

2020 Policy Update (#43) Checklist

District: Kenton County Schools

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

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
01.83	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
02.31	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.11	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.121	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.131	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.19	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.21	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.231	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.27	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.29	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.4	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
04.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
04.312 Draft #3	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
05.4	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
05.48	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
06.221	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
08.1312	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
08.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.12	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
09.126	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
09.15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
09.22	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
09.2211	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
09.227	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
09.33	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
02.4242	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
03.112 Draft #2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
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05.411 Draft #2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
05.42	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
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06.13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
06.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
06.23	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
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06.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
07.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
07.11	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.122	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.1231 Draft #2	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.12322	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
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03.1234	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.1236	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.1241 Draft #2	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.13251	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.222	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.223	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.2231 Draft #2	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.2232	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.22322	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
03.2233	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
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03.2236	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
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04.7	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
04.9	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
08.113	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>

*Please attach a copy of the modified policy. DO NOT RETYPE A DRAFT - simply indicate the district-initiated changes

by writing in colored ink, circling, highlighting, etc.

Board Chair's Signature

Date

Superintendent's Signature

Date

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

LEGAL: SB 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

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.83

In-Service Training

Annual in-service training for all school board members in office as of December 31, 2014 shall include training on topics required by regulation that meet the minimum number of total training hours as follows:¹

1. Twelve (12) hours for school board members with zero (0) to three (3) years of experience (to include five hours on the following: three (3) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation);
2. Eight (8) hours for school board members with four (4) to seven (7) years of experience (to include four hours on the following: two (2) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation); and
3. Four (4) hours for school board members with eight (8) or more years of experience (to include three hours on the following: one (1) hour of finance and one (1) hour of ethics annually and, one (1) hour of superintendent evaluation biennially).

If a Board member obtains hours through any sources other than KSBA, they shall have local Board approval prior to participation in the training event and send a copy of the record (Board minutes) to KSBA.

For Board members who begin initial service on or after January 1, 2015, annual in-service training requirements shall be twelve (12) hours for Board members with zero to eight (0-8) years of experience and eight (8) hours for Board members with more than eight (8) years of experience. Required annual training hours shall include:

1. Three (3) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation for members with zero (0) to three (3) years experience;
2. Two (2) hours of finance, one (1) hour of ethics, and one (1) hour of superintendent evaluation for members with four (4) to seven (7) years experience; and
3. One (1) hour of finance, one (1) hour of ethics annually, and one (1) hour of superintendent evaluation biennially for members with eight (8) or more years experience.

IN-SERVICE TRAINING REGARDING (SCHOOL BOARDS AS CHARTER SCHOOL AUTHORIZATION)AUTHORIZERS)

Separate and apart from the above in-service training, School Board members shall participate in ~~annual~~ in-service training regarding charter school authorizers as follows:

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. Except for training provided prior to July 15, 2020, the training shall be in addition to the annual in-service training required under KRS 160.180, and the Board shall select the trainer to deliver the training to its members. Charter authorizer training shall not be required of any Board member until a charter application is submitted to the Board or boards.²

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In-Service Training**IN-SERVICE TRAINING REGARDING ~~(SCHOOL BOARDS AS CHARTER SCHOOL AUTHORIZATION)~~ AUTHORIZERS (CONTINUED)**

- ~~1. Twelve (12) hours for an authorizer or member with zero (0) to eight (8) years of experience as an authorizer;~~
- ~~2. Competency-based annual in-service training;~~
1. In-service training toward the board member training requirements of KRS 160.180¹ may also count toward the required twelve (12) hours of charter school training, to the extent the requirements of both are met by training contents. The charter ~~authorizer~~ school training requirements shall be approved by the Commissioner of Education and shall address the following topics of authorizer responsibility and charter school formation and operation:
 1. Financial governance and transparency;
 2. Conflict of interest;
 3. Charter application;
 4. Charter school contracting;
 5. Charter school monitoring;
 6. Charter school renewal, nonrenewal, and revocation;
 7. Charter school closure;
 8. Ethics;
 9. Curriculum and instruction;
 10. Educational services provided for special needs, at risk, English learner, gifted, and other special population students; and
 11. Physical restraint and seclusion of students.

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~~a) The training shall be approved by the Commissioner of Education.~~

Orientation of New Board Members

The Superintendent/designee and/or the Board Chair shall acquaint new Board members with their duties and obligations and furnish them with a copy of the Board's policy manual and/or access to the District's online manual and such other information and guidance materials as necessary to prepare them for service. Areas should include, but not be limited to, District budgeting, planning and student learning indicators. In addition, new Board members shall be provided assistance in locating training opportunities to help them meet statutory training requirements and to support them in learning their roles and responsibilities.

REFERENCES:

¹KRS 160.180

²KRS 160.1594

701 KAR 8:020

702 KAR 1:115

OAG 85-53; OAG 85-145

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LEGAL: SB 8 REVISES THE DEFINITION OF AN SRO, TRAINING REQUIREMENTS, AND ADDS A FIREARM REQUIREMENT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.31

School Resource Officers (SROs)

DEFINITION

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

- (a) 1. A sworn law enforcement officer; or
- 2. A special law enforcement officer appointed pursuant to KRS 61.902; and
- (b) Employed:
 - 1. Through a contract between a local law enforcement agency and a school district;
 - 2. Through a contract as secondary employment for an officer, as defined in KRS 16.010, between the Department of Kentucky State Police and a school district; or
 - 3. Directly by a local Board of Education.¹

TRAINING REQUIREMENTS

~~Effective January 1, 2020, a~~ All School Resource Officers (SROs) with active SRO certification 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 serve in the capacity of an SRO ~~work~~ in a school.

FIREARM REQUIREMENT

Each SRO shall be armed with a firearm, notwithstanding any provision of local board policy, local school council policy, or memorandum of agreement.²

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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:

- ¹KRS 158.441
- ²KRS 158.4414
- KRS 61.902
- ~~KRS 158.4414~~
- KRS 158.4415

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RELATED POLICY:

09.4361

LEGAL: 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

03.11

- CERTIFIED PERSONNEL -

Hiring

SUPERINTENDENT'S RESPONSIBILITIES

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

EFFECTIVE DATE

Personnel actions shall not be effective until the employee receives written notice of such action from the Superintendent. Certified employees may be appointed by the Superintendent for any school year at any time after February 1 preceding the beginning of the school year.

QUALIFICATIONS

The Superintendent shall employ only individuals who are certified for the positions they will hold and who possess qualifications established by law, regulation and Board policy, except in the case where no individual applies who is properly certified and/or who meets established qualifications set by Board policy.

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

CRIMINAL BACKGROUND CHECK AND TESTING

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

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

"FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND A LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT HAS NO ADMINISTRATIVE FINDINGS OF ~~SUBSTANTIATED~~ CHILD ABUSE OR NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET FOR HEALTH AND FAMILY SERVICES."

Initial employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have an administrative-~~substantiated~~ finding of child abuse or neglect in records maintained by the Cabinet.

Hiring**CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)**

“Administrative finding of child abuse or neglect” means a substantiated finding of child abuse or neglect issued by the Cabinet for Health and Family Services that is:

1. Not appealed through an administrative hearing conducted in accordance with KRS Chapter 13B;
2. Upheld at an administrative hearing conducted in accordance with KRS Chapter 13B and not appealed to a Circuit Court; or
3. Upheld by a Circuit Court in an appeal of the results of an administrative hearing conducted in accordance with KRS Chapter 13B.¹

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Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender.

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

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

REPORT TO SUPERINTENDENT

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

JOB REGISTER

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

VACANCIES POSTED

All vacancies, as they occur, shall be listed in the central office directory and posted in all school buildings and updated on the Kenton County webpage.

No vacancy shall be filled until it has been posted for fifteen (15) calendar days, unless a waiver has been granted by the Kentucky Department of Education in order to prevent disruption of the instructional program. Waivers shall be requested within fifteen (15) calendar days prior to the beginning of the school year and, as they occur, during the school year. In those instances where a vacancy occurs during the school year, the position shall be filled on a one (1) year contract basis.

Any teacher who was involuntarily transferred during the past three (3) years from one building to another will be notified by the central office staff if a vacancy occurs in the building from which the teacher was transferred.

The Superintendent shall conduct a search to locate minority candidates to be considered for a vacant position.

REVIEW OF APPLICATIONS

Each application shall be reviewed and each applicant so notified upon initial application. Applications shall be kept on file for three (3) years.

Hiring**RELATIONSHIPS**

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

A relative of the Superintendent shall not be employed. No Principal's relative shall be employed in the Principal's school.

Relatives of current District employees may be employed. They shall not be assigned to positions wherein they are directly responsible to or would directly supervise a relative.

CONTRACT

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

JOB DESCRIPTION

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

INTENT

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

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

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

Certified employees assigned extra duties such as coaching, but are not otherwise employed by the District on a full-time basis, shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.

EMPLOYMENT OF RETIREES

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

Full-time employment is defined as employment in a position that requires service on a continuing basis equal to seventy percent (70%) or more of normal full-time service for that position as established by the Kenton County Board of Education.

Part-time employment is defined as less than seventy percent (70%) of the time established by the Kenton county Board of Education for each position.

PART-TIME EMPLOYMENT AND SUBSTITUTE POSITIONS

All part-time employees and substitutes filling Kentucky Teachers Retirement System eligible positions will require regular employee contributions to the Kentucky Teachers Retirement System. Part-time and substitute employees filling Kentucky Teachers Retirement System eligible positions will no longer contribute social security contributions from these wages.

Hiring**PART-TIME EMPLOYMENT AND SUBSTITUTE POSITIONS (CONTINUED)**

Retirees employed on a part-time basis that have thirty (30) or more years of service credit to the Kentucky Teachers Retirement System or any state teachers retirement system or retired prior to July 1, 2002, can earn seventy-five percent (75%) of their last annual compensation measured on a daily rate increased by the CPI index established by the Kentucky Teachers Retirement System or the current Rank two (2) with fifteen (15) years experience level on the Kenton County Board of Education certified salary schedule, measured on a daily rate, whichever is less.

Retirees employed on a part-time basis that have less than thirty (30) years service credit with the Kentucky Teachers Retirement System or any state teacher retirement system or retired prior to July 1, 2002, can earn sixty-five percent (65%) of their last annual compensation measured on a daily rate increased by the CPI index established by the Kentucky Teachers Retirement System or the current Rank two (2) with twelve (12) years experience level on the Kenton County Board of Education certified salary schedule, measured on a daily rate, whichever is less.

Retirees employed in substitute positions that are Kentucky Teachers Retirement System eligible will be paid from the substitute teacher salary schedule established by the Kenton County Board of Education, but not to exceed the above limitations set forth for retirees employed part-time.

FULL-TIME EMPLOYMENT

All retirees employed full-time in Kentucky Teachers Retirement System eligible positions are required to make regular employee contributions to the Kentucky Teachers Retirement System. Retirees employed full-time will not make employee contributions to social security from these wages.

Retirees employed on a full-time basis that have thirty (30) or more years of service credit in the Kentucky Teachers Retirement System or any state teacher retirement system or retired prior to July 1, 2002, can earn seventy-five percent (75%) of their last annual compensation measured on a daily rate increased by the CPI index established by the Kentucky Teachers Retirement System or the current Rank two (2) with fifteen (15) years experience level on the Kenton County Board of Education certified salary schedule, measured on a daily rate, whichever is less. This provision does not apply to out-of-state retirees hired prior to July 1, 2002.

Retirees employed on a full-time basis that have less than thirty (30) years service credit with the Kentucky Teachers Retirement System or any state teacher retirement system or retired prior to July 1, 2002, can earn sixty-five percent (65%) of their last annual compensation measured on a daily rate increased by the CPI index established by the Kentucky Teachers Retirement System or the current Rank two (2) with twelve (12) years experience level on the Kenton County Board of Education certified salary schedule, measured on a daily rate, whichever is less.

All retirees employed full-time in Kentucky Teachers Retirement System eligible positions are required to make regular employee contributions to the Kentucky Teachers Retirement System. Retirees employed full-time will not make employee contributions to social security from these wages.

Hiring**FULL-TIME EMPLOYMENT (CONTINUED)**

Retirees employed on a full-time basis that have thirty (30) or more years of service credit in the Kentucky Teachers Retirement System or any state teacher retirement system or retired prior to July 1, 2002, can earn seventy-five percent (75%) of their last annual compensation measured on a daily rate increased by the CPI index established by the Kentucky Teachers Retirement System or the current Rank two (2) with fifteen (15) years experience level on the Kenton County Board of Education certified salary schedule, measured on a daily rate, whichever is less. This provision does not apply to out-of-state retirees hired prior to July 1, 2002.

Retirees employed on a full-time basis that have less than thirty (30) years service credit with the Kentucky Teachers Retirement System or any state teacher retirement system or retired prior to July 1, 2002, can earn sixty-five percent (65%) of their last annual compensation measured on a daily rate increased by the CPI index established by the Kentucky Teachers Retirement System or the current Rank two (2) with twelve (12) years experience level on the Kenton County Board of Education certified salary schedule, measured on a daily rate, whichever is less.

The Kentucky Teachers Retirement System must approve each of these positions annually. Retirees employed full-time must have medical insurance coverage through the Kenton County Board of Education.

REQUIRED BREAK IN SERVICE

Retirees are eligible for full-time employment after a one (1) year break in service if returning to the same employer. Retirees are eligible for full-time employment after a ninety (90) day break in service if returning to a different employer.

Retirees are eligible for part-time and substitute employment after a ninety (90) day break in service regardless of the employer.

There is no break in service required for employees retired prior to July 1, 2001.

WAIVER OF ANNUITY

Retired members may freeze their annuity with the Kentucky Teachers Retirement System and return to work full-time at the Kenton County Board of Education's established salary schedule level. The member will no longer receive their Kentucky Teachers Retirement System annuity and medical insurance.

PERSONNEL

03.11
(CONTINUED)

Hiring

REFERENCES:

¹KRS 160.380

²KRS 161.605; 702 KAR 1:150

³P. L. 114-95, (Every Student Succeeds Act of 2015)

20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)

45 C.F.R. § 1302.90

[KRS Chapter 13B](#)

KRS 17.160; KRS 17.165

KRS 156.106; KRS 160.345; KRS 160.390

KRS 161.042; KRS 161.611; KRS 161.750

KRS 335B.020; KRS 405.435

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

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

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

Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.132

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LEGAL: SB 174 AMENDS KRS 157.395 TO PROVIDE THAT FOR TEACHERS OBTAINING NBCT CERTIFICATION AFTER JULY 1, 2020, IF THE AMOUNT APPROPRIATED BY THE GENERAL ASSEMBLY IS LESS THAN \$2,000, THE BOARD MAY PROVIDE AN ADDITIONAL SUPPLEMENT TO THE TOTAL ANNUAL SUPPLEMENT OF \$2,000 FOR THE LIFE OF THE CERTIFICATE.
FINANCIAL IMPLICATIONS: POSSIBLE COST SAVINGS IF A BOARD DOES NOT CHOOSE TO PROVIDE THE FULL \$2,000 AMOUNT

PERSONNEL

03.121

- CERTIFIED PERSONNEL -

Salaries

SINGLE-SALARY BASIS

All salaries for certified personnel shall be based on a single-salary schedule providing, at minimum, for the number of working days required by law.

A District may provide monetary compensation, in addition to that provided through the single salary schedule, to all classroom teachers employed in a school that is identified by the Kentucky Department of Education as being in targeted or comprehensive support and improvement status.

Although a school may submit a request for an increment for an extended employment position, extra service, or related adjustments, the Board must set increments in pay for positions requiring services beyond those normally expected of other positions if the duties rendered extend beyond the regular school day or require extended days.

Employees transferring to the District from a public, nonpublic, or parochial elementary or secondary school or from a college or university that is approved by the public accrediting authority in the state in which professional experience was rendered shall be credited with experience as defined in KRS 157.320.

EXTENDED EMPLOYMENT

Compensation for employment contracted beyond the minimum number of working days required by law shall be prorated.

Extended employment positions shall be established in a position job description, funded in the District budget, and specified in an addendum to the employee's contract.

Addition of days to be worked beyond the original contract or additional days of extended employment for a position require prior Board approval before the change goes into effect.

EXTRA SERVICES, SUPPLEMENTS AND SUPERVISION

The Board shall annually establish a schedule of compensation for extra services and supervision.

NATIONAL BOARD CERTIFIED TEACHER (NBCT) SUPPLEMENT

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As provided under law, teachers who attain certification from the National Board for Professional Teaching Standards on or before July 1, 2020, shall be given an annual salary supplement of two thousand dollars (\$2,000) for the life of the certificate. A teacher who attains certification after July 1, 2020, shall be given an annual salary supplement for the life of the certificate, in accordance with the amount appropriated for this purpose by the General Assembly. If an annual supplement amount appropriated by the General Assembly is less than two thousand dollars (\$2,000), the Board may provide an additional supplement up to the amount required for the total annual supplement to equal two thousand dollars (\$2,000).

Salaries**RANK AND EXPERIENCE**

The rank and experience of certified personnel shall be determined at time of hire. The Board shall direct the Superintendent to validate all experience of professional personnel employed in the District.

Changes in rank and experience shall be determined on September 15 of each year.

To assist with the budgeting process, candidates for ~~NBCT~~**National Board** certification shall notify the Superintendent/designee in writing prior to September 15 that certification is pending in order for the employee to receive any rank-related increase retroactive to the beginning of the school year.

EXCEPTION

The Superintendent's salary may be established without regard to the above-mentioned schedules.

PAYROLL DISTRIBUTION

Checks will be issued according to a schedule approved by the Board. The District shall furnish the employee with either a paper or electronic statement. If statements are provided electronically, employees shall be provided access to a computer and printer for review and printing of their statement.

At the close of the school year, employees who have completed all responsibilities and duties may request to be paid their remaining salary prior to the end of the fiscal year.

DIRECT DEPOSIT

All newly hired employees and substitutes shall participate in the direct deposit payroll program.

QUALIFICATIONS

Employees shall be responsible for providing the Superintendent with all required certificates, health examinations, and verifications of experience prior to beginning work.

NOTICE OF SALARY

If a negotiated salary agreement between the Board of Education and the Kenton County Education Association has been reached, not later than forty-five (45) days before the first student attendance day of the succeeding school year or June 15, whichever occurs earlier, the Superintendent shall notify all certified personnel of the best estimate of the salary for the coming year.

PAYROLL DEDUCTIONS

The Board shall approve all payroll deductions as specified by KRS 161.158 and Board Policy 03.1211.

PERSONNEL

03.121
(CONTINUED)

Salaries

REFERENCES:

KRS 157.075; KRS 157.320; KRS 157.350; KRS 157.360
KRS 157.390; KRS 157.395; KRS 157.397; KRS 157.420
KRS 160.290; KRS 160.291
KRS 161.1211; KRS 161.134; KRS 161.168; KRS 161.760
KRS 337.070; KRS 424.120; 16 KAR 1:040; OAG 97-25
702 KAR 3:060; 702 KAR 3:070; 702 KAR 3:100; 702 KAR 3:310
29 C.F.R. Section 541.303; 29 C.F.R. Section 541.602; 29 C.F.R. Section 541.710

RELATED POLICIES:

03.114; 03.1211; 03.4

LEGAL: SB 15 (2019) AMENDED KRS 160.380 TO REMOVE THE EXCEPTION TO HIRING LANGUAGE FOR THE SPOUSE OF A PRINCIPAL.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.131

- CERTIFIED PERSONNEL -

Assignment

The Superintendent shall make all appointments, promotions, and transfers of certified personnel for positions authorized by the Board and, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

The Superintendent shall assign personnel who are certified for the positions they will hold and who possess qualifications established by Board policy, except in the case where no individual applies who is properly certified and/or who meets qualifications set by Board policy.

The Superintendent shall not assign the relative of a school Principal to the school where the Principal is assigned ~~unless the relative is not the spouse and was employed in that school during the 1989-90 school year. No spouse of a Principal shall be assigned to the school where the Principal is assigned unless the spouse was assigned in that school during the 1989-90 school year and there is no other position in the District for which the spouse is certified. A Principal's spouse employed in the Principal's school shall be evaluated by another school administrator.~~¹

The Superintendent shall not assign a certified employee to an alternative education program as defined in KRS 160.380 as part of any disciplinary action pursuant to KRS 161.790 or as part of a corrective action plan established pursuant to the District's evaluation plan.

