

Proposed New Policy

Continuity of Operations Plan

PURPOSE

The Superintendent/designee shall maintain a District Continuity of Operations Plan to ensure that District operations are performed efficiently with minimal disruption during a declared emergency. The Continuity of Operations Plan shall provide guidance to ensure the District is capable of conducting its essential missions and functions under all threats and conditions, with or without warning. While the severity and consequences of any emergency cannot be predicted, effective contingency pre-planning based on a comprehensive risk assessment can minimize the impact on the District's missions, personnel, and facilities.

The overall purpose of continuity planning is to ensure that essential functions are maintained under all conditions and across a spectrum of potential emergencies. The Continuity of Operations Plan shall address the issues identified in the existing and projected threat environment and address possible emergencies, including, but not limited to acts of nature, accidents, technological emergencies, and military or terrorist attack-related incidents.

SCOPE

The District Continuity of Operations Plan shall apply to the functions, operations, and resources necessary to ensure the continuation of the District's essential functions in the event that its normal operations at VanHoose Education Center or other Central Office locations are disrupted, or threatened with disruption. Appropriate District staff must be familiar with the District Continuity of Operations Plan and be prepared to fulfill their respective continuity roles and responsibilities.

OBJECTIVES

The objectives of the District Continuity of Operations Plan are to:

1. Ensure essential functions can be performed, if applicable, under all conditions.
2. Reduce the loss of life and minimize property damage and loss.
3. Execute an order of succession with accompanying authorities in the event a disruption renders that District's leadership is unable, unavailable, or incapable of assuming and performing their authorities and responsibilities of office.
4. Reduce or mitigate disruptions to operations.
5. Ensure that the District has facilities where it can continue to perform its essential functions, as appropriate, during a continuity event.
6. Protect essential facilities, equipment, records, and other assets, in the event of a disruption.
7. Achieve the District's timely and orderly recovery and reconstitution from an emergency.
8. Ensure and validate continuity readiness through a dynamic and integrated continuity Test, Training, and Exercise (TT&E) program and operational capability.

Continuity of Operations Plan

9. Coordinate and communicate with state and local officials around common issues and decisions.

SECURITY AND PRIVACY OF CONTINUITY PLAN

The District Continuity of Operations Plan is for official use only. Portions of the Continuity of Operations Plan contain information that raises personal privacy, security, or other concerns, and those portions may be exempt from mandatory disclosure under the Kentucky Open Records Act (see KRS 61.878(1)). The Continuity of Operations Plan is to be controlled, stored, handled, transmitted, distributed, amended, and disposed of in accordance with the processes set forth in the Continuity of Operations Plan, and is not to be released to the public or other personnel who do not have a valid “need to know,” without prior approval of the Superintendent.

Policy Review Cycle

Board Administration

DEFINITIONS

The following expressions are defined with respect to their intended meanings in the context of this manual:

POLICIES

An expression of the will of the elected Board of Education or the school council. Although other statutes may have Board policy implications, the general scope of Board policies is defined by [KRS 160.290](#) and [KRS 160.340](#). The scope of council policies is defined by [KRS 160.345](#). Board policies cover the general management and governance of school district operations and functions. Within the parameters of the District's legal authority, violations of policy may provide grounds for administrative response or action as relates to students, District employees, parents, and members of the community, but such policies are not intended to heighten standards of care, establish grounds for liability or create rules for immunities enjoyed by defendants in civil judicial actions against the Board, its members, District employees, officers, or volunteers.

ADMINISTRATIVE REGULATIONS

References such as "State Board regulations", "state regulations", and "administrative regulations" shall mean Kentucky Administrative Regulations (KAR) promulgated by the Kentucky Board of Education.

FULL-TIME/PART-TIME STATUS

Employment status shall be determined in compliance with statute and regulation and shall be defined in the employee's contract.¹

SUPERINTENDENT

Policies that charge the Superintendent with preparing and/or implementing provisions of procedures, plans or programs for Board review also direct any other employee to whom the Superintendent may delegate such charges.

PRINCIPAL

The Principal (or designated administrator) shall be the chief administrator of the school, acting with the approval of the Superintendent.

TEACHER

Except for referenced statutes which specify a different definition for the purposes of those statutes, in this manual the term teacher shall refer to any person, other than the Superintendent, for whom certification is required as a basis for employment.

