LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING PROTECTIONS COVERING PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO STATE EMPLOYMENT DISCRIMINATION LAW.
FINANCIAL IMPLICATIONS: POTENTIAL COST OF PROVIDING NOTICE AND ACCOMMODATIONS

Legal Status of the Board

CORPORATE POWERS

1. The school district is under the management and control of the Board of Education consisting of five (5) members.
2. The Board is a body politic and corporate with perpetual succession.
3. The Board shall be known as the "Board of Education of Simpson County, Kentucky."
4. The Board may sue and be sued; make contracts; expend funds necessary for liability insurance premiums and for the defense of any civil action brought against an individual Board member in his official or individual capacity, or both, on account of an act made in the scope and course of his performance of legal duties as a Board member; purchase, receive, hold, and sell property; issue its bonds to build and construct improvements; and do all things necessary to accomplish the purposes for which it is created.[1]

NOTICE OF NONDISCRIMINATION

As required by law, the District does not discriminate on the basis of race, color, national origin, sex, genetic information, disability, age, or limitations related to pregnancy, childbirth, or related medical conditions in its programs and activities and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

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Notice of the name, work address and telephone number of the Title IX Coordinator and the Section 504 Coordinator for the District shall be provided to employees, applicants for employment, students, parents/guardians, and other beneficiaries such as participants in activities offered to the public.

WEBSITE ACCESSIBILITY

The District is committed to ensuring accessibility of its website for students, employees, visitors, and members of the community with disabilities. All pages on the District's website shall conform to Level AA of the Web Content Accessibility Guidelines (WCAG) 2.0 developed by the World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI), or updated equivalents of these guidelines.

Under District developed administrative procedures, students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 related to the accessibility of any official District web presence which is developed by, maintained by, or offered through the District or third party vendors and open sources.

Legal Status of the Board

REFERENCES:

[1]KRS 160.160
KRS 160.370
KRS Chapter 344
Americans with Disabilities Act
Section 504 of the Rehabilitation Act of 1973
Title VI of the Civil Rights Act of 1964
42 U.S.C. 200e, Civil Rights Act of 1964, Title VII
20 U.S.C. 1681, Education Amendments of 1972, Title IX
Genetic Information Nondiscrimination Act of 2008
20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)
Web Content Accessibility Guidelines

RELATED POLICIES:

03.113; 03.212; 03.162; 03.262
05.3; 09.13; 09.3211; 09.42811
10.5

LEGAL: REVISIONS TO 701 KAR 5:140 REMOVE THE CATEGORY "PERSISTENTLY LOW-ACHIEVING" AND REPLACE IT WITH A SCHOOL IDENTIFIED FOR "COMPREHENSIVE SUPPORT AND IMPROVEMENT" AS IT PERTAINS TO THE DISTRICT'S PLAN OF INNOVATION. IN ADDITION, IN ORDER TO QUALIFY AS A DISTRICT OF INNOVATION, THE SUBMITTED PLAN MUST CALL FOR AN EXEMPTION FROM REGULATION OR STATUTE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED
LEGAL: HB 46 AMENDS KRS 158.195 TO REQUIRE LOCAL BOARDS TO REQUIRE EACH ELEMENTARY AND SECONDARY SCHOOL TO DISPLAY THE NATIONAL MOTTO "IN GOD WE TRUST" IN A PROMINENT LOCATION IN THE SCHOOL BEGINNING WITH THE 2019-2020 SCHOOL YEAR. IT ALSO STATES THE DISPLAY MAY BE, BUT IS NOT LIMITED TO, A PLAQUE OR STUDENT ARTWORK. PROMINENT LOCATION IS DEFINED AS THE SCHOOL'S ENTRYWAY, CAFETERIA, OR COMMON AREA WHERE STUDENTS ARE LIKELY TO SEE IT.
FINANCIAL IMPLICATIONS: POTENTIAL COST OF THE DISPLAY/ANY INSTALLATION

General Powers and Duties of the Board

ESTABLISHMENT OF SCHOOLS

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

CHARTER SCHOOLS

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

REQUEST FOR WAIVER AND EXEMPTIONS

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

When approved as a District of Innovation by the Kentucky Board of Education, the District is to be granted waivers and exemptions from selected Kentucky Administrative Regulations, Kentucky Revised Statutes, and, for a school of innovation, may be granted waivers of 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 for comprehensive support and improvement under KRS 160.346 to participate in the District's plan of innovation.[11]

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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]

General Powers and Duties of the Board

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]

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 insurance[12] or any group medical or dental insurance provided by the District for employees.[10]

FREE SUPPLIES

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

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

REPORTS

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

LEVY OF TAX RATES

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

General Powers and Duties of the Board

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]

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 Superintendent/Board gives his/her approval. The Board shall not be obligated for any matching funds.

NATIONAL MOTTO

The Board shall require each elementary and secondary school to display the national motto, "In God We Trust," in a prominent location which means a school entryway, cafeteria, or common area where students are likely to see it. Per KRS 158.195, the display may take the form of, but is not limited to, a plaque or student artwork.

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REFERENCES:

[1]KRS 160.290
[2]KRS 160.300
[3]KRS 160.310
[4]KRS 160.160
[5]KRS 160.330
[6]KRS 160.340
[7]KRS 160.470
[8]KRS 160.540
[9]KRS 160.345
[10]KRS 160.280
[11]KRS 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 158.195
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; 702 KAR 4:160

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General Powers and Duties of the Board

RELATED POLICIES:

01.41; 01.5; 01.7
03.124; 03.224; 04.92

LEGAL: HB 22 AMENDS KRS 160.190 TO CHANGE THE PROCESS FOR FILLING A BOARD VACANCY FROM A PERSON APPOINTED BY THE COMMISSIONER TO A PERSON APPROVED BY A MAJORITY VOTE OF THE REMAINING MEMBERS OF THE LOCAL BOARD, AND INCLUDES TIMELINES, VACANCY ADVERTISEMENT CONDITIONS AS WELL AS AN APPLICATION PROCESS.
FINANCIAL IMPLICATIONS: COST OF ADVERTISEMENT, STAFF TIME FOR PROCESSING, AND POSSIBLE ADDITIONAL MEETINGS

Board Vacancy

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APPOINTMENT

Any vacancy on the Board shall be filled by a majority vote of the remaining members of the Board within sixty (60) days after the vacancy occurs. Within thirty (30) days of the vacancy, the Board shall, for two (2) weeks, solicit applications by posting a notice on the District's website and place an advertisement for two (2) weeks in the newspaper of the largest general circulation in the county to solicit applications.

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An applicant shall file a letter of intent with the Board affirming that s/he meets the legal qualifications for the office as established by KRS 160.180. In addition, the applicant shall submit a transcript as evidence of completion of the twelfth (12th) grade or results of a twelfth (12th) grade equivalency exam.

Deleted: The member so chosen shall meet the eligibility requirements as established by KRS 160.180 and shall hold office until a successor is elected and has qualified. The Board may make nominations and any person may nominate himself/herself or another for the office.

The Board shall select from the applicants who complete this process. Discussions that may lead to the appointment of an individual to fill the vacancy may take place in closed session. Such discussions may include individual interviews and consideration of individual applicants.[1] Final action to fill the vacancy shall be taken in open session.

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As the executive agent of the Board, the Superintendent shall provide written notice to the following parties when a vacancy occurs or is expected to occur and also when a vacancy has been filled or has not been filled within the sixty (60) day timeline:

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- Kentucky Secretary of State;
- County Clerk;
- Commissioner of Education; and
- Kentucky School Boards Association.

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If the Board fails to make the appointment within the subject sixty (60) day timeline, then the Commissioner of Education shall fill the vacancy within sixty (60) days of the Board's failure to appoint. The member, meeting the legal requirements to fill the vacancy, shall hold office until his/her successor is elected and has qualified.

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ELECTION

Any vacancy having an unexpired term of one (1) year or more on August 1 shall be filled for the unexpired term by an election to be held at the next regular election after the vacancy occurs. The elected member shall succeed the member chosen by the Board or the Commissioner of Education to fill the vacancy.

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Board Vacancy

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ELECTION (CONTINUED)

If no candidate files a petition of nomination to fill this unexpired term, then a new vacancy shall exist on November 1 and that vacancy shall be filled by the Board as prescribed by law.

If no candidate files a petition of nomination for a new term pursuant to KRS 118.315 and KRS 118.365, then a vacancy shall exist on January 1 and that vacancy shall be filled by the Board as prescribed by law.[2]

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REFERENCES:

[1]KRS 61.810; The Courier Journal and Louisville Times Company and Keith Runyon v. University of Louisville Board of Trustees, et. al, 596 S.W. 2d 374 (1979)

[2]KRS 160.190

KRS 118.315; KRS 118.365; KRS 160.180

OAG 81-316

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RELATED POLICY:

01.2

LEGAL: HB 227 AMENDS KRS 160.280 INCREASING, AS OF JULY 1, 2019, THE PER DIEM AMOUNT AND INCREASING THE "CAPS" ON THE PER DIEM AND IN-DISTRICT EXPENSES A BOARD MEMBER MAY RECEIVE. AS BEFORE, STATUTE REQUIRES THE BOARD TO AUTHORIZE THE PER DIEM. BOARD MEMBERS INDIVIDUALLY MAY ELECT TO WAIVE THE PER DIEM. CONTACT YOUR POLICY CONSULTANT FOR A SAMPLE WAIVER FORM 01.821 AP.2.
FINANCIAL IMPLICATIONS: INCREASED PER DIEMS

Board Member Expense Reimbursement

PER DIEM

Board members shall receive a per diem of one-hundred-fifty dollars ($150) for each day a regular or special Board meeting is attended or for each day a training session required by law is attended, not to exceed $6,000 per calendar year per member.

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IN-DISTRICT EXPENSES

Members shall be reimbursed for actual and necessary expenses incurred within the District while attending to Board business, not to exceed $6,000 per calendar year per member.

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Actual mileage shall be reimbursed at the same rate as that for employees of the District.

Meals incurred inside the District shall not be reimbursed, except for banquets that members attend representing the District.

DEDUCTIONS

At the request of a Board member, deductions from per diem and expense reimbursement may be made for, but not be limited to, membership dues that provide a reasonable business benefit, health insurance purchases, scholarship funds, and contributions to a political action committee.

OUT-OF-DISTRICT TRAVEL

Members of the Board shall be reimbursed for actual and necessary expenditures incurred outside the District. Board members shall obtain Board approval prior to incurring out-of-district expenses. Reimbursement shall be at the same rates and allowable time frames as that for employees of the District and be documented by receipts. Advancements for anticipated expenses shall not be made.

The District shall pay conference fees for board members. Board members must pay associated conference expenses such as hotel, meal, or other related expenses and then seek reimbursement upon completion of the conference. Reimbursement of conference expenses shall only occur if:

a. The board member attended at least eighty percent (80%) of available sessions.
b. The board member attended at least one (1) mandatory session daily to receive the per diem. (sessions will be based on state training requirements).

Expenses for personal entertainment shall not be reimbursed.

Expenses not in compliance with this policy shall not be reimbursed or paid by the Board.

CREDIT CARDS

Board members shall not be issued District credit cards.

SPOUSE'S TRAVEL

All travel expenses of spouses shall be paid by the Board member at the time the expense is incurred. There shall be no reimbursement of such expenditures.

Board Member Expense Reimbursement

REFERENCES:

KRS 160.280; KRS 161.158
OAG 76-329; OAG 80-395; OAG 85-53; OAG 92-136

RELATED POLICIES:

01.4; 03.125; 03.225

LEGAL: SB 1 DEFINES SCHOOL RESOURCE OFFICERS (SROS) AND MANDATES THAT SUCH OFFICERS MUST COMPLETE FORTY (40) HOURS OF ANNUAL IN-SERVICE TRAINING. THIS POLICY IS FOR DISTRICTS THAT CONTRACT WITH A LAW ENFORCEMENT AGENCY TO PROVIDE SROS.
FINANCIAL IMPLICATIONS: COST OF SALARY, BENEFITS AND INSURANCE; DAILY COMPENSATION WHILE SRO ATTENDS TRAINING

ADMINISTRATION 02.31

School Resource Officers (SROs)

DEFINITION

"School resource officer" or "SRO" means an officer who has specialized training to work with youth at a school site and is:

(a) 1. A sworn law enforcement officer; or

2. A special law enforcement officer appointed pursuant to KRS 61.902; and

(b) Employed:

1. Through a contract between a local law enforcement agency and a school district;

2. Through a contract as secondary employment for an officer, as defined in KRS 16.010, between the Department of Kentucky State Police and a school district; or

3. Directly by a local Board of Education.[1]

TRAINING REQUIREMENTS

Effective January 1, 2020, all School Resource Officers (SROs) shall successfully complete forty (40) hours of annual in-service training that has been certified or recognized by the Kentucky Law Enforcement Council for SROs. Any SRO who fails to successfully complete training requirements within the specified time periods, including approved extensions, shall lose his/her SRO certification and shall no longer work in a school.

SUPERINTENDENT TO REPORT

No later than November 1 of each year, the Superintendent shall report to the Center for School Safety the number and placement of SROs in the District. The report shall include the source of funding and method of employment for each position.

References:

[1]KRS 158.441
KRS 61.902
New Section of KRS 441

RELATED POLICY:

09.4361

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LEGAL: SB 15 AMENDS KRS 160.380 TO CLARIFY THAT A NEWLY ELECTED SCHOOL COUNCIL PARENT MEMBER WHO IS TO PROVIDE A LETTER (CA/N CHECK) FROM THE CABINET FOR HEALTH AND FAMILY SERVICES MAY SERVE PENDING RECEIPT OF A CLEAR CHECK.
FINANCIAL IMPLICATIONS: POSSIBLE COST OF REPRINTING SBDM ELECTION FORMS

ADMINISTRATION 02.421

Election of School Council Members

ELECTION OF TEACHER MEMBERS

Teachers may nominate themselves or another teacher. A written ballot containing the names of all 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 members. 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.

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 clear CA/N check. A parent member may serve prior to the receipt of the criminal history background check and CA/N check, but shall be removed from the council on receipt by the District of a report documenting a record of abuse or neglect, or a sex crime or criminal offense against a victim who is a minor as defined in KRS 17.500 or as a violent offender as defined in KRS 17.165 and no further procedures shall be required.

Link to DPP-156 Central Registry Check and more information on the required CA/N check:

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

Deleted: 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.

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Election of School Council Members

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. Following the election of a minority parent, the Principal shall call a meeting of all teachers in the building within seven (7) days following the initial election of parent and teacher council members. The teachers shall select one (1) minority teacher to serve as a teacher member on the council.
3. If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. Procedures for election of the teacher representative shall be the same as the procedures for election of the other three (3) teacher members of the council.

TERMS

Terms of school council members shall be for one (1) year and shall begin on July 1 and end on June 30 of the following year. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. Term limitations shall not apply for a minority teacher member who is the only minority on faculty. Annual elections for the following year's terms should be held between March 1 and March 31 on a date set by the council.

COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS

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

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

CONFLICT OF INTEREST

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

REMOVAL OF COUNCIL MEMBERS

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

Election of School Council Members

VACANCIES

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

REFERENCES:

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

LEGAL: REVISIONS TO 701 KAR 5:140 AFFECT THE PROCESS FOR A SCHOOL TO BE INCLUDED IN THE DISTRICT OF INNOVATION APPLICATION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION 02.4241

School Council Policies (SBDM)

ADOPTION OF POLICY

The school council shall adopt policy to be implemented by the Principal in each of the following areas of responsibility:

1. Determination of curriculum including needs assessment and curriculum development;

   Such policies shall determine the writing program for the school, consistent with KRS 158.6453, to be submitted to the Kentucky Department of Education for review and comment.

2. Assignment of all instructional and non-instructional staff time;

3. Assignment of students to classes and programs within the school;

   - Placement of students from the household of an active duty service member or civilian military employee transferring into the District before or during the school year shall be based initially on enrollment in courses offered at the sending school and/or educational assessments conducted at that school. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advance Placement, Cambridge Advanced International, vocational, technical, and career pathways courses. Initial placement does not preclude the District/school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of students in the course(s).
   - Each secondary school-based decision making council shall establish a policy on the recruitment and assignment of students to Advanced Placement (AP), International Baccalaureate (IB), Cambridge Advanced International, dual enrollment, and dual credit courses that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum.

4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar, and transportation requirements established by the Board;

5. Determination of the use of school space during the school day related to improving classroom teaching and learning;

6. Planning and resolution of issues regarding instructional practices;

7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and Principal;

   As reflected in the District Code of Acceptable Behavior and Discipline, loss of physical activity periods shall not be used as a disciplinary consequence.