ASSIGNMENT OF RELATIVES

Relatives of current school District employees may be employed. However, they shall not be assigned to positions in which they are directly responsible to, or would directly supervise a relative. Relative is defined in KRS 160.380 as father, mother, brother, sister, husband, wife, son, ~~and daughter, aunt, uncle, son-in-law, and daughter-in-law.~~

Employees under the supervision of a relative as of October 21, 2002, may continue in their position with approval from the Superintendent. ~~Any waivers of this prohibition require approval of the Board.~~

REFERENCES:

¹KRS 160.380; ~~OAG 76-360~~
KRS 160.390; KRS 161.760; KRS 161.790
OAG 11-001; OAG 78-266
OAG 91-28; OAG 91-149
OAG 92-1; OAG 92-135

RELATED POLICY:

02.4244

LEGAL: SB 8 CHANGES THE ACTIVE SHOOTER TRAINING REQUIREMENT TO PROVIDED OR PREPARED BY THE KY DEPARTMENT OF CRIMINAL JUSTICE TRAINING IN COLLABORATION WITH KDE INSTEAD OF PROVIDED OR PREPARED BY KDE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.19

- CERTIFIED PERSONNEL -

Professional Development

PROGRAM TO BE PROVIDED

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

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

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

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

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

ACTIVE SHOOTER SITUATIONS

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

SCHOOL RESPONSIBILITIES

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

PERSONNEL

03.19
(CONTINUED)

Professional Development

DOCUMENTATION

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

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

REFERENCES:

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

RELATED POLICIES:

03.1911; 09.22

LEGAL: SB 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

03.21

- CLASSIFIED PERSONNEL -

Hiring

SUPERINTENDENT'S RESPONSIBILITIES

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

EFFECTIVE DATE

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

RECRUITMENT/SELECTION

The recruitment and recommendation of candidates for school-based classified positions shall be the responsibility of each principal. The appropriate central office administrator or supervisor shall be responsible for recruiting and recommending candidates for District-wide positions.

CRIMINAL BACKGROUND CHECK AND TESTING

Applicants and employees shall undergo records checks and testing as required by applicable statutes and regulations and the District.¹ & ² [Bus drivers and applicants requiring a Commercial Driver's License \(CDL\) must undergo additional background and substance use checks per Board Policy 06.221.](#)

Each application ~~or renewal~~ form provided [by the employer](#) to [an](#) applicants for a classified position shall conspicuously state the following:

"FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE CRIMINAL HISTORY BACKGROUND CHECK AND A LETTER, PROVIDED BY THE INDIVIDUAL, FROM THE CABINET FOR HEALTH AND FAMILY SERVICES STATING THE APPLICANT HAS NO [ADMINISTRATIVE](#) FINDINGS OF ~~SUBSTANTIATED~~-CHILD ABUSE OR NEGLECT FOUND THROUGH A BACKGROUND CHECK OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE CABINET FOR HEALTH AND FAMILY SERVICES."

Initial employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have an [administrative](#)-~~substantiated~~ finding of child abuse or neglect in records maintained by the Cabinet.

["Administrative finding of child abuse or neglect" means a substantiated finding of child abuse or neglect issued by the Cabinet for Health and Family Services that is:](#)

- [1. Not appealed through an administrative hearing conducted in accordance with KRS Chapter 13B;](#)

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Hiring**CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)**

2. Upheld at an administrative hearing conducted in accordance with KRS Chapter 13B and not appealed to a Circuit Court; or
3. Upheld by a Circuit Court in an appeal of the results of an administrative hearing conducted in accordance with KRS Chapter 13B.¹

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Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender.

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

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

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

REPORT TO SUPERINTENDENT

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

JOB PLACEMENT ASSESSMENT (JPA)

Applicants for the positions listed below will be required to undergo and pass job placement assessment (JPA) protocol. The cost of the JPA shall be borne by the District. Positions requiring JPA: transportation department employees, cafeteria employees, maintenance employees, custodial employees and special education instructional assistants.

EDUCATIONAL REQUIREMENTS

No person shall be initially hired unless s/he holds at least a high school diploma or high school certificate of completion or High School Equivalency Diploma or unless s/he shows progress, as defined by Administrative Regulations of the State Board for Adult, and Technical Education, toward obtaining a High School Equivalency Diploma. Employees shall hold the qualifications for the position as established by the Commissioner of Education.³ Applicants possessing regular or emergency teaching certification shall be given preference in the employment process.

Existing and new paraprofessionals who provide instructional service or support in programs supported by Title I funds shall satisfy educational requirements specified by federal law.⁴

JOB REGISTER

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

VACANCIES POSTED

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

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Hiring**REVIEW OF APPLICATIONS**

Each application shall be reviewed and each applicant so notified. Applications for candidates not employed shall be retained for three (3) years.

HIRING RELATIONSHIPS

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

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

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

A relative of the Superintendent shall not be employed except as provided by KRS 160.380.¹

Relatives of current District employees may be employed. They shall not be assigned to positions wherein they are directly responsible to, or would directly supervise, a relative. Exception is the section on substitute personnel above.

EMERGENCY HIRING

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

JOB DESCRIPTION

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

CONTRACT

All regular full-time and part-time classified employees shall enter into annual written contracts with the District.

INTENT

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

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

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

Classified employees assigned extra duties such as coaching, but are not otherwise employed by the District on a full-time basis, shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.

EMPLOYEES SEEKING A JOB CHANGE

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

Hiring**EMPLOYEES SEEKING A JOB CHANGE (CONTINUED)**

Employed retirees that have an initial retirement date after June 30, 2002 and have thirty (30) or more years of service credit in the County Employees Retirement System or any state or federal retirement system, can earn up to the fifteen (15) year experience level for the position that they are rehired as established by the Kenton County Board of Education.

Employed retirees that have an initial retirement date after June 30, 2002 and have less than thirty (30) years of service credit in the County Employees Retirement System or any state or federal retirement system, can earn up to the twelve (12) year experience level for the position that they are rehired as established by the Kenton County Board of Education.

REQUIRED BREAK IN SERVICE

Retired employees under the age sixty-five (65) may return to work in a different position after a break in service of at least one (1) month.

Retired employees under age sixty-five (65) may not be re-employed, including substitute, in the same position or a position with the same principal duties until there has been a consecutive six (6) month break in service.

Retired employees age sixty-five (65) or older may return to the same position after a break in service of at least one (1) month.

REFERENCES:

¹KRS 160.380

²702 KAR 5:080

³KRS 161.011

⁴P. L. 114-95, (Every Student Succeeds Act of 2015)

20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)

34 C.F.R. § 200.58; 45 C.F.R. § 1302.90

[49 C.F.R. § 382.701](#); [49 C.F.R. § 382.703](#)

[KRS Chapter 13B](#)

KRS 17.160; KRS 17.165; KRS 156.070

KRS 160.345; KRS 160.390; KRS 335B.020; KRS 405.435

OAG 18-017; OAG 91-10; OAG 91-149; OAG 91-206; OAG 92-1; OAG 92-59

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

Kentucky Local District Classification Plan; 13 KAR 3:030; 702 KAR 3:320

[Records Retention Schedule, Public School District](#)

RELATED POLICIES:

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

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LEGAL: SB 15 (2019) AMENDED KRS 160.380 TO REMOVE THE EXCEPTION TO HIRING LANGUAGE FOR THE SPOUSE OF A PRINCIPAL.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.231

- CLASSIFIED PERSONNEL -

Assignment

The assignment of classified personnel shall be made by the Superintendent, who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

The Superintendent shall assign personnel only in positions for which they are qualified.

The Superintendent shall not assign the relative of a school Principal to the school where the Principal is assigned ~~unless the relative is not the spouse and was employed in that school during the 1989-90 school year. No spouse of a Principal shall be assigned to the school where the Principal is assigned unless the spouse was employed in the 1989-1990 school year. A Principal's spouse employed in the Principal's school shall be evaluated by another school administrator.~~¹

The Superintendent shall not assign a classified employee to an alternative education program as defined in KRS 160.380 as part of any disciplinary action pursuant to KRS 161.011 or as part of a corrective action plan established pursuant to the District's evaluation plan.

ASSIGNMENT OF RELATIVES

Relatives of current school District employees may be employed. However, they shall not be assigned to positions in which they are directly responsible to, or would directly supervise a relative. Relative is defined in KRS 160.380 as father, mother, brother, sister, husband, wife, son, and daughter, ~~aunt, uncle, son-in-law, and daughter-in-law.~~

Employees under the supervision of a relative as of October 21, 2002, may continue in their position with approval from the Superintendent. ~~Any waivers of this prohibition require approval of the Board.~~

REFERENCES:

- ¹KRS 160.380
- KRS 160.390
- KRS 161.011
- OAG 91-28
- OAG 92-1
- OAG 92-135

LEGAL: FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION REGULATIONS (FMCSA) PROVIDE THAT CDL HOLDER CONSENT IS TO BE OBTAINED IN CONNECTION WITH MANDATORY QUERYING OF THE FEDERAL ELECTRONIC "CLEARINGHOUSE" AND SUCH EMPLOYEES ARE DISQUALIFIED FROM SERVING IN POSITIONS REQUIRING LICENSURE IF THEY REFUSE TO CONSENT. IN ADDITION, IF A QUERY RESULTS IN A DISQUALIFYING DEPARTMENT OF TRANSPORTATION (DOT) DRUG OR ALCOHOL VIOLATION, A CDL HOLDER CANNOT WORK IN A SAFETY SENSITIVE POSITION. IN SUCH CASES, PERSONNEL ACTION MAY BE NECESSARY. FINANCIAL IMPLICATIONS: COST OF QUERY

PERSONNEL

03.27

- CLASSIFIED PERSONNEL -

Discipline, Suspension and Dismissal of Classified Employees

DISCIPLINARY OPTIONS

Classified employees may be subject to the following actions, to include, but not be limited to:

1. Verbal warning or reprimand by Superintendent/designee
2. Written warning or reprimand by Superintendent/designee
3. Probation imposed by Superintendent/designee
4. Reassignment (temporary or permanent) by Superintendent
5. Suspension with pay by Superintendent
6. Suspension without pay by Superintendent
7. Nonrenewal by Superintendent
8. Dismissal (termination of contract) by Superintendent

Classified employees may be terminated or suspended with or without pay only by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel actions shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

An employee may be relieved from duty for the remainder of the work day by the immediate supervisor, pending action by the Superintendent, when drugs, alcohol, and/or the safety of students or staff are involved.

An employee shall be suspended with pay only when the Superintendent determines there is a justifiable need to protect the safety of students and staff or to prevent significant disruption of the workplace and/or educational process. The period of suspension with pay shall not exceed the time needed to determine whether the employee is to return to active service or face disciplinary action. However, suspension with pay shall not exceed ten (10) working days. If circumstances arise that require an investigation or other proceedings that may extend beyond ten (10) days, the Superintendent may lengthen the period of suspension, not to exceed an additional fifteen (15) working days.

Employees suspended with pay shall remain available for immediate recall to active service.

The Superintendent shall see that documentation to support the grounds for suspension with pay is provided to the employee and retained on file in the District.

CAUSES FOR ACTION

Any classified employee shall be subject to appropriate disciplinary or job action for one (1) or more of the following reasons:

1. Dishonesty, neglect of duty incompetence, inefficiency or insubordination.

Discipline, Suspension and Dismissal of Classified Employees**CAUSES FOR ACTION (CONTINUED)**

2. Any action or inaction by the employee which places a student in danger or which is not in the best interest of the student and/or the student's safety. School bus drivers deemed to be in violation of Board policy 06.22 AP.1, items seven (7) and (9) shall be suspended without pay with recommendation for termination pending investigation.
3. Reporting to work under the influence of or use or possession of alcohol while on duty, or the illegal use or possession of controlled substances at any time.
4. Unsatisfactory evaluation of any factor on the employee's performance evaluation report.
5. Repeated unexcused absence, tardiness, absence without notification or abuse of sick leave.
6. Violation of or refusal to obey local policies or state regulations adopted by the Kentucky Board of Education or by the Board.
7. 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.
8. Refusal to comply with safety directives.
9. Falsifying information supplied to the District including information on application forms, absence reports, or any other information.
10. Violation of local policy, state, or federal statutes or regulations that apply to assigned duties.
11. Conviction of a felony or any crime involving moral turpitude, conviction for DUI, reckless driving, or any traffic violations.
12. Immorality or other unprofessional conduct.
13. Loss of licensure or certification required for the position; failure to provide cooperation or consents necessary to serve or continue serving in positions requiring licensure; or being disqualified from serving in a licensed position based on information obtained by the District from the Federal Motor Carrier Safety Administration (FMCSA) drug and alcohol electronic "Clearinghouse" or otherwise.
14. Failure to maintain the confidentiality of information about students or staff obtained in the course of employment, unless disclosure serves a legitimate job-related purpose or is required by law.
15. Engaging in any sexually related behavior with a student with or without consent, including, but not limited to, behavior such as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape, threats of physical harm; and sexual assault.
16. Physical or mental disability, consistent with applicable laws protecting employees with disabilities.¹

PERSONNEL

03.27
(CONTINUED)

Discipline, Suspension and Dismissal of Classified Employees

REFERENCES:

¹Americans with Disabilities Act
42 U.S.C. § 12111 et seq.
[49 C.F.R. § 382.701; 49 C.F.R. § 382.703](#)
KRS Chapter 344
KRS 160.380; KRS 160.390; KRS 161.011
OAG 92-135; OAG 96-3; OAG 05-006
Consolidated Omnibus Budget Reconciliation Act

RELATED POLICIES:

03.212; 03.23251; 03.26; 03.271; 03.2711; 07.162; 09.14; 09.42811

LEGAL: SB 8 CHANGES THE ACTIVE SHOOTER TRAINING REQUIREMENT TO PROVIDED OR PREPARED BY THE KY DEPARTMENT OF CRIMINAL JUSTICE TRAINING IN COLLABORATION WITH KDE INSTEAD OF PROVIDED OR PREPARED BY KDE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.29

- CLASSIFIED PERSONNEL -

Staff Development

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

ACTIVE SHOOTER SITUATIONS

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

REFERENCES:

KRS 156.095; KRS 158.070
P. L. 114-95, (Every Student Succeeds Act of 2015)
34 C.F.R. 200.58

DRAFT WITH DISTRICT CHANGES 6/3/2020

LEGAL: 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

03.4

Substitute Teachers

QUALIFICATIONS

All substitute teachers shall meet background records check requirements (including a letter from the Cabinet for Health and Family Services provided by the individual documenting stating that the individual does not have an administrative ~~there are no findings of substantiated~~ child abuse or neglect ~~in~~ records maintained by the Cabinet) and medical examination requirements as specified in policies 03.11 and 03.111. In addition, substitutes serving in a position on a long-term/extended basis must meet all certification requirements established by the Education Professional Standards Board.

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

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

SUBSTITUTE LIST

The Superintendent or designee shall maintain a list of qualified substitute teachers. The Superintendent or designee shall engage substitutes from this list. Refusal of assignment as a substitute shall be documented, along with any reason provided.

RETIRED TEACHERS

Retired teachers may be reemployed as a part-time, temporary or substitute teacher in keeping with requirements of the Teacher's Retirement System.

LENGTH OF DUTY

Substitute teachers shall observe the same hours of duty as the regular teacher. The substitute will continue to report for duty until relieved by the Superintendent's designee.

Substitute teachers shall follow daily lesson plans as outlined by the regular teacher and leave a written record of the work completed during their length of duty.

SUBSTITUTE SALARY AND PAYMENT SCHEDULE

Substitutes shall be paid on a per diem basis according to the salary schedule approved by the Board. The salary schedule may reflect adjustments for long-term/continuous assignment substitutes.

Payment shall be made on the next scheduled payday for substitutes.

MINIMUM NUMBER OF DAYS WORKED

Substitute personnel shall work a minimum of eight (8) days per fiscal year, or two (2) days per remaining quarter of the school year calendar if hired after the first day of school, to remain on the active substitute list.

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Substitute Teachers

EMPLOYMENT NOTIFICATION

Each year, substitute teachers on the District's substitute list shall be notified in writing by the last day of school if they have reasonable assurance of continued employment for the following school year.

Nonrenewal of substitute teachers on limited contracts shall be made in compliance with the requirements of KRS 161.750.

REFERENCES:

KRS 17.160; KRS 17.165; KRS 156.106; KRS 160.380; KRS 161.605; KRS 161.611
16 KAR 2:030; 16 KAR 2:120; 102 KAR 1:030
702 KAR 1:035; 702 KAR 3:075; OAG 69-296

RELATED POLICIES:

03.11; 03.111; 03.121

LEGAL: HB 352 (2020-2021 BUDGET BILL) INCLUDES AN EXCEPTION FOR A WORKING BUDGET WITH A MINIMUM RESERVE OF LESS THAN 2%. THIS EXPIRES JUNE 30, 2021.
FINANCIAL IMPLICATIONS: EXCEPTION TO THE MINIMUM RESERVE

FISCAL MANAGEMENT

04.1

Budget Planning and Adoption

PLANNING

The Superintendent shall establish procedures to provide for annual community, parent, school and, where appropriate, student input in the development of recommendations to be considered for the District budget. These procedures shall include a needs assessment process to identify, confirm, reassess and/or prioritize recommendations regarding District goals for future financial emphasis. The plan shall provide for reviewing the achievement of established goals and academic expectations of the District.

PREPARATION OF BUDGETS

As part of the annual budget process, the Board shall determine priorities to guide the Superintendent in developing draft budgets for the next fiscal year. Prior to the Board setting budget priorities, the Superintendent shall provide the Board with the estimated amounts that will be received from available sources, including tax rate(s) necessary to generate such amounts. In setting budget priorities, the Board shall consider the following:

1. Results of the current needs assessment, recommendations resulting from that process, and current District/school improvement and/or long-range plans.
2. Revenue projections for the coming year.

After receiving the Board's budget priorities, the Superintendent shall prepare for Board consideration and action proposed District budgets for all active MUNIS fund accounts. Budgets shall address the educational needs of the District as reflected by priorities established by the Board and shall show the amount of money needed and source of funds for the upcoming school year.

Each year, school councils shall review the budgets for all categorical programs and provide comments to the Board prior to the adoption of the budgets.

BUDGET DEFICIT PROHIBITED

The Superintendent shall not recommend and a Board member shall not knowingly vote for an expenditure in excess of the revenue and income of any year as shown by the approved budget.

FISCAL YEAR

The fiscal year shall begin on July 1 and end on June 30.

TIMELINE

On or before January 31, the Board shall formally and publicly examine a detailed estimate of revenues and proposed expenditures by line item for the following fiscal year. On or before May 30, the Board shall adopt a tentative working budget, which includes a minimum reserve of two percent (2%) of the total budget. During the ~~2020-2021~~ ~~2018-19 and 2019-2020~~ school years, the District may adopt, and the Kentucky Board of Education may approve, a working budget that includes a minimum reserve less than two percent (2%) of the total budget.

Within thirty (30) days of receipt of property assessment data, the Board shall levy tax rates for the District and forward them to the Kentucky Board of Education for approval or disapproval. By September 30, the Board shall adopt a close estimate or working budget for the District.

FISCAL MANAGEMENT

04.1
(CONTINUED)

Budget Planning and Adoption

REFERENCES:

KRS 156.160; KRS 157.330; KRS 157.350; KRS 157.360
KRS 157.440; KRS 160.370; KRS 160.390
KRS 160.460; KRS 160.470; KRS 160.530; KRS 424.250
~~2020-2021~~ Budget Bill ([HB 352](#))
702 KAR 3:100; 702 KAR 3:110; 702 KAR 3:246; OAG 67-510

RELATED POLICIES:

01.11; 02.4242; 02.4331; 04.91

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DRAFT #3 6/2/2020

LEGAL: REQUIREMENTS FOR BOOSTER CLUBS AND SCHOOL ACTIVITY FUNDS HAVE BEEN UPDATED IN THE REVISED ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS (REDBOOK) ISSUED BY THE KENTUCKY DEPARTMENT OF EDUCATION, WHICH WENT INTO EFFECT AUGUST 2019. THE BOARD HAS DISCRETION DETERMINING DONATION VALUE TO BE RETAINED AT SCHOOL LEVEL.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.312

School Activity Funds

School activity funds may be expended for purposes which contribute generally to the benefit of the students, provided expenditures are consistent with requirements set out in Accounting Procedures for Kentucky School Activity Funds (Redbook). Based on a schedule developed by the Superintendent, the Board shall review school activity funds at least twice each fiscal year.

The school shall not expend or commit to expend any activity fund in excess of balance and receipts received for the fiscal year.