HUSBAND AND WIFE

The term husband and wife, as used in the policy manual, shall be deemed to include a spouse in a legally recognized marriage unless the context otherwise requires.

PARENT OR GUARDIAN

Parent, as used in the policy manual, means parent or legal guardian.

GENDER

DEFINITIONS

Unless otherwise noted, ~~all~~ gender references in this manual include all genders~~both male and female~~.

CHILDREN AND YOUTH WITH DISABILITIES

In compliance with federal law and unless otherwise indicated, use of the terms “special education” or “exceptional” ~~“handicapped/special education/exceptional”~~ shall refer to children and youth with disabilities.

SCHOOL NUTRITION PROGRAM

Use of the term "food service" shall also refer to the District's School Nutrition Program.

STUDENT ATTENDANCE DAY

Unless otherwise noted, use of the term “instructional day” shall have the same meaning as “student attendance day.”

HEALTH PROVIDER

Unless otherwise noted, the terms “health care provider” and “health care practitioner” have the same meaning.

STUDENT SUPPORT AND BEHAVIOR INTERVENTION HANDBOOK

The Student Support and Behavior Intervention Handbook, as used in the policy manual, means the code of acceptable behavior and discipline required under [KRS 158.148](#).

CHARTER SCHOOL

Use of the term “charter school” means a public charter school as defined in [KRS 160.1590](#)(12).

CHARTER SCHOOL AUTHORIZER

A local board of education or other authorizer as defined in [KRS 160.1590](#)(13).

DATING RELATIONSHIP

A dating relationship is defined as a relationship between individuals who have a relationship of a romantic or intimate nature. It does not include a casual acquaintanceship or ordinary fraternization in a business or social context. The following factors may be considered by the Superintendent or designee in addition to any other relevant factors in determining whether the relationship is of a romantic or intimate nature:

- (a) Declarations of romantic interest;
- (b) The relationship is characterized by the expectation of affection;
- (c) Attendance at social outings together as a couple;
- (d) The frequency and type of interaction between the persons, including whether the persons have been involved together over time and on a continuous basis during the course of the relationship;
- (e) The length and recency of the relationship; and

DEFINITIONS

- (f) Other indications of a substantial connection that would lead a reasonable person to understand that a dating relationship exists.

REFERENCES

Legal references listed in this manual, such as state and federal statutes and regulations, Kentucky Attorney General Opinions, and court cases are provided as a tool for additional research and are not intended to be viewed as a complete listing of legal resources applicable to a particular topic.

BOARD

Board, as used in this policy manual, means the Board of Education of Jefferson County, Kentucky.

DISTRICT

District, as used in this policy manual, means the Jefferson County Public School District.

REFERENCES:

¹[KRS 157.320](#); [102 KAR 001:036](#); [702 KAR 001:035](#)

[KRS 158.144](#); [KRS 160.290](#); [KRS 160.340](#); [KRS 160.345](#)
[KRS 161.1590](#)

[KRS 405.028](#)

[701 KAR 008:010](#); [701 KAR 008:020](#); [701 KAR 008:030](#); [701 KAR 008:040](#)

[702 KAR 006:010](#); [702 KAR 006:020](#); [702 KAR 006:040](#)

[702 KAR 006:045](#); [702 KAR 006:075](#); [702 KAR 006:090](#)

Adopted/Amended: 12/11/2018
Order #: 2018-278

Legal Status of the Board**CORPORATE POWERS**

1. The Jefferson County Public School District shall be made up of the entire geographic area of Jefferson County, Kentucky, with the exception of the area included within the boundaries of the Anchorage Independent School District.
2. The District is under the management and control of the Board of Education consisting of seven (7) members. Each member shall be elected by the voters of the member's ~~his/her~~ respective division on a non-partisan ballot, in a November general election, for a term of four years.
3. The Board shall always act as a body politic and corporate with perpetual succession. No individual member and no group comprised of less than the full membership shall act to bind the Board.
4. The Board shall be known as the "Board of Education of Jefferson County, Kentucky."
5. The Board may sue and be sued; make contracts; expend funds necessary for liability insurance premiums and for the defense of any civil action brought against an individual Board member in the member's ~~his/her~~ official or individual capacity, or both, on account of an act made in the scope and course of the member's ~~his/her~~ performance of legal duties as a Board member; purchase, receive, hold, and sell property; issue its bonds to build and construct improvements; and do all things necessary to accomplish the purposes for which it is created.