8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;

   The school shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

School Council Policies (SBDM)

ADOPTION OF POLICY (CONTINUED)

9. Adoption of a school emergency plan and implementation of safety practices required by KRS 158.162;
10. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;
11. Commitment to a parent involvement process that provides for:
    a. Establishing an open, parent-friendly environment;
    b. Increasing parental participation;
    c. Improving two-way communication between school and home, including what their child will be expected to learn; and
    d. Developing parental outreach programs.
12. Procedures to assist the council with consultation in the selection of personnel by the Principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.
13. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)

    The Superintendent/designee shall provide assistance in identifying strategies and options to promote daily moderate to vigorous physical activity for students, which may include those that increase strength and flexibility, speed heart rate and breathing and stress activities such as stretching, walking, running, jumping rope, dancing, and competitive endeavors that involve all students.

As an alternative to adopting separate policies, school councils may adopt Board policy or standards established by the Board as council policy in the above areas, or they may delegate responsibility for developing a policy to the Principal.

OTHER POLICIES

Councils may adopt policies for areas other than those listed above to provide an environment that enhances student achievement and to help the school meet goals established by law and by the Board, provided the policies adopted are consistent with Board policies in those areas.

School Council Policies (SBDM)

REVIEW OF POLICIES (CONTINUED)

Before final adoption of a council policy, it shall be reviewed by the Superintendent who may request that the proposed policy be reviewed by the Board Attorney. Any concerns shall be shared with the council within ten (10) working days of the Superintendent's receipt of the draft policy. If there are concerns, the Superintendent shall provide a copy of the council policy to the Board for review, along with any concerns s/he and the Board Attorney may have noted, such as possible conflicts with state and federal laws or contractual obligations, liability and/or health and safety questions, and budgetary issues.

The review process is not intended to interfere with a council's authority to adopt and implement legally and operationally permissible policies. Therefore, it is the Board's intent that information resulting from the review process be shared with the council in a timely manner.

COMPLIANCE WITH BOARD POLICY

In the development and application of school policies as permitted by statute, schools operating under SBDM shall comply with those policies that fall within the authority of the Board, including but not limited to those prohibiting discrimination based on age, race, sex, color, religion, national origin, political affiliation, or disability.

WAIVER OF STATE REGULATIONS

School councils who decide to request 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 shall submit the supporting information to the Superintendent as required by law. The Superintendent shall then forward the request to the Kentucky Board of Education.

SCHOOLS OF INNOVATION

In a designated School of Innovation participating in a District of Innovation application and plan, the council may request a waiver from KRS 160.345 or specific provisions within that statute by conducting a vote as set out in KRS 160.107.

The school council shall vote and be responsible for conducting a vote to determine if the school shall be an applicant as a School of Innovation in the District's application for District of Innovation status and to approve the school's plan of innovation before it is submitted to the District. The vote shall be taken by secret ballot among eligible employees as defined in KRS 160.107. At least seventy percent (70%) of those casting votes in the affirmative shall be required before the school requests to be included in the District's plan and to approve the school's plan of innovation.

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REFERENCES:

KRS 156.072; KRS 156.108; KRS 156.160; KRS 156.730; KRS 156.735
KRS 158.162**;** KRS 158.197; KRS 158.645; KRS 158.6451; KRS 158.6453
KRS 160.107; KRS 160.345; KRS 160.348
OAG 93-55; OAG 94-29; 701 KAR 5:140; 702 KAR 7:140; 704 KAR 3:510
Board of Educ. of Boone County v. Bushee, Ky., 889 S.W. 2d 809 (1994)
U. S. Dept. of Agriculture's *Dietary Guidelines for Americans*

School Council Policies (SBDM)

RELATED POLICIES:

01.11; 02.422; 02.4231; 03.112; 08.1
09.126 (re requirements/exceptions for students from military families)

LEGAL: SB 15 AMENDS KRS 160.380 TO CLARIFY EMPLOYMENT RECORDS CHECK REQUIREMENTS. SB 15 ALSO REMOVES THE EXCEPTION ON HIRING A RELATIVE OF A BOARD MEMBER WHO WAS AN EMPLOYEE OF THE DISTRICT AS OF JULY 13, 1990.
FINANCIAL IMPLICATIONS: COST OF REPRINTING APPLICATIONS

- CERTIFIED PERSONNEL -

Hiring

SUPERINTENDENT'S RESPONSIBILITIES

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

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

When a vacancy needs to be filled in less than fifteen (15) days to prevent disruption of necessary instructional or support services of the school District, the Superintendent may seek a waiver of the fifteen (15)-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. Specific qualifications for each position shall be included in the job description/employment packet.

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

All teachers shall meet applicable certification or licensure requirements as defined by state and federal regulation.[4]

CRIMINAL BACKGROUND CHECK AND TESTING

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

Each application or renewal form provided to applicants for a certified 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 A LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT HAS 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."

Initial 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. 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.

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.

Link to DPP-156 Central Registry Check and more information on the required CA/N check:
http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx

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

REPORT TO SUPERINTENDENT

An employee shall report to the Superintendent if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal.

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.

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Hiring

REVIEW OF APPLICATIONS

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

RELATIONSHIPS

The Superintendent shall not employ a relative of a member of the Board.

Deleted: 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 annual written contracts with the District.

JOB DESCRIPTION

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

INTENT

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

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

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

Certified employees assigned extra duties such as coaching shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.

EMPLOYEES SEEKING A JOB CHANGE

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

Hiring

REFERENCES:

[1]KRS 160.380
[2]KRS 161.605; 702 KAR 1:150
[3]P. L. 114-95, (Every Student Succeeds Act of 2015)
20 U.S.C. § 7926; 42 U.S.C. § 9843a(g); 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 18-017; 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

Deleted: 34 C.F.R. 200.55-200.56;

RELATED POLICIES:

01.11; 02.4244; 03.132

LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING PROTECTIONS COVERING PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO STATE EMPLOYMENT DISCRIMINATION LAW.
FINANCIAL IMPLICATIONS: POTENTIAL COST OF PROVIDING NOTICE AND ACCOMMODATIONS

PERSONNEL 03.113

- CERTIFIED PERSONNEL -

Equal Employment Opportunity

NONDISCRIMINATION

The Superintendent shall adhere to a policy of equal employment opportunity in all personnel matters. No person shall be subjected to discrimination in regard to employment, retention, promotion, demotion, transfer or dismissal because of race, color, religion, sex, genetic information, national or ethnic origin, political affiliation, age, disabling condition, or limitations related to pregnancy, childbirth, or related medical conditions.[1]

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INDIVIDUALS WITH DISABILITIES

No qualified person with a disability, as defined by law, shall, on the basis of the disability, be subject to discrimination in employment.[2]

District employment practices shall be in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

No human immunodeficiency virus (HIV) related test shall be required as a condition of hiring, promotion, or continued employment, unless the absence of HIV infection is a bona fide occupational qualification for the job in question as defined in KRS 207.135.

REASONABLE ACCOMMODATION

Employees who have a long-term or permanent disability may request the District supervisor to provide reasonable accommodations necessary for them to perform the essential duties of the position. Medical information obtained as part of an employee request shall be confidential.[3]

If assistive technology is deemed necessary for an employee, every effort will be made to obtain that technology in a timely fashion.

The District shall engage in a timely, good faith and interactive process to determine reasonable accommodations for an employee's limitations related to pregnancy, childbirth, or related medical conditions. Reasonable accommodation shall be provided as required by law.

ADVISING EMPLOYEES

The Superintendent shall inform all school employees of the provisions of this policy.[1]

Equal Employment Opportunity

REFERENCES:

[1]KRS 161.164; KRS Chapter 344; 42 U.S.C. 2000e, Civil Rights Act of 1964, Title VII
[2]29 U.S.C.A. 794
[3]29 U.S.C. section 1630.14
KRS 207.135
34 C.F.R. 104.3 - 104.14
42 C.F.R. 2000e-2; 42 C.F.R. 2000(k)
Americans with Disabilities Act
Kentucky Education Technology System (KETS)
Section 504 of the Rehabilitation Act of 1973
Title IX of the Education Amendments of 1972
Genetic Information Nondiscrimination Act of 2008

RELATED POLICIES:

03.133, 05.11

Deleted: 42 U.S.C. 200e, Civil Rights Act of 1964, Title VII, KRS Chapter 344¶

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LEGAL: SB 8 AMENDS KRS 161.770 BY STATING SPECIFIC REQUIREMENTS FOR BOARDS OF EDUCATION IN THEIR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT, AND ANY OTHER FEDERAL LAW.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

- CERTIFIED PERSONNEL -

Leaves and Absences

APPROVAL

Authorization of leave and time taken off from one's job shall be in accordance with specific leave policy. Absence from work that is not based on appropriate leave for which the employee is qualified may lead to disciplinary consequences, up to and including termination of employment.

NOTIFICATION

Employees on leave covered by the related policies listed below shall notify the Superintendent in writing by April 1 of the year the leave terminates of the date of their intent to return to the school system. Employees who fail to notify the Superintendent of their return by April 1 cannot be guaranteed employment for the following school year. If an employee on leave has not contacted the Superintendent by April 1, the Superintendent is authorized to fill the position for the following school year. Where an employee in the final year of leave fails to contact the Superintendent by April 1, to either request an extension of leave or to provide a date of return, the Superintendent may determine whether personnel action is required.

LEAVE FOLLOWING ASSAULT

The District shall provide leave with pay for employees assaulted while performing their assigned duties when the assault results in injuries that qualify the employee for workers' compensation benefits. The period of leave shall not exceed one (1) calendar year following the assault. During that period, the employee shall not experience loss of income or benefits, including sick leave, under terms and conditions set forth in KRS 161.155.

PLACEMENT UPON RETURN

Employees taking any long term 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.

FMLA

Eligible employees may apply for leave under the provisions of the Family and Medical Leave Act of 1993.

REQUEST FOR MEDICAL INFORMATION

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

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REFERENCES:

KRS 161.155; KRS 161.770
OAG 01-9
Family and Medical Leave Act of 1993

RELATED POLICIES:

03.1232, 03.12322, 03.1233, 03.1234, 03.1235, 03.124, 03.17

LEGAL: SB 8 AMENDS KRS 161.770 BY STATING SPECIFIC REQUIREMENTS FOR BOARDS OF EDUCATION IN THEIR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT, AND ANY OTHER FEDERAL LAW.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

- CERTIFIED PERSONNEL -

Maternity Leave

PAID SICK LEAVE

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232.

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement.

UNPAID MATERNITY LEAVE (KRS 161.770)

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed the remainder of the school year in which the birth or placement occurred. Thereafter, leave may be extended in increments of no more than one (1) year.

Employees on maternity leave 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. 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.

Employees taking a maternity 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.

FMLA

In compliance with the Family and Medical Leave Act of 1993, leave shall be granted in accordance with Board Policy 03.12322.

REQUEST FOR MEDICAL INFORMATION

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

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REFERENCES:

KRS 161.155; KRS 161.770
OAG 80-151; OAG 84-43; OAG 86-66
Family and Medical Leave Act of 1993

RELATED POLICIES:

03.123; 03.1232; 03.12322

LEGAL: SB 8 AMENDS KRS 161.770 BY STATING SPECIFIC REQUIREMENTS FOR BOARDS OF EDUCATION IN THEIR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT, AND ANY OTHER FEDERAL LAW.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL 03.1234

- CERTIFIED PERSONNEL -

Extended Disability Leave

This policy shall be applied in a manner consistent with policy 03.113 and the Americans with Disabilities Act (ADA), when those provisions are applicable.

FMLA

In compliance with the Family and Medical Leave Act of 1993, medical leave shall be granted in accordance with Board Policy 03.12322.

NOTIFICATION UNPAID LEAVE

Unpaid disability leave shall be granted by the Board, upon written request, for the remainder of the school year. Thereafter, leave may be extended by the Board in increments of no more than one (1) year. Employees on extended disability leave 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. 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.

VERIFICATION

The Superintendent may require the employee to secure a licensed physician's verification of disability.

REQUEST FOR MEDICAL INFORMATION

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

PLACEMENT UPON RETURN

Employees taking disability 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.

INVOLUNTARY DISABILITY LEAVE

When, in the opinion of the Board, there is evidence that a teacher or the Superintendent is no longer able to perform satisfactorily the assigned duties, the Board may require the employee to provide evidence of ability to perform the essential functions of the position in the form of an examination and report by a physician of the Board's choosing. The Board shall bear the cost of this examination.

The Board may suspend the employee temporarily pending the physician's examination and may grant an involuntary leave of absence and renewals thereof following the physician's examination.

The employee shall have the right to a hearing on such involuntary leave and its renewal or extension in accordance with the provisions for hearing and appeal in KRS 161.790.

RETIREMENT DISABILITY

Retirement disability shall be handled in accordance with KRS 161.662.

Extended Disability Leave

REFERENCES:

KRS 161.662; KRS 161.770; KRS 161.790
OAG 65-560; OAG 80-151; OAG 84-43
Consolidated Omnibus Budget Reconciliation Act
Family & Medical Leave Act of 1993; Americans with Disabilities Act

RELATED POLICIES:

03.111; 03.113; 03.123; 03.12322; 03.173

LEGAL: HB 11 REQUIRES ALL LOCAL BOARDS, ON OR BEFORE JULY 1, 2020, TO ADOPT AND IMPLEMENT POLICIES THAT PROHIBIT THE USE OF ANY TOBACCO PRODUCT, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT FOR ALL PERSONS AND AT ALL TIMES ON OR IN ALL PROPERTY OF THE BOARD, AND WHEN STUDENTS ARE PRESENT IN ANY SCHOOL-RELATED TRIP OR STUDENT ACTIVITY. THE POLICIES MUST ALSO PROVIDE FOR ADEQUATE NOTICE TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, AND THE PUBLIC. IN ADDITION, THE POLICIES MUST REQUIRE SIGNAGE ON OR IN ALL PROPERTY INCLUDING ANY VEHICLE OWNED, OPERATED, LEASED, OR CONTRACTED FOR USE BY A LOCAL BOARD. SUCH SIGNAGE SHALL CLEARLY STATE THAT THE USE OF SUCH PRODUCTS IS PROHIBITED AT ALL TIMES AND BY ALL PERSONS ON OR IN THE PROPERTY. SCHOOL EMPLOYEES ARE REQUIRED TO ENFORCE THE POLICIES. NOTE THAT DISTRICTS HAVE THE OPTION TO OPT OUT OF THESE PROVISIONS WITHIN THREE (3) YEARS OF JUNE 27, 2019.
FINANCIAL IMPLICATIONS: COST OF SIGNAGE

- CERTIFIED PERSONNEL -

Use of Tobacco, Alternative Nicotine, or Vapor Products

USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.[1]

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. A person in violation of this policy shall be subject to discipline or penalties as set forth by the Board.

REFERENCES:

[1]New Section of KRS 438
KRS 160.290; KRS 160.340
KRS 438.050; KRS 438.305
OAG 81-295
OAG 91-137
P .L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.2327; 05.31; 06.221; 09.4232; 10.5

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Deleted: Employee use of any tobacco product, alternative nicotine product, or vapor product is prohibited at all times in or on any property owned or operated by the Board. In addition, use of tobacco in any form shall not be permitted in outdoor facilities owned or operated by the Board, inside Board owned vehicles, or during any District or school-sponsored activities, including sporting events.¶
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LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO CATEGORIES INCLUDED IN STATE LAW REGARDING DISCRIMINATION, NOTICE REQUIREMENT, AND ACCOMMODATIONS.
FINANCIAL IMPLICATIONS: POTENTIAL COST IN PROVIDING NOTICE OR ACCOMMODATIONS

- CERTIFIED PERSONNEL -

Duties

All employees are expected to use sound judgment in the performance of their duties and to take reasonable measures to protect the health, safety, and well-being of others, as well as District property.

JOB DESCRIPTION

Prior to the authorization of any personnel position in the District budget, the Superintendent, collaborating with other District authorities with personnel assignment responsibilities, shall develop, for Board approval, a job description which establishes all essential functions of the position. The description shall encompass supervision responsibilities, completion of records and reports, and achievement of professional goals identified to enhance student achievement and help the school and/or District meet goals established by statute and/or Board policy. Certified personnel shall also be held responsible for cooperation with students, professional associates, parents, staff, and community groups.

INVESTIGATIONS

All employees shall cooperate fully with all investigations conducted by the District as authorized by policy or law. Failure to comply may be considered insubordination.

