

Board Meeting Agenda

AGENDA PREPARATION AND DISSEMINATION

The Superintendent shall consult with the Board Chairperson to ensure that an agenda is prepared for all regular and special meetings of the Board. For special meetings, the Board shall consider only those matters which are listed on the agenda.

There are two types of regular meetings of the Board:

1. Board Business Meetings; and
2. Board Work Session Meetings.

The Board Business Meeting format includes agenda items necessary for the Board to conduct the regular business of the District. The Board Work Session Meeting format includes no action items, and is designed to permit the Board to receive information and have in-depth discussions regarding key issues confronting the District, to better inform subsequent decisions and actions.

Board members may review and offer suggestions for future Board meeting agendas during the Board Planning Calendar portion of regular Board **Business** meetings. Board members may also suggest topics for inclusion via e-mail to the Board Chairperson, with copy to the Superintendent. Board input is considered and coordinated as the Superintendent and Board leadership develop subsequent Board Planning Calendars and Board Meeting Agendas. In some instances, the Board Chairperson and Superintendent may determine that a requested topic is best addressed through a written report to Board members rather than through inclusion on the Board Meeting Agenda.

Agenda Items and related presentations and supporting or background material shall be provided to the Board members on or before the **Friday Wednesday eleven (11) days** preceding the regular meeting except if significant extenuating circumstances preclude it. Any Item added to the Agenda after that date shall note the necessity for immediate action in the rationale for that Item.

Items may be placed on a proposed special called meeting agenda at the direction of the Chairperson and shall be placed on the proposed agenda if requested in writing by three (3) or more Board members.

The agenda of a regular meeting may be amended at the meeting upon affirmative vote of at least four (4) members. However, once the agenda for a special called meeting is posted and delivered to Board members and requesting media, it may only be amended when a new notice and reposting of the agenda, as amended, is completed prior to the twenty-four (24) hour period before the meeting as required by statute.

To reflect the Board's focus on advancing student achievement, the agenda for regular meetings shall be developed in accordance with the following requirements:

1. At least once each month when school is in session, the agenda may include a student presentation, performance, or other demonstration of student learning.
2. The Board shall recognize the achievements and contributions of students, staff, schools/councils, or community members.
3. The Board shall receive communications from citizens and schools/councils.
4. Each meeting shall contain opportunities for dialogue among Board members and Superintendent concerning student achievement issues, including the impact of student learning and support services and an analysis of progress indicators and data.

Board Meeting Agenda**AGENDA PREPARATION AND DISSEMINATION (CONTINUED)**

5. Each **Board Business** meeting shall contain an opportunity for Board members to report on noteworthy events pertaining to the work of schools and the District. Reports are expected to be brief, and other opportunities for sharing information with fellow Board members and the public will be made available to Board members for more extensive communications.
6. The agenda **for Board Business meetings** shall reflect a regular schedule of reports to the Board on the status of District finances, programs, and services.
7. To the extent practicable, standard and/or recurring business shall be organized under the Consent Calendar.

BOARD BUSINESS MEETING AGENDA FORMAT

- I. Moment of Silence
- II. Pledge of Allegiance
- III. Recognitions and Resolutions
- IV. Approval of Meeting Agenda
- V. Minutes
- VI. Superintendent's Report
- VII. Persons Requesting to Address the Board
- VIII. Action Items
- IX. Information Items
- X. Consent Calendar
- XI. Board Planning Calendar
- XII. Committee Reports
- XIII. Board Reports
- XIV. Persons Requesting to Address the Board (if necessary)
- XV. Executive Session (if necessary)
- XVI. Action Item (if necessary)
- XVII. Adjournment

As applicable, the policy, statute or regulation that authorizes each business item and a short synopsis of each item shall appear on the agenda.

Board Meeting Agenda**BOARD WORK SESSION MEETING AGENDA FORMAT (CONTINUED)****BOARD WORK SESSION MEETING AGENDA FORMAT**

- I. Approval of Meeting Agenda
- II. Minutes
- III. Work Sessions
- IV. Adjournment

As applicable, the policy, statute or regulation that authorizes each business item and a short synopsis of each item shall appear on the agenda.

PERSONS ADDRESSING THE BOARD

The following shall apply regarding persons addressing the Board:

1. Persons addressing the Board shall comply with provisions of Board Policy 01.421.
2. All persons who wish to address the Board regarding items on the Board Agenda shall be permitted to speak prior to persons wishing to speak regarding non-agenda items.
3. Board Business Meeting Agenda: A maximum of forty-five (45) minutes shall be allocated for Agenda Item VII. 4. Speakers who were unable to be accommodated under Agenda Item VII. due to the time limitation may address the Board under Agenda Item XIV.

