



**FLOYD COUNTY BOARD OF EDUCATION**  
**Danny Adkins, Superintendent**  
**106 North Front Avenue**  
**Prestonsburg, Kentucky 41653**  
**Telephone (606) 886-2354 Fax (606) 886-4550**  
**[www.floyd.kyschools.us](http://www.floyd.kyschools.us)**

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

**Action/Discussion Item:** First reading for KSBA Policy Update #42 and Procedure Update #23

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

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

**Fiscal Budgetary Impact:** As noted on individual policies.

**Alternatives:** None proposed.

**Recommended Action:** To review policy changes for first reading

**Contact Person:** Angela Duncan, Executive Officer of Operations  
606.886.4525

**Date:** June 17, 2019

  
Superintendent

  
Administrator



Ronnie Holmes,  
President

Kerri Schelling,  
Executive Director

May 31, 2019

Dear Superintendent/Policy Contact:

We are enclosing your district's customized 2019 policy update (#42) and if applicable procedure update (#23) and the related checklists. Proposed changes reflect new legal requirements, as well as "best practice" recommendations from KSBA.

Please note the following:

- **KRS 160.340 requires that board policies be kept up to date by filing annual amendments thereto by August 15.**
- At the top of each draft is the legal and/or recommended rationale for the proposed change. In the body of each draft, new language is underlined. Language with ~~strike through~~ is recommended for deletion.

***Please mark any indicated changes in edit mode or contact your district's KSBA consultant with the changes highlighted in some manner.*** Also, if you have been working with your consultant on a draft to revise any of the update areas, please contact him/her if you want to substitute that draft for the one enclosed with this update.

**SPECIAL NOTE:** This update amends **Policy 08.113**, your district's **GRADUATION REQUIREMENTS**. The state has adopted new **minimum** graduation requirements. Local boards may adopt their own requirements that may go farther than the state minimum, and many have done so previously. We advise you to carefully review your current requirements in Policy 08.113, and compare them to the proposed changes in this update which reflect the new state minimum. As with all policies, please contact your policy consultant with any changes your board seeks to make to Policy 08.113 as proposed in the update, to either retain any existing local requirements, or to adopt new ones, that go beyond the state minimum.

**The update checklist is the only document we need returned to us, unless there are drafts to be modified.** Please complete the checklist and return to the KSBA Policy Service by **September 1** so that final copies can be returned to you for use during the upcoming school year.

As we do each year, we request that your District review the introductory pages in your hard copy manual for changes to be made to any vision/mission statement and/or District goals found there.

If you have questions or comments about the updating process or need your consultant to prepare additional drafts, please call us immediately at 1-800-372-2962. If this will be your first experience with a policy update, we strongly recommend you contact your District's assigned Policy Consultant for help.

Please be aware that because your District's policies belong to your Board of Education, **the choice of language to be adopted rests solely with the Board**. The KSBA Policy Service appreciates the opportunity to serve your District and stands ready to assist the Board with this important task.

Please note the approved changes go into effect as of the date of Board approval, unless otherwise noted in your Board meeting minutes.

Sincerely,

Your Policy Staff

Enclosures

## KSBA Policy Service

## 2019 Policy Update (#42) Checklist

**District:** Floyd County Schools

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

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
01.1	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
01.11	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
01.3	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
01.821	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
02.31	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
02.421	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
02.4241	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.11	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.113	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.123	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.1233	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.1234	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.1327	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.133	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.162	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.19	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.21	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.212	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.2327	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
03.233	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
03.262	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
03.29	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
03.6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
04.32	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
04.6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
04.61	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
05.31	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
05.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
05.48	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
05.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
06.221	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
08.113	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
08.14	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
08.221	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
09.126	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
09.22	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
09.224	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
09.4232	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
09.425	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
09.429	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>



_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

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

\_\_\_\_\_  
Board Chair's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Superintendent's Signature

\_\_\_\_\_  
Date

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

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

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.1

### Legal Status of the Board

#### BUSINESS 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 Floyd 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.<sup>1</sup>

#### NOTICE OF NONDISCRIMINATION

As required by federal law, the District does not discriminate on the basis of race, color, national origin, sex, genetic information, disability, ~~or 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.

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.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.1  
(CONTINUED)

**Legal Status of the Board**

**REFERENCES:**

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

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.11

### General Powers and Duties of the Board

#### ESTABLISHMENT OF SCHOOLS

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

#### CHARTER SCHOOLS

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

#### REQUEST FOR WAIVERS AND EXEMPTIONS

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

When approved as a ~~district of innovation~~ by the Kentucky Board of Education, the District ~~is to~~ may 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 as persistently low-achieving~~ under KRS 160.346 to participate in the District's plan of innovation.<sup>11</sup>

#### 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.<sup>1</sup>

#### 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.<sup>1</sup>

**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.<sup>2</sup>

**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.<sup>3</sup> 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.<sup>4</sup> 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.<sup>9</sup>

As long as they pay the full cost of premiums required, Board members may choose to participate in any group life insurance<sup>12</sup> or any group medical or dental insurance provided by the District for employees.<sup>10</sup>

**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.<sup>5</sup>

**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.<sup>6</sup>

**LEVY OF TAX RATES**

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

**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.<sup>8</sup>

**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.<sup>4</sup>

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

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

**APPLICATIONS FOR GRANTS**

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

**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.

**REFERENCES:**<sup>1</sup>KRS 160.290<sup>2</sup>KRS 160.300<sup>3</sup>KRS 160.310<sup>4</sup>KRS 160.160<sup>5</sup>KRS 160.330<sup>6</sup>KRS 160.340<sup>7</sup>KRS 160.470<sup>8</sup>KRS 160.540<sup>9</sup>KRS 160.345<sup>10</sup>KRS 160.280<sup>11</sup>KRS 156.108; KRS 160.107; KRS 160.346; 701 KAR 5:140<sup>12</sup>KRS 18A.205; KRS 18A.210KRS 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

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POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.11  
(CONTINUED)

**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

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.3

### Board Vacancy Filling Unexpired Terms

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#### APPOINTMENT

Any vacancy on the Board shall be filled by the Commissioner of Education a majority vote of the remaining members of the Board within ninety-sixty (90/60) days after the vacancy occurs. 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. 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.

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.<sup>1</sup> 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:

- 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 November 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.<sup>1</sup>

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## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.3  
(CONTINUED)

### Board Vacancy Filling Unexpired Terms

#### 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.<sup>2</sup>

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#### REFERENCES:

<sup>1</sup>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)

<sup>2</sup>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

## POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.821

### Board Member Expense Reimbursement

#### PER DIEM

Board members shall receive a per diem of ~~one-hundred-fiftyseveny-five~~ dollars (\$~~15075~~) ~~per for each day a regular or special Board meeting is attended or for each day a training session required by law is attended as required by law~~, not to exceed ~~\$6,000~~\$3,000 per calendar year per member.

#### 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~~\$3,000 per calendar year per member.

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.

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.

#### 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.<sup>1</sup>

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#### 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.

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#### References:

<sup>1</sup>KRS 158.441  
KRS 61.902  
New Section of KRS 441

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#### RELATED POLICY:

09.4361

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 (SBDM)**

#### **ELECTION OF TEACHER MEMBERS**

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

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

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

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

#### **ELECTION OF PARENT MEMBERS**

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

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

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

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

A parent council member shall submit to a state and national fingerprint-supported criminal history background as required by KRS 160.380. In addition, the parent council member shall provide a clear CA/N check letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record. Receipt of notice or verification of a finding of neglect or abuse shall subject the parent council member to removal under KRS 160.347. A parent member may serve prior to the receipt of the criminal history background check and CA/N check report, 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 Cabinet Letter:

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

**MINORITY REPRESENTATIVES**

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

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

If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. Procedures for election of the teacher representative shall be the same as the procedures for election of the other three (3) teacher members of the council.

**TERMS**

Terms of school council members shall be for one (1) year and shall begin on July 1 and end on June 30 of the following year. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. Term limitations shall not apply for a minority teacher member who is the only minority on faculty. Annual elections for the following year's terms should be held no later than the preceding May, but the specific date shall be set by the council.

**Election of School Council Members (SBDM)**

**COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS**

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

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

**CONFLICT OF INTEREST**

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

**REMOVAL OF COUNCIL MEMBERS**

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

**VACANCIES**

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

**REFERENCES:**

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

LEGAL: REVISIONS TO 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, Advanced 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/designee;  
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**

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 and/or designee'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 sSchool of iInnovation participating in a dDistrict of iInnovation 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 sSchool of iInnovation in the District's application for dDistrict of iInnovation 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.

**REFERENCES:**

KRS 156.072; KRS 156.160; KRS 156.730; KRS 156.735  
KRS 158.197; KRS 158.645; KRS 158.6451; KRS 158.6453  
KRS 158.162; KRS 160.345; KRS 160.348  
KRS 156.108; KRS 160.107; 701 KAR 5:140  
OAG 93-55; OAG 94-29; 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*

ADMINISTRATION

02.4241  
(CONTINUED)

**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

## PERSONNEL

03.11

### - CERTIFIED PERSONNEL -

#### Hiring

##### SUPERINTENDENT'S RESPONSIBILITIES

All appointments, promotions, and transfers of certified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes and, if a school-based position is to be filled, shall be submitted with a certified statement reflecting the school's entitlement, current staffing, the reason(s) why the position was vacant, and the financial impact of the employment.

When a vacancy occurs, the Superintendent shall notify the Commissioner of Education fifteen (15) days 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.

A "qualified applicant" is an individual who:

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

### Hiring

#### CRIMINAL BACKGROUND CHECK AND TESTING

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

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

Applicants, employees, and student teachers assigned within the District shall undergo records checks and testing as required by applicable statutes and regulations.<sup>4</sup>

Each application or renewal form provided to applicants for a certified position shall conspicuously state the following:

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

~~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.

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

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

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

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

#### REPORT TO SUPERINTENDENT

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

#### JOB REGISTER

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

**Hiring****VACANCIES POSTED**

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

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

**REVIEW OF APPLICATIONS**

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

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

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

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

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

**RELEASE OF APPLICATIONS**

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

**Hiring****BEST-QUALIFIED APPLICANT**

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

**RELATIONSHIPS**

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

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

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

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

**CONTRACT**

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

**JOB DESCRIPTION**

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

**EMPLOYEES SEEKING A JOB CHANGE**

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

PERSONNEL

03.11  
(CONTINUED)

**Hiring**

**REFERENCES:**

<sup>1</sup>KRS 160.380

<sup>2</sup>KRS 161.605; 702 KAR 1:150

<sup>3</sup> 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. 200.55-200.56~~; 45 C.F.R. § 1302.90

KRS 17.160; KRS 17.165

KRS 156.106; KRS 160.345; KRS 160.390

KRS 161.042; KRS 161.611; KRS 161.750

KRS 335B.020; KRS 405.435

16 KAR 9:080; 702 KAR 3:320; 704 KAR 7:130

OAG 18-017; OAG 73-333; OAG 91-10; OAG 91-149; OAG 91-206

OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6

Records Retention Schedule, Public School District

**RELATED POLICIES:**

01.11; 02.4244; 03.1311; 03.132

LEGAL: SB 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, ~~or disabling condition, or~~ limitations related to pregnancy, childbirth, or related medical conditions.<sup>1</sup>

#### **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.<sup>2</sup>

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.<sup>3</sup>

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.<sup>4</sup>

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PERSONNEL

03.113  
(CONTINUED)

**Equal Employment Opportunity**

**REFERENCES:**

| <sup>1</sup>KRS 161.164; ~~KRS Chapter 344~~; ~~42 U.S.C. 2000e~~, Civil Rights Act of 1964, Title VII  
| <sup>2</sup>29 U.S.C.A. 794  
<sup>3</sup>29 U.S.C. section 1630.14  
KRS 207.135  
34 C.F.R. 104.3 - 104.14  
| ~~42 U.S.C. 200e~~, Civil Rights Act of 1964, Title VII, ~~KRS Chapter 344~~  
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

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

03.123

### - CERTIFIED PERSONNEL -

#### Leaves and Absences

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

In all cases of absence, teachers shall notify the Principal before the opening of school or the night before, if possible, and the Principal shall call substitute teachers from the official substitute list approved by the Superintendent.

Employees on leave covered by the related policies listed below shall notify the Superintendent in writing by March 30 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 March 30 cannot be guaranteed employment for the following school year. If an employee on leave has not contacted the Superintendent by March 30, 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 March 30, 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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PERSONNEL

03.123  
(CONTINUED)

**Leaves and Absences**

**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

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

03.1233

- 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, eligible employees are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

#### 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

PERSONNEL

03.1233  
(CONTINUED)

**Maternity Leave**

**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.

**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.

**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 OF RETURN**

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.

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**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.

PERSONNEL

03.1234  
(CONTINUED)

**Extended Disability Leave**

**INVOLUNTARY DISABILITY LEAVE (CONTINUED)**

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.<sup>1</sup>

**RETIREMENT DISABILITY**

Retirement disability shall be handled in accordance with KRS 161.662.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 161.790; OAG 65-560, KRS 161.770

<sup>2</sup>KRS 161.662, 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

PERSONNEL

03.1327

- 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.<sup>1</sup>

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.

#### SMOKE-FREE BUILDINGS/VEHICLES

The use of any tobacco product in all Board-owned buildings and vehicles is strictly prohibited. The use of any tobacco product on all other Board-owned property is prohibited except during events, performances, activities and meetings scheduled after school hours and to which the public is either invited or otherwise entitled by law to attend.

The use of tobacco products, when permitted on Board property shall be only in outside areas designated by the school Principal/designee, school council, or Superintendent/designee, as appropriate. Tobacco product use areas including, but not limited to, such areas at outside athletic complexes, should be designated in isolation from public view and at least 25 (twenty-five) feet but not more than 400 feet away from entry/exit areas to minimize health issues for students, employees and visitors. Receptacles for used tobacco products shall be provided in the designated areas.

Outside athletic complexes shall have a designated tobacco use area within the complex so that readmission issues do not detract from the administration of the event or cause additional admission charges for visitors. The policy and the location of the designated tobacco product use area(s) must be announced at the start of all public events, performances, activities and meetings and at half times or at breaks, as applicable by the school Principal/designee or Superintendent/designee.

