not complete the assessment following attendance at the seminar, the student shall be prohibited from participating in the activity. If a student is needed and requested, those will be addressed.

SEMINARS FOR PARENTS

Educational seminars for parents/guardians regarding alcohol and other forms of drug use will be established in conjunction with other school programming. The central purpose of these sessions will be to provide parents/guardians with necessary information about drug abuse prevention.

All student athletes, team, and organization members, students that hold an on-campus parking permit, voluntary participants, and their parents or legal guardians must read the following policy and must acknowledge, in writing, that they have read the policy, understand the policy, and agree to be bound by the terms and conditions contained in the policy.

STATEMENT OF PURPOSE

The purpose of the Drug Testing Program is to aid and assist students. It is not intended to unduly interfere with the student's private life or to bring hardship, but rather to protect the student's well-being and to prevent any threat to others who are associated with extracurricular activities in the District. Specific goals of the program are as follows.

Student Drug Testing

STATEMENT OF PURPOSE (CONTINUED)

1. To reassure students, parents and community that the health and academic progress of each of its students is the primary goal of the District.
2. To develop a drug-free extracurricular activities program and produce students who can serve as role models to influence peers to lead healthy and responsible lives.
3. To prevent drug use and abuse by students of the District.
4. To identify any student who may be using or abusing drugs including synthetic illegal substances, and to determine the identity of the drug or drugs.
5. To educate any student who may be using or abusing drugs including synthetic illegal substances, as to the possible physical and mental effects drug use may have and its possible adverse effects on a team and its members.
6. To provide counseling opportunities for any student who is determined to be using or abusing drugs including synthetic illegal substances.
7. To provide reasonable safeguards to help insure that every student in the District is physically competent to participate in extracurricular activities.

No student testing positive, (positive defined as: evidence of alcohol or tested drugs including synthetic illegal substances in blood system), refusing to test, refusing to cooperate with testing or otherwise being in violation of this policy shall be penalized academically. Information, including testing positive, shall not be released to criminal or juvenile authorities absent compulsion by valid state or federal laws. The District shall work with the student and/or his or her parent(s)/legal guardian(s) when there is any violation of this policy and procedures.

TESTING PROGRAM

Testing and collection shall be accomplished by the analysis of urine specimens obtained from the student participants and will be conducted by a professional testing laboratory selected by the Woodford County Board of Education. This testing laboratory shall determine which student participants are to be tested by the random drawing of names from among these student participants; approximately fifty (50) students will be tested each month. The collection of urine specimens for the random testing shall be conducted on the Woodford County High School or Woodford County Middle School premises. If a test result is found to have been adulterated, the student may be required to be retested. In the alternative, the adulterated test result, or any other attempt by the student to circumvent the drug testing, may be treated as a positive test result and the appropriate sanctions under violations will be assessed if the student is unable to provide an explanation which is acceptable with the District.

Collection and testing procedures shall be established, developed, maintained, and administered to ensure (a) randomness of selection procedures, (b) proper student identification, (c) accurate specimen, (d) unadulterated integrity of the specimen, (e) the integrity of the collection and testing process, (f) minimal intrusion into privacy or other embarrassment for each student, and (g) the confidentiality of test results.

Student Drug Testing**TESTING PROGRAM (CONTINUED)**

All scientific analysis of the collected specimens shall be conducted by the professional testing laboratory. Each specimen shall initially be tested by the testing laboratory using a highly accurate immunoassay technique (EMIT). Initial positive results must be confirmed by gas chromatography/mass spectrometry (GC/MS). If the initial positive result is not confirmed by the GC/MS technique, the test shall be deemed to be negative. Only after the GC/MS confirmation shall a test result be reported as positive. A portion of each urine specimen given by each student participant shall be preserved by the testing laboratory for a minimum of six (6) months.

Written confirmation of all test results shall be forwarded by the testing laboratory to the Principal and Superintendent's Designee. The testing laboratory shall not provide test results verbally.