UNIFORM ACCOUNTING

All personnel shall comply with the uniform financial accounting system¹ and activity fund accounting procedures set out in Kentucky Administrative Regulation.²

TWO SIGNATURES REQUIRED

The Principal, or school councils in SBDM schools, shall be responsible for the manner in which accounts are kept and preserved. Two (2) signatures shall be required on each check drawn against school activity funds, neither of which may be a signature stamp. The two (2) signatures shall be the manual signatures of the Principal/designee and the school treasurer.

PURCHASE ORDERS

Activity funds may only be expended as authorized in the Accounting Procedures for Kentucky School Activity Funds.

Internal account purchases must be supported by a properly executed purchase request and authorization for payment by the Principal.

FINANCIAL REPORTS

Each month the Principal shall provide the District Finance Officer with a financial report for activity fund accounts. On or before July 25, following the end of the fiscal year, the Principal shall submit to the District Finance Officer an annual financial report for those accounts.

DEFINITION OF SCHOOL ACTIVITY FUNDS

School activity funds refer to all school funds including funds derived from fund-raising activities and Board approved fees sponsored under the auspices of the school by student clubs or student organizations. Funds raised or received by organizations that do not come under the direct supervision of school authorities shall not be considered school activity funds.

DEFINITION OF DISTRICT ACTIVITY FUNDS

Non-student generated funds collected at the school level to be used for operating costs. Operating costs are the expenses which are related to the operation of a District, or to the operation of a device, component, or a piece of equipment or facility. They are the cost or resources used by a District just to maintain its existence.¹

Funds carry over at year end subject to board policy.

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School Activity Funds**DONATIONS**

Refer to Board Policy 04.61 for the receipt of gifts, donations, and grants.

~~With the Principal's approval, schools may receive any gift, local grant, or devise for the benefit of the school that is valued less than \$2,500 and hold and use it as requested. Donations valued at more than \$2,500 must be approved by the Board.~~

~~A listing of all donations to the school activity fund shall be prepared for the Board and included with the annual financial report.~~

Audit of Funds

All school activity funds shall be audited annually by a certified public accountant. All audit reports shall be reviewed and appropriate action taken as required by Kentucky Administrative Regulation.¹

SUPPORT/BOOSTER CLUBS

Parent-teacher associations and booster club funds are not subject to deposit and accounting procedures as school activity funds.³ However, each year the Principal shall be provided the following from all support/booster club organizations as required by the state activity fund accounting procedures:

1. Within the first thirty (30) days of the school year or within thirty (30) days of the first transaction for the group:
 - a. Names of club officers;
 - b. Federal Employer Identification Number (FEIN); and
 - c. A copy of the annual budget.
2. An annual financial report by July ~~25~~¹⁵ for the year ending June 30 reporting receipts, expenditures, and beginning and ending balances;¹ and
3. All other information required by Accounting Procedures for Kentucky School Activity Funds.

External support/booster organization officers are solely responsible for ensuring that their group is in compliance with District policies, external support/booster organization guidelines in the Redbook, and state and federal regulations. The District, including any District employee, shall not be held responsible for any deficiencies by the external support/booster organization.

All ~~support/booster organizations~~^{groups} wishing to be recognized by and/or affiliated with the District shall comply with the following:

- Adhere to applicable state and federal laws, including taxable income reporting requirements, when conducting fund-raising activities to benefit the school or District; and
- Conduct fund-raising activities to benefit the entire group and not permit credit to be earned through fund-raising for an individual student ~~in lieu of participation fees or related activity costs.~~

School Activity Funds**SUPPORT/BOOSTER CLUBS (CONTINUED)**

~~Each year the Superintendent shall report to the Board when all booster organizations have been informed of requirements from the Accounting Procedures for Kentucky School Activity Funds that apply to them.~~

External support/booster organizations shall obtain prior Board approval to establish and lend support, seek assistance, and/or raise funds in the name of the District or school or students or a District or school program.

All funds expended by a support/booster organization shall be from their fund-raising activities and donations. No dues, fees, or charges shall be assessed to students or parents, except for the PTA forwarding membership fees to national/state/district/local chapters.

External support/booster organizations cannot reimburse District employees for personal and booster club purchases.

Although they may be general members, Board members and employees shall not serve as the treasurer or any other officer with check-signing authority on a bank account for an external support/booster organization. Employees may serve as a member of the executive board of an organization.

FUND-RAISING PROJECTS

Schoolwide fund-raising projects must be approved by the Board.⁴

Proof of general liability insurance for external support/booster organizations must be submitted to the Principal prior to commencing any fund-raising activities.

All fund-raising activities conducted by school-sponsored groups shall be for the benefit of the entire school or group.

HANDLING OF CASH

Money collected for any purpose shall be submitted to the Principal ~~or to his/her~~ designee who shall provide for its proper deposit. No money shall be left overnight in classrooms; no more than ~~\$100~~^{\$50} will be kept overnight in school buildings.

REFERENCES:

¹702 KAR 3:130; Accounting Procedures for Kentucky School Activity Funds

²702 KAR 3:120

³OAG 79-556

⁴KRS 158.290

KRS 139.497; KRS 156.070; KRS 160.290; KRS 160.340

RELATED POLICIES:

04.61; 09.33

DRAFT WITH DISTRICT CHANGES ADDED 6/2/2020
LEGAL: SB 8 REMOVES THE REQUIREMENT THAT A DISTRICT SCHOOL SAFETY COORDINATOR BE A DISTRICT LEVEL ADMINISTRATOR. IT ALSO ADDS EXCEPTIONS FOR WHEN CLASSROOM DOORS ARE TO BE LOCKED.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SCHOOL FACILITIES

05.4

Safety

BOARD TO ADOPT PLAN

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

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

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

DISTRICT SCHOOL SAFETY COORDINATOR

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

1. Complete the school safety coordinator training program developed by the Center for School Safety within six (6) months of his or her date of appointment;
2. Designate a school safety and security threat assessment team at each school in the District consisting of two (2) or more staff members to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or security. Members of a threat assessment team may include school administrators, school counselors, school resource officers, school-based mental health services providers, teachers, and other school personnel;
3. Provide training to school Principals on procedures for completion of the school security risk assessment;
4. Review all school security risk assessments completed within the District and prescribe recommendations as needed in consultation with the state school security marshal;
5. Advise the Superintendent by July 1, 2021, and annually thereafter of completion of required security risk assessments;

Safety**DISTRICT SCHOOL SAFETY COORDINATOR (CONTINUED)**

6. Formulate recommended policies and procedures, which shall be excluded from the application of KRS 61.870 to KRS 61.884, for an all-hazards approach including conducting emergency response drills for hostage, active shooter, and building lockdown situations in consultation and coordination with appropriate public safety agencies to include but not be limited to fire, police, and emergency medical services for review and adoption as part of the school emergency plan required by KRS 158.162. The recommended policies shall encourage the involvement of students, as appropriate, in the development of the school's emergency plan; and
7. Ensure each school campus is toured at least once per school year, in consultation and coordination with appropriate public safety agencies, to review policies and procedures and provide recommendations related to school safety and security.

The SSC, and any school employees participating in the activities of a School Safety and Security Threat Assessment Team, acting in good faith upon reasonable cause in the identification of students, shall be immune from any civil or criminal liability that might otherwise be incurred or imposed from:

- a. Identifying the student and implementing a response pursuant to policies and procedures adopted as required above; or
- b. Participating in any judicial proceeding that results from the identification.

SUPERINTENDENT TO REPORT

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

SCHOOL EMERGENCY PLANNING

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

Following the end of each school year, the school council, or if none exists, the Principal, and first responders shall review the emergency plan and revise it as needed [and shall be recorded in the District Utilized Platform/Process](#).

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

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

Safety**SCHOOL EMERGENCY PLANNING (CONTINUED)**

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

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

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

PRECAUTIONS

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

REPORTING HAZARDS

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

COMMUNICATION SYSTEM

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

SCHOOL FACILITIES

05.4
(CONTINUED)

Safety

REFERENCES:

KRS 158.4412
KRS 61.870 to KRS 61.884
KRS 158.148; KRS 158.162; KRS 158.164; KRS 158.445
KRS 160.290; KRS 160.445
KRS 311.667; KRS 411.148

RELATED POLICIES:

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

LEGAL: SB 8 ADDS A FIREARM REQUIREMENT FOR SCHOOL RESOURCE OFFICERS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SCHOOL FACILITIES

05.48

Weapons

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

WEAPONS PROHIBITED

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

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

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

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

Exceptions:

- Each School Resource Officer (SRO) shall be armed with a firearm, notwithstanding any provision of local board policy, local school council policy, or memorandum of agreement.²
- 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, or District employees in sworn positions are authorized to bring weapons onto school property in performance of their duties.

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FEDERAL REQUIREMENTS REGARDING STUDENTS

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

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

Weapons**STATE POSTING REQUIREMENTS**

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

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

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

STATE REPORTING REQUIREMENTS

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

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

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

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

ENFORCEMENT

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

REFERENCES:

¹KRS 527.070; KRS 158.150; 20 U.S.C. §7141 (Gun-Free Schools Act)

²[KRS 158.4414](#)

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

[20 U.S.C. § 1400 et seq.](#) Individuals with Disabilities Education Improvement Act (IDEA)

Section 504 of the Rehabilitation Act of 1973, as amended

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SCHOOL FACILITIES

05.48
(CONTINUED)

Weapons

RELATED POLICIES:

09.435; 09.436; 09.4361

LEGAL: 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

TRANSPORTATION

06.221

Transportation Employees' Use of Tobacco and Other Substances

TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS

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

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

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

School employees shall enforce the policy.

ALCOHOL AND CONTROLLED SUBSTANCES

The Board recognizes that the use and abuse of alcohol and controlled substances by school transportation personnel may present a serious threat to the safety of the children of the District. Therefore, it is the policy of the Board that transportation personnel in safety sensitive positions be alcohol and drug free.

Because the Board is committed to providing an alcohol-and drug-free workplace and a convenient, efficient and safe pupil transportation system, this policy and the program to implement it have been designed for full compliance with the alcohol and drug testing rules of the Kentucky Department of Education and the Federal Highway Administration.¹

The Board believes that this program will be a deterrent to the abuse of alcohol and controlled substances by transportation personnel. Also, this policy is intended to reduce cost of operation and improve safety for school children. Finally, the Board believes the program will enhance the safety and health of transportation personnel through early detection of employees with alcohol or substances abuse problems.

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.

Other pertinent definitions are included in the District's guidelines for implementing this policy.

Transportation Employees' Use of Tobacco and Other Substances**USE PROHIBITED**

All transportation employees 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 Assistant Superintendent 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

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA) DRUG AND ALCOHOL CLEARINGHOUSE

The Clearinghouse is a secure online database that gives employers, the FMCSA, State Driver Licensing Agencies (SDLAs), and State law enforcement personnel real-time information about commercial driver's license (CDL) and commercial learner's permit (CLP) holders' drug and alcohol program violations. The Clearinghouse enables employers to identify drivers who commit a drug and alcohol program violation while working for one employer, but who fail to subsequently inform another employer (as required by current regulations).

<https://www.fmcsa.dot.gov/>

The District must not employ a driver subject to controlled substances and alcohol testing to perform a safety-sensitive function without first conducting a pre-employment query of the Clearinghouse to obtain information about whether the driver has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test in violation of law; or that an employer has reported actual knowledge, as defined by federal regulation, that the driver used alcohol on duty, used alcohol before duty, used alcohol following an accident, or used a controlled substance, in violation of federal regulations.

The District must conduct a query of the Clearinghouse at least once per year for information for all CDL drivers subject to controlled substance and alcohol testing to determine whether information exists in the Clearinghouse about those employees. The District shall not allow a driver to perform any safety-sensitive function if the results of a Clearinghouse query on the driver demonstrate a disqualification as provided by regulation and described above and such driver may be subject to personnel action up to and including termination.

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Transportation Employees' Use of Tobacco and Other Substances**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA) DRUG AND ALCOHOL CLEARINGHOUSE (CONTINUED)**

Reporting of the following information on individual drivers to the federal Clearinghouse is required: verified positive, adulterated, or substituted test results; confirmed alcohol tests at .04 or higher; refusal to submit to required tests; the reporting of actual knowledge (as defined by federal regulation) of Department of Transportation (DOT) regulatory violations, including violations based on prohibited on duty, pre-duty, or post-accident alcohol use and controlled substance use; and regulatory return to duty and follow-up testing information as applicable.

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TESTING

All covered applicants and employees shall be subject 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. The testing program shall utilize only accurate and reliable testing instruments and employ procedures that protect the dignity and privacy of employees.

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

Current employees who test positive shall be subject to immediate suspension and shall be dismissed in accordance with Board policy and administrative procedures. A school bus driver, itinerant driver, substitute driver, school bus mechanic or anyone performing safety-sensitive pupil transportation duties who tests above 0.02 percent on the confirmation alcohol test immediately before, during, or immediately following the performance of these duties shall be relieved of these duties immediately. (Employees 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).

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 testing positive.

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;

Transportation Employees' Use of Tobacco and Other Substances**TESTING (CONTINUED)**

- 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 cost shall be paid for by the District.

IMPLEMENTATION

This policy shall be implemented in accordance with the Board-approved alcohol and drug testing requirements, which are incorporated herein by reference.

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, [including information on required reporting to the federal Clearinghouse](#), and shall be distributed to each driver prior to the start of alcohol and controlled substances testing each year and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle.

Each employee is required to sign a statement certifying that s/he has received a copy of these materials. If the District recognizes an organization to represent bus drivers, the District shall provide written notice to representatives of the organization of the availability of this information.³

REFERENCES:

¹KRS 438.050; KRS 438.305; KRS 438.345

²702 KAR 5:080

³49 C.F.R. Part 382

[49 C.F.R. § 382.701](#); [49 C.F.R. § 382.703](#); [49 C.F.R. § 390](#)

Omnibus Employee Testing Act of 1991, Public Law 102-143, Title V
The Pro Children Act of 1994

RELATED POLICIES:

03.11; 03.13251; 03.1327; 03.17

03.21; 03.23251; 03.2327; 03.27

09.4232; 10.5

LEGAL: HB 458 REPEALS KRS 157.270 AND CREATES A NEW SECTION OF KRS CHAPTER 158 AS IT RELATES TO HOME/HOSPITAL INSTRUCTION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1312

Home/Hospital Instruction

PURPOSE

Home/hospital instruction provides educational services to students who cannot attend school for extended periods due to temporary or recurring conditions, including fractures, surgical recuperation, or other physical, health, or mental conditions. An "extended period" refers to an absence for more than five (5) consecutive school days.

For purposes of KRS 157.360, a student who receives Hhome/h hospital instruction for will be a minimum of two (2) instructional sessions visits per week, with a minimum of one (1) hour of instruction per session visit, by a certified teacher provided by the Board, shall equal the student attending which is equivalent to one (1) child's attendance in school for five (5) days in school. An instructional session may be delivered in person, electronically, or through other means established in regulation. A parent/guardian or responsible adult must be present in the home/hospital room during the time the home/hospital teacher is present or is otherwise delivering instruction.

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ELIGIBILITY

Determination of a student's eligibility and provision of services for home/hospital instruction shall be made in compliance with applicable statutes and regulations. In accordance with KRS 159.030(2), the Board shall require evidence for students exempted from school attendance more than six (6) months. An exemption shall be reviewed annually.

At any time based on changes in the student's condition, the home/hospital review committee may schedule a review of the student's continued eligibility for home/hospital instruction.

The Admissions and Release Committee (ARC) shall determine ~~homebound~~ placement in home/hospital instruction for a student with disabilities. The 504 Team for a student may facilitate submission of an application to the review committee. The District Homeland committee shall be involved and will provide input on the ARC and 504 decisions.

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SECONDARY STUDENTS

A high school student placed on home/hospital instruction for extended periods may carry all appropriate credits during the first semester of placement. Except for students with an Individual Education Plan (IEP) or a 504 plan, the number of credits to be carried during all subsequent semesters of placement shall be determined on a case-by-case basis by the review committee, based on the following criteria:

1. The student's ability to work independently during extended periods without direct assistance.
2. The student's capacity to complete assignments within a reasonable time frame.
3. The likelihood that the student will be able to complete course criteria required for graduation, as required by the Kentucky Academic Standards.
4. When considering the student's condition, should s/he take a full or reduced course load? (If a reduced course load is appropriate, the committee shall determine the number of courses the student may take.)

Home/Hospital Instruction**STUDENTS WITH DISABILITIES**

Based on documentation of student need, including medical or mental health evaluation information, a student with disabilities may be placed in the home/hospital instructional program if his/her individual education plan (IEP) specifies such placement is the least restrictive environment for providing services. The ARC Chair shall provide written notice of eligibility and documentation to the District Director of Pupil Personnel for purposes of program enrollment.

The Admissions and Release Committee (ARC) or 504 Team shall determine on a case-by-case basis the type and extent of home/hospital services for a student, including the number of credits a student at the secondary level will be permitted to earn while on home/hospital instruction.

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REFERENCES:

~~KRS 157.270~~; KRS 157.360

[New Section of KRS 158](#)

KRS 159.030

704 KAR 3:303

704 KAR 7:120

707 KAR 1:320

707 KAR 1:350

[20 U.S.C. § 1400 et seq.](#) Individuals with Disabilities Education ~~Improvement~~ Act (IDEA)

Section 504 of the Rehabilitation Act of 1973

34 C.F.R. 104.35

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RELATED POLICIES:

09.122; 09.123

LEGAL: SB 63 AMENDS 158.100 TO ALLOW VIRTUAL HIGH SCHOOL COMPLETION PROGRAMS; GIVES THE BOARD AUTHORITY TO ESTABLISH PROGRAM, OUTLINE ENROLLMENT ELIGIBILITY/GRADUATION REQUIREMENTS, CHARGE STUDENTS TUITION/FEES; REQUIRES ENROLLEES TO BE AT LEAST 21, ESTABLISH SCHOOL REQUIREMENTS FOR ELIGIBILITY; ALLOWS DISTRICT TO CHOOSE BETWEEN REQUIRING COMPLETION OF GRADUATION REQUIREMENTS AT THE TIME OF DROP OUT OR THE REQUIREMENTS IN PLACE CURRENTLY.
FINANCIAL IMPLICATIONS: COST OF PROVIDING INSTRUCTION

CURRICULUM AND INSTRUCTION

08.4

Adult/Community Education

OPERATION OF PROGRAM

The Board authorizes the Superintendent or designee to plan and operate an educational program based on the needs and interests of adults and youth in the community.

The Board may establish an adult education program to provide basic skills, career and technical training and/or to prepare for meeting equivalency requirements. The Board also may enter into an agreement with the Council on Postsecondary Education to establish an external diploma program.

The conduct of adult/community education programs and determination of eligibility for participation in the High School Equivalency Diploma program shall be consistent with requirements established by applicable statutes and administrative regulations, including, but not limited to, those addressing minimum age requirements and enrollment status.

VIRTUAL HIGH SCHOOL COMPLETION PROGRAMS

The Board may establish a high school completion program consistent with KRS 158.100.¹

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SCHOOL FACILITIES

The Board authorizes the use of school facilities for conducting such programs and further authorizes the acceptance of other agency funds for the operation of such programs.

REFERENCES:

¹[KRS 158.100](#)

KRS 158.143

KRS 160.155; KRS 160.156; KRS 160.157; KRS 164.0064

13 KAR 3:010; 13 KAR 3:050

RELATED POLICIES:

05.3; 05.31

[08.113](#); [09.1223](#); [09.124](#)

LEGAL: HB 312 AMENDS KRS 158.140 RELATING TO CHILDREN IN FOSTER CARE TO REQUIRE COLLABORATION BETWEEN CHILD-CARING FACILITIES, CHILD-PLACING AGENCIES, A CHILD'S STATE AGENCY CASEWORKERS, SCHOOL DISTRICTS, AND FOSTER PARENTS TO ENSURE THE EDUCATIONAL STABILITY OF EACH CHILD, AND TO ASSIST ONE ANOTHER WITH MEETING THE EDUCATIONAL NEEDS OF EACH CHILD.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.12

Admissions and Attendance

RESIDENCE DEFINED

Pupils whose parent or guardian resides in the District and has custody of the student, or pupils who are legal residents of the school District, or as otherwise provided by state or federal law, shall be considered residents and entitled to the privileges of the District's schools. All other pupils shall be classified as nonresidents for school purposes.¹

Upon request, parents shall be required to furnish school officials with proof of legal residency. Legal guardianship must be documented by an order from the County Circuit Court.