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PERSONNEL

03.1327  
(CONTINUED)

**Use of Tobacco, Alternative Nicotine, or Vapor Products**

**REFERENCES:**

<sup>1</sup>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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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

03.133

### - 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.<sup>1</sup>

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#### REFERENCES:

- <sup>1</sup>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 or disability 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. Discrimination based upon race, color, national origin, age, religion, sex, genetic information or disability can consist of harassment which creates a hostile environment. Examples of harassment/hostile environment include offensive conduct such as racial or ethnic slurs, racial or gender based "jokes", derogatory comments or other verbal or physical conduct based upon an individual's race, color, descent, national or ethnic origin, age, religion, sex or disability. Prohibited discrimination also includes any distinction, exclusion, restriction or preference based on race, color, descent, national or ethnic origin, age, religion, sex, genetic information, ~~or~~ disability, or limitations related to pregnancy, childbirth, or related medical conditions of an employee which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise on an equal footing of employment opportunities, human rights and fundamental freedom.

#### **PROHIBITION**

Harassment/Discrimination of all types 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.)

The Superintendent 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.

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 up to and including 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. Reports of harassment/discrimination shall be made directly to the Superintendent or to the District Harassment/Discrimination Coordinator. Reports of harassment/discrimination involving the Superintendent shall be made to the Chairperson of the Board of Education.

**Harassment/Discrimination****GUIDELINES (CONTINUED)**

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. Reports of harassment/discrimination shall be made directly to the Superintendent or to the District Harassment/Discrimination Coordinator. Reports of harassment/ discrimination involving the Superintendent shall be made to the Chairperson of the Board of Education.

Employees who have observed incidents of harassment/discrimination involving students shall report it as soon as reasonably practicable to the building Principal, the Superintendent, or the District Harassment/Discrimination Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report.

All reports made to the Principal or Harassment/Discrimination Coordinator shall be communicated by them to the Superintendent, or where applicable to the Board Chairperson, in writing within one (1) working day of receipt. The term "REPORT" as used in this policy includes reports of harassment/discrimination which are made either orally or in writing.

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

The Superintendent or the Chairperson of the Board, as the case may be, 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 report, whether it be oral or in writing. The investigation shall be performed by the Harassment/Discrimination Coordinator or another formally trained investigator acting under his direct supervision. The investigation of allegations involving the Superintendent shall be conducted by a formally trained investigator or attorney not employed by the School District. Investigations shall include the right of the complainant to present witnesses, documents and other evidence in support of the complaint. 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, including disciplinary action where appropriate. If corrective action is not required, an explanation shall be included in the report.

**Harassment/Discrimination****GUIDELINES (CONTINUED)**

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;
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.

**Harassment/Discrimination****WRITTEN REPORT**

Upon the completion of the investigation, the investigator(s) shall submit a preliminary written report, including the names and addresses of those interviewed and a summary of the information obtained, to the Superintendent who shall prepare a final written report containing the facts obtained as a result of the investigation and his/her conclusions as to whether harassment/discrimination has occurred as well as specific remedies designed to correct the situation and prevent its reoccurrence, including but not limited to, disciplinary action where appropriate. In cases involving District employees, there shall be no appeal from the Superintendent's finding, conclusions and remedies, including any disciplinary action taken. In the event that the Superintendent's alleged conduct was the subject of the investigation, the

Board shall consider the preliminary written report in executive session and prepare and adopt by majority vote a final written report containing the facts obtained as a result of the investigation and its conclusions as to whether harassment/discrimination occurred as well as specific remedies designed to correct the situation and prevent its reoccurrence, including but not limited to, disciplinary action where appropriate. The findings and conclusions of Board, as well as the remedies contained in the final report, shall be final.

**NOTIFICATION**

Upon completion, the written report shall be furnished to the interested parties, including the complainant, by personal delivery or by registered or certified mail, return receipt requested.

**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.

**REFERENCES:**

<sup>1</sup>KRS 158.156; KRS Chapter 344; 42 USC 2000e, Civil Rights Act of 1964, Title VII  
~~42 USC 2000e, Civil Rights Act of 1964, Title VII; KRS Chapter 344~~

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

PERSONNEL

03.162  
(CONTINUED)

**Harassment/Discrimination**

**RELATED POLICIES:**

03.113, 03.1325, 03.16, 09.2211, 09.422, 09.42811

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

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.

##### 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.

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**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 by April 15 of each 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

## PERSONNEL

03.21

### - CLASSIFIED PERSONNEL -

#### Hiring

##### SUPERINTENDENT'S RESPONSIBILITIES

All appointments, promotions, and transfers of classified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes and, if a school-based position is to be filled, shall be submitted with a certified statement reflecting the school's entitlement, current staffing, the reason(s) why the position was vacant, and the financial impact of the employment.

##### EFFECTIVE DATE

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

##### HIRING OF RETIRED PERSONS

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

##### CRIMINAL BACKGROUND CHECK AND TESTING

Applicants and employees shall undergo records checks and testing as required by applicable statutes and regulations.<sup>1 & 2</sup>

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 ~~HAVE A LETTER,~~ PROVIDED BY THE INDIVIDUAL, FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE ~~APPLICANT HAS EMPLOYEE IS CLEAR TO HIRE BASED ON~~ NO FINDINGS OF SUBSTANTIATED CHILD ABUSE OR NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET FOR HEALTH AND FAMILY SERVICES ~~AS A CONDITION OF EMPLOYMENT.~~"

~~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.

~~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.~~

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### **Hiring**

#### **CRIMINAL BACKGROUND CHECK AND TESTING**

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

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

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

#### **REPORT TO SUPERINTENDENT**

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

#### **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.<sup>3</sup>

All paraprofessionals shall satisfy educational requirements specified by federal law.<sup>4</sup>

#### **JOB REGISTER**

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

#### **VACANCIES POSTED**

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

#### **REVIEW OF APPLICATIONS**

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

The Superintendent shall release all applications to the District Program Director. The Director will select no fewer than five (5) qualified applicants to interview. The Interview Committee, which may include the Superintendent, shall be composed of at least three (3) members, one (1) of whom shall be a building Principal. All applicant interviews shall be arranged through the Office of Human Resources.

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

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

**Hiring****HIRING RELATIONSHIPS**

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

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

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

**EMERGENCY HIRING**

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

**JOB DESCRIPTION**

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

**CONTRACT**

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

**REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT FOR SUBSTITUTE CLASSIFIED EMPLOYEES**

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

**EMPLOYEES SEEKING A JOB CHANGE**

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

**REFERENCES:**

<sup>1</sup>KRS 160.380

<sup>2</sup>702 KAR 5:080, KRS 160.345, KRS 160.390

<sup>3</sup>KRS 161.011

<sup>4</sup>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. 200.58-200.59; 45 C.F.R. § 1302.90

KRS 17.160, KRS 17.165; KRS 156.070; 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

13 KAR 3:030; 702 KAR 3:320

Kentucky Local District Classification Plan

Records Retention Schedule, Public School District

PERSONNEL

03.21  
(CONTINUED)

Hiring

RELATED POLICIES:

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

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

03.212

- 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, ~~or disabling condition, or~~ limitations related to pregnancy, childbirth, or related medical conditions.<sup>1</sup>

#### **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.<sup>2</sup>

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.<sup>3</sup>

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.<sup>1</sup>

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**Equal Employment Opportunity**

**REFERENCES:**

<sup>1</sup>KRS 161.164; ~~KRS Chapter 344~~; ~~42 U.S.C. 2000e~~, Civil Rights Act of 1964, Title VII  
<sup>2</sup>29 U.S.C.A. 794  
<sup>3</sup>29 U.S.C. section 1630.14  
KRS 207.135  
34 C.F.R. 104.3 - 104.14  
~~42 U.S.C. 2000e~~, Civil Rights Act of 1964, Title VII; ~~KRS Chapter 344~~  
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

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

## PERSONNEL

03.2327

### - 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.

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.

##### SMOKE-FREE BUILDINGS/VEHICLES

The use of any tobacco product in all Board-owned buildings and vehicles is strictly prohibited. The use of any tobacco product on all other Board-owned property is prohibited except during events, performances, activities and meetings scheduled after school hours and to which the public is either invited or otherwise entitled by law to attend.

The use of tobacco products, when permitted on Board property shall be only in outside areas designated by the school Principal/designee, school council, or Superintendent/designee, as appropriate. Tobacco product use areas include, but are not limited to, such areas at outside athletic complexes, should be designated in isolation from public view and at least 25 (twenty-five) feet but not more than 100 feet away from entry/exit areas to minimize health issues for students, employees and visitors. Receptacles for used tobacco products shall be provided in the designated areas.

Outside athletic complexes shall have a designated tobacco use area within the complex so that readmission issues do not detract from the administration of the event or cause additional admission charges for visitors. The policy and the location of the designated tobacco product use area(s) must be announced at the start of all public events, performances, activities and meetings and at half times or at breaks, as applicable by the school Principal/designee or Superintendent/designee.

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PERSONNEL

03.2327  
(CONTINUED)

**Use of Tobacco, Alternative Nicotine, or Vapor Products**

**REFERENCES:**

<sup>1</sup>New Section of KRS 438

KRS 160.290; KRS 160.340

KRS 438.050; KRS 438.305

OAG 81-295; OAG 91-137

~~702 KAR 5:080 (32)~~

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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LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING LIMITATIONS RELATED TO PREGNANCY, CHILD BIRTH, 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

03.233

- 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.<sup>1</sup>

#### **REFERENCES:**

<sup>1</sup>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

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#### **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

PERSONNEL

03.262

- CLASSIFIED PERSONNEL -

### **Harassment/Discrimination**

#### **DEFINITION**

Harassment/Discrimination of employees is unlawful behavior based on the race, color, national origin, age, religion, sex, genetic information, ~~or 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. Discrimination based upon race, color, national origin, age, religion, sex, genetic information, ~~or disability~~, or limitations related to pregnancy, childbirth, or related medical conditions can consist of harassment which creates a hostile environment. Examples of harassment/hostile environment include offensive conduct such as racial or ethnic slurs, racial or gender based "jokes", derogatory comments or other verbal or physical conduct based upon an individual's race, color, descent, national or ethnic origin, age, religion, sex, genetic information or disability. Prohibited discrimination also includes any distinction, exclusion, restriction or preference based on race, color, descent, national or ethnic origin, age, religion, sex, genetic information, ~~or disability~~, or limitations related to pregnancy, childbirth, or related medical conditions of an employee which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise on an equal footing of employment opportunities, human rights and fundamental freedom.

#### **PROHIBITION**

Harassment/Discrimination of all types 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.)

The Superintendent 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.

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 up to and including termination of employment.

**Harassment/Discrimination****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. Reports of harassment/discrimination shall be made directly to the Superintendent or to the District Harassment/Discrimination Coordinator. Reports of harassment/discrimination involving the Superintendent shall be made to the Chairperson of the Board of Education.

Employees who have observed incidents of harassment/discrimination involving students shall report it as soon as reasonably practicable to the building Principal, the Superintendent, or the District Harassment/Discrimination Coordinator.

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

Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report. All reports made to the Principal or Harassment/Discrimination Coordinator shall be communicated by them to the Superintendent, or where applicable to the Board Chairperson, in writing within one (1) working day of receipt. The term "REPORT" as used in this policy includes reports of harassment/discrimination which are made either orally or in writing.

The Superintendent or the Chairperson of the Board, as the case may be, 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 report, whether it be oral or in writing. The investigation shall be performed by the Harassment/Discrimination Coordinator or another formally trained investigator acting under his direct supervision. The investigation of allegations involving the Superintendent shall be conducted by a formally trained investigator or attorney not employed by the School District. Investigations shall include the right of the complainant to present witnesses, documents and other evidence in support of the 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, including disciplinary action where appropriate. If corrective action is not required, an explanation shall be included in the report.

**Harassment/Discrimination****GUIDELINES (CONTINUED)**

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;
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.

**Harassment/Discrimination****WRITTEN REPORT**

Upon the completion of the investigation, the investigator(s) shall submit a preliminary written report, including the names and addresses of those interviewed and a summary of the information obtained, to the Superintendent who shall prepare a final written report containing the facts obtained as a result of the investigation and his/her conclusions as to whether harassment/discrimination has occurred as well as specific remedies designed to correct the situation and prevent its reoccurrence, including but not limited to, disciplinary action where appropriate. In cases involving District employees, there shall be no appeal from the Superintendent's finding, conclusions and remedies, including any disciplinary action taken. In the event that the Superintendent's alleged conduct was the subject of the investigation, the Board shall consider the preliminary written report in executive session and prepare and adopt by majority vote a final written report containing the facts obtained as a result of the investigation and its conclusions as to whether harassment/discrimination occurred as well as specific remedies designed to correct the situation and prevent its reoccurrence, including but not limited to, disciplinary action where appropriate. The findings and conclusions of Board, as well as the remedies contained in the final report, shall be final.

**NOTIFICATION**

Upon completion, the written report shall be furnished to the interested parties, including the complainant, by personal delivery or by registered or certified mail, return receipt requested.

**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.

**REFERENCES:**

~~1 KRS 158.156; KRS Chapter 344; 42 USC 2000e, Civil Rights Act of 1964, Title VII  
42 USC 2000e, Civil Rights Act of 1964, Title VII; KRS Chapter 344~~

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

## **Harassment/Discrimination**

### **RELATED POLICIES:**

03.212, 03.2325, 03.26, 09.2211, 09.422, 09.42811

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.

#### ACTIVE SHOOTER SITUATIONS

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.

#### REFERENCES:

KRS 156.095; KRS 158.070

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

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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 district shall develop procedures that encourage volunteers to assist in school and/or district programs and to facilitate effective communication with persons who volunteer.

#### RECRUITMENT

Recruitment goals shall include but not be limited to:

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

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

#### SUPERVISION

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

#### RECORDS CHECK

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

Pursuant to KRS 160.380, the Superintendent/designee also may require volunteers to submit to a state and national criminal (fingerprint) history background check and to provide a clear CA/N check letter from the Cabinet for Health and Family Services stating that there are no findings of substantiated child abuse or neglect on record. 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.