CONSENT CALENDAR ITEMS

Routine matters and recommendations of the Superintendent that the Board has had an opportunity to review and about which no opposition is expected will be voted on as a single item in a Consent Calendar. Any Board member may request an agenda item to be removed from the Consent Calendar for consideration as a separate item. To assist in the conduct of orderly and effective Board meetings, the Board member should make every effort to submit the request prior to the meeting via e-mail to the Board Chairperson, copying the Superintendent.

Depending on the reason for the request and whether Board action is time-sensitive, the Board Chairperson may:

1. Remove the item from the agenda entirely, and add it to the agenda of the next regularly scheduled Board meeting as an Action Item; or
2. Remove the item from the Consent Calendar so the Board may consider it as a separate item during the current Board meeting.

BOARD MEMBER REQUESTS FOR INFORMATION REGARDING AGENDA ITEMS

To assist in the conduct of orderly and effective Board meetings, to the degree possible, questions by Board members regarding Board agenda items and clarification of recommendations to the Board should be dealt with prior to the meeting. Board members should submit requests for information regarding Board agenda items to the Superintendent as early as possible to allow the Superintendent and staff adequate time to prepare a response prior to the Board meeting.

Board Meeting Agenda

DISTRICT EMPLOYEES/MEMBERS OF THE PUBLIC

District employees and members of the public may address the Board during the period set aside by the Board without submitting an item for the agenda. No action shall be taken during this portion of the meeting on issues raised by employees or the public unless deemed an emergency by the Board.

Employees' concerns dealing with a grievance/communication issue must first be addressed in keeping with the Board's established policy/procedures.

REFERENCE:

[KRS 160.290](#)

RELATED POLICIES:

01.421
01.44
01.5
03.16/03.26

Adopted/Amended: 8/7/2018
Order #: 2018-178

Highlighted text taken from Board Policy GCGA

Highlighted text is Model KSBA language

Bargained Contracts Text is the same as in Board Policy 03.1 Certified Personnel.

PERSONNEL

03.2

-CLASSIFIED PERSONNEL-

Classified Personnel

DEFINITION

Classified personnel are all those employees who hold positions not requiring teacher certification.¹

PROBATIONARY STATUS

New classified employees, and former employees re-employed in classified positions, shall serve an initial ninety (90) day probationary period as specified in the appropriate bargaining agreement or District procedures. The purpose of the initial probationary period is to determine the employee's suitability for the position.

Classified employees reassigned from one (1) job classification to another shall serve a reassignment probationary period of ninety (90) working days. The purpose of the reassignment probation is to determine the employee's capability of performance in the new assignment.

Present classified employees whose work or conduct is unsatisfactory may be placed in disciplinary probation status. The purpose of the disciplinary probation is to determine the employee's capability of continued employment.

BARGAINED CONTRACTS

Personnel provisions of contracts negotiated between the Board and local employee associations recognized by the Board shall be followed.

REFERENCES:

¹KRS 161.011 (1)
KRS 78.510
KRS 78.615
702 KAR 1:035

RELATED POLICIES:

See Chapter 11

STAFF PROBATION

New classified employees, and former employees re-employed in classified positions, shall serve an initial ninety (90) day probationary period as specified in the appropriate bargaining agreement or district procedures. The purpose of the initial probationary period is to determine the employee's suitability for the position.

Classified employees reassigned from one job classification to another shall serve a reassignment probationary period of ninety (90) working days. The purpose of the reassignment probation is to determine the employee's capability of performance in the new assignment.

Present classified employees whose work or conduct is unsatisfactory may be placed in disciplinary probation status. The purpose of the disciplinary probation is to determine the employee's capability of continued employment.

Revised: November 13, 1995, Motion #27339
Adopted: October 1, 1979, Motion #12932
Revised: May 10, 1982, Motion #15402
Revised: March 24, 1986, Motion #18410
Revised: January 28, 1991, Motion #22623

PERSONNEL

03.2

-CLASSIFIED PERSONNEL-

Classified Personnel

DEFINITION

Classified personnel are all those employees who hold positions not requiring teacher certification.¹

SUBSTITUTE EMPLOYEES

Solely for purposes of the County Employees Retirement System, substitute employees shall serve a probationary period not to exceed twelve (12) months during which they shall not participate in CERS.

REFERENCES:

¹KRS 161.011 (1)
KRS 78.510
KRS 78.615
702 KAR 1:035

RELATED POLICY:

03.273

All text (both highlighted and non-highlighted) is model KSBA language.

Highlighted language taken from KRS 158.645.

CURRICULUM AND INSTRUCTION

08.1

Curriculum

The curriculum in each school shall be designed to achieve the student capacities established by KRS 158.645 and the school goals established by KRS 158.6451. The curriculum shall comply with all applicable state and federal statutes and regulations.