ACCOMMODATION

Reasonable accommodation shall be provided each qualifying employee with a disability or limitations related to pregnancy, childbirth, or related medical conditions to comply with the requirements of law and regulation.[1]

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REFERENCES:

[1]Americans With Disabilities Act (ADA); KRS Chapter 344
P. L. 101-336
Rehabilitation Act of 1973; P. L. 93-112 Sec. 504
KRS 158.645; KRS 158.6451
16 KAR 1:020 (Code of Ethics); OAG 91-10; OAG 92-1

RELATED POLICY:

03.113

LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO CATEGORIES INCLUDED IN STATE LAW REGARDING DISCRIMINATION, NOTICE REQUIREMENT, AND ACCOMMODATIONS.
FINANCIAL IMPLICATIONS: POTENTIAL COST IN PROVIDING NOTICE OR ACCOMMODATIONS

PERSONNEL 03.162

- CERTIFIED PERSONNEL -

Harassment/Discrimination

DEFINITION

Harassment/Discrimination of employees is unlawful behavior based on the race, color, national origin, age, religion, sex, genetic information, disability, or limitations related to pregnancy, childbirth, or related medical conditions of an employee involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation, or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred or prejudice.

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PROHIBITION

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

DISCIPLINARY ACTION

Employees who engage in harassment/discrimination of another employee or a student on the basis of any of the areas mentioned above shall be subject to disciplinary action including, but not limited to, termination of employment.

GUIDELINES

Employees who believe they or any other employee, student, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.[1]

Harassment/Discrimination

GUIDELINES (CONTINUED)

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) working days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.
2. The Superintendent/designee may take interim measures to protect complainants during the investigation.
3. A process to identify and implement, within five (5) working days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
4. A process to be developed and implemented to communicate requirements of this policy to all staff, which may include, but not be limited to, the following:
   - written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets;
   - postings in the same location as are documents that must be posted according to state/federal law; and/or
   - such other measures as determined by the Superintendent/designee.

   Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy.
5. Annual training explaining prohibited behaviors and the necessity for prompt reporting of alleged harassment/discrimination; and
6. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

PROHIBITED CONDUCT

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;

Harassment/Discrimination

GUIDELINES (CONTINUED)

5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve individuals with disabilities in antisocial, dangerous or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

CONFIDENTIALITY

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of all parties involved.

APPEAL

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the Superintendent.

If a supervisory staff member is an alleged party in the harassment/discrimination complaint, provision shall be made for addressing the complaint to a higher level of authority.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy or to take corrective action shall be cause for disciplinary action.

RETALIATION PROHIBITED

No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 03.113, 03.1325 and/or 09.422.

Harassment/Discrimination

REFERENCES:

[1]KRS 158.156; KRS Chapter 344; 42 USC 2000e, Civil Rights Act of 1964, Title VII,
29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC) Regulations Implementing Title VII
20 U.S.C. 1681, Education Amendments of 1972, Title IX
34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Regulations Implementing Title IX
Genetic Information Nondiscrimination Act of 2008
Age Discrimination Act, 42 U.S.C. 6101-6107; 34 C.F.R. 110.25

RELATED POLICIES:

03.113; 03.1325; 03.16; 09.2211; 09.422; 09.42811

Deleted: 42 USC 2000e, Civil Rights Act of 1964, Title VII, KRS Chapter 344¶

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LEGAL: SB 1 AMENDS KRS 156.095 TO REQUIRE TRAINING FOR HOW TO RESPOND TO AN ACTIVE SHOOTER SITUATION FOR ALL SCHOOL DISTRICT EMPLOYEES WITH JOB DUTIES REQUIRING DIRECT CONTACT WITH STUDENTS.
FINANCIAL IMPLICATIONS: COST OF TRAINING

PERSONNEL 03.19

- CERTIFIED PERSONNEL -

Professional Development

PROGRAM TO BE PROVIDED

The Board shall provide a high quality, personalized, and evidence based professional development (PD) program that meets the goals established in KRS 158.6451, the Every Student Succeeds Act (ESSA), and in the local needs assessment. At the direction of the Superintendent or designee and in conjunction with each school, the PD coordinator shall facilitate the development and implementation of this program for all certified employees. Programs may also include classified staff and parent members of school councils and committees.

The PD program for the District and each school shall be incorporated into the Comprehensive School/District Improvement Plan. Prior to the implementation of the program, the school PD plan shall be made public, and the District PD plan shall be posted to the District web site.

The program shall be based on a Board-approved PD plan for the District, which is designed;

1. to help achieve student capacities established by KRS 158.645 and goals established by KRS 158.6451;
2. to support the District's mission, goals and assessed needs; and
3. to increase teachers' understanding of curriculum content and methods of instruction appropriate for each content area based on individual school plans.

The PD plan shall reflect individual needs of schools and be aligned with the Comprehensive School/District Improvement Plan, ESSA requirements, and teacher growth plans..

ACTIVE SHOOTER SITUATIONS

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By November 1, annually, a minimum of one (1) hour of training on how to respond to an active shooter situation shall be required for all District employees with job duties requiring direct contact with students. The training shall be provided either in person, by live streaming, or via a video recording prepared by the Kentucky Department of Education in collaboration with the Kentucky Law Enforcement Council and the Center for School Safety and may be included in the four (4) days of professional development under KRS 158.070. When a staff member subject to the training requirements of this subsection is initially hired after the training has been provided for the school year, the District shall provide materials on how to respond to an active shooter situation.

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SCHOOL RESPONSIBILITIES

Each school shall plan professional development with the PD coordinator and, when appropriate, with other schools to maximize training opportunities. In addition, each school's PD plan shall be submitted to the Board for review and comment.

Professional Development

DOCUMENTATION

The school/District PD plan shall include the method for evaluating impact on student learning and using evaluation results to improve professional learning.

Documentation of completed professional development, including a written evaluation, shall be required. Unless an employee is granted leave under an appropriate Board policy, failure to complete and document the required hours of professional development during the academic year shall result in a reduction in salary and may be reflected in the employee's evaluation.

REFERENCES:

KRS 156.095; KRS 156.553
KRS 158.070; KRS 158.645; KRS 158.6451; KRS 160.345
704 KAR 3:035; 704 KAR 3:325
P. L. 114-95 (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.1911; 09.22

LEGAL: SB 15 AMENDS KRS 160.380 TO CLARIFY EMPLOYMENT RECORDS CHECK REQUIREMENTS. SB 15 ALSO REMOVES THE EXCEPTION ON HIRING A RELATIVE OF A BOARD MEMBER WHO WAS AN EMPLOYEE OF THE DISTRICT AS OF JULY 13, 1990.
FINANCIAL IMPLICATIONS: COST OF REPRINTING APPLICATIONS

- CLASSIFIED PERSONNEL -

Hiring

SUPERINTENDENT'S RESPONSIBILITIES

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

EFFECTIVE DATE

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

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 to applicants for a classified position shall conspicuously state the following:

"FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND A LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT HAS 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."

Initial 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. 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.

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.

Link to DPP-156 Central Registry Check and more information on the required CA/N check:
http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx

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

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Hiring

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]

PARAPROFESSIONALS/PARAEDUCATORS

All paraprofessionals shall satisfy educational requirements specified by federal law.[4] The Board shall require all paraeducators/paraprofessionals who are currently employed in a Title I school, as well as all newly hired paraeducators/paraprofessionals with instructional duties, to successfully complete a written assessment in Accordance with No Child Left Behind requirements.

RECRUITMENT

The Superintendent may delegate to the appropriate administrative personnel the responsibility for the recruitment of personnel to fill all existing vacancies. The Superintendent shall, however, retain final authority to employ personnel.

CREDENTIALS

No candidate for a classified position shall begin employment until all required credentials have been filed with the District.

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.

REVIEW OF APPLICATIONS

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

Hiring

RELATIONSHIPS

The Superintendent shall not employ a relative of a member of the Board.

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

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

A relative of the Superintendent shall not be employed except as provided by KRS 160.380.[1]

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

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

Classified employees assigned extra duties such as coaching shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.

EMPLOYEES SEEKING A JOB CHANGE

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

Deleted: unless the relative was initially employed by the District prior to the tenure of the Board member and the member was seated on the Board prior to July 13, 1990

Hiring

REFERENCES:

[1]KRS 160.380
[2]702 KAR 5:080
[3]KRS 161.011
[4]P. 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; 45 C.F.R. § 1302.90
KRS 17.160; KRS 17.165; KRS 156.070
KRS 160.345; KRS 160.390; KRS 335B.020; KRS 405.435
OAG 18-017; OAG 91-10; OAG 91-149; OAG 91-206
OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6
Kentucky Local District Classification Plan; 13 KAR 3:030; 702 KAR 3:320
Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

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LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING PROTECTIONS COVERING PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO STATE EMPLOYMENT DISCRIMINATION LAW.
FINANCIAL IMPLICATIONS: POTENTIAL COST OF PROVIDING NOTICE AND ACCOMMODATIONS

- CLASSIFIED PERSONNEL -

Equal Employment Opportunity

NONDISCRIMINATION

The Superintendent shall adhere to a policy of equal employment opportunity in all personnel matters. No person shall be subjected to discrimination in regard to employment, retention, promotion, demotion, transfer or dismissal because of race, color, religion, sex, genetic information, national or ethnic origin, political affiliation, age, disabling condition, or limitations related to pregnancy, childbirth, or related medical conditions.[1]

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INDIVIDUALS WITH DISABILITIES

No qualified person with a disability, as defined by law, shall, on the basis of the disability, be subject to discrimination in employment.[2]

District employment practices shall be in accordance with the Board-approved procedures addressing requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

No human immunodeficiency virus (HIV) related test shall be required as a condition of hiring, promotion, or continued employment, unless the absence of HIV infection is a bona fide occupation qualification for the job in question as defined in KRS 207.135.

REASONABLE ACCOMMODATION

Employees who have a long-term or permanent disability may request the District supervisor to provide reasonable accommodations necessary for them to perform the essential duties of the position. If assistive technology is deemed necessary for an employee, every effort will be made to obtain that technology in a timely fashion. Medical information obtained as part of an employee request shall be confidential.[3]

The District shall engage in a timely, good faith and interactive process to determine reasonable accommodations for an employee's limitations related to pregnancy, childbirth, or related medical conditions. Reasonable accommodation shall be provided as required by law.

ADVISING EMPLOYEES

The Superintendent shall inform all school employees of the provisions of this policy.[1]

Equal Employment Opportunity

REFERENCES:

[1]KRS 161.164; KRS Chapter 344; 42 U.S.C. 2000e, Civil Rights Act of 1964, Title VII
[2]29 U.S.C.A. 794
[3]29 U.S.C. section 1630.14
KRS 207.135
34 C.F.R. 104.3 - 104.14
Americans with Disabilities Act
Kentucky Education Technology System (KETS)
Section 504 of the Rehabilitation Act of 1973
Title IX of the Education Amendments of 1972
Genetic Information Nondiscrimination Act of 2008

RELATED POLICIES:

03.233, 05.11

Deleted: 42 U.S.C. 200e, Civil Rights Act of 1964, Title VII, KRS Chapter 344¶

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LEGAL: HB 11 REQUIRES ALL LOCAL BOARDS, ON OR BEFORE JULY 1, 2020, TO ADOPT AND IMPLEMENT POLICIES THAT PROHIBIT THE USE OF ANY TOBACCO PRODUCT, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT FOR ALL PERSONS AND AT ALL TIMES ON OR IN ALL PROPERTY OF THE BOARD, AND WHEN STUDENTS ARE PRESENT IN ANY SCHOOL-RELATED TRIP OR STUDENT ACTIVITY. THE POLICIES MUST ALSO PROVIDE FOR ADEQUATE NOTICE TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, AND THE PUBLIC. IN ADDITION, THE POLICIES MUST REQUIRE SIGNAGE ON OR IN ALL PROPERTY INCLUDING ANY VEHICLE OWNED, OPERATED, LEASED, OR CONTRACTED FOR USE BY A LOCAL BOARD. SUCH SIGNAGE SHALL CLEARLY STATE THAT THE USE OF SUCH PRODUCTS IS PROHIBITED AT ALL TIMES AND BY ALL PERSONS ON OR IN THE PROPERTY. SCHOOL EMPLOYEES ARE REQUIRED TO ENFORCE THE POLICIES. NOTE THAT DISTRICTS HAVE THE OPTION TO OPT OUT OF THESE PROVISIONS WITHIN THREE (3) YEARS OF JUNE 27, 2019.
FINANCIAL IMPLICATIONS: COST OF SIGNAGE

- CLASSIFIED PERSONNEL -

Use of Tobacco, Alternative Nicotine, or Vapor Products

USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.[1]

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. A person in violation of this policy shall be subject to discipline or penalties as set forth by the Board.

REFERENCES:

[1]New Section of KRS 438
KRS 160.290; KRS 160.340
KRS 438.050; KRS 438.305
OAG 81-295; OAG 91-137
P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.1327; 05.31; 06.221; 09.4232; 10.5

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Deleted: Employee use of any tobacco product, alternative nicotine product, or vapor product is prohibited at all times in or on any property owned or operated by the Board. In addition, use of tobacco in any form shall not be permitted in outdoor facilities owned or operated by the Board, inside Board owned vehicles, or during any District or school sponsored activities, including sporting events.¶

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LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO CATEGORIES INCLUDED IN STATE LAW REGARDING DISCRIMINATION, NOTICE REQUIREMENT, AND ACCOMMODATIONS.
FINANCIAL IMPLICATIONS: POTENTIAL COST IN PROVIDING NOTICE OR ACCOMMODATIONS

- CLASSIFIED PERSONNEL -

Duties

All employees are expected to use sound judgment in the performance of their duties and take reasonable measures to protect the health, safety, and well-being of others, as well as District property.

JOB DESCRIPTION

Prior to the authorization of any personnel position in the District budget, the Superintendent, collaborating with other District authorities with personnel assignment responsibilities, shall develop, for Board approval, job descriptions which establish all essential functions of each position. The description shall encompass job responsibilities, completion of records and reports, and achievement of goals identified to enhance student achievement and help the school and/or District meet goals established by statute and/or Board policy.

INVESTIGATIONS

All employees shall cooperate fully with all investigations conducted by the District as authorized by policy or law. Failure to comply may be considered insubordination.

ACCOMMODATION

Reasonable accommodation shall be provided each qualifying employee with a disability or limitations related to pregnancy, childbirth, or related medical conditions to comply with the requirements of law and regulation.[1]

REFERENCES:

[1]Americans With Disabilities Act (ADA); Rehabilitation Act of 1973; KRS Chapter 344
P. L. 93-12 Sec. 504; P. L. 101-336
KRS 158.645; KRS 158.6451
OAG 91-10

RELATED POLICY:

03.212

LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO CATEGORIES INCLUDED IN STATE LAW REGARDING DISCRIMINATION, NOTICE REQUIREMENT, AND ACCOMMODATIONS.
FINANCIAL IMPLICATIONS: POTENTIAL COST IN PROVIDING NOTICE OR ACCOMMODATIONS

- CLASSIFIED PERSONNEL -

Harassment/Discrimination

DEFINITION

Harassment/Discrimination of employees is unlawful behavior based on the race, color, national origin, age, religion, sex, genetic information, disability, or limitations related to pregnancy, childbirth, or related medical conditions of an employee involving intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred or prejudice.

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PROHIBITION

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

District staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

DISCIPLINARY ACTION

Employees who engage in harassment/discrimination of another employee or a student on the basis of any of the areas mentioned above shall be subject to disciplinary action including but not limited to termination of employment.

GUIDELINES

Employees who believe they or any other employee, student, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Superintendent. If an employee is not assigned to a particular school, a report of harassment/discrimination may be made to the employee's immediate supervisor or to the Superintendent. Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the District Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.[1]

Harassment/Discrimination

GUIDELINES (CONTINUED)

The Superintendent shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) working days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a District administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency;

   The Superintendent/designee may take interim measures to protect complainants during the investigation.

2. A process to identify and implement, within five (5) working days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.

3. A process to be developed and implemented to communicate requirements of this policy to all staff, which may include, but not be limited to the following:

   - written notice provided in publications such as handbooks, staff memoranda, and/or pamphlets:
   - postings in the same location as are documents that must be posted according to state/federal law; and/or
   - such other measures as determined by the Superintendent/designee.

   Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access the District's complete policy.

4. Annual training explaining prohibited behaviors and the necessity for prompt reporting of alleged harassment/discrimination; and

5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

PROHIBITED CONDUCT

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;
2. Unwanted touching, sexual advances, requests for sexual favors and spreading sexual rumors;
3. Instances involving sexual violence;

Harassment/Discrimination

PROHIBITED CONDUCT (CONTINUED)

4. Causing an employee to believe that he or she must submit to unwelcome sexual conduct in order to maintain employment or that a personnel decision will be based on whether or not the employee submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve individuals with disabilities in antisocial, dangerous or criminal activity where they, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

CONFIDENTIALITY

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of all parties involved.