**Volunteers****RECORDS CHECK (CONTINUED)**

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

Link to DPP-156 Central Registry Check and more information on the required [CA/N check](#) [Cabinet Letter](#):

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

**WORK-BASED SITE SUPERVISORS**

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

**BASIS FOR DISQUALIFICATION**

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

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

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

**ORIENTATION**

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

**ACCOUNTABILITY**

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

PERSONNEL

03.6  
(CONTINUED)

Volunteers

REFERENCES:

- 1KRS 161.148
- KRS 160.380
- KRS 161.044

RELATED POLICIES:

- 03.5
- 08.113; 08.1131

LEGAL HB 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

### Purchasing/Model Procurement Code Purchasing

#### AUTHORITY

Bidding/Purchasing procedures shall conform to the Model Procurement Code, KRS 45A.345 – KRS 45A.460.<sup>1</sup> 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.<sup>2</sup>

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

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

1. The supplies and/or equipment meet the specifications of contracts awarded by the Division of Purchases, a federal agency (GSA), a cooperative agency, or a District bid;
2. The supplies and/or equipment are available for purchase at a lower price;
3. The purchase does not exceed \$2,500<sup>1 & 5</sup>; and
4. The District's finance or purchasing officer has certified compliance with the first and second requirements.

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

#### 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.<sup>7</sup>

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

**Purchasing/Model Procurement Code Purchasing****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.<sup>3</sup>

**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.<sup>7</sup>

**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 ~~\$30,000.00~~\$20,000.00.<sup>5</sup>

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

**~~BACKGROUND 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 activity~~that a contractor who works on school premises during school hours when students are present~~ to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and to provide a clear CA/N check 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.<sup>6</sup>

~~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.~~

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Purchasing/Model Procurement Code Purchasing**BACKGROUND CHECKS FOR CONTRACTORS (CONTINUED)**

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

<http://manuals.sp.chfs.ky.gov/chapter20/33/Pages/2013RequestfromthePublicforCANChecksandCentralRegistryChecks.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.<sup>6</sup>~~

**REFERENCES:**

<sup>1</sup>KRS 45A.343

<sup>2</sup>KRS 45A.~~070~~<sup>345</sup>; KRS 160.290; KRS 45A.380

<sup>3</sup>KRS 160.303; 200 KAR 5:400; KRS 45A.494

<sup>4</sup>KRS 156.076

<sup>5</sup>KRS 45A.385

<sup>6</sup>KRS 160.380

<sup>7</sup>2 C.F.R. 200.318

~~<sup>8</sup>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

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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

## FISCAL MANAGEMENT

04.6

### 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. Uncollateralized 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 nationally-recognized competent rating agency;
6. Bankers' acceptances for banks rated in one (1) of the three (3) highest categories by a nationally-recognized competent rating agency;
7. Commercial paper rated in the highest category by a nationally-recognized 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 nationally-recognized competent rating agency;
10. Shares of mutual funds and exchange traded funds, as permitted by law;<sup>1</sup>
- ~~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~~



Investments**EXCESS FUNDS (CONTINUED)**

11.12. 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 129 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.

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:**

'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

## FISCAL MANAGEMENT

04.61

### Gifts and DonationsGrants

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.<sup>1</sup>

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#### DONATIONS

With the Principal's approval, schools may receive any gifts of real or personal property for the benefit of the school or for the students of the school that is valued less than \$1000 and hold and use it as requested. Donations valued at more than \$1000 must be approved by the Board.

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

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#### 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.<sup>2</sup>

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#### REFERENCES:

<sup>1</sup>KRS 160.580

<sup>2</sup>KRS 156.496

KRS 158.441

Accounting Procedures for Kentucky School Activity Funds (Redbook)

#### RELATED POLICY:

04.312

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

## SCHOOL FACILITIES

05.31

### 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 Superintendent or the Superintendent's designee.
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 any tobacco products, alternative nicotine product, or vapor product shall not occur on or in all property, within the building and that ~~The use of alcoholic beverages is prohibited in school buildings or on school grounds;~~
  - e. No immoral or illegal activity shall be allowed on the premises;
  - f. Agreement that no high-risk activities such as wrestling, donkey basketball, etc., shall be held as fundraisers in Board-owned buildings and/or property.
  - g. The presence of a school employee at all times. The hourly wage of the employee may be included in the contract along with the social security and retirement 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.
  - h. 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.
  - i. Agreement that no alterations to the buildings or grounds be made without prior written approval;
  - 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.

SCHOOL FACILITIES

05.31  
(CONTINUED)

**Rental Application and Contract**

**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: SBI 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

## SCHOOL FACILITIES

05.4

### 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.<sup>1</sup>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.

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**Safety****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.

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;

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**Safety****SCHOOL EMERGENCY PLANNING (CONTINUED)**

- 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.

**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:**

<sup>1</sup>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

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**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 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.<sup>1</sup>

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.

~~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.<sup>1</sup>~~

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**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.'

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:**

<sup>1</sup>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.<sup>1</sup>

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#### 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:

<sup>1</sup>New Section of KRS 158

KRS 158.162

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#### RELATED POLICY:

05.4

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

## TRANSPORTATION

06.221

### 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.<sup>1</sup>

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.

The use of any tobacco product in all Board-owned buildings and vehicles is strictly prohibited. The use of any tobacco product on all other Board-owned property is prohibited except during events, performances, activities and meetings scheduled after school hours and to which the public is either invited or otherwise entitled by law to attend.

The use of tobacco products, when permitted on Board property shall be only in outside areas designated by the school Principal/designee, school council, or Superintendent/designee, as appropriate. Tobacco product use areas including, but not limited to, such areas at outside athletic complexes, should be designated in isolation from public view and at least 25 (twenty-five) feet but not more than 100 feet away from entry/exit areas to minimize health issues for students, employees and visitors. Receptacles for used tobacco products shall be provided in the designated areas.

Outside athletic complexes shall have a designated tobacco use area within the complex so that readmission issues do not detract from the administration of the event or cause additional admission charges for visitors. The policy and the location of the designated tobacco product use area(s) must be announced at the start of all public events, performances, activities and meetings and at half times or at breaks, as applicable by the school Principal/designee or Superintendent/designee.

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**Bus Drivers' Use of Tobacco and Other Substances****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.

**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.<sup>2</sup>
- Drivers shall immediately report to the Superintendent or designee any traffic violation specified in Kentucky Administration Regulation.<sup>2</sup>

**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.)

**Bus Drivers' Use of Tobacco and Other Substances****TESTING (CONTINUED)**

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 and alcohol testing shall be terminated 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.

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.<sup>13</sup>

**Bus Drivers' Use of Tobacco and Other Substances**

**REFERENCES:**

~~1~~KRS 438.050; KRS 438.305; New Section of ~~438.49~~ C.F.R. Part 382  
~~2~~702 KAR 5:080  
~~3~~49 C.F.R. Part 382  
~~4~~KRS 438.050  
Omnibus Employee Testing Act of 1991, Public Law 102-143, Title V

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**RELATED POLICIES:**

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

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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 Standards Expectations, students must complete a minimum of twenty-two (22) 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, s~~Students 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.<sup>5</sup>

In addition to the ~~credits required~~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 ~~credit~~ requirements for graduation from high school. Students shall complete an ~~i~~ndividual ~~l~~earning ~~p~~lan (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.~~

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**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 I.P. 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 I.P.
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 I.P.)
Technology	Demonstrated performance-based competency.

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**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:

1. Satisfy precollege curriculum as established by the Council on Postsecondary Education in 13 KAR 2:020;
2. 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;
3. 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;
4. Complete one (1) course and corresponding assessment meeting the following criteria:
  - a) Advanced placement (AP) with a score of three (3) or higher;
  - b) Cambridge Advanced International (CAI) with a score at E or higher; or
  - c) International Baccalaureate (IB) with a score of five (5) or higher;

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

5. Obtain an industry certification as approved by the Kentucky Workforce Innovation Board;
6. Complete four (4) credits from valid courses within a single Kentucky Department of Education approved career pathway;
7. 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
8. Complete two (2) years in an approved Kentucky Department of Education or Kentucky Labor Cabinet pre-apprenticeship or apprenticeship program.

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**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:	

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

1. Satisfy precollege curriculum as established by the Council on Postsecondary Education in 13 KAR 2:020;
2. 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;
3. 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;

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

4. Complete one (1) course and corresponding assessment meeting the following criteria:
    - a) Advanced placement (AP) with a score of three (3) or higher;
    - b) Cambridge Advanced International (CAI) with a score at F or higher; or
    - c) International baccalaureate (IB) with a score of five (5) or higher;
  5. Obtain an industry certification as approved by the Kentucky Workforce Innovation Board;
  6. Complete four (4) credits from valid courses within a single Kentucky Department of Education approved career pathway;
  7. 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
  8. Complete two (2) years in an approved Kentucky Department of Education or Kentucky Labor Cabinet pre-apprenticeship or apprenticeship program.
- II. Meet one (1) of the following graduation prerequisites for reading and one (1) of the following graduation prerequisites for mathematics:
1. Score at or above the minimum criteria on the tenth (10th) grade state-required assessments in reading or mathematics;
  2. Score proficient or higher for reading or mathematics on the eighth (8th) grade state required assessment; or
  3. 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 IEP 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.

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**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:

1. 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.

2. Performance descriptors and their linkages to State content standards and academic ~~standards~~ expectations;

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

3. Assessments and the extent to which state-mandated assessments will be used;
4. An objective grading and reporting process; and
5. Criteria to promote and support school and community learning experiences, such as internships and cooperative learning, in support of a student's ~~ILP~~ individual learning plan. Such experiences shall be supervised by qualified instructors and aligned with State and District content and performance standards.

The high school student handbook shall include complete details concerning specific graduation requirements.

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.<sup>2</sup>

**SENIOR RECORD REVIEW**

By the end of the first semester, each senior's record shall be reviewed to determine eligibility for graduation. Written notification of ineligibility for graduation shall be provided by the Principal to both the student and parent.

**TRANSITIONAL CLASS REQUIREMENTS**

All students that have not met the Council for Post-Secondary Education's college readiness requirements in math based on the ACT scores during their junior year or by other approved assessments, will be required to take transitional math courses, as determined by the placement assessments, during their senior year.

**Graduation Requirements****OTHER PROVISIONS**

The Board may grant different diplomas to those students who complete credits above the minimum number as established by the Kentucky Board of Education. In addition, the Board may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

The Board, Superintendent, Principal, or teacher may award special recognition to students.

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.<sup>3</sup>

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.

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**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.<sup>4</sup>

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

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

1. Score proficient or higher on the state-required assessments; and
2. Meet the college readiness exam benchmarks established 13 KAR 2:020 for placement in credit-bearing courses without the need for remediation.

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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.



**Graduation Requirements****GRADUATION CEREMONIES**

Students shall have completed the necessary requirements to earn a diploma before they may participate in the graduation exercises.

The Superintendent or the Principal, with the written approval of the Superintendent, may deny any senior the privilege of participating in any or all of the graduation activities if the senior's conduct is such that it will discredit the graduating class or school.

Graduation exercises at individual secondary schools shall be held no earlier than the evening of the last day of school in the school term.

**TRANSCRIPTS**

Each graduating senior is entitled to three (3) free copies of his/her transcript.

**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.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 40.010; KRS 158.140; 704 KAR 7:140

<sup>2</sup>KRS 158.622

<sup>3</sup>KRS 156.160; 20 U.S.C. sec. 1414

<sup>4</sup>KRS 158.142; 704 KAR 3:305

~~<sup>5</sup>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

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**RELATED POLICIES:**

08.1131; 08.14; 08.22; 08.222

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

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

## CURRICULUM AND INSTRUCTION

08.14

### 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.<sup>1</sup>

#### 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.<sup>12</sup>

#### SUPERINTENDENT TO REPORT

No later than November 1, 2019, and each subsequent year, the Superintendent shall report to the Kentucky Department of Education 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:

<sup>1</sup>New Section of KRS 158

<sup>12</sup>KRE 506 (Kentucky Rules of Evidence); KRS 158.154; KRS 158.155; KRS 158.156;

KRS 61.878; KRS 620.030

KRS 61.878; 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 every nine (9) weeks to the parent or guardian on the progress of their child. Grade reports shall be issued to parents and students within five (5) school days after the end of each grading period.

Parents/guardians shall be notified any time during the semester when a student is in jeopardy of failing a course or grade. The Principal shall be responsible for monitoring teacher and counselor implementation of screening and notification guidelines developed by the Superintendent/designee.

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

#### **GRADING SCALES**

The following scale will be used to indicate the effort and progress of the pupil:

<b>Letter Grade</b>	<b>Numerical Range</b>	<b>Explanation</b>
A	95-100	Outstanding progress, exceptional effort
A-	90-94	
B+	87-89	Good progress, strong effort
B	83-86	
B-	80-82	
C+	77-79	Satisfactory progress, average effort
C	73-76	
C-	70-72	
D+	67-69	Some progress, not enough effort
D	63-66	
D-	60-62	
F	0-59	Unsatisfactory progress, unsatisfactory effort
I	Incomplete	Needs to complete necessary work

In art, music, and physical education classes for grades one (1) through eight (8), the letter "S" will be used to indicate satisfactory achievement and the letter "N" will indicate that the pupil needs improvement in the subject.

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.

#### **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.~~

**Grading****INCOMPLETE GRADES**

An incomplete shall be given when part of the work of the course is not completed due to extended illness or to other circumstances beyond the control of the student at the time grades are due. Makeup work must be completed by the end of the subsequent grading period. The letter grade "I" shall not be recorded as a final semester grade.

**REFERENCES:**

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

**RELATED POLICIES:**

02.441  
08.113  
08.22  
08.222  
08.5

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.

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:**

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: SBI 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.<sup>1</sup>

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) middle and high school teachers, principals, and guidance counselors 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.<sup>3</sup>

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**Student Health and Safety****SUICIDE PREVENTION (CONTINUED)**

By September 15 of each ~~school~~-year, ~~each public school~~administrators shall provide suicide prevention awareness information to students in ~~grades six (6) through twelve (12)~~middle-school ~~grades and above~~, as provided by the Cabinet for Health and Family Services or a commercially developed suicide prevention training program.<sup>2</sup>

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**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.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 156.501; KRS 156.502; 702 KAR 1:160

<sup>2</sup>KRS 156.095

<sup>3</sup>KRS 158.070

KRS 156.160

KRS 158.836; KRS 158.838

702 KAR 5:030

**RELATED POLICY:**

09.2241

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.<sup>1</sup> Parents will be notified in the event of an accident.