HOMELESS CHILDREN AND UNACCOMPANIED YOUTH

The District shall provide educational and related services to homeless children and youth, including preschool-aged homeless children, and homeless children or youth not in the physical custody of a parent or guardian (unaccompanied youth) in a manner that does not segregate or stigmatize students on the basis of their homeless status.

The District shall provide its schools with guidelines that detail the rights of homeless students and the responsibilities that schools have to meet their needs and eliminate barriers to school attendance. These guidelines shall emphasize the right of homeless students to:

1. Have equal access to all educational programs and services, including transportation, that non-homeless children enjoy;
2. Have access to preschool programs as provided to other children in the District;
3. Continue attending their school of origin, when deemed in the best interest of the child, for the duration of homelessness;
4. Attend regular public school with non-homeless students; and
5. Continue to receive all services for which they are eligible (i.e., special education, gifted and talented, English learner).

The District shall provide transportation to the school of origin for homeless children at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison) if the child continues to live within the area served by the District in which the school of origin is located. If the child locates to a District other than that of his/her school of origin, the districts shall work together to apportion transportation to and from the school of origin and associated costs. If the districts are unable to reach agreement, responsibility and costs for transportation shall be shared equally.

The District shall designate an appropriate staff person to serve as liaison to homeless children and unaccompanied youth. In addition to coordination of McKinney-Vento implementation in the District, the liaison is responsible for:

- "Outreach" to other entities and agencies so that homeless students are identified;

Admissions and Attendance**HOMELESS CHILDREN AND UNACCOMPANIED YOUTH (CONTINUED)**

- Providing public notice of the educational rights of homeless children in locations frequented by parents/guardians and unaccompanied youths. This notice is to be in a manner and form that is understandable;²
- Seeing that school personnel who provide McKinney-Vento Services receive professional development and other support; and
- Ensuring that unaccompanied youths are enrolled in school and receive support to accrue credits and access to higher education.

The District shall inform school personnel, service providers, advocates working with homeless families, parents, guardians and homeless children and unaccompanied youths of the duties of the liaison.

All concerns regarding the education of homeless children and unaccompanied youth shall be referred to the District liaison. If a complaint arises regarding services or placement of homeless children and unaccompanied youth, the dispute resolution procedures as set forth in 704 KAR 7:090 shall apply.

Disputes over eligibility, school selection, or enrollment are to be appealed to the Kentucky Department of Education using the Dispute Resolution for Homeless form located at the link below:

<https://education.ky.gov/federal/progs/txc/Documents/Homeless%20Dispute%20Resolution%20Form.pdf>

The liaison shall provide a copy of the referenced form to the complainant.

The District shall provide services for homeless children and unaccompanied youths with disabilities as required by law.

CHILDREN IN FOSTER CARE

Students in foster care shall have equal access to all educational programs and services, including transportation, which all other students enjoy.

Foster children are to be immediately enrolled in a new school. The District shall collaborate with the Cabinet to ensure immediate and appropriate enrollment of the child and immediately contact the student's previous school for relevant records. The previous school shall provide the new school records ~~maintained~~ within the student information system ~~maintained~~ by the Kentucky Department of Education ~~within by the end of the working day on the day three (3) working days~~ of receipt of a request. ~~If a record provided to the new school is incomplete, the previous school shall provide the completed record within three (3) working days of the original request.~~ Remaining records shall be provided within ten (10) working days of the request.

The Superintendent shall appoint a Foster Care Liaison to coordinate activities relating to the District's provision of services to children placed in foster care, including transportation services, when the District is notified by the Cabinet for Health and Family Services in writing that the Cabinet has designated its foster care point of contact for the District. The Superintendent may appoint the District Foster Care Liaison prior to such notice from the Cabinet.

Admissions and Attendance**CHILDREN IN FOSTER CARE (CONTINUED)**

Children in foster care, including preschool aged children if the District offers a preschool program, shall be eligible to attend their "school of origin" unless a determination is made that it is not in the child's best interest. Such determination will be made in collaboration with the child welfare agency. Dispute resolutions shall be handled by all agencies involved in the determination of the foster child's placement.

When possible, a child exiting the foster care program during the school year shall be allowed to complete the school year in the school of origin.

BEST INTEREST OF THE CHILD

Determining the best interest of the child takes into consideration the following factors, including but not limited to:

- The benefits to the child of maintaining educational stability;
- The appropriateness of the current educational setting;
- The child's attachment and meaningful relationships with staff and peers at the current educational setting;
- The influence of the school's climate on the child;
- The safety of the child; and
- The proximity of the placement to the school of origin, and how the length of a commute would impact the child.

Upon the determination that changing a child's school of enrollment is in the best interest of the child, the Cabinet, any applicable child-caring facility, child-placing agency, school, districts, and the child's state agency caseworker shall collaborate to ensure the immediate and appropriate enrollment of the child;

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1. The child's state agency caseworker shall immediately contact the receiving district to inform the district of the pending enrollment changes.
2. The child's state agency caseworker or child-caring facility or child placing agency case manager shall either accompany the child and the foster parent to the new school to enroll the child or contact applicable staff at the new school via telephone during the day of enrollment, to assist with the enrollment, to share information relating to the child's unique needs and prior experiences that may impact their education, and to identify and prevent disruptions in any instructional or support services that the child may have been receiving prior to that time, including but not limited to medical and behavioral health history and individual service plans.⁷

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IMMIGRANTS

No student shall be denied enrollment based on his/her immigration status, and documentation of immigration status shall not be required as a condition of enrollment.

Admissions and Attendance**NONRESIDENTS**

Nonresident pupils may be admitted to the District's schools in accordance with Board policy and upon approval of the Superintendent.³ Nonresident students shall be withdrawn from District schools upon discovery of any false or misleading information included in an application for admission.

Written nonresident pupil contract information shall be kept on file at both the attending and resident districts.

Nonresident students designated as homeless or foster children may be required to be enrolled consistent with the "best interest of the child" or "school of origin" requirements under the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA.

TRANSFER OF ADA

Nonresident pupils may be admitted to the District schools upon payment of tuition and/or transfer of the pupil's average daily attendance as defined under Kentucky's public fund.⁴ & ⁵ Out-of-state residents are responsible for payment of an amount equal to the SEEK allocation.

EMPLOYEES' CHILDREN

Upon written application of the parent/guardian, students whose parent/guardian resides outside of the District and whose parent/guardian is a full-time employee of the District may be admitted with permission of the Superintendent/designee. Contingent on the District receiving ADA as provided by law, the tuition for these students shall be waived. Out-of-state residents are responsible for payment of an amount equal to the SEEK allocation.

EXPELLED/CONVICTED STUDENTS

The parent, guardian, Principal, or other person or agency responsible for the student shall provide to the school prior to admission, a sworn statement or affirmation concerning any of the following that have occurred in or outside Kentucky:

1. If a student has been expelled from school; or
2. If a student has been adjudicated guilty/convicted of, homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.

Assault shall mean any physical assault, including sexual assault.

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.⁶

If a student is suspended or expelled for any reason, or faces charges that may lead to suspension or expulsion, but withdraws prior to a hearing from any public or private school in Kentucky or any other state and then moves into the District and seeks to enroll, the District shall review the details of the charges, suspension, or expulsion and determine if the student will be admitted, and if so, what conditions may be imposed upon the admission. Prior to a decision to deny admission, the District shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the Board for expulsion cases and before the Superintendent or designee for suspension cases.

Admissions and Attendance**NON-IMMIGRANT FOREIGN STUDENTS**

Non-immigrant foreign students qualifying for F-1 immigration status or who obtain an F-1 student visa may be admitted to the District based on the following guidelines:

1. These students shall not be permitted to attend any publicly funded adult education program.
2. These students may be permitted to attend in grades nine through twelve (9-12), but not at earlier grade levels.
3. As required by law, these students shall pay a tuition fee equal to the full, unsubsidized per capita cost to the District for providing education to the student for the period of attendance.
4. The period of attendance shall not exceed twelve (12) months.

These requirements do not apply to immigrant students residing in the District or foreign students in any other immigration status, including exchange students.

EXCHANGE STUDENTS

The District shall regulate the admission and participation of exchange students in the District's educational programs. Only exchange students who participate in programs officially recognized by the Board shall be accepted. The District retains the right to maintain an equitable distribution of exchange students among the high schools.

OTHER

For further information concerning students who move out of the District during the school year, refer to Policy 09.124

For further information concerning students attending a school outside their residential attendance zone, refer to Policy 09.11.

REFERENCES:

¹KRS 159.010; OAG 78-64; OAG 91-171

²42 U.S.C. 11431 et seq. (McKinney-Vento Act)

³KRS 158.120; OAG 80-47; OAG 79-327; OAG 75-602

⁴KRS 157.320

⁵702 KAR 7:125

⁶KRS 158.155; KRS 157.330; KRS 158.150

⁷[KRS 158.140](#)

KRS 157.350; KRS 157.360; KRS 158.100

KRS 199.802

704 KAR 7:090; P. L. 104-208

P. L. 114-95 (Every Student Succeeds Act of 2015), 20 U.S.C. § 6301 et seq.

8 U.S.C. Sections 1101 and 1184; 8 C.F.R. Section 214; 22 C.F.R. §62.25

Plyler v. Doe, 457 U.S. 202 (1982)

Equal Educational Opportunities Act of 1974 (EEOA)

STUDENTS

09.12
(CONTINUED)

Admissions and Attendance

RELATED POLICIES:

06.32; 08.1114
09.11; 09.121; 09.1223; 09.123; 09.124; 09.125
09.126 (re requirements/exceptions for students from military families)
09.14; 09.211

LEGAL: HB 266 AMENDS KRS 159.075 TO INCLUDE PARENTS OR GUARDIANS WHO ARE TRANSFERRING TO A RESERVE COMPONENT OR SEPARATING FROM THE MILITARY UNDER HONORABLE CONDITIONS; INCLUDE A HOME UNDER CONTRACT TO BE BUILT AS A QUALIFYING RESIDENCE; ALLOWS QUALIFYING STUDENTS TO TEMPORARILY RESIDE OUTSIDE OF DISTRICT IF THE HOUSING IS UNAVAILABLE, REMOVES TUITION BUT STUDENT TO BE INCLUDED IN THE ATTENDING DISTRICT'S AVERAGE DAILY ATTENDANCE.
FINANCIAL IMPLICATIONS: STUDENT INCLUDED IN THE ATTENDING DISTRICT'S ADA

STUDENTS

09.126

Students of Military Families

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

ENROLLMENT

A child of a military family may pre-enroll or participate in pre-admission in the District if the parent or guardian of the child:

- a) ~~is~~ transferred to or is pending transfer to a military installation or to a reserve component within the state while on active military duty pursuant to an official military order.
- b) Is returning to the state after within one (1) year of being separated from the military with an honorable discharge, discharge under honorable conditions, or a general discharge under honorable conditions.

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The District shall accept an application for enrollment and course registration by electronic means for the child, including enrollment in a specific school or program within the District.

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

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

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

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

To accommodate for temporary housing, if a child utilizes this section to enroll in the District, but the residence identified above has not yet become available, then the District shall allow the child to enroll and begin attending the District regardless of the child's temporary residence and subsequently be included in the District's calculation of average daily attendance under KRS 157.320, for a period of up to one (1) year from the parent's or guardian's reporting for duty date or separation date before being considered a resident of another District.¹

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Students of Military Families**ENROLLMENT (CONTINUED)**

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

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

TUITION

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

IMMUNIZATION REQUIREMENTS

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

PLACEMENT

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

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

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

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

SPECIAL EDUCATION SERVICES

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

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

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

Students of Military Families**DEPLOYMENT-RELATED ABSENCES**

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

EXTRACURRICULAR PARTICIPATION

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

GRADUATION REQUIREMENTS

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

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

CHILDREN OF CIVILIAN MILITARY EMPLOYEES

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

REFERENCES:

¹KRS 159.075

KRS 156.730; KRS 156.735; [KRS 157.320](#); KRS 158.020

[20 U.S.C. § 1400 et seq.](#) Individuals with Disabilities Education ~~Improvement~~ Act ([IDEA](#))
~~of 2004~~

Section 504 of the Rehabilitation Act; District 504 procedures

Americans with Disabilities Act

RELATED POLICIES:

02.4241; 08.113; 08.131; 08.132; 08.13452; 08.222

09.12; 09.121; 09.123; 09.124; 09.211; 09.3; 09.313

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LEGAL: REQUIREMENTS FOR SCHOOL ACTIVITY FUNDS HAVE BEEN UPDATED IN THE REVISED ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS (REDBOOK) ISSUED BY THE KENTUCKY DEPARTMENT OF EDUCATION, WHICH WENT INTO EFFECT AUGUST 2019.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.15

Student Fees

INSTRUCTIONAL FEES

It is the intent of the Board that no instruction fees shall be assessed to students, however, exceptional instructional opportunities that involve fees may be approved on an individual basis by the Board.

BOARD APPROVAL REQUIRED

All student fees and charges shall be approved annually (09.15 AP.2) by the Board, including any student activity fees, membership dues, or for individual consumable extra-curricular/co-curricular items.

Fees collected for a specific purpose shall be used for that purpose only. Fees sponsored under the auspices of the school by student clubs or student organizations shall be accounted for in the school activity fund bank account.

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ADDITIONAL FEES

Students may be assessed additional fees by the Superintendent/designee for the cost to replace lost or damaged school/District property.

INABILITY TO PAY

No child shall be denied full participation in any educational program due to an inability to pay for, or rent, necessary instructional resources.¹

WAIVER OF FEES

The Superintendent shall recommend and the Board shall approve a process (09.15 AP.1) to waive fees for students who qualify. At the beginning of the school year or at the time of enrollment all students who qualify shall be given clear and prominent written notice of the fee waiver provisions. The written notice of the fee waiver process shall include a form (09.15 AP.21) that parents may use to request waiver of fees. Mandatory waiver of fees for qualifying students shall be accomplished in compliance with applicable statutory and regulatory requirements.

REFERENCES:

¹KRS 158.108
KRS 160.330
702 KAR 3:220; 704 KAR 3:455
Accounting Procedures for Kentucky School Activity Funds

RELATED POLICIES* AND PROCEDURES:

04.312: 08.232
09.15 AP.1; 09.15 AP.2; 09.15 AP.21

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LEGAL: SB 8 AMENDS KRS 158.070 TO CHANGE SUICIDE PREVENTION TRAINING FROM EVERY OTHER YEAR TO EVERY YEAR.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: SB 42 CREATES A NEW SECTION OF KRS 158 TO REQUIRE ANY STUDENT ID BADGE ISSUED TO A PUBLIC MIDDLE/HIGH SCHOOL STUDENT TO CONTAIN THE CONTACT INFO FOR NATIONAL CRISIS HOTLINES RE: DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND SUICIDE.

FINANCIAL IMPLICATIONS: COSTS OF NEW ID BADGES

STUDENTS

09.22

Student Health and Safety

PRIORITY

Student health, welfare and safety shall receive priority consideration by the Board.

Rules and regulations on health and safety promulgated by the Kentucky Board of Education under Kentucky statute and by local and state boards of health relating to student safety and sanitary conditions shall be implemented in each school.

HEALTH SERVICES TO BE PROVIDED

In keeping with applicable legal requirements, only licensed medical professionals or school employees who have been appropriately trained and authorized to do so shall provide health services to students.

Employees to whom health service responsibilities have been delegated must be approved in writing by the delegating physician or nurse. The approval form shall state the employee consents to perform the health service when the employee does not have the administration of health services in his/her contract or job description as a job responsibility, possesses sufficient training and skills, and has demonstrated competency to safely and effectively perform the health service. The approval form shall be maintained as required by law. Delegation of health service responsibilities shall be valid only for the current school year.¹

If the delegation involves administration of medication, the District will maintain proof that the employee has completed the required training provided by the Kentucky Department of Education (KDE) or as allowed under KRS 158.838.

Employees to whom health service responsibilities have been delegated shall notify their immediate supervisor by April 15 of each year if they are not willing to perform the service(s) during the next school year.

SAFETY PROCEDURES

All pupils shall receive annual instruction in school bus safety.

The Superintendent shall develop procedures designed to promote the safety of all students. Said procedures shall specify specific responsibilities for line positions having responsibility for student supervision and also shall identify measures to be taken in the event of a crisis situation.

STUDENT IDENTIFICATION BADGES

Any student identification badge issued to a student in grades six (6) through twelve (12) by a school in the District shall contain the contact information for:

- a) A national domestic violence hotline;
- b) A national sexual assault hotline; and
- c) A national suicide prevention hotline.⁴

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Student Health and Safety**SUICIDE PREVENTION**

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

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

SEIZURE DISORDER MATERIALS

All principals, guidance counselors, and teachers shall complete at least one (1) hour of self-study review of seizure disorder materials no later than July 1, 2019. At least one (1) hour of self-study review of seizure disorder materials shall also be required for all principals, guidance counselors, and teachers hired after July 1, 2019.³

REFERENCES:

¹KRS 156.501; KRS 156.502; 702 KAR 1:160

²KRS 156.095

³KRS 158.070

⁴[New Section KRS 158](#)

KRS 156.160

KRS 158.836; KRS 158.838

702 KAR 5:030; 704 KAR 4:020

RELATED POLICY:

09.2241

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

STUDENTS

09.2211

Employee Reports of Criminal Activity

To promote the safety and well-being of students, the District requires employees to make reports required by state law in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

KRS 158.154

When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this section, "school property" means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the Principal.

KRS 158.155

An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise, if:

- 1 The person knows or has reasonable cause to believe that conduct has occurred which constitutes:
 - a. A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
 - i Carrying, possession, or use of a deadly weapon; or
 - ii Use, possession, or sale of controlled substances; or
 - b. Any felony offense under the laws of this Commonwealth; and
- 2 The conduct occurred 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.

KRS 158.156

Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim. The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The Principal shall file a written report with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight (48) hours of the original report.

KRS 209A.100

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.

STUDENTS

09.2211
(CONTINUED)

Employee Reports of Criminal Activity

KRS 209A.110

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

KRS 620.030

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused, or is a victim of human trafficking, [or is a victim of female genital mutilation](#), shall immediately cause an oral or written report to be made to a local law enforcement agency or the Department of Kentucky State Police; the cabinet or its designated representative; the Commonwealth's Attorney or the County Attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.

REFERENCES:

KRS 158.154
KRS 158.155
KRS 158.156
KRS 209A.100
KRS 209A.110
[New Section of KRS 508](#)
KRS 525.070; KRS 525.080
KRS 527.070; KRS 527.080
KRS 620.030

RELATED POLICIES:

03.13251; 03.23251
03.13253; 03.23253
05.48
09.227
09.422
09.423
09.425
09.426
09.438

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

STUDENTS

09.227

Child Abuse

REPORT REQUIRED

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected¹, or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make a report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's Attorney or the County Attorney in accordance with KRS 620.030.²

After making the report, the employee shall notify the Principal of the suspected abuse, who then shall also promptly make a report to the proper authorities for investigation. If the Principal is suspected of child abuse, the employee shall notify the Superintendent/designee who shall also promptly report to the proper authorities for investigation.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the District shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the District, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel action.

WRITTEN REPORT

The person reporting shall, if requested, in addition to the report required above, file with the local law enforcement agency or the Kentucky State Police or the Commonwealth's or County's Attorney or the Cabinet for Health and Family Services or its designated representative within forty-eight (48) hours of the original report a written report containing specific information regarding the child, the child's parents or guardians, and the person allegedly responsible for the abuse or neglect.

WRITTEN RECORDS

Copies of reports kept by the District that are submitted to authorities in compliance with the child abuse law are educational records and subject to inspection by the parents of the alleged victim of child abuse. Whether the records are considered "internal records", and not maintained with the students' "permanent records", is immaterial if such records are directly related to students and are maintained by the school or school District.

INTERVIEWS

If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent³ and shall provide the Cabinet access to a child subject to an investigation without parental consent.⁴

Child Abuse**AGENCY CUSTODY**

If, as a result of dependency, neglect, or abuse, a child has been placed in the custody of the Cabinet, the Principal, or any Assistant Principal, of the school in which the child is enrolled, and the District's Director of Pupil Personnel shall be notified of the names of persons authorized to contact the child at school, in accordance with school visitation or communication policy, or remove the child from school grounds.

The notification shall be provided to the school by the Cabinet:

- a) By written notice via email or fax on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. Verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By email, fax, or hand delivery of a copy of the court order within ten (10) calendar days following the Cabinet's receipt of the court order of a change of custody or change in contact or removal authority.

REQUIRED TRAINING

All current school administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors shall complete Board selected training on child abuse and neglect prevention, recognition, and reporting by January 31, 2017, and every two (2) years thereafter. School administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors hired after January 31, 2017, shall complete the training within ninety (90) days of being hired, and every two (2) years thereafter.