The test results forwarded to the Principal/Superintendent's Designee shall indicate that the results were confirmed by the GC/MS and shall indicate the name of the individual for whom the test results are being reported; the type of test indicated on the custody and control form; the date and location of the test collection; the identity of the controlled substance(s) for which the test verified positive. Test results shall be forwarded to the Principal/Superintendent's Designee in a manner to ensure that the Principal/Superintendent's Designee cannot determine that any test was a presumptive, positive test unable to be confirmed by GC/MS.

In the event that a student participant's urine specimen produces a positive result (after the GC/MS confirmation), the Principal/Superintendent's Designee shall disclose and discuss the test results with the relevant Athletic Director, Head Coach, extracurricular Sponsor or other staff deemed appropriate by school administration; as well as with the student participant and the student's parent(s) or legal guardian(s) and shall advise of further procedural rights under this policy.

Any student participant who has tested positive, or the student's parents or legal guardians, may contest the test result by informing the Principal within seventy-two (72) hours of receipt of notice of the positive test result. The student and parent shall be entitled to present any evidence they desire to defend the charge of violation on this policy prior to implementation of sanctions. The Principal may require written documentation (such as a doctor's statement) of any evidence the student may wish to present that the student feels may have affected the test results. Failure to present written documentation to support the student's defense of the case may result in the student being subject to the sanctions provided in this policy for a positive test result. Further laboratory analysis shall be conducted with the student participant's remaining urine specimen preserved by the testing laboratory and shall be conducted at the expense of the student participant or his/her parent. A hair follicle test, at the expense of the student participant or his/her parent, may also be used as evidence on behalf of the student, if the student has hair of sufficient length to produce an adequate test result covering the time period of the original specimen collection.

Student Drug Testing

TESTING PROGRAM (CONTINUED)

Student(s) eighteen (18) years of age or who will turn eighteen (18) years of age during the school year may check the box at the bottom of the "Student/Guardian Consent to Perform Urinalysis for Drug Testing" form they opt to have all test results released to the student's parent(s) or legal guardian(s). One (1) year after the student turns eighteen (18) years old or one (1) year after the student's graduation, whichever is later, all records in regard to this policy concerning each student participant shall be destroyed, and at no time shall these results or records be placed in the student participant's academic file, or be voluntarily turned over to any law-enforcement agency, or used for any purpose other than those stated herein. For students who transfer to the District or otherwise do not fulfill the requirements for graduation, the records of that student shall be destroyed one (1) year after the student turns eighteen (18) years old.

The final determination of the student participant's eligibility shall be made at the school level by the Principal based on the criteria for eligibility stated in the policy.

APPLICABILITY

grades 7-12
This policy applies to all students who choose to represent Woodford County High School or Woodford County Middle School on athletic teams, competitive and extra-curricular teams and organizations, competitive events, and students who drive a motor vehicle on to campus, which are all voluntary activities. In addition, parents of students who would not otherwise be subject to this policy, may choose to have their child participate. *any school*

NOTICE TO PARTICIPANT

Prior to tryouts or participation for any team or organization, or the issuance of a student parking permit each year, the Woodford County High School and Woodford County Middle School Administrators shall provide all students choosing to participate with teams or with student organizations, and student drivers and their parent or legal guardian with a written copy of this policy at dates of the mandatory informational forums. Each student who chooses to participate or compete with a team or with student organizations, or drive a motor vehicle on to campus, and a parent or legal guardian of that student shall be required to sign a statement indicating that the student and the student's parent or legal guardian have read this policy and acknowledge and agree to be bound by the terms and conditions contained therein. A copy of notification of procedures will be included in the school handbook and available on the website. A refusal to sign will result in the student's ineligibility to participate in any covered activity.