#### **EMERGENCY CARE PROCEDURES**

Schools shall have emergency care procedures comporting with regulation<sup>1</sup> 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:**

- <sup>1</sup>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, ~~lighters and matches on property owned or operated by them or in all Board property at all times, inside Board-owned including any vehicles, owned, operated, leased, or contracted for use by the Board and while attending or participating in any on-the-way-to-and-from school, and during school-sponsored related student trips and or student activities 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 standards shall be subject to penalties set forth in the local code of acceptable behavior and discipline. For purposes of this policy, the term parent also includes the person serving as guardian.

Consequences for students engaging in the prohibited behavior shall be provided in the Student Code of Conduct handbook.

#### **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)

~~Morbidity and Mortality Weekly Report, Center For Disease Control and Prevention, February 25, 1994/Vol. 43, No. RR-2.~~

#### **RELATED POLICIES:**

03.1327; 03.2327; 05.31; 06.221; 10.5

LEGAL: SBI 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

STUDENTS

09.425

### **Assault and Threats of Violence**

#### **PUPILS**

Any pupil who threatens, assaults, batters or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion.<sup>1</sup>

#### **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<sup>1</sup> up to and including expulsion from school and/or legal action.

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.<sup>2</sup>

#### **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.

A written report of violent acts is to be submitted to the Superintendent or designee.

#### **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.

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**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 on a continuing basis with a student who has 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 prior to the assignment.

The Board does recognize in rare and limited cases, legitimate acts of self defense do occur and in those instances, the student who is acting to defend his or her person from an unprovoked attack should not be automatically considered in violation of this Policy.

**Assault and Threats of Violence**

**REFERENCES:**

<sup>1</sup>KRS 158.150  
<sup>2</sup>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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**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.

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

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"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.

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### 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.

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### 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:

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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;

**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.<sup>2</sup>

**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.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>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:**

<sup>2</sup>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

## COMMUNITY RELATIONS

10.5

### 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 scheduled in advance unless 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.

To provide a safe and secure learning environment, visitors shall abide by the following:

1. ALL VISITORS must enter through designated doors identified by the schools.
2. Visitors shall immediately report to the Main Office.
3. Visitors shall sign in and state the purpose of the visit and receive a visitor's pass on approval from the Principal. (ALL VISITORS MUST WEAR A VISITOR'S PASS IN A VISIBLE AREA.)
4. Visits to classroom must be scheduled in advance unless authorized by the Principal/designee.
5. Students are not permitted to bring guests or visitors to school without permission from the Principal.
6. Visits should be related to the need(s) of the child.

#### 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

**Visitors to the Schools****REGISTRANTS (CONTINUED)**

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.
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.

**OTHER RESTRICTIONS**

Guests or visitors of students are not allowed at school without permission from the Principal. In addition, no salespersons or peddlers shall come onto school property without prior approval of the Superintendent/designee.

Visitors shall not enter classrooms unless they have the prior consent of the Principal/designee.

**Visitors to the Schools****CONDUCT/PROHIBITION ON RECORDING**

All visitors to the schools shall 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.

**ATTIRE**

Visitors shall observe the community standards of acceptable dress and, before entering the schools, wear attire that neither disrupts the educational process nor poses a health or safety threat to themselves or the students/staff.

**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.<sup>1</sup>

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<sup>2</sup>, 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.<sup>3</sup>

The use of any tobacco product in all Board-owned buildings and vehicles is strictly prohibited. The use of any tobacco product on all other Board-owned property is prohibited except during events, performances, activities and meetings scheduled after school hours and to which the public is either invited or otherwise entitled by law to attend.

**Visitors to the Schools****USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED (CONTINUED)**

~~The use of tobacco products, when permitted on Board property shall be only in outside areas designated by the school Principal/designee, school council, or Superintendent/designee, as appropriate. Tobacco product use areas including, but not limited to, such areas at outside athletic complexes, should be designated in isolation from public view and at least 25 (twenty-five) feet but not more than 100 feet away from entry/exit areas to minimize health issues for students, employees and visitors. Receptacles for used tobacco products shall be provided in the designated areas.~~

~~Outside athletic complexes shall have a designated tobacco use area within the complex so that readmission issues do not detract from the administration of the event or cause additional admission charges for visitors. The policy and the location of the designated tobacco product use area(s) must be announced at the start of all public events, performances, activities and meetings and at half-times or at breaks, as applicable by the school Principal/designee or Superintendent/designee.~~

**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.

**WEBSITE ACCESSIBILITY**

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.

**Visitors to the Schools****REFERENCES:**<sup>1</sup>[New Section of KRS 438](#)<sup>2</sup>[KRS 438.050](#)<sup>3</sup>[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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# KSBA Procedure Service

## 2019 Procedure Update (#23) Checklist

**District:** Floyd County Schools

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

Procedure Number	Adopt as Written	Adopt with Modification*	Date of District/ Board Review	Keep Current Procedure	Delete Procedure
01.3 AP.2	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
01.3 AP.21	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
01.6 AP.2	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.11 AP.21	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.11 AP.25	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.123 AP.2	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.162 AP.2	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.19 AP.23	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.21 AP.21	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.21 AP.25	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.223 AP.2	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
03.29 AP.23	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
05.4 AP.21	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
05.411 AP.1	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
05.5 AP.1	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
06.34 AP.2	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
07.11 AP.1	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
07.13 AP.1	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
08.13451 AP.1	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.224 AP.1	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.33 AP.21	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.425 AP.22	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
09.429 AP.1	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
10.11 AP.21	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
10.5 AP.1	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

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

\_\_\_\_\_  
Superintendent's Signature

\_\_\_\_\_  
Date

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



EXPLANATION: 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, TIMELINE, AND INCLUDES VACANCY ADVERTISEMENT CONDITIONS AS WELL AS AN APPLICATION PROCESS. THESE FORMS ARE TO BE USED TO PROVIDE NOTICE THAT A VACANCY EXISTS, A SAMPLE NEWSPAPER ADVERTISEMENT, THAT A VACANCY HAS BEEN FILLED, AND THAT A MEMBER IS APPOINTED. FINANCIAL IMPLICATIONS: COST OF ADVERTISEMENT AND NOTICES

POWERS AND DUTIES OF BOARD OF EDUCATION

01.3 AP.2

Board Vacancy Forms

FORM TO PROVIDE NOTICE THAT A VACANCY EXISTS:

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Date: \_\_\_\_\_

To Whom it May Concern:

A vacancy exists on the \_\_\_\_\_ Board of Education, as of \_\_\_\_\_  
in the seat [Division # \_\_\_\_\_ (for county school systems) or the District at large (for independent  
school systems)] formerly held by \_\_\_\_\_. The unexpired term for this seat is  
set to end on \_\_\_\_\_. The Board will proceed to appoint an individual to fill  
this seat for the unexpired term pursuant to KRS 160.190 and Board Policy 01.3.

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Sincerely,

\_\_\_\_\_  
Superintendent/Board Secretary

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cc: Secretary of State, State Capitol, 700 Capital Ave., Room #152, Frankfort, KY 40601

County Clerk

Commissioner of Education, Kentucky Department of Education, 300 Sower Blvd.,

Frankfort, KY 40601

Director of Board Team Development, KSBA, 260 Democrat Dr., Frankfort, KY 40601

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REFERENCE:

<sup>1</sup>OAG 81-316

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**Board Vacancy Forms****SAMPLE NEWSPAPER ADVERTISEMENT ANNOUNCING A BOARD VACANCY****NOTICE OF VACANT****BOARD OF EDUCATION SEAT**

The \_\_\_\_\_ Board of Education ("Board") is seeking applications for appointment to fill a vacancy on the Board representing seat [Division # \_\_\_\_\_ (for county school systems) or the District at large (for independent school systems)]. This appointment will be effective until the November \_\_\_\_\_ regular election (use if the next November regular election is scheduled more than one [1] year prior to end of the remaining term) or the end of the term in \_\_\_\_\_ (use if the next November regular election is scheduled one [1] year or less prior to end of remaining term).

Responsibilities include: setting policy to govern the District; hiring/evaluating the Superintendent; and levying taxes and adopting the District budget. Board members must:

- Be at least 24 years old and a Kentucky citizen for the last three years;
- Be a registered voter in the particular District of the vacancy;
- Have completed the 12th grade or have a GED certificate;
- Meet all other legal qualifications (KRS 160.180); and
- Complete required annual in-service training.

Applications are available at \_\_\_\_\_ or online at \_\_\_\_\_.  
Mail applications to: Superintendent, ATTN: Board Vacancy,  
\_\_\_\_\_, KY \_\_\_\_\_.

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**Board Vacancy Forms**

**FORM TO PROVIDE NOTICE THAT VACANCY HAS BEEN FILLED BY THE BOARD:**

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Date: \_\_\_\_\_

To Whom it May Concern:

Pursuant to KRS 160.190, and Board Policy 01.3, the \_\_\_\_\_ Board of Education, by vote of the Board on \_\_\_\_\_, has appointed \_\_\_\_\_ to fill the vacancy created on \_\_\_\_\_ in the seat [Division # \_\_\_\_\_ (for county school systems) or the District at large (for independent school systems)] formerly held by \_\_\_\_\_.

The appointment is effective immediately. \_\_\_\_\_'s address is \_\_\_\_\_.

The term for this appointment will end on \_\_\_\_\_.

Sincerely,

\_\_\_\_\_  
Superintendent/Board Secretary

cc: Secretary of State, State Capitol, 700 Capital Ave., Room #152, Frankfort, KY 40601

County Clerk

Commissioner of Education, Kentucky Department of Education, 300 Sower Blvd.,  
Frankfort, KY 40601

Director of Board Team Development, KSBA, 260 Democrat Dr., Frankfort, KY 40601

**Board Vacancy Forms****FORM LETTER TO NEWLY APPOINTED MEMBER, ON DISTRICT LETTERHEAD:**

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Date: \_\_\_\_\_

Mr./Ms. \_\_\_\_\_

\_\_\_\_\_, KY

Dear Mr./Ms. \_\_\_\_\_:

Pursuant to KRS 160.190, and Board Policy 01.3, the \_\_\_\_\_ Board of Education, by vote of the Board on \_\_\_\_\_, has appointed you to fill the vacancy created on \_\_\_\_\_ in the seat (Division # \_\_\_\_\_ (for county school systems) or the District at large (for independent school systems) formerly held by \_\_\_\_\_. The appointment is effective immediately. Upon being duly sworn in, you may assume the duties of the office.

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The term of this appointment is set to end \_\_\_\_\_. Pursuant to KRS 160.190, this seat will be open to election in the November \_\_\_\_\_ general election. The \_\_\_\_\_ County Clerk should be consulted for election and candidacy filing information regarding this seat.

All new local Board of Education members must receive a minimum of twelve (12) hours of in-service training annually, per KRS 160.180 and 702 KAR 1:115, on a calendar year basis. These hours shall include certain mandated topics of ethics, finance, and Superintendent evaluation, as well as on various other topics such as Board member roles and responsibilities, and the Board's role in student achievement. Additionally, per 701 KAR 8:020, local Board members are required to complete twelve (12) hours of in-service training annually in their capacity as charter school authorizers. This requirement is separate from, and in addition to, the training required by KRS 160.180, but certain hours may count towards both requirements. Depending on the date of appointment, special provisions may apply.

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The Kentucky School Boards Association (KSBA) provides local Board member in-service training, and maintains the legal records relating to required Board member training completion. KSBA makes efforts to offer training courses that will meet legal requirements for both general training and charter authorizer training. KSBA will contact you soon to begin scheduling training for the current calendar year. You may contact KSBA by calling 1-800-372-2962.

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Sincerely,

\_\_\_\_\_  
Superintendent/Board Secretary

cc: Secretary of State, State Capitol, 700 Capital Ave., Room #152, Frankfort, KY 40601

\_\_\_\_\_  
County Clerk\_\_\_\_\_  
Commissioner of Education, Kentucky Department of Education, 300 Sower Blvd.,  
Frankfort, KY 40601\_\_\_\_\_  
Director of Board Team Development, KSBA, 260 Democrat Dr., Frankfort, KY 40601

**Board Vacancy Forms**

**RELATED PROCEDURE:**

01.3 AP.21

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EXPLANATION: 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, TIMELINE, AND INCLUDES VACANCY ADVERTISEMENT CONDITIONS AS WELL AS AN APPLICATION PROCESS. FINANCIAL IMPLICATIONS: COST OF ADVERTISEMENT

# POWERS AND DUTIES OF BOARD OF EDUCATION

01.3 AP.21

## Application for Board Vacancy

Name of School District:

[Division # (for county school systems) or the District at large (for independent school systems)]

Name: Last First MI Birthdate:

Address: Street or Box # State Zip Code

Telephone: Business Home Cell

Email Address:

1. Have you been a citizen of Kentucky for a minimum of at least the last three (3) years? ☐ Yes ☐ No
2. Are you registered to vote in the Division (in the case of a county school District) or District (in the case of an independent school District) you wish to serve? ☐ Yes ☐ No
3. Are you an officer of, or employed by, any city, county, consolidated local government, or other municipality? ☐ Yes ☐ No  
If yes, please identify: \_\_\_\_\_
4. Does the city or county Board where you reside presently employ you? ☐ Yes ☐ No
5. Do you have any relatives employed by the District? ☐ Yes ☐ No  
If yes, please indicate their relationship to you.  
☐ Brother ☐ Sister ☐ Husband ☐ Wife ☐ Son ☐ Daughter ☐ Father ☐ Mother  
☐ Other \_\_\_\_\_
6. Have you ever been a member of any local Board of Education in Kentucky? ☐ Yes ☐ No  
If so, which District \_\_\_\_\_ and when \_\_\_\_\_?
7. Do you currently hold any elective federal, state, county, or city office? ☐ Yes ☐ No  
If yes, please identify: \_\_\_\_\_
8. Do you own or are you a stockholder in a business involved in sales or other contracts with the Board or with individual schools of the District? ☐ Yes ☐ No  
If yes, please identify: \_\_\_\_\_
9. Do you work for a company that provides any goods or services to the District or with the individual schools of the District? Do you receive any commissions or other benefits as a result of any contracts or business with the District? ☐ Yes ☐ No  
If yes, please describe: \_\_\_\_\_

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**Application for Board Vacancy**

10. Have you ever been fined or convicted for violation of any law? Are you now facing any charges for any violation of law? ☐ Yes ☐ No

If yes, please describe \_\_\_\_\_

11. Do you serve on any county, city, or joint agency government boards? ☐ Yes ☐ No

If yes, please describe \_\_\_\_\_

12. Do you currently hold a leadership position with any organization that provides financial support or raises funds in the name of the District, a school in the District, or students of the District? ☐ Yes ☐ No

13. Have you completed at least the twelfth (12<sup>th</sup>) grade or been issued a High School Equivalency Diploma? ☐ Yes ☐ No

14. Please circle the highest level of formal education you have completed.

GRADE SCHOOL    HIGH SCHOOL    COLLEGE    GRADUATE SCHOOL

1 2 3 4 5 6 7 8    9 10 11 12    1 2 3 4    1 2 3 4

Note: Application must include a transcript evidencing completion of the twelfth (12<sup>th</sup>) grade, or, if appropriate, the results of a twelfth (12<sup>th</sup>) grade equivalency examination. A diploma is not acceptable.