OTHER

Each school shall prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services and the National Human Trafficking Reporting Hotline number administered by the United States Department for Health and Human Services.

REFERENCES:

¹KRS 600.020-~~(1)~~~~(15)~~

²KRS 620.030; KRS 620.040

³OAG 85-134; OAG 92-138

⁴KRS 620.072

KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580

KRS 156.095; KRS 199.990; KRS 209.020

[New Section of KRS 508](#)

KRS 620.050; KRS 620.146

OAG 77-407; OAG 77-506; OAG 80-50; OAG 85-134

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights
Regulations Implementing Title IX

RELATED POLICIES:

09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

LEGAL: REQUIREMENTS FOR BOOSTER CLUBS AND SCHOOL ACTIVITY FUNDS HAVE BEEN UPDATED IN THE REVISED ACCOUNTING PROCEDURES FOR KENTUCKY SCHOOL ACTIVITY FUNDS (REDBOOK) ISSUED BY THE KENTUCKY DEPARTMENT OF EDUCATION, WHICH WENT INTO EFFECT AUGUST 2019.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.33

Fund-Raising Activities

DEFINITION

Fund-raising is an organized activity of soliciting and collecting money for school or student organizations. Contributions and collections derived from school-sponsored fund-raising activities shall be deposited in the school's activity fund bank account or the District bank account.⁴

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APPROVAL REQUIRED

All schoolwide fund-raising activities, including the proposed use of the funds, must be approved by the Board.⁴ Requests must be channeled through the Principal to the Superintendent/designee.

All other fund-raising activities, including the proposed use of the funds, shall be approved by the Principal or a designee.

All funds raised for a specific purpose shall be used for that purpose.

DOOR-TO DOOR SALES

The Superintendent/designee shall develop and present for Board review door-to-door sales guidelines to reflect the following standards:

1. Students shall be permitted to participate only in grades 9-12, when mature enough to benefit safely from the experience;
2. To promote their safety and well-being, students shall be instructed to use specific sales strategies, which shall be provided in writing; and
3. Community members and businesses shall not be overburdened by continual appeals.

CAMPAIGN RESTRICTIONS

No fund-raising shall interfere with the instructional day.

PUPIL NOT COMPELLED

No student shall be compelled to participate in or meet any kind of quota in a fund-raising activity.¹ Students choosing not to participate in a fund-raiser shall not be excluded from benefitting from the fund-raiser or otherwise penalized in any way.⁴

CONDUCT OF ACTIVITIES

- All school-sponsored groups ~~and any booster group wishing to be recognized by and/or affiliated with the District~~ shall conduct fund-raising activities to benefit the entire group and shall not permit credit to be earned through fund-raising for an individual student in lieu of participation fees or related activity costs.
- Any support/booster organization wishing to be recognized by and/or affiliated with the District shall conduct fund-raising activities to benefit the entire group and shall not permit credit to be earned through fund-raising for an individual student. No dues, fees, or charges shall be assessed to students or parents.

Fund-Raising Activities**SPORTS FUNDRAISING PROJECTS**

All sports-related fundraising projects must be submitted to the Board for approval via the Fundraising Project Summary and Funding Agreement (Procedure 09.33 AP.2).

SOLICITATION

There shall be no solicitation of students while they are under the supervision of school personnel without the approval of the Superintendent.

Teachers shall not collect funds from students under their authority, except for school purposes or to aid group members who have been affected by a catastrophic event. Competition in giving among pupils is not permitted.

School officials shall not send home coin cards or other comparable devices to be filled and returned by the student.

CHARITABLE NON-PROFIT SOLICITATIONS

Charitable, non-profit organizations may solicit donations in the schools up to two (2) days each year.

Collections shall not take place in classrooms.

SUBSCRIPTION SALE OF PRINTED MATERIAL

The Superintendent shall provide written approval to the county clerk for all subscription sales of printed materials. This approval shall identify the product(s) being sold, the students involved as solicitors and the duration of sales.²

GAMING ACTIVITIES LICENSE

No individual group or class shall conduct charitable gaming activities without obtaining the appropriate license and following the Accounting Procedures for Kentucky School Activity Funds.

CROWDFUNDING

Crowdfunding is the practice of funding a project by collecting small amounts of money from a large number of people, usually via a website that facilitates the process. Examples of crowdfunding sites include DonorsChoose and ClassWish among others. This Policy is designed to assist schools in reducing potential liability caused by employee crowdfunding posts. Employees are prohibited from using a Kenton County school's name or any other identifying features unless the project is in full compliance with this Policy.

Employees wishing to raise funds for a particular school must obtain prior written approval from their principal and if applicable, the Board after providing pertinent details. Crowdfunding projects shall be described and approved using the Fundraiser & Crowdfunding Approval form included in the Accounting Procedures for Kentucky School Activity Funds ~~described in Procedure 09.33-AP.21. The proposal includes the funding site, a complete copy of the proposed listing and employee's personal profile to be listed on the site.~~ A copy of the approved ~~form/proposal~~ must be sent to the Chief Financial Officer. Approval forms ~~Proposals~~ will be reviewed to ensure that no potential legal liability, violation of state or federal laws, and/or violation of the school or District policy exists. Proposals that paint the school, the District, or any of its employees or students in a negative light will not be approved.

Fund-Raising Activities**CROWDFUNDING (CONTINUED)**

Under the Family Educational Rights and Privacy Act, the publication of student images and information is not authorized except as to specific categories of “directory information”. Even as to uses which are directory information, parents have the right to opt their children out. Accordingly, the posting of images on a crowdfunding page is limited to pictures of the classroom, the teacher, and photos of students where the students are not identifiable (i.e. their hands, photos from behind the student, etc.), unless the employee has obtained written consent from the parents of all identifiable students.

The crowdfunding site must have procedures in place to ensure that funds are distributed to or spent on behalf of the school, and not an individual employee. All funds raised and items purchased via crowdfunding must be used for their designated purpose. Employees approved for crowdfunding projects must make a report to their principals of any funds or items received through the project, and the disposition of funds and property received. A copy of the report must be submitted to the Chief Financial Officer.

All funds and/or materials are property of the District and shall remain with the school in the event that the teacher terminates his or her employment with the school.

REFERENCES:

¹KRS 158.290

²KRS 367.515 (3)

³KRS 238.505; KRS 238.535; KRS 238.540

⁴Accounting Procedures for Kentucky School Activity Funds

KRS 156.160; KRS 158.854

OAG 78-508; OAG 79-330; OAG 79-556

RELATED POLICY/PROCEDURES:

04.312

09.33 AP.21

School Budget and Purchasing**BOARD ALLOCATIONS**

The Board shall appropriate to each school an amount equal to or greater than that specified by the formula prescribed in 702 KAR 3:246. The Superintendent/~~designee~~ shall inform the council of the formula used. School councils shall be provided notice of allocations for the next budget year in accordance with the timelines required by regulation.¹

An amount for professional development shall be allocated as required by Kentucky Administrative Regulation.

The Board shall allocate Section 7 funds according to the options provided in 702 KAR 3:246. Notice of the Section 7 allocation shall be provided in accordance with that regulation. Based on the needs assessment conducted by the school, the council shall forward to the Board a list of those priorities no later than January 15 each year.

SCHOOL RESPONSIBILITY

The school shall, in expending allocated funds, comply with all state and Board budgeting, purchasing and reporting laws, regulations, policies and procedures. Board purchasing procedures shall be followed in the expenditure of these funds.

The Board allocation is the total financial resource available to that school in those budget categories for the fiscal year. The council may reassign these funds to alternate budget categories for purposes consistent with its responsibilities. The school shall not expend or commit to expend any funds in excess of those allocated to the school. Should this occur, the employee(s) responsible shall be subject to appropriate disciplinary action, and the Superintendent may require the school/council to present, for Board approval, a plan to reimburse the District for the amount spent in excess of the allocation.

School councils shall submit a budget/financial management plan to the Superintendent/~~designee~~ by the date specified each year for the following year.

All allocated funds managed by the school but not expended by the end of the fiscal year, shall revert to the District general fund, unless the school council has received the ~~Finance Officer's~~ ~~Superintendent's~~ approval by ~~March 30~~ ~~July 31~~ to escrow the funds to be used at a future date for an approved project.

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BOARD APPROPRIATION

The council shall determine, within available resources, the instructional resources, travel, equipment, and student support services to be provided in the school.

PURCHASING

In order to comply with state accounting and bidding requirements, all purchases of goods and services shall be made in conformity with Board policy.

SUPERINTENDENT'S RESPONSIBILITY

The Superintendent/~~designee~~ shall prepare and provide the school a monthly statement of the current financial status of funds allocated to the school. This statement shall include the beginning unencumbered balance for each category of authorized expenditure, an itemized listing of purchase orders paid, an itemized listing of purchase orders authorized but not paid, and the end-of-the-month unencumbered balance of funds allocated.

| ADMINISTRATION

02.4242
(CONTINUED)

School Budget and Purchasing

EXPENDITURE OF FUNDS

In schools where SBDM has been implemented, the school council shall determine the expenditure of funds allocated to the school. In schools not operating under SBDM, the District administration shall determine the expenditure of these funds.

REFERENCES:

¹702 KAR 3:246; School Council Allocation Formula
704 KAR 3:510; KRS 160.345
OAG 91-10; OAG 91-206; OAG 92-59

RELATED POLICIES:

04.1; 04.312

- CERTIFIED PERSONNEL -**Certification and Records****CERTIFICATION**

~~The Board shall set certification requirements for teachers of all grades/courses, including elective courses, in compliance with applicable legal requirements.~~

All persons appointed to positions requiring Kentucky certification shall present to the Superintendent a copy of the required certificate prior to assuming the duties of the position.

It shall be the responsibility of the employee to see that the required certification is on file in the Superintendent's Office and is kept current at all times.

NOTICE TO PARENTS OF TEACHER'S QUALIFICATIONS/CERTIFICATION

If the school receives Title I funds, the District shall notify parents of students attending the school annually that they may request the District to provide information regarding the professional qualifications of their child's classroom teachers. In complying with such requests, the District shall provide the information designated by federal law.

Schools receiving Title I funds shall notify parents when their child has been assigned to, or has been taught for four (4) or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

CERTIFICATION FOR TEACHING ELECTIVE COURSES

~~The Principal/designee shall forward to the Superintendent the course description for proposed new or revised elective courses, with a proposal for certification requirements for teachers of the course. The Superintendent shall present this information, along with a recommendation for certification requirements, to the Board for its approval.~~

~~In determining certification requirements for elective courses, the Board shall observe the following standards:~~

- ~~1. A teacher's preparation program should align with the basic structure of the elective course.~~
- ~~1. Teachers of interdisciplinary electives should be certified in at least one (1) of the disciplines included in the course.~~

REFERENCES:

KRS 160.350; KRS 161.020; KRS 161.048
 KRS 161.730; KRS 161.740; KRS 161.750
 KRS 161.760; KRS 161.780; KRS 161.790
 KRS 161.800; KRS 161.810
 16 KAR 1:030; 702 KAR 3:320
 34 C.F.R. 200.61
 P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

02.4241; 03.11; 03.5

Depositories

SELECTION

The depository(ies) for all school funds, including internal accounts of schools, shall be determined every two (2) years, with an option to renew for additional years under the same terms as approved annually by the Board ~~at the first meeting in June~~. The depository(ies) so selected shall be accessible, capable of handling short-term investments, capable of providing those services necessary for the efficient operation of the schools, and subject to the requirements of KRS 160.570.

~~Invitations to bid banking services shall be issued annually or biannually as determined by the Board.~~

The Board shall issue an invitation to bid banking services prior to selection of depositories.

Written agreement(s) with the depository(ies) shall designate types of interest bearing accounts available and how the rate(s) of interest on deposits will be determined.

COLLATERAL

In accordance with KRS 41.240 and Kentucky Board of Education administrative regulations, each depository selected shall, before entering upon its duties, provide collateral to be approved by the Board and by the Commissioner of Education.

REFERENCES:

KRS 41.240

KRS 160.570

702 KAR 3:090

Accounting Procedures for Kentucky School Activity Funds

Model Procurement Code Purchasing**AUTHORITY**

Purchasing procedures shall conform to the Model Procurement Code, KRS 45A.345 - KRS 45A.460.¹ All contracts or purchases shall be awarded by competitive sealed bidding or competitive negotiation, both of which may include the use of a reverse auction, except as otherwise provided by law.²

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

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

1. The supplies and/or equipment meet the specifications of contracts awarded by the Division of Purchases, a federal agency (GSA), a cooperative agency, or a District bid;
2. The supplies and/or equipment are available for purchase at a lower price;
3. The purchase does not exceed \$2,500⁴ & ³⁹; and
4. The District's finance or purchasing officer has certified compliance with the first and second requirements.

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

FEDERAL AWARDS/CONFLICT OF INTEREST

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.⁸

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

ETHICAL STANDARDS

To avoid conflicts that may arise during the decision-making process for procurement of services and products for the District, employees shall adhere to the ethical standards set out in KRS 45A.455.

Model Procurement Code Purchasing**PREFERENCE FOR RESIDENT BIDDERS**

For all contracts funded in whole or in part by the District, the Board shall apply the reciprocal preference for resident bidders required by law. Geographical preferences relating to school nutrition service purchases may be utilized only as permitted by applicable federal law.³

EXEMPTIONS

Federal regulatory requirements do not provide a bidding exception for purchase of perishables using school nutrition service funds. Such purchases must follow applicable federal regulations.⁸⁷

PRICE REDUCTIONS

Price reductions may be accepted on supplies and/or equipment being offered by the vendor with whom a price agreement has been made if the supplies and/or equipment meet all terms and conditions specified in the price agreement except for price and if the price reduction is offered to all participants in the price agreement. Price reductions may be accepted even if the reduced price requires the purchase of a specified quantity of units different from the quantity stated in the original price agreement.

SMALL PURCHASES

District small purchase procedures may be used for any contract in which the aggregate amount does not exceed \$30,000.00.⁵

~~ADVERTISEMENT OF BIDS~~

~~All notice of invitations for bids shall be published under the legal section of the local newspaper.⁶~~

~~WAIVER STIPULATION~~

~~The Board shall reserve the right to waive defects and informalities in proposals, to reject or accept any proposal, and to award by item, combination of items or lot.~~

~~RECORDING OF BIDS~~

~~All bids meeting Board specifications shall be recorded in Board minutes. In the event the lowest bid is not accepted, the Board shall record in the minutes the reason for the rejection.~~

BACKGROUND CHECKS

The Superintendent shall require an adult who is permitted access to school grounds on a regularly scheduled and continuing basis pursuant to a written agreement for the purpose of providing services directly to a student or students as part of a school-sponsored program or activity to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and to provide a clear CA/N check in keeping with KRS 160.380.⁷⁶

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

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

Model Procurement Code Purchasing

REFERENCES:

¹KRS 45A.343
²KRS 45A.345; KRS 160.290; KRS 45A.380
³KRS 160.303; 200 KAR 5:400; KRS 45A.494
⁴KRS 156.076
⁵KRS 45A.385
⁶~~KRS 45A.365~~
⁷⁶KRS 160.380
⁸⁷2 C.F.R. 200.318
⁹⁸KRS 45A.360
OAG 79-501; OAG 82-170; OAG 82-407 KRS 45A.352; KRS 45A.370
KRS 45A.420; KRS 45A.445; KRS 45A.455
KRS 45A.460; KRS 45A.620
KRS 65.027; KRS 160.151; KRS 164A.575; KRS 176.080
Kentucky Educational Technology Systems (KETS)

RELATED POLICIES:

05.6; 06.4; 07.13

Gifts, Donations, and Grants

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

DONATIONS

With the Principal's approval, schools may receive any gifts of real or personal property for the benefit of the school or for the students of the school that is valued less than ~~\$2,500~~~~\$1,000~~ and hold and use it as requested. Donations valued at more than ~~\$2,500~~~~\$1,000~~ must be approved by the Board.

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

FAMILY RESOURCE AND YOUTH SERVICE CENTERS

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

The Board shall accept gifts and grants from private sources subject to the provisions of [KRS 160.580](#) and with the understanding that the purpose must be consistent with policies and programs approved by the Board.

REFERENCES:

¹KRS 160.580; 158.4461

²KRS 156.496

Accounting Procedures for Kentucky School Activity Funds (Redbook)

RELATED POLICY

04.312

Maintenance

DEVELOPMENT OF PROGRAM

The Superintendent/[designee](#) shall be responsible for developing a maintenance program for all property under the jurisdiction of the Board. ~~This program shall be presented annually to the Board for approval, and the Superintendent shall report periodically to the Board on the status of the maintenance program.~~ The maintenance program shall include provisions which will minimize "down-time" on network file servers.

REFERENCES:

KRS 160.290
KRS 198B.650
815 KAR 8:010
902 KAR 45:150
Kentucky Education Technology System (KETS)

Fire Drills

PROCEDURE SYSTEM

To maintain the safety and care of students and employees, procedures to be followed in the event of a fire shall be established and recorded in the District Utilized Platform/Process.

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MONTHLY DRILLS

There shall be at least two (2) fire exit drills the first two (2) weeks of a school term and one each calendar month thereafter while school is in session. The route of exit is to be posted in all classrooms and other areas where students assemble.

MONTHLY REPORT

Upon completion, each drill shall be recorded in the District Utilized Platform/Process. ~~On forms provided by the Superintendent/designee, a monthly fire drill report is to be sent to the Superintendent/designee.~~

IMPLEMENTATION

The Principal is responsible for implementing this policy.

REFERENCES:

Life Safety Code Handbook, Chapters 14 & 15
KRS 158.162
KRS 227.220(3)(e)

RELATED POLICY:

05.4

Building Lockdowns**DEFINITION**

Building lockdown means to restrict the mobility of building occupants to maintain their safety and care.

ANNUAL PRACTICES

A building lockdown practice shall be implemented ~~at least once~~ four (4) times ~~each trimester~~ during each school year. One (1) lockdown drill shall ~~to~~ be held during the first thirty (30) instructional days of the school year with additional drills ~~and another~~ in November, January, and March. Upon completion, each drill shall be recorded in the District Utilized Platform/Procedure. ~~As directed by the Superintendent, the Principal or other building supervisor shall document that the practice has occurred.~~

PROCEDURE REQUIRED

The school council or, if none exists, the Principal shall establish procedures to perform a building lockdown, including protective measures to be taken during and immediately following the lockdown. Local law enforcement agencies shall be invited to assist in establishing lockdown procedures. Each school year, the school shall provide appropriate notice of building lockdown procedures to students, certified staff, and classified staff. Procedures shall be recorded in the District Utilized Platform/Procedure.

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REFERENCES:

KRS 158.162
KRS 158.164

RELATED POLICY:

05.4

Severe Weather/Tornado Drills**PROCEDURE SYSTEM**

To maintain the safety and care of students and employees, a severe weather/tornado emergency procedure system shall be established [and recorded in the District Utilized Platform/Process and shall](#) include, but not be limited to, the following components:

1. A school building disaster plan that provides for a drop procedure and safe area evacuation practices;
2. Designation of the best available safe zones for each facility, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency as part of the school emergency planning process and posted in each room of the school;
3. Protective measures to be taken before, during, and following severe weather/tornado; and
4. Training of staff and students in the system, including use of a drop procedure.

TIMES FOR DRILLS

Severe weather/tornado and safe area evacuation drills are to be held during the first thirty (30) instructional days of the school year and in January. [Upon completion, each drill shall be recorded in the District Utilized Platform/Process.](#) Designated school primary and secondary evacuation routes are to be posted by any doorway used for evacuation.

IMPLEMENTATION

The Principal is responsible for implementing this policy.

REFERENCES:

KRS 158.162
KRS 158.163

RELATED POLICY:

05.4

Bomb Threats

The Superintendent/[designee](#) shall develop procedures to promote the safety of students and personnel in the event of a bomb threat. [Procedures shall be recorded in the District Utilized Platform/Process.](#)

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REFERENCES:

OAG 77-254
KRS 508.075
KRS 508.078

Crowd Control

The Superintendent/~~or~~ designee shall develop procedures to promote the orderly conduct and safety of students and other spectators who attend school-sponsored events. [Procedures shall be recorded in the District Utilized Platform/Procedure.](#)

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Crowd control procedures shall include supervision by appropriate school officials in all cases. In case of events where it is anticipated that the nature of the crowd may pose conduct or safety problems (e.g. large or emotional crowds), procedures shall call for the posting of adequate police or security personnel.