SUBSTANCES TESTED

Student participants' urine specimen shall be tested for the following which includes, but may not be limited to:

- Amphetamines;
- Marijuana (THC);
- Cocaine and its derivatives;
- Opiates;
- Phencyclidine (PCP);
- Benzodiazepine;
- Blockers;
- Methamphetamine;

Student Drug Testing

NOTICE TO PARTICIPANT (CONTINUED)

- Methadone;
- Barbiturates; and
- Other abused, illegal, or controlled substances as determined by the Superintendent or listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by regulation under KRS 218A.010.

IMPLEMENTATION, REVIEW, AND EVALUATION

All student participants and their parents/guardians (*if the student is under the age of eighteen (18)*) must sign the *Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing* form before the student shall be permitted to try out for any extracurricular activity or be authorized to drive or park on school property. The Superintendent shall have the responsibility for implementing this policy. In implementing this policy, the Superintendent may seek input from school principals, coaches, the athletic director, the Title IV coordinator, the school health coordinator, counselors, the drug coordinator, parents or parent groups, local law enforcement officials, local health department officials, and any state agency officials.

The Superintendent shall devise procedures to implement this policy fairly and efficiently and shall review and evaluate the effectiveness of the drug-testing policy on an annual basis. The evaluation shall include, but not be limited to, the effectiveness of the comprehensive educational and counseling program, substance testing program, procedural safeguards, and the list of drug substances tested. In devising procedures to implement this policy, the superintendent may incorporate the policies and procedures of the collecting and testing agencies and the language in any contract(s) with such agencies.

SANCTIONS

First Violation

1. A student testing positive will be suspended from competing or participating in interscholastic/extracurricular events or athletics for the next 25% of the season. Student drivers will be denied permission to drive and/or park on school property for the next nine (9) consecutive weeks of school. The suspension will begin the date that the results are received. If necessary, the suspension shall carry over to the student's subsequent participation on another athletic team/extracurricular activity and/or the following season. Before reinstatement after the first violation, the student participant must receive an assessment or evaluation for chemical dependency by a qualified health service provider, at the expense of the student or his/her parent. Prior to readmission to participation to the athletic team/extracurricular activity or reauthorization to drive, the student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a second violation.
2. If a student is reinstated to the athletic team/extracurricular activity or driving privileges following the first violation, the student's participation in another activity shall not be restricted solely because of the existence of the first violation, as long as the student has completed the period of suspension and was appropriately reinstated to the prior activity.

Student Drug Testing**SANCTIONS (CONTINUED)**

3. If the student elects not to seek reinstatement to the activity after a first violation (either because of the student's own election or because the season concluded prior to the expiration of the student's period of suspension), the student is still required to serve the unexpired portion of the suspension before becoming eligible for participation in any other extracurricular activity. A student serving a suspension for any sport may try out for a second sport if the student provides a negative drug test result from the testing laboratory under contract. If the student successfully makes the team or joins an extracurricular group, the student must serve the unexpired portion of the previous suspension prior to participation. The student must complete all forms required for participation on another extracurricular activity, and the student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a second violation.

Second Violation

1. For a second violation, the student participant shall be suspended for the next fifty percent (50%) of athletic/interscholastic/extracurricular events. Student drivers with a second violation will be denied permission to drive and/or park on school property for the next eighteen (18) consecutive weeks of school. If necessary, the suspension shall carry over to the student's subsequent participation on another athletic team/extracurricular activity and/or the following season. Before reinstatement to the activity after a second violation, the student participant must successfully complete recommendations that resulted from the chemical dependency assessment as evidenced by a written statement to that effect issued by a treatment counselor or other qualified health service provider.

The student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a third violation.

2. If a student is reinstated to the activity following a second violation, the student's participation in another activity shall not be restricted solely because of the existence of the second violation, as long as the student has completed the period of suspension and the required chemical dependency program and was appropriately reinstated to the prior activity.
3. If the student elects not to seek reinstatement to an activity after a second violation (either because of the student's own election or because the season concluded prior to the expiration of the student's period of suspension) the student is still required to serve the unexpired portion of the suspension before becoming eligible for any other extracurricular activity. A student serving a suspension for one sport/activity may try out for a second sport or join a second activity if the student provides a negative drug test result from the testing laboratory under contract. If the student makes the team, prior to participation, the student must serve the unexpired portion of the previous suspension. The student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a third violation.