High School Attended \_\_\_\_\_ Address \_\_\_\_\_ Dates Attended/Graduated \_\_\_\_\_

College/University Attended \_\_\_\_\_ Address \_\_\_\_\_ Dates Attended/Degree \_\_\_\_\_

Graduate Schools Attended \_\_\_\_\_ Address \_\_\_\_\_ Dates Attended/Degree \_\_\_\_\_

15. List schools or school related activities in which you are currently involved or with which you have had previous involvement \_\_\_\_\_

16. Work Experience (Please provide employment history and attach current resume.)

a. \_\_\_\_\_  
Current Employer \_\_\_\_\_ Address \_\_\_\_\_

Date of Employment \_\_\_\_\_ Duties \_\_\_\_\_

b. \_\_\_\_\_  
Previous Employer \_\_\_\_\_ Address \_\_\_\_\_

Date of Employment \_\_\_\_\_ Duties \_\_\_\_\_

c. \_\_\_\_\_  
Previous Employer \_\_\_\_\_ Address \_\_\_\_\_

Date of Employment \_\_\_\_\_ Duties \_\_\_\_\_

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**Application for Board Vacancy**

17. Please describe why you are interested in serving on the local Board of Education.

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18. Please describe the benefits that you believe strong public schools bring to a community.



**Application for Board Vacancy**

19. Please describe one (1) goal or objective that you think the local Board of Education should seek to complete in the next four (4) years.

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**Note: Board members must complete annual in-service training as required by law.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Application for Board Vacancy**  
**COUNTY CLERK'S CERTIFICATION**

**RESIDENCE AND VOTER REGISTRATION FOR SCHOOL BOARD APPOINTMENT**

COUNTY CLERK: Please complete this form as it applies to the legal residence status of the applicant for school board appointment.

\_\_\_\_\_ who resides at \_\_\_\_\_  
Name Address  
is a resident and registered voter in \_\_\_\_\_ School District [Division  
# \_\_\_\_\_ (for county school systems) or the District at large (for independent school systems).]

Certified by: \_\_\_\_\_

\_\_\_\_\_ County Clerk's Office Date: \_\_\_\_\_

NOTE: This form must be completed by the County Clerk and returned to Central Office along with the other four (4) pages of the application.

**Related Procedure:**01.3 AP.2

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EXPLANATION: SB 230 PROVIDES THAT A PUBLIC AGENCY MAY ACCEPT OPEN RECORDS REQUESTS VIA EMAIL. ADDITIONALLY, PER THE OPEN RECORDS ACT, USERS REQUESTING RECORDS FOR COMMERCIAL PURPOSES ARE EXPECTED TO NOTIFY THE PUBLIC AGENCY OF SUCH FINANCIAL IMPLICATIONS. TIME ADDRESSING OPEN RECORDS REQUESTS

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.6 AP.2

**Request to Examine and/or Copy District Records**

**NOTE:** When a document is submitted that provides information requested by this form, there is no need to require the applicant to complete this form.

**PUBLIC ACCESS**

Records of the Board, except those specifically exempted by statute, are open to public inspection at the Office of the Superintendent. Persons desiring to examine records that are not exempt from public disclosure may do so during regular working hours. Regular working hours shall be posted at the main entrance of the Central Office and of each school building, as appropriate.

**Records exempted from public access include:**

1. Records of a personal nature where public disclosure is an invasion of personal privacy.
2. Records or information confidentially disclosed to the Board whose disclosure would permit an unfair advantage to competitors.
3. Records or negotiation of real estate transactions until such time as property has been acquired.
4. Test questions and scoring keys before an exam, examinations that are to be reused, and tests that are copyrighted.
5. Preliminary drafts and recommendations.
6. Student records that are prohibited from release by the Family Educational Rights and Privacy Act and/or the Kentucky Family Education Rights and Privacy Act.
7. Any record, the disclosure of which would have a reasonable likelihood of threatening the public safety.
8. Emergency plan and diagram of a school.

**Records Requested From:**

Records Custodian: \_\_\_\_\_

District Name: \_\_\_\_\_

District Address: \_\_\_\_\_

**Records Requested By:**

Name (MUST BE PRINTED): \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Date: \_\_\_\_\_

Are you the parent/guardian of a child enrolled in one of the District's schools? ☐ Yes ☐ No

If Yes: Child's Name \_\_\_\_\_ School \_\_\_\_\_

Specify in detail the record(s) requested. (Attach another page if necessary.)

\_\_\_\_\_  
*Signature of Person Requesting Record(s)*

\_\_\_\_\_  
*Month/Day/Year*

Please attach requests made by letter, email, or FAX to this form.

**Request to Examine and/or Copy District Records**

Any fees associated with the cost of copying shall be collected at the time copies are made. Fees shall not exceed actual copying costs. Copying cost per page shall not exceed 10 cents and postage may be charged if the requestor does not pick up the copies.

Applicants requesting copies of public records for a commercial purpose (KRS 61.874) shall provide a certified statement to the District stating the commercial purpose for which the records shall be used and shall be required to enter into a contract with the District. The contract shall state the fee required by the District to produce copies to be used for a commercial purpose.

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NOTE: Except when individuals designated by the Superintendent are reviewing records, an authorized school employee shall provide appropriate supervision while records are being inspected.

**For Office Use Only**

Records Request received by _____	Date _____
Records Request referred to (if applicable) _____	Date _____
Records Request complied with by _____	Date _____

EXPLANATION: 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

03.11 AP.21

**Floyd County Schools Posting Request Form**

Human Resource Only

Date Received:

Date Posted:

Date Closed:

Hold:

Date:

HR 001

TITLE OF POSITION:

LOCATION:

CERTIFIED: ☐

(Posted for 15 days or until filled)

CLASSIFIED: ☐

(Posted for 5 days or until filled)

PLEASE LIST POSITION CONTROL # FOR POSITION BEING POSTED:

IS THIS A NEWLY CREATED POSITION?

☐

YES

☐

NO

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

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

☐

RESIGNATION

☐

NEW POSITION

☐

LEAVE

☐

OTHER

☐

RETIREMENT

☐

TRANSFER

☐

DISMISSAL

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

NEW LOCATION (IF KNOWN) OF THIS EMPLOYEE:

LIST THE FUNDING SOURCE FOR THIS POSITION:

PERSON REQUESTING POSTING/DATE:

HUMAN RESOURCES APPROVAL/DATE:

*The Floyd County Board of Education does not discriminate on the basis of race, color, national origin, age, religion, sex, genetic information, limitations due to pregnancy, childbirth, or related medical conditions, or disability in employment, educational programs, or activities.*

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EXPLANATION: 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

03.11 AP.25



FLOYD COUNTY SCHOOLS

Certified Personnel

Recommendation/Selection for Employment

\*No hiring by the Superintendent or completion of the hiring process by the Superintendent will occur without receipt of this form by the Human Resources Office.

Date

I select/recommend

Name of Applicant

Social Security Number

Complete Address of Applicant

be employed as a

Position and PC#

for the

school year.

The applicant will replace

and is (check one of the options below)

☐

Certified  
(subject & grade range)

☐

Certified  
(requires emergency  
certification in  
subject & grade range)

☐

Certified  
(requires probationary  
or MAT certification)emergency  
certification

☐

Not Certified  
(requires  
certification)

EDUCATIONAL EMPLOYMENT EXPERIENCE

Last Position

Location

Date(s)

INTERVIEW PROCESS: Floyd County Schools is committed to hiring the best qualified applicant for a vacancy as outlined in KRS 161.100 and 704 KAR 2:120. If a recommendation or selection is made to employ an applicant that is not the best qualified, then documentation must be attached to this form and must support why the better qualified applicant(s) were not recommended or selected. The documentation must be based on references, evaluations, attendance patterns, communications regarding past performance according to previous supervisors, and notes from personal interviews.

I hereby certify in making this recommendation that I have complied with existing federal, state, and local statutes, regulations, and policies relating to the employment of personnel, including those which prohibit discrimination on the basis of race, color, national origin, age, religion, sex, genetic information, limitations due to pregnancy, childbirth, or related medical conditions, or disability.

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Signature

Date

If the recommendation comes from the Committee, either the Committee Chair or all members may sign. For school-based selections, the signature of the Principal is required.

Proceed with hiring or completion of the hiring action.

Signature of Superintendent

Date

PERSONNEL

03.11 AP.25  
(CONTINUED)

**Recommendation/Selection for Employment**

**CERTIFIED APPLICANTS SCREENED BUT NOT INTERVIEWED**

#	Applicant(s)	Comments
1.		
2.		
3.		
4.		
5.		
6.		
7.		
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10.		
11.		
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19.		
20.		

PERSONNEL

03.11 AP.25  
(CONTINUED)

**Recommendation/Selection for Employment**

**CERTIFIED APPLICANTS INTERVIEWED BUT NOT RECOMMENDED\*\***

#	Applicant(s)	Comments
1.		
2.		
3.		
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\*\*Attach additional sheets if necessary.



EXPLANATION: AN AFFIDAVIT IS REQUIRED FOR USE OF PERSONAL LEAVE, EMERGENCY LEAVE, OR FOR USE OF SICK LEAVE FOR THE PURPOSE OF MOURNING A MEMBER OF THE EMPLOYEE'S IMMEDIATE FAMILY. EITHER AN AFFIDAVIT OR A CERTIFICATE OF A PHYSICIAN IS REQUIRED IF THE EMPLOYEE WAS ABSENT DUE TO PERSONAL ILLNESS OR FOR THE PURPOSE OF ATTENDING TO AN IMMEDIATE FAMILY MEMBER WHO WAS ILL.  
FINANCIAL IMPLICATIONS: COST OF NOTARY COMMISSION

PERSONNEL

03.123 AP.2

### Leave Request Form and Affidavit

NAME: _____	LOCATION: _____
DATE SUBMITTED: _____	
THE AFFIDAVIT IS ESSENTIAL FOR PAYROLL PURPOSES. PLEASE FILL OUT THE FORM WITH CARE AND RETURN IT AS DIRECTED BY THE PRINCIPAL/DISEGNEE.	

☐ PERSONAL LEAVE: GRANTEDREQUESTED UNDER THE TERMS OF POLICIES 03.1231/03.2231. (SEE NEXT PAGE FOR REQUIRED AFFIDAVIT)

DATE(S) OF PERSONAL LEAVE: \_\_\_\_\_ TOTAL DAYS: \_\_\_\_\_ SUBSTITUTE NEEDED ☐

☐ SICK LEAVE: GRANTEDREQUESTED UNDER THE TERMS OF POLICIES 03.1232/03.2232. (SEE NEXT PAGE FOR AFFIDAVIT THAT MAY BE REQUIRED)

DATE(S) OF SICK LEAVE: \_\_\_\_\_ TOTAL DAYS: \_\_\_\_\_ SUBSTITUTE NEEDED ☐

CHECK ONE: ☐ EMPLOYEE'S ILLNESS ☐ ILLNESS OF FAMILY MEMBER ☐ MOURNING

IS SICK LEAVE BEING USED FOR EMERGENCY LEAVE PURPOSES, PURSUANT TO PER POLICY? ☐ YES ☐ NO

☐ MATERNITY/ADOPTION/CHILDREARING LEAVE: GRANTEDREQUESTED UNDER THE TERMS OF POLICIES 03.1233/03.2233.

ESTIMATED DATE(S) OF LEAVE \_\_\_\_\_ TO \_\_\_\_\_ SUBSTITUTE NEEDED ☐

☐ PAID MATERNITY LEAVE (NOT TO EXCEED 30 DAYS) /NUMBER OF SICK LEAVE DAYS \_\_\_\_\_

☐ UNPAID MATERNITY LEAVE

☐ PAID ADOPTION LEAVE: (NOT TO EXCEED 30 DAYS) /NUMBER OF SICK LEAVE DAYS \_\_\_\_\_

☐ UNPAID CHILDREARING LEAVE

☐ JURY LEAVE: GRANTEDREQUESTED UNDER THE TERMS OF POLICIES 03.1237/03.2237.

DATE(S) OF JURY LEAVE: \_\_\_\_\_ TOTAL DAYS: \_\_\_\_\_ SUBSTITUTE NEEDED ☐

☐ EMPLOYEE WILL SIGN OVER COURT-ISSUED JURY PAY DUTY CHECK TO DISTRICT.

☐ EMPLOYEE WILL REIMBURSE DISTRICT FOR ANY JURY PAY RECEIVED.

☐ MILITARY/DISASTER SERVICES LEAVE: GRANTEDREQUESTED UNDER THE TERMS OF POLICIES 03.1238/03.2238.

DATE(S) OF LEAVE: \_\_\_\_\_ TOTAL DAYS: \_\_\_\_\_ SUBSTITUTE NEEDED ☐

☐ EMERGENCY LEAVE: GRANTEDREQUESTED UNDER THE TERMS OF POLICIES 03.1236/03.2236. (SEE NEXT PAGE FOR REQUIRED AFFIDAVIT)

DATE(S) OF EMERGENCY LEAVE: \_\_\_\_\_ TOTAL DAYS: \_\_\_\_\_ SUBSTITUTE NEEDED ☐

☐ DISASTERS ☐ OTHER, SPECIFY: \_\_\_\_\_

IS SICK LEAVE BEING USED FOR EMERGENCY LEAVE PURPOSES, PURSUANT TO PER POLICY? ☐ YES ☐ NO

I hereby affirm and attest that the information I have provided is true and, under provisions of law and Board policy, qualifies me to take the leave indicated. I understand that if I have provided information that is not true, I may be subject to disciplinary action.