NOTICE OF NONDISCRIMINATION

The District does not discriminate on the basis of race, color, national origin, age, religion, marital or parental status, political affiliations or beliefs, sex, sexual orientation, gender identity, gender expression, veteran status, genetic information, disability, or limitations related to pregnancy, childbirth, or related medical conditions in its programs and activities and provides equal access to its facilities to the Boy Scouts and other designated youth groups.²

Notice of the name, work address and telephone number of the Title IX Coordinator and the Section 504 Coordinator for the District shall be provided to employees, applicants for employment, students, parents/guardians, and other beneficiaries such as participants in activities offered to the public.

WEBSITE ACCESSIBILITY

The District is committed to ensuring accessibility of its website for students, employees, visitors, and members of the community with disabilities. All pages on the District's website shall conform to Level AA of the Web Content Accessibility Guidelines (WCAG) 2.0 developed by the World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI), or updated equivalents of these guidelines.

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

Legal Status of the Board

REFERENCES:

¹[KRS 160.160](#)

²Americans with Disabilities Act

KRS Chapter 344

Section 504 of the Rehabilitation Act of 1973

Title VI of the Civil Rights Act of 1964

42 U.S.C. 200e, Civil Rights Act of 1964, Title VII

20 U.S.C. 1681, Education Amendments of 1972, Title IX

Genetic Information Nondiscrimination Act of 2008

20 U.S.C. 7905 (Boy Scouts of America Equal Access Act)

Web Content Accessibility Guidelines

RELATED POLICIES:

03.113; 03.212; 09.13; 03.162; 03.262; 09.42811

05.3; 09.3211; 10.5

Adopted/Amended: 8/6/2019

Order #: 2019-840

General Powers and Duties of the Board

The Board is an agent of the ~~Commonwealth of Kentucky~~State to administer school functions delegated to local districts by the ~~Kentucky General Assembly~~legislature. The ~~Board~~ powers and duties of the Board are set forth in the Kentucky Revised Statutes as follows:

ESTABLISHMENT OF SCHOOLS

The Board shall have general control and management of the public schools in ~~the its~~ District and may establish schools, educational programs, and provide for courses and other services as it deems necessary for the promotion of education and the general health and welfare of pupils, consistent with the administrative regulations of the Kentucky Board of Education.¹

CHARTER SCHOOLS

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

REQUEST FOR WAIVERS AND EXEMPTIONS

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

~~If When~~ approved as a District of Innovation by the Kentucky Board of Education, the District ~~may is to~~ be granted waivers and exemptions from selected Kentucky Administrative Regulations, Kentucky Revised Statutes, A, ~~and, for a~~ school of innovation; may be granted waivers of certain Board policies. A school may decide whether it voluntarily chooses to be designated as a school of innovation and, thus, be included in the District's application and plan. However, the Board may require a school identified for comprehensive support and improvement under [KRS 160.346](#) to participate in the District's plan of innovation.¹¹

SCHOOL FUNDS AND PROPERTY

The Board shall have control and management of all school funds and all ~~public~~ school property of the District and may use its funds and property to promote public education.

ADMINISTRATION

The Board shall exercise generally all powers prescribed by law in the administration of its public school system, appoint the Superintendent of schools, create and abolish positions, approve job descriptions and classifications, and fix the compensation and terms of office of employees.¹

It is the goal of the Board that the District employ qualified personnel for all positions, establish fair and equitable procedures for transfers and promotions within the system; and provide, to the extent possible, working conditions and resources that enable each employee to support the District's Mission to provide relevant, comprehensive, quality instruction in order to educate, prepare and inspire our students to learn.

General Powers and Duties of the Board**MANAGEMENT**

The Board may set goals for the District and shall make and adopt, and may amend or repeal, rules, regulations, policies and bylaws for its meetings and proceedings for the management of the schools and school property of the District, for the transaction of its business, ~~and~~ for the qualification and duties of employees, and the conduct of pupils.

