



FLOYD COUNTY BOARD OF EDUCATION
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Sherry Robinson- Chair - District 5
Dr. Chandra Varia, Vice-Chair - District 2
Linda C. Gearheart, Member - District 1
William Newsome, Jr., Member - District 3
Rhonda Meade, Member - District 4

Action/Discussion Item: Second reading for KSBA Policy Update #41 and Procedure Update #22

Applicable Statutes or Regulations: BOE Policy 0.11 Powers and Duties of the Local Board of Education.

Background and major Policy Implications: As part of the policy service to districts, KSBA provides an annual update for policy and procedure to districts. All policies and procedures will be reviewed with appropriate board staff and the attorney.

Fiscal Budgetary Impact: As noted on individual policies.


Alternatives: None proposed.

Recommended Action: To approve the policy update.

Contact Person: Angela Duncan, Director of District Wide Services (Human Resources)
606.886.5525

Date: July 11, 2018


Superintendent


Director

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.

FULL-TIME, PART-TIME 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 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.

PRINCIPAL/HEAD TEACHER

In those schools without a Principal, the duties of the Principal as prescribed by this manual are assumed by the person designated as head teacher by the Board.

DEFINITIONS

GENDER

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

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.

PARENT OR GUARDIAN

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

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.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.0
(CONTINUED)

DEFINITIONS

REFERENCES:

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

¹~~102 KAR 1:036~~

¹~~702 KAR 1:035~~

KRS 158.144

KRS 160.290; KRS 160.340; 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; 702 KAR 6:020; 702 KAR 6:040

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

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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 WAIVERS 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.

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

General Powers and Duties of the Board**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 the 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

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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 FUNDS

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**CONTRACT WITH CONSULTANTS**

The Board may contract for consulting services to provide specialized advice or assistance to the school system concerning educational, management, or administrative matters.⁴

Any proposed contracts with consultants shall be submitted to the Board for approval and shall be accompanied by figures showing the estimated cost of the consulting project to the District. Where appropriate, the Board may require bids for consulting services to be sought.

Consultants who serve the District shall exercise no authority over District employees, but will act only as advisor in accordance with their contract.

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

¹²~~KRS 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 91-10; OAG 91-122; OAG 95-10; 702 KAR 3:220;

RELATED POLICIES:

01.41; 01.5; 01.7

03.124; 03.224; 04.92

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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 reviewed 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.

Selection of committee members shall reflect reasonable minority representation and encourage active minority participation.¹

IMPROVEMENT PLANNING

The Board may designate the length of time for completing implementation of the Comprehensive District Improvement Plan, which earmarks state and federal categorical funds to address priority needs, goals and objectives in the District. By February 1 each School/District Comprehensive Improvement Planning Committee shall review the school and District action plans and update components related to current achievement gap targets, as necessary. Revisions shall be forwarded to the District level committee to review for implications concerning the District plan.

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

District Planning**PLAN REQUIREMENTS (CONTINUED)**

The plan shall be updated as scheduled by the Board of Education and the Superintendent. The plan shall address, but not be limited to, the Standards and Indicators for School Improvement, Core Content for Assessment and the Kentucky Academic Standards. Strategies and Activities should be Best Practices, Research Based, strategies proving successful in other districts or strategies that are proving successful in our District that should be continued. The District Plan shall provide assistance in reducing physical, mental health, and academic barriers to learning, and address student equity.

The Superintendent shall present to the Board for review and approval the form and function of the District planning process, including format and timelines. All schools will turn in a mid-year and year-end report regarding the implementation and impact of strategies from the CSIP in December and May to the Plan Coordinator. The District will turn in a mid-year and year-end report regarding the implementation and impact of strategies from the plan in January and June to the Plan Coordinators. The Superintendent's report concerning CDIP/CSIP to the Board shall be written and submitted in February and July each year and include all school and District data.

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 and the Superintendent, the Board shall review annual targets in the Comprehensive School Improvement Plan and the Comprehensive District Improvement Plan specifically 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 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 and post the revisions on the District Web site immediately after adoption by the Board of Education.

BOARD APPROVAL

The plan shall be completed between November 1 and January 1 of each school year and presented to the Board for approval.

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

District Planning**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 District Plan (CDIP) shall serve as a resource for Board decision making. The Superintendent shall develop methods of implementing the District Plan.

SCHOOL PLANS

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

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

LEGAL: BOARD MEMBER QUALIFICATIONS ARE ESTABLISHED BY APPLICABLE PROVISIONS OF THE KENTUCKY CONSTITUTION AND KENTUCKY STATUTES. CHANGES TO KRS 160.180 AFFECT BOARD MEMBER QUALIFICATIONS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.2

Board Member Qualifications

ELIGIBILITY

Board member qualifications are established by applicable provisions of the Kentucky Constitution and Kentucky Statutes. These specific provisions prevail over the following general description. To be eligible for membership on the Board, a person must meet the following qualifications:¹

1. Has attained the age of twenty-four (24) years;
2. Has been a citizen of Kentucky for at least three (3) consecutive years preceding his/her election;
3. Is a legally qualified voter of the division or district (in the case of independent school districts) for which s/he is elected;²

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EDUCATION

4. ~~Has completed at least the twelfth grade or has been issued a High School Equivalency Diploma;~~
5. ~~Cannot hold any elective federal, state, county, or city office, a state office requiring the constitutional oath; serve as an officer or employee of a city or county, hold a federal office of "trust or profit," or serve as an appointed officer of a special purpose governmental entity with taxation authority unless specifically authorized by statute;~~
4. ~~Is not a member of the General Assembly;~~
2. ~~Cannot hold or discharge the duties of any civil or political office, deputyship, or agency under the city or county of his/her residence;~~

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NO CONFLICT OF INTEREST

4. 6. ~~As of the date of election, He has no interest, direct or indirect, in the sale to the Board of books, stationery or any other property, materials, supplies, equipment, or services for which school funds are expended;~~
- * ~~Has never been removed from membership on a Board of Education for cause; and~~
4. 8. ~~Has no relative, as defined in KRS 160.180, employed by the District. This prohibition does not apply to a member holding office on July 13, 1990 who has a relative who was initially employed by the District before the member was elected to the Board.~~

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A Board member shall be eligible for reelection unless s/he becomes disqualified.

REFERENCES:

¹Kentucky Constitution Sections 165, 237; KRS 160.180; KRS 160.180

²Moore v. Tiller, KY., 409 S.W. 2d 813 (1966)

OAG 80-234, OAG 88-35

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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 January, the Board shall adopt a schedule of regular meetings for the 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 78-27; OAG 78-614

³KRS 61.810

⁴92-OMD-1677; 04-OMD-056

KRS 61.826; ~~KRS 61.820~~; KRS 158.070

17-OMD-148

RELATED POLICIES:

01.421; 01.43; 01.44; 08.3; 08.31

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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 81-135

³KRS 61.815

⁴KRS 61.826

⁵15 OMD 0000

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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

In-Service 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.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

A01.83
(CONTINUED)

In-Service Training

IN-SERVICE 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 requirement of KRS 160.150 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.

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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.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

A01.83
(CONTINUED)

In-Service Training

REFERENCES:

1 KRS 160.180
701 KAR 8:020
702 KAR 1:115
OAG 85-53; OAG 85-145

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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 for: (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 objection 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.

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Authorization of Charter Schools

AUTHORIZER ORGANIZATIONAL CAPACITY (CONTINUED)

The Board shall consult with the Superintendent/designee in 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 is 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 its 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:
 1. 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 Acts.
 2. 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.
 3. 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 on the websites of the Board and the charter school.

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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.

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 160.1595 and 701 KAR 8:020).

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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.

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REFERENCES:

KRS 160.1591; 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

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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 contract 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 schools 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 of 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 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.

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Charter School Monitoring, Assessment, and Annual Reports**FINANCIAL MONITORING (CONTINUED)**

2. Begin a more in-depth review, and, under 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. Review 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 termination;
3. Commence the litigation 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 remaining 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:

01.09.01.11, 01.09.01.01, 01.01
01.01, 01.01.01, 01.01.01, 01.01.01, 01.01.01

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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 100.540; 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:

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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

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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 contained in charter school corporate governance documents or the charter contract.

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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:

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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;

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CLOSURE (CONTINUED)

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1. The closure decision and closure process:

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1. Information on the existence and role of any appeal of the closure:

- 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.

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701 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

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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 set forth in KRS 160.1599 and 704 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 going 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.

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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 may 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 noncharter 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

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RELATED POLICIES:

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

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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 (SBDM)

ELECTION OF TEACHER MEMBERS

Teachers assigned to a school shall organize the election to select teacher council members. Teachers may request the Principal to provide administrative assistance in preparing for the election.

Teachers may nominate themselves or another teacher. A written ballot containing the names of all qualified teachers 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 member. For the purpose of electing teacher council members, a Principal or Assistant Principal, may not vote or serve as a teacher council member. Election 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 parent-teacher 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, and uncle, son-in-law or daughter-in-law.

Election of School Council Members (SBDM)**ELECTION OF PARENT MEMBERS (CONTINUED)**

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.

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

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<http://mhs.dhs.gov/dhs/central-registry-check>

MINORITY REPRESENTATIVES

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.

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 should be held no later than the preceding May, but the specific date shall be set by the council.

Election of School Council Members (SBDM)

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.

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.

Each school shall keep its data for needs assessment on file for a period of five (5) years.

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 school 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 the 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.~~

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.

~~In addition to the above requirements, beginning the 2018-2019 school year and annually thereafter, 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.~~

BOARD REVIEW

The school's plan for eliminating 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.

ADMINISTRATION

02.442
(CONTINUED)

Comprehensive School Improvement Plan

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)

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 and, if a school-based position is to be filled, shall be submitted with a certified statement reflecting the school's entitlement, current staffing, the reason(s) why the position was vacant, and the financial impact of the employment.

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

When a vacancy needs to be filled in less than ~~fifteen (15) days~~ ~~(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) days~~ ~~(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 the employee receives written notice of such action from the Superintendent. Certified employees may be appointed by the Superintendent for any school year at any time after February 1 next 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.

A "qualified applicant" is an individual who:

1. Holds proper certification for the position sought;
2. Has no actions pending or sanctions applied against his/her administrative and/or teaching certificate;
3. Is not currently under contractual agreement with another board of education and said agreement cannot be terminated without violating KRS 161.780(1); and
4. Has not been formally placed at another school within this District no later than thirty (30) days before the first student attendance day of the school year unless released from placement by the Superintendent pursuant to Policy 03.1311 (Transfer).

QUALIFICATIONS (CONTINUED)

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

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

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

~~As permitted by KRS 164.383, 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.

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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

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.

When a vacancy for a teaching position occurs in the District, the Superintendent shall conduct a search to locate minority candidates to be considered for the position.