CAPACITIES

The curriculum shall allow and assist all students to acquire the following capacities:

1. Communication skills necessary to function in a complex and changing civilization;
2. Knowledge to make economic, social, and political choices;
3. Core values and qualities of good character to make moral and ethical decisions throughout his or her life;
4. Understanding of governmental processes as they affect the community, the state, and the nation;
5. Sufficient self-knowledge and knowledge of his/her mental and physical wellness;
6. Sufficient grounding in the arts to enable each student to appreciate his/her cultural and historical heritage;
7. Sufficient preparation to choose and pursue his/her life's work intelligently;
8. Skills to enable him/her to compete favorably with students in other states.

COUNCIL RESPONSIBILITY

In any school administered under the provisions of KRS 160.345, the curriculum and the instructional program may be determined by school policy adopted by the school council. All council policies shall be designed to meet student academic expectations and goals established by statute, regulation and Board policy.

STUDENTS WITH DISABILITIES

The Board shall operate programs for students with disabilities in accordance with the legal obligations contained in the District's policy and procedures manual relating to such programs.

REFERENCES:

KRS 156.160; KRS 156.162; KRS 158.075
KRS 158.183; KRS 158.188
KRS 158.301; KRS 158.302; KRS 158.305
KRS 158.645; KRS 158.6451; KRS 158.6453; KRS 160.345
704 KAR 3:303; 704 KAR 3:305; 704 KAR 3:440
Kentucky Academic Standards

RELATED POLICIES:

Section 02.4 (All Policies)

Highlighted text taken from Board Policy IGCF

JCPS staff recommendation for language to align policy with existing funding

CURRICULUM AND INSTRUCTION

08.1114

Preschool Education

The Board may provide an early childhood education program for children ages zero through four (0-4) years of age in compliance with applicable statutes and administrative regulations and as funding is available. The Board will make space as available in District-owned facilities for the early childhood program. The program shall provide a developmentally appropriate curriculum that prepares children for successful entry into the primary school. Parent education and involvement shall be components of the early childhood program.

The early childhood education program shall be funded by tuition and/or by grants and awards through private, local, state, or federal agencies, as well as by the District General Fund as determined by the Board.

REFERENCES:

KRS 157.3175

702 KAR 3:250; 702 KAR 5:150

704 KAR 3:410;m 704 KAR 3:420

707 KAR 1:002 et seq.

20 U.S.C. Section 1400 et seq.

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.

EARLY CHILDHOOD PROGRAM

The board of education may provide an early childhood education program for children ages zero through four years of age as funding is available. The board will make space as available in district-owned facilities for the early childhood program. The program shall have a developmentally appropriate curriculum that prepares children for successful entry into the primary school. Parent education and involvement shall be components of the early childhood program.

The early childhood education program shall be funded by tuition and/or by grants and awards through private, local, state, or federal agencies.

Preschool Education

The Board shall provide a developmentally appropriate preschool education program in compliance with applicable statutes and administrative regulations.

Plans for the preschool program shall include transportation and supervision guidelines consistent with the mental and physical characteristics of preschool students. The Principal/designee shall designate another adult to provide back-up assistance when only one (1) employee is responsible for supervising a group of preschool students.

REFERENCES:

KRS 157.3175
702 KAR 3:250; 702 KAR 5:150
704 KAR 3:410; 704 KAR 3:420
707 KAR 1:002 et seq.
20 U.S.C. Section 1400 et seq.
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.

All text is KSBA model language.

CURRICULUM AND INSTRUCTION

08.211

Homework

STANDARDS FOR ASSIGNMENTS

Each school shall establish standards for out-of-school assignments. These standards shall encompass amounts and types of reasonable homework assignments by grade level.

PURPOSE OF ASSIGNMENTS

Homework shall be assigned for the improvement of learning. Curriculum-related assignments shall not be used for disciplinary purposes. Assignments should have meaning for the student, should be clear and specific, and should be of an amount and type that may be accomplished in a reasonable period of time.

REFERENCES:

KRS 158.183

KRS 160.345

INSTRUCTION

IKB

HOMEWORK

The board of education shall approve the assignment of homework as an aid to the program of instruction when such assignments are clear and definite and originate in classroom activities. Homework assignments shall be evaluated by the teacher.

Reviewed: November 13, 1995, Motion #27339

Adopted: October 22, 1979, Motion #12983

Reference: KRS 160.290

Homework

STANDARDS FOR ASSIGNMENTS

Each school shall establish standards for out-of-school assignments. These standards shall encompass amounts and types of reasonable homework assignments by grade level.

PURPOSE OF ASSIGNMENTS

Homework shall be assigned for the improvement of learning. Curriculum-related assignments shall not be used for disciplinary purposes. Assignments should have meaning for the student, should be clear and specific, and should be of an amount and type that may be accomplished in a reasonable period of time.

REFERENCES:

KRS 158.183

KRS 160.345

Highlighted text taken from Board Policy IKA.