\_\_\_\_\_  
Employee's Superintendent/designee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Superintendent/designee's Signature Approving Leave as Requested

\_\_\_\_\_  
Date

**Leave Request Form and Affidavit**

A personal affidavit is required for the use of personal leave, the use of emergency leave, and the use of sick leave for the purpose of mourning a member of the employee's immediate family\*. Either a personal affidavit or a certificate of a physician supporting the need for sick leave is required for the use of sick leave if the employee was absent due to his/her own personal illness or for the purpose of attending to an immediate family member\* who was ill. If an employee who requests to use sick leave for his/her own personal illness or to attend to an immediate family member\* who is ill does not submit a supporting physician's certificate, s/he must submit a supporting personal affidavit. Requirements for use of sick leave following child birth and adoption are stated in Policies 03.1233-03.2233.

**LEAVE AFFIDAVIT**  
(KRS 161.152, KRS 161.154, KRS 161.155)

Comes the affiant, \_\_\_\_\_, after being duly sworn, and states as follows:

I am submitting this request for the use of leave for the following purpose(s) (check applicable boxes); that the facts supporting the request for leave as indicated below are true and correct; and that to the best of my knowledge, information, and belief, I am qualified for the leave requested pursuant to applicable state statute and Board policy.

- ☐ - Sick leave based on personal illness Date(s): \_\_\_\_\_
- ☐ - Sick leave to attend to an immediate family member\* who was ill Date(s): \_\_\_\_\_
- ☐ - Sick leave to mourn the death of an immediate family member\* Date(s): \_\_\_\_\_
- ☐ - Personal leave in compliance with and subject to qualifications set forth in Policy 03.1231/03.2231. This leave is personal in nature. Date(s): \_\_\_\_\_
- ☐ - Emergency leave in compliance with and subject to conditions set forth in Policy 03.1236/03.2236

☐ Bereavement ☐ Disasters ☐ Court/Legal ☐ Other, specify: \_\_\_\_\_

\_\_\_\_\_  
Affiant's Signature Date

\_\_\_\_\_  
Affiant's Name (Print or Type)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public: \_\_\_\_\_ County, Kentucky

My Commission Expires: \_\_\_\_\_

\*Immediate family member shall mean the employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, brothers and sisters, parents, spouse's parents, grandparents, and spouse's grandparents, without reference to the location or residence of said relative and any other blood relative who resides in the employee's home.

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EXPLANATION: 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 AP.2

### **Harassment/Discrimination Reporting Form**

This form provides the opportunity for an employee to report violation(s) of Board Policy 03.162 or 03.262 and to secure an equitable and prompt resolution. This procedure shall be implemented in compliance with Board policy and shall be used to document all complaints, whether addressed informally or formally.

Employee's Name	_____	_____	_____	_____
	<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>	
Employee's Address	_____	_____	_____	_____
	<i>City</i>	<i>State</i>	<i>Zip Code</i>	
Employee's Home Phone Number	_____	Daytime Phone #	_____	
Work Site	_____			

#### **CONFIDENTIALITY**

Information regarding an investigation of alleged harassment/discrimination shall be kept confidential to the extent possible. Individuals involved in the investigation shall not discuss information regarding the complaint outside of the investigation process.

#### **HARASSMENT/DISCRIMINATION COMPLAINT (USE ADDITIONAL SHEETS IF NECESSARY.)**

Date(s)/approximate time of the alleged incident(s): \_\_\_\_\_

Place alleged incident(s) occurred: \_\_\_\_\_

What type of harassment or discrimination was involved in the alleged incident?

☐ sexual ☐ racial ☐ on the basis of national origin ☐ on the basis of disability

☐ limitations due to pregnancy, childbirth, or related medical conditions

☐ other type of harassment/discrimination? If other, specify: \_\_\_\_\_

Name of person you believe is guilty of harassment or discrimination: \_\_\_\_\_

Position: \_\_\_\_\_

If the alleged behavior was directed toward another person, name that person: \_\_\_\_\_

Describe the alleged incident as clearly as possible, including such information as verbal statements (i.e. slurs, threats, other verbal or physical abuse or prohibited requests), what physical contact, if any was involved, what force, if any was used. \_\_\_\_\_

\_\_\_\_\_

List any witnesses to these events: \_\_\_\_\_

**PLEASE ATTACH ANY EXHIBITS OR OTHER TANGIBLE EVIDENCE (I.E., NOTES).**

**WHAT RESULTS ARE YOU SEEKING BY FILING THIS FORM?** \_\_\_\_\_

\_\_\_\_\_

PERSONNEL

03.162 AP.2  
(CONTINUED)

**Harassment/Discrimination Reporting Form**

*I agree that all information reported here is complete, accurate and true to the best of my knowledge and affirm that I honestly believe that the person named harassed or discriminated against me or another person.*

\_\_\_\_\_  
*Signature of Employee*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Received by*

\_\_\_\_\_  
*Date*

**NOTE:**

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

[http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html)

EXPLANATION: SBI CREATES A NEW SECTION OF KRS 158 REQUIRING A SCHOOL SAFETY COORDINATOR TRAINING PROGRAM, REQUIRED TRAINING FOR PRINCIPALS TO COMPLETE SCHOOL SECURITY RISK ASSESSMENT, REQUIRED TRAINING FOR SCHOOL RESOURCE OFFICERS, AMENDS KRS 156.095 SUICIDE PREVENTION TRAINING AND ADDS REQUIRED 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 AP.23

**District Training Requirements**

SCHOOL YEAR: \_\_\_\_\_

This form may be used to track completion of local and state employee training requirements that apply across the District and maintain a record for the information of the Superintendent and Board.

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
District planning committee members.		01.111			✓	
Board member training hours	KRS 160.180; 702 KAR 1:115; 701 KAR 8:020	01.83			✓	
Certified Evaluation Training	KRS 156.557; 704 KAR 3:370	02.14/03.18	✓		✓	
Superintendent training program to be completed within two (2) years of taking office	KRS 160.350	02.12			✓	
Council member training required for Principal selection	KRS 160.345	02.4244			✓	
Supervisors shall receive appropriate training to equip them to meet the standards of Personnel Management		02.3			✓	
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.	<a href="#">New Section of KRS 158</a>	<a href="#">02.31</a>			✓	
Council member training hours.	KRS 160.345	02.431			✓	
Asbestos Containing Building Material (ACBM), Lockout/Tagout and personal protective equipment (PPE) training for designated employees.	40 C.F.R. Part 763 401 KAR 58:010 803 KAR 2:308 OSHA 29 C.F.R. 1910.132 29 C.F.R. 1910.147 29 C.F.R. 1910.1200	03.14/03.24			✓	
Bloodborne pathogens	OSHA 29 C.F.R. 1910.1030	03.14/03.24		✓		
Behaviors prohibited/required reporting of harassment/discrimination.	34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Guidance	03.162/03.262		✓		
Training for Supervisors of Student Teachers	16 KAR 5:040				✓	



**District Training Requirements**

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
Orientation materials for volunteers	KRS 161.048	03.6			✓	
Teacher professional development/learning	KRS 156.095	03.19	✓			
Instructional leader training	KRS 156.101	03.1912			✓	
The Superintendent shall develop and implement a program for continuing training for selected classified personnel.		03.29			✓	
Training of the instructional teachers' aide with the certified employee to whom s/he is assigned	KRS 161.044	03.5			✓	
Integrated Pest Management (7a) Certification	302 KAR 29:060	05.11			✓	
Training for designated personnel on use and management of equipment		05.4			✓	
If District owns automated external defibrillator (AEDs), training on use of such	KRS 311.667	05.4			✓	
School Safety Coordinator (SSC) training program developed by the Kentucky Center for School Safety (KCSS)	New Section of KRS 158	05.4			✓	
School Principal training on procedures for completion of the required school security risk assessment						
Fire drill procedure system.	KRS 158.162	05.41		✓		
Lockdown drill procedure system.	KRS 158.162 KRS 158.164	05.411		✓		
Active Shooter Situations	KRS 156.095	03.19/03.29			✓	
Severe Weather/Tornado drill procedure system.	KRS 158.162 KRS 158.163	05.42		✓		
Earthquake drill procedure system.	KRS 158.163	05.47		✓		
Annual in-service school bus driver training	702 KAR 5:030	06.23			✓	
Career Tech – If funds available, High School teachers to receive training regarding embedding reading, math, and science in career tech courses.	KRS 158.818				✓	
Committee for Mathematics Achievement – training for teachers based on available funds.	KRS 158.832		✓			
KDE to provide or facilitate statewide training for teachers and administrators regarding content standards, integrating performance assessments, communication and higher order thinking.	KRS 158.6453 (SB 1)		✓			

PERSONNEL

03.19 AP.23  
(CONTINUED)

District Training Requirements

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED		DATE COMPLETED
			CERTIFIED	ALL	
Grants regarding training for state-funded community education directors	KRS 160.156			✓	
Local Board to develop and implement orientation program for adjunct instructors	KRS 161.046			✓	
Designated training for School Nutrition Program Directors and food service personnel	702 KAR 6:045 KRS 158.852 7 C.F.R. 8210.31	07.1 07.16		✓	
Teachers of gifted/talented students required training on identifying and working with gifted/talented students. All other personnel working with gifted students shall be prepared through appropriate professional development to address the individual needs, interests, and abilities of the students.	704 KAR 3:285	08.132	✓	✓	
KDE to provide training to address the characteristics and instructional needs of students at risk of school failure and most likely to drop out of school	KRS 156.095	08.141	✓	✓	
Student training on appropriate online behavior on social networking sites and cyberbullying awareness and response	47 U.S.C. 254/Children's Internet Protection Act; 47 C.F.R. 54.520	08.2323		✓	
Confidentiality of student record information	34 C.F.R. 300.623	09.14		✓	
Student suicide prevention training: Minimum of one (1)-hour in-person, live stream, or via video recording every other year including the recognition of signs and symptoms of possible mental illness. New hires during off year to receive suicide prevention materials to review. (teachers-principals; counselors) (Employees with job duties requiring direct contact with students in grades six (6) through twelve (12))	KRS 156.095, KRS 158.070	09.22		✓	
Training on employee reports of criminal activity	KRS 158.148, KRS 158.154, KRS 158.155, KRS 158.156, KRS 620.030	09.2211	✓		
Personnel training on restraint and seclusion and positive behavioral supports	704 KAR 7:160	09.2212	✓	✓	

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District Training Requirements

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
Personnel training child abuse and neglect prevention, recognition, and reporting	KRS 156.095	09.227	✓		✓	
Initial/follow-up training for coaches of interscholastic athletic activities or sports	KRS 160.445, KRS 161.166, KRS 161.185, 702 KAR 7:065	03.1161 03.2141 09.311			✓	
Training for school personnel authorized to give medication	KRS 158.838 KRS 156.502 702 KAR 1:160	09.22 09.224 09.2241			✓	
At least one (1) hour of self-study review of seizure disorder materials required for all principals, guidance counselors, and teachers by July 1, 2019, and for all principals, guidance counselors, and teachers hired after July 1, 2019.	KRS 158.070	09.22			✓	
Age appropriate training for students during the first month of school on behaviors prohibited/required reporting of harassment/discrimination	34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Guidance KRS 158.305	09.42811			✓	
KDE shall provide technical assistance and training for Response to Intervention upon District request.					✓	
Training to build capacity of staff and administrators to deliver high-quality services and programming in the District's Alternative Education Program	704 KAR 19:002	09.4341			✓	
Student discipline code	KRS 158.148, KRS 158.156, KRS 158.444, KRS 525.070, KRS 525.080	09.438		✓		
Intervention and response training on responding to instances of incivility.		10.21		✓		

THIS IS NOT AN EXHAUSTIVE LIST – CONSULT OSHA/ADA AND BOARD POLICIES FOR OTHER TRAINING REQUIREMENTS.

For training provided in person, participants should sign in at the end of the meeting to document their attendance. The sign-in sheet shall be maintained in paper or electronic format as required by the Kentucky *Records Retention/Public School District Schedule*.

EXPLANATION: 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

03.21 AP.21

**Floyd County Schools Posting Request Form**

Human Resource Only

Date Received:

Date Posted:

Date Closed:

Hold:

HR 001

Date:

TITLE OF POSITION:

LOCATION:

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

CLASSIFIED: ☐ (Posted for 5 days or until filled)

PLEASE LIST POSITION CONTROL # FOR POSITION BEING POSTED:

IS THIS A NEWLY CREATED POSITION? ☐ YES ☐ NO

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

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

☐ RESIGNATION ☐ NEW POSITION ☐ LEAVE ☐ OTHER

☐ RETIREMENT ☐ TRANSFER ☐ DISMISSAL

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

NEW LOCATION (IF KNOWN) OF THIS EMPLOYEE:

LIST THE FUNDING SOURCE FOR THIS POSITION:

PERSON REQUESTING POSTING/DATE:

HUMAN RESOURCES APPROVAL/DATE:

*The Floyd County Board of Education does not discriminate on the basis of race, color, national origin, age, religion, sex, genetic information, limitations due to pregnancy, childbirth, or related medical conditions, or disability in employment, educational programs, or activities.*

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EXPLANATION: 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

03.21 AP.25



**FLOYD COUNTY SCHOOLS**

**Classified Personnel**

***Recommendation/Selection for Employment***

No hiring by the Superintendent or completion of the hiring process by the Superintendent will occur without receipt of this form by the Human Resources Office.

Date

I select/recommend

Name of Applicant

Social Security Number

Complete Address of Applicant

be employed as a

Position and PC#

for the

school year.

The applicant will replace

*I hereby certify in making this recommendation that I have complied with existing federal, state, and local statutes, regulations, and policies relating to the employment of personnel, including those which prohibit discrimination on the basis of race, color, national origin, age, religion, sex, genetic information, limitations due to pregnancy, childbirth, or related medical conditions, or disability.*

Signature

Date

If the recommendation comes from the Committee, either the Committee Chair or all members may sign. For school-based selections, the signature of the Principal is required.

Proceed with hiring or completion of the hiring action.

Signature of Superintendent

Date

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PERSONNEL

03.21 AP.25  
(CONTINUED)

**APPLICANTS INTERVIEWED**

#	Applicants	Comments
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
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19.		
20.		