Student Drug Testing

SANCTIONS (CONTINUED)

Third and Subsequent Violations:

The student participant or driver shall be excluded from participation in any covered activity for one (1) full calendar year. A student who has tested positive a third or subsequent time must submit to voluntary drug testing upon return to participation and will be tested no fewer than two (2) times in the first full calendar year following their return to participation. The student/parents are encouraged to seek drug counseling. If a student under the age of eighteen (18) has tested positive four (4) or more times within a two (2) year period, a neglected child report may be made if required by the child abuse/neglect reporting statute.

Voluntary Participant Violations

Any offense by a voluntary participant shall be reported to his/her parent/legal guardian, but no discipline may occur through this policy or otherwise.

Refusal to Participate

Any refusal by a student participant to be tested shall be treated as a violation, and the appropriate sanctions will be assessed. The student's parents or legal guardians shall be notified by the Principal of the refusal and sanction. Violations shall be deemed to accumulate across the student participant's involvement in all teams and/or organizations.

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:

OAG 82633; OAG 9332

KRS 158.150; KRS 158.154; KRS 158.155

KRS 160.1592; KRS 160.290; KRS 161.180

KRS 218A.020; KRS 217.900; KRS 218A.1447

Clark County Board of Education vs. Jones, KY. App., 625 S. W. 2d 586 (1981).

Board of Ed. of Tecumseh Public School District, Independent School Dist. No. 92 of Pottawatomie Cty. v. Earls, ___ U.S. ___, 242 F.3d 1264 (2002).

RELATED POLICY:

09.2241

- CLASSIFIED PERSONNEL -

Educational Leave

out
Upon recommendation of the Superintendent, the Board may grant classified personnel short-term leave with pay for the purpose of obtaining training to enhance the skills required in performing their job or to obtain training in anticipation of a different position with the school system.

REFERENCE:

OAG 84-43

Adopted/Amended: 10/14/1991

Order #: 8

*One of schools had question
on this*

School-Related Student Trips

PRINCIPAL TO APPROVE

The school Principal shall have the authority to approve school-related trips which fall into the following categories:

1. All regularly scheduled athletic events.
2. All athletic trips which are part of a tournament or play-off in which the school is a participant.
3. All school-related trips that are not overnight or out-of-state and within an 85 mile radius of the school.

In order for students to be counted present during school-related trips during the school day, the activity must be co-curricular or instructional.

PRIOR APPROVAL

Prior approval of the Principal is required for each of the above trips. Trips of an overnight duration, trips over 85 miles, or to out-of-state locations must receive prior approval of the Board.

REQUESTS FOR VEHICLES

Requests for use of Board-owned vehicles shall be channeled through the Principal and approved by the Superintendent. Requests must be submitted at least fifteen (15) days prior to the trip.

Use of certificated common carrier service shall be authorized by the board on a case-by-case basis, and the reasons to justify such use shall be cited in Board minutes.³

REIMBURSEMENT

Educational trips, athletic trips, trips made by classes or academically related organizations that participate in regional or state programs or in community-wide activities or functions, and any other similar trips as approved by the Superintendent shall require reimbursement for use of Board-owned vehicles.

DRIVERS/VEHICLES

All District-owned vehicles shall be driven by school employees who are duly qualified and licensed to operate the vehicle ~~have been certified as bus drivers~~. Drivers of school vehicles and operation of District-owned passenger vehicles transporting students shall be in compliance with requirements specified in applicable statutes and administrative regulations.¹

SUPERVISION

A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips. For athletic trips, a nonfaculty coach or a nonfaculty assistant may accompany students as provided in statute. Persons designated to accompany students shall be at least twenty-one (21) years old.²

TRANSPORTATION TO AND FROM SCHOOL-SPONSORED EVENTS

In most instances, students will ride a school bus or other vehicle designated by the District to and from school-sponsored events. School-sponsored events shall be defined as games, tournament competitions, meets, or performances scheduled by the hosting or visiting school.