SUBPOENA

The Board may, in any investigation or proceeding before it, concerning a matter that may be a proper subject of inquiry by it, summon witnesses by subpoena, enforce their attendance, and require that they testify under properly administered oath.²

INSURANCE

The Board may set aside funds to provide for liability and indemnity insurance against the negligence of the drivers or operators of school buses, other motor vehicles, and mobile equipment owned or operated by the Board.³ The Board may expend funds necessary for liability insurance premiums and for the defense of any civil action brought against an individual Board member in an official or individual capacity, or both, on account of an act made in the scope and course of the performance of legal duties as a Board member.⁴ The Board shall make available liability insurance coverage for the protection of all members of school councils from liability arising in the course of pursuing their duties as members of the councils.⁹

As long as they pay the full cost of premiums required, Board members may choose to participate in any group life insurance¹² or any group medical or dental insurance provided by the District for employees.¹⁰

FREE SUPPLIES

The Board may furnish necessary school supplies free of charge to indigent children in its school district, or to such other children as it deems advisable, under such rules and regulations as it may adopt.

The Superintendent shall recommend and the Board shall approve a process to waive fees for students who qualify for free and reduced-priced lunches. All students who qualify shall be informed in writing of the fee waiver provisions. Mandatory waiver of fees for qualifying students shall be accomplished in compliance with applicable statutory and regulatory requirements.⁵

REPORTS

The Board shall, on forms prepared by the Commissioner of Education and approved by the Kentucky Board of Education, prepare and submit to the Kentucky Board of Education reports on all phases of its school service. It may prepare and publish for the information of the public a report on the progress of its schools.⁶

General Powers and Duties of the Board

LEVY OF TAX RATES

As part of the budgetary process, and within the means of the tax structure and within the limits of its taxing power, the Board shall set and levy general and special building fund tax rates in compliance with statutory and regulatory requirements, including those mandated by the Kentucky General Assembly for the support of public education to promote and support the highest quality instructional program ~~to the highest quality possible within the means of the tax structure and to set the general and special building fund tax rates within the limits of its taxing power~~. When necessary, the District shall seek additional resources to support an adequate program of instruction and the construction of needed school facilities.⁷

Following approval of the District's general budget for the ensuing fiscal year, the Board shall levy the required ad valorem tax according to statutory requirements. Additional revenues from local tax sources shall be levied as designated by law when properly authorized.

The Board shall levy a tax rate sufficient to qualify the district for state matching funds under Support Education Excellence in Kentucky (SEEK) or other state matching fund programs ~~from the power equalization program fund~~. Prior to levying any local tax, the Board shall conduct a public hearing on the proposed local tax rates.

POWER TO BORROW FUNDS

The Board may borrow money on the credit of the Board and issue negotiable notes in anticipation of revenues from school taxes and state revenue for the fiscal year in which the money is borrowed, and may pledge the anticipated revenues for the payment of principal and interest on the loan.⁸ Debt limitations imposed by law shall be scrupulously observed.

CONTRACT WITH CONSULTANTS

The Board may contract for consulting services to provide specialized advice or assistance to the school system concerning educational, management, or administrative matters.⁴

Professional service contracts for \$20,000 or more shall be submitted to the Board prior to approval. The Superintendent is authorized to contract for all other professional services necessary for carrying out the policies of the Board without prior Board approval.¹³ A list of all professional service contracts (regardless of dollar amount) shall be presented to the Board on a monthly basis.

Where appropriate, the Board may require bids for consulting services to be sought.

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

APPLICATIONS FOR GRANTS

Schools, employees, and school-related groups who intend to apply for grants on behalf of the District or District schools shall first contact the Department of Resource Development. All grants sought shall contribute to the District's strategic plan.

General Powers and Duties of the Board

Except as specifically permitted by law, all grant applications that require a contract or the commitment of District funds, time or resources shall be submitted to the Board for prior approval. When an application deadline prevents Board consideration, the Superintendent is authorized to approve submission of the grant. All grants awarded and all grant agreements shall be submitted to the Board for approval.

NATIONAL MOTTO

Pursuant to the mandate in [KRS 158.195](#), each school in the District shall display a small poster (11" X 17") limited to the following language and displayed in a prominent location in the school:

The phrase "In God We Trust" first appeared on U.S. coins in 1864, largely because of increased religious sentiment existing during the Civil War. The phrase later became the national motto and, in 1957, made it onto printed U.S. bills.