Highlighted text taken from IKAC.

Removed end-of-course (EOC) language in KSBA model policy, as KBE has removed EOC exams from state accountability.

CURRICULUM AND INSTRUCTION

08.221

Grading

Parents/guardians shall be notified annually of the procedures used to evaluate the academic performance of students. If a student is exhibiting unsatisfactory performance or is experiencing changes in performance, parents/guardians must be notified in a timely manner prior to the distribution of the progress report or report card.

STUDENT CONFERENCE

Teachers shall be available for conferences requested by students. Teachers may initiate such conferences without a student request when the need is evident.

PARENT/TEACHER CONFERENCE

Parents shall be encouraged to attend two (2) parent/teacher conferences annually.

REFERENCES:

KRS 158.140; KRS 158.645; KRS 158.6451; KRS 158.860
KRS 160.345
KRS 161.200
703 KAR 5:200

RELATED POLICIES:

02.441
08.113
08.22
08.222
08.5

UNIFORM STUDENT PROGRESSION, PROMOTION AND GRADING

~~All schools shall implement the uniform student progression, promotion, and grading procedures for that level which has been developed by a broad based committee and approved by the administrative staff and the board of education. Written reports shall be sent to parents at established intervals. (See Policy 08.22)~~

Parents/guardians shall be notified annually of the procedures used to evaluate the academic performance of students. If a student is exhibiting unsatisfactory performance or is experiencing changes in performance, parents/guardians must be notified in a timely manner prior to the distribution of the progress report or report card.

INSTRUCTION

IKAC

STUDENT CONFERENCES

Teachers shall be available for conferences requested by students. Teachers may initiate such conferences without a student request when the need is evident.

Reviewed: November 13, 1995, Motion #27339
Adopted: October 22, 1979, Motion #12983

Grading

Grades earned on end-of-course exams required for high school courses designated by Kentucky Administration Regulation shall count as twenty percent (20%) of a student's final grade in a course.

REFERENCES:

KRS 158.140; KRS 158.645; KRS 158.6451; KRS 158.860
KRS 160.345
KRS 161.200
703 KAR 5:200

RELATED POLICIES:

02.441
08.113
08.22
08.222
08.5

Highlighted text is Model KSBA language

Highlighted based on provisions of 702 KAR 7:125 and KRS 159.030 (Jonathan's recommendation)

STUDENTS

09.1221

Part-Time Students

The Board will consider a shortened school day only for preschool and kindergarten students and for students whose:

1. Individual education plan or 504 plan that supports a shortened day; or
2. Physical or mental condition prevents or renders inadvisable attendance at school or application to study, as certified in writing by licensed professionals in accordance with KRS 159.030.

REFERENCES:

KRS 339.210
KRS 339.220
KRS 339.230
KRS 339.360
KRS 159.030

702 KAR 7:125

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act
Individuals with Disabilities Education Improvement Act (IDEA)

RELATED POLICIES:

08.131
08.31
09.13

Part-Time Students

The Board will consider a shortened school day only for preschool and kindergarten students and for students with an individual education plan or 504 plan that supports a shortened day.

REFERENCES:

KRS 339.210

KRS 339.220

KRS 339.230

KRS 339.360

702 KAR 7:125

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act
Individuals with Disabilities Education Improvement Act (IDEA)

RELATED POLICIES:

08.131

08.31

09.13

159.030 Exemptions from compulsory attendance.

- (1) The board of education of the district in which the child resides shall exempt from the requirement of attendance upon a regular public day school every child of compulsory school age:
 - (a) Who is a graduate from an accredited or an approved four (4) year high school; or
 - (b) Who is enrolled and in regular attendance in a private, parochial, or church regular day school. It shall be the duty of each private, parochial, or church regular day school to notify the local board of education of those students in attendance at the school. If a school declines, for any reason, to notify the local board of education of those students in attendance, it shall so notify each student's parent or legal guardian in writing, and it shall then be the duty of the parent or legal guardian to give proper notice to the local board of education; or
 - (c) Who is less than seven (7) years old and is enrolled and in regular attendance in a private kindergarten-nursery school; or
 - (d) Whose physical or mental condition prevents or renders inadvisable attendance at school or application to study; or
 - (e) Who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children; or
 - (f) Who is enrolled and in regular attendance in a state-supported program for exceptional children;
 - (g) For purposes of this section, "church school" shall mean a school operated as a ministry of a local church, group of churches, denomination, or association of churches on a nonprofit basis.
- (2) Before granting an exemption under subsection (1)(d) of this section, the board of education of the district in which the child resides shall require satisfactory evidence, in the form of:
 - (a) A signed statement of a licensed physician, advanced practice registered nurse, psychologist, psychiatrist, chiropractor, or public health officer, that the condition of the child prevents or renders inadvisable attendance at school or application to study. On the basis of such evidence, the board may exempt the child from compulsory attendance. Any child who is excused from school attendance more than six (6) months shall have two (2) signed statements from a combination of the following professional persons: a licensed physician, advanced practice registered nurse, psychologist, psychiatrist, chiropractor, and health officer, except that this requirement shall not apply to a child whose treating physician, advanced practice registered nurse, chiropractor, or public health officer certifies that the student has a chronic physical condition that prevents or renders inadvisable attendance at school or application to study and is unlikely to substantially improve within one (1) year; or
 - (b) An individual education plan specifying that placement of the child with a

disability at home or in a hospital is the least restrictive environment for providing services.