School-Related Student Trips**TRANSPORTATION TO AND FROM SCHOOL-SPONSORED EVENTS (CONTINUED)**

With advance approval of the coach/supervisor of an event, students may travel with their parent/guardian to the event and, after being signed out by their parent/guardian, leave with their parent/guardian after the event. In addition, with prior notice to the coach/supervisor, parents may permit their child to ride to and/or from an event in another parent's vehicle. The District shall establish a specific pre-approval process for documenting students who will travel with their parents or another parent to an event and a sign-out procedure that must be followed by students and their parent/guardian.

No student shall be permitted to ride to or from an event with another student operating the vehicle. Exceptions to these provisions may be considered by the Superintendent/designee upon written request.

INSURANCE

Only Board insured vehicles or appropriately certificated common carriers shall be used for transporting students.³

MEDICATION

Administration of medication to students during field trips shall comply with applicable law, regulation and medication administration training developed by the Kentucky Department of Education.

When students will be travelling outside the state, the Superintendent's designee shall do the following:

1. Determine applicable legal requirements concerning delegation of student medication responsibilities in states through which students will be travelling; and
2. Assign staff to accompany students on the field trip to address student medication needs.

PARENTS' APPROVAL

Parents are to be informed of the nature of the trip, the approximate departure and return times, means of transportation, and any other relevant information. Parents must give written approval for students to participate in school-sponsored trips.

REFERENCES:

¹KRS 156.153

²KRS 161.185

³702 KAR 005:060

KRS 158.110, KRS 158.838; KRS 160.340, KRS 189.125; KRS 189.540

702 KAR 001:160; 702 KAR 003:220, 702 KAR 005:030, 702 KAR 005:080, 702 KAR 005:130

702 KAR 007:012

RELATED POLICIES:

03.1321; 03.2321; 06.35; 09.15; 09.122; 09.221; 09.2241

Adopted/Amended: 7/18/2016

Order #: IV-A

College Courses

PROVISIONS

Seniors may be permitted to take college courses during school hours for college credit, provided the following requirements have been met:

1. The student has completed twenty (20) high school credits;
2. The student has met the entrance requirements set forth by the college or university;
3. The student has written permission from his/her parent guardian. Written approval from the Principal shall be required for students who are married and/or emancipated; and
4. College courses shall not be counted toward fulfillment of minimum graduation requirements or calculated as part of the student's grade point average. Students will not be given high school credit for college courses and grades will not appear on high school transcripts.

TRANSPORTATION AND EXPENSES

Students shall be responsible for transportation and all course expenses.

REFERENCES:

704 KAR 003:305
OAG 76477

RELATED POLICIES:

08.113
08.2211
09.1221

Adopted/Amended: 1/2/2007
Order #: VIII A

Remove

CLASSIFIED PERSONNEL**Personal Leave****NUMBER OF DAYS**

The Board shall grant two (2) personal leave days each school year without loss of pay to employees who are employed less than 239 days and three (3) days to those who are employed from 240 to 260 days.

Persons employed for less than a full year contract shall receive a prorata part of the authorized personal 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 personal leave days equivalent to their normal working day.

Personal leave may be taken only in whole or half-day increments; using Personal leave cannot create pay for hours above the person's normal contracted hours.

PROHIBITION

Personal days are not to be scheduled on days immediately before or immediately after regularly scheduled breaks during the school year. Personal days may not be granted when 10% or more of the staff in the requesting employee's work site are scheduled to be out. Exceptions to these prohibitions due to extenuating circumstances require Principal approval in advance.

APPROVAL

The Superintendent or designee must approve the leave date, but no reasons shall be required for the leave.

