EXPLANATION: SB 158 AMENDS KRS 160.1594 TO PROVIDE THAT CHARTER AUTHORIZER TRAINING SHALL NOT BE REQUIRED OF ANY BOARD MEMBER UNTIL A CHARTER APPLICATION IS SUBMITTED TO THE BOARD, AND SETS THE REQUIREMENT AT SIX (6) HOURS.
FINANCIAL IMPLICATIONS: FEWER HOURS REQUIRED MAY REDUCE TRAINING COSTS

Board Vacancy Forms

FORM TO PROVIDE NOTICE THAT A VACANCY EXISTS:

Date: _____

To Whom it May Concern:

A vacancy exists on the _____ Board of Education, as of _____,[1] 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.

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

REFERENCE:

[1]OAG 81-316

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 _____.

Board Vacancy Forms

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

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 _____

and email 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:

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.

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, when the Board, or a collaborative of local school boards including the Board, receives a charter school application, any member of the Board or boards who has not received charter authorization training within twelve (12) months immediately preceding the date the application was received shall receive six (6) hours of in-service training prior to evaluating the charter application~~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.

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.

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

EXPLANATION: THIS CHANGE CLARIFIES THE QUESTION RELATING TO A POTENTIAL CANDIDATE'S EMPLOYMENT STATUS WITH THE SCHOOL DISTRICT AND MODIFIES A QUESTION ABOUT LONG RANGE BOARD GOALS TO REFLECT THAT APPOINTEES WILL SERVE LESS THAN FOUR (4) YEARS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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: _____ Birthdate: _____
Last First MI

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 School District~~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. _____
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. _____

Application for Board Vacancy

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 (12th) 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 (12th) grade, or, if appropriate, the results of a twelfth (12th) 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)

Application for Board Vacancy

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

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 during your service on the Board~~in the next four (4) years~~:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

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

This application constitutes my letter of intent to seek appointment to the Board under KRS 160.190, and I hereby affirm that to the best of my knowledge the information being submitted on this application and any required attachments thereto is accurate and that I am eligible to be appointed to the Board under law.

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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

EXPLANATION: SB 79 AMENDS KRS 160.380 REPLACING "SUBSTANTIATED" FINDING OF CHILD ABUSE OR NEGLECT WITH "ADMINISTRATIVE" FINDING OF CHILD ABUSE OR NEGLECT.
FINANCIAL IMPLICATIONS: COST OF PRINTING NEW APPLICATIONS AND STAFF TIME TO TRACK THE STATUS IF REPORT INDICATES SUBSTANTIATED FINDING IS ON APPEAL

PERSONNEL 03.121 AP.22

- CERTIFIED PERSONNEL -

Personnel Documents

EMPLOYEE'S NAME _____ POSITION/WORK SITE _____

REQUIREMENTS

Employment shall be contingent upon meeting all requirements (state and local) for the position. Employees shall provide the following documents to the Central Office.

- ❑ **TEACHING CERTIFICATE**: An official copy of the certified staff member's certificate or a cover letter that is valid for the current year from the Department of Education, Division of Certification.
- ❑ **TRANSCRIPTS: Official copies of college/university credits and standardized test results.**
- ❑ **APPLICATION** (INCLUDING REFERENCES, A LIST OF STATES OF FORMER RESIDENCE AND DATES OF RESIDENCY, AND PICTURE IDENTIFICATION)
- ❑ **SIGNED CONTRACT** (WITH LETTER OF NOTIFICATION OF EMPLOYMENT)
- ❑ **RANK STATUS**: Verification of current Rank Status.
- ❑ **VERIFICATION OF EXPERIENCE:** Verification from each school district or the Kentucky Department of Education for which there is past teaching or administrative experience. (This must be on file before salary can be received based on that experience). Central Office personnel will write for verification after the names of the school districts have been provided.
- ❑ **HEALTH CERTIFICATION:** Each employee, including substitutes, must have a medical examination, which shall include a tuberculin risk assessment, prior to initial employment, and proof shall be filed with the Central Office. Individuals identified as being at high risk for TB shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by 702 KAR 1:160. Health certification records shall also include results from Hepatitis B vaccinations, if the position so requires.
- ❑ **MEMBERSHIP APPLICATION TO THE TEACHERS' RETIREMENT SYSTEM:** Each regular full time certified employee must file a membership application with teacher retirement if they are not already a member or if they have previously withdrawn their account.
- ❑ **TAX WITHHOLDING EXEMPTION CERTIFICATES**: Each employee is to complete a copy of Form K-4 (State) and Form W-4 (Federal) for their file. (New certificates must be completed any time the employee makes a change in the number of exemptions claimed or the amount to be deducted.)
- ❑ **VERIFICATION OF TRANSFERABLE SICK LEAVE**: Certified employees may transfer days of accumulated sick leave from one Kentucky district or the Kentucky Department of Education to another Kentucky district when place of employment changes. There cannot be a break in service for sick leave to transfer.
- ❑ **CRIMINAL RECORDS CHECK FORM:** Required by state. Form will be mailed to the State Police by Central Office personnel. New certified employees must be fingerprinted at the Central Office.