REVIEW OF APPLICATIONS

The District Position Screening Committee shall review and screen all applications for District positions. ("District positions" are positions that serve two (2) or more schools or that provide services to the District at large.) This Committee shall represent five (5) groups of employees, consisting of one (1) building Principal, who shall serve as chair, one (1) member of the local teachers' organization, one (1) bus driver, one (1) member of the Central Office certified staff, and one (1) member of the Central Office classified staff. Selection of a representative of the local teachers' organization shall be made to minimize disruption to student learning. A majority of Committee members present shall be deemed as sufficient to conduct business. The Screening Committee shall rank applicants using the adopted point system. The Committee shall then recommend the highest ranking applicants to the Superintendent for interviews.

The Superintendent shall waive the District Position Screening Committee if five (5) or fewer qualified applications have been received for a position. The Superintendent shall appoint members of an Interview Committee. The Interview Committee, which may include the Superintendent, shall be composed of at least three (3) members, one (1) of whom shall be a building Principal. All applicant interviews shall be arranged through the Office of Human Resources.

Applications for candidates not employed shall be retained for three (3) years.

To be considered an applicant for a position, the person must have the following information on file in the District Office of Human Resources:

1. Completed application form;
2. Copy of valid Kentucky teaching certificate or Intern Statement of Eligibility, if required;
3. Official transcript of all college work and/or a copy of the person's high school diploma or High School Equivalency Diploma; and
4. Three (3) letters of recommendation on the required form.

Hiring**RELEASE OF APPLICATIONS**

Only complete applications shall be released to schools or to the District Position Screening Committee. The Office of Human Resources shall accept all applications for positions but shall release applications to school councils and interview committees beginning with applications submitted by individuals who are certified in terms of subject matter and grade range and who are currently employed by the District. If no hiring selection results from the initial release of applications, the District shall forward all remaining applications to the council or interview committee. A school council may receive all available applications with the initial release if such a request is made to the Superintendent.

BEST-QUALIFIED APPLICANT

Floyd County Schools is committed to hiring the best-qualified applicant for a certified vacancy as outlined in KRS 161.100 and 16 KAR 2:120. If a recommendation or selection is made to employ an applicant who is not the best qualified, then documentation shall be provided and shall support why the better qualified applicant(s) were not recommended or selected. The documentation shall be based on references, evaluations, attendance patterns, communications regarding past performance according to previous supervisors, and notes from personal interviews.

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

Except for noncontracted substitute teachers, all certified personnel shall enter into written contracts with the District.

JOB DESCRIPTION

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

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.

PERSONNEL

03.11
(CONTINUED)

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; 03.1311; 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

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

03.121

- CERTIFIED PERSONNEL -

Salaries

SINGLE-SALARY BASIS

All salaries for certified personnel shall be based on a single-salary 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.

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.

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.

Salaries**EXCEPTION**

The Superintendent's salary may be established without regard to the above-mentioned schedules.

PAYROLL DISTRIBUTION

Checks/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.

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

All employees shall participate in the program to receive net pay deposited electronically to a designated account in any bank, savings and loan, or credit union that is a member of the National Automatic Clearing House Association (NACHA).

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.

LIST OF SALARIES

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

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 161.134; KRS 161.168; KRS 161.760
KRS 337.070; KRS 424.120; KRS 424.220; 16 KAR 1:040; OAG 97-25
702 KAR 3:060; 702 KAR 3:070; 702 KAR 3:100; 702 KAR 3:310
29 C.F.R. Section 541.303; 29 C.F.R. Section 541.602; 29 C.F.R. Section 541.710

RELATED POLICIES:

03.114; 03.1211; 03.4

LEGAL: 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) not to exceed two (2) consecutive years for educational or professional purposes. Leave may be granted for full-time 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 part-time 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.

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.

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PERSONNEL

03.1235
(CONTINUED)

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 160.159.2; KRS 161.770

701 KAR 8.040

OAG 79-106

OAG 84-43

OAG 91-134

RELATED POLICY:

03.123

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

REPORTING

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

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**

Two (2) members of the panel shall be elected by and from the certified employees of the District. Two (2) alternates shall also be elected by and from the certified employees, to serve in the event an elected member cannot serve. The Board shall appoint one (1) certified employee and one (1) alternate certified employee to the panel.

TERMS

All terms of panel members and alternates shall be for a period not to exceed three (3) years. Term of office shall be from July 1 to June 30. Members may be reappointed or reelected.

CHAIRPERSON

The chairperson of the panel shall be the certified employee appointed by the 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 five (5) working days of the receipt of the summative evaluation. The certified employee may review any evaluation material related to him/her. Both the evaluator and the evaluatee shall be given the opportunity, at least ten (10) days in advance of the hearing to review documents that are to be given to the District evaluation 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 INTEREST

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

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

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

BURDEN OF PROOF

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

HEARING

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

PERSONNEL

03.18
(CONTINUED)

Evaluation

PANEL DECISION

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 decision and shall take such action as permitted by law as he deems appropriate or necessary.

REVISIONS TO PREVIOUSLY APPROVED DISTRICT EVALUATION PLAN

If a revision adding or removing a source of evidence or changing a decision rule or evaluation 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 removed 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 92-135, Thompson v. Board of Educ., Ky., 838 S.W.2d 390 (1992)

RELATED POLICIES:

²03.13; 03.15; 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 and, if a school-based position is to be filled, shall be submitted with a certified statement reflecting the school's entitlement, current staffing, the reason(s) why the position was vacant, and the financial impact of the employment.

EFFECTIVE DATE

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

HIRING OF RETIRED PERSONS

The Superintendent may rehire at full pay classified personnel (62 years of age or older) who have retired from the District and are receiving Social Security and County retirement benefits.

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."~~

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, ~~el~~ 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 140.380, employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the 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, 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:

<https://dpp.ky.gov/central-registry-check-and-more-information-on-the-required-cabinet-letter>

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.

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 or unless s/he shows progress, as defined by Administrative Regulations of the State Board for Adult, and Technical Education, toward obtaining a High School Equivalency Diploma. Employees shall hold the qualifications for the position as established by the Commissioner of Education.³

All paraprofessionals shall satisfy educational requirements specified by federal law.⁴

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.

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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.

REVIEW OF APPLICATIONS

The District Position Screening Committee shall review and screen all applications for District positions. ("District positions" are positions that serve two (2) or more schools or that provide services to the District at large.) This Committee shall represent five (5) groups of employees, consisting of one (1) building Principal, who shall serve as chair, one (1) member of the local teachers' organization, one (1) bus driver, one (1) member of the Central Office certified staff, and one (1) member of the Central Office classified staff. Selection of a representative of the local teachers' organization shall be made to minimize disruption to student learning. A majority of Committee members present shall be deemed as sufficient to conduct business. The Screening Committee shall rank applicants using the adopted point system. The Committee shall then recommend the highest ranking applicants to the Superintendent for interviews.

Applications for candidates not employed shall be retained for three (3) years.

The Superintendent shall waive the District Position Screening Committee if five (5) or fewer qualified applicants have been received for a position. If the screening process is waived, all qualified applicants for the position shall be interviewed. The Superintendent shall appoint members of an Interview Committee. The Interview Committee, which may include the Superintendent, shall be composed of at least three (3) members, one (1) of whom shall be a building Principal. All applicant interviews shall be arranged through the Office of Human Resources.

To be considered an applicant for a position, the person must have the following information on file in the Office of Human Resources:

1. Completed application form;
2. Current license, if required, by position;
3. Official transcript of all college work and/or a copy of the person's high school diploma or High School Equivalency Diploma; and
4. Three (3) letters of recommendation on the required form.

HIRING 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

PERSONNEL

03.21
(CONTINUED)

Hiring

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.

CONTRACT

All regular full-time and part-time employees shall receive a contract.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT FOR SUBSTITUTE CLASSIFIED EMPLOYEES

Substitute classified employees shall be notified in writing by April 30 of each year as to whether they have reasonable assurance of continued employment for the following 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.

REFERENCES:

¹KRS 160.380
²702 KAR 5:080, KRS 160.345, KRS 160.390
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
KRS 17.160, KRS 17.165; KRS 156.070
KRS 335B.020, KRS 405.435
OAG 91-10, OAG 91-149, OAG 91-206
OAG 92-1, OAG 92-59, OAG 92-78, OAG 92-131
13 KAR 3:030; 702 KAR 3:320
Kentucky Local District Classification Plan
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, if there is no break in employment.

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

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

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

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

LIST OF SALARIES

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

PERSONNEL

03.221
(CONTINUED)

Salaries

PAYROLL DISTRIBUTION

Checks/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.

All employees shall participate in the program to receive net pay deposited electronically to a designated account in any bank, savings and loan, or credit union that is a member of the National Automatic Clearing House Association (NACHA).

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

PAYROLL DEDUCTION

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

OVERTIME

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 125 working days.

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

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.

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

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. Failing 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 substantial finding or the finding has been upheld upon appeal.~~
- ~~9.10~~ 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.
- ~~10.11~~ Immorality, misconduct, or conduct unbecoming a school employee.
- ~~10.12~~ Loss of licensure or certification required for the position.
- ~~12.13~~ 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.
- ~~13.14~~ 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.
- ~~14.15~~ Physical or mental disability, consistent with applicable laws protecting employees with disabilities.¹

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DUE PROCESS PROVISIONS

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

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

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.

If the employee disagrees with the decision rendered by the Superintendent, the employee will have the opportunity to appeal the decision to a hearing officer who will direct a hearing process set in procedures and render a decision that sustains, amends, or dismisses the action directed by the Superintendent.

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:

Americans with Disabilities Act
42 U.S.C. Section §12111 et seq.; KRS Chapter 344
KRS 160.380; KRS 160.390; KRS 161.011
OAG 76-290; OAG 92-135; OAG 96-3; 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 background/terminal 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://www.ky.gov/education/central-registry-check-and-more-information-on-the-required-cabinet-letter](#)

SUBSTITUTE LIST

The Superintendent or designee shall maintain a list of qualified substitute teachers. The Superintendent or designee shall engage substitutes from this list.

RETIRED TEACHERS

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

LENGTH OF DUTY

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

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

SUBSTITUTE SALARY AND PAYMENT SCHEDULE

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

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

EMPLOYMENT NOTIFICATION

Substitute teachers on the District's substitute list shall be notified in writing by April 30 of each year as to whether they have reasonable assurance of continued employment for the following school year.

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

PERSONNEL

03.4
(CONTINUED)

Substitute Teachers

REFERENCES:

KRS 17.160; KRS 17.165; KRS 156.106; KRS 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 69-296

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. Volunteers are encouraged to use their time and effort to support school and district programs. The district shall develop procedures that encourage volunteers to assist in school and/or district programs and to facilitate effective communication with persons who volunteer.

RECRUITMENT

Recruitment goals shall include but not be limited to:

1. Establishing an open, community-friendly environment
2. Creating an awareness of the need for community participation
3. Improving communication between the school and the community
4. Developing orientation materials to be provided to all volunteers who have contact with students on a regularly scheduled or continuing basis

Persons interested in participating in the volunteer program should contact the principal/designee.