RESPONSIBILITIES OF THE BOARD

The Board's chief concern is for the development and operation of the Jefferson County Public Schools in furthering the goals of quality education for each individual. Areas of action or functions which are proper responsibilities of the Board are as follows:

1. To promote and support the instructional program to the highest quality possible within the means of the tax structure;
2. To appoint a Superintendent of schools;
3. To oversee the administration of the schools in accordance with the Kentucky Revised Statutes and the policies of the Board, as permitted by law;
4. To set the general tax rates within the limits of its taxing power;
5. To examine and approve the annual budget;
6. To consider and pass upon the recommendations of the Superintendent, within the limits provided by the Kentucky Revised Statutes and federal law;
7. To receive from the Superintendent reports on the progress of the educational program;
8. To approve the purchase of building sites and enter into contracts for the erection of school buildings and additions necessary to provide adequate facilities ~~housing~~ for the school population;
9. To formulate and cause to be executed policies for the efficient operation of the District and all schools; and
10. To perform all other duties prescribed by the Kentucky Revised Statutes.

General Powers and Duties of the Board

REFERENCES:

- ¹[KRS 160.290](#)
- ²[KRS 160.300](#)
- ³[KRS 160.310](#)
- ⁴[KRS 160.160](#)
- ⁵[KRS 160.330](#)
- ⁶[KRS 160.340](#)
- ⁷[KRS 160.470](#)
- ⁸[KRS 160.540](#)
- ⁹[KRS 160.345](#)
- ¹⁰[KRS 160.280](#)
- ¹¹[KRS 156.108](#); [KRS 160.107](#); [KRS 160.346](#); [701 KAR 005:140](#)
- ¹²[KRS 18A.205](#); [KRS 18A.210](#)
- ¹³[KRS 160.370](#)
[KRS 116.200](#); [KRS 156.072](#); [KRS 156.160](#); [KRS 158.195](#)
[KRS 160.1590](#); [KRS 160.1592](#); [KRS 160.1593](#); [KRS 160.1594](#); [KRS 160.1595](#)
[KRS 160.1599](#); [KRS 161.158](#); [KRS 162.010](#); [KRS 416.560](#)
[OAG 91-10](#); [OAG 91-122](#); [OAG 95-10](#); [702 KAR 003:220](#); [702 KAR 004:160](#)

RELATED POLICIES:

01.41; 01.5; 01.7
03.124; 03.224; 04.92

Adopted/Amended: 10/15/2019
Order #: 2019-186

Board Committees

The Board may establish committees when deemed necessary by the Board. These committees shall serve in an advisory capacity and may not take action to bind the Board. All Board committee meetings shall be subject to the Kentucky Open Meetings Act.

RELATED POLICY:

10.2

Adopted/Amended: 5/28/2013

Order #: 2013-087

Board Member Code of Ethics

As members of a Kentucky Board of Education and mindful of the pledges made in their oath of office, Board members shall accept the duty to represent their community and their District's students, parents and staff and to improve public education by putting "students first" in their decisions. To that end they will:

1. Govern effectively and with integrity, emphasize student achievement and practice good stewardship of the District's human, financial and property resources;
2. Participate in all Board meetings, insofar as possible, having studied advance materials and, having given careful consideration to input from individuals and/or interested community groups, ready to base decisions on independent judgment;
3. Act as a staunch advocate for high quality schools, instructional curricula and professional staff dedicated to the educational welfare of all children, regardless of their race, color, national origin, age, religion, marital or parental status, political affiliations or beliefs, sex, sexual orientation, gender identity, gender expression, veteran status, genetic information, disability, or limitations related to pregnancy, childbirth, or related medical conditions ~~ability, race, creed, sex or social standing~~ and maintain knowledge about educational advances as they evolve;
4. Obey and uphold all laws, rules, regulations and court orders of the Commonwealth of Kentucky and of the United States, reserving the right to bring about needed changes through legal and ethical procedures;
5. Help their constituents to understand the importance of broad community support and involvement in the public schools, especially by encouraging citizen participation in Board meetings, and in turn, serve their constituents by helping ensure accountability of the schools to the community;
6. Recognize their duty to listen as well as to lead, respect opinions which differ from their own, reflect that no one member acts or speaks for the Board, and remember that final actions, made by majority vote in an official meeting, should be supported by all members;
7. Provide community insight to the Superintendent and evaluate the administration's responses to community expectations, work to adopt effective policies which give the administration authority commensurate to its responsibilities, demonstrate the support and respect due the District's skilled, professional employees and shun actions which could be interpreted as an attempt to run the schools through the administration;
8. Avoid even the appearance of conflicts of interest by never performing official acts or otherwise engaging in financial transactions with the school system which could benefit them, accepting gifts of substantial economic value which could be viewed as improper influence, or disclosing or using confidential information acquired in the course of official duties for personal gain.

