

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

INTRODUCTION

01.1

## **Kentucky TECH Guiding Principles**

***Kentucky TECH*** refers to the system of secondary technical education programs operated by the Office of Career and Technical Education (OCTE). The policies contained in this manual shall govern those area technology centers.

### **VISION**

With high expectations and strong partnerships, Kentucky TECH will actively engage all students in the mastery of academic and technical skills needed to be ready for college and a career.

### **MISSION**

The mission of career and technical education is to assist schools in providing students with skills necessary for a successful transition to postsecondary education or work and a desire for life-long learning in a global society.

### **PURPOSE**

Career and technical education is an essential component of the high school curriculum. For many students, it represents as much as a third of their high school experience. It is a critical component in meeting the needs of students in academic achievement, career exploration, career preparation, and leadership development. Successful transition to postsecondary education, work, or the military is one of the goals of Kentucky's educational system. The percentage of students making a successful transition is a component of the high school accountability index.

### **BELIEFS**

- Students learn best when they are actively engaged in the learning process.
- Students learn best when our staff maintains high expectations for learning.
- Students are motivated to learn when classroom instruction is related to real-world applications.
- All students in our school need to have an equal opportunity to learn.
- A safe and physically comfortable environment promotes student learning.
- Students learn best when instruction incorporates both academic and technical skills.
- Effective school leaders engage in practices that support the ongoing improvement of teaching and student performance.
- Teachers, administrators, parents and the community share the responsibility for helping students learn.

### **NOTICE OF NONDISCRIMINATION**

The Office of Career and Technical Education does not discriminate on the basis of race, color, national origin, sex, genetic information, religion, age, ~~or~~ disability, or limitations related to pregnancy, childbirth, or related medical conditions in educational services and/or employment.

**Kentucky TECH Guiding Principles****NOTICE OF NONDISCRIMINATION (CONTINUED)**

The Office of Career and Technical Education does not discriminate on the basis of race, color, national origin, sex, genetic information, disability, age, marital status, or religion in admission to educational programs, activities, and employment practices in accordance with Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 (revised 1992), and the Americans with Disabilities Act and shall provide, upon request by a qualified disabled individual, reasonable accommodations including auxiliary aids and services necessary to afford individuals with a disability an equal opportunity to participate.

A nondiscrimination policy statement must be printed on the following publications:

- Publications describing admissions policies
- Enrollment Applications
- Employment Applications
- Student Handbooks
- Staff Handbooks
- Student Code of Conduct
- Program Catalogs
- Student Publications
- Program Brochures
- Letterhead
- Newsletters
- Other circulated publications

The following statement is to be used on **multi-page** publications:

“The **(name of agency, school, office, etc.)** does not discriminate on the basis of race, color, national origin, sex, genetic information, disability, age, marital status and religion in admission to educational programs, activities, and employment practices in accordance with [Title VI](#) of the Civil Rights Act of 1964, [Title VII](#) of the Civil Rights Act of 1964, [Title IX](#) of the Education Amendments of 1972, [Section 504](#) of the Rehabilitation Act of 1973 (revised 1992), and the Americans with Disabilities Act and shall provide upon request by a qualified disabled individual, reasonable accommodations including auxiliary aids and service necessary to afford individuals with a disability an equal opportunity to participate. For more information, contact **(name of the appointed person(s) serving as the coordinator(s) at the (name of agency, school, office, etc., work address and telephone number).**”

**Single page** publications such as program flyers, letterhead, newsletters, memoranda, etc., may use the following statement:

**“EQUAL EDUCATION AND EMPLOYMENT OPPORTUNITIES M/F/D”**

**ADA requires printed materials to be available in different formats.**

**Kentucky TECH Guiding Principles****YEARLY CLASSIFIED NEWSPAPER ADVERTISEMENT**

The guidelines for elimination of discrimination and denial of services on the basis of race, color, national origin, sex, genetic information, and disability in vocational education programs require recipients of federal funds to notify students, parents, employees, and the general public that all vocational education programs, services, activities and employment are available without regards to race, color, national origin, sex or disability. Prior to the beginning of each school year (between July and September), each institution must publish a classified advertisement in a well-circulated newspaper in the service area of the institution. Regulations require that each institution affirm their nondiscrimination policy statement and identify their EEO Counselor's name, address, and telephone number. A brief summary of vocational programs and admission criteria should be included in the announcement.