APPEAL

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the Superintendent.

If a supervisory staff member is an alleged party in the harassment/discrimination complaint, provision shall be made for addressing the complaint to a higher level of authority.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, or to take corrective action shall be cause for disciplinary action.

RETALIATION PROHIBITED

No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 03.212, 03.2325 and/or 09.422.

Harassment/Discrimination

REFERENCES:

[1]KRS 158.156; KRS Chapter 344; 42 USC 2000e, Civil Rights Act of 1964, Title VII
29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC) Regulations Implementing Title VII
20 U.S.C. 1681, Education Amendments of 1972, Title IX
34 C.F.R. 106.1-106.71, U. S. Department of Education Office for Civil Rights Regulations Implementing Title IX
Genetic Information Nondiscrimination Act of 2008
Age Discrimination Act, 42 U.S.C. 6101-6107; 34 C.F.R. 110.25

RELATED POLICIES:

03.212; 03.2325; 03.26; 09.2211; 09.422; 09.42811

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LEGAL: SB 1 AMENDS KRS 156.095 TO REQUIRE TRAINING FOR HOW TO RESPOND TO AN ACTIVE SHOOTER SITUATION FOR ALL SCHOOL DISTRICT EMPLOYEES WITH JOB DUTIES REQUIRING DIRECT CONTACT WITH STUDENTS.
FINANCIAL IMPLICATIONS: COST OF TRAINING

PERSONNEL 03.29

- CLASSIFIED PERSONNEL -

Staff Development

The Superintendent shall develop and implement a program for continuing training for selected classified personnel.

The Superintendent may grant absence with pay to classified personnel to attend approved in-service workshops related to the employee's area of work. Requests must be channeled through and approved by the Principal or the Superintendent's designee.

The Superintendent shall determine the number of personnel who can attend meetings at one time.

ACTIVE SHOOTER SITUATIONS

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By November 1, annually, a minimum of one (1) hour of training on how to respond to an active shooter situation shall be required for all District employees with job duties requiring direct contact with students. The training shall be provided either in person, by live streaming, or via a video recording prepared by the Kentucky Department of Education in collaboration with the Kentucky Law Enforcement Council and the Center for School Safety and may be included in the four (4) days of professional development under KRS 158.070. When a staff member subject to the training requirements of this subsection is initially hired after the training has been provided for the school year, the District shall provide materials on how to respond to an active shooter situation.

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REIMBURSEMENT

Necessary expenses shall be reimbursed by the Board. All expenses in excess of $2.00 must be substantiated by a receipt.

DOCUMENTATION

A summary of the workshop shall be filed with the immediate supervisor.

REFERENCES:

KRS 156.095; KRS 158.070

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P. L. 114-95, (Every Student Succeeds Act of 2015)
34 C.F.R. 200.58

LEGAL: SB 15 AMENDS KRS 160.380 TO STATE THAT A SUPERINTENDENT MAY REQUIRE A STATE AND NATIONAL BACKGROUND CHECK AND CLEAR CA/N CHECK.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL 03.6

Volunteers

DEFINITION

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

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

SUPERVISION

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

Volunteers who assist in the District on a scheduled and/or continuing basis shall be provided with the same liability insurance coverage as a District employee and shall be provided with a written task description detailing responsibilities and expectations, as well as specific qualifications that may be required.

CRIMINAL RECORDS CHECK

The District shall conduct, at District expense, if applicable, a state criminal records check on all volunteers who have contact with students on a regularly scheduled and/or continuing basis, or who have supervisory responsibility for children at a school site or on school-sponsored trips.

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 to provide a clear CA/N check. 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.

Deleted: letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record

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.

Deleted: The Superintendent may also require such a volunteer to provide a letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record

Link to DPP-156 Central Registry Check and more information on the required CA/N check:

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

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TUBERCULOSIS RISK ASSESSMENT

All volunteers who have direct contact with students on a scheduled and/or continuing basis shall be required to have a Tuberculosis risk assessment, at District expense. The risk assessment will follow the criminal records check results.

Volunteers

GRAY LADY PROGRAM

In order for volunteers to participate in the Gray Lady Program, they shall be required to meet the following qualifications in this order:

1. Criminal records check as listed above;
2. Annual certification in basic life support, which shall include cardiopulmonary resuscitation (CPR) and first aid training.
3. Completion of Blood Borne Pathogens (BBP) training, comprised of a two (2) hour initial course with a one (1) hour yearly update for as long as the volunteer participates in the school program.
4. Tuberculosis risk assessment as listed above.

The Board is not required to offer the Hepatitis B series prophylaxis for volunteers. In the event that exposure occurs, however, volunteers in the Gray Lady program shall be required to complete an incident report, report the incident as directed in the District's BBP policy (03.14/03.24), and shall be offered the post-exposure vaccine series if the physician indicates it is necessary.

If the post-exposure vaccination series is recommended by the physician, it shall be initiated within 24 hours of the exposure.

If the volunteer refuses to be injected with the post-exposure vaccine, s/he must sign a declination form which shall be maintained in the medical record initiated with the volunteer's exposure. Volunteers' medical records shall be bound to the same confidentiality practices as regular employees' records.

ORIENTATION

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

REFERENCES:

[1]KRS 161.148
KRS 160.380
KRS 161.044

RELATED POLICIES:

03.5, 08.113, 08.1131

Deleted: LEGAL HB 26 AMENDS KRS 45A.385 INCREASING THE AGGREGATE CONTRACT AMOUNT MAXIMUM FOR SMALL PURCHASE TO $30,000.¶
FINANCIAL IMPLICATIONS: LARGER AMOUNT FOR SMALL PURCHASE PROCEDURES¶
LEGAL: SB 15 AMENDS KRS 160.380 TO ELIMINATE THE DEFINITION OF "CONTRACTOR" AND THE SCOPE OF REQUIRED VENDOR/CONTRACTOR BACKGROUND CHECKS TO ADULTS ACCESSING SCHOOL GROUNDS UNDER A WRITTEN AGREEMENT TO PROVIDE DIRECT STUDENT SERVICES AS PART OF A SCHOOL-SPONSORED PROGRAM ACTIVITY.¶
FINANCIAL IMPLICATIONS: NONE ANTICIPATED¶
¶
FISCAL MANAGEMENT . 04.32¶
Model Procurement Code PurchasingBidding¶
AUTHORITY¶
BiddingPurchasing procedures shall conform to the Model Procurement Code, KRS 45A.345 – KRS 45A.460.[1] All contracts or purchases shall be awarded by competitive sealed bidding or competitive negotiation, both of which may include the use of a reverse auction, except as otherwise provided by law.[2]¶
All purchases of Kentucky Education Technology System (KETS) components shall adhere to KETS architectural standards and procedures.¶
The District may purchase supplies and/or equipment outside an established price contract of the federal government (GSA), the State Division of Purchases, a cooperative agency bid approved by the Board, or a District bid if:¶
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;¶
The supplies and/or equipment are available for purchase at a lower price;¶
The purchase does not exceed $2,500[4 & 8]; and¶
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.¶
Page Break
FISCAL MANAGEMENT . 04.32¶
. (CONTINUED)¶
Model Procurement Code PurchasingBidding¶
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 requ … [1]

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LEGAL: HB 69 AMENDS KRS 66.480 AND THE REQUIREMENTS FOR INVESTMENTS INCLUDING A PHYSICAL PRESENCE IN KENTUCKY FOR INSTITUTIONS ISSUING CERTIFICATES OF DEPOSIT, CHANGES "NATIONALLY RECOGNIZED" TO COMPETENT, AND ADDS NEW INVESTMENT CATEGORIES/OPTIONS. IT ALSO AMENDS PERCENTAGE LIMITS FOR CERTAIN INVESTMENT CATEGORIES/OPTIONS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

Investments

EXCESS FUNDS

Funds that are temporarily in excess of operating needs shall be invested by the Finance Officer. Such funds shall be invested in one (1) or more of the following:

1. Obligations of the United States and of its agencies and instrumentalities, including obligations subject to repurchase agreements, provided that delivery of these obligations subject to repurchase agreements is taken either directly or through an authorized custodian;
2. Obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States or a United States government agency;
3. Obligations of any corporation of the United States government;
4. Certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution having a physical presence in Kentucky which are insured by the Federal Deposit Insurance Corporation or similar entity or which are collateralized, to the extent uninsured, including surety bonds, by any obligations permitted by KRS 41.240(4);
5. Uncollaterialized certifications of deposit issued by any bank or savings and loan institution having a physical presence in Kentucky rated in one (1) of the three (3) highest categories by a competent rating agency;
6. Bankers' acceptances for banks rated in one (1) of the three (3) highest categories by a competent rating agency;
7. Commercial paper rated in the highest category by a competent rating agency;
8. Bonds or certificates of indebtedness of this state and of its agencies and instrumentalities;
9. Securities issued by a state or local government or any instrumentality of agency thereof, in the United States, and rated in one (1) of the three (3) highest categories by a competent rating agency;
10. Shares of mutual funds and exchange traded funds, as permitted by law;[1]
11. Individual equity securities if the funds being invested are managed by a professional investment manager regulated by a federal regulatory agency. The individual equity securities shall be included within the Standard & Poor's 500 Index, and a single sector shall not exceed twenty five percent (25%) of the equity allocation; and

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Investments

EXCESS FUNDS (CONTINUED)

12. Individual high-quality corporate bonds that are managed by a professional investment manager that are issued, assumed, or guaranteed by a solvent institution created and existing under the laws of the United States; have a standard maturity of no more than ten (10) years; and are rated in the three (3) highest rating categories by at least two (2) competent credit rating agencies.

The Board shall not purchase any investment on a margin basis or through the use of any similar leveraging technique. In addition, the amount of money the District invests at any time in one (1) or more of the categories/options 5, 6, 7, 11, and 12 listed above shall not exceed twenty percent (20%) of the total amount of money invested. The amount of money the District invests in categories/options 10, 11, and 12 above shall not, aggregately, exceed forty percent (40%) of the total money invested.

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At the time the investment is made, no more than five percent (5%) of the total amount of money invested by the District shall be invested in any one (1) issuer unless:

1. The issuer is the United States government or an agency or instrumentality of the United States government, or an entity which has its obligations guaranteed by either the United States government or an entity, agency, or instrumentality of the United States government;
2. The money is invested in a certificate of deposit or other interest-bearing accounts as authorized by law;
3. The money is invested in bonds or certificates or indebtedness of this state and its agencies and instrumentalities as authorized by law; or
4. The money is invested in securities issued by a state or local government, or any instrumentality or agency thereof, in the United States as authorized by law.

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GUIDELINES

The primary objectives of investment activities, in priority order, shall be:

1. *Legality* - All investments shall be made in accordance with applicable legal requirements.
2. *Safety* - The Finance Officer shall consider safety of principal, along with reduction of credit and interest rate risk, in making investment decisions.
3. *Liquidity* - Investments shall remain sufficiently liquid to meet reasonably anticipated operating requirements. To promote this objective, the Finance Officer shall develop a fiscal year anticipated cash flow projection schedule.
4. *Yield* - The Finance Officer shall select investments or recommend investments with the objective of attaining the maximum rate of return.

Prior to investment, the Finance Officer shall ascertain the current rate of interest payable for the investment at all financial institutions approved by the Board.

Investments

GUIDELINES (CONTINUED)

At the next regular Board meeting following the investment, the Board shall be informed as to the amount invested, type of investment, date of investment, rate of interest, length of investment, and current market value of the funds invested. The Finance Officer also shall provide a monthly report to the Board of the total amount invested at the end of the previous month, the maturity date of those investments and the rate of interest being earned.

The Finance Officer shall prepare for Board review an annual review of the District's investment program, which shall summarize the information that has been presented monthly.

REFERENCES:

[1]KRS 66.480
KRS 160.570
KRS 41.240
KRS 160.431
702 KAR 3:090

RELATED POLICIES:

04.2
04.21

LEGAL: LEGAL: IN CONJUNCTION WITH THE AUTHORIZATION FOR THE BOARD TO ACCEPT DONATIONS FOR SCHOOL PURPOSES IN CONFORMITY WITH KRS 160.580, SB1 PROVIDES FOR RESTRICTED GIFTS AND DONATIONS TO THE BOARD TO BE USED IN FURTHERANCE OF LAWFUL SCHOOL SAFETY, SECURITY, AND STUDENT HEALTH PURPOSES TO THE EXTENT ALLOWED BY APPLICABLE FEDERAL TAX LAWS.
FINANCIAL IMPLICATIONS: ADDITIONAL FUNDING FOR SCHOOL SECURITY AND SAFETY
LEGAL: THE BOARD MAY ESTABLISH A POLICY ALLOWING SCHOOLS TO MAINTAIN DONATIONS AND HAS DISCRETION DETERMINING DONATION VALUE TO BE RETAINED AT SCHOOL LEVEL.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED
LEGAL: HB 21 AMENDS KRS 156.496 TO PERMIT DISTRICTS TO ACCEPT MONETARY DONATIONS FOR FAMILY RESOURCE AND YOUTH SERVICE CENTERS. SUCH DONATIONS MAY BE GIVEN FOR THE OPERATION AND MAINTENANCE OF THE CENTER AND SHALL BE USED FOR THAT PURPOSE ONLY.
FINANCIAL IMPLICATIONS: NO COST TO DISTRICT, DONATIONS BENEFIT THE CENTERS

Gifts and Donations

The Board may directly accept gifts or donations that are restricted by the grantor to be used in furtherance of lawful school safety, security, and student health purposes to the extent allowed by applicable laws and shall use any accepted gift or donation for the purpose for which it was granted.[1]

DONATIONS

Any gifts or real or personal property presented to a school employee for the use of the school must have the prior approval of the Superintendent or the Superintendent's designee. Any gift so approved and accepted on behalf of the school becomes the property of the Board of Education. All gifts and donations of monetary value must be submitted directly to the District office. Gifts and donations made to the District shall be reported annually to the Board.

FAMILY RESOURCE AND YOUTH SERVICE CENTERS

The District may accept monetary donations for the operation and maintenance of Family Resource and Youth Service Centers (FRYSCs). Any donations given to the District for operation and maintenance of FRYSCs shall be used for that purpose only.[2]

REFERENCES:

[1]KRS 160.580
[2]KRS 156.496
KRS 158.441
Accounting Procedures for Kentucky School Activity Funds (Redbook)

RELATED POLICY:

04.312, 03.1322

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A listing of all donations shall be submitted to the Board at year-end.

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LEGAL: SB 164 REPEALS KRS 160.325 WHICH HAD SET ENERGY REPORTING REQUIREMENTS FOR THE KENTUCKY POLLUTION PREVENTION CENTER (KPPC). THE STATUTORY PROGRAM ENDED WITH THE DEMISE OF FUNDING IN 2012. THIS POLICY MAINTAINS LANGUAGE THAT SUPPORTS SCHOOL DISTRICT ENGAGEMENT IN ENERGY SAVINGS PROGRAMS.
FINANCIAL IMPLICATIONS: REVISION MEMORIALIZES NO STATUTORY PROGRAM FOR ENERGY MANAGEMENT REPORTING OR GRANT FUNDING IMPLICATING NEED TO CONSIDER OTHER OPTIONS OR SELF-SUSTAINING PROGRAMS

FACILITIES 05.23

Energy Management

In order to use energy resources in a safe and efficient manner with an on-going focus on identifying and implementing cost saving measures and developing staff and student commitment to identified energy management practices, the Board may participate in energy-saving measures to implement an effective energy management program.