Adopted/Amended: 8/11/2014

Order #: 2014-125

Liaison with School Boards Associations

The Board may maintain membership in the Kentucky School Boards Association. Since liaison with state and national school boards associations enhances the Board's ability to attain school District goals, the Board may also periodically subscribe to services of such groups.

Adopted/Amended: 5/28/2013

Order #: 2013-087

Administrative Organization

The administrative organization of the District shall be based upon an analysis of the functions necessary to meet the needs of the school system. Modifications in the organization plan shall be submitted to the Board for approval.

Adopted/Amended: 8/26/2013
Order #: 2013-150

Policy Review Cycle

Board Positions

Duties and Responsibilities of Chairperson and Vice-Chairperson

The duties of the Chairperson and Vice-Chairperson shall be as follows:

1. The Chairperson of the Board shall preside at all meetings of the Board and shall have a vote on motions placed for action before the board.
2. The Chairperson shall represent the Board in deliberations with other Boards, Districts, or agencies unless another member of the Board is so designated.
3. The Chairperson shall perform all duties required by the Kentucky Revised Statutes and shall perform such other duties as may be prescribed by action of the Board.
4. The Chairperson may call special meetings of the Board.¹
5. The Chairperson may make or second motions and vote on motions.
6. The Chairperson shall sign such documents on behalf of the Board as may require signature and countersign all orders of the Board² (including contracts and reports as required by law).
7. When outside agencies send communications and notifications only to the Chairperson, the Chairperson ~~s/he~~ shall bring before the Board information intended for all Board members.
8. In the event that the Chairperson of the Board is absent from any meeting of said board, the Vice-Chairperson of the Board shall act as Chairperson. In the event that both are absent, the Board shall designate another member of the Board to act as temporary Chairperson.
9. If for any reason the office of the Chairperson becomes vacant, the Vice-Chairperson shall act as Chairperson until a new Chairperson is elected and perform all duties of the chairperson when ~~he/she is~~ acting in that capacity. A new Chairperson shall be elected on or before the second regular meeting date following the vacancy and shall serve until the first regular organizational meeting in January.

REFERENCES:

¹[KRS 160.270](#)

²[KRS 160.440](#)

Adopted/Amended: 5/28/2013

Order #: 2013-087

Duties and Responsibilities of the Secretary**RECORDS**

The secretary shall keep the records of the Board and perform other duties imposed by the Board. All orders of the Board must be signed by the secretary and countersigned by the chairperson of the Board. The secretary shall be custodian of all securities, documents, title papers, and other papers of the Board under such conditions as the Board may direct. The secretary, when other than the Superintendent, shall make all records of the Board available to the Superintendent and the Board at any time upon request of the Superintendent or the Board.¹

MEETINGS

The secretary shall be present at the meetings of the Board except when the tenure, salary, or the administration of the office is under consideration and shall record in a book provided for that purpose all its official proceedings, which shall be a public record open to inspection unless otherwise exempted from inspection by law.²

In the absence of the secretary at a regular or special meeting, the Board shall designate an acting secretary who shall be authorized to certify any and all proceedings acted upon by the Board.

DESIGNATION OF SECRETARY

The secretary shall not be a member of the Board. The Board may appoint the Superintendent as secretary. However, if appointed secretary by the Board, the Superintendent shall not receive compensation in addition to that received for serving as Superintendent. If a person other than the Superintendent is appointed, the Board may fix a reasonable salary for the secretary.

The secretary may be appointed to a term ranging from one to four (1-4) years.

VACANCY OF APPOINTED BOARD OFFICERS

If a vacancy occurs in the office of secretary, the Board shall fill the vacancy not later than the first regular meeting after the vacancy has occurred.

REFERENCES:

¹[KRS 160.440](#)

²[KRS 160.270](#)

Duties and Responsibilities of the Treasurer**BOND**

The treasurer shall execute an official bond for the faithful performance of the duties of the office, to be approved by the local Board and the Commissioner of Education. The bond shall be guaranteed by a surety company authorized to do business in this state and shall be in an amount determined by the Board in accordance with the administrative regulations of the Kentucky Board of Education. The premium on the bond shall be paid by the Board and a copy filed with the Commissioner of Education.¹

DESIGNATION OF TREASURER

The Board shall appoint a treasurer who shall not be a member of the Board. The Board may appoint the secretary or the Chief Financial Officer to serve as treasurer. The Board may remove the treasurer from office at any time for cause by a vote of a majority of the members of the Board.