Exemptions of all children under the provisions of subsection (1)(d) of this section shall be reviewed annually with the evidence required being updated, except that for an exceptional child whose treating physician, advanced practice registered nurse, chiropractor, or public health officer certifies that the student has a chronic physical condition unlikely to substantially improve within three (3) years, the child's admissions and release committee shall annually consider the child's condition and the existing documentation to determine whether updated evidence is required. Updated evidence shall be provided for a child upon determination of need by the admissions and release committee, or at least every three (3) years.

- (3) For any child who is excluded under the provisions of subsection (1)(d) of this section, home, hospital, institutional, or other regularly scheduled and suitable instruction meeting standards, rules, and regulations of the Kentucky Board of Education shall be provided.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 85, sec. 30, effective July 15, 2010. -- Amended 2004 Ky. Acts ch. 46, sec. 1, effective July 13, 2004. -- Amended 2000 Ky. Acts ch. 451, sec. 1, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 173, sec. 1, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 362, sec. 6, effective July 15, 1996. -- Amended 1990 Ky. Acts ch. 476, Pt. IV, sec. 216, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 111, sec. 91, effective July 13, 1984; and ch. 297, sec. 3, effective July 13, 1984. -- Amended 1980 Ky. Acts ch. 286, sec. 8, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 136, sec. 4, effective July 1, 1979; and ch. 155, sec. 82, effective July 17, 1978. -- Amended 1974 Ky. Acts ch. 75, sec. 1. -- Amended 1948 Ky. Acts ch. 107, sec. 27. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4434-3.

702 KAR 7:125. Pupil attendance.

RELATES TO: KRS 157.320, 157.350, 157.360, 158.030, 158.070, 158.100, 158.240, 159.010, 159.030, 159.035, 159.140, 159.170, 161.200

STATUTORY AUTHORITY: KRS 156.070, 156.160, 157.320, 158.070

NECESSITY, FUNCTION, AND CONFORMITY: KRS 157.320 defines average daily attendance of pupils for funding purposes under the Support Education Excellence in Kentucky (SEEK) Program. KRS 157.360 bases SEEK funding upon average daily attendance. KRS 158.030, 158.100, and 159.010 establish the age for compulsory school attendance. KRS 158.070 defines the school term. KRS 158.240 and 159.035 define attendance credit for moral instruction and 4-H activities. KRS 161.200 requires attendance records to be kept by teachers. This administrative regulation establishes a uniform method of recording pupil attendance.

Section 1. Daily Attendance. (1) Daily attendance of pupils in elementary schools shall be determined by taking attendance one (1) time each day prior to the start of instruction and maintaining a pupil entry and exit log at each school.

(2) Daily attendance of pupils in middle and high schools shall be determined by taking attendance by class period and maintaining a pupil entry and exit log at each school.

(3) The pupil entry and exit log shall include the date, pupil name, grade or homeroom, time of late arrival, time of early departure (with the reason for both listed), and other information required by the local board of education. For elementary pupils who are signed out, the pupil entry and exit log shall also include a signature of:

(a) A parent;

(b) A legal guardian; or

(c) An adult with proof of identification and for whom the school has received a written authorization from the parent or legal guardian.

(4) Pupils shall be physically present in the school to be counted in attendance except under the following conditions:

(a) The pupil is a participant in a co-curricular instructional activity that has been authorized by the local board of education and is a definite part of the instructional program of the school;

(b) The pupil is a participant in an activity as provided in either KRS 158.240 or 159.035;

(c) The pupil is participating in an off-site virtual high school class or block. A pupil may be counted in attendance for a virtual high school class or block for the year or semester in which the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in accordance with local policies required by 704 KAR 3:305, Section 5(2)(b) or (3);

(d) The pupil's mental or physical condition prevents or renders inadvisable attendance in a school setting, and the pupil meets the requirements of KRS 159.030(2). A pupil being served in the home/hospital program shall receive a minimum of one (1) hour of instruction two (2) times per five (5) instructional days;

(e) The pupil has been court ordered to receive educational services in a setting other than the classroom. A pupil being served through a court order shall receive a minimum of one (1) hour of instruction two (2) times per five (5) instructional days;