An original newspaper advertisement identifying the source and date of publication must be submitted annually to the Office of Career and Technical Education to be included in the report to the Office for Civil Rights to document compliance with the regulation. An Equity-Discrimination Newspaper Advertisement Form will be sent to the schools annually.

**WEBSITE ACCESSIBILITY**

The OCTE is committed to ensuring accessibility of its website for students, employees, visitors, and members of the community with disabilities. All pages on the OCTE'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 OCTE 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 OCTE web presence which is developed by, maintained by, or offered through the OCTE or third party vendors and open sources.

**REFERENCES:**

[KRS Chapter 344](#)

780 KAR 2:010

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; 03.162

09.13; 09.42811

10.5

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>

### TRAINING REQUIREMENTS

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

### SUPERINTENDENT TO REPORT

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

### REFERENCES:

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

### RELATED POLICY:

09.4361

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LEGAL: SB 18 AMENDS KRS CHAPTER 344 BY ADDING PROTECTIONS COVERING PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS TO STATE EMPLOYMENT DISCRIMINATION LAW.

FINANCIAL IMPLICATIONS: POTENTIAL COST OF PROVIDING NOTICE AND ACCOMMODATIONS

PERSONNEL

03.113

### **Equal Employment Opportunity**

The Commonwealth of Kentucky does not discriminate on the basis of race, color, national origin, political affiliation, sex, genetic information, disability, age, religion, ~~or~~ marital status, or limitations related to pregnancy, childbirth, or related medical conditions in employment practices.<sup>1</sup>

Any employee who feels that he/she has been discriminated against based on any of these protected areas has the right to appeal his/her case through the established grievance procedure (Policy 03.162).

#### **ADA AND JOB ACCOMMODATION FOR DISABLED EMPLOYEES**

Kentucky State government is committed to the full implementation of the Americans with Disabilities Act (ADA). It is the policy of the Commonwealth to maximize the full inclusion and integration of people with disabilities in all aspects of employment and all programs, services and activities.

All employees must comply with policies regarding the ADA in the following categories:

- discrimination in areas of employment,
- limiting,
- segregating and classification of employees,
- contractual or make arrangements that may discriminate against employees,
- providing reasonable accommodations,
- effective test administration, and
- no retaliation and coercion if employees exercise rights under provisions of ADA.

Additional information can be obtained from [Kentucky's Office for the Americans with Disabilities Act](#)

#### **REASONABLE ACCOMMODATION**

The Commonwealth 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.

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PERSONNEL

03.113  
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**Equal Employment Opportunity**

**REFERENCES:**

[KRS 161.164; KRS Chapter 344; 42 U.S.C. 2000e, Civil Rights Act of 1964, Title VII](#)  
KRS 156.812  
KRS 156.838  
KRS 18A.140  
KRS 161.020  
~~KRS 161.164~~; KRS 207.135  
29 U.S.C.A. 794  
29 U.S.C. section 1630.14  
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; <http://www.usdoj.gov/crt/ada/>  
Section 504 of the Rehabilitation Act of 1973  
Title IX of the Education Amendments of 1972  
Genetic Information Nondiscrimination Act of 2008

**RELATED POLICY:**

03.162

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

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

#### SMOKING

In compliance with federal law, there shall be no smoking within any indoor facility owned or leased or contracted for and utilized by Kentucky TECH schools for the provision of providing education or training services.

Federal law prohibits smoking within buildings that house programs providing education services to children. The term “children” means individuals who have not attained the age of eighteen (18).

The prohibition specifically states:

No person shall permit smoking within any indoor facility owned or leased or contracted for use by such person for provision of regular or routine kindergarten, elementary, or secondary education or library services to children.

