

CERTIFIED PERSONNEL

Use of Tobacco**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 employees and at all times on or in all property owned, operated or possessed by the Board, including any vehicle that is owned, operated, leased, or contracted for use by the by the Board.

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all employees while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.

Signage denoting the District's tobacco-free status shall be posted on all exterior doors and in other places designated by the Superintendent.

REFERENCES:

KRS 438.305

[KRS 160.290](#)

[KRS 160.340](#)

[KRS 438.050](#)

[OAG 81295](#)

[OAG 91137](#)

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

RELATED POLICY:

09.4232

Adopted/Amended: 7/8/2010

Order #: 10-149

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[KRS 160.290](#)

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[OAG 81295](#)

[OAG 91137](#)

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

RELATED POLICY:

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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 who shall approve or turn down the request, based on criteria established by the Board.
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 product, alternative nicotine product, or vapor product shall not occur on or in all property;
 - e. Observance that no immoral or illegal activity shall be allowed on the premises;
 - f. The presence of a school employee may be required.

The hourly wage of employees must be included in the contract along with the social security and retirement payments required by law. If employees are employed beyond the normal 40hour week that they work for the Board, overtime wages must be paid.

Applicants shall be held responsible for the preservation of order among the participants.

All custodial work shall be performed by District employees.

Employees shall not accept gratuities from renting organizations.
 - g. The presence of a foodservice employee when cafeteria facilities are used;
 - h. The presence of a technology department employee and/or student worker when equipment is used;
 - i. Agreement that no alterations to the buildings or grounds be made without prior 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;

Rental Application and Contract**CONDITIONS OF RENTAL (CONTINUED)**

- k. Agreement that school equipment shall not be a part of the rental contract unless specifically enumerated;
Property not owned by the District shall be stored only in designated areas; the renting organization shall assume all responsibility for property left on school premises.
- l. Agreement to leave the facilities in as good a condition as before used;
- m. Recognition that all concession rights shall belong to school or student organizations, unless the applicant obtains the Board's prior approval for an exception;
Concession sales shall be under the direction of the Principal, and all proceeds or profits shall be handled in accordance with the District's deposit and accounting procedures.
- n. Agreement that nothing shall be sold, given away or displayed without prior permission of the Superintendent or designee.
- o. Applications should be submitted in a timely fashion, preferably at least five (5) business days prior to the event. Applications received with fewer than five (5) business days prior to the event could be rejected or result in increased usage fee.
- p. Facilities are not considered reserved until the application has been submitted and approved.
- q. Long-term usage requires a separate contract to be negotiated by the Superintendent and approved by the Board.

REFERENCES:

[KRS 162.055](#); [KRS 438.050](#)

[OAG 81295](#); [KRS 438.305](#)

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

RELATED POLICY:

10.3

Adopted/Amended: 3/26/2015

Order #: 15-100

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

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all employees and at all times on or in all property owned, operated or possessed by the Board, including any vehicle that is owned, operated, leased, or contracted for use by the Board.

The use of any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 is prohibited for all employees while attending or participating in any school-related student trip or student activity and is in the presence of a student or students.

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 any vehicle that is owned, operated, leased, or contracted for use by the Board.

Signage shall be posted on or in 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 on or in the vehicle.

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 the use of medication and shall not drive if that medication may affect the driver's ability to safely drive a school bus or perform other driver responsibilities.²
- Drivers shall immediately report to the Superintendent or designee any traffic violation specified in Kentucky Administration Regulation.²

TESTING

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

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

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

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

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

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

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.

Bus Drivers' Use of Tobacco and Other Substances**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.¹

REFERENCES:

¹49 C.F.R. Part 382

²[702 KAR 005:080](#)

[KRS 438.050](#)

Omnibus Employee Testing Act of 1991, Public Law 102-143, Title V

RELATED POLICIES:

03.11; 03.13251; 03.17

03.21; 03.23251; 03.27

Adopted/Amended: 07/14/2011

Order #: 11-124

Tobacco

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in [KRS 438.305](#) on or in all Board property at all times, including any vehicle owned, operated, leased, or contracted for use by the Board.

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in [KRS 438.305](#) while attending or participating in any school-related trip or student activity.

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

Signage denoting the District's tobacco-free status shall be posted on all exterior doors and in other places designated by the Superintendent.

REFERENCES:

P. L. 1114-95, (Every Student Succeeds Act of 2015)

[KRS 161.180](#)

[KRS 160.290](#)

[KRS 160.340](#)

[KRS 438.050](#)

[KRS 438.305](#)

[KRS 438.350](#)

[OAG 81295](#)

[OAG 91137](#)

Adopted/Amended: 7/10/2014

Order #: 14-161

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.

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
 - c. Any person required to register under [KRS 17.510](#); or
2. Any sexually violent predator; or
3. 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.

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

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.

CONDUCT/PROHIBITION ON RECORDING

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

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

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

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

USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED

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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
- Use of power driven mobility devices
- Event ticket sales accommodation
- Use of service animals

- Companion seating at events

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

Visitors to the Schools**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.

REFERENCES:

[KRS 17.545](#); [KRS 17.500](#); [KRS 17.510](#)
[KRS 160.380](#); [KRS 211.394](#), [KRS 211.395](#); [KRS 600.020](#); [KRS 620.146](#)
[OAG 91-13](#)
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; 03.162; 03.212; 03.262; 05.3
09.1231; 09.227; 09.3211; 09.426; 09.42811
10.2

Adopted/Amended: 7/27/2017
Order #: 17-175