REFERENCES:

KRS 518.090

OAG 90-11

RELATED POLICY:

09.35

Earthquakes

The Superintendent/designee shall develop written procedures to promote the safety of students and personnel in the event of an earthquake. Procedures shall be recorded in the District Utilized Platform/Procedure.

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Written procedures shall include a building disaster plan, a "drop procedure"~~"Drop, Cover, and Hold-On!" training~~ for all staff and students, protective measures, and a method of instructing staff and students of these procedures ~~at least once each trimester during each school year. One drill shall include the procedures for when students are outside the building and an earthquake occurs.~~

DRILLS

Earthquake and safe area evacuation drills are to be held during the first thirty (30) instructional days of the school year and in January. Upon completion, each drill shall be recorded in the District Utilized Platform/Process.

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REFERENCE:

KRS 158.163

Transportation

The transportation program is a District-wide function administered by the Superintendent/designee in keeping with Board policies and District procedures.

IMPLEMENTATION OF SYSTEM

The Superintendent/designee shall develop and administer the necessary administrative procedures to implement the pupil transportation system, subject to review by the Board and consistent with 702 Kentucky Administrative Regulations, Chapter 5.¹

REFERENCES:

- ¹ 702 KAR 5:010, 702 KAR 5:020, 702 KAR 5:030
KRS 158.110
KRS 158.115

Maintenance

INSPECTION

At least once each month when school is in session, all school buses shall be thoroughly inspected and road-tested by a state-approved inspector to ensure satisfactory mechanical conditions. Any safety defects found shall be repaired before the bus is placed back into operation.

REPORTING DEFECTS

The Superintendent/[designee](#) shall develop rules and regulations for the reporting of mechanical defects of school buses, by their drivers, and for the repair of such defects.

REFERENCES:

KRS 158.110
702 KAR 5:030
702 KAR 5:130

Fuel and Equipment

PROCEDURES FOR ACQUIRING

When drivers assume the duties of the position, the Superintendent/[designee](#) shall furnish to each bus driver and other users of Board-owned vehicles the procedure and place for acquiring fuel, oil, maintenance, and repairs, both on a regular and an emergency basis.

REFERENCES:

KRS 158.110
702 KAR 5:030

Safety**DEVELOPMENT OF PROGRAM**

The Superintendent/designee shall develop a transportation safety program as required by applicable law and administrative regulation. Appropriate safety information shall be disseminated annually in writing to employees, parents, and pupils of the school District.

BOOSTER SEATS

When students who are under eight (8) years old and between forty (40) and fifty-seven (57) inches in height are transported in District-owned or leased vehicles designed for nine (9) or fewer passengers, they shall be properly secured in a child booster seat. Per KRS 189.125, a child of any age who is greater than fifty-seven (57) inches in height is not required to be secured in a booster seat.

Child Safety Restraint Systems shall be utilized for preschool Head Start students being transported using District vehicles in compliance with guidelines established by the National Highway Traffic Safety Administration.

REFERENCES:

KRS 158.110
KRS 189.125
702 KAR 5:030
702 KAR 5:060
702 KAR 5:080
45 C.F.R. § 1310.11

RELATED POLICY:

06.12

Bus Driver Training

SUPERINTENDENT RESPONSIBILITY

The Superintendent/[designee](#) shall be responsible for providing the annual required in-service school bus driver training in accordance with 702 KAR 5:030 and 702 KAR 5:080.

All training requirements include regular, itinerant and substitute drivers.

COMMERCIAL DRIVER'S LICENSE

The Board may pay the fee for the commercial driver's license required for all bus drivers. Any license certification beyond what is required to drive school buses must be paid by the individual.

REFERENCES:

702 KAR 5:030
702 KAR 5:080
702 KAR 5:010
KRS 189.370
KRS 189.375
KRS 189.380
KRS 189.450
KRS 189.540
KRS 189.550
KRS 189.580
KRS 189.635

Conduct on Bus**PRINCIPAL AUTHORITY**

Consistent with the District Code of [Conduct and Expected Behavior](#)~~Aacceptable Behavior and Discipline~~, the Principal/designee has authority to discipline pupils who ride school buses.

REPORTING OF VIOLATIONS

Bus drivers shall promptly report any violation of District policy or school rules to the Principal.

DISCHARGE OF PUPILS FROM BUS

Drivers are in charge of their buses, and their first responsibility shall be to the safe transportation of their passengers. In the event that one or more pupils are behaving in a threatening or violent manner or in such a way as to endanger the safety of other pupils on the bus, the driver shall stop the bus and contact the bus garage or Superintendent's designee. If the behavior warrants, the driver shall call law enforcement. If calls for assistance are unsuccessful, the driver is authorized to order the offending student from the bus if the student is in the sixth (6th) grade or above. In the event a pupil is discharged for disciplinary reasons, the driver shall make every effort to do so near a house or open business establishment. At the first reasonable opportunity, the driver shall notify the Principal of the school where the pupil attends or the Superintendent and the student's parent or legal guardian.¹

WITHHOLDING OF RIDING PRIVILEGES

The Principal is authorized to withhold bus-riding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The Principal shall notify the parents in cases where bus-riding privileges have been withheld.

The Superintendent or the Superintendent's designee may withhold bus-riding privileges up to the remainder of the school year.

VIDEO RECORDING EQUIPMENT

Video cameras may be installed in the District's school buses to record student behavior during transportation to and from school and school-related events. Evidence of student misbehavior recorded on video may be used to discipline students under provisions of governance authorities.

RESTITUTION OF DAMAGES

The parents or guardians may be held responsible for restitution of any damages, beyond normal usage, inflicted by their child.

STUDENTS WITH SPECIAL NEEDS

Students with special needs who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) and/or 504 Plan and the legal obligations and standards adopted by the Board.²

TRANSPORTATION

06.34
(CONTINUED)

Conduct on Bus

REFERENCES:

¹KRS 158.150; 702 KAR 5:030; 702 KAR 5:080

²Individuals with Disabilities Education Improvement Act of 2004; Section 504 of Rehabilitation Act of 1973

KRS 158.110; KRS 160.705; 702 KAR 5:100

RELATED POLICIES:

09.226; 09.425; 09.434

Insurance

LIMITS

The District will maintain appropriate limits of liability insurance for all Board-owned vehicles following the Department of Education guidelines.

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~~The Superintendent shall recommend to the Board, after consulting with the proper officials within the Department of Education, the appropriate limits of liability insurance for all Board-owned vehicles.~~

REFERENCES:

KRS 160.310
702 KAR 5:130

Food/School Nutrition Services

The Board shall provide a District-wide school nutrition program in compliance with applicable state and federal statutes and regulations.

SCHOOL LUNCH PATTERN

Cafeterias shall provide complete hot or cold meals as defined by federal regulations.

FOOD SERVICE/SCHOOL NUTRITION PROGRAM DIRECTOR

The District (or food service area to which the District belongs) shall appoint/select a Food Service/School Nutrition Program Director to oversee and manage the school nutrition service program. All Food Service/School Nutrition Program Directors shall meet minimum educational requirements and annual training requirements in accordance with federal and state law.

Each school shall have a lunchroom manager under the supervision of the Principal and direction of the Food Service/School Nutrition Program Director.

ANNUAL REPORT/PUBLIC FORUM

Immediately following the release of the annual school nutrition report, the Board shall discuss the findings and seek public comment during a publicly advertised Board meeting.

By January 31 of each year, the Board shall hold an advertised public forum to present a plan to improve school nutrition in the District. The Board shall review the annual report at the regular meeting scheduled in November.

The District shall compile a summary of findings and recommendations and submit the summary to the Kentucky Board of Education.

DISCRIMINATION COMPLAINTS

The District does not discriminate on the basis of race, color, national origin, sex, age, or disability in its school nutrition program.

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

http://www.ascr.usda.gov/complaint_filing_cust.html

District personnel shall assist parents/guardians and students wishing to file a complaint.

SPECIAL DIETARY NEEDS

Students whose dietary needs qualify them for an adaptation under law shall be provided accommodations in keeping with local procedures.

All parents shall be provided notice of how to request meal accommodations and how to submit a grievance related to a request for modifications based on a disability, at the beginning of each school year or upon enrollment in the District for students transferring in mid-year.

Food/School Nutrition Services**MEAL PAYMENT**

All parents shall be provided the written meal charge policy at the beginning of each school year or upon enrollment in the District for students transferring in mid-year. In addition, parents shall be advised of the available payment systems and meal prices.

The ~~written~~ meal charge policy shall be ~~distributed~~ [available](#) to all school level staff including school nutrition employees involved in policy enforcement.

Parents are encouraged to pay for meals in advance with cash, checks, or on-line with a debit or credit card. The on-line payment system (My Payments Plus) can be found by going to the Kenton County Schools website at www.kenton.kyschools.us.

Charging meals is allowed to cover the situation of a student occasionally losing or forgetting meal money. This service is not designed or intended to provide a credit service for continuous charging and collection of student meals. If parents have not contacted the Cafeteria Manager or submitted the amount indicated within ten (10) working days from the date of the final notice, the debt will be considered delinquent and may be directed to the Board Attorney.

Under no circumstances can a-la-carte items be charged.

Adults shall not be permitted to charge meals or a la carte items.

Food Service funds may be used to collect delinquent meal charges.

BOARD FUNDS NOT ALLOCATED

The Board does not allocate funds derived from local tax, state funds, or any other source of funds intended for instructional purposes to subsidize the operation of the school-lunch program.

REFERENCES:

KRS 156.160
KRS 158.852; KRS 158.856
KRS 160.290
702 KAR 6:010; 702 KAR 6:020
702 KAR 6:040; 702 KAR 6:045; 702 KAR 6:050
702 KAR 6:060; 702 KAR 6:075; 702 KAR 6:090
7 C.F.R. part 15b; 7 C.F.R. §210.23; 7 C.F.R. §210.31; FNS Instruction 113
Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act
P.L. 111-296

Meal Pricing

The Superintendent/designee shall annually submit, for Board approval, a fee schedule governing the price of all meals and, in keeping with state and federal requirements, implement a process to protect the confidentiality of information concerning students as required by law.

Only District employees and contractors designated by the Superintendent/designee and representatives of agencies directly connected with the administration or enforcement of the District's School Nutrition Program shall have access to individual student eligibility information without parental consent. ~~A list of designated District employees and contractors by position shall be maintained at the school and in the Central Office.~~

REFERENCES:

KRS 160.290
702 KAR 6:010; 702 KAR 6:050
7 C.F.R. §245.6; 20 U.S.C. 1232g, 34 C.F.R. 99.1 – 99.67
7 C.F.R. 210.18(q)
42 U.S.C. §1751 et seq.
42 U.S.C. Section 1771 et seq.
P. L. 111-296

RELATED POLICY:

09.14

- CERTIFIED PERSONNEL -**Holidays, Non-Working Days, and Annual Leave**

All certified employees shall be paid for four (4) holidays which shall be designated in the official school calendar. These are part of the school year required by state law.¹ Twelve (12) month employees shall be paid for five (5) holidays, which shall be designated on their work calendar.

WORKING SCHEDULE

~~All employees working beyond the minimum number of working days required by law shall complete and submit a work schedule prior to July 1. The work schedule shall note the specific dates that the employee will not be scheduled to work. When changes are necessary, a revision of the original request must be filed prior to the change occurring.~~ The immediate supervisor shall coordinate with, and approve the all work schedules of all employees under their supervision who are contracted to work more or less days than the Board-approved official school calendar to ensure the employee's contract is fulfilled within the fiscal year of July 1 – June 30. It is the responsibility of every employee to record their time worked and time not worked through the appropriate District process and/or software ~~and revisions prior to being submitted to the District personnel office.~~

ANNUAL LEAVE

Certified personnel who are employed for a minimum of 230 days annually and are credited with a minimum of fifteen (15) years of continuous service within the school district shall be eligible to accumulate up to five (5) days of annual leave per year, maximum of sixty (60) days of annual leave total. Eligibility continues throughout employee's service provided employee continues to work a minimum of 230 days annually. Personnel who are terminated with just cause will forfeit any unused annual leave days.

Compensation for accrued annual leave shall be made at time of retirement or resignation at a rate not to exceed the daily salary rate calculated from the employee's last annual compensation; no stipend position salary will be added to this calculation.

Recognition of annual leave for TRS purposes shall be governed by applicable statutes and regulations. For an individual who became a member of TRS on or after July 1, 2008, payment for annual or compensatory leave shall not be included in determining the member's last annual compensation.

REFERENCES:

- ¹KRS 158.070
- KRS 160.291
- KRS 161.220
- KRS 161.540
- KRS 2.110
- KRS 2.190

- CERTIFIED PERSONNEL -**Personal Leave****NUMBER OF DAYS**

Full-time certified employees shall be entitled to three (3) days of personal leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized personal leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized personal leave days equivalent to their normal working day.

APPROVAL

The employee's immediate supervisor must approve the leave date, but no reasons shall be required for the leave.

Approval shall be contingent upon limitations on the number of employees permitted to take personal leave on a given day, as established by the contractual agreement with the local education association. Those employees making earliest application shall be given preference.

AFFIDAVIT

Employees taking personal leave must file a personal affidavit on their return to work stating that the leave was personal in nature.

ACCUMULATION

Personal leave days not taken during the school year shall accumulate to a maximum of three (3) days. On July 1, or when the employee assumes their duties in the new fiscal year~~June 30~~, accumulated personal leave days from the preceding fiscal year~~in excess of three (3)~~ shall be transferred and credited to the employee's accumulated sick leave account.

REFERENCE:

KRS 161.154

- CERTIFIED PERSONNEL -**Family and Medical Leave****REASONS**

In compliance with the Family and Medical Leave Act of 1993 and under procedures developed by the Superintendent, unpaid leave shall be granted to eligible employees for the following reasons:

1. For the birth and care of an employee's newborn child, or for placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child or parent who has a serious health condition, as defined by federal law;
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job;
4. To address a qualifying exigency (need) defined by federal regulation arising out of the covered active duty or call to active duty involving deployment to a foreign country of the employee's spouse, son, daughter, or parent who serves in a reserve component or as an active or retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and
5. To care for a covered service member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated a serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

NOTICES AND DEADLINES

- a. Employees who may be eligible for or who request leave for any of the above reasons shall be provided an FMLA notice of eligibility and rights and responsibilities. Requests for family and medical leave should be made in writing but verbal requests may be made to the immediate supervisor or other designated administrator who shall then document the request. The District may require that a request for leave be supported by a certification for health care or military-related situations as permitted by federal law, but such requirements must be set out in the required notice.

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of District receipt of a request or the District being made aware of a potentially qualifying reason.

NOTE: Only the District's human resources professional, leave administrator, or personnel director may contact an employee's health care provider to clarify or authenticate an FML certification in support of an FML request about which there are questions. The employee's direct supervisor shall not contact the provider.

- b. The District shall designate an employee's leave, paid or unpaid, as FMLA-qualifying and shall provide a designation notice indicating whether the request is approved or if additional information is needed. Leave may be delayed if the employee does not provide proper notice (30 days advance notice for a foreseeable leave; otherwise, notice as soon as the need becomes known).

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of learning that an FMLA reason supports the leave.

Family and Medical Leave

ELIGIBILITY

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the District for twelve (12) months, have worked at least 1,250 hours during the twelve (12) months preceding the start of the leave, and otherwise qualify for family and medical leave. When family and medical military caregiver leave is taken based on a serious illness or injury of a covered service member, an eligible employee may take up to twenty-six (26) workweeks of leave during a single twelve-month period. This provision also applies to covered service members/veterans that have been on active duty within the past five (5) years as defined by federal regulation.

Full-time teachers are presumed to have worked at least 1,250 hours during a school year. In determining whether returning veterans meet the minimum 1,250 hour standard, hours actually worked for the District during the twelve-month period are to be combined with hours they would have worked for the District had they not been called for military service.

In situations involving both the Americans with Disabilities Act (ADA) and FMLA, the District shall apply the law affording the employee the greater benefit.

RESTRICTIONS

Leave that is taken by an eligible employee for any of the designated reasons shall be counted as family and medical leave, even if the employee does not request leave under the FMLA. To the extent that an employee is entitled to any paid leave, such leave shall be taken and it shall run concurrently with family and medical leave, except that the employee may request to reserve ten (10) days of sick leave and three (3) days of personal leave. (This requirement shall not apply to employees taking worker's compensation leave.) However, when an employee's work-related injury/medical state qualifies as a serious health condition, worker's compensation leave shall run concurrently with the twelve (12) workweek entitlement.

Paid leave used by the employee as required under this policy shall count, as applicable, against the twelve (12) or twenty-six (26) FMLA workweek entitlement.

Entitlement to family and medical leave for the birth and care of a newborn child or placement of a child shall expire twelve (12) months after the date of such birth or placement.

When both spouses are employed by the District, each employee shall be entitled to 12 work weeks of yearly unpaid leave (for an aggregate total of 24 weeks), if the leave is required due to the illness of a child, the illness of the other spouse, or the employee's own illness. If the leave is to care for the birth or adoption of a child or to care for a sick parent, the District shall limit the couple's aggregate leave to a total of twelve (12) weeks.

Exception: The limit on the combined amount of family and medical leave shall be twenty-six (26) workweeks when both eligible spouses are employed by the District and are eligible for leave that involves a covered Armed Forces service member/veteran.

Depending on the date family and medical leave is to begin, instructional employees as designated by federal regulation may be required to continue on leave until the end of the school term to avoid disruption.

Unused family and medical leave shall not accumulate from year to year.

Family and Medical Leave

INTERMITTENT LEAVE/REDUCED HOURS

Family and medical leave may be taken intermittently (when medically necessary) or on a reduced hours basis.

CONTINUATION OF BENEFITS

While on family and medical leave, employees shall be entitled to all employment benefits accrued prior to the date on which the leave commenced. Health insurance for an employee on family and medical leave shall continue to be provided by the state on the same basis had the employee not taken leave. Other employment benefits and seniority shall not accrue during unpaid family and medical leave.

RETURN TO WORK

As noted by the required notice of eligibility and rights and responsibilities, when family and medical leave is taken due to an employee's own serious health condition, the employee shall provide fitness-for-duty certification before returning to work. This may include certification by the health care provider that the employee is able to perform essential functions specific to the job, as noted by the District in a list attached to the certification form.

Upon return to work, the employee shall be entitled to his/her same position (or an equivalent position with equivalent pay) with corresponding benefits and other terms and conditions of employment.

NOTICE

The District shall notify employees of family and medical leave provisions by posting appropriate notices in conspicuous places in the Central Office and each worksite and distributing notices as required by law.

REFERENCES:

Family and Medical Leave Act of 1993, 29 U.S.C. 2601-2654
Title I of the FMLA, as amended by the National Defense Authorization Act
Code of Federal Regulations, Title 29, Part 825
OAG 17-022

RELATED POLICIES:

03.123, 03.1232, 03.1233, 03.1234, 03.1238, 03.124

- CERTIFIED PERSONNEL -**Maternity/Paternity Leave****PAID SICK LEAVE**

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

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

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

UNPAID MATERNITY/PATERNITY LEAVE (KRS 161.770)

On written request [to the Superintendent](#), the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed the remainder of the school year in which the birth or placement occurred. Thereafter, leave may be extended in increments of no more than one (1) year. All such leaves shall be requested at least thirty (30) days prior to the beginning of the leave, except in cases of emergency, and the request for leave shall be made annually if the leave is to exceed one (1) year.

Employees on maternity/paternity leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

Employees taking a maternity/paternity leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

FMLA

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks for unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child. An employee may use up to thirty (30) days of paid sick leave on the first thirty (30) working days of that twelve-week period without a physician's statement. Additional paid sick leave days may be taken when the need is verified by a physician's statement.

REQUEST FOR MEDICAL INFORMATION

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

Maternity Leave

REFERENCES:

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

RELATED POLICIES:

03.123; 03.1232; 03.12322

-CERTIFIED PERSONNEL-**Extended Disability Leave**

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

UNPAID LEAVE

Unpaid disability leave ~~may~~shall be granted by the Board, upon written request, for the remainder of the school year. Thereafter, leave may be extended by the Board in increments of no more than one (1) year, not to exceed two (2) consecutive school years.