Failure to comply with the prohibition is a violation of this law and any person subject to the prohibition who commits a violation may be liable to the United States for a civil penalty in an amount not to exceed \$1,000 per day each day a violation continues. The total amount of liability is not to exceed the amount of federal funds received for the year in which the continuing violations occurred.

#### **OTHER USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED**

In addition, 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 Kentucky TECH schools 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 Kentucky TECH schools, 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 Kentucky TECH schools.

the use of any tobacco product, including electronic cigarettes, is prohibited in any building owned or operated by Kentucky TECH schools.

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PERSONNEL

03.1327  
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**Use of Tobacco, Alternative Nicotine, or Vapor Products**

**REFERENCE:**

[↓New Section of KRS 438](#)  
[KRS 438.305](#)

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

**RELATED POLICIES:**

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

03.162

## **Harassment/Discrimination**

### **APPLICABILITY**

This policy applies to all employees, students, clients and contract personnel doing business with the Office of Career and Technical Education.

The Office of Career and Technical Education is committed to maintaining an educational and work environment that is free from harassment and violence on the basis of sex, genetic information, race, color, national origin, disability, age 40 or over, religion, marital status, limitations related to pregnancy, childbirth, or related medical conditions, or any other basis prohibited by federal, state, or local law, ordinance, or regulation 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.

Accordingly, the Office of Career and Technical Education strictly prohibits any form of harassment, discrimination or violence on the basis of any of the protected areas mentioned above. Complaints of such conduct shall be investigated in a prompt, effective and uniform manner. Appropriate action shall be taken to correct and prevent reoccurrence of the harassment/discrimination behavior.

### **DEFINITION**

Discriminatory harassment is any conduct that, by reference to any of the aforementioned protected areas, intentionally or recklessly abuses, ridicules or disparages a person or persons so as to adversely affect their work performance, academic performance, or service received from the Office of Career and Technical Education.

### **PROHIBITED CONDUCT**

State law specifically prohibits unwelcome sexual advances, requests for sexual acts or favors, with or without accompanying promises, threats, or reciprocal favors or actions; or other verbal or physical conduct of a sexual nature that has the purpose of or creates a hostile or offensive environment.

Examples of prohibited sexual harassment behavior include, but are not limited to:

1. Negative or offensive comments, jokes, or suggestions about an individual's gender or sexuality;
2. Sexual innuendo, including embarrassing comments or terminology addressed to a specific employee;
3. Vulgar or indecent gesture, language or joke;
4. Bringing or displaying a sexually suggestive object, book, magazine, photograph, cartoon, calendar or picture in the workplace;
5. Use of the computer to transmit, solicit, display or download obscene messages or material;

**Harassment/Discrimination****PROHIBITED CONDUCT (CONTINUED)**

6. Threatening, demeaning or offensive conduct directed toward an individual because of his/her gender;
7. Unwelcome sexual advances, request for sexual favors, or sexually motivated physical conduct/contact;
8. Slang names or labels such as “honey”, “sweetie”, “boy”, “girl” that others find offensive;
9. Commenting about or calling attention to an individual’s body, attire or sexual characteristics in a negative or embarrassing way; or
10. Ridiculing, ignoring or not taking seriously an individual who experiences sexual harassment.

Examples of prohibited racial harassment behavior include, but are not limited to:

1. A physical act of aggression or assault upon another individual because of race, color, or national origin;
2. Unwelcome verbal harassment or abuse; or
3. Unwelcome behavior or words directed at an individual because of race, color, or national origin.

Examples of prohibited religious harassment behavior include, but are not limited to:

1. Physical conduct related to an individual’s religion;
2. Verbal conduct related to an individual’s religion; or
3. A physical act of aggression or assault upon another because of religion.

**REPORTING RESPONSIBILITY**

Employees subjected to harassment or other prohibited behavior shall report the harassment to their supervisor.

Individuals other than employees who need to register a complaint about harassment, are encouraged to seek the aid of an EEO Counselor at the ATC, or the Office of Career and Technical Education Ombudsman.