Personnel Documents

REQUIREMENTS (CONTINUED)

- ❑ **LETTER FROM CABINET FOR HEALTH AND FAMILY SERVICES**: Applicants (hired on or after April 4, 2018) must provide a letter from the Cabinet for Health and Family Services stating that there are no administrative findings of ~~substantiated~~ child abuse or neglect on record.
- ❑ **DRIVING RECORDS CHECK FORM:** Required by the state for all bus drivers and by the District, if applicable for other certified personnel. Form will be mailed by Central Office personnel to the Kentucky Transportation Cabinet, Division of Driver Licensing.
- ❑ **I-9 FORM:** Required by federal law to determine eligibility for employment in the United States.
- ❑ **SSA-1945:** The Social Security Administration requires that this form be used to inform, prior to employment, new certified employees that will participate in TRS that the position is not covered by Social Security.
- ❑ **CAFETERIA BENEFIT PLAN APPLICATION, if applicable**: Must be completed by every full-time employee of the School District. (This is usually done shortly after the opening of school by a person who visits each school to have the forms completed.)

Personnel records also may include the following: evaluation documents; documentation of personnel actions (promotions, transfers, demotions, disciplinary actions, nonrenewals, terminations); record of professional development activities, and other payroll-related information (insurance forms/deductions and direct deposit authorizations).

EXPLANATION: SB 8 AMENDS KRS 158.070 TO CHANGE SUICIDE PREVENTION TRAINING FROM EVERY OTHER YEAR TO EVERY YEAR.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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, a~~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.	KRS 158.4414	02.31			✓	
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) School Principal training on procedures for completion of the required school security risk assessment.	KRS 158.4412	05.4			✓	
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)		✓			

District Training Requirements

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
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. §210.31	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. [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		✓	✓	

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	09.42811			✓	
KDE shall provide technical assistance and training for Response to Intervention upon District request.	KRS 158.305				✓	
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: FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA) REGULATIONS REQUIRE THAT AS OF JANUARY 6, 2020 DISTRICTS ARE TO COMPLY WITH FEDERAL BUS DRIVER "CLEARINGHOUSE" RULES REQUIRING CHECKS ON APPLICANTS, ANNUAL CHECKS ON CURRENT DRIVERS, INFORMING DRIVERS OF REPORTABLE CONDUCT, AND REPORTING OF DISQUALIFYING INCIDENTS TO THE FMCSA DATABASE.
FINANCIAL IMPLICATIONS: COST OF CLEARINGHOUSE CHECKS

PERSONNEL 03.21 AP.254

Driving Record Violations and Personnel Actions

NEW/RETURNING BUS DRIVERS

The District shall perform a driving history check on school bus drivers prior to initial employment and after a break in service (excluding summers). Decisions to employ or re-employ an individual shall be contingent on receipt of records revealing no driving history convictions that would, as determined by the Superintendent, affect the individual's ability to perform the job. Driver applicants and current drivers are subject to checks of the Federal Motor Carrier Safety Administration Clearinghouse (FMCSA) and related rules as described in Policy 06.221.

A person shall not be employed as a school bus driver if convicted within the past five (5) years of driving a motor vehicle under the influence or driving while intoxicated~~of alcohol or any illegal drug~~.

CURRENT EMPLOYEES

Current bus drivers shall undergo driving records checks at intervals determined by Board policy. Those whose driving record checks reveal the following violations are~~may be~~ subject to appropriate disciplinary action, up to and including, termination/nonrenewal.