FMLA

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

NOTIFICATION OF RETURN

Employees returning from leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

VERIFICATION

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

REQUEST FOR MEDICAL INFORMATION

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

PLACEMENT UPON RETURN

Employees taking disability leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

INVOLUNTARY DISABILITY LEAVE

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

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

Extended Disability Leave**INVOLUNTARY DISABILITY LEAVE (CONTINUED)**

The employee shall have the right to a hearing on such involuntary leave and its renewal or extension in accordance with the provisions for hearing and appeal in KRS 161.790.¹

RETIREMENT DISABILITY

Retirement disability shall be handled in accordance with KRS 161.662.²

REFERENCES:

¹KRS 161.790; OAG 65-560, KRS 161.770

²KRS 161.662, OAG 80-151

OAG 84-43

Consolidated Omnibus Budget Reconciliation Act

Family & Medical Leave Act of 1993

Americans with Disabilities Act

RELATED POLICIES:

03.111

03.113

03.123

03.12322

03.173

- CERTIFIED PERSONNEL -**Emergency Leave****NUMBER OF DAYS**

Full-time certified employees shall be entitled to three (3) days of emergency leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized emergency leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized emergency leave days equivalent to their normal working day.

Emergency leave shall be granted for the following reasons:

BEREAVEMENT

Death of a relative or close personal friend.

DISASTERS

Emergency situations resulting from natural disasters. In most instances, this does not include travel between home and work station.

COURT/LEGAL MATTERS

Appearances as a witness, to produce documents or to consult with an attorney when the employee's presence is required by subpoena and when such legal matters cannot be conducted outside normal work hours. If a person is found guilty of an illegal act, he or she shall not be paid for the leave. Emergency leave shall not be used for actions in which the employee is a party and the subpoena is obtained by or on behalf of the employee. This also does not include jury duty. (See Policy 03.1237.)

OTHER

Such other reasons of an emergency or extraordinary nature as approved by the Superintendent ~~or~~ designee.

REQUEST FOR LEAVE

Emergency leave must be requested through the Superintendent or designee who will determine if the leave requested meets the Board's criteria.

AFFIDAVIT

Persons taking emergency leave must file a personal affidavit upon their return to work stating the specific reasons for their absence.

Emergency Leave**USE OF SICK LEAVE**

In addition to emergency leave granted herein, employees may use up to three (3) sick leave days per school year for emergency leave pursuant to KRS 161.152 and consistent with the above provisions.

ACCUMULATION

Emergency leave days not taken during the school year shall not accumulate.

REFERENCES:

KRS 161.152, KRS 161.155, OAG 76-427, OAG 72-348, OAG 74-770

RELATED POLICIES:

03.1232, 03.1237

- CERTIFIED PERSONNEL -**Workers' Compensation Payments**

Employees who qualify for workers' compensation benefits following an assault and injury while performing assigned duties, should refer to Policy 03.123.

Employees who qualify for workers' compensation may be required to participate in a Return to Work Program. This program is designed to assist employees who have experienced work-related injuries to return to gainful employment. Transition employment shall comply with the treating physician's restrictions and amendments until maximum medical recovery has been achieved, but need not be in the same job classification or location.

COORDINATION WITH SICK LEAVE

~~Employees shall not be required to use sick leave in connection with a work-related injury. However, employees claiming workers' compensation income benefits who have sick leave available may choose to use sick leave in order to maintain the equivalent of full salary for the days they are unable to work. Employees shall not be entitled to payment in excess of one hundred percent (100%) of contracted salary.~~

EMPLOYEE ELECTION

Employees shall not be required to use sick leave in connection with a work-related injury. However, employees unable to work following a work-related injury while performing assigned duties, and qualify for workers' compensation, shall have one (1) of two (2) options for continued compensation:

1. Employees who have sick leave available may opt out of receiving workers' compensation benefits and choose to use sick leave in order to maintain the equivalent of full salary and benefits for the days they are unable to work; or
2. Employees may choose to receive workers' compensation income benefits according to the terms and conditions of the workers' compensation program

In either option, employees shall not be entitled to payment in excess of one hundred percent (100%) of contracted salary.

~~In order to maintain full salary, employees may voluntarily elect to use sick leave to which they are entitled. To coordinate benefits in connection with the employee's election to use sick leave¹, the employee shall pay to the District a sum equal to workers' compensation income benefits received for the same period that the employee uses sick leave. The employee may make such payment by endorsing the workers' compensation benefits check to the District or by paying the District by personal check or cash. The employee's sick leave balance shall then be reinstated to the extent of such payment.~~

REFERENCES:

¹KRS 161.155, KRS 342.730

RELATED POLICIES:

03.1232
03.12322

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- CERTIFIED PERSONNEL -**Drug-Free/Alcohol-Free Schools****DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

District employees shall not manufacture, distribute, dispense, be under the influence of, purchase, possess, use, or attempt to purchase or obtain, sell or transfer any of the following in the workplace or in the performance of duties:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and
3. Substances that look like a controlled substance. In instances involving look-alike substances, there must be evidence of the employee's intent to pass off the item as a controlled substance.

In addition, employees shall not possess prescription drugs for the purpose of sale or distribution.

DEFINITIONS

Controlled substance shall mean any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by the Kentucky Cabinet for Health and Human Services under regulations pursuant to KRS 218A.020.

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

AUTHORIZED DRUGS

Employees who personally use or who are designated to administer to a student a drug authorized by and administered in accordance with a prescription from a health professional shall not be considered in violation of this policy.

WORKPLACE DEFINED

Workplace shall mean the site for the performance of work done for the District including any place where work on a District program, project or activity is performed, including, but not limited to, a school building or other school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. "Workplace" shall also include school-sponsored or school-approved activities, events or functions which are held off school property and in which students are under District jurisdiction including, but not limited to, field trips and athletic events.

Drug-Free/Alcohol-Free Schools

REASONABLE SUSPICION

Employees are subject to drug/alcohol testing based on, but not limited, observations by a supervisor or administrator of apparent workplace use, possession or impairment. The Director of Human Resources or designee should be consulted before sending an employee for testing. The supervisor or administrator reporting reasonable suspicion shall document the specific observations and behaviors that create a reasonable suspicion that an employee is under the influence of illegal drugs or alcohol on a Personnel Investigation form. Examples to be documented could include, but are not limited to:

- Odors (smell of alcohol, body odor or urine).
- Movements (unsteady, fidgety, dizzy).
- Eyes (dilated, constricted or watery eyes, or involuntary eye movements).
- Face (flushed, sweating, confused or blank look).
- Speech (slurred, slow, distracted mid-thought, inability to verbalize thoughts).
- Emotions (argumentative, agitated, irritable, drowsy).
- Actions (yawning, twitching).
- Inactions (sleeping, unconscious, no reaction to questions).

When reasonable suspicion testing is warranted, a supervisor or administrator will meet with the employee to explain the observations and the requirement to undergo a drug and/or alcohol test within two (2) hours. Refusal by an employee will be treated as insubordination and may result in disciplinary action, up to and including termination.

Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. The reporting supervisor or administrator shall arrange for the employee to be transported to the testing facility.

SUSPENSION/TERMINATION/NON-RENEWAL

Any employee who violates the terms of this policy may be suspended, non-renewed or terminated. In addition, violations may result in notification of appropriate legal officials.

ALTERNATIVE

As an alternative, the Superintendent may choose that an employee who violates the terms of the District's drug-free/alcohol-free workplace policies shall satisfactorily participate in a Board-approved drug/alcohol abuse assistance or rehabilitation program. If the employee fails to satisfactorily participate in such a program, the employee may be suspended, non-renewed or terminated.

REPORTING

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances 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.

Drug-Free/Alcohol-Free Schools**NOTIFICATION BY EMPLOYEE**

Any employee convicted of a workplace violation of criminal drug statutes shall, within five (5) working days, provide notification of the conviction to the Superintendent.

POST-DISCIPLINE DRUG TESTING

Following determination by an administrative or judicial proceeding that s/he engaged in misconduct involving the illegal use of controlled substances, a teacher who has been reprimanded or disciplined for misconduct involving illegal use of controlled substances shall submit to random or periodic drug testing in accordance with applicable Kentucky Administrative Regulation for a period not to exceed twelve (12) months from the date of such reprimand or disciplinary action.

PREVENTION PROGRAM

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all employees which shall include notice of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/employee assistance programs; and
5. Penalties that may be imposed upon employees for violations of this policy.

REFERENCES:

KRS 160.290; KRS 160.380
KRS 161.120; KRS 161.175; KRS 161.790
KRS 217.900; KRS 218A.1430; KRS 218A.1447
16 KAR 1:030; 701 KAR 5:130; 34 C.F.R. Part 85

RELATED POLICIES:

03.1325; 08.1345; 09.2241

- CLASSIFIED PERSONNEL -**Holidays, Non-Working Days, Vacation Days, and Annual Leave**

Classified personnel shall be paid for four (4) holidays which shall be designated in the official school calendar. Twelve (12) month employees shall be paid for five (5) holidays, which shall be designated on their work calendar.

WORK SCHEDULE DURING BREAKS

The Superintendent shall determine the work schedule of twelve (12)-month employees. The Superintendent may require, for security or other reasons, certain classified personnel to work on holidays or during Christmas or spring break. In this case, the employee shall be granted compensatory time on another day.

WORK SCHEDULE

Each position is assigned for a specified number of work days. The remaining days of the calendar are designated as non-working days, for which the employee will not be scheduled to work. Employees who work a 245 day calendar and have worked continuously this calendar for 10+ years in-district are allowed to take five (5) additional vacation days off. Scheduling of non-working and vacation days must be approved in advance by the immediate supervisor of the employee. (For employment purposes, a calendar year shall run from July 1 through June 30.)

The immediate supervisor shall coordinate with, and approve the work schedule of, all employees under their supervision who are contracted to work more or less days than the Board approved official school calendar to ensure the employee's contract is fulfilled within the fiscal year of July 1 – June 30. It is the responsibility of every employee to record their time worked and time not worked through the appropriate District process and/or software.

ANNUAL LEAVE

Classified staff who are employed for a minimum of 230 days annually and are credited with fifteen (15) years or more to the District shall be eligible to accumulate up to five (5) days of annual leave per year, maximum of sixty (60) days of annual leave total. Eligibility continues throughout employee's service provided employee continues to work a minimum of 230 days annually. Personnel who are terminated with just cause will forfeit any unused annual leave days.

Compensation for accrued annual leave shall be made at time of retirement or resignation at a rate not to exceed the daily salary rate calculated from the employee's last annual compensation; no stipend position salary will be added to this calculation.²

REFERENCES:

KRS 158.070
KRS 160.291
KRS 161.154
KRS 2.110
KRS 2.190

- CLASSIFIED PERSONNEL -**Leaves and Absences****APPROVAL**

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

Leave taken without proper authorization shall result in a reduction in pay for the employee affected.

NOTIFICATION OF RETURN

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

PLACEMENT UPON RETURN

Employees taking any long term leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same location cannot be guaranteed.

VACANCIES AND REPLACEMENTS

Individuals employed or assigned to fill vacancies created by long term leaves shall be informed of the possibility before assuming the position that, upon return of the individual from leave, their employment may not continue or they may be reassigned to a comparable position.

LEGAL PROCEEDINGS

The Superintendent shall grant release time to employees who are summoned to appear in legal proceedings arising from their course of employment. If a person is found guilty of an illegal act against the Board, the absences shall be without pay.

LEAVE FOLLOWING ASSAULT

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

Leaves and Absences**LEAVE REQUESTS**

The Superintendent may grant leave without pay provided the leave is for educational or professional purposes, or for illness, maternity, adoption of a child or children, or other disability. Requests shall be made in writing and shall be submitted to the Superintendent for approval in advance of the intended dates of such leave. An unpaid leave request will not be considered, or granted, unless all available and applicable paid leave has been exhausted.

FMLA

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

REQUEST FOR MEDICAL INFORMATION

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

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REFERENCES:

KRS 161.155; Family and Medical Leave Act of 1993

RELATED POLICIES:

03.2232, 03.22322, 03.2233, 03.2234, 03.224

- CLASSIFIED PERSONNEL -**Personal Leave****NUMBER OF DAYS**

Full-time classified employees shall be entitled to three (3) days of personal leave with pay each school year.

Employees hired after July 1 of each fiscal year shall be credited with three (3) days of personal leave after the completion of three (3) months of service. Employees hired after April 1 of each year shall not be granted personal leave for that fiscal year.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized personal leave days equivalent to their normal working day.

APPROVAL

The employee's immediate supervisor ~~Superintendent or designee~~ must approve the leave date, but no reasons shall be required for the leave.

Approval shall be contingent upon the availability of qualified substitute employees. Those employees making earliest application shall be given preference.

AFFIDAVIT

Employees taking personal leave must file a personal affidavit on their return to work stating that the leave was personal in nature.

ACCUMULATION

Personal leave days not taken during the school year shall accumulate to a maximum of three (3) days. On July 1, or when the employee assumes their duties in the new fiscal year ~~June 30~~, accumulated personal leave days from the preceding fiscal year ~~in excess of three (3)~~ shall be transferred and credited to the employee's accumulated sick leave account.

REFERENCE:

OAG 77-115

PERSONNEL

- CLASSIFIED PERSONNEL -

Sick Leave**NUMBER OF DAYS**

Full-time classified employees shall be entitled to a minimum of ten (10) days of sick leave with pay each school year. Full-time personnel employed for 220 days each year shall be entitled to eleven (11) days of sick leave with pay each year. Full-time personnel employed for 230 days or more shall be entitled to twelve (12) days of sick leave with pay each school year. ~~Full-time twelve-month classified employees shall receive twelve (12) sick leave days per year, and all other classified employees shall receive ten (10) sick leave days per year.~~

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Persons employed for less than a full year contract shall receive a prorata part of the authorized sick leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

ACCUMULATION

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation to the credit of the classified employee to whom they were granted. At the beginning of each school year, classified employees shall be provided with an accounting of their accumulated sick leave on request.

Sick leave days accumulated prior to an employee taking an unpaid leave of absence shall be credited to the employee upon return.

DEFINITION

Sickness shall mean personal illness, including illness or temporary disabilities arising from pregnancy.

FAMILY ILLNESS/MOURNING

Sick leave can also be taken for illness in the immediate family or for the purpose of mourning a member of the employee's immediate family. Immediate family shall mean only husband, wife, sons, daughters, stepchildren, foster children, daughters-in-law and sons-in-law, brothers and sisters, grandparents, parents, step-parents or any other persons who are living as members of the teacher's household.

TRANSFER OF SICK LEAVE

Classified employees coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the District.

SICK LEAVE DONATION PROGRAM

Under procedures developed by the Superintendent, classified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee's sick leave balance to less than fifteen (15) days.

Classified employees are eligible to receive donated days if they meet the criteria established in procedures.

Any sick leave not used shall be returned on a proportionate/pro-rated basis to employees who donated days.

PERSONNEL

03.2232
(CONTINUED)

Sick Leave

AFFIDAVIT

Upon return to work a classified employee claiming sick leave must file a personal affidavit or a certificate of a physician stating that the employee was ill or that the employee was absent for the purpose of attending to a member of the immediate family who was ill.¹

REFERENCES:

¹KRS 161.155
OAG 79-148
OAG 93-39
Family & Medical Leave Act of 1993

RELATED POLICIES:

03.22322
03.224
03.273 (Retirement Compensation)

- CLASSIFIED PERSONNEL -**Family and Medical Leave****REASONS**

In compliance with the Family and Medical Leave Act of 1993 and under procedures developed by the Superintendent, unpaid leave shall be granted to eligible employees for the following reasons:

1. For the birth and care of an employee's newborn child or for placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child or parent who has a serious health condition, as defined by federal law;
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job;
4. To address a qualifying exigency (need) defined by federal regulation arising out of the covered active duty or call to active duty involving deployment to a foreign county of the employee's spouse, son, daughter, or parent who serves in a reserve component or as an active or retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and
5. To care for a covered service member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated a serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

NOTICES AND DEADLINES

- a. Employees who may be eligible for or who request leave for any of the above reasons shall be provided an FMLA notice of eligibility and rights and responsibilities. Requests for family and medical leave should be made in writing, but verbal requests may be made to the immediate supervisor or other designated administrator who shall then document the request. The District may require that a request for leave be supported by a certification for health care or military-related situations as permitted by federal law, but such requirements must be set out in the required notice.

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of District receipt of a request or the District being made aware of a potentially qualifying reason.

NOTE: Only the District's human resources professional, leave administrator, or personnel director may contact an employee's health care provider to clarify or authenticate an FMLA certification in support of an FML request about which there are questions. The employee's direct supervisor shall not contact the provider.

- b. The District shall designate an employee's leave, paid or unpaid, as FMLA-qualifying and shall provide a designation notice indicating whether the request is approved or if additional information is needed. Leave may be delayed if the employee does not provide proper notice (30 days advance notice for a foreseeable leave; otherwise, notice as soon as the need becomes known).

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of learning that an FMLA reason supports the leave.

Family and Medical Leave

ELIGIBILITY

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the District for twelve (12) months, have worked at least 1,250 hours during the twelve (12) months preceding the start of the leave, and otherwise qualify for family and medical leave. When family and medical military caregiver leave is taken based on a serious illness or injury of a covered service member, an eligible employee may take up to twenty-six (26) workweeks of leave during a single twelve-month period. This provision also applies to covered service members/veterans that have been on active duty within the past five (5) years as defined by federal regulation.

In determining whether returning veterans meet the minimum 1,250 hour standard, hours actually worked for the District during the twelve-month period are to be combined with hours they would have worked for the District had they not been called for military service.

In situations involving both the Americans with Disabilities Act (ADA) and FMLA, the District shall apply the law affording the employee the greater benefit.

RESTRICTIONS

Leave that is taken by an eligible employee for any of the designated reasons shall be counted as family and medical leave, even if the employee does not request leave under the FMLA. To the extent that an employee is entitled to any paid leave, such leave shall be taken and it shall run concurrently with family and medical leave, except that the employee may request to reserve ten (10) days of sick leave and three (3) days of personal leave. (This requirement shall not apply to employees taking workers' compensation leave.) However, when an employee's work-related injury/medical state qualifies as a serious health condition, worker's compensation leave shall run concurrently with the twelve (12) workweek entitlement.

Paid leave used by the employee as required under this policy shall count, as applicable, against the twelve (12) or twenty-six (26) FMLA workweek entitlement.

Entitlement to family and medical leave for the birth and care of a newborn child or placement of a child shall expire twelve (12) months after the date of such birth or placement.

When both spouses are employed by the District, each employee shall be entitled to 12 work weeks of yearly unpaid leave (for an aggregate total of 24 weeks), if the leave is required due to the illness of a child, the illness of the other spouse, or the employee's own illness. If the leave is to care for the birth or adoption of a child or to care for a sick parent, the District shall limit the couple's aggregate leave to a total of 12 weeks.

EXCEPTION: The limit on the combined amount of family and medical leave shall be twenty-six (26) workweeks when both eligible spouses are employed by the District and are eligible for leave that involves a covered Armed Forces service member/veteran.

Unused family and medical leave shall not accumulate from year to year.

INTERMITTENT LEAVE/REDUCED HOURS

Family and medical leave may be taken intermittently (when medically necessary) or on a reduced hours basis.

Family and Medical Leave**CONTINUATION OF BENEFITS**

While on family and medical leave, employees shall be entitled to all employment benefits accrued prior to the date on which the leave commenced. Health insurance for an employee on family and medical leave shall continue to be provided by the state on the same basis had the employee not taken leave. Other employment benefits and seniority shall not accrue during unpaid family and medical leave.

RETURN TO WORK

As noted by the required notice of eligibility and rights and responsibilities, when family and medical leave is taken due to an employee's own serious health condition, the employee shall provide fitness-for-duty certification before returning to work. This may include certification by the health care provider that the employee is able to perform essential functions specific to the job, as noted by the District in a list attached to the certification form.

Upon return to work, the employee shall be entitled to his/her same position (or an equivalent position with equivalent pay) with corresponding benefits and other terms and conditions of employment.

NOTICE

The District shall notify employees of family and medical leave provisions by posting appropriate notices in conspicuous places in the Central Office and each worksite and distributing notices as required by law.

REFERENCES:

Family and Medical Leave Act of 1993, 29 U.S.C. 2601-2654
Title I of the FMLA, as amended by the National Defense Authorization Act
Code of Federal Regulations, Title 29, Part 825
OAG 17-022

RELATED POLICIES:

03.223, 03.2232, 03.2233, 03.2234, 03.2238, 03.224

- CLASSIFIED PERSONNEL -**Maternity/Paternity Leave****PAID SICK LEAVE**

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.2232.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.2232.

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

UNPAID MATERNITY/PATERNITY LEAVE (KRS 161.770)

On written request to the Superintendent, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed two (2) years. All such leaves shall be requested at least thirty (30) days prior to the beginning of the leave, except in cases of emergency, and shall be made annually if the leave is to exceed one (1) year.