(f) The pupil has an individual education plan (IEP) that requires less than full-time instructional services;

(g) The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, Section 5(2)(b) and that falls within one (1) or more of the categories of standards-based course work outlined in 704 KAR 3:305, Section 2. A pupil may be counted in attendance for performance-based credit for a class or block for the year or semester in which the pupil initially enrolled in the class or block if the pupil demonstrates profi-

ciency in accordance with local policies required by 704 KAR 3:305, Section 5(3); or

(h) The pupil participates in a school that is authorized by the commissioner to design and deliver an educational program so that all graduation requirements are based on pupil proficiency of standards and performance, rather than time and Carnegie units, as authorized in 704 KAR 3:305, Section 5.

(5) Even if a pupil's absence or tardy is due to factors beyond the pupil's control, including inclement weather or failure of the transportation system to operate, the pupil shall be counted absent or tardy.

(6) The local board of education shall determine by local board policy what constitutes an excused and an unexcused absence.

(7) A pupil shall not be allowed to make up absences for the purpose of including make-up activities in the calculation of average daily attendance.

Section 2. Calculation of Attendance. The guidelines in this section shall be used to calculate pupil attendance for state funding purposes.

(1) A full day of attendance shall be recorded for a pupil who is in attendance at least sixty-five (65) percent of the regularly-scheduled school day for the pupil's grade level.

(2) A tardy shall be recorded for a pupil who is absent thirty-five (35) percent or less of the regularly-scheduled school day for the pupil's grade level.

(3) A half day absence shall be recorded for a pupil who is absent thirty-six (36) percent to eighty-four (84) percent of the regularly-scheduled school day for the pupil's grade level.

(4) A full day absence shall be recorded for a pupil who is absent more than eighty-four (84) percent of the regularly-scheduled school day for the pupil's grade level.

Section 3. Shortened School Day. A local board of education may permit an arrangement whereby a pupil has a shortened school day in accordance with KRS 158.060, or local board of education policy. The time a pupil is in attendance shall be included in calculating the district's average daily attendance.

Section 4. Dual Enrollment. A local board of education may permit an arrangement in which a pupil pursues part of the pupil's education under the direction and control of one (1) public school and part of the pupil's education under the direction and control of another public or nonpublic school. The time a pupil is served by each public school shall be included when calculating the district's average daily attendance.

Section 5. Private School Placement. If a local school district, under the provisions of KRS 157.360(7), enrolls a child with a disability in a private school or agency, the private school or agency shall certify the attendance of the child to the local school district at the close of each school month.

Section 6. Age of Pupil. (1) Prior to the 2017-18 school year, if a local school district enrolls in the entry level program a pupil who will not be five (5) years of age on or before October 1 of the year of enrollment, the total aggregate days attendance for the pupil shall not be included in calculating the district's average daily attendance. Beginning with the 2017-18 school year, if a local school district enrolls in the entry level program a pupil who will not be five (5) years of age on or before August 1 of the year of enrollment, the total aggregate days attendance for the pupil shall not be included in calculating the district's average daily attendance.

(2) Prior to the 2017-18 school year, if a local school district enrolls in the second level of the primary program a pupil who will not be six (6) years of age on or before October 1 of the

year of enrollment, the total aggregate days attendance for the pupil shall not be included in calculating the district's average daily attendance except under the conditions established in this subsection. Beginning with the 2017-18 school year, if a local school district enrolls in the second level of the primary program a pupil who will not be six (6) years of age on or before August 1 of the year of enrollment, the total aggregate days attendance for the pupil shall not be included in calculating the district's average daily attendance except under the conditions established in this subsection.

(a) The local board of education shall have determined that the pupil is eligible for enrollment in the second level of the primary program after academic, social, and developmental progress records from multiple data sources are reviewed by a team and determined to support accelerated placement. These sources shall include:

1. Anecdotal records;
2. A variety of pupil work samples, including evidence of pupil self-reflection; and
3. Standardized test results.

(b) The team shall be comprised of three (3) members who have knowledge of the pupil's developmental skills and abilities. Team members shall be chosen from these categories:

1. Teachers;
2. Parents;
3. Psychologists;
4. Principals; or
5. District specialists.

(c) At least one (1) team member shall represent the district office and have an understanding of early childhood development and knowledge of developmentally-appropriate practices.

(d) If a pupil is recommended by the local board of education for accelerated placement into the second level of the primary program, the district shall forward that recommendation to the department for approval with:

1. A list of data sources used in making the decision;
2. A list of all individuals who submitted the data sources;
3. A list of team members; and
4. The data needed to create a pupil attendance record.

(3) A local school district shall enroll any resident pupil, not holding a high school diploma, under the age of twenty-one (21) years who wishes to enroll. The days attended after the pupil's 21st birthday shall not be included in the calculation of the district's average daily attendance.