DEPOSITS

The treasurer shall receive all monies to which the Board is entitled by the Constitution or by the statutes, except as otherwise provided by law, or which may in any way come into its possession, and deposit such funds in the properly designated depository. The treasurer shall withdraw such funds from the depository only upon proper order of the Board.¹

ACCOUNTS

The treasurer shall keep a full and complete account of all funds in such manner and make such reports concerning them as is required by the Board or by the Kentucky Board of Education. The treasurer shall preserve all records relating to the transactions and duties of the office and turn them over to a successor along with all public funds on hand and all accounts and records after due and proper audit is made by a competent outside agent when s/he is required to do so by the Board.¹

PAYMENTS

The treasurer shall issue checks on the depository for payment of all legal claims, which have been authorized for payment in accordance with policies previously adopted by the Board and approved by the Commissioner of Education.¹

VACANCY OF APPOINTED BOARD OFFICERS

If a vacancy occurs in the office of treasurer, the Board shall fill the vacancy not later than the first regular meeting after the vacancy has occurred.

REFERENCES:

¹[KRS 160.560](#)
[KRS 160.613](#); [KRS 160.614](#); [KRS 160.615](#); [KRS 160.621](#)
[KRS 160.625](#); [KRS 160.627](#); [KRS 160.635](#); [KRS 160.637](#)
[702 KAR 003:080](#)

RELATED POLICIES:

See section 04

Adopted/Amended: 5/28/2013
Order #: 2013-087

Board Attorney

The Board may employ a general counsel to serve as legal advisor to the Superintendent, staff, and the Board. A law firm may be retained to serve as a resource to the general counsel and to handle matters outside the scope of general counsel.

REFERENCES:

[OAG 58-41-216](#)

[OAG 56-38-219](#)

Hogan v. Glasscock, Ky.324 SW(2d) 815, 75 ALR 2d 1335 (1959)

Adopted/Amended: 5/28/2013

Order #: 2013-087

Policy Review Cycle

Board Members

Board Member Qualifications**ELIGIBILITY**

Board member qualifications are established by applicable provisions of the Kentucky Constitution and Kentucky Revised Statutes. ~~The~~These-specific constitutional and statutory provisions prevail over the following general description. To be eligible for membership on the Board, a person must meet the following qualifications:¹

1. Has attained the age of twenty-four (24) years;
2. Has been a citizen of Kentucky for at least three (3) consecutive years preceding the person's ~~his/her~~ election;
3. Is a legally qualified voter of the division or district (in the case of independent school districts) for which the person ~~s/he~~ is elected;²
4. Has completed at least the twelfth grade or has been issued a High School Equivalency Diploma;
5. Cannot hold any elective federal, state, county, or city office, serve as an officer or employee of a city, county, town or other municipality, hold an office of "trust or profit" under the United States or another state, or serve as an appointed officer of a special purpose governmental entity with taxation authority, unless specifically authorized by statute;
6. As of the date of election, has no interest, direct or indirect, in the sale to the Board of books, stationery or any other property, materials, supplies, equipment, or services for which school funds are expended;
7. Has never been removed from membership on a Board of Education for cause; and
8. Has no relative, as defined in [KRS 160.180](#), employed by the District. This prohibition does not apply to a member holding office on July 13, 1990 who has a relative who was initially employed by the District before the member was elected to the Board.

A Board member shall be eligible for reelection unless the member ~~s/he~~ becomes disqualified.

REFERENCES:

¹Kentucky Constitution Sections 165, 237; [KRS 61.080](#); [KRS 160.180](#)

²[Moore v. Tiller](#), KY., 409 S.W. 2d 813 (1966); [KRS 160.210](#)
[OAG 18-018](#); [OAG 80-234](#); [OAG 14-005](#)

Adopted/Amended: 8/7/2018

Order #: 2018-177

Board Member Disqualifications**CONFLICT OF INTEREST**

If, after the election of any member of the Board, ~~the member s/he~~ becomes interested in any contract with or claims against the Board, or if ~~he or