SUPERVISION

All volunteers shall provide assistance only under the direction and supervision of a member of the professional administrative and/or teaching staff.¹ Volunteers who assist in the district on a scheduled and/or continuing basis shall be provided with the same liability insurance as a district employee and shall be provided with a written task description detailing responsibilities and expectations as well as specific qualifications that may be required.

RECORDS CHECK

The District shall conduct, at District expense, a state criminal records check, good for one year, on all volunteers who have contact with students on a regularly scheduled and/or continuing basis, or who have supervisory responsibility for children on 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 stated previously, the volunteer must pay for the background checks.

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PERSONNEL

03.6
(CONTINUED)

Volunteers

RECORDS CHECK (CONTINUED)

No volunteer shall be utilized to supervise students, or deemed to have the authority to supervise students, unless the volunteer has been designated to supervise students by the Principal and approved by the Superintendent/designee, and the volunteer has undergone the required records check. The Superintendent may also require such a volunteer to provide a letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record.

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[Link to DPP 150 Central Registry Check and more information on the required Cabinet Letter.](#)

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<http://maine.gov/checks/central-registry-check> and <http://maine.gov/checks/central-registry-check>

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WORK-BASED SITE SUPERVISORS

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

BASIS FOR DISQUALIFICATION

Applicants with the following convictions shall not be authorized to volunteer:

1. All sex-related offense convictions
2. All offense convictions against minors
3. All felony offense convictions against persons or property
4. All drug-related offense convictions
5. All deadly weapon-related offense convictions
6. All misdemeanors, other than routine traffic violations, within three (3) years from date of check

All volunteers must have undergone the criminal records check and an Ethics and Confidentiality Orientation before they begin to serve. The Principal and/or school council shall determine the need for the volunteer/ volunteers. The volunteers may be placed according to the determined need.

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.

ACCOUNTABILITY

Schools shall keep a record of each volunteer's assignment, the hours he/she has volunteered, and the effectiveness of the services provided.

PERSONNEL

03.6
(CONTINUED)

Volunteers

REFERENCES:

¹KRS 161.148
KRS 160.380
KRS 161.044

RELATED POLICIES:

03.5
08.113; 08.1131

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

FISCAL MANAGEMENT

04.1

Budget Planning and Adoption

PLANNING

The Superintendent shall establish procedures to provide for annual community, parent, 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.

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FISCAL MANAGEMENT

04.1
(CONTINUED)

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

Purchasing/Procurement

AUTHORITY

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

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

The District may purchase supplies and/or equipment outside 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.

Purchasing/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

The following employees are authorized to approve small purchases up to \$1,500: Director of Transportation, Director of Buildings and Grounds, and Principals (school activity funds only).

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 latter provision 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.

2019-2020 school year, the District will require all contractors who work on school premises during school hours to submit 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.

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Purchasing/Procurement**BACKGROUND CHECK FOR CONTRACTORS (CONTINUED)**

"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

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

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

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

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

Kentucky Educational Technology Systems (KETS)

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RELATED POLICIES:

05.6; 06.4; 07.13

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.91

Financial Statements and Reports

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

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

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

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

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REFERENCES:

KRS 160.431

KRS 160.463

KRS 424.220

KRS 424.230

2015 Budget Bill

Governmental Accounting Standards Board

RELATED POLICY:

04.1

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

SCHOOL FACILITIES

05.5

Security

DEVELOPMENT OF PLAN

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

RESPONSIBILITY

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

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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

Pupils shall be discharged at their regularly scheduled stops only, except with 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:

KRS 158.110

KRS 189.370

KRS 189.375

KRS 189.540

¹702 KAR 5:080

²702 KAR 5:150

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 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

The bus drivers shall promptly report any violation of District policy or school rules to the Principal.

DISCHARGE OF PUPILS FROM BUS

Drivers are in charge of their buses, and their first responsibility shall be to the safe transportation of their passengers. In the event that one or more pupils are behaving in a threatening or violent manner or in such a way as to endanger the safety of other pupils on the bus, the driver is authorized to order the offending pupils from the bus. 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 bus-riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The Principal shall notify the parents in cases where bus-riding privileges have been withheld.

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

RESTITUTION OF DAMAGES

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

STUDENTS WITH DISABILITIES

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

REFERENCES:

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

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

KRS 158.110; KRS 160.705; 702 KAR 5:100

RELATED POLICIES:

09.226; 09.425; 09.434

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

CURRICULUM AND INSTRUCTION

08.1341

Essential Workplace Programs

INDICATORS

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

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

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

ATTAINMENT

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

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Essential Workplace Programs**REPORTING REQUIREMENT**

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

REFERENCE:

KRS 158.1413

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

CURRICULUM AND INSTRUCTION

08.1345

Federal Programs Funding

The District Board may participate in federal programs which in the judgement 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) and FDOAR, the District Board shall provide the Kentucky Department of Education with a written 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 equivalence among schools in teachers, administrators, and other staff/auxiliary personnel; and
3. A policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies; and
4. Parental consultation in project design, implementation and evaluation

To implement the parental consultation assurances described in this 1345(4), procedures include but are not limited to the following:

- a. Notifying parents that their child has been selected to participate in Title I;
- b. Sending parents reports regarding their child's progress in the program;
- c. Requesting at least one (1) parent-teacher conference each year;
- d. Soliciting parents' suggestions in the planning and operation of the program;
- e. Responding to parents' suggestions in a timely manner.

The District Board 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
201 SCA, Sec. 7801, et seq.
704 KAR 3:292
34 C.F.R. 200.52-Parts 25, 75, and 24
P. L. 101-226
P. L. 114-95, Every Student Succeeds Act of 2015

RELATED POLICIES:

01.11
03.13251; 03.23251
04.92
09.423

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

CURRICULUM AND INSTRUCTION

08.13451

Title I - Parent and Family Engagement Policy

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

EXPECTATIONS FOR PARENT AND FAMILY ENGAGEMENT

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

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

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

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SUPPORT FOR PROGRAM

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

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

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

Title I - Parent and Family Engagement Policy**SUPPORT FOR PROGRAM (CONTINUED)**

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

SCHOOL POLICY

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

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

REFERENCES:

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

RELATED POLICIES:

03.112; 08.1345; 09.11

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

CURRICULUM AND INSTRUCTION

08.3

School Calendar

CALENDAR COMMITTEE

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

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

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

DEVELOPMENT OF CALENDAR

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

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

The meetings may be regular or special.

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

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

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

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

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

ADDITIONAL REQUIREMENTS

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

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

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

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

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

School Calendar**CALENDAR OPTIONS**

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

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

AMENDING THE CALENDAR

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

EMERGENCY WAIVERS

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

REFERENCES:

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

RELATED POLICIES:

01.42; 08.31

LEGAL: KRS 160.1592 PROHIBITS A LOCAL SCHOOL DISTRICT FROM ASSIGNING OR REQUIRING ANY STUDENT ENROLLED IN THE LOCAL SCHOOL DISTRICT TO ATTEND A PUBLIC CHARTER SCHOOL.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.11

School Attendance Areas

ASSIGNED 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.

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IF FAMILIES MOVE

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 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.

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

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

OAG 80-394

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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 consensus 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 7:030 shall apply.

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

http://education.ky.gov/federal/projects/Documents/Homeless_Dispute_Resolution_Form.docx
<http://education.ky.gov/federal/projects/Documents/Homeless%20Dispute%20Resolution%20Form.pdf>
 The liaison shall provide a copy of the referenced form to the complainant.

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

CHILDREN IN FOSTER CARE

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

Foster children are to be immediately enrolled in a new school. The District shall collaborate with the Cabinet to ensure immediate and appropriate enrollment of the child and immediately contact the student's previous/prior 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, such determination will be made in collaboration with the child welfare agency. Dispute resolutions shall be handled by all agencies involved in the determination of the foster child's placement.

Admissions and Attendance**CHILDREN IN FOSTER CARE (CONTINUED)**

When possible, a child exiting the foster care program during the school year shall be allowed to complete the school year in the school of origin.

BEST INTEREST OF THE CHILD

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

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

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IMMIGRANTS

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

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

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

Nonresident pupils who have been expelled from another district must have Board approval before admission.

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.

Admissions and Attendance**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}

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

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

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.

STUDENTS

09.12
(CONTINUED)

Admissions and Attendance

REFERENCES:

- ¹KRS 159.010; OAG 78-64; OAG 91-171
- ²42 U.S.C. 11431 et seq. (McKinney-Vento Act)
- ³KRS 158.120; OAG 80-47; OAG 79-327; OAG 75-602
- ⁴KRS 157.320
- ⁵702 KAR 7:125
- ⁶KRS 158.155; KRS 157.330; KRS 158.150
- KRS 157.360; KRS 158.100
- KRS 159.012
- 704 KAR 7:090; 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

No student will be excused on a regular basis for reasons not pertaining to school.

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, at the school in which the child is enrolled, or Guidance Counselor at 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.

STUDENTS

09.1231
(CONTINUED)

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-ordered 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.¹⁴²

IMMUNIZATIONS

The immunization certificate form required by 704 KAR 4:020 shall be on file upon a student's enrollment in school.

~~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 extracurricular 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 1:100.~~

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REFERENCES:

¹KRS 156.160; 704 KAR 4:020

~~902 KAR 2:060~~

KRS 214.036; KRS 214.034

KRS 158.035

~~902 KAR 2:060~~; 902 KAR 2:090

OAG 82-131

Health Services Reference Guide, Kentucky Department of Education

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

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

RELATED POLICIES:

09.121

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

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

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

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

FINANCIAL IMPLICATIONS: COST OF MATERIALS

STUDENTS

09.22

Student Health and Safety

PRIORITY

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

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

HEALTH SERVICES TO BE PROVIDED

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

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

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

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

SAFETY PROCEDURES

All pupils shall receive annual instruction in school bus safety.

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

Student Health and Safety**SUICIDE PREVENTION**

All middle and high school teachers, principals, and guidance counselors shall annually complete a minimum of ~~two-one (21)~~ hours of self-study review of high-quality suicide prevention material 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.¹

By September 1st of each school year, administrators shall provide suicide prevention awareness information to students in middle school grades and above, as provided by the Cabinet for Health and Family Services or a commercially developed suicide prevention training program.²

SEIZURE DISORDER MATERIALS

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

REFERENCES:

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

²KRS 156.095

³KRS 158.070

KRS 156.160

KRS 158.836; KRS 158.838

702 KAR 5:030

RELATED POLICY:

09.2241

LEGAL: HB 147 AMENDS KRS 158.838 TO ADD MEDICATION PRESCRIBED TO TREAT SEIZURE DISORDER SYMPTOMS

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: THIS CLARIFIES THAT SCHOOLS SHALL HAVE EMERGENCY CARE PROCEDURES THAT COMPORT WITH REGULATION.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.224

Emergency Medical Treatment

FIRST AID TO BE PROVIDED

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

FIRST-AID ROOM

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

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

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

INFORMATION NEEDED

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

EMERGENCY CARE PROCEDURES

Each Principal shall develop a procedure for handling medical emergencies. Schools shall have emergency care procedures, comporting with regulation, and may utilize the Kentucky Department of Education's Health Services Reference Guide (HSRG) as a resource.