1. Speeding/major - speeding more than sixteen (16) miles per hour faster than the speed limit within the last two (2) years;
2. Speeding/minor – speeding less than sixteen (16) miles faster than the speed limit more than once within the last two (2) years;
3. Collision resulting in a citation being issued to applicant for being at fault;
4. Under the influence of alcohol or any illegal drugs while on duty or with remaining driving responsibilities that same day;
5. Revocation of driver's license;
6. Conviction for DUI/DWI;
7. Conviction for reckless driving;
8. Citation for any moving motor vehicle violation includingthat includes either DUI/DWI and reckless driving;

   ~~(A minor motor vehicle violation such as failing to a make a full stop at a traffic signal need not be reported to the Superintendent.)~~
9. Citation for violation of state or local law governing motor vehicle traffic control other than a parking violation;
9.10. Conviction for a felony sex crime or as a violent offender as defined in KRS 17.165;

Driving Record Violations and Personnel Actions

CURRENT EMPLOYEES (CONTINUED)

~~10.~~11. Failure to notify the Superintendent if the classified 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; or

~~11.~~12. Other criminal or moving vehicle violation, as determined by Superintendent/ designee to bear a reasonable relationship to the ability of the individual to perform the job.

NOTE: 702 KAR 5:080 requires bus drivers to report to the Superintendent/designee any violations falling under points five through ninee~~ight~~ (5-98) above.

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EXPLANATION: SB 79 AMENDS KRS 160.380 REPLACING "SUBSTANTIATED" FINDING OF CHILD ABUSE OR NEGLECT WITH "ADMINISTRATIVE" FINDING OF CHILD ABUSE OR NEGLECT.
FINANCIAL IMPLICATIONS: COST OF PRINTING NEW APPLICATIONS AND STAFF TIME TO TRACK THE STATUS IF REPORT INDICATES SUBSTANTIATED FINDING IS ON APPEAL

PERSONNEL 03.221 AP.22

- CLASSIFIED PERSONNEL -

Personnel Documents

EMPLOYEE'S NAME _____ **POSITION/WORK SITE** _____

REQUIREMENTS

Employment shall be contingent upon meeting all requirements (state and local) for the position. Employees shall provide the following documents to the Central Office.

- ❑ **HIGH SCHOOL DIPLOMA (OR HIGH SCHOOL EQUIVALENCY DIPLOMA OR PROOF OF PROGRESS TOWARD HIGH SCHOOL EQUIVALENCY DIPLOMA FOR STAFF EMPLOYED AFTER 7/31/90)**
- ❑ **APPLICATION (INCLUDING REFERENCES, A LIST OF STATES OF FORMER RESIDENCE AND DATES OF RESIDENCY, AND PICTURE IDENTIFICATION)**
- ❑ **CERTIFICATION (I.E., CDL FOR BUS DRIVERS) OR LICENSURE, WHERE APPLICABLE**
- ❑ **SIGNED CONTRACT (WITH LETTER OF NOTIFICATION OF EMPLOYMENT)**
- ❑ **VERIFICATION OF EXPERIENCE:** Verification from each school district or the Kentucky Department of Education for which there is experience. (This must be on file before salary can be received based on that experience). Central Office personnel will write for verification after the names of the school districts have been provided.
- ❑ **HEALTH CERTIFICATION:** Each regular or substitute employee must have a medical examination, which shall include a tuberculin risk assessment, prior to initial employment, and proof shall be filed with the Central Office. Individuals identified as being at high risk for TB shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by 702 KAR 1:160. This form is required annually for school bus drivers, as are required drug testing results. Health certification records shall also include results from Hepatitis B vaccinations, if the position so requires.
- ❑ **MEMBERSHIP APPLICATION TO THE COUNTY EMPLOYEES' RETIREMENT SYSTEM:** Each regular full time classified employee must file a membership application with the County Employees' Retirement System if they are not already a member or if they have previously withdrawn their account.
- ☐ **TAX WITHHOLDING EXEMPTION CERTIFICATES**: Each employee is to complete a copy of Form K-4 (State) and Form W-4 (Federal) for their file. (New certificates must be completed any time the employee makes a change in the number of exemptions claimed or the amount to be deducted.)
- ☐ **CRIMINAL RECORDS CHECK FORM:** Required by state. Form will be mailed to the State Police by Central Office personnel. New classified employees must be fingerprinted at the Central Office.
- ☐ **LETTER FROM CABINET FOR HEALTH AND FAMILY SERVICES:** Applicants (hired on or after April 4, 2018) must provide a letter from the Cabinet for Health and Family Services stating that there are no administrative findings of ~~substantiated~~ child abuse or neglect on record.
- ❑ **DRIVING RECORDS CHECK FORM:** Required by state for all bus drivers and by the District, if applicable, for other classified personnel. Form will be mailed by Central Office personnel to the Kentucky Transportation Cabinet, Division of Driver Licensing.