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To promote this effort, the Superintendent/designee shall direct the development of an energy management plan (EMP) for Board approval and oversee the implementation and maintenance of that plan, which shall address the following components:¶
A District level committee shall be appointed by the Superintendent/designee to develop and implement the energy management plan (EMP).¶
The District level committee shall track and monitor the EMP to determine progress toward managing and reducing energy costs.¶
Effective with the 2011-2012 school year, the Superintendent/designee shall report the EMP results for each fiscal year, including annual District energy usage, costs and anticipated savings to KPPC - the Kentucky Pollution Prevention Center – by October 1st annually through the Kentucky Energy Efficiency Program for Schools (KEEPS).¶
A status report on implementation of the plan in Board-owned and Board-operated facilities shall be provided to the Board following the end of each fiscal year.¶
REFERENCE:¶
KRS 160.325

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LEGAL: HB 11 REQUIRES ALL LOCAL BOARDS, ON OR BEFORE JULY 1, 2020, TO ADOPT AND IMPLEMENT POLICIES THAT PROHIBIT THE USE OF ANY TOBACCO PRODUCT, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT FOR ALL PERSONS AND AT ALL TIMES ON OR IN ALL PROPERTY OF THE BOARD, AND WHEN STUDENTS ARE PRESENT IN ANY SCHOOL-RELATED TRIP OR STUDENT ACTIVITY. THE POLICIES MUST ALSO PROVIDE FOR ADEQUATE NOTICE TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, AND THE PUBLIC. IN ADDITION, THE POLICIES MUST REQUIRE SIGNAGE ON OR IN ALL PROPERTY INCLUDING ANY VEHICLE OWNED, OPERATED, LEASED, OR CONTRACTED FOR USE BY A LOCAL BOARD. SUCH SIGNAGE SHALL CLEARLY STATE THAT THE USE OF SUCH PRODUCTS IS PROHIBITED AT ALL TIMES AND BY ALL PERSONS ON OR IN THE PROPERTY. SCHOOL EMPLOYEES ARE REQUIRED TO ENFORCE THE POLICIES. NOTE THAT DISTRICTS HAVE THE OPTION TO OPT OUT OF THESE PROVISIONS WITHIN THREE (3) YEARS OF JUNE 27, 2019.
FINANCIAL IMPLICATIONS: COST OF SIGNAGE

Rental Application and Contract

CONDITIONS OF RENTAL

All rental of school facilities is subject to the following conditions:

1. An official application shall be made to the Principal.
2. Rentals will be made only to responsible and organized groups, and responsible officers of that group must sign the application and the contract.
3. Conditions of that contract shall include:
   a. Acceptance of responsibility by officials of the renting organization for any damage or loss resulting from the rental;
   b. Agreement that renting organizations, and officers thereof, shall assume all liability for any personal injuries incurred during their use of the facilities and shall hold the Board harmless from any such claims against it;
   c. Agreement to observe all fire and safety regulations;
   d. Agreement that the use of alcoholic beverages is prohibited in school buildings or on school grounds and that the use of any tobacco product, alternative nicotine product, or vapor product shall not occur on or in all property;
   e. Observance that no immoral or illegal activity shall be allowed on the premises;
   f. The presence of a school employee at all times. Exceptions may be made by the Superintendent for small groups when no game activity is involved. The hourly wage of the employee may be included in the contract along with the social security, retirement, unemployment and workmen's compensation payments required by law. If the employee is employed beyond the normal 40-hour week that he works for the Board, overtime wages must be paid.
   g. The presence of a food-service employee when kitchen facilities are used. The hourly wage of the employee must be included in the contract along with social security and retirement payments required by law.
   h. All varsity athletic contests with spectators present must have an officer of the law present during the entire game.
   i. Agreement that no alterations to the buildings or grounds be made without prior approval;

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Rental Application and Contract

CONDITIONS OF RENTAL (CONTINUED)

j. Agreement that the renting party shall not sublease or reassign any portion of the building or item of equipment covered by the rental contract;

k. Agreement that school equipment shall not be a part of the rental contract unless specifically enumerated; and

l. Agreement to leave the facilities in as good a condition as before used.

REFERENCES:

KRS 162.055; KRS 438.050; KRS 438.305; New Section of KRS 438
OAG 81-295
P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.1327; 03.2327; 05.3; 06.221; 09.4232; 10.3; 10.5

LEGAL: SB1 CREATES A NEW SECTION OF KRS 158 THAT REQUIRES THE SUPERINTENDENT TO APPOINT A DISTRICT-LEVEL SCHOOL ADMINISTRATOR TO SERVE AS THE DISTRICT'S SCHOOL SAFETY COORDINATOR AND PRIMARY POINT OF CONTACT FOR PUBLIC SCHOOL SAFETY AND SECURITY FUNCTIONS.
REQUIRES THE SUPERINTENDENT TO SEND VERIFICATION TO THE STATE SCHOOL SECURITY MARSHAL AND KDE THAT ALL SCHOOLS WITHIN THE DISTRICT HAVE COMPLETED THE SCHOOL SECURITY RISK ASSESSMENT FOR THE PREVIOUS YEAR.
REQUIRES THE SUPERINTENDENT TO REPORT TO THE CENTER FOR SCHOOL SAFETY THE NUMBER AND PLACEMENT OF SCHOOL RESOURCE OFFICERS (SROS) IN THE DISTRICT.
AMENDS KRS 158.162 TO DEVELOP AND ADHERE TO PRACTICES TO CONTROL ACCESS TO THE SCHOOL. NO LATER THAN JULY 1, 2022.
FINANCIAL IMPLICATIONS: ADDITIONAL STAFF AS FUNDING BECOMES AVAILABLE

Safety

BOARD TO ADOPT PLAN

The Board shall adopt a plan for immediate and long-term strategies to address school safety and discipline, which shall be reviewed annually and revised, as needed. This plan shall utilize information gathered from the District assessment of school safety and student discipline required by law and shall include the Board's code of acceptable behavior and discipline and a description of instructional placement options for threatening or violent students. The committee that develops the plan for Board consideration shall include at least one (1) representative from each school in the District, as well as representatives from the community as required by law.

The plan shall identify measures to be taken in protecting students, staff, visitors, and property. Areas addressed by the plan shall include, but not be limited to, the following:

1. Employment practices and employee management;
2. School facility design, maintenance, and usage;
3. Safety and security procedures, orientation and training in use and management of equipment and facilities;
4. Supervision of students;
5. Compliance with state and federal safety requirements;
6. Quarterly reports to the Board concerning implementation of the plan and its effects on District students, personnel, and operations.
7. Emergency/crisis intervention;
8. Community involvement.

DISTRICT SCHOOL SAFETY COORDINATOR

The Superintendent shall appoint a District-level school administrator to serve as the District's School Safety Coordinator (SSC) and primary point of contact for public school safety and security functions.[1] The SSC shall:

1. Complete the school safety coordinator training program developed by the Center for School Safety within six (6) months of his or her date of appointment;

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Safety

DISTRICT SCHOOL SAFETY COORDINATOR (CONTINUED)

2. Designate a school safety and security threat assessment team at each school in the District consisting of two (2) or more staff members to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or security. Members of a threat assessment team may include school administrators, school counselors, school resource officers, school-based mental health services providers, teachers, and other school personnel;
3. Provide training to school Principals on procedures for completion of the school security risk assessment;
4. Review all school security risk assessments completed within the District and prescribe recommendations as needed in consultation with the state school security marshal;
5. Advise the Superintendent by July 1, 2021, and annually thereafter of completion of required security risk assessments;
6. Formulate recommended policies and procedures, which shall be excluded from the application of KRS 61.870 to KRS 61.884, for an all-hazards approach including conducting emergency response drills for hostage, active shooter, and building lockdown situations in consultation and coordination with appropriate public safety agencies to include but not be limited to fire, police, and emergency medical services for review and adoption as part of the school emergency plan required by KRS 158.162. The recommended policies shall encourage the involvement of students, as appropriate, in the development of the school's emergency plan; and
7. Ensure each school campus is toured at least once per school year, in consultation and coordination with appropriate public safety agencies, to review policies and procedures and provide recommendations related to school safety and security.
8. The SSC, and any school employees participating in the activities of a School Safety and Security Threat Assessment Team, acting in good faith upon reasonable cause in the identification of students shall be immune from any civil or criminal liability that might otherwise be incurred or imposed from:
   a. Identifying the student and implementing a response pursuant to policies and procedures adopted as required above; or
   b. Participating in any judicial proceeding that results from the identification.

SUPERINTENDENT TO REPORT

No later than November 1 of each year, the Superintendent shall report to the Center for School Safety the number and placement of School Resource Officers (SROs) in the District. The report shall include the source of funding and method of employment for each position.

SCHOOL EMERGENCY PLANNING

The school council or, if none exists, the Principal shall adopt an emergency plan for the school that shall include procedures to be followed in cases of fire, severe weather, earthquake or a building lockdown as defined in KRS 158.164. A copy of the emergency plan, including a diagram of the facilities shall be given to first responders, including local fire, police, and emergency medical personnel.

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Safety

SCHOOL EMERGENCY PLANNING (CONTINUED)

Following the end of each school year, the school council, or if none exists, the Principal, and first responders shall review the emergency plan and revise it as needed.

The school emergency plan shall address staff responsibilities for safely evacuating students needing special assistance during safety drills and actual emergency situations, including students with disabilities and those with 504 plans. The Principal shall discuss the emergency plan with all school staff prior to the first instructional day annually and shall document the date and time.

Whenever possible, first responders shall be invited to observe emergency response drills.

In addition, the school council or, if none exists, the Principal shall:

1. Establish and post primary and secondary evacuation routes in each room by any doorway used for evacuation;
2. Identify the best available severe weather safe zones, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency, and post the location of the safe zones in each room;
3. Develop school procedures to follow during an earthquake; and
4. Develop and adhere to practices to control access to the school. As soon as practicable but no later than July 1, 2022, practices shall include but not be limited to:
   - Controlling outside access to exterior doors during the school day;
   - Controlling the main entrance of the school with electronically locking doors, a camera, and an intercom system;
   - Controlling access to individual classrooms;
   - Requiring classroom doors to be equipped with hardware that allows the door to be locked from the outside but opened from the inside;
   - Requiring classroom doors to remain closed and locked during instructional time;
   - Requiring classroom doors with windows to be equipped with material to quickly cover the window during a building lockdown;
   - Requiring all visitors to report to the front office of the building, provide valid identification, and state the purpose of the visit; and
   - Providing a visitor's badge to be visibly displayed on a visitor's outer garment.

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No later than November 1 of each school year, the Superintendent shall send verification to the Kentucky Department of Education that all schools are in compliance with school emergency planning requirements.

PRECAUTIONS

Precautions will be taken for the safety of the students, employees, and visitors.

Safety

DEFIBRILLATORS

The District shall maintain automatic external defibrillators (AED) in designated locations throughout the District. An AED shall be used in emergency situations warranting its use in accordance with guidelines established by the Superintendent/designee. Expected users documented as having completed required training shall be authorized to use a defibrillator.

The District shall notify the local emergency medical services system and the local emergency communications or vehicle dispatch center of the existence, location, and type of each AED.

Defibrillators shall be maintained and tested in accordance with operational guidelines of the manufacturer and monitored as directed by the Superintendent/designee. Defibrillators shall be kept on school property and will not accompany EMS personnel to a hospital emergency room.

REPORTING HAZARDS

Each employee observing a potential safety or security hazard shall report such hazard in writing to his/her immediate supervisor who shall cause the situation to be remedied or reported to the proper authority for remedy.

COMMUNICATION SYSTEM

The Board shall establish a process for a two-way communication system for employees to notify the Principal, supervisor or other administrator of an existing emergency. The process may include, but is not limited to, use of intercoms, telephones, and two-way radios.

REFERENCES:

[1]New Section KRS 158
KRS 61.870 to KRS 61.884
KRS 158.148; KRS 158.162; KRS 158.164; KRS 158.445
KRS 160.290; KRS 160.445
KRS 311.667; KRS 411.148

RELATED POLICIES:

02.31; 03.14; 03.24; 05.2; 05.21; 05.41; 05.411; 05.42; 05.45; 05.47; 05.5
09.214; 09.22; 09.221; 09.4 (entire section); 10.5

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LEGAL: HB 328 AMENDS KRS 527.070 TO SPECIFY THAT THE CURRENT EXCEPTION FOR ADULTS WITH A FIREARM LAWFULLY STORED IN A LOCKED VEHICLE ON SCHOOL PROPERTY DOES NOT APPLY TO STUDENTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SCHOOL FACILITIES 05.48

Weapons

This policy applies to students, staff members, and visitors to the school.

WEAPONS PROHIBITED

Except where expressly and specifically permitted by Kentucky Revised Statute, the carrying, bringing, using, or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any school-sponsored activity or knowingly participating/assisting in such conduct is prohibited.

Violation of this policy by staff members shall constitute reason for disciplinary action, including possible termination.

Violation of this policy by students shall require that the Principal immediately make a report to the Superintendent, who shall determine if charges for expulsion from the District schools should be filed under Policy 09.435. In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a firearm in violation of the law or assault involving the use of a weapon.

Violations by visitors shall be reported to a law enforcement agency.

Exceptions:

- An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.070.
- Law enforcement officials, including peace officers and police as provided in KRS 527.070 and KRS 527.020, are authorized to bring weapons onto school property in performance of their duties.

FEDERAL REQUIREMENTS REGARDING STUDENTS

The penalty for students possessing a firearm at school or bringing a firearm or other deadly weapon, destructive device, or booby trap device to school or onto the school campus/property under jurisdiction of the District shall be expulsion for a minimum of twelve (12) months under Policy 09.435. However, the Board may modify such expulsions on a case-by-case basis. Any case-by-case modification of the one (1)-year expulsion requirement, including those made for students with disabilities to meet the requirements of IDEA and Section 504, shall be in writing and may be based upon a recommendation of the Superintendent/designee.[1]

Any student who possesses a firearm at school or brings to school a firearm or other deadly weapon, destructive device, or booby trap device shall be referred to the criminal justice or juvenile delinquency system.

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Deleted: Although students are subject to disciplinary action for violating any restriction in this policy, the twelve (12) month expulsion penalty mandated by the Federal Gun-Free Schools Act does not apply to a firearm lawfully stored in a locked vehicle on school property.[1]¶

Weapons

STATE POSTING REQUIREMENTS

The Superintendent shall post the following notice in prominent locations in the schools, including, but not limited to, sports arenas, gymnasiums, stadiums, and cafeterias. The notice shall be at least six (6) inches high and fourteen (14) inches wide and shall state:

UNLAWFUL POSSESSION OF A WEAPON ON SCHOOL PROPERTY IN KENTUCKY IS A FELONY PUNISHABLE BY A MAXIMUM OF FIVE (5) YEARS IN PRISON AND A TEN THOUSAND DOLLAR ($10,000) FINE.[1]

The above criminal penalty shall not apply to those persons listed in KRS 527.070 (3).

STATE REPORTING REQUIREMENTS

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use of a deadly weapon on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

For state reporting purposes, a deadly weapon shall be defined as:

1. a weapon of mass destruction;
2. any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged;
3. any knife other than an ordinary pocket knife or hunting knife;
4. billy, nightstick or club;
5. blackjack or slapjack;
6. nunchaku karate sticks;
7. shuriken or death star; or
8. artificial knuckles made from metal, plastic, or other similar hard material.

Employees who receive information from a student or other person regarding conduct required to be reported shall report the conduct in the same manner as stated above.

ENFORCEMENT

In the enforcement of this policy, principals may authorize, if they have reasonable suspicion, searches in compliance with applicable Board policies.

Weapons

REFERENCES:

[1]KRS 527.070; KRS 158.150; 20 U.S.C. §7141 (Gun-Free Schools Act)
18 U.S.C. §921(a)
KRS 158.154; KRS 158.155; KRS 160.290; KRS 160.340; KRS 161.790
KRS 237.106: KRS 237.110; KRS 237.138 to KRS 237.142
KRS 500.080; KRS 508.075; KRS 508.078; KRS 527:020
Individuals with Disabilities Education Improvement Act (IDEA)
Section 504 of the Rehabilitation Act of 1973, as amended

RELATED POLICIES:

09.435; 09.436; 09.4361

LEGAL: SB1 CREATES A NEW SECTION OF KRS 158 THAT REQUIRES THE SUPERINTENDENT TO SEND VERIFICATION TO THE STATE SCHOOL SECURITY MARSHAL AND KDE THAT ALL SCHOOLS WITHIN THE DISTRICT HAVE COMPLETED THE SCHOOL SECURITY RISK ASSESSMENT FOR THE PREVIOUS YEAR.
FINANCIAL IMPLICATIONS: TIME TO CONDUCT RISK ASSESSMENTS AND ADDITIONAL STAFF AS FUNDING BECOMES AVAILABLE

SCHOOL FACILITIES 05.5

Security

DEVELOPMENT OF PLAN

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

SCHOOL SECURITY RISK ASSESSMENT

No later than July 15, 2021, and each subsequent year, Superintendent shall send verification to the state school security marshal and KDE that all schools within the District have completed the school security risk assessment for the previous year.[1]

RESPONSIBILITY

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

REFERENCES:

[1]New Section of KRS 158
KRS 158.162

RELATED POLICY:

05.4

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LEGAL: HB 11 REQUIRES ALL LOCAL BOARDS, ON OR BEFORE JULY 1, 2020, TO ADOPT AND IMPLEMENT POLICIES THAT PROHIBIT THE USE OF ANY TOBACCO PRODUCT, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT FOR ALL PERSONS AND AT ALL TIMES ON OR IN ALL PROPERTY OF THE BOARD, AND WHEN STUDENTS ARE PRESENT IN ANY SCHOOL-RELATED TRIP OR STUDENT ACTIVITY. THE POLICIES MUST ALSO PROVIDE FOR ADEQUATE NOTICE TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, AND THE PUBLIC. IN ADDITION, THE POLICIES MUST REQUIRE SIGNAGE ON OR IN ALL PROPERTY INCLUDING ANY VEHICLE OWNED, OPERATED, LEASED, OR CONTRACTED FOR USE BY A LOCAL BOARD. SUCH SIGNAGE SHALL CLEARLY STATE THAT THE USE OF SUCH PRODUCTS IS PROHIBITED AT ALL TIMES AND BY ALL PERSONS ON OR IN THE PROPERTY. SCHOOL EMPLOYEES ARE REQUIRED TO ENFORCE THE POLICIES. NOTE THAT DISTRICTS HAVE THE OPTION TO OPT OUT OF THESE PROVISIONS WITHIN THREE (3) YEARS OF JUNE 27, 2019.
FINANCIAL IMPLICATIONS: COST OF SIGNAGE

Bus Drivers' Use of Tobacco and Other Substances

TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.[1]

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy.