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 156.160; KRS 156.502

KRS 158.836; KRS 158.838

Kentucky Department of Education Health Services Reference Guide (HSRG)

RELATED POLICIES:

09.21; 09.22; 09.2241

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LEGAL: HB 1 AMENDS KRS 620.146 REQUIRING THAT WHEN THE CABINET FOR HEALTH AND FAMILY SERVICES IS AWARDED CUSTODY OF AN ABUSED, NEGLECTED, OR DEPENDENT CHILD, IT MUST NOTIFY THE PRINCIPAL, OR ANY ASSISTANT PRINCIPAL, AND DPP OF THE NAMES OF PERSONS AUTHORIZED TO CONTACT OR REMOVE THE CHILD FROM SCHOOL GROUNDS. THE NOTIFICATION SHALL BE PROVIDED BY THE CABINET BY WRITTEN NOTICE VIA EMAIL OR FAX. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.227

Child Abuse

REPORT REQUIRED

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

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

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

WRITTEN REPORT

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

WRITTEN RECORDS

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

INTERVIEWS

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

Child Abuse**AGENCY CUSTODY**

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

The notification shall be provided to the school by the Cabinet:

- a) By ~~written notice via email or fax~~ ~~Verbally and documented in writing by the Principal, Assistant Principal, or Guidance Counselor~~ on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. ~~The Verbal~~ notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By ~~email, fax, or hand delivery of a copy of the court order~~ written document within ten (10) calendar days following ~~the Cabinet's receipt of the court order~~ of a change of custody or change in contact or removal authority.

~~The Principal, Assistant Principal, or Guidance Counselor shall document in writing when they have received the notification.~~

REQUIRED TRAINING

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

OTHER

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

STUDENTS

09.227
(CONTINUED)

Child Abuse

REFERENCES:

¹KRS 600.020 (1)(15)

²KRS 620.030; KRS 620.040

³OAG 85-134; OAG 92-138

⁴KRS 620.072

KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580

KRS 156.095; KRS 199.990; KRS 209.020

KRS 620.050; KRS 620.146

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

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

RELATED POLICIES:

09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

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

STUDENTS

09.313

Eligibility (Athletics)

District standards for playing up from middle school (grades seven and eight [7 & 8]) to high school in sports other than football and soccer may include, but are not limited to, considerations related to safety, physical readiness, use of school space after the school day, transportation, funding, the student's disciplinary status and record, any substance testing restrictions, equitable opportunities for participation, and harmonizing any conflicting school-based decision making ("SBDM") requirements. SBDM Council policies apply to the selection of sports activities, and student participation based on academic qualifications and attendance requirements, program evaluation, and supervision.¹

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

The SBDM Councils shall establish eligibility requirements for participation in practices and competitions. High school requirements shall be no less rigorous than specified by KHSAA.

CHARTER SCHOOL STUDENTS

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

REFERENCES:

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

RELATED POLICIES:

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

EXPLANATION: KRS 150.1594 REQUIRES CHARTER SCHOOL AUTHORIZERS TO HAVE POLICIES AND PRACTICES CONSISTENT WITH THE PRINCIPLES AND PROFESSIONAL STANDARDS FOR AUTHORIZERS OF PUBLIC CHARTER SCHOOLS, INCLUDING STANDARDS RELATING TO: 1. ORGANIZATIONAL CAPACITY AND INFRASTRUCTURE; 2. SOLICITING AND EVALUATING APPLICATIONS; 3. PERFORMANCE CONTRACTING; 4. ONGOING PUBLIC CHARTER SCHOOL OVERSIGHT AND EVALUATION; AND 5. CHARTER APPROVAL, RENEWAL, AND REVOCATION DECISION MAKING.

FINANCIAL IMPLICATIONS: FUNDING FOR CHARTER SCHOOLS IS NOT COVERED IN THE CURRENT STATE BUDGET FOR 2018-20. FINANCIAL IMPLICATIONS COULD INCLUDE COSTS FOR STARTUP ACTIVITIES, TRAINING, GENERAL OVERSIGHT, MONITORING, INTERVENTIONS, DATA TRACKING, ETC.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.91 AP.1

Charter School Authorization

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AUTHORIZER DUTIES

Under KRS 160.1594, a public charter school authorizer shall:

- Solicit, invite, and evaluate applications;
- Approve new and renewal applications that meet statutory requirements;
- Decline applications that:
 1. Fail to meet statutory requirements; or
 2. Are for a school that would be under the direction of any religious denomination; and
- Negotiate and execute in good faith contracts with each authorized charter school;
- Monitor the performance and compliance of charter schools in accordance with contract terms;
- Determine whether each charter merits renewal or revocation;
- Establish and maintain practices consistent with professional standards for authorizers, including:
 1. Organizational capacity and infrastructure;
 2. Soliciting and evaluating applications;
 3. Performance contracting;
 4. Ongoing public charter school oversight and evaluation; and
 5. Charter approval, renewal, and revocation decision making.

Pursuant to KRS 160.1592, an authorizer shall semiannually consider for approval a charter school's proposed amendments to the contract.

- Authorizers may consider requests more frequently upon mutual agreement with the charter.
- Denials of amendment requests are appealable under KRS 160.1595.

KRS 160.1596 requires authorizers to collect, analyze, and report to the KBE all state required assessment and achievement data for each charter it oversees.

Charter School AuthorizationAUTHORIZER DUTIES (CONTINUED)

By August 31, 2019, and annually thereafter, each authorizer must submit to the (1) Commissioner, (2) Education and Workforce Development Secretary, and (3) Interim Joint Committee on Education a report that includes:

- Number of applications received, reviewed, and approved;
- Authorizing duties performed by the authorizer;
- Summary of the academic and financial performance of each charter school;
- Names of each charter school that have not yet begun to operate; and
- Names of each charter school during the prior academic year that:
 1. Closed during or after the year; and
 2. Had their contract nonrenewed or revoked.

701 KAR 8:020 requires authorizers to publicly report on oversight and services provided to charter schools under its authority and authorizing functions provided by the authorizer, including operating costs and expenses as detailed in an annual audited financial statement.

EXPLANATION: CHARTER STATUTES AND REGULATIONS REQUIRE BOARDS AS AUTHORIZERS TO HAVE AN APPLICATION PROCESS POLICY AND PROCEDURE.
FINANCIAL IMPLICATIONS: DEPENDENT UPON AUTHORIZATION OF A CHARTER SCHOOL

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.911 AP.1

Charter School Application

The charter school application shall include the following:

1. Performance information, financial information, and closure information for any charter school under the applicant or board of directors;
2. Details and documentation of the outreach the applicant or proposed board of directors has had with the students or community that is the focus of the charter school application;
3. Details of whether the charter application replicates or substantially replicates:
 - a. A charter application that the applicant, proposed board of directors, or another entity previously withdrew from consideration and the reasons it was withdrawn;
 - b. A charter application that was rejected by an authorizer and the reasons the charter application was rejected; or
 - c. A charter school that was previously closed and the reasons for the closure.

The Board shall request and secure a certificate of existence from the Secretary of State for any business entity or its designee included as an applicant or in the proposed board of directors and, if the applicant or board of directors includes a foreign entity, request and secure a certificate of authorization for the entity from the Secretary of State.

The Board shall publish on the District website the names of all persons, and their roles, who are involved in the review of charter applications. Review of charter applications shall be conducted pursuant to requirements of the Open Meetings Act.

The required application is incorporated by reference in regulation and can be accessed via the Kentucky Department of Education:

<https://education.ky.gov/districts/legal/Documents/KY%20Charter%20School%20Application%20and%20Addendum.pdf>

REFERENCE:

701 KAR 8:020

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EXPLANATION: 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 AP.1

Charter School Contracts

CONTRACT PERFORMANCE

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The District will use academic, financial, operational measures, and performance frameworks for public charter school oversight and evaluation with which the District shall evaluate the charter school's performance under the charter contract.

CONTRACT REQUIREMENTS FOR SCHOOL PRE-OPENING

The Board shall include mutually agreed upon pre-opening requirements or conditions to:

1. Monitor the start-up progress of the newly approved public charter school;
2. Ensure that the charter school is prepared to open timely and smoothly on an agreed upon date; and
3. Ensure that the charter school meets all benchmarks related to facilities, health, safety, insurance, school personnel, enrollment, curriculum and instruction, operations and fiscal management, governance, and other legal requirements for the charter school opening.

Failure by the charter school to comply with these requirements or conditions may result in the immediate revocation of the charter contract. Such failure may result in the delay in the charter school opening by up to one (1) year if the Board does not determine that the charter school is more likely than not to close during the school year. Such failure shall result in the delay in the opening of the charter school by up to one (1) year if the Board does determine that the charter school is more likely than not to close during the school year.

CONTRACT FINANCIAL REQUIREMENTS

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The Board shall include the following provisions for charter school financial solvency and sustainability:

1. Requirement that no member of the charter school board of directors, no education service provider, and no charter school employee shall knowingly recommend and no member of the charter school board shall knowingly vote for an expenditure in excess of the charter school's income and revenue of any fiscal year, as shown by the budget adopted the charter school board of directors and approved by the local Board;
2. Requirement that a member of the charter school board of directors, an education service provider, or a charter school employee who knowingly expends or authorizes such an expenditure of charter school funds or who knowingly authorizes or executes any employment, purchase, or contract in violation of these requirements, shall be jointly and severally liable in person and upon any official fidelity bond given to the local Board to the extent of any payments on the void claim;

Charter School Contracts**CONTRACT FINANCIAL REQUIREMENTS (CONTINUED)**

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4. Requirement that, if at any time during any fiscal year of the charter school's existence, a member of the charter school board of directors, an education service provider, or a charter school employee, knows or reasonably should know that the charter school has or will become unable to pay in full its projected expenses as they fall due, the charter school shall immediately advise the Kentucky Department of Education and the local Board and provide the Department and the local Board with all financial information relating to revenues and expenses of the charter school necessary to determine the extent and cause of any potential operating deficit.

Failure to provide the notice to or cooperate with the Department and the local Board as required in this section in the production of financial information pursuant to this section shall result in:

- a. The local Board shall determine whether grounds exist to revoke the charter contract;
 - b. The knowingly acting member of the charter school board of directors, the education service provider, or the charter school employee may be subject to liability;
5. Requirement that the charter school board of directors maintain separate accountings of all funds received and disbursed by each charter school under the charter school board of directors;
6. Requirement that the charter school board of directors maintain separate accountings of all funds received and disbursed by each charter school under that charter school board of directors.

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CONTRACT REQUIREMENTS FOR SCHOOL CLOSURE

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The local Board shall include specific, exclusive reasons and timelines for closure initiated by the charter school board of directors, closure protocol including policies and procedures applicable to the school closure, as well as requirements pursuant to state statutes or regulations.