Personnel Documents

REQUIREMENTS (CONTINUED)

- ❑ **I-9 FORM:** Required by federal law to determine eligibility for employment in the United States.
- ❑ **COMMERCIAL DRIVER'S LICENSE:** Must be presented to the Superintendent's designee by each regular or substitute bus driver employed by the District prior to assuming the duties of the position.
- ❑ **CAFETERIA BENEFIT PLAN APPLICATION, if applicable**: Must be completed by every full-time employee of the School District. (This is usually done shortly after the opening of school by a person who visits each school to have the forms completed.)
- ❑ **FOOD SAFETY TRAINING CERTIFICATE, if applicable**: Must be presented to the Superintendent's designee by each regular or substitute food service employee of the School District prior to assuming the duties of the position, if required by the county/district Health Department.

Personnel records also may include the following: evaluation documents; documentation of personnel actions (promotions, transfers, demotions, disciplinary actions, nonrenewals, terminations); record of professional development activities, and other payroll-related information (insurance forms/deductions and direct deposit authorizations).

EXPLANATION: NEW FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA) REGULATIONS FOR ALL CDL OPERATORS CALL FOR CONSENTS FROM DRIVERS SO THAT DISTRICTS CAN CONDUCT REQUIRED SEARCHES OF THE CLEARINGHOUSE DATABASE. THIS AP COVERS WRITTEN CONSENT FOR A "LIMITED" INQUIRY AND POSSIBLE CONSEQUENCES OF REFUSAL TO CONSENT TO INQUIRIES MANDATED BY THE CLEARINGHOUSE REGULATION.
FINANCIAL IMPLICATIONS: COST OF CLEARINGHOUSE CHECKS

Drug and Alcohol Testing Notification and General Consent

NOTIFICATION AND GENERAL CONSENT FOR LIMITED QUERIES OF THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA) DRUG AND ALCOHOL CLEARINGHOUSE

NOTIFICATION

The Commercial Driver's License (CDL) Drug & Alcohol Clearinghouse is a federal database containing information about CDL drivers who have violated the Federal Motor Carrier Safety Administration's (FMCSA's) drug or alcohol regulations in 49 CFR Part 382. Whether you have committed a violation or not, the District or the District's Consortium/Third Party Administer (C/TPA) (as applicable) is required to check whether the Clearinghouse has any information about you at the time of employment and annually. When conducting an annual inquiry, the District or C/TPA will request a "limited" report that only indicates whether the Clearinghouse has any information about you. Before the District or C/TPA can request a limited report, your written authorization is required, per 49 CFR 382.701(b). If a limited query reveals that the Clearinghouse has information about you, you will then be asked to log in to the Clearinghouse website within twenty-four (24) hours to grant electronic consent to obtain your full Clearinghouse record. FMCSA will not disclose detailed information without first obtaining additional specific consent from you.

CONSENT AND ACKNOWLEDGEMENT

I, _____, hereby provide consent to the District
(Employee Name - please print)

and the District's Consortium/Third Party Administer (C/TPA) to conduct pre-hiring and annual limited queries of the FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse to determine whether drug or alcohol violation information about me exists in the Clearinghouse. This consent permits an unlimited number of such queries. My consent is valid from the date shown below until my employment with the District terminates or until I am no longer subject to the drug and alcohol testing rules in 49 CFR Part 382 for the District.

I understand that if I refuse to provide consent to conduct a limited query, or if I refuse to consent to a full query if requested by the District following a limited query, then the District must prohibit me from performing safety-sensitive functions, including driving a commercial motor vehicle, as required by FMCSA's drug and alcohol program regulations. I also understand that failure to provide cooperation to allow checking of the database as required by law may be grounds for personnel action based on loss of or legal inability to utilize licensure or certification required for the position.