**CONFIDENTIALITY**

The privacy of the complainant and the accused harasser shall be protected to the fullest extent permitted by the circumstances. An individual interviewed in the course of resolving the complaint shall be cautioned to treat the information as confidential. Breach of this confidentiality directive shall be grounds for disciplinary action.

**RETALIATION**

Retaliation by or against any party involved in a complaint shall be strictly prohibited. Retaliation shall be grounds for disciplinary action in and of itself.

**FALSE ACCUSATION**

If a complaint is filed falsely and maliciously, or if it is learned that false information is provided to anyone in the course of an investigation, disciplinary action shall be taken.

**Harassment/Discrimination**

**QUESTIONS OR CONCERNS**

Questions or concerns regarding this policy should be addressed to an employee's supervisor or the individual authorized to handle discrimination matters.

**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:**

- KRS 18A.140
- KRS 156.020
- 780 KAR 3:120
- 780 KAR 3:072
- 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

**RELATED POLICIES:**

- 03.11;<sub>7</sub> 03.113;<sub>7</sub> 03.1325;<sub>7</sub> 03.16;<sub>7</sub> 09.422;<sub>7</sub> 09.42811

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

FACILITIES

05.23

### Energy Management

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

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~~To promote this effort, the Superintendent/designee shall direct the development of an energy management plan (EMP) for Board approval and oversee the implementation and maintenance of that plan, which shall address the following components:~~

- ~~1. A District level committee shall be appointed by the Superintendent/designee to develop and implement the energy management plan (EMP).~~
- ~~2. The District level committee shall track and monitor the EMP to determine progress toward managing and reducing energy costs.~~
- ~~3. Effective with the 2011-2012 school year, the Superintendent/designee shall report the EMP results for each fiscal year, including annual District energy usage, costs and anticipated savings to KPPC—the Kentucky Pollution Prevention Center—by October 1<sup>st</sup> annually through the Kentucky Energy Efficiency Program for Schools (KEEPS).~~

~~A status report on implementation of the plan in Board owned and Board operated facilities shall be provided to the Board following the end of each fiscal year.~~

#### REFERENCE:

KRS 160.325

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.

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.

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.

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 or designee immediately make a report to the Principal of the sending high school and to Associate Commissioner, Office of Career and Technical Education. In addition, when they have reasonable belief that a violation has taken place, the Principal or designee 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.

#### **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 an area technology center or onto the center campus/property under jurisdiction of the local district shall be expulsion for a minimum of twelve (12) months. However, the local board of education 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 following notice shall be posted in prominent locations in the school. 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.<sup>1</sup>

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

**WEAPONS STATE REPORTING REQUIREMENTS**

Employees of the area technology center 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.

**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:**

09.436; 09.4361

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**

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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#### **FIRST AID**

The following information shall be provided during initial employment orientation and at the beginning of each school year.

- Emergency and non-emergency first aid shall be administered by a person or persons trained and certified to render first aid.
- In no case shall ointments, salves, disinfectants or oral medicine be rendered except on advice of a physician.
- In no case shall any person or persons render first aid to a degree above that for which they are trained and certified.
- First aid kits shall be placed in each lab/shop area and equipped with gauze, bandages, large and small Band-Aids, bottle of peroxide, disinfectant wipes, latex gloves and other sterile materials required to stop bleeding and cover wounded areas.
- Fire blankets shall be placed in those areas where the potential exists for fire and explosion. Large shops shall have two (2) fire blankets.

#### **SICKNESS/ACCIDENTS**

The following steps shall be implemented:

1. First aid shall be administered as required (ambulance called if necessary). The first aid provider shall be trained and certified in first aid. Injured persons shall not be transported in private auto or state vehicle by center personnel.
2. The center Principal or designee shall be notified.
3. Personnel shall secure the area for inspection by the Frankfort safety unit. The Principal or designee shall notify the Safety Director in the Frankfort Office. This procedure shall be used when accidents are severe enough in nature to cause or could cause loss of life or limb. All other accidents are to be reported and detailed on the *designated accident reporting form* as soon as possible after first aid is provided and the victim and/or area is secured.
4. Personnel shall secure the name of any witnesses available, and if possible make photos of the accident scene.