CONTRACT ENROLLMENT REQUIREMENTS

The Board shall require that the charter school shall not prohibit a student from attending and shall not unenroll or withdraw a student unless the charter school has complied with KRS 158.150.

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Charter School Contracts**CONTRACT REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS**

The Board shall require in the charter contract that any contract between a charter school board of directors and an education service provider (ESP) shall be approved by the local Board prior to execution of the contract between the charter board and the ESP. The contract between the charter board and the ESP shall comply with the following:

1. Clear establishment of the primacy of the charter contract with the local Board over the contract between the charter board and the ESP;
2. Clearly identifies the charter school board of directors as the party ultimately responsible for success or failure of the charter school and defines the ESP as a vendor of services;
3. Prohibits the ESP from selecting, approving, employing, compensating, or serving as members of the charter school board of directors;
4. Requirement that the charter school board of directors directly select, retain, and compensate the charter school's legal counsel, finance staff, audit firm, and school leader;
5. Provision for payments to the charter school to be made to an account controlled by the charter school board of directors, not the ESP;
6. All instruction materials, furnishings, and equipment purchased or developed with charter school funds be the property of the charter school, not the ESP;
7. Identification and description of roles and responsibilities of the charter school board of directors and the ESP, including all services to be provided under the contract between the charter school board of directors and the ESP;
8. Identification and description of performance measures and consequences by which the charter school board of directors shall hold the ESP accountable for performance, aligned with the performance measures in the contract between the local Board and the charter school board of directors;
9. Identification and specific description of all compensation to be paid to the ESP, including all fees, bonuses, and conditions, consideration, and restrictions on such compensation;
10. Identification and description of terms of any facility agreement that may be part of any relationship between the charter school board and the ESP;
11. Identification and description of financial reporting requirements and provisions for the charter school board of directors' financial oversight of the ESP and the charter school;

Charter School Contracts**CONTRACT REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS (CONTINUED)**

12. Identification and description of all other financial terms of the contract, including disclosure and documentation of all loans or investments by the ESP to the charter school board, and provision for the disposition of assets upon closure;
13. Assurances that the charter school board shall maintain independent fiduciary oversight and authority over the charter school budget and ultimate responsibility for the charter school's performance including that:
 - a. The charter school board of directors shall be structurally independent from the ESP and shall set and approve charter school policies;
 - b. The terms of the contract between the charter school board and the ESP are reached through arm's-length negotiations in which the charter school board is represented by legal counsel that does not also represent the ESP;
14. Provisions for contract termination without penalties for the charter school without costs beyond the pro-rated value of the services provided by the education service provider; and
15. Respective responsibilities of the charter school board and the ESP in the event of school closure.

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The contract between the local Board and the charter school board shall prohibit delegation of the charter school board of directors' responsibilities in this section to the ESP.

CONTRACT APPROVAL BY THE COMMISSIONER OF EDUCATION

The local Board shall not enter a charter contract for start-up, conversion, renewal of a charter school, or agree to any charter contract or contract amendment unless submitted to the Commissioner of Education who shall approve or deny but include reasons and any suggestions for remedy of those reasons. Failure to meet the Commissioner's requirements for approval shall render the contract or amendment void.

EXPLANATION: KDE CONTINUES TO MAINTAIN STATUTORY AUTHORITY FOR APPROVAL OF ALL SUPERINTENDENT EVALUATION PLANS PER KRS 156.557, HOWEVER, IT IS OUR UNDERSTANDING THAT KDE WILL NO LONGER BE REQUIRING ADHERENCE TO THE RECENT SPGES MODEL. BOARDS MAY CONTINUE INCORPORATING THE BEST PRACTICES FROM THE SPGES MODEL IF THEY SO CHOOSE. IF BOARDS DEVELOP THEIR OWN EVALUATION PLAN, IT MUST BE MEANINGFUL AND TIED TO GOALS THAT IMPACT STUDENT ACHIEVEMENT, GAP CLOSURE, AND OTHER ITEMS THAT ARE RELEVANT TO THE SUCCESS OF STUDENTS IN EACH DISTRICT. AT THE TIME OF THIS UPDATE, THE KSBA MODEL ALIGNED WITH THE FORMER SPGES STANDARDS, IS UNDER REVIEW BY THE KENTUCKY DEPARTMENT OF EDUCATION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.14 AP.2

Evaluation of the Superintendent

The Board will utilize the Kentucky Department of Education evaluation instrument and procedures for the Superintendent Professional Growth and Effectiveness System (SPGES). The instrument and procedures may be found in the link below. Subject to the approval of the Kentucky Department of Education (KDE), the Board may utilize locally developed superintendent evaluation procedures.

<http://education.ky.gov/teachers/Pd/S/SPGES/Pages/Early-Info.aspx>

EXPLANATION: 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.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.11 AP.1

Hiring

The following procedures shall apply in the recruitment, selection, and employment of all classified and certified personnel hired in the District.

For all positions within the District, a Position Posting Request Form (03.11 AP.21/03.21 AP.21) shall be completed and signed by the Superintendent/designee before the position is posted.

RECRUITMENT

Recruiting shall be the responsibility of the Superintendent/designee. Efforts shall be made to recruit a quality staff to include, but not be limited to:

1. Working through placement bureaus of regional and state colleges and universities;
2. Conducting orientation meetings with students at the high school relating to future employment opportunities with the District;
3. Working with state educational associations and the state department of education;
4. Conducting recruitment programs through parent-teacher organizations; and
5. Advertising through appropriate media.

POSTING

Vacancies shall be posted in the Central Office, in each school building during the school year, and in the following, as appropriate:

1. Local and/or state newspapers,
2. Predetermined locations in the community;
3. Professional publications, and/or
4. Campus recruiting offices.

NOTE: Districts are required to post all certified vacancies on the Kentucky Department of Education's web site.

The closing date for receiving applications shall be listed when vacancies are posted.

CERTIFIED VACANCIES

The Superintendent/designee shall notify the Chief State School Officer of the vacancy at least fifteen (15) days prior to filling the position. When such a vacancy needs to be filled in fewer than fifteen (15) days to prevent disruption of necessary instructional or support services, a waiver may be requested from the Chief State School Officer. If the waiver is approved, the appointment shall not be made until the person selected has been approved by the Chief State School Officer.

Hiring**APPLICATIONS**

Completed applications should be filed with the Department of Human Resources and accompanied by transcripts and certificates, as appropriate. Current and former employees must complete the same process of application as required of all other candidates.

The Human Resources staff shall review each application for completeness and shall send a notice to each applicant indicating (a) the date of the review and (b) any additional materials requested.

SELECTION FACTORS

The District Position Screening Committee shall screen and rank applicants based on the following factors:

1. Completeness of application
2. Education
3. Work experience
4. References
5. Potential for success in position

INTERVIEW PROCESS

In screening applicants, the District Position Screening Committee will recommend the highest ranking applicants for interviews with the Superintendent/designee. If the Interview Committee does not recommend an applicant from the list supplied by the District Position Screening Committee, then interviews shall continue until either a candidate is selected or the list of qualified applicants is exhausted.

EMPLOYMENT

For SBDM schools, hiring shall follow statutory guidelines and the provisions of Policy 02.4244, and the Superintendent shall complete the hiring process. Decisions on Central Office and District-wide personnel shall be made by the Superintendent/designee. The Superintendent shall inform the Board of the appointment of all personnel.

CONTRACT

Personnel hired by the Superintendent shall be notified of their contractual obligations by letter. Contracts shall be signed during the orientation scheduled for all new employees.

NEW HIRE REPORTS

Within twenty (20) days of hiring a new employee or an employee's return from leave, the District shall submit a report as directed by the Cabinet for Families and Children for each newly hired employee and for those employees returning to work from an unpaid leave of absence lasting more than thirty (30) days or from a reduction in force.

EXPLANATION: 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.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.11 AP.21

Floyd County Schools Posting Request Form

Human Resource Only

Date Received:

Date:

HR 001

Date Posted:

Date Closed:

Hold:

TITLE OF POSITION:

LOCATION:

CERTIFIED: ☐ (Posted for 1530 days or until filled)

CLASSIFIED: ☐ (Posted for 10 days or until filled)

PLEASE LIST POSITION CONTROL # FOR POSITION BEING POSTED:

IS THIS A NEWLY CREATED POSITION? ☐ YES ☐ NO

IF YES, YOU MUST LIST THE DATE THIS POSITION GAINED BOARD APPROVAL:

THE POSITION BEING POSTED IS DUE TO: CHECK ALL THAT APPLY

☐ RESIGNATION ☐ NEW POSITION ☐ LEAVE ☐ OTHER
☐ RETIREMENT ☐ TRANSFER ☐ DISMISSAL

ENTER THE NAME OF THE INDIVIDUAL WHO PREVIOUSLY HELD THIS POSITION:

NEW LOCATION (IF KNOWN) OF THIS EMPLOYEE:

LIST THE FUNDING SOURCE FOR THIS POSITION:

PERSON REQUESTING POSTING/DATE:

HUMAN RESOURCES APPROVAL/DATE:

The Floyd County Board of Education does not discriminate on the basis of race, color, national origin, age, religion, sex, genetic information, or disability in employment, educational programs, or activities.

RECOMMENDED: 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 AP.1

- CERTIFIED PERSONNEL -

Salaries

SALARY SCHEDULE DEVELOPED AND APPROVED

The Board shall approve a single-salary schedule, a separate salary schedule or index system for extra services and supervision, and a salary schedule for substitute teachers during or before the June Board meeting.

The single-salary schedule shall meet state requirements for Ranks I, II, III, IV, and V, provide employment for the school term as set by the Board in keeping with statutory requirements, and contain experience categories.

Extra services compensation shall be based on expanded duties and responsibilities, time demands and expertise, and shall be paid only upon documentation of services rendered.

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.

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The substitute salary schedule shall be a per-diem schedule based on rank and experience but may be lower than the rate of pay for regular full-time teachers. Checks shall be issued on paydates designated in the salary schedule.

SALARY FOR PERSONNEL WHO RESIGN

Certified personnel who resign during the school year or at the end of the school year will be paid in full on the regular payday of the month following the resignation. Final payment will be calculated as follows: Annual salary divided by the number of days of employment times number of days taught minus salary previously received, equals balance due at time of resignation. Staff may be paid only for those holidays occurring prior to resignation.

EXTENDED EMPLOYMENT

Extended employment is defined as the number of days certified personnel are contracted to work in addition to the minimum school term. Extended employment will be approved only for those activities that are necessary to improve the educational programs in the school district. The length of employees' regular work day shall be established by the Board and reflected in the job description for each position. Saturday and Sunday will be placed on the calendar as workdays only with approval of the Superintendent.

EXTENDED CALENDAR WORK PLAN

An individual calendar and extended work plan shall be prepared by the employee who has been employed by the Board for a period exceeding the minimum school term. The plan shall be approved by the Principal (if applicable) and submitted to the Superintendent.

PERSONNEL

03.121 AP.1
(CONTINUED)

Salaries

AMENDMENT TO EXTENDED CALENDAR WORK PLAN

Amendments to the extended employment calendar and/or the work plan for teachers must be approved by the building Principal. Changes for all other personnel must be approved by the Superintendent.