Section 7. Due Dates for Certain Reports. (1) The Growth Factor Report for the first two (2) school months of the school year created pursuant to KRS 157.360(9) shall be submitted to the department within ten (10) business days following the last day of the second school month or by November 1 of each year, whichever occurs first.

(2) Pursuant to KRS 157.360(2), the Superintendents Annual Attendance Report (SAAR) for the school year shall be submitted to the department by June 30 of each year.

Section 8. Nonresident Pupils. (1)(a) A written agreement executed by local boards of education for enrollment of nonresident pupils as provided by KRS 157.350(4)(a) shall be filed in both the attending district and the resident district no later than February 1 of the year prior to the school year to which it will apply.

(b) The written agreement shall include the specific terms to which the districts have agreed.

(c) A list of the names of all nonresident pupils enrolled in the attending district covered by the agreement shall be filed in both the attending district and the resident district not later than

November 1 of the school year covered by the agreement.

(d) A change may be made to the original nonresident pupil agreement up to the close of the school year to include the nonresident pupils enrolling after the close of the second school month. The amendment shall be filed in both the attending district and the resident district no later than June 30 of each year.

(2) A list of the names of all nonresident pupils whose parent is an employee of the district as provided by KRS 157.350(4)(b) and who are not covered by the nonresident agreement shall be filed in both the attending district and the resident district not later than November 1 of the school year.

Section 9. Weather-related Low Attendance Days. (1) The SAAR shall be considered:

(a) The request to substitute prior year's average daily attendance for up to ten (10) designated weather-related low attendance days; and

(b) Certification that the low attendance was due to inclement weather, in accordance with KRS 157.320(17).

(2) Documentation that the low attendance was due to inclement weather shall be retained at the central office.

Section 10. Health and Safety Closings. (1) The SAAR shall be considered:

(a) The request to substitute prior year's average daily attendance for up to ten (10) designated instructional days, in accordance with KRS 158.070(10); and

(b) Certification that the low attendance was due to health and safety reasons.

(2) Documentation that the low attendance was due to health and safety reasons shall be retained at the central office.

(3) Days granted in this section shall be in addition to any days granted under Section 9 of this administrative regulation.

Section 11. Original Source of Attendance Data. (1) The school's records of daily attendance and teacher's monthly attendance reports, daily and class period absentee lists, pupil entry and exit logs, and the Home/Hospital Program Form, shall be the original source of attendance data for all pupils enrolled in the public common schools and shall be verified at the end of each school month.

(2) The school's records of daily attendance and teachers' monthly attendance reports shall be signed by a designated certified person within the elementary or secondary school who shall be responsible for verifying and certifying the state attendance documents for accuracy.

(3) The school's records of daily attendance and tenth month teacher's monthly attendance reports shall be retained at least twenty (20) years. The daily and class period absentee lists, and pupil entry and exit logs shall be retained at least two (2) full school years after the current school year.

Section 12. Enrollment Codes. The following entry, reentry, and withdrawal codes shall be used to indicate the enrollment status of pupils:

(1) E01 - A pupil enrolled for the first time during the current year in either a public or nonpublic school in the United States;

(2) E02 - A pupil previously enrolled during the current school year in either a public or nonpublic school in another state who has not previously enrolled in Kentucky during the current school year;

(3) E03 - A pupil enrolling for the first time during the current school year in either a public or nonpublic school, who withdrew as a W06, W07, W13, W16, or W18 during the 2004-2005

school year or as a W24 or W25 for previous school years;

(4) R01 - A pupil received from another grade or grade level in the same school year, or having a change in schedule structure or enrollment service type;

(5) R02 - A pupil received from another public school in the same public school district;

(6) R06 - A pupil reentering the school after dropping out, discharge, or expulsion from a school district in Kentucky during the current school year, who has not entered any other school during the intervening period;

(7) R20 - A pupil previously enrolled in a home school in Kentucky during the current school year;

(8) R21 - A pupil previously enrolled in any public or nonpublic school (excluding home schools) in Kentucky during the current school year;

(9) W01 - A pupil transferred to another grade in the same school or with grade level changes in the same school mid-year, or with a change in schedule structure or enrollment service type. The reentry code to use with W01 shall be R01;

(10) W02 - A pupil transferred to another public school in the same public school district. The reentry code to use with W02 shall be R02;

(11) W07 - A pupil withdrawn due to those communicable medical conditions that pose a threat in school environments listed in 902 KAR 2:020, Section 2(1), accompanied by a doctor's statement certifying the condition, or any other health-related condition for which the pupil is too ill to participate in regular school attendance or local homebound instructional services, or if the pupil has obtained a doctor's statement certifying the condition. The reentry code to use with W07 shall be R06;