Approval shall be contingent upon the availability of qualified substitute employees. Those employees making earliest application shall be given preference.

AFFIDAVIT

Employees taking personal leave must file a personal affidavit on their return to work stating that the leave was personal in nature.

ACCUMULATION

On June 30, personal leave days not taken during the school year shall be transferred and credited to the employee's sick leave account, except for retired classified employees who return to work, whose days shall not accumulate.

REFERENCE:

KRS 161.154

OAG 77-115

RELATED POLICY:

03.2232

Adopted/Amended: 7/25/2016

Order #: IX-I

CLASSIFIED PERSONNEL**Sick Leave****NUMBER OF DAYS**

All fulltime classified personnel shall be entitled to sick leave days with pay based on the following schedule:

<u>Number of Contract Days Employed Each School Year</u>	<u>Number of Sick Days Each School Year</u>
180-218	10
219-239	11
240-260	12

Persons employed for less than a full year contract shall receive a prorata part of the authorized sick leave days calculated to the nearest ½ 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.

Sick leave may be taken only in whole or half-day increments; using sick leave cannot create pay for hours above the person's normal contracted hours.

ACCUMULATIVE

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation to the credit of the classified employee to whom they were granted. When previously retired classified employees return to work, they shall not be reimbursed at time of a subsequent retirement for days accumulated after their return.

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, spouse's siblings, daughters-in-law and sons-in-law, brothers, 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.

In order for classified employees to transfer accumulated sick leave to the Districts there must be continuity of employment. Classified leaving and subsequently returning to the District shall be eligible for reinstatement of accrued leave days, providing there is continuity of employment.

Sick Leave

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 classified 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.

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 9339

Family & Medical Leave Act of 1993

RELATED POLICIES

03.22322

03.2233

03.273

Adopted/Amended: 7/24/2017

Order #: IX E

CLASSIFIED PERSONNEL**Emergency Leave****NUMBER OF DAYS**

Fulltime classified employees shall be entitled to three (3) days of emergency leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized emergency 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 emergency leave days equivalent to their normal working day.

Emergency leave may be taken only in whole or half-day increments; using emergency leave cannot create pay for hours above the person's normal contracted hours.

Emergency leave shall be granted for the following reasons:

ILLNESS/INJURY

To attend to an immediate family member whose life is threatened by illness or injury.

BEREAVEMENT

Death of a relative or personal friend.

DISASTERS

Disasters of a household, vehicle, travel or personal emergency of the magnitude of tornadoes, fires, floods, etc. affecting the employee or his/her immediate family. This applies only in cases not covered by sick leave.

COURT/LEGAL

Appearances as a witness or to produce documents when the employee's presence is required by subpoena. This is not to include appearances in actions in which the employee is a party and the subpoena is obtained by or on behalf of the employee. This also does not include jury duty. (See policy 03.2237.)

BUSINESS

One (1) day shall be granted for business reasons of an emergency nature. For the purposes of this section, "emergency" shall mean a sudden unexpected happening: an unforeseen occasion or condition: a sudden or unexpected occasion requiring action. The employee may appeal the Superintendent's or designee's decision to the Board.

PROHIBITIONS

Emergency leave shall not be used for personal illness covered under sick leave policies, for participation in recreational activities, for vacations, college visits, attending fraternal functions, seeking other employment or for rendering services for pay.

REQUEST FOR LEAVE

Emergency leave must be requested through the Superintendent or designee who will determine if the leave requested meets the Board's criteria.

Emergency Leave

AFFIDAVIT

Persons taking emergency leave must file a personal affidavit upon their return to work stating the specific reasons for their absence.

ACCUMULATION

Emergency leave days not taken during the school year shall not accumulate.

REFERENCES:

KRS 161.152, KRS 161.155
OAG 76427; OAG 72348; OAG 74770

RELATED POLICIES:

03.2232, 03.2237

Adopted/Amended: 5/19/2003
Order #: VIII B