EXPLANATION: SB 236 (2017) AMENDED KRS 160.380 TO REQUIRE APPLICANTS TO PROVIDE A LETTER FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THAT THERE ARE NO FINDINGS OF SUBSTANTIATED CHILD ABUSE OR NEGLECT ON RECORD. SB 101 (2018) HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.121 AP.22

- CERTIFIED PERSONNEL -

Personnel Documents

EMPLOYEE'S NAME _____ POSITION/WORK SITE _____

REQUIREMENTS

Employment shall be contingent upon meeting all requirements (state and local) for the position. Employees shall provide the following documents to the Central Office.

- ☐ **TEACHING CERTIFICATE:** An official copy of the certified staff member's certificate or a cover letter that is valid for the current year from the Department of Education, Division of Certification.
- ☐ **TRANSCRIPTS:** Official copies of college/university credits and standardized test results.
- ☐ **APPLICATION (including references, a list of states of former residence and dates of residency, and picture identification)**
- ☐ **SIGNED CONTRACT (with letter of notification of employment)**
- ☐ **RANK STATUS:** Verification of current Rank Status.
- ☐ **VERIFICATION OF EXPERIENCE:** Verification from each school district or the Kentucky Department of Education for which there is past teaching or administrative experience. (This must be on file before salary can be received based on that experience). Central Office personnel will write for verification after the names of the school districts have been provided.
- ☐ **HEALTH CERTIFICATION:** Each employee, including substitutes, must have a medical examination, which shall include a tuberculin risk assessment, prior to initial employment and proof shall be filed with the Central Office. Individuals identified as being at high risk for TB shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by 702 KAR 1:160. Health certification records shall also include results from Hepatitis B vaccinations, if the position so requires.
- ☐ **MEMBERSHIP APPLICATION TO THE TEACHERS' RETIREMENT SYSTEM:** Each regular full time certified employee must file a membership application with teacher retirement if they are not already a member or if they have previously withdrawn their account.
- ☐ **EMPLOYMENT ELIGIBILITY VERIFICATION (FORM 1-9):** Employers are to verify an individual's eligibility for employment in the United States.
- ☐ **TAX WITHHOLDING EXEMPTION CERTIFICATES:** Each employee is to complete a copy of Form K-4 (State) and Form W-4 (Federal) for their file. (New certificates must be completed any time the employee makes a change in the number of exemptions claimed or the amount to be deducted.)
- ☐ **VERIFICATION OF TRANSFERABLE SICK LEAVE:** Certified employees may transfer days of accumulated sick leave from one Kentucky district or the Kentucky Department of Education to another Kentucky district when place of employment changes. There cannot be a break in service for sick leave to transfer.

Personnel Documents**REQUIREMENTS (CONTINUED)**

- ☐ **CRIMINAL RECORDS CHECK FORM:** Required by state. Form will be mailed to the State Police by Central Office personnel. New certified employees must be fingerprinted at the Central Office.
- ☐ **LETTER FROM CABINET FOR HEALTH AND FAMILY SERVICES:** Applicants (hired on or after April 4, 2018) must 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.
- ☐ **DRIVING RECORDS CHECK FORM:** Required by the state for all bus drivers and by the District, if applicable for other certified personnel. Form will be mailed by Central Office personnel to the Kentucky Transportation Cabinet, Division of Driver Licensing.
- ☐ **I-9 FORM:** Required by federal law to determine eligibility for employment in the United States.
- ☐ **SSA-1945:** The Social Security Administration requires that this form be used to inform, prior to employment, new certified employees that will participate in TRS that the position is not covered by Social Security.
- ☐ **CAFETERIA BENEFIT PLAN APPLICATION, if applicable:** Must be completed by every full-time employee of the School District. (This is usually done shortly after the opening of school by a person who visits each school to have the forms completed.)

Personnel records also may include the following: evaluation documents; documentation of personnel actions (promotions, transfers, demotions, disciplinary actions, nonrenewals, terminations); record of professional development activities, and other payroll-related information (insurance forms/deductions and direct deposit authorizations).

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EXPLANATION: CHANGES TO 704 KAR 3:370 REMOVE THE PROFESSIONAL GROWTH AND EFFECTIVENESS SYSTEM AND ESTABLISH A STATEWIDE FRAMEWORK FOR PERSONNEL EVALUATION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.18 AP.22

-CERTIFIED PERSONNEL-

Evaluation Committee/Evaluators and Observers

EVALUATION COMMITTEE TASKS

An Evaluation Committee consisting of an equal number of teachers and administrators shall develop the certified evaluation plan, the personnel evaluation procedures and forms meeting all requirements of the Kentucky Framework for Personnel Evaluation.

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The following tasks have been completed by the Evaluation Committee, which shall consist of equal numbers of teachers and administrators:

- ☐ Developing the processes to be used in formative and summative evaluations for certified positions below the level of District Superintendent;
- ☐ Developing all forms associated with the evaluation process;
- ☐ Establishing a procedure for certified employees to review their summative evaluation;
- ☐ Developing plan for providing assistance to certified employees in formulating their professional growth plans.

TRAINING AND TESTING OF EVALUATORS AND OBSERVERS

In meeting the evaluation requirements of KRS 156.557 and 704 KAR 3:370, evaluators shall be trained, tested, and approved according to the District's certified evaluation plan on a four (4) year cycle, and observers shall be trained as follows:

Item one (1) of the District's evaluator training cycle shall include the following training requirements: Evaluator training shall include:

- a) Initial certified evaluation training and testing provided by the Kentucky Department of Education or provider approved by the Department;
- b) Training on KRS 156.557 and 704 KAR 3:370;
- c) Training in identifying effective teaching and management practices, in effective observation and conferencing techniques, in development of student growth goals, in providing clear and timely feedback, in establishing and assisting with a professional growth plan, and in summative decision techniques; and
- c)d) A minimum of six (6) hours annually of personnel evaluation system training approved by the Instructional Leadership Improvement Act established in 704 KAR 3:325.
- d) Training provided by KDE for all certified administrator evaluators who have never evaluated certified school personnel; and
- e) Training for all other evaluators by a provider who has been approved by KDE as a trainer for the Instructional Leadership Improvement Program established in 704 KAR 3:325.

PERSONNEL

03.18 AP.22
(CONTINUED)

Evaluation Committee/Evaluators and Observers

TRAINING AND TESTING OF EVALUATORS AND OBSERVERS (CONTINUED)

ai) The testing shall be conducted by KDE or an individual or agency approved by KDE; and

aj) The testing shall include certification as an observer through the KDE-approved observer certification process for an evaluator who is evaluating teachers or other professionals.

KDE shall, in the year one (1) approval as an evaluator, train the evaluator in successful completion of the required evaluation training and testing program and successful completion of observer certification.

Years two (2) and three (3) of the District's evaluator training and testing cycle shall include a minimum of six (6) hours in each year and shall include:

- i) Observer calibration training in the KDE-approved technology platform for all evaluators who observe teachers or other professionals for the purpose of evaluation;
- ii) Update training on personnel evaluation statutes and administrative regulations; and
- iii) Training for evaluators on any changes to the personnel evaluation system and certified evaluation plan, policies or procedures.

Year four (4) of the District's evaluator training and testing cycle shall include refreshed evaluator training and of evaluating teachers or other professionals, recertification training and testing.

TRAINING AND TESTING OF OBSERVERS

The District certified evaluation plan may require the use of additional trained administrative personnel to observe and provide information to the evaluator. Peer observations may be used as a source of evidence only if requested by the teacher or other professional and would be used to inform summative ratings.

The District shall require authorized peer observation observers to complete the KDE-approved peer observer training by performed by individuals who are trained in peer observation techniques and responsibilities prior to the first such observation at least once every three (3) years. Peer observation training shall include training in effective observation and conferencing techniques and the roles and responsibilities of peer observers, evaluators, and certified school personnel.

District Council

The District shall designate a contact person responsible for monitoring evaluator training and for implementing the system.

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EXPLANATION: SB 236 (2017) AMENDED KRS 160.330 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 AP.254

Driving Record Violations and Personnel Actions

NEW/RETURNING BUS DRIVERS

The District shall perform a driving history check on school bus drivers prior to initial employment and after a break in service (excluding summers). Decisions to employ or re-employ an individual shall be contingent on receipt of records revealing no driving history convictions that would, as determined by the Superintendent, affect the individual's ability to perform the job.

A person shall not be employed as a school bus driver if convicted within the past five (5) years of driving a motor vehicle under the influence of alcohol or any illegal drug.

CURRENT EMPLOYEES

Current bus drivers shall undergo driving records checks at intervals determined by Board policy. Those whose driving record checks reveal the following violations may be subject to appropriate disciplinary action, up to and including, termination/nonrenewal.

1. Speeding/major - speeding more than sixteen (16) miles per hour faster than the speed limit within the last two (2) years;
2. Speeding/minor - speeding less than sixteen (16) miles faster than the speed limit more than once within the last two (2) years;
3. Collision resulting in a citation being issued to applicant for being at fault;
4. Under the influence of alcohol or any illegal drugs while on duty or with remaining driving responsibilities that same day;
5. Revocation of driver's license;
6. Conviction for DUI/DWI;
7. Conviction for reckless driving;
8. Citation for any moving motor vehicle violation that includes either DUI/DWI and reckless driving;

(A minor motor vehicle violation such as failing to make a full stop at a traffic signal need not be reported to the Superintendent.)

9. Conviction for a felony sex crime or as a violent offender as defined in KRS 17.165; or
10. 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; or
11. Other criminal or moving vehicle violation, as determined by Superintendent/designee to bear a reasonable relationship to the ability of the individual to perform the job.

NOTE: 702 KAR 5:080 requires bus drivers to report to the Superintendent/designee any violations falling under points five through eight (5-8) above.

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EXPLANATION: SB 236 (2017) AMENDS KRS 160.380 TO REQUIRE APPLICANTS TO PROVIDE A LETTER FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THAT THERE ARE NO FINDINGS OF SUBSTANTIATED CHILD ABUSE OR NEGLECT ON RECORD. SB 101 (2018) HAS AN EMERGENCY CLAUSE MAKING THE AMENDMENTS CURRENTLY EFFECTIVE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.221 AP.22

- CLASSIFIED PERSONNEL -

Personnel Documents

EMPLOYEE'S NAME _____ POSITION/WORK SITE _____

REQUIREMENTS

Employment shall be contingent upon meeting all requirements (state and local) for the position. Employees shall provide the following documents to the Central Office.