(12) W08 - A pupil withdrawn due to death;

(13) W12 - A pupil under the jurisdiction of the court. For purposes of the W12 code, a pupil may be considered under the jurisdiction of the court on the day the petition is filed with the court. The reentry code to use with W12 shall be R06. For accountability purposes, a W12 shall be considered a dropout if the district cannot substantiate enrollment in the proper educational setting as designated by the court;

(14) W17 - An entry level pupil in the primary program, withdrawn during the first two (2) months enrolled due to immaturity or mutual agreement by the parent, guardian or other custodian and the school in accordance with 704 KAR 5:060;

(15) W20 - A pupil transferred to a home school. The reentry code to use with W20 shall be R20;

(16) W21 - A pupil transferred to a nonpublic school (excluding home school). The reentry code to use with W21 shall be R21;

(17) W22 - A pupil who has transferred to another Kentucky public school district and for whom a request for pupil records has been received or enrollment has been substantiated;

(18) W23 - A pupil withdrawn for a second or subsequent time who initially withdrew as a W24 or W25 during the current school year;

(19) W24 - A pupil who has moved out of this public school district for whom enrollment elsewhere has not been substantiated;

(20) W25 - Prior to the 2017-18 school year, a pupil who is at least the local board policy's minimum age for withdrawal and has withdrawn from public school; beginning with the 2017-18 school year, a pupil who is at least eighteen (18) years of age and has withdrawn from public school;

(21) W26 - A pupil who has withdrawn from school after completing a secondary GED program and receiving a GED certificate;

(22) W27 - A pupil who has withdrawn from school and subsequently received a GED;

(23) W28 - A pupil who has reached the maximum age for education services without re-

ceiving a diploma or an alternative high school diploma;

(24) W29 - A pupil who has moved out of state or out of the United States;

(25) W30 - A pupil with an IEP enrolled in Grade 14 who has previously received an alternative high school diploma, re-enrolled, and withdrew in the middle of the reporting school year;

(26) C01 - A pupil who completes the school year in the school of the most current enrollment;

(27) G01 - A pupil who graduates in less than four (4) years;

(28) G02 - A pupil who graduates in four (4) years;

(29) G03 - A pupil who graduates in five (5) or more years;

(30) G04 - A pupil who graduates in six (6) or more years; and

(31) NS - A pupil who completed the prior year with a C01 and was expected to enroll in the district but did not enroll by October 1 of the current year whose enrollment elsewhere cannot be substantiated.

Section 13. Suspension. (1) For a pupil who has been suspended, a code of S shall be used to indicate the days suspended.

(2) Suspension shall be considered an unexcused absence.

Section 14. Ethnicity. The ethnicity of each pupil shall be designated as either Hispanic/Latino or not Hispanic/Latino. The designation shall be "Hispanic/Latino" if the person is of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture of origin regardless of race. The term "Spanish origin" may be used in addition to "Hispanic/Latino".

Section 15. Racial Category Codes. One (1) or more of the following racial codes shall be used to indicate the racial category of pupils:

(1) White - A person having origins in any of the original peoples of Europe, North Africa, or the Middle East;

(2) Black or African American - A person having origins in any of the black racial groups of Africa;

(3) Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, or Vietnam;

(4) American Indian or Alaskan Native - A person, having origins in any of the original peoples of North America and South America (including Central America), who maintains cultural identification through tribal affiliation or community attachment; and

(5) Native Hawaiian or other Pacific Islander - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Section 16. Withdrawal and Transfer Records. (1) The Student Dropout Questionnaire shall be completed during the one (1) hour counseling session mandated in accordance with KRS 159.010.

(2) The request for records and other information involving the withdrawal and transfer of pupils shall be processed by the local superintendent or his or her designee pursuant to KRS 159.170, and shall be maintained in the pupil's permanent file.

Section 17. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Home/Hospital Program Form", November 2013;

(b) "Student Dropout Questionnaire", November 2013;

(c) "Growth Factor Report", November 2013; and

(d) "Superintendent's Annual Attendance Report (SAAR)", November 2013.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Education, 15th Floor, Capital Plaza Tower, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (23 Ky.R. 2352; Am. 2722; eff. 1-9-1997; 25 Ky.R. 1137; 1597; eff. 1-19-1999; 27 Ky.R. 1871; 2439; eff. 3-19-2001; 29 Ky.R. 2349; 29 Ky.R. 2349; 2685; eff. 4-15-2003; 30 Ky.R. 2380; 31 Ky.R. 76; eff. 8-6-2004; 32 Ky.R. 1771; 2009; eff. 6-2-2006; 36 Ky.R. 466; 1212; eff. 1-4-2010; 37 Ky.R. 2291; 2572; eff. 6-3-2011; 40 Ky.R. 1362; 1732; eff. 3-7-2014.)