DEFINITIONS

The following definitions apply for purposes of drug and alcohol testing required by federal and state law:

"Drugs" refers to controlled substances as prohibited by the Omnibus Act, including but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

"Alcohol" refers to the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including but not limited to, methyl and isopropyl. Alcohol use includes the consumption of any beverage, mixture, or preparation, including any medication containing alcohol.

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Deleted: While on the bus, bus drivers shall not use any tobacco products, alternative nicotine products, or vapor products and shall not permit students to use them. Use of tobacco in any form is prohibited at all times in or on any property owned or operated by the Board. In addition, use of tobacco in any form shall not be permitted in outdoor facilities owned or operated by the Board, inside Board owned vehicles, or during any District or school sponsored activities, including sporting events.¶

Bus Drivers' Use of Tobacco and Other Substances

USE PROHIBITED

All employees subject to commercial driver's license (CDL) requirements shall be prohibited from:

1. The use of any drugs, that may affect the employee's ability to safely drive a school bus or perform other job responsibilities;
2. The use of alcohol:
   a. While on duty;
   b. Four (4) hours before driving;
   c. Eight (8) hours following an accident; or
   d. Consumption resulting in prohibited levels of alcohol in the system.

REQUIRED REPORTS

- Drivers taking medication either by prescription or without prescription shall report to the immediate supervisor and shall not drive if that medication may affect the driver's ability to safely drive a school bus or perform other driver responsibilities.[2]
- Drivers shall immediately report to the Superintendent or designee any traffic violation specified in Kentucky Administrative Regulation.[2]

TESTING

All covered applicants and employees shall be subject to pre-employment testing (controlled substances only), and reasonable suspicion, random and post-accident testing for drugs and alcohol. Return-to-duty and follow-up testing shall also be required.

All offers of employment with the District shall be made contingent upon testing results. An applicant who tests positive shall not be employed.

Current employees who test positive shall be subject to immediate disciplinary action up to and including dismissal in accordance with Board policy and administrative procedures. A school bus driver, substitute driver, school bus mechanic or anyone performing safety-sensitive pupil transportation duties who tests 0.02 percent or higher on the confirmation alcohol test immediately before, during, or immediately following the performance of these duties shall be relieved of these duties immediately. (Drivers found under the influence of alcohol or any illegal drugs while on duty or with remaining driving responsibilities that same day shall be dismissed from employment in accordance with Kentucky Administrative Regulation and Board policy and shall not be eligible for reemployment for five [5] years.)

Employees who test positive shall be notified of referral services. Additionally, employees shall be subject to CDL prohibitions and penalties under the Omnibus Act and applicable Federal Motor Carrier Safety Regulations.

Applicants who refuse drug testing shall be eliminated immediately from employment consideration. Current employees who refuse to comply with testing requirements will be regarded as insubordinate and shall be subject to disciplinary action, up to and including dismissal.

Bus Drivers' Use of Tobacco and Other Substances

TESTING (CONTINUED)

Refusal to submit to an alcohol or controlled substance test means that the individual demonstrated noncompliance, including but not limited to the following actions:

- Failed to appear for any test within a reasonable period of time as determined by the employer and consistent with applicable Department of Transportation agency regulation;
- Failed to remain at the testing site until the testing process was completed;
- Failed to provide a sample specimen for any required test;
- Failed to provide a sample in an amount sufficient for testing without an adequate medical reason for the failure;
- Failed to undergo a medical examination as directed by the Medical Review Officer as part of the verification process for the previous listed reason;
- Failed or declined to submit to a second test that the employer or collector has directed the driver to take;
- Failed to cooperate with any of the testing process; and/or
- Adulterated or substituted a test result as reported by the Medical Review Officer.

TESTING COSTS

Pre-employment drug testing costs shall be paid for by the District. All current employee drug and alcohol testing including reasonable suspicion, random and post-accident testing costs shall be paid for by the District.

MATERIALS TO BE PROVIDED

The Superintendent/designee shall distribute educational materials to explain state and federal legal requirements for alcohol and controlled substance testing of CDL drivers and the District's policies and procedures to implement it and answer questions about the materials. Materials shall meet content requirements of state and federal regulations and shall be distributed to each driver prior to the start of alcohol and controlled substances testing each year and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle. Each employee is required to sign a statement certifying that s/he has received a copy of these materials. If the District recognizes an organization to represent bus drivers, the District shall provide written notice to representatives of the organization of the availability of this information.[3]

REFERENCES:

[1]KRS 438.050; KRS 438.305; New Section of 438
[2]702 KAR 5:080
[3]49 C.F.R. Part 382
Omnibus Employee Testing Act of 1991, Public Law 102-143, Title V

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Bus Drivers' Use of Tobacco and Other Substances

RELATED POLICIES:

03.11; 03.13251; 03.1327; 03.17
03.21; 03.23251; 03.2327; 03.27
09.4232; 10.5

Deleted: LEGAL: AMENDMENTS TO 704 KAR 3:305 CHANGE GRADUATION REQUIREMENTS FOR STUDENTS ENTERING 9TH GRADE IN THE 2018-2019, 2019-2020 AND 2020-2021 SCHOOL YEARS. LOCAL BOARDS MAY ADOPT THEIR OWN REQUIREMENTS THAT MAY GO FARTHER THAN THE STATE MINIMUM. ANY DISTRICT CHANGES OR ADDITIONAL REQUIREMENTS SHOULD BE SENT TO YOUR POLICY CONSULTANT.¶
FINANCIAL IMPLICATIONS: REQUIREMENTS FOR MORE OFFERINGS MAY ADVERSELY IMPACT DISTRICT BUDGETS¶
¶
CURRICULUM AND INSTRUCTION . 08.113¶
Graduation Requirements¶
In support of student development goals set out in KRS 158.6451 and the Kentucky Academic StandardsExpectations, all students must complete a minimum of twenty-two (22)at least thirty-two (32) credits, including demonstrated performance-based competency in technology, and all other state and local requirements in order to graduate from high school in the District.¶
Beginning July 1, 2018, sStudents wishing to receive a regular diploma must pass a civics test made up of one hundred (100) questions selected from the civics test administered to persons seeking to become naturalized citizens and prepared or approved by the Board. A minimum score of sixty percent (60%) is required to pass the test and students may take the test as many times as needed to pass. Students that have passed a similar test within the previous five (5) years shall be exempt from this civics test. This shall be subject to the requirements and accommodations of a student's individualized education program (IEP) or a Section 504 Plan.*¶
In addition to the content requirements established by the Kentucky Academic Standards, and the credits required by the minimum requirements for high school graduation in 704 KAR 3:305, the Board may impose other requirements for graduation from high school. Students shall complete an Individual Learning Plan (ILP) that focuses on career exploration and related postsecondary education and training needs.¶
Students that do not meet the college readiness benchmarks for English and language arts and/or mathematics shall take a transitional course or intervention before exiting high school.*¶
----------Page Break----------
¶
CURRICULUM AND INSTRUCTION . 08.113¶
. (CONTINUED)¶
Graduation Requirements¶
FOR STUDENTS ENTERING GRADE NINE (9) ON OR BEFORE THE FIRST DAY OF THE 2018-2019 ACADEMIC YEAR¶
Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR 3:303 and 704 KAR Chapter 8. The required credits and demonstrated competencies shall include the following minimum requirements:¶
Language Arts

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LEGAL: SB 1 CREATES A NEW SECTION OF KRS 158 TO INCORPORATE TRAUMA-INFORMED PRACTICES IN COUNSELING AND MENTAL HEALTH SERVICES AND REQUIRES THE SUPERINTENDENT TO REPORT ON THE NUMBER AND PLACEMENT OF SCHOOL COUNSELORS IN THE DISTRICT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED
LEGAL: REVISIONS TO 704 KAR 3:035 REQUIRE DISTRICTS TO INCORPORATE KENTUCKY ACADEMIC STANDARDS FOR CAREER STUDIES.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

Guidance

Guidance and counseling services shall be provided for students. Counselors may perform mental health services and provide implementation and training on trauma-informed practices as addressed in law.[1]

SERVICES

Services provided by the guidance program shall consist of educational counseling; career and personal counseling; testing, and other services requested by students, parents, or staff.

INDIVIDUAL LEARNING PLANS

In keeping with Kentucky Administrative Regulation, the District shall implement an advising and guidance process to support development and implementation of an Individual Learning Plan (ILP) for each student that includes career development and awareness. The ILP shall specifically address the content as provided in the Kentucky Academic Standards for career studies.

CONFIDENTIAL MATERIAL

All records and counseling information shall be kept in confidence as provided by applicable law.[2]

SUPERINTENDENT TO REPORT

No later than November 1, 2019, and each subsequent year, the Superintendent shall report to the Kentucky Department of Educations the number and placement of school counselors in the District. The report shall include the source of funding for each position, as well as a summary of the job duties and work undertaken by each counselor and the approximate percent of time devoted to each duty over the course of the year.

REFERENCES:

[1]New Section of KRS 158
[2]KRE 506 (Kentucky Rules of Evidence); KRS 158.154; KRS 158.155; KRS 158.156, KRS 61.878; KRS 620.030
703 KAR 4:060; 704 KAR 3:303; 704 KAR 3:305; 704 KAR Chapter 8

RELATED POLICIES:

08.113; 09.14

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LEGAL: REPEAL OF 703 KAR 5:200 REMOVES THE REQUIREMENT FOR END OF COURSE EXAMS THAT COUNT TOWARDS A STUDENT'S FINAL GRADE IN A COURSE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION 08.221

Grading

ACHIEVEMENT

Teachers shall maintain detailed, systematic records of the achievement of each student and shall report to the parent or guardian on the progress of their child based on the grading period of each school. Elementary schools and Franklin Simpson Middle School follow a nine (9) week grading period. Franklin Simpson High School and West Campus follow a trimester grading period.

Each primary teacher shall provide parents with a comprehensive report that is based on samples of their child's work and that includes a descriptive, narrative evaluation of all aspects of the child's progress.

A student's grade shall not be lowered as a disciplinary action.

REFERENCES:

KRS 158.140; KRS 158.645; KRS 158.6451; KRS 158.860
KRS 160.345; KRS 161.200

RELATED POLICIES:

02.441
08.113
08.22
08.222
08.5

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Deleted: END-OF-COURSE EXAMS¶
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.¶

Deleted: 703 KAR 5:200¶

LEGAL: HB 399 CREATES A NEW SECTION OF KRS CHAPTER 159 TO ALLOW CHILDREN OF MILITARY FAMILIES WHO ARE TRANSFERRING TO KENTUCKY ON OFFICIAL MILITARY ORDERS TO PRE-ENROLL IN A SCHOOL DISTRICT WITH OFFICIAL DOCUMENTATION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS 09.126

Students of Military Families

The following are key provisions that apply to students from military families that are based on the compact agreed upon by states belonging to the Interstate Commission on Educational Opportunity for Military Children:

ENROLLMENT

A child of a military family may pre-enroll or participate in pre-admission in the District if the parent or guardian of the child is transferred to or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order. The District shall accept an application for enrollment and course registration by electronic means for the child, including enrollment in a specific school or program within the District.

The parent or guardian of a child of a military family shall provide proof of residence to the District within ten (10) days after the arrival date provided on official documentation. The parent or guardian may use, as proof of residence, the address of:

1. A temporary on-post billeting facility;
2. A purchased or leased home or apartment; or
3. Any federal government housing or off-post military housing, including off-post military housing that may be provided through a public-private venture.

Until actual attendance or enrollment in the District, the child of a military family shall not:

1. Count for the purposes of average daily attendance;
2. Be charged tuition pursuant to KRS 158.120; or
3. Be included in the state assessment and system.1

Students from a household of an active duty service member who are moving into the District shall be enrolled and appropriately placed as quickly as possible based on information provided in the student's unofficial records pending validation by the official record that the District shall request from the sending school.

Special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent. A transitioning child of a military family who is placed in the care of a non-custodial parent or other person standing in loco parentis and living in a jurisdiction other than that of the custodial parent may continue to attend the school in which s/he was enrolled while residing with the custodial parent.

TUITION

Tuition shall not be charged for a transitioning child of a military family who is placed in the care of a non-custodial parent or other person standing in loco parentis and living in the jurisdiction other than that of the custodial parent.

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Students of Military Families

IMMUNIZATION REQUIREMENTS

Students from military families shall have thirty (30) days from the date of enrollment to obtain required immunizations or additional time as may be determined by the Interstate Commission Compact rules.

PLACEMENT

Kindergarten and first grade students from a household of an active duty service member moving into the District from an accredited school in another state shall be allowed to continue placement at their current grade level, regardless of age.

Decisions about placement of students from military families in educational programs shall be based on current educational assessments conducted at the sending school or participation/placement in like programs in the sending state. Such programs include, but are not limited to the following programs:

1. Gifted and talented; and
2. English as a second language (ESL).

This shall not preclude the District/school from performing subsequent evaluations to ensure appropriate placement of a student.

SPECIAL EDUCATION SERVICES

The District shall initially provide comparable services to a student with disabilities based on his or her current Individualized Education Program (IEP).

The District shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing Section 504 (Title II) Plan*, to provide the student with equal access to education. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

* In Kentucky, a student Title II Plan is the same as a Section 504 Plan.

DEPLOYMENT-RELATED ABSENCES

Students whose parent or legal guardian is an active member of the uniformed services, as defined by this compact, and has been called to active duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the Superintendent to visit with their parent or legal guardian relative to such leave or deployment.

EXTRACURRICULAR PARTICIPATION

The District shall facilitate the opportunity for transitioning children of military families to participate in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

Students of Military Families

GRADUATION REQUIREMENTS

The District shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another school district or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the District shall provide alternative means of acquiring required coursework so that graduation may occur on time. Otherwise, the District shall ensure receipt of a diploma from the sending school district if the student completed graduation requirements of that district.

Exit exam scores from sending schools shall be accepted in accordance with the Interstate Commission Compact.

CHILDREN OF CIVILIAN MILITARY EMPLOYEES

Children of civilian military employees shall be afforded the same rights as children of military families under KRS 156.730 if the parents are required to move to perform their job responsibilities resulting in the students having to change schools.

REFERENCES:

[1]New Chapter of KRS 159
KRS 156.730; KRS 156.735; KRS 158.020
Individuals with Disabilities Education Improvement Act of 2004
Section 504 of the Rehabilitation Act; District 504 procedures
Americans with Disabilities Act

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RELATED POLICIES:

02.4241; 08.113; 08.131; 08.132; 08.13452; 08.222
09.12; 09.121; 09.123; 09.124; 09.211; 09.3; 09.313

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LEGAL: SB1 AMENDS KRS 156.095 REQUIRING SUICIDE PREVENTION TRAINING TO INCLUDE THE RECOGNITION OF SIGNS AND SYMPTOMS OF POSSIBLE MENTAL ILLNESS FOR ALL SCHOOL DISTRICT EMPLOYEES WITH JOB DUTIES REQUIRING DIRECT CONTACT WITH STUDENTS IN GRADES SIX (6) THROUGH TWELVE (12) AND MODIFIES SUICIDE TRAINING REQUIREMENTS.
FINANCIAL IMPLICATIONS: COST OF TRAINING

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.