- ☐ **HIGH SCHOOL DIPLOMA** (or High School Equivalency Diploma or proof of progress toward High School Equivalency Diploma for staff employed after 7/31/90)
- ☐ **APPLICATION** (including references, a list of states of former residence and dates of residency, and picture identification.)
- ☐ **CERTIFICATION** (i.e., CDL for bus drivers) **OR LICENSURE, WHERE APPLICABLE**
- ☐ **SIGNED CONTRACT** (with letter of notification of employment)
- ☐ **VERIFICATION OF EXPERIENCE:** Verification from each school district or the Kentucky Department of Education for which there is experience. (This must be on file before salary can be received based on that experience). Central Office personnel will write for verification after the names of the school districts have been provided.
- ☐ **HEALTH CERTIFICATION:** Each regular or substitute employee must have a medical examination, which shall include a tuberculin risk assessment, prior to initial employment and proof shall be filed with the Central Office. Individuals identified as being at high risk for TB shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by 702 KAR 1:160. This form is required annually for school bus drivers, as are required drug testing results. Health certification records shall also include results from Hepatitis B vaccinations, if the position so requires.
- ☐ **MEMBERSHIP APPLICATION TO THE COUNTY EMPLOYEES' RETIREMENT SYSTEM:** Each regular full time classified employee must file a membership application with the County Employees' Retirement System if they are not already a member or if they have previously withdrawn their account.
- ☐ **EMPLOYMENT ELIGIBILITY VERIFICATION (FORM I-9):** Employers are to verify an individual's eligibility for employment in the United States.
- ☐ **TAX WITHHOLDING EXEMPTION CERTIFICATES:** Each employee is to complete a copy of Form K-4 (State) and Form W-4 (Federal) for their file. (New certificates must be completed any time the employee makes a change in the number of exemptions claimed or the amount to be deducted.)
- ☐ **CRIMINAL RECORDS CHECK FORM:** Required by state. Form will be mailed to the State Police by Central Office personnel. New classified employees must be fingerprinted at the Central Office.

Personnel Documents**REQUIREMENTS (CONTINUED)**

- ☐ **LETTER FROM CABINET FOR HEALTH AND FAMILY SERVICES:** Applicants (hired on or after April 4, 2018) must 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.
- ☐ **DRIVING RECORDS CHECK FORM:** Required by state for all bus drivers and by the District, if applicable, for other classified personnel. Form will be mailed by Central Office personnel to the Kentucky Transportation Cabinet, Division of Driver Licensing.
- ☐ **I-9 FORM:** Required by federal law to determine eligibility for employment in the United States.
- ☐ **COMMERCIAL DRIVER'S LICENSE:** Must be presented to the Superintendent's designee by each regular or substitute bus driver employed by the District prior to assuming the duties of the position.
- ☐ **CAFETERIA BENEFIT PLAN APPLICATION, if applicable:** Must be completed by every full-time employee of the School District. (This is usually done shortly after the opening of school by a person who visits each school to have the forms completed.)
- ☐ **FOOD SAFETY TRAINING CERTIFICATE, if applicable:** Must be presented to the Superintendent's designee by each regular or substitute food service employee of the School District prior to assuming the duties of the position, if required by the county/district Health Department.

Personnel records also may include the following: evaluation documents; documentation of personnel actions (promotions, transfers, demotions, disciplinary actions, nonrenewals, terminations); record of professional development activities, and other payroll-related information (insurance forms/deductions and direct deposit authorizations).

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EXPLANATION: THIS CLARIFIES THE PRINCIPAL'S AUTHORITY OF THE ORDERLY CONDUCT AND SAFETY ON SCHOOL PROPERTY AND REMOVES A MINISTERIAL DUTY.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SCHOOL FACILITIES

05.45 AP.1

Crowd Control

PRINCIPAL'S AUTHORITY RESPONSIBILITY

The Principal shall have authority to promote the orderly conduct and safety of the students and other spectators attending events on school property. Crowd control procedures shall include the following:

1. The Principal shall ensure that enough ~~Assignment of~~ authorized school personnel are assigned to provide adequate supervision.
2. The Principal may request law enforcement personnel to be present if s/he anticipates the crowd may pose a conduct or safety problem.
 - a) Law enforcement personnel shall be provided for athletic events, as approved by the Superintendent.
 - b) The Principal shall determine by his or her judgment regarding the number of officers needed and advise as to their placement.
3. The admission gate or entrance shall be controlled and admission limited to eligible students, chaperones, guests, spectators, and other authorized persons.
4. No one ~~Person~~ under the influence of alcohol or drugs ~~are subject to exclusion from the event~~ shall be admitted.
5. If a disturbance occurs, school authorities shall determine if the event needs to be concluded and may close the event, as appropriate, and send those in attendance off the school grounds.

RELATED POLICIES:

05.3
09.311
09.35

EXPLANATION: IIB 527 DEFINES BEST INTEREST OF THE CHILD AND REQUIRES DISTRICTS TO PROVIDE TRANSPORTATION TO THE SCHOOL OF ORIGIN IF DETERMINED TO BE IN THE BEST INTEREST OF THE CHILD AS IT RELATES TO EDUCATIONAL STABILITY.
FINANCIAL IMPLICATIONS: COST OF TRANSPORTING STUDENTS

TRANSPORTATION

06.32 AP.1

Eligibility for Transportation

STUDENTS WITH DISABILITIES

The need for special transportation for students with disabilities must be determined by the ARC or Section 504 Team and stated in the student's Individual Education Plan (IEP) or Section 504 Plan.

CAREER AND TECHNICAL STUDENTS

High school students attending an area career and technical school or extension center are eligible to be transported from the high school to the career and technical school. Transportation will be provided by the District in accordance with state regulations.

DISTANCE LIMITATIONS

Three (3)- and (4)-year-old preschool children and students with disabilities are not required to meet the distance specifications in Policy 06.32 to be eligible for school transportation.

PRESCHOOL TRANSPORTATION

When the parent/guardian, or a person authorized by the parent/guardian to accept the child, is not present upon midday or afternoon delivery, the child shall be returned to the school upon completion of the route. The parent/guardian shall be notified of the child's location and shall be responsible for pick up.

Upon the third (3rd) time the assigned adult is not present to receive the child, the parent(s)/guardian will be requested to provide transportation for the child.

CHILDREN IN FOSTER CARE

The Superintendent will designate a Foster Care Liaison/Point-of-Contact (POC) 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, Department for Community Based Services (the Department) in writing that the Cabinet Department has designated its foster care point of contact (POC) for the District. The Superintendent may designate the Foster Care Liaison/District POC prior to such notice from the Department/Cabinet.

The District will collaborate with the Cabinet Department when transportation is required to maintain children placed in foster care in a school of origin outside their usual attendance area or District when in the best interest of the student. Under the supervision of the Superintendent/designee, the District Foster Care Liaison/POC may invite appropriate District officials, the Cabinet Department point of contact (POC), the foster parents, and officials from other districts or agencies to consider how such transportation is to be promptly arranged and funded in a cost effective manner in accordance with the Department's authority to use child welfare funding. The Department, in consultation with the District, shall make the determination on whether the child shall remain enrolled in the school of origin based on the best interest of the child, weighing the promotion of educational stability as a primary factor.

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TRANSPORTATION

06.32 AP.1
(CONTINUED)

Eligibility for Transportation

CHILDREN IN FOSTER CARE (CONTINUED)

If the Department finds it is in the best interest of a child to remain in the school of origin upon placement of the child in a new school district, reasonable transportation shall be offered from the location of placement to the school of origin in which the child is enrolled for any regularly scheduled school day. Such may result in additional transportation costs to a foster parent, child placing agency, child care facility, or the District. The District will provide transportation if necessary to maintain a child in the school of origin if the Department agrees to reimburse the District for the cost of such transportation. Transportation costs incurred shall be reimbursed by the Department on request. Alternatively, the District may agree to pay the cost of such transportation or the District and the Department may agree to share the cost.

The arrangement and funding will be in accordance with the Cabinet's authority to use child welfare funding when required to maintain children in foster care in their school of origin when in the best interest of the student.

If there are additional costs to be incurred in providing transportation to maintain a student in the school of origin, the District will provide transportation to such school if:

- The Cabinet agrees to reimburse the District for the cost of such transportation,
- The District agrees to pay for the cost of such transportation; or
- The District and the Cabinet agree to share the cost of such transportation.

DEFINITIONS

"Foster Care" means 24-hour care for children placed away from their parents, guardians, or person exercising custodial control or supervision and for whom the Cabinet has placement care and responsibility.

"School of origin" means the public school in which a child was enrolled immediately prior to the time of placement in foster care.

While "Best Interest" is not defined in ESSA, that determination shall take into account all relevant factors, including consideration of the appropriateness of the current educational setting, and the proximity to the school in which the child is enrolled at the time of foster care placement.

"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 in the current educational setting;
- The influence of the school's climate on the child;
- The safety of the child; and
- The proximity of the placement to the school of origin and how the length of a commute would impact the child.

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TRANSPORTATION

06.32 AP.1
(CONTINUED)

Eligibility for Transportation

REFERENCES:

Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care

New Section of KRS 199.801 to 199.805

KRS 605.120

922 KAR 1:350

42 U.S.C. § 675(4)(A)

20 U.S.C. § 6311(g)(1)(E)

20 U.S.C. § 6312(c)(5)

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

EXPLANATION: THE "EVERY STUDENT SUCCEEDS ACT OF 2015" (P. L. 114-95) ELIMINATED THE "SUPPLEMENTAL EDUCATION SERVICES" PROGRAM AND REPLACED IT WITH THE "DIRECT STUDENT SERVICES" PROGRAM WITH A DIFFERENT SET OF OFFERINGS.
FINANCIAL IMPLICATIONS: POSSIBLE TRANSPORTATION AND MATERIAL/PROGRAM COSTS

CURRICULUM AND INSTRUCTION

08.133 AP.1

Extended School/Direct Student Services

Eligible students shall be provided extended school (ESS) and/or direct student services (DSS) in accordance with the following procedures.

ELIGIBILITY FOR EXTENDED SCHOOL SERVICES

One (1) or more of the following methods of documentation shall be used to determine which students shall be eligible for and in the greatest need of extended school services:

1. Teacher recommendation;
2. Academic performance data, including diagnostic, formative, interim, or summative assessments;
3. Student performance on high school, college, and workforce readiness assessments required by KRS 158.6459; or
4. Behavioral and developmental progress as documented in formal and informal assessments and reports.

SELECTION FOR EXTENDED SCHOOL SERVICES

Selection criteria for the extended school services program shall be in compliance with applicable administrative regulations.

NOTIFICATION TO PARENTS OF EXTENDED SCHOOL SERVICES

Parents of eligible students shall be notified using Procedure 08.133 AP.2.

The District will inform parents and guardians of the availability of extended school services, the rationale for offering extended school services, and consequences of not obtaining a high school diploma.

STUDENTS ATTENDING PRIVATE, PAROCHIAL, OR HOME SCHOOLS

Students residing within the District's boundaries who attend private, parochial, or home schools shall not be eligible for the after-school tutorial program. Upon application, they may be considered for enrollment in the summer school program. Their eligibility and selection shall be based on the same criteria as students enrolled in the District schools.