_____ _____
Employee Signature Date

RELATED POLICY:

03.27

EXPLANATION: HB 312 AMENDS KRS 159.170 AND KRS 158.140 TO ADDRESS SHARING EDUCATIONAL RECORDS INFORMATION RELATING TO CHILDREN PLACED IN FOSTER CARE BETWEEN THE CABINET, OTHER AGENCIES SERVING THE CHILD AT THE BEHEST OF THE CABINET, AND SCHOOL DISTRICTS "IN ACCORDANCE WITH" FERPA. CONSISTENT WITH THE "UNINTERRUPTED SCHOLARS ACT" WHICH AMENDED FERPA IN 2013 TO ALLOW SHARING OF EDUCATIONAL RECORDS WITH REPRESENTATIVES OF STATE WELFARE AGENCIES HAVING ACCESS TO THE AGENCY CASE PLAN AND RESPONSIBLE FOR CARING FOR SUCH CHILDREN, THIS UPDATE MODIFIES THE SUBJECT FORM WITH THE AIM OF OBTAINING CONFIRMATION FROM THE CABINET THAT CHILD PLACING OR CHILD CARE AGENCY/REPRESENTATIVES QUALIFY FOR ACCESS TO EDUCATIONAL RECORDS INFORMATION AS REPRESENTATIVES OF THE CABINET IN THE EVENT SUCH ACCESS IS NEEDED IN CONNECTION WITH PROPER TRANSFER, ENROLLMENT AND EDUCATIONAL PLACEMENT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS 09.14 AP.232

Release of Records to State Child Welfare Agency

In order to facilitate the proper transfer, enrollment and educational placement of a child placed in foster care, authorized representatives of a child welfare agency (Cabinet for Health and Family Services) who must be authorized to access the child's case plan may be granted access to student records without parental consent if such agency presents to the District an official court order placing the student whose records are requested under the care and protection of said agency. This form provides access to student records that may be granted on a confidential basis to a child-caring facility or child-placing agency case manager for the same purposes where Cabinet officials with authorized access as stated above certify in writing that such persons or entities are acting in a representative capacity for the Cabinet, are responsible for care of the child, and are authorized to access the child's case plan. Any persons/agencies receiving access to education records as provided above are prohibited by federal law from releasing a child's education records to any individual or entity, except those engaged in addressing the child's educational needs. All applicable information in the below form must be provided/completed.

~~School district administrators may authorize release of protected student education record information to authorized representatives of a Kentucky state child welfare agency if such agency presents to the District an official court order placing the student whose records are requested under the care and protection of said agency. The state welfare agency representative receiving such records must be authorized to access the child's case plan. All information in the below form must be provided/completed.~~

On behalf of the _____ (agency), I am requesting access to and/or release of information in the educational records of the following student enrolled in the District:

_____ _____
Name of Student *School*

SPECIFIC INFORMATION REQUESTED

☐ All cumulative records
☐ Grade records only
☐ Attendance record only
☐ Standardized test data only

☐ Other: _____

I understand that I and my agency are prohibited by federal law from releasing a child's education records to any individual or entity, except for those at my agency engaged in addressing that child's educational needs.

I also understand that if the United States Department of Education determines that a third party outside the educational agency or institution discloses educational record information in violation of the law, the educational agency or institution may not allow that third party access to personally identifiable information from education records for at least five (5) years.

By virtue of my signature, I certify:

- I am a representative/caseworker for the following state child welfare agency: _____;
- This agency is responsible under state law for care and protection of the student as provided in the court order referenced below;
- A case plan for the student has been established or is in process for the student; and
- As representative/caseworker I have the right to access such case plan.

CONTACT INFORMATION

_____ _____ _____
Signature of Requesting Individual *Title* *Date*

Telephone Number _____ Email Address _____

Release of Records to State Child Welfare Agency

CERTIFICATION REGARDING CHILD CARING OR PLACING AGENCIES (IF APPLICABLE)

On behalf of the Cabinet, I additionally confirm that the following individuals/agencies are serving the child as representatives of the Cabinet, are responsible for the care of the child, are authorized to access the child's agency case plan and that access to educational records as checked above is necessary in order to facilitate the transfer, enrollment and educational placement of the child.