SUICIDE PREVENTION

All employees with job duties requiring direct contact with students in grades six (6) through twelve (12) shall complete a minimum one (1) hour of high-quality suicide prevention training, including the recognition of signs and symptoms of possible mental illness. Such training shall be in-person, by live streaming, or via video recording and may be included in the four (4) days of professional development required by statute. The District shall provide suicide prevention materials for review by any employee subject to training hired during a year in which the in-person, live streaming, or video recording training is not required.[3]

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Student Health and Safety

SUICIDE PREVENTION (CONTINUED)

By September 15 of each year, each public school shall provide suicide prevention awareness information to students in grades six (6) through twelve (12), 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:

[1]KRS 156.501; KRS 156.502; 702 KAR 1:160
[2]KRS 156.095
[3]KRS 158.070
KRS 156.160
KRS 158.836; KRS 158.838
702 KAR 5:030

RELATED POLICY:

09.2241

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LEGAL: REVISIONS TO 702 KAR 1:160 INCLUDE MEDICATIONS TO BE ADMINISTERED PURSUANT TO A STUDENT'S SEIZURE ACTION PLAN.
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, including seizure action plans, 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, seizure rescue medications, or medication prescribed to treat seizure disorder symptoms approved by the FDA and administered pursuant to a student's seizure action plan, shall be present.

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INFORMATION NEEDED

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

EMERGENCY CARE PROCEDURES

Schools shall have emergency care procedures comporting with regulation[1] 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:

[1]702 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

LEGAL: HB 11 REQUIRES ALL LOCAL BOARDS, ON OR BEFORE JULY 1, 2020, TO ADOPT AND IMPLEMENT POLICIES THAT PROHIBIT THE USE OF ANY TOBACCO PRODUCT, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT FOR ALL PERSONS AND AT ALL TIMES ON OR IN ALL PROPERTY OF THE BOARD, AND WHEN STUDENTS ARE PRESENT IN ANY SCHOOL-RELATED TRIP OR STUDENT ACTIVITY. THE POLICIES MUST ALSO PROVIDE FOR ADEQUATE NOTICE TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, AND THE PUBLIC. IN ADDITION, THE POLICIES MUST REQUIRE SIGNAGE ON OR IN ALL PROPERTY INCLUDING ANY VEHICLE OWNED, OPERATED, LEASED, OR CONTRACTED FOR USE BY A LOCAL BOARD. SUCH SIGNAGE SHALL CLEARLY STATE THAT THE USE OF SUCH PRODUCTS IS PROHIBITED AT ALL TIMES AND BY ALL PERSONS ON OR IN THE PROPERTY. SCHOOL EMPLOYEES ARE REQUIRED TO ENFORCE THE POLICIES. NOTE THAT DISTRICTS HAVE THE OPTION TO OPT OUT OF THESE PROVISIONS WITHIN THREE (3) YEARS OF JUNE 27, 2019.
FINANCIAL IMPLICATIONS: COST OF SIGNAGE

STUDENTS 09.4232

Tobacco, Alternative Nicotine, or Vapor Products

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 on or in all Board property at all times, including any vehicle, owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity.

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline.

REFERENCES:

KRS 160.290; KRS 160.340; KRS 161.180
KRS 438.050; KRS 438.305; KRS 438.350; New Section of KRS 438
OAG 81-295; OAG 91-137
P. L. 1114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.1327; 03.2327; 05.31; 06.221; 10.5

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Deleted: Use of tobacco in any form, alternative nicotine products, or vapor products as defined in KRS 438.305 shall not be permitted in outdoor facilities owned or operated by the Board during all District-sponsored activities, including sporting events.¶

LEGAL: SB1 CREATES A NEW SECTION OF KRS 158 REQUIRING THE PRINCIPAL TO PROVIDE WRITTEN NOTICE TO ALL STUDENTS, PARENTS, AND GUARDIANS OF STUDENTS WITHIN TEN (10) DAYS OF THE FIRST INSTRUCTIONAL DAY OF EACH SCHOOL YEAR OF THE PROVISION OF KRS 508.078 AND POTENTIAL PENALTIES UNDER KRS 532.060 AND KRS 534.030 UPON CONVICTION: FINANCIAL IMPLICATIONS: COST OF PROVIDING NOTICE

Assault and Threats of Violence

For purposes of this Policy, a "threat" shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

PUPILS

Any pupil who threatens, assaults, batters or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion.[1]

Students may also be subject to prosecution or juvenile justice interventions for assault, threats, or other abusive conduct.

The Principal shall provide written notice to all students, parents, and guardians of students within ten (10) days of the first instructional day of each school year of the provision of KRS 508.078 and potential penalties under KRS 532.060 and KRS 534.030.[2]

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SCHOOL PERSONNEL

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

REMOVAL OF STUDENTS

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

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

Removal of students from a bus shall be made in compliance with 702 KAR 5:080.

Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as practicable. The Principal shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

REPORT TO LAW ENFORCEMENT AGENCY

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

Assault and Threats of Violence

DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION

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

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

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

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

NOTIFICATIONS

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

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

REFERENCES:

[1]KRS 158.150
[2]New Section of KRS 158
KRS 158.154; KRS 160.290
KRS 161.155; KRS 161.190; KRS 161.195
KRS 209A:020; KRS 209.160
KRS 209A.100; KRS 209A.110; KRS 209A.130
KRS 211.160; KRS 403.720; KRS 456.010
KRS 508.025; KRS 508.075; KRS 508.078; KRS 525.080
KRS 532.060; KRS 534.030; KRS 620.030
702 KAR 5:080

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(CONTINUED)

Assault and Threats of Violence

RELATED POLICIES:

03.123; 03.13253; 03.223; 03.23253; 05.4
06.34; 09.14; 09.2211; 09.422; 09.429

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LEGAL: SB 1 CREATES A NEW SECTION OF KRS 158 THAT REQUIRES DISTRICTS TO HAVE A THREAT ASSESSMENT POLICY COVERING THE DESIGNATION OF A THREAT ASSESSMENT TEAM THAT IS TO IDENTIFY AND RESPOND TO STUDENTS EXHIBITING BEHAVIOR THAT INDICATES A POTENTIAL THREAT TO SCHOOL SAFETY OR SECURITY.
FINANCIAL IMPLICATIONS: HIRING AND TRAINING OF TEAM MEMBERS

STUDENTS 09.429

Threat Assessments

DEFINITIONS

"School safety" shall mean a program of prevention that protects students and staff from substance abuse, violence, bullying, theft, the sale or use of illegal substances, exposure to weapons and threats on school grounds, and injury from severe weather, fire, and natural disasters.

"School security" shall mean procedures followed and measures taken to ensure the security of school buildings, classrooms, and other school facilities and properties.

"Threat assessment team" and "team" shall mean a school safety and security threat assessment team established pursuant to this policy and a new section of KRS 158.

ESTABLISHMENT AND MEMBERSHIP OF TEAMS

A school safety and security threat assessment team shall be established at each school of the District. The members of the team at each school shall be designated by the District School Safety Coordinator, and shall consist of two (2) or more school staff members. School staff members that may be designated as a member of the team at any given school may include: school administrators; school counselors; school resource officers; school-based mental health services providers; teachers; and other school personnel. If necessary, a threat assessment team may serve more than one (1) school of the District.

PURPOSE OF TEAM

The purpose of a team shall be to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or school security.

GENERAL COMPONENTS OF SCHOOL SAFETY AND SCHOOL SECURITY PLANNING

According to the U.S. Secret Service Guide, Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence, key components of a comprehensive school safety and school security plan include efforts to:

1. Foster a climate of respect and trust;
2. Build relationships;
3. Promote communication;
4. Identify concerning behaviors;
5. Maintain a threat assessment team;
6. Reinforce clear policies and procedures;
7. Provide resources to appropriately respond to students;

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Threat Assessments

GENERAL COMPONENTS OF SCHOOL SAFETY AND SCHOOL SECURITY PLANNING (CONTINUED)

8. Promote information-sharing between the school District and appropriate community stakeholders as allowed by law;
9. Liaison with law enforcement; and
10. Provide consistent training to stakeholders.

GUIDING PRINCIPLES OF COMPREHENSIVE THREAT ASSESSMENT PLANNING

The District School Safety Coordinator, members of threat assessment teams, and other appropriate District administrators and staff, shall give appropriate consideration to the following non-exhaustive list of general principles as threat assessment teams are established and as they plan for and conduct their work:

1. A threat assessment process best functions as one component of overall school safety, in conjunction with physical school security and emergency management.
2. Students may engage in a continuum of concerning behaviors, the vast majority of which will be non-threatening and non-violent, but may still call for some type of response.
3. Students should feel empowered to communicate their own concerns to appropriate school staff without fear of reprisal. Incoming reports regarding concerning behavior or statements presenting a threat to school safety and school security should be given due consideration and assessed.
4. The goal of a threat assessment process is to identify, assess, and respond to potential threats to school safety and school security. The process begins with establishing a comprehensive plan for schools to:
   a. Identify students or situations of concern;
   b. Gather additional relevant information in a lawful manner;
   c. Assess the student or situation risk, in context based on the totality of the information available; and
   d. Identify and implement or recommend appropriate response strategies to address the concern.

THREAT ASSESSMENT TEAM MEMBER TRAINING

Training to members of threat assessment teams should be provided or arranged by the District regarding the purpose of the team, the guiding principles stated above, and the members' roles in enhancing school safety and school security through identifying and responding to students exhibiting behavior that indicates a potential threat to school safety or school security. Training shall address the following: strategies to properly respond to students who provide information about a threatening or concerning situation, ways to assess and respond to potential threats, and how and to whom they should report threatening communications or behavior.

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Threat Assessments

THREAT ASSESSMENT TEAM MONITORING

The District School Safety Coordinator and the Superintendent/designee shall monitor the work of the threat assessment team in each school of the District.

ACCESS TO STUDENT RECORDS

Threat assessment team members, including any members who are not school District employees, are hereby designated as "school officials" for purposes of the Family Educational Rights and Privacy Act (FERPA), and as such may access student records to the extent necessary in connection with the work of the team, in accordance with FERPA and Board Policy 09.14.

INTERACTION OF TEAM ACTIVITIES WITH SCHOOL DISCIPLINARY ACTION AND/OR LAW ENFORCEMENT

Threat assessment team activities and any responses undertaken or recommended by a team, do not negate or override applicable disciplinary procedures or action under Board policy or the Code of Acceptable Behavior and Discipline or legal reporting requirements, including those covering bullying or criminal activity; dependency, neglect or abuse; or domestic and dating violence.[2]

IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY

A school District, School Safety Coordinator, and any school employees participating in the activities of a school safety and security threat assessment team enjoy immunity from civil and criminal liability regarding their participation in the threat assessment process as provided in New section of 158.[1]

REFERENCES:

[1]New Section of KRS 158

U.S. Secret Service Guide, *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*

RELATED POLICIES:

[2]09.2211; 09.227; 09.438
05.4; 09.14;; 09.425

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LEGAL: HB 11 REQUIRES ALL LOCAL BOARDS, ON OR BEFORE JULY 1, 2020, TO ADOPT AND IMPLEMENT POLICIES THAT PROHIBIT THE USE OF ANY TOBACCO PRODUCT, ALTERNATIVE NICOTINE PRODUCT, OR VAPOR PRODUCT FOR ALL PERSONS AND AT ALL TIMES ON OR IN ALL PROPERTY OF THE BOARD, AND WHEN STUDENTS ARE PRESENT IN ANY SCHOOL-RELATED TRIP OR STUDENT ACTIVITY. THE POLICIES MUST ALSO PROVIDE FOR ADEQUATE NOTICE TO STUDENTS, PARENTS/GUARDIANS, EMPLOYEES, AND THE PUBLIC. IN ADDITION, THE POLICIES MUST REQUIRE SIGNAGE ON OR IN ALL PROPERTY INCLUDING ANY VEHICLE OWNED, OPERATED, LEASED, OR CONTRACTED FOR USE BY A LOCAL BOARD. SUCH SIGNAGE SHALL CLEARLY STATE THAT THE USE OF SUCH PRODUCTS IS PROHIBITED AT ALL TIMES AND BY ALL PERSONS ON OR IN THE PROPERTY. SCHOOL EMPLOYEES ARE REQUIRED TO ENFORCE THE POLICIES. NOTE THAT DISTRICTS HAVE THE OPTION TO OPT OUT OF THESE PROVISIONS WITHIN THREE (3) YEARS OF JUNE 27, 2019.
FINANCIAL IMPLICATIONS: COST OF SIGNAGE

Visitors to the Schools

The Board encourages parents, professional educators, and others who have legitimate educational interests pertaining to the District's public school program to visit the schools. To ensure that school personnel are aware of visitors' presence, visits to classrooms shall be authorized by the Principal/designee and all visitors must report immediately to the Principal's office upon entering the school and identify themselves, as well as declare their purposes for visiting.

REGISTRANTS

No registrant, as defined in KRS 17.500, nor any person residing outside of Kentucky who would be required to register under KRS 17.510 if the person resided in Kentucky, shall be on the clearly defined grounds of a District school, except with the advance written permission of the Principal or the Board that has been given after full disclosure of the person's status under KRS 17.510 as a registrant or sex offender from another state and all registrant information as required in KRS 17.500.

A registrant is defined as:

1. Any person eighteen (18) years of age or older at the time of the offense or any youthful offender, as defined in KRS 600.020, who has committed:
   a. A sex crime; or
   b. A criminal offense against a victim who is a minor; or
2. Any person required to register under KRS 17.510; or
3. Any sexually violent predator; or
4. Any person whose sexual offense has been diverted pursuant to KRS 533.250, until the diversionary period is successfully completed.

A registrant who is the parent/legal guardian, or the person designated by the parent/legal guardian to have access to a student, must request and receive prior permission from the Principal to come onto school grounds. The Principal shall determine whether the requesting registrant is permitted to come onto school grounds for the following reasons:

1. To pick up or drop off their child each day;
2. To pick up the child who is injured or ill.
3. To confer with school staff concerning academic, disciplinary or placement issues involving the student, including matters required by federal or state law.

Visitors to the Schools

REGISTRANTS (CONTINUED)

4. To attend a school activity, including athletic practices and competition, in which the student is a participant.
5. To vote when the school has been designated as a polling place.

Depending on the facts of the particular request, the Principal's response options may include, but are not be limited to the following:

- Requiring the registrant to provide additional information needed;
- Specifying check-in and check-out requirements;
- Requiring the registrant to be directly supervised by an individual designated by the Principal while on school grounds;
- Restricting the registrant to a designated location on school grounds;
- Limiting the time the registrant will be permitted to be on school grounds; and
- Denying the request to come onto school grounds.

The Principal shall notify the Superintendent/designee of each request from a registrant and the response made to the registrant. If questions arise about a request, the Principal shall consult with the Superintendent concerning requests from registrants, and the Superintendent may seek further advice from the Board Attorney.

For all other reasons and for all individuals making a request other than parent/legal guardian/designee, the Principal shall consult with the Superintendent as the executive agent of the Board before making a final determination.

OUTSIDERS

Professional educators and citizens who are from other communities and who wish to observe the schools in operation are welcome. Arrangements for such visits must be made in advance with the Superintendent/designee.

CONDUCT/PROHIBITION ON RECORDING

All visitors to the schools must conduct themselves so as not to interfere with the daily operation of the school program.

Due to privacy concerns, and except for emergency situations, personally owned recording devices are not to be used to create video or audio recordings or to take pictures except with prior permission from the Principal/designee and the affected individual(s).

An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena.

Such devices include, but are not limited to, personal cell phones and tablets.

Visitors to the Schools

USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED

The use of any tobacco product, alternative nicotine product, or vapor product, as defined in KRS 438.305, is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and in the presence of a student or students.[1]

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. Persons in violation of this policy, in addition to fines which may be imposed by law[2], are subject to verbal warnings to refrain from use of the subject product. Refusal to refrain from such use or repeated instances of prohibited use after prior warnings may subject the individual to a ban from school property as permitted by law and corresponding civil and criminal penalties.[3]

ACCOMMODATION

Visitors with disabilities shall be accommodated as required by law. Individuals requesting accommodation shall contact the District ADA/504 Coordinator for assistance and guidance. Accommodations may include, but are not limited to, the following considerations:

- Effective communication
- Event ticket sales accommodation
- Companion seating at events
- Use of power driven mobility devices
- Use of service animals

The District shall notify the public of any requirements and/or deadline for requesting such accommodation.

WEBSITE ACCESSIBILITY

The District is committed to ensuring accessibility of its website for students, parents, and members of the community with disabilities. All pages on the District's website will conform to the W3C WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents.

Under District developed administrative procedures, students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 related to the accessibility of any official District web presence which is developed by, maintained by, or offered through the District or third party vendors and open sources.