STUDENTS

09.224  
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**Emergency Medical Treatment**

**EMERGENCY CARE PROCEDURES**

Schools shall have emergency care procedures comporting with regulation<sup>1</sup> and may utilize the Kentucky Department of Education Health Services Reference Guide (HSRG) as a resource.

**REFERENCES:**

<sup>1</sup>702 KAR 1:160

KRS 156.160; KRS 156.502; KRS 158.836; KRS 158.838

**RELATED POLICIES:**

03.14, 09.22, 09.2241



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

FINANCIAL IMPLICATIONS: COST OF SIGNAGE

STUDENTS

09.4232

### **Tobacco, Alternative Nicotine, or Vapor Products**

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

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 state, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

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

#### **REFERENCES:**

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

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

#### **RELATED POLICIES:**

03.1327; 10.5

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

STUDENTS

09.425

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

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

#### **PUPILS**

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

[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>](#)

#### **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.

#### **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 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.

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/designee shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

#### **REPORT TO LAW ENFORCEMENT AGENCY**

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

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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 area.

**NOTIFICATIONS**

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

**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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STUDENTS

09.425  
(CONTINUED)

**Assault and Threats of Violence**

**RELATED POLICIES:**

03.123; 03.13253; [05.4](#)  
09.14; 09.2211; 09.422; [09.429](#)

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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**

A visitor is any person who is not a current employee of the Office of Career and Technical Education or a student at the area technology center. For the safety of students, all visitors, including but not limited to, parents, delivery persons, and volunteers, shall follow the procedures listed below:

1. All visitors shall first sign in at the school office and receive permission from the Principal or designee before entering labs/classrooms. Visits to classrooms shall be scheduled in advance unless authorized by the Principal/designee.
2. Visitors shall be issued a Visitor's Pass when permitted to enter labs/classrooms.
3. A visitor refusing to sign-in or to wear a visitor's tag shall not be allowed to enter the school. The Principal shall be notified immediately of a visitor failing to sign in. If appropriate under the circumstances, school security or law enforcement shall be contacted.
4. Employees shall notify the Principal or designee immediately if someone is observed in the school that is not recognized as an Office of Career and Technical Education employee or does not have an approved Visitor's Pass. If appropriate under the circumstances, school security or law enforcement shall be contacted.
5. Visitors shall be required to exit the building through the office and sign out.
6. Students shall not be allowed to bring a visitor to the area technology center without prior approval of the area technology center Principal.

### **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 an area technology center, except with the advance written permission of the Principal 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

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

- b. A criminal offense against a victim who is a minor; or
2. Any person required to register under KRS 17.510; or
3. Any sexually violent predator; or
4. Any person whose sexual offense has been diverted pursuant to KRS 533.250, until the diversionary period is successfully completed.

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

1. To pick up or drop off their child each day.
2. To pick up the child who is injured or ill.
3. To confer with school staff concerning academic, disciplinary or placement issues involving the student, including matters required by federal or state law.
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 local district 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 a Kentucky Department of Education 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 local district board of education before making a final determination.

**CONDUCT/PROHIBITION ON RECORDING**

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

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

**Visitors to the Schools****CONDUCT/PROHIBITION ON RECORDING (CONTINUED)**

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.

**ACCOMMODATION**

Individuals with disabilities visiting area technology centers shall be accommodated as required by law. Individuals requesting accommodation shall contact the Principal, who shall consult with the local district ADA/504 Coordinator for assistance and guidance. Accommodations may include, but are not limited to, the following considerations:

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

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

**WEBSITE ACCESSIBILITY**

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

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

**USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED**

The use of any tobacco products, alternative nicotine product, or vapor product, as defined in KRS 438.305, on property of area technology centers, ~~including electronic cigarettes~~, shall be governed by the policy of the local district board of education. At minimum, ~~smoking~~the use of any tobacco product, alternative nicotine product, or vapor product shall be prohibited inside the school.

**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~~; ~~03.262~~; 05.3

09.1231; 09.227; ~~09.3211~~; [09.4232](#); 09.426; 09.42811

~~10.2~~

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