Employees on maternity/paternity leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.223. Failure to do so will render the position vacant.

Employees taking a maternity/paternity leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

FMLA

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child. An employee may use up to thirty (30) days of paid sick leave on the first thirty (30) working days of that twelve-week period without a physician's statement. Additional paid sick leave days may be taken when the need is verified by a physician's statement.

REQUEST FOR MEDICAL INFORMATION

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

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REFERENCE:

Family & Medical Leave Act of 1993

RELATED POLICIES:

03.223; 03.2232; 03.22322

- CLASSIFIED PERSONNEL -**Extended Disability Leave**

This policy shall be applied in a manner consistent with policy 03.212 and the Americans with Disabilities Act (ADA), when those provisions are applicable.

UNPAID LEAVE

Unpaid disability leave may be granted by the Board, upon written request, for the remainder of the contract year. Thereafter, leave may be extended by the Board in one (1) year periods, not to exceed two (2) consecutive school years.

FMLA

In compliance with the Family and Medical Leave Act of 1993, leave shall be granted in accordance with Board Policy 03.22322.

VERIFICATION

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

REQUEST FOR MEDICAL INFORMATION

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

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NOTIFICATION OF RETURN

Employees on extended disability leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.223. Failure to do so will render the position vacant.

PLACEMENT UPON RETURN

Employees taking disability leave will, on return, be entitled to a comparable position for which they are qualified. Placement in the same position or the same building cannot be guaranteed.

INVOLUNTARY DISABILITY LEAVE

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

REFERENCES:

Consolidated Omnibus Budget Reconciliation Act
Family & Medical Leave Act of 1993
Americans with Disabilities Act

RELATED POLICIES:

03.211
03.212
03.223
03.22322

- CLASSIFIED PERSONNEL -

Educational Leave

Upon recommendation of the Superintendent, the Board may grant classified personnel short-term leave with [out](#) pay for the purpose of obtaining training to enhance the skills required in performing their job or to obtain training in anticipation of a different position with the school system.

REFERENCE:

OAG 84-43

- CLASSIFIED PERSONNEL -**Emergency Leave****NUMBER OF DAYS**

Full-time classified employees shall be entitled to three (3) days of emergency leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized emergency leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized emergency leave days equivalent to their normal working day.

Emergency leave shall be granted for the following reasons:

BEREAVEMENT

Death of a relative or close personal friend.

DISASTERS

Emergency situations resulting from natural disasters. In most instances, this does not include travel between home and work station.

LEGAL MATTERS

Appearances as a witness or to produce documents or consult with an attorney when the employee's presence is required by subpoena and when such legal matters cannot be conducted outside normal work hours. If a person is found guilty of an illegal act, he or she shall not be paid for the leave. This is not to include appearances in actions in which the employee is a party and the subpoena is obtained by or on behalf of the employee. This also does not include jury duty. (See Policy 03.2237.)

OTHER

Such other reasons of an emergency or extraordinary nature as approved by the Superintendent ~~or~~ **designee**.

REQUEST FOR LEAVE

Emergency leave must be requested through the Superintendent or designee who will determine if the leave requested meets the Board's criteria.

AFFIDAVIT

Persons taking emergency leave must file a personal affidavit upon their return to work stating the specific reasons for their absence.

Emergency Leave**USE OF SICK LEAVE**

In addition, emergency granted herein, employees may use up to three (3) sick leave days per school year for emergency leave pursuant to KRS 161.152 and consistent with the above provisions.

ACCUMULATION

Emergency leave days not taken during the school year shall not accumulate.

REFERENCES:

KRS 161.152, KRS 161.155(3), OAG 76-427, OAG 72-348

RELATED POLICIES:

03.2232, 03.2237

- CLASSIFIED PERSONNEL -**Workers' Compensation Payments**

Employees who qualify for workers' compensation benefits following an assault and injury while performing assigned duties should refer to Policy 03.123.

Employees who qualify for workers' compensation may be required to participate in a Return to Work program. This program is designed to assist employees who have experienced work-related injuries to return to gainful employment. Transition employment shall comply with the treating physician's restrictions and amendments until maximum medical recovery has been achieved, but need not be in the same job classification or location.

COORDINATION WITH SICK LEAVE

~~Employees shall not be required to use sick leave in connection with a work-related injury. However, employees claiming workers' compensation income benefits who have sick leave available may choose to use sick leave in order to maintain the equivalent of full salary for the days they are unable to work. Employees shall not be entitled to payment in excess of one hundred percent (100%) of contracted salary.~~

EMPLOYEE ELECTION

Employees shall not be required to use sick leave in connection with a work-related injury. However, employees unable to work following a work-related injury while performing assigned duties, and qualify for workers' compensation, shall have one (1) of two (2) options for continued compensation:

1. Employees who have sick leave available may opt out of receiving workers' compensation benefits and choose to use sick leave in order to maintain the equivalent of full salary and benefits for the days they are unable to work; or
2. Employees may choose to receive workers' compensation income benefits according to the terms and conditions of the workers' compensation program

In either option, employees shall not be entitled to payment in excess of one hundred percent (100%) of contracted salary.

~~In order to maintain full salary, employees may voluntarily elect to use sick leave to which they are entitled.~~ To coordinate benefits in connection with the employee's election to use sick leave¹, the employee shall pay to the District a sum equal to workers' compensation income benefits received for the same period that the employee uses sick leave. The employee may make such payment by endorsing the workers' compensation benefits check to the District or by paying the District by personal check or cash. The employee's sick leave balance shall then be reinstated to the extent of such payment.

REFERENCES:

¹KRS 161.155, KRS 342.730

RELATED POLICIES:

03.2232

03.22322

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- CLASSIFIED PERSONNEL -**Evaluation**

Each classified employee shall receive a summative evaluation at least once each year for the first four (4) years of employment~~be evaluated at least once each year~~. Following the completion of four (4) successful years of employment, classified employees will receive a summative evaluation a minimum of once every three (3) years. This evaluation shall be performed by the Principal or the immediate supervisor and shall be based upon a formal procedure approved by the Superintendent for that specific position or class of positions. The administrator performing the evaluation shall share and discuss the evaluation report with the employee. The employee shall have the right to comment in writing on the evaluation report. The employee's written comments shall be attached to the evaluation report, and the report shall be filed with the Superintendent.

Investments

EXCESS FUNDS

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

1. Obligations of the United States and of its agencies and instrumentalities, including obligations subject to repurchase agreements, provided that delivery of these obligations subject to repurchase agreements is taken either directly or through an authorized custodian;
2. Obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States or a United States government agency;
3. Obligations of any corporation of the United States government;
4. Certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution having a physical presence in Kentucky which are insured by the Federal Deposit Insurance Corporation or similar entity or which are collateralized, to the extent uninsured, including surety bonds, by any obligations permitted by KRS 41.240(4);
5. Uncollateralized certifications of deposit issued by any bank or savings and loan institution having a physical presence in Kentucky rated in one (1) of the three (3) highest categories by a competent rating agency;
6. Bankers' acceptances for banks rated in one (1) of the three (3) highest categories by a competent rating agency;
7. Commercial paper rated in the highest category by a competent rating agency;
8. Bonds or certificates of indebtedness of this state and of its agencies and instrumentalities;
9. Securities issued by a state or local government or any instrumentality of agency thereof, in the United States, and rated in one (1) of the three (3) highest categories by a competent rating agency;
10. Shares of mutual funds and exchange traded funds, as permitted by law;¹
11. Individual equity securities if the funds being invested are managed by a professional investment manager regulated by a federal regulatory agency. The individual equity securities shall be included within the Standard & Poor's 500 Index, and a single sector shall not exceed twenty five percent (25%) of the equity allocation; and
12. Individual high-quality corporate bonds that are managed by a professional investment manager that are issued, assumed, or guaranteed by a solvent institution created and existing under the laws of the United States; have a standard maturity of no more than ten (10) years; and are rated in the three (3) highest rating categories by at least two (2) competent credit rating agencies.

Investments

EXCESS FUNDS (CONTINUED)

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

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

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

GUIDELINES

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

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

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

Investments

GUIDELINES (CONTINUED)

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

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

REFERENCES:

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

RELATED POLICIES:

04.2
04.21

Inventories

EQUIPMENT AND ASSETS

The District shall adhere to the property inventory procedures developed by the Kentucky Department of Education. Principals and other supervisors designated by the Superintendent are accountable for inventory, control and maintenance of all assets and equipment in their area of responsibility.

Each school year, results of inventories shall be reconciled, coordinated and reported to ~~the Superintendent and the Board as required by~~ the Finance Officer.

A complete, current inventory of the following shall be maintained:

1. Fixed assets (real property) with an acquisition value of \$5,000 or more that has a useful life of more than one (1) year;
2. ALL computer workstations, laptops, tablets, and projectors, regardless of value; and
3. Any additional items designated by the Superintendent/designee.

The Superintendent shall develop procedures and forms for the annual inventory and be responsible for maintaining the inventory.

CAPITAL ASSETS

The District shall refer to the KDE Capital Asset Guide for guidance in establishing capitalization threshold amounts. Minimum threshold limits adopted by the Board are:

\$0	Land, Computer Workstations, Laptops, Tablets and Projectors
\$5,000	Furniture & Fixtures, Audio-Visual Equipment, Software, Food Service Equipment, Other Equipment, School Buses & Other Vehicles
\$20,000	Land Improvements, Buildings, Portable Buildings, Building Improvements

TRANSFER AND DISPOSAL

Fixed assets no longer needed or useable shall be returned to a designated central location and transferred or disposed of in compliance with Board policy, District inventory procedures and applicable legal requirements.

CAREER AND TECHNICAL EDUCATION PROGRAM

Inventory management and control for equipment purchased with state funds for use in the career and technical program shall be administered in compliance with applicable legal requirements.¹

Inventories**REFERENCES:**

¹780 KAR 7:060

KRS 160.290

Kentucky Education Technology System

Accounting Procedures for Kentucky School Activity Funds

KDE Capital Asset Guide

RELATED POLICIES:

04.8, 05.21

Audits

The Superintendent shall recommend for Board approval a CPA firm to conduct annual audits of all accounts under the jurisdiction of the Board. Before any audit is initiated, the Superintendent/[designee](#) shall secure the necessary approval from the appropriate state agencies. The Superintendent/[designee](#) shall be responsible for the distribution of copies of each audit to members of the Board and appropriate state agencies. The Board shall see that actions are taken to respond to significant deficiencies and material weaknesses identified in the audit report.

All audits shall be conducted in compliance with requirements for local school districts established by the State Committee for School District Audits.

REFERENCES:

702 KAR 3:130; 702 KAR 3:150

KRS 156.255; KRS 156.265

KRS 156.275; KRS 156.285

KRS 160.290

OAG 61-407

Governmental Accounting Standards Board, Statement on Auditing Standards (SAS) No. 112

Graduation Requirements

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic Standards, students must complete a minimum of twenty-two (22) credits, including demonstrated performance-based competency in technology, and all other state and local requirements in order to graduate from a Kenton County High School with a Traditional Diploma.

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

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

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

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

Language Arts	Four (4) Credits (English I, II, III, and IV) taken each year of high school. Students that do not meet the college readiness benchmarks for English and language arts shall take a transitional course or intervention, which is monitored to address remediation needs, before exiting high school.
Social Studies	Three (3) Credits
Mathematics	Three (3) Credits (Algebra I, Geometry and Algebra II) (An integrated, applied, interdisciplinary, occupational, or technical course that prepares a student for a career path based on the student's ILP may be substituted for a traditional Algebra I, Geometry, or Algebra II course on an individual student basis if the course meets the content standards in the Kentucky Academic Standards, established in 704 KAR 3:303 and 704 Chapter 8. A mathematics course or its equivalent as determined by the District shall be taken each year of high school to ensure readiness for postsecondary education or the workforce. Any mathematics course other than Algebra I, Geometry, or Algebra II shall be counted as an elective. Students that do not meet the college readiness benchmarks for mathematics shall take a transitional course or intervention, which is monitored to address remediation needs, before exiting high school.
Science	Three (3) Credits incorporating lab-based scientific investigation
Health	One-half (1/2) Credit
P.E.	One-half (1/2) Credit
Visual and Performing Arts	One (1) Credit or a standards-based specialized arts course based on the student's ILP
Academic and Career Interest Standards-based Learning Experiences	Seven (7) Credits total (Three (3) plus four (4) standards-based credits in an academic or career interest based on the student's ILP)
Technology	Demonstrated performance-based competency

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

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

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

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

1. Satisfy precollege curriculum as established by the Council on Postsecondary Education in 13 KAR 2:020;
2. Achieve benchmark score as established by the Council on Postsecondary Education in 13 KAR 2:020 in one (1) section of a college admissions or placement examination;
3. Complete three (3) postsecondary credit hours or more of a Kentucky Department of Education approved dual credit course with a grade of C or higher;
4. Complete one (1) course and corresponding assessment meeting the following criteria:
 - a) Advanced placement (AP) with a score of three (3) or higher;
 - b) Cambridge Advanced International (CAI) with a score at E or higher; or
 - c) International Baccalaureate (IB) with a score of five (5) or higher;

Graduation Requirements

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

5. Obtain an industry certification as approved by the Kentucky Workforce Innovation Board;
6. Complete four (4) credits from valid courses within a single Kentucky Department of Education approved career pathway;
7. Complete a Kentucky Department of Education approved process to verify 500 hours of exceptional work experience, or alternative requirements as determined by a student's Admissions and Release Committee and specified in the student's IEP; and
8. Complete two (2) years in an approved Kentucky Department of Education or Kentucky Labor Cabinet pre-apprenticeship or apprenticeship program.

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

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

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

- I. Complete one (1) or more of the following graduation qualifiers:
 1. Satisfy precollege curriculum as established by the Council on Postsecondary Education in 13 KAR 2:020;
 2. Achieve benchmark score as established by the Council on Postsecondary Education in 13 KAR 2:020 in one (1) section of a college admissions or placement examination;
 3. Complete three (3) postsecondary credit hours or more of a Kentucky Department of Education approved dual credit course with a grade of C or higher;

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

4. Complete one (1) course and corresponding assessment meeting the following criteria:
 - a) Advanced placement (AP) with a score of three (3) or higher;
 - b) Cambridge Advanced International (CAI) with a score at E or higher; or
 - c) International baccalaureate (IB) with a score of five (5) or higher;
 5. Obtain an industry certification as approved by the Kentucky Workforce Innovation Board;
 6. Complete four (4) credits from valid courses within a single Kentucky Department of Education approved career pathway;
 7. Complete a Kentucky Department of Education approved process to verify 500 hours of exceptional work experience, or alternative requirements as determined by a student's Admissions and Release Committee and specified in the student's IEP; and
 8. Complete two (2) years in an approved Kentucky Department of Education or Kentucky Labor Cabinet pre-apprenticeship or apprenticeship program.
- II. Meet one (1) of the following graduation prerequisites for reading and one (1) of the following graduation prerequisites for mathematics:
1. Score at or above the minimum criteria on the tenth (10th) grade state-required assessments in reading or mathematics;
 2. Score proficient or higher for reading or mathematics on the eighth (8th) grade state required assessment; or
 3. A student collection of evidence submitted by the Principal to the Superintendent/designee for review and approval. The collection of evidence shall include the following:
 - The student's ILP that includes student transcript;
 - If applicable, for students with IEPs, evidence that the student has achieved progress on measurable annual IEP goals as determined by the Admissions and Release Committee;
 - Performance on the tenth (10th) grade state-required assessments in reading or mathematics;
 - Appropriate interventions, targeted to the student's needs;
 - Student work demonstrating the student's competency in reading or mathematics; and
 - The student's post-graduation plans.

Graduation Requirements**PERFORMANCE-BASED CREDITS**

In addition to Carnegie units, students may earn credit toward high school graduation through the District's standards-based, performance-based credit system that complies with requirements of Kentucky Administrative Regulation. Procedures for the developing and amending the system shall address the following:

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

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

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

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

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

[The Board requires enrollment for four \(4\) full school calendar years for all high school students. \(For exceptions, see sections for Graduate Early and Early Graduation Certificate.\)](#)

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ALTERNATIVE HIGH SCHOOL DIPLOMA

Students eligible for an Alternative High School Diploma will participate in graduation ceremonies during the same school year in which they complete their program or reach twenty-one (21) years of age.

PARTICIPATION IN GRADUATION EXERCISES

No student shall be permitted to participate in graduation ceremonies until all graduation requirements have been fulfilled, as determined by the Principal.

KENTON COUNTY BASIC DIPLOMA

A student must meet or exceed all credits in the prescribed domains and meet or exceed all SBDM requirements to be granted a traditional Diploma from one of the high schools in Kenton County. While it is anticipated that all students will meet this standard, the Board recognizes there may be extenuating circumstances that prevent some students from successfully completing all the standards. In an effort to meet the needs of the total student population, students meeting the following criteria may apply for a Kenton County Basic High School Diploma that meets the State minimum requirements as set forth in 704 KAR 3:305 and described above.

Graduation Requirements

KENTON COUNTY BASIC DIPLOMA (CONTINUED)

1. Receive their Principal's recommendation for participation in the program
2. Review all SWS/Alternative School options
3. Enrolled in a Kenton County high school for two (2) semesters

KENTON COUNTY STATE MINIMUM STANDARDS DIPLOMA

A Kenton County State Minimum Standards Diploma, that meets the minimum state high school graduation credit requirements as set forth in 704 KAR 003:305, may be awarded to a state agency child, as defined in KRS 158.135. Individual students with extenuating circumstances and who meet the minimum state graduation requirements and local guidelines may qualify for such a diploma.

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

OTHER PROVISIONS

Upon request and approval of the Board, District high schools may offer different diploma programs.

The Board, Superintendent, Principal, or teacher may award special recognition to students. In addition, the Board may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

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

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

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

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

GRADUATE EARLY (CREDIT-BASED)

Students who meet the District's requirements shall be eligible to apply to graduate early. The student shall notify the Principal of their intent to request Board approval to graduate early. The Board has the right to deny any request to graduate early. The requirements to apply to graduate early are:

1. Student shall submit a Letter of Intent stating the valid reason for their request.
2. Must have completed all District high school graduation credit requirements.
3. Must provide proof of enrollment in a post-secondary program or enlistment in the military.

CURRICULUM AND INSTRUCTION

08.113
(CONTINUED)

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Graduation Requirements

EARLY GRADUATION CERTIFICATE (PATHWAY)

Students who meet all applicable legal requirements shall be eligible for early graduation in relation to receipt of ~~relation to receipt of~~ a graduation diploma and an Early Graduation Certificate. Students wishing to follow an early graduation pathway shall notify the Principal of their intent prior to the beginning of grade nine (9) or as soon thereafter as the intent is known, but within the first thirty (30) school days of the academic year in which they wish to graduate. A Letter of Intent to ~~A~~apply shall be entered into the student information system by October 1 of the year the student declares intent ~~for to graduate~~ early graduation.⁴ The student must graduate in three (3) years or less. Students exceeding three (3) years to not qualify for the incentives identified with Early Graduation.

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

To earn an Early Graduation Certificate, the student must meet all requirements established in 013 KAR 002:020, 703 KAR 005:200, and 704 KAR 003:305.

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

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

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

MIDDLE SCHOOL CREDIT

With Board approval, high school credit may be awarded for courses taken at the middle school level if the following criteria are met:

- Teachers with secondary certification with the appropriate content specialization teach proposed middle school courses.
- The student demonstrates mastery of middle school level content as specified in the Kentucky Academic Standards and criteria are in place to make reasonable determination that the middle school students are capable of success in the high school course.
- The content of the course offered at the middle school level is the same as that defined in the Kentucky Academic Standards for the high school course.

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

Graduation Requirements**DIPLOMAS FOR VETERANS**

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

REFERENCES:

¹KRS 40.010; KRS 158.140; 704 KAR 7:140

²KRS 158.622

³KRS 156.160; 20 U.S.C. sec. 1414

⁴KRS 158.142; 704 KAR 3:305

⁵KRS 158.141

KRS 156.027; KRS 158.135

KRS 158.1411; KRS 158.143; KRS 158.183; KRS 158.281

KRS 158.302; KRS 158.645; KRS 158.6451

KRS 158.860

13 KAR 2:020; 702 KAR 7:125; 703 KAR 4:060

704 KAR 3:303; 704 KAR 3:306; 704 KAR Chapter 8

OAG 78-348; OAG 82-386

Kentucky Academic Standards

RELATED POLICIES:

08.1131; 08.14; 08.22; 08.222

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