Extended School/Direct Student Services**DIRECT STUDENT SERVICES**

Direct student services shall be available to students in schools identified by the State for comprehensive support and improvement and for low-achieving students in schools implementing targeted support and improvement plans. Direct student services include:

- Enrollment in academic courses not otherwise available at a student's school;
- Credit recovery and academic acceleration courses;
- Activities that assist students in successfully completing postsecondary level instruction that are accepted for credit at such institutions (Advanced Placement, International Baccalaureate, etc.);
- Components of a personalized learning approach such as high-quality academic tutoring, and
- Transportation to allow a student enrolled in a school identified for comprehensive support and improvement to transfer to another public school.

Costs associated with direct student services shall be in compliance with state and federal law and regulations.

REFERENCES:

KRS 158.6459

704 KAR 3:390

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

RELATED PROCEDURE:

08.133 AP.2

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EXPLANATION: REVISIONS TO 902 KAR 2:060 REQUIRE 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.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.111 AP.21

Home Schooling Notification

Please return the completed form to the Director of Pupil Personnel at the District's Central Office.

This letter is to inform you that my child/children will be participating in a home schooling program. The beginning date for participation in this program will be

Month Day Year

Following is the home school address and the names and ages of the students who will be participating:

STUDENTS' NAME(S) AND DATE OF BIRTH:

CURRENT SCHOOL:

HOME SCHOOL ADDRESS:

Name Street State ZIP Code

I have received from the Director of Pupil Personnel (DPP)/designee a copy of the "Home School Information Packet and Best Practice Document" and other supplemental material provided by the District. The DPP/designee offered to meet with me and explain the legal requirements that apply to home schools. It is further acknowledged that this notice of intent to provide home schooling shall be binding from the effective date stated above and shall remain in full force for no longer than to the end of the current or upcoming school year, whichever is first. This notice may be dissolved upon enrollment or re-enrollment of the above named child(ren) in a school in the District or any other public or private school. At such time a home-schooled child re-enrolls in the District, it is understood that certified personnel of the school system shall either place the student according to successful performance in courses that are sequential such as English, math, history, and science or conduct tests similar in nature and content to that used for other students receiving credit in that subject. Once assessment of the child's educational development is completed, a final determination of grade placement will be made. KRS 158.140, 704 KAR 3:307

Signature of Father/Legal Guardian and/or *Signature of Mother/Legal Guardian*

Telephone (Home and Work) *Telephone (Home and Work)*

Address (if different than student's) *Address (if different than student's)*

City, State, Zip *City, State, ZIP*

Home Schooling Notification**PROCEDURE**

The DPP/designee will offer to meet with the home school teacher to review legal requirements, provide a copy of the best practice document, offer other supplemental materials available from the District and request a copy of the home school curriculum from the home school teacher. If a meeting is not possible, copies of the "Home School Information Packet and Best Practice Document" and related information shall be mailed to the home school teacher. The DPP/designee shall use the summary below as a guideline for discussing topics with a prospective home school teacher.

SUMMARY OF REQUIREMENTS

Home school teachers are required by state law to do the following:

- Teach the child reading, writing, spelling, grammar, history, math, and civics. KRS 156.160
- Provide no fewer student attendance days than required in current state law.
- Maintain attendance records. KRS 159.040
- Maintain academic records. It is suggested that you maintain a portfolio (compilation) of the child's best work from year to year. KRS 159.040/KRS 156.160
- Make records available in case of inquiry. KRS 159.040
- Make sure that children between the ages of six (6) and eighteen (18) shall attend an educational institution as described in Kentucky compulsory attendance law. KRS 159.010

Parents of home-schooled students are required by state law to do the following:

- If moving from the District, notify the Superintendent in writing. KRS 159.160
- After notifying the Superintendent of intent to home school, continue to notify the Superintendent each school year prior to the opening of the new school year if planning to continue the home school for the new school year. KRS 159.160

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

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EXPLANATION: REVISIONS TO 704 KAR 7:090 ADD UNACCOMPANIED YOUTH, CHANGE THE HOMELESS COORDINATOR TO LIAISON, AND ADD FOSTER CARE LIAISON.
FINANCIAL IMPLICATION: NONE ANTICIPATED

STUDENTS

09.12 AP.1

Student Enrollment and Homeless/Immigration Status

IMMIGRANT STATUS

The Principal/designee shall notify school staff that a student's right to enrollment does not depend on his/her or the parent/guardian's immigration status.

School personnel should not engage in any practice that would inhibit or discourage an unauthorized alien student or any other student from attending.

HOMELESS STUDENTS AND UNACCOMPANIED YOUTH

The term "homeless" shall refer to children and youths who lack a fixed, regular and adequate nighttime residence and includes those that are:

1. Sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Abandoned in hospitals;
5. Residing in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
6. Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and/or
7. Migratory children who are living in the previously described circumstances.

GUIDELINES FOR ENROLLMENT

1. In general, only minimal information, such as name and age, can be required to enroll any student in school.
2. Types of reliable proof of a student's identity and age may include, but are not be limited to:
 - Passport
 - Military identification or immigration card
 - Baptismal certificate
 - Copy of the record of baptism that has been notarized or duly certified and reflects the date of the student's birth
 - Any religious record authorized by a religious official
 - Recording of the student's name and birth in a family Bible or other religious text

STUDENTS

09.12 AP.1
(CONTINUED)

Student Enrollment and Homeless/Immigration Status

GUIDELINES FOR ENROLLMENT (CONTINUED)

- Notarized statement from the parents or another relative or guardian as to the date of the student's birth
 - Prior school record indicating the date of the student's birth
 - Driver's license or learner's permit
 - Adoption record
 - Affidavit of identity and age
 - Any government document or court record reflecting the date of the student's birth
 - Oral proof when the native language of a parent or guardian is not a written language.
3. A student's exact date of birth (month, day and year) is not required for initial enrollment.
 4. When a student is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs and street outreach programs may offer proof of age and identity of a student for initial enrollment purposes.
 5. The District homeless student coordinator shall work with the local child welfare agency, the school last attended, or other relevant agencies to obtain essential records that are not in existence and immediately place the student in appropriate programs so that enrollment shall not be delayed or denied.
 6. To the extent possible, the District homeless student coordinator shall attempt to provide required notices to non-English speaking parents via written language understandable to the general public and in the native language or other mode of communication of the parent with documentation of the attempt. If the native language of the parent is not a written language, the coordinator should take steps to ensure that the notice is translated orally or by other means so that the parent understands the content of the notice and that there is written evidence of the translation to the extent possible with documentation of the attempt.

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CHILDREN IN FOSTER CARE

The foster care parent may also be the homeless education liaison. The foster care parent's responsibilities shall be to ensure that:

1. The child in foster care remains in his or her school of origin unless it is determined that remaining in the school of origin is not in that child's best interest;
2. If it is not in the child's best interest to stay in his or her school of origin, the child is immediately enrolled in the new school even if the child is unable to produce records normally required for enrollment; and
3. That the new (enrolling) school immediately contacts the school of origin to obtain relevant academic and other records.

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EXPLANATION: HB 147 AMENDS KRS 158.838 TO ADD MEDICATION PRESCRIBED TO TREAT SEIZURE DISORDER SYMPTOMS, REQUIRES THAT A SEIZURE ACTION PLAN BE CREATED FOR STUDENTS WITH SEIZURE DISORDERS, TRAINING FOR PERSONNEL AND HOW THEY CAN BE CONTACTED DURING AN EMERGENCY.
FINANCIAL IMPLICATIONS: COST OF TRAINING

STUDENTS

09.224 AP.1

Emergency Medical Care Procedures

The emergency medical care procedures listed below are to be followed in case of serious accidents and/or sudden illnesses occurring in the schools:

EMERGENCY INFORMATION

Emergency care information for each student shall be filed in the Principal's office. This information is to include:

1. Student's name, address and date of birth.
2. Parents' names, addresses and home, work and emergency phone numbers.
3. Name and phone number of family physician and permission to contact health care professionals in case of emergency.
4. Name and phone number "emergency" contact (person other than parent/guardian) to reach, if necessary.
5. Unusual medical problems, if any.

MEDICAL EMERGENCY PROCEDURES

The following procedures shall be used in a medical emergency:

1. Administer first aid by a school employee trained in first aid and CPR in accordance with state regulation.
2. Contact the child's parent or other authorized person(s) listed on the school emergency card to:
 - a) Inform parent or authorized contact that the child is not able to remain at school.
 - b) Indicate the apparent symptoms; however, do not attempt to diagnose.
 - c) Advise the contact that s/he may want to contact a health care practitioner regarding the child's condition.
3. Take care of child until parent, health care practitioner or ambulance arrives.
4. Use emergency ambulance service if needed.
5. Administer medication in accordance with District policy and procedure when ordered by the student's personal health care practitioner.
6. Keep the student in a first aid area if s/he appears to be unable to return to the classroom.
7. Do not allow the student to leave school with anyone other than the parent/guardian/designee after an accident or when ill.
8. After a child has an accident or becomes ill at school, arrange transportation home with the parent/guardian/designee.
9. Report all emergency situations to the building administrator.
10. Treat students with contagious diseases, including AIDS, according to state guidelines.
11. Employees shall follow the District's Exposure Control Plan when clean-up of body fluids is required.

STUDENTS

09.224 AP.1
(CONTINUED)

Emergency Medical Care Procedures

SUPPLIES/PERSONNEL

1. Each school shall have an approved first aid kit and designated first aid area.
2. At least two (2) adult employees in each school shall have completed and been certified in a standard first aid course, including but not limited to, CPR.
3. As provided by Policy 09.224, any school that has a student enrolled with diabetes or seizure disorders shall have on duty during the school day or during any school-related activities in which the student is a participant, at least one (1) school employee who is a licensed medical professional, or has been appropriately trained to administer or assist with the self-administration of glucagon, insulin or FDA-approved seizure rescue medication or medication prescribed to treat seizure disorder symptoms approved by the FDA as prescribed by the student's health care practitioner. The training shall also include recognition of the signs and symptoms of seizures and the appropriate steps to be taken to respond to these symptoms.
4. The parent or guardian of each student diagnosed with a seizure disorder shall collaborate with school personnel to implement a seizure action plan, prepared by the student's treating physician, which shall be kept on file in the office of the school nurse or school administrator.
5. Any school personnel or volunteers responsible for the supervision or care of a student diagnosed with a seizure disorder shall be given notice of the seizure action plan, the identity of the school employee or employees trained in the administration of seizure medication, and how they may be contacted in the event of an emergency.

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DOCUMENTATION

A complete record of any emergency care provided shall be made and filed with the student's health record. The following information shall be recorded:

1. Time and place accident or illness occurred.
2. Causative factors, if known.
3. Type of care provided and name(s) of person(s) who gave emergency treatment.
4. Condition of the student receiving emergency care.
5. Verification of actual contacts and attempts to contact parent/guardian.
6. List of names of persons who witnessed the accident or illness and the treatment rendered, as appropriate.

RELATED POLICIES:

09.224; 09.2241

RELATED PROCEDURES:

09.224 AP.21; 09.2241 AP.21; 09.2241 AP.22; 09.2241 AP.23