**\*\*Attach additional pages if necessary.**

EXPLANATION: AN AFFIDAVIT IS REQUIRED FOR USE OF PERSONAL LEAVE OR FOR USE OF SICK LEAVE FOR THE PURPOSE OF MOURNING A MEMBER OF THE STAFF PERSON'S IMMEDIATE FAMILY. EITHER AN AFFIDAVIT OR A CERTIFICATE OF A PHYSICIAN IS TO BE SUBMITTED IF THE STAFF MEMBER WAS ABSENT DUE TO PERSONAL ILLNESS OR FOR THE PURPOSE OF ATTENDING TO AN IMMEDIATE FAMILY MEMBER WHO WAS ILL.  
FINANCIAL IMPLICATIONS: COST OF NOTARY COMMISSION

PERSONNEL

03.223 AP.2

**Leave Request Form and Affidavit**

See Procedure 03.123 AP.2/Leave **Request Form and Affidavit-form**.

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EXPLANATION: SB1 CREATES A NEW SECTION OF KRS 158 REQUIRING A SCHOOL SAFETY COORDINATOR TRAINING PROGRAM, REQUIRED TRAINING FOR PRINCIPALS TO COMPLETE SCHOOL SECURITY RISK ASSESSMENT, REQUIRED TRAINING FOR SCHOOL RESOURCE OFFICERS, AMENDS KRS 156.095 SUICIDE PREVENTION TRAINING AND ADDS REQUIRED 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 AP.23

- CLASSIFIED EMPLOYEES -

**District Training Requirements**

See existing Procedure 03.19 AP.23.

EXPLANATION: 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

SCHOOL FACILITIES

05.4 AP.21

### Monthly Facility Safety Inspection Report

School/Site \_\_\_\_\_ Date \_\_\_\_\_

Inspector \_\_\_\_\_

This form is a reminder of general areas and items to be inspected. Check each item "acceptable" or "needs attention." All "needs attention" items shall include location, and the date corrected shall be noted. This form shall be sent to the District Maintenance Director. A copy shall be kept by the employee making the inspection.

Area Inspected	Location(s)	Condition		
		Acceptable	Needs Attention	Date Corrected
<b><u>Grounds</u></b>				
Condition of steps				
Condition of walkways				
Condition of parking areas				
Handrails on all steps and ramps				
Security lights				
Holes in lawn				
Debris on grounds				
Condition of seats/bleachers				
<b><u>General Areas</u></b>				
Condition of floors				
Floors dry				
Floors not slippery				
Floor openings properly covered				
Intake vents clean				
Exhaust vents clean				
Signs of basement water seepage				
Signs of roof leakage				
Ceiling material secure				
Water piping system				
Waste piping system				
Steam piping system				



**Monthly Facility Safety Inspection Report**

Area Inspected	Location(s)	Condition		
		Acceptable	Needs Attention	Date Corrected
Air piping system				
Loading dock				
Storage room(s)				
Waste disposal area(s)				
Broken glass				
Adequate lighting in all areas				
Handrails secure				
Stair tread secure				
<b><u>Means of Egress</u></b>				
Exits clearly marked				
Exits free of obstructions				
Fire doors kept closed				
Doors operate freely				
Evacuation plan(s) posted				
<b><u>Emergency Procedures</u></b>				
Written procedures				
Emergency call list posted				
Personnel trained for emergencies				
First aid facilities				
First aid personnel				
<b><u>Material Storage</u></b>				
Storage areas kept clean				
Material properly stacked				
Proper lighting				
Flammable materials properly stored				
Material properly labeled				
<b><u>Machinery/Equipment</u></b>				
Condition of ladders				
Operating instructions posted				
Guards in place				
Personal protective equipment provided				
Condition of hand tools				
Condition of power tools				
Is machinery/equipment clean?				
Belts guarded in place				
Machinery and equipment properly anchored				
<b><u>Electrical</u></b>				
All electrical circuits properly fused				

**Monthly Facility Safety Inspection Report**

Area Inspected	Location(s)	Condition		
		Acceptable	Needs Attention	Date Corrected
Condition of extension cords				
Extension cords not used extensively				
Wiring and fixtures properly covered				
Control panels accessible				
Condition of switches and outlets				
<b><u>Fire Protection</u></b>				
Sprinkler valves accessible				
Sprinkler valves sealed open				
Fire alarm boxes unobstructed				
Adequate number and type of fire extinguishers				
Fire extinguishers properly maintained				
Standpipe and hose unobstructed and in good condition				
Automatic systems in kitchen(s) properly maintained				
Emergency lighting system operable				
Smoking properly-controlled				
<b><u>Employees</u></b>				
Lifting properly				
Utilizing personal protective equipment				
Using proper tool for the job				
Following prescribed job procedures				

A COPY OF THIS CHECKLIST SHALL BE FORWARDED TO THE PRINCIPAL/SITE SUPERVISOR.

\_\_\_\_\_  
*Signature of Recipient*\_\_\_\_\_  
*Date*

EXPLANATION: SCHOOLS ARE REQUIRED TO CONDUCT BUILDING LOCKDOWNS. THIS POINTER IS USED TO DOCUMENT SUCH IN 05.41 AP.2.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SCHOOL FACILITIES

\$05.411 AP.1

**Building Lockdowns**

**DRILLS**

Lockdown drills are to be conducted according to Policy 05.41.1 and documented under Procedure 05.41 AP.2.

EXPLANATION: SBI REQUIRES SECURITY MEASURES TO BE IMPLEMENTED AS SOON AS PRACTICABLE BUT NO LATER THAN JULY 1, 2022. THE MAIN ENTRANCE OF EACH SCHOOL TO HAVE ELECTRONICALLY LOCKING DOORS, A CAMERA, AND AN INTERCOM SYSTEM, CLASSROOM DOORS TO BE EQUIPPED WITH HARDWARE THAT ALLOWS THE DOOR TO BE LOCKED FROM THE OUTSIDE BUT OPENED FROM THE INSIDE, AND OTHER SAFETY PROVISIONS.  
FINANCIAL IMPLICATIONS: COST TO UPGRADE EXISTING FACILITIES

## SCHOOL FACILITIES

05.5 AP.1

### Building Security

In order to ~~address ensure~~ reasonable security of District property the following ~~practices (Items 1-3) procedures shall be implemented are required~~ in all schools ~~and shall be implemented as soon as practicable but no later than July 1, 2022~~:

1. ~~Controlling access to the main entrance of the school with electronically locking doors, a camera, and an intercom system. Only these~~~~No other~~ entrances ~~designated by the Principal~~ shall be left open to outside access during the school day.

Windows and outside doors will be properly secured after the close of the school day. All entrances will be locked at that time.

2. ~~Classroom doors are to be equipped with hardware that allows the door to be locked from the outside but opened from the inside. Classroom doors are to remain closed and locked during instructional time.~~

3. ~~Classroom doors with windows are to be equipped with material to quickly cover the window during a building lockdown.~~

- ~~2-4.~~ The number of keys ~~or other means of access~~ to outside doors will be limited and issued only to those persons required to enter the building after hours on a regular basis.

- ~~3-5.~~ Outside security lights will be placed in strategic locations.

- ~~4-6.~~ Inside lighting, in corridors, administrative areas, and other strategic locations, will be turned on when custodians complete their schedule.

- ~~5-7.~~ The work schedules of custodians will be arranged to have them work in the building as late as possible.

- ~~6-8.~~ Money shall not be left in classrooms or vending machines overnight.

- ~~7-9.~~ Principals will see that bank deposits are made daily and night deposits are utilized when feasible.

- ~~8-10.~~ The local police and/or sheriff will be requested to place the school buildings on their security rounds.

### ADDITIONAL SECURITY MEASURES

With approval of the Board, the Superintendent may direct the installation of a security system and/or the employment of security personnel.

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EXPLANATION: 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.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

TRANSPORTATION

06.34 AP.2

**Bus Driver's Report of Student Conduct**

<b>BUS CONDUCT REPORT</b>	<b>STUDENT'S NAME</b>		<b>CLASS-GRADE</b>	<b>DATE OF INCIDENT</b>
	<b>BUS NO</b>	<b>TRIP NO</b>	<b>DRIVER'S NAME</b>	

**NOTICE TO PARENTS:**

1. The purpose of this report is to inform you of a disciplinary incident involving the student on the school bus.
2. You are urged to both appreciate the action taken by the driver and to cooperate with the corrective action initiated today.
3. Continued misconduct could lead to denial of transportation privileges.

**DRIVER'S REPORT**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Violation of Safety Procedures | <input type="checkbox"/> Excessive Mischief                                    | <input type="checkbox"/> Eating/Drinking/Littering  |
| <input type="checkbox"/> Destruction of Property        | <input type="checkbox"/> Writing   | <input type="checkbox"/> Rude/Discourteous/Annoying |
| <input type="checkbox"/> Fighting/Pushing/Tripping      | <input type="checkbox"/> Smoking Tobacco/Alternative<br>Nicotine/Vapor Product | <input type="checkbox"/> Unacceptable Language      |
| <input type="checkbox"/> _____                          | <input type="checkbox"/> _____   | <input type="checkbox"/> _____                      |

**PRELIMINARY ACTION:**

- ☐ Checked Student's Folder  
☐ Held Conference with Student  
☐ Consulted Counselor  
☐ Sent Previous Report Home  
☐ Telephone Parent  
☐ \_\_\_\_\_  
☐ \_\_\_\_\_  
☐ \_\_\_\_\_

**PRESENT ACTION AND RECOMMENDATION(S):**

- |   |  |
|---|--|
| <input type="checkbox"/> Student Regrets Incident. Cooperative    | <input type="checkbox"/> Student Placed on Probation |
| <input type="checkbox"/> Recurring Incidents Will Be Reported     | <input type="checkbox"/> Student Suspended           |
| <input type="checkbox"/> Student Denied Bus Privilege until _____ | <input type="checkbox"/> Case Referred to _____      |
| <input type="checkbox"/> _____                                    |  |
| _____   |  |
| _____   |  |

\_\_\_\_\_  
Parent's Signature      Driver's Signature      Administrator's Signature      Date

Parent's Copy - White    Office Copy - Canary    Transportation Copy - Pink    Driver's Copy - Goldenrod

EXPLANATION: KDE SCHOOL NUTRITION ADVISES THAT PER 7 CFR 210.14(F) LOCAL BOARDS OF EDUCATION ARE TO SET ADULT MEAL PRICES ANNUALLY ACCORDING TO THE FNS FORMULA.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

#### SUPPORT SERVICES

07.11 AP.1

#### **Community Eligibility Provision (CEP) Meal Program**

Since schools in the District participate in the National School Lunch Program, School Breakfast Program, and/or the Donated Food Program through the Community Eligibility Provision (CEP), federal and state policies and regulations must be followed.

#### STUDENTS

To implement required policies and regulations, these procedures will be followed for student participants:

1. Letters explaining the School Food Service Program shall be sent to all parents each year at the opening of school and as needed throughout the year. If applicable, an application form for free and reduced-price meals will accompany the letter. Applications will be kept on file for a period of three (3) fiscal years and are subject to audit by state and federal officials.
2. Household Income Forms (HIF) shall be collected by a designated District official outside of federal food service operations. It is recommended by KDE that copies of Household Income Forms (HIF) be kept through the current fiscal year and the three (3) years that follow or through the completion of any unresolved audit issues, whichever is longer.
3. A master list/roster to track student withdrawals, transfers, and entries shall be maintained by the Superintendent or designee.

#### ADULTS

All school personnel regularly assigned to a school may have access to meals served in the school food service program. The cost of the meal shall be determined by the Board. Charges for adult meals shall be as follows:

1. Those adults who are assigned to work full or part-time in the school food service program and whose salaries are paid entirely from food service funds may at the discretion of the District receive meals at no cost.
2. ~~All other District employees who do not provide a service in the operation and administration of the school food service program and all other adults shall pay the full adult meal price according to the following formula in FNS Instruction 782-5, Rev. 1.~~
  - a. Adult meal price formula for Pricing Sites: The minimum adult payment should reflect the price charged to students paying the school's designated full price, plus the current value of Federal cash and donated food assistance (entitlement and bonus) for full price meals.
  - b. Adult meal price formula for Non-Pricing Sites: The minimum adult payment should reflect the price of the free meal reimbursement, plus the current value of Federal cash and donated food assistance (entitlement and bonus).

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**Community Eligibility Provision (CEP) Meal Program**

**ADULTS (CONTINUED)**

3. It is required that the school food service program cost out their meals and ensure that the calculated price covers the cost and if not, the adult price must be higher than the calculated cost.
- 2.4 The cost of the adult meal price must be determined annually by the Board according to the current federal requirements for establishing adult meal pricing.

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EXPLANATION: HB 26 AMENDS KRS 424.260 AND KRS 45A.385 INCREASING THE MAXIMUM FOR SMALL PURCHASE TO \$30,000.  
FINANCIAL IMPLICATIONS: LARGER AMOUNT FOR SMALL PURCHASE PROCEDURES

#### SUPPORT SERVICES

07.13 AP.1

##### **Bidding of School Food Service Supplies**

LIKE ITEMS IN EXCESS OF ~~\$30,000~~~~\$20,000~~

If the total amount of purchases for like items is ~~\$30,000~~~~\$20,000~~ or more, formal bid procedures will be utilized. Food, food products, supplies and equipment will be bid semiannually (during the months of March and September), as needed, and/or through or in accordance with a schedule determined by the local educational cooperative.

##### **BID SPECIFICATIONS**

1. The bid specifications, including delivery and storage instructions, for all lunchroom/cafeteria supplies shall be prepared by the School Food Service/School Nutrition Program Director.
2. The request for bid shall be advertised in the local newspaper with the greatest circulation in the District.
3. Specifications and bid documents shall be mailed to all potential bidders.
4. Bids shall be opened and tabulated by the School Food Service/School Nutrition Program Director.
5. The bids shall be submitted to the Board of Education for action.

##### **PERISHABLES**

Applicable federal law does not provide a bidding exception for perishable food items purchased with school food service funds. Perishables purchased using school food service funds shall be procured in accordance with 2 C.F.R. 200.320.

##### **EMERGENCY PURCHASES**

If it is necessary to make an emergency purchase in order to continue service, the purchase shall be made and a log of all such purchases shall be maintained and reviewed by the School Food Service/School Nutrition Program Director.

The log of emergency purchases shall include: Item name, dollar amount, vendor, reason for emergency.