Deleted: Use of any tobacco product, alternative nicotine product, or vapor product is prohibited at all times in or on any property owned or operated by the Board. In addition, use of tobacco in any form shall not be permitted in outdoor facilities owned or operated by the Board, inside Board owned vehicles, or during any District or school sponsored activities, including sporting events.¶

Visitors to the Schools

REFERENCES:

[1]New Section of KRS 438
[2]KRS 438.050
[3]KRS 511.070; KRS 511.080; OAG 90-11
KRS 17.545; KRS 17.500; KRS 17.510
KRS 160.380; KRS 211.394, KRS 211.395; KRS 438.305
KRS 600.020; KRS 620.146
OAG 91-137
P. L. 114-95, (Every Student Succeeds Act of 2015)
29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)
42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII
42 U.S.C. 12101 et seq., Americans with Disabilities Act

RELATED POLICIES:

01.1
03.113; 03.1327; 03.162; 03.212; 03.2327; 03.262; 05.3; 05.31; 06.221
09.1231; 09.227; 09.3211; 09.4232; 09.426; 09.42811
10.2

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LEGAL HB 26 AMENDS KRS 45A.385 INCREASING THE AGGREGATE CONTRACT AMOUNT MAXIMUM FOR SMALL PURCHASE TO $30,000.
FINANCIAL IMPLICATIONS: LARGER AMOUNT FOR SMALL PURCHASE PROCEDURES
LEGAL: SB 15 AMENDS KRS 160.380 TO ELIMINATE THE DEFINITION OF "CONTRACTOR" AND THE SCOPE OF REQUIRED VENDOR/CONTRACTOR BACKGROUND CHECKS TO ADULTS ACCESSING SCHOOL GROUNDS UNDER A WRITTEN AGREEMENT TO PROVIDE DIRECT STUDENT SERVICES AS PART OF A SCHOOL-SPONSORED PROGRAM ACTIVITY.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT 04.32

Model Procurement Code PurchasingBidding

AUTHORITY

BiddingPurchasing procedures shall conform to the Model Procurement Code, KRS 45A.345 – KRS 45A.460.[1] All contracts or purchases shall be awarded by competitive sealed bidding or competitive negotiation, both of which may include the use of a reverse auction, except as otherwise provided by law.[2]

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

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

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;

The supplies and/or equipment are available for purchase at a lower price;

The purchase does not exceed $2,500[4 & 8]; and

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.

Page Break

Model Procurement Code PurchasingBidding

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$30,000.00.[5]

BACKGROUND CHECKS FOR CONTRACTORS

The Superintendent shall require an adult who is permitted access to school grounds on a regularly scheduled and continuing basis pursuant to a written agreement for the purpose of providing services directly to a student or students as part of a school-sponsored program or activitythat 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 clear CA/N checka 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.[6]

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. These provisions shall become part of the contractual obligation of the contractor and shall be reflected in the bid specifications, or, if the contract is not subject to bid requirements, in the negotiations with the contractor.

Model Procurement Code PurchasingBidding

BACKGROUND CHECKS FOR CONTRACTORS (CONTINUED)

Link to DPP-156 Central Registry Check and more information on the required CA/N checkCabinet Letter:

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

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

REFERENCES:

[1]KRS 45A.343
[2]KRS 45A.070345; KRS 160.290; KRS 45A.380
[3]KRS 160.303; 200 KAR 5:400; KRS 45A.494
[4]KRS 156.076
[5]KRS 45A.385
[6]KRS 160.380
[7]2 C.F.R. 200.318
[8]KRS 45A.360
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)

RELATED POLICIES:

05.6; 06.4; 07.13

Page 72: [2] Deleted **Crabtree, Kim** **6/13/2019 12:22:00 PM**

LEGAL: AMENDMENTS TO 704 KAR 3:305 CHANGE GRADUATION REQUIREMENTS FOR STUDENTS ENTERING 9TH GRADE IN THE 2018-2019, 2019-2020 AND 2020-2021 SCHOOL YEARS. LOCAL BOARDS MAY ADOPT THEIR OWN REQUIREMENTS THAT MAY GO FARTHER THAN THE STATE MINIMUM. ANY DISTRICT CHANGES OR ADDITIONAL REQUIREMENTS SHOULD BE SENT TO YOUR POLICY CONSULTANT.
FINANCIAL IMPLICATIONS: REQUIREMENTS FOR MORE OFFERINGS MAY ADVERSELY IMPACT DISTRICT BUDGETS

CURRICULUM AND INSTRUCTION 08.113

Graduation Requirements

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic StandardsExpectations, all students must complete a minimum of twenty-two (22)at least thirty-two (32) credits, including demonstrated performance-based competency in technology, and all other state and local requirements in order to graduate from high school in the District.

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

In addition to the content requirements established by the Kentucky Academic Standards, and the credits required by the minimum requirements for high school graduation in 704 KAR 3:305, the Board may impose other requirements for graduation from high school. Students shall complete an Individual Learning Plan (ILP) that focuses on career exploration and related postsecondary education and training needs.

Students that do not meet the college readiness benchmarks for English and language arts and/or mathematics shall take a transitional course or intervention before exiting high school.*

Graduation Requirements

FOR STUDENTS ENTERING GRADE NINE (9) ON OR BEFORE THE FIRST DAY OF THE 2018-2019 ACADEMIC YEAR

Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR 3:303 and 704 KAR Chapter 8. The required credits and demonstrated competencies shall include the following minimum requirements:

Language Arts	Four (4) Credits (English I, II, III, and IV) taken each year of high school. Students that do not meet the college readiness benchmarks for English and language arts shall take a transitional course or intervention, which is monitored to address remediation needs, before exiting high school.
Social Studies	Three (3) Credits
Mathematics	Three (3) Credits (Algebra I, Geometry and Algebra II) (An integrated, applied, interdisciplinary, occupational, or technical course that prepares a student for a career path based on the student's ILP may be substituted for a traditional Algebra I, Geometry, or Algebra II course on an individual student basis if the course meets the content standards in the Kentucky Academic Standards, established in 704 KAR 3:303 and 704 Chapter 8. A mathematics course or its equivalent as determined by the District shall be taken each year of high school to ensure readiness for postsecondary education or the workforce. Any mathematics course other than Algebra I, Geometry, or Algebra II shall be counted as an elective. Students that do not meet the college readiness benchmarks for mathematics shall take a transitional course or intervention, which is monitored to address remediation needs, before exiting high school.
Science	Three (3) Credits incorporating lab-based scientific investigation
Health	One-half (1/2) Credit
P.E.	One-half (1/2) Credit
Visual and Performing Arts	One (1) Credit or a standards-based specialized arts course based on the student's ILP

Academic and Career Interest Standards-based Learning Experiences	Seven (7) Credits total (Three (3) plus four (4) standards-based credits in an academic or career interest based on the student's ILP)
Technology	Demonstrated performance-based competency

Graduation Requirements

FOR STUDENTS ENTERING GRADE NINE (9) ON OR AFTER THE FIRST DAY OF THE 2019-2020 ACADEMIC YEAR

Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR 3:303 and 704 KAR Chapter 8. The required credits and demonstrated competencies shall include the following minimum requirements:

Language Arts	Four (4) Credits total (English I and II plus two (2) credits aligned to the student's ILP)
Social Studies	Three (3) Credits total – (Two (2) plus one (1) credit aligned to the student's ILP)
Mathematics	Four (4) Credits total (Algebra I and Geometry plus two (2) credits aligned to the student's ILP)
Science	Three (3) Credits total – (Two (2) credits incorporating lab-based scientific investigation experiences plus one (1) credit aligned to the student's ILP)
Health	One-half (1/2) Credit
P.E.	One-half (1/2) Credit
Visual and Performing Arts	One (1) Credit or a standards-based specialized arts course based on the student's ILP
Academic and Career Interest Standards-based Learning Experiences	Six (6) Credits total (Two (2) plus four (4) standards-based credits in an academic or career interest based on the student's ILP)
Technology	Demonstrated performance-based competency
Additional qualifiers as follows:	

Complete one (1) or more of the following graduation qualifiers:

Satisfy precollege curriculum as established by the Council on Postsecondary Education in 13 KAR 2:020;

Achieve benchmark score as established by the Council on Postsecondary Education in 13 KAR 2:020 in one (1) section of a college admissions or placement examination;

Complete three (3) postsecondary credit hours or more of a Kentucky Department of Education approved dual credit course with a grade of C or higher;

Complete one (1) course and corresponding assessment meeting the following criteria:

Advanced placement (AP) with a score of three (3) or higher;

Cambridge Advanced International (CAI) with a score at E or higher; or

International Baccalaureate (IB) with a score of five (5) or higher;

Graduation Requirements

FOR STUDENTS ENTERING GRADE NINE (9) ON OR AFTER THE FIRST DAY OF THE 2019-2020 ACADEMIC YEAR (CONTINUED)

Obtain an industry certification as approved by the Kentucky Workforce Innovation Board;

Complete four (4) credits from valid courses within a single Kentucky Department of Education approved career pathway;

Complete a Kentucky Department of Education approved process to verify 500 hours of exceptional work experience, or alternative requirements as determined by a student's Admissions and Release Committee and specified in the student's IEP; and

Complete two (2) years in an approved Kentucky Department of Education or Kentucky Labor Cabinet pre-apprenticeship or apprenticeship program.

Graduation Requirements

FOR STUDENTS ENTERING GRADE NINE (9) ON OR AFTER THE FIRST DAY OF THE 2020-2021 ACADEMIC YEAR

Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR 3:303 and 704 KAR Chapter 8. The required credits and demonstrated competencies shall include the following minimum requirements:

Language Arts	Four (4) Credits total (English I and II plus two (2) credits aligned to the student's ILP)
Social Studies	Three (3) Credits total – (Two (2) plus one (1) credit aligned to the student's ILP)
Mathematics	Four (4) Credits total (Algebra I and Geometry plus two (2) credits aligned to the student's ILP)
Science	Three (3) Credits total – (Two (2) credits incorporating lab-based scientific investigation experiences plus one (1) credit aligned to the student's ILP)
Health	One-half (1/2) Credit
P.E.	One-half (1/2) Credit
Visual and Performing Arts	One (1) Credit or a standards-based specialized arts course based on the student's ILP
Academic and Career Interest Standards-based Learning Experiences	Six (6) Credits total (Two (2) plus four (4) standards-based credits in an academic or career interest based on the student's ILP)
Technology	Demonstrated performance-based competency
Financial Literacy	One (1) or more courses or programs that meet the financial literacy requirements pursuant to KRS 158.1411.
Additional qualifiers and prerequisites as follows:	

I. Complete one (1) or more of the following graduation qualifiers:

Satisfy precollege curriculum as established by the Council on Postsecondary Education in 13 KAR 2:020;

Achieve benchmark score as established by the Council on Postsecondary Education in 13 KAR 2:020 in one (1) section of a college admissions or placement examination;

Complete three (3) postsecondary credit hours or more of a Kentucky Department of Education approved dual credit course with a grade of C or higher;

Graduation Requirements

FOR STUDENTS ENTERING GRADE NINE (9) ON OR AFTER THE FIRST DAY OF THE 2020-2021 ACADEMIC YEAR (CONTINUED)

Complete one (1) course and corresponding assessment meeting the following criteria:

Advanced placement (AP) with a score of three (3) or higher;

Cambridge Advanced International (CAI) with a score at E or higher; or

International baccalaureate (IB) with a score of five (5) or higher;

Obtain an industry certification as approved by the Kentucky Workforce Innovation Board;

Complete four (4) credits from valid courses within a single Kentucky Department of Education approved career pathway;

Complete a Kentucky Department of Education approved process to verify 500 hours of exceptional work experience, or alternative requirements as determined by a student's Admissions and Release Committee and specified in the student's IEP; and

Complete two (2) years in an approved Kentucky Department of Education or Kentucky Labor Cabinet pre-apprenticeship or apprenticeship program.

Meet one (1) of the following graduation prerequisites for reading and one (1) of the following graduation prerequisites for mathematics:

Score at or above the minimum criteria on the tenth (10th) grade state-required assessments in reading or mathematics;

Score proficient or higher for reading or mathematics on the eighth (8th) grade state required assessment; or

A student collection of evidence submitted by the Principal to the Superintendent/designee for review and approval. The collection of evidence shall include the following:

The student's ILP that includes student transcript;

If applicable, for students with IEPs, evidence that the student has achieved progress on measurable annual IEP goals as determined by the Admissions and Release Committee;

Performance on the tenth (10th) grade state-required assessments in reading or mathematics;

Appropriate interventions, targeted to the student's needs;

Student work demonstrating the student's competency in reading or mathematics; and

The student's post-graduation plans.

Graduation Requirements

*Students must meet college or career readiness standards as adopted by the Kentucky Board of Education and the Simpson County Board of Education in order to graduate. Principals will disseminate these readiness standards to students through the guidance program and inclusion in student handbooks and in the Individual Learning Plan (ILP).

College Ready Benchmarks:	ACT, or KYOTE
Career Ready Benchmarks:	ACT or ASVAB and KOSSA Certificate or Industry Certificate

Exceptions to this requirement shall be made for students with identified learning disabilities as determined in the IEP by the Admissions and Release committee. Eligible students who complete an approved Service Learning Project based upon good faith effort in meeting one of the credentialing benchmarks outlined above.

Standards for Learning Opportunity Students may be amended if the high school and LOPC Principals and parent(s) approve, but students must have no less than twenty-four (24) credits and fulfill all other state and local requirements in order to graduate from high school in the District.

GOOD FAITH EFFORT

All students are expected to give a good faith effort on any and all tests required by the school, District or state. The school Principal will determine the requirements for a good faith effort and communicate those to the students at the beginning of the school year and include in the student handbook.

DIPLOMA LEVELS

Students at Franklin-Simpson High School must complete a program of studies that offers the opportunity to earn the Standard or Comprehensive Diploma. Learning Opportunities students shall receive a Standard Diploma.

Students shall complete an individual learning plan that focuses on career exploration and related postsecondary education and training needs.

The FSHS and LOPC student handbooks shall include complete details concerning specific graduation and diploma requirements.

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CURRICULUM AND INSTRUCTION 08.113
(CONTINUED)

Graduation Requirements

PERFORMANCE-BASED CREDITS

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

Kentucky Administrative Regulation. Procedures for the developing and amending the system shall address the following:

Conditions under which high school credit will be granted under the system that allow students to demonstrate proficiency and earn credit for learning acquired outside the normal classroom setting, outside of school, or in prior learning;

Performance-based credit may be earned while the student is still “in school,” but the instructional setting will look different from a traditional “seat time” environment.

Performance descriptors and their linkages to State content standards and academic standardsexpectations;

At the high school level, performance descriptors and evaluation procedures shall be established to determine if the content and performance standards have been met.

Assessments and the extent to which state-mandated assessments will be used;

An objective grading and reporting process; and

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

OTHER COURSES

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

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

EARLY GRADUATION CERTIFICATE

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

Graduation Requirements

EARLY GRADUATION CERTIFICATE (CONTINUED)

Students working toward receipt of an Early Graduation Certificate shall be supported by development and monitoring of an ILPindividual learning plan to support their efforts.

To graduate early and earn an Early Graduation Certificate, a student shall:

Score proficient or higher on the state-required assessments; and

Meet the college readiness exam benchmarks established 13 KAR 2:020 for placement in credit-bearing courses without the need for remediation.

A student who has indicated an intent to graduate early may participate in the student's state administration of the college readiness exam prior to the junior year, if needed. Students who meet all applicable legal requirements shall be awarded a diploma and an Early Graduation Certificate.

OTHER PROVISIONS

No pupil shall be permitted to participate in graduation exercises until all specified graduation requirements have been fulfilled, as determined by the Principal and staff.

The Board may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

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

The District shall report individual student data regarding the completion of each graduation qualifier and each graduation prerequisite to the Kentucky Department of Education.

The Board may substitute an integrated, applied, interdisciplinary, occupational, technical, or higher-level course for a required course if the alternative course provides rigorous content.

DIPLOMAS FOR VETERANS

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

REFERENCES:

[1]KRS 40.010; KRS 158.140; 704 KAR 7:140
[2]KRS 158.622
[3]KRS 156.160; 20 U.S.C. sec. 1414
[4]KRS 158.142; 704 KAR 3:305
[5]KRS 158.141
KRS 156.027; KRS 158.135
KRS 158.141; KRS 158.1411; KRS 158.143; KRS 158.183; KRS 158.281
KRS 158.302; KRS 158.645; KRS 158.6451
KRS 158.860
13 KAR 2:020; 702 KAR 7:125; 703 KAR 4:060
704 KAR 3:303; 704 KAR 3:306; 704 KAR Chapter 8
OAG 78-348; OAG 82-386
Kentucky Academic Standards

Graduation Requirements

RELATED POLICIES:

08.1121; 08.1131; 08.14; 08.22; 08.222
09.126 (re requirements/exceptions for students from military families)

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