Name: _____ Position: _____ Signature: _____
(on behalf of the Kentucky Cabinet for Health and Family Services)

Date: _____

Contact Information: _____
Telephone/Address/Email Address

☐ Child-caring facility _____

Name: _____ Position: _____ Signature: _____

Date: _____

Contact Information: _____
Telephone/Address/Email Address

☐ Child placing facility case manager _____

Name: _____ Position: _____ Signature: _____

Date: _____

Contact Information: _____
Telephone/Address/Email Address

Persons/agencies receiving access to education records as signing above acknowledge they are prohibited by federal law from releasing a child's education records to any individual or entity, except those engaged in addressing the child's educational need and that if the United States Department of Education determines that a third party outside the educational agency or institution discloses educational record information in violation of the law, the educational agency or institution may not allow that third party access to personally identifiable information from education records for at least five (5) years.

(THE SECTION BELOW TO BE COMPLETED BY DISTRICT RECORDS CUSTODIAN/DESIGNEE)

- ☐ The District has an attested or certified original court order placing the student whose records are released under the care and protection of the requesting agency, which order is still in effect.
- ☐ The requesting individual presented appropriate credentials and identification.
- ☐ Payment has been made for any copies requested.

The requesting individual was notified of the following on _____ (date):

- The request was ☐ approved ☐ not approved.
- If approved, the records will be available on _____ (date).

_____ _____
Signature of Records Custodian/Designee *Date*

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LEGAL: SB 72 AMENDS KRS 620.030 TO ADD A VICTIM OF FEMALE GENITAL MUTILATION TO REQUIRED REPORTING.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

Child Abuse/Neglect/Dependency

MAKING AN ORAL REPORT

District employees who receive information from or about a student that causes them to know or gives them reasonable cause to believe that a child is dependent, neglected, abused, or is a victim of human trafficking, or is a victim of female genital mutilation, will promptly make an oral report to the proper authorities listed in Policy 09.227 and may assist the student in making such a report. All employees who know or have reasonable cause to believe that a child is dependent, neglected, or abused have the responsibility to report. Any attempt to prevent such a report is illegal.

The individual making an oral report should make a personal record of the report, including the date and time of report and name of the individual to whom the report was made.

The confidentiality of identifying information pertaining to individuals making a report is protected as provided by statute (KRS 620.050).

EXPLANATION: SB 8 AMENDS KRS 508.078 TO CHANGE THE DEFINITION OF TERRORISTIC THREATENING. THIS UPDATE ALSO INCLUDES A MORE COMPLETE DESCRIPTION OF CRIMINAL/JUVENILE PENALTIES.
FINANCIAL IMPLICATIONS: COST OF PROVIDING NOTICE

STUDENTS 09.425 AP.22

Assault and Threats of Violence - Notice of Penalties and Provisions

KRS 158.1559 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 any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or serious physical injury to any person at a place of worship, or 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, indicating that an act likely to result in death or serious physical injury is occurring or will occur 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 death or serious physical injury ~~serious bodily harm~~ among students, parents, or school personnel;
   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.

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Assault and Threats of Violence - Notice of Penalties and Provisions

KRS 508.078 (TERRORISTIC THREATENING, SECOND DEGREE) (CONTINUED)

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.
5. Terroristic threatening in the second degree is a Class C felony when, in addition to the violations above, the person intentionally engages in substantial conduct required to prepare for or carry out the threatened act, including but not limited to gathering weapons, ammunition, body armor, vehicles, or materials required to manufacture a weapon of mass destruction.

POTENTIAL PENALTIES UNDER KRS 532.060 AND KRS 534.030 UPON CONVICTION

Please be advised that there are serious penalties for this second degree terroristic threatening offense. Potential penalties for adults convicted of this offense include terms of imprisonment of not less than one (1) year nor more than five (5) (Class D felony) or not less than five (5) years nor more than ten (10) years (Class C felony) and a fine of not less than one thousand dollars ($1,000) and not greater than ten thousand dollars ($10,000) as provided in KRS 532.060 and KRS 532.030, respectively.

Juveniles face sanctions that may include fines up to five hundred dollars ($500.00) (KRS 635.085); probation or supervision subject to court imposed conditions and graduated sanctions for violations (KRS 635.060); and more serious sanctions if they have prior adjudications or an offense is determined to involve a deadly weapon. 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 or her parent(s) to make restitution (pay expenses) caused by the threat to parties such as the District or first responders (KRS 635.060).

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PRINCIPAL'S SIGNATURE: _____ DATE: _____