##### **RECORDS MANAGEMENT**

The following records will be maintained for a period of three (3) years plus the current year:

1. Records of all phone quotes
2. Logs of all emergency and noncompetitive purchases
3. All written quotes and bid documents
4. Comparison of all price quotes and bids with the effective dates shown
5. Price comparison showing bid or quote awarded
6. Log of approval substitutions

##### **RELATED PROCEDURE:**

04.32 AP.1



EXPLANATION: REVISIONS TO 704 KAR 3:365 REQUIRES A COMPLAINT PROCESS FOR ANY PROGRAMS UNDER THE ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA) OF 1965 AS AMENDED BY THE EVERY STUDENT SUCCEEDS ACT (ESSA).  
FINANCIAL IMPLICATIONS: POSSIBLE EXPENSE ATTRIBUTABLE TO RESPONDING TO ADDITIONAL COMPLAINTS

CURRICULUM AND INSTRUCTION

08.13451 AP.1

**Federal Programs/Title I Violation Complaint Procedure**

The Every Student Succeeds Act requires the adoption of a written procedure for the receipt and resolution of complaints alleging violations of Title I, Part A and the Elementary and Secondary Education Act (ESEA) as amended by ESSA in the administration of the Federal pPrograms.

- 1) The complaint must be in writing and addressed to the District Federal Programs/Title I Coordinator. The complaint must contain the following:
  - The name of the complainant and the contact information;
  - The nature of the complaint (the specific violation of the administration of the Title I, Part A or Federal pProgram).
- 2) The Federal Programs/Title I Coordinator must maintain a complaint log. The log must include the following:
  - The name of the complainant;
  - The receipt date of the complaint;
  - The log-in number assigned to the complaint for tracking purposes;
  - The name of the staff to whom the complaint will be referred (if applicable);
  - The date of the response to the complaint.
- 3) The Federal Programs/Title I Coordinator must respond to the complaint within thirty (30) working days upon receipt of the complaint.
- 4) The Federal Programs/Title I Coordinator must maintain a copy of the complaint, log, and response on file in the District office.
- 5) After the complainant has received a response from the Federal Programs/Title I Coordinator, the complainant has thirty (30) days to appeal the local decision. This appeal must be filed in writing with the Kentucky Department of Education in compliance with 704 KAR 3:365.

EXPLANATION: 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 AP.1

### **Emergency Medical Care Procedures**

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

#### **EMERGENCY INFORMATION**

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

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

#### **MEDICAL EMERGENCY PROCEDURES**

The following procedures shall be used in a medical emergency:

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

**Emergency Medical Care Procedures****SUPPLIES/PERSONNEL**

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

**DOCUMENTATION**

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

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

**RELATED POLICIES:**

09.224; 09.2241

**RELATED PROCEDURES:**

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

EXPLANATION: REQUIREMENTS FOR BOOSTER CLUBS AND SCHOOL ACTIVITY FUNDS HAVE BEEN UPDATED IN THE REVISED ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS (REDBOOK) ISSUED BY THE KENTUCKY DEPARTMENT OF EDUCATION, WHICH WILL GO INTO EFFECT AUGUST 2019. SINCE REQUIRED FORMS ARE INCLUDED IN REDBOOK THOSE SAME FORMS ARE NOT NECESSARY TO BE INCLUDED IN THE PROCEDURE MANUAL.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.33 AP.21

### **Fund-Raising Activities-Proposal**

*Please refer to the KDE document, Accounting Procedures for School Activity Funds, which includes the forms and process required for approval of fund-raising projects.*

*All sales representatives who wish to participate in a school fund-raising program shall complete the following form and submit it to the Superintendent/designee for approval.*

**Name/Address of Business Firm** \_\_\_\_\_

**Representative's Name** \_\_\_\_\_ **Phone #** \_\_\_\_\_

**Description of Items\*** *(Attach brochures, etc., if applicable.)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Description of Program** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Company registered with Better Business Bureau?** ☐ YES ☐ NO

**Pricing** *(Attach price list, if applicable.)*

Wholesale price of items \_\_\_\_\_

Retail price of items \_\_\_\_\_

School Profit \_\_\_\_\_

*\*Items shall not include coupons from other businesses as incentives for purchase.*

\_\_\_\_\_  
**Sales Representative's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

\_\_\_\_\_  
**Superintendent/designee's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

EXPLANATIONS: THE STUDENT SAFETY AND RESILIENCY ACT OF 2019 (SB 1) 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  
STUDENTS

09.425 AP.22

### **Assault and Threats of Violence - Notice of Penalties and Provisions**

New Section of KRS 158 requires written notice to all students, parents and guardians of students within ten (10) days of the first instructional day of the school of the provisions of KRS 508.078 (making it a crime to make the described threats against school-affiliated persons and persons lawfully on school property or against school operations). In compliance with this requirement, the text of KRS 508.078 is set forth below. Please be advised that there are serious penalties for this second degree terroristic threatening offense. Potential penalties upon conviction of this Class D felony include a term of imprisonment of not less than one (1) year nor more than five (5) years and a fine of not less than one thousand (\$1,000) and not greater than ten thousand (\$10,000) as provided in KRS 532.060 and KRS 532.030, respectively. In addition, a court in a juvenile case dealing with charges based on bomb threats or other criminal threats that disrupt school operations may order the child or his parent(s) to make restitution (pay expenses) caused by the threat to parties such as the District or first responders (KRS 635.060).

#### **KRS 508.078 (TERRORISTIC THREATENING, SECOND DEGREE)**

1. A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally:

a) With respect to a school function, threatens to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur;

b) Makes false statements by any means, including by electronic communication, for the purpose of:

1. Causing evacuation of a school building, school property, or school sanctioned activity;
2. Causing cancellation of school classes or school sanctioned activity; or
3. Creating fear of serious bodily harm among students, parents, or school personnel;

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**Assault and Threats of Violence - Notice of Penalties and Provisions****KRS 508.078 (TERRORISTIC THREATENING, SECOND DEGREE) (CONTINUED)**

- c) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or
- d) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.
2. A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010.
3. A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.
4. Terroristic threatening in the second degree is a Class D felony.

PRINCIPAL'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

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EXPLANATION: SB 1 CREATES A NEW SECTION OF KRS 158 THAT REQUIRES DISTRICTS TO HAVE THREAT ASSESSMENT TEAM PROCEDURES 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 AP.1

### **Threat Assessment Team Procedures**

The following procedures cover threat assessment teams, in conjunction with any District-selected threat assessment guidelines and forms, to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or school security.

#### **THREAT ASSESSMENT TEAM PLANNING AND PREPARATION**

The following actions are recommended prior to undertaking a threat assessment:

1. Guidelines and forms to facilitate threat assessments undertaken by a threat assessment team will be developed or utilized by or with the assistance of the District School Safety Coordinator (SSC) to assist teams in defining behaviors that will indicate if and when a threat assessment is advisable.
2. The SSC job functions will include providing input and assisting teams in assessing identified potential threats and determining appropriate responses to the threats. Under the supervision of the Principal and Superintendent/designee, the District SSC will recommend, arrange for, or provide training for the team.
3. The Superintendent/designee shall determine if and when a parent or guardian will be notified that their student has been identified by a team as exhibiting behavior that indicates a potential threat to school safety or school security and that needs to be assessed by the team.
4. The team's activities will include notification, as appropriate considering relevant circumstances, to a potential target of behavior deemed to present a substantiated potential threat.

#### **IDENTIFICATION OF A POTENTIAL THREAT**

The threat assessment team, utilizing available data and exercising reasonable discretion to assess student behavior, shall identify and respond to students exhibiting behavior that indicates a potential threat to school safety or school security. The process shall not use a profile of characteristics to identify a threat, and should be calculated to take into consideration behaviors, statements, or other communications to identify a potential threat to school safety and school security as follows:

1. Any team member receiving information indicating a potential threat to school safety and school security shall notify:
  - a. The District SSC;
  - b. The rest of the team; and
  - c. The team for any additional schools of the District potentially involved in the identified threat.
2. The District SSC shall appropriately notify any other District SSC for other school Districts identified in the threat or during the threat assessment process, as well as the leader of any non-public school identified in a threat or during the threat assessment process.

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**Threat Assessment Team Procedures****ASSESSMENT OF A POTENTIAL THREAT**

Upon identification of a potential threat, the team shall undertake the threat assessment:

1. In accordance with Board policy;
2. Informed by guidelines and applicable forms as described above; and
3. Giving consideration to applicable circumstances regarding the identified student and the behaviors giving rise to his/her identification.

**POST-ASSESSMENT RESPONSE**

The team shall consider all information gathered during the assessment to determine the type of response that is appropriate to address school safety and school security, and to address the needs of students identified during assessment of the threat. The team shall document the response it takes, as well as all communication from the team and other school staff with students identified during the threat assessment and their parents or guardians relating to the assessment and any resulting response.

**ONGOING REVIEW OF THREAT ASSESSMENT PROCESS**

The District SSC and the Superintendent shall review the work of each threat assessment team of the District, and make efforts to improve the work of all teams, and adherence to Board policy goals, and legal requirements.

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EXPLANATION: SB 230 PROVIDES THAT A PUBLIC AGENCY MAY ACCEPT OPEN RECORDS REQUESTS VIA EMAIL. ADDITIONALLY, PER THE OPEN RECORDS ACT, USERS REQUESTING RECORDS FOR COMMERCIAL PURPOSES ARE EXPECTED TO NOTIFY THE PUBLIC AGENCY OF SUCH FINANCIAL IMPLICATIONS: TIME ADDRESSING OPEN RECORDS REQUESTS

COMMUNITY RELATIONS

10.11 AP.21

### Public Records Notice

To be posted at the main entrance of the Central Office and of each school building, as appropriate.

#### **RULES/REGULATIONS FOR INSPECTION**

Pursuant to KRS 61.870 to KRS 61.884, the public is notified that, as provided herein, the public records of the Floyd County Board of Education are open for inspection.

Public records may be inspected Monday through Friday, except holidays, during regular working hours as posted at the main entrance of the Central Office and of each school building. Upon request, a designated district employee will furnish application forms for the inspection of the public records and, if required, s/he will be available to provide assistance in completing the application form. The official custodian may require:

- a) Written application, signed by the applicant and with his/her name printed legibly on the application, describing the records to be inspected. The written application shall be hand delivered, mailed, or sent via facsimile to the public agency;
- b) Facsimile transmission of the written application; or
- c) Email of the application.

Completed application forms should be submitted to the Superintendent, the Board's official custodian of public records, at the following address:

Floyd County Board of Education

106 North Front Avenue

Prestonsburg, KY 41653

An individual who applies to review public records shall be advised of the availability of the records requested and shall be notified in writing, not later than three (3) working days after receipt of an application for inspection, of any reason the records s/he requested are not available for public inspection.

Copies of written materials in the public records of this district shall be furnished to the person requesting them on payment of a fee of ten cents (.10) per page. Copies of nonwritten records (photographs, maps, material stored in computer files or libraries, etc.) shall be furnished to the person requesting them upon payment of a fee equal to the actual cost of producing copies of the requested records by the most economical process that is unlikely to damage or alter the records.

Applicants requesting copies of public records for a commercial purpose (KRS 61.874) shall provide a certified statement to the District stating the commercial purpose for which the records shall be used, and shall be required to enter into a contract with the District. The contract shall state the fee required by the District to produce copies to be used for a commercial purpose.

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COMMUNITY RELATIONS

10.11 AP.21  
(CONTINUED)

**Public Records Notice**

Persons who live outside the area and who wish to request copies of public records should contact the person listed above.

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*Designated Representative*

---

*Date*

EXPLANATION: SBI CREATES A NEW SECTION OF KRS 158 REQUIRING ALL VISITORS TO REPORT TO THE FRONT OFFICE OF THE BUILDING, PROVIDE VALID IDENTIFICATION, AND STATE THE PURPOSE OF THE VISIT; AND BE PROVIDED A VISITOR'S BADGE TO BE VISIBLY DISPLAYED ON A VISITOR'S OUTER GARMENT.  
FINANCIAL IMPLICATIONS: COSTS OF VISITOR BADGES

## COMMUNITY RELATIONS

10.5 AP.1

### Visitors to the Schools

#### REPORT TO FRONT OFFICE

As soon as practicable but no later than July 1, 2022, all visitors to the school are to report to the front office of the building, provide valid identification, and state the purpose of the visit. The school shall provide a visitor's badge to be visibly displayed on a visitor's outer garment.

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#### CLASSROOM VISITATION

Requests for classroom observation by parents, educators, or other local citizens with legitimate educational interests pertaining to the District's public school program shall be made to the Principal with reasonable notification. The Principal may grant the request if:

1. The teacher involved is notified in advance of the arrangement.
2. The number in the group is small enough to be accommodated in the classroom without interfering with the class.
3. The frequency of the visits does not interfere with the scheduled instructional program in the classroom.

#### LUNCH WITH FAMILY MEMBER

Parents, guardians, grandparents, or other immediate family members as approved by the Principal/designee may request to have lunch with their child/grandchild. Otherwise, except for authorized District personnel, each school shall observe a closed campus at lunch.

#### SPECIAL INVITATION

A special invitation for parents and other interested persons to visit the schools may be extended during appropriate school programs or activities and special occasions.

#### OBSERVATION BY OUTSIDE AGENCIES

These procedures are established for the purposes of observation only.

NOTE: Unless an outside provider has been sought out and contracted for a needed service by the District, no private therapy or service shall be provided to a student during the school day, within a District School.

The following information/documentation is required by the District before a private, outside therapist/service provider can observe its private client within a District School. Information must be sent to the Director of Special Education (special education students) or to the Director of Health and Family Resource Youth Service Center (FRYSC) Services (regular education students):

- Background check clearance on file with District Schools Central Office;
- Individual liability insurance certificate or worker's compensation insurance certificate;

**Visitors to the Schools**

**OBSERVATION BY OUTSIDE AGENCIES (CONTINUED)**

- A copy of credentials in the form of certification/license for the purpose of the observation; and
- A signed release (form can be requested from the school) by the parent/guardian noting that the therapist/outside service provider has been given permission to observe their child during the school day.

Once this information is received, the therapist/service provider may be allowed to come and observe the identified student as follows:

- At a time/day designated and assigned by the Principal/designee (to cause as little disruption to the class or school/learning environment as possible);
- The therapist is to observe only during these designated times, in an education setting (or activity such as lunch or social gathering) and only if confidentiality of other students/parents and disruption of the educational process in these settings can be adequately addressed by the Principal/designee;
- At any time the school or District needs to cancel an appointment or not allow an outside agency/therapist/service provider to return to the school setting, the outside agency will be notified; and
- The outside service providers MUST provide a photo I.D. as well as sign in and out at the school office any time they are on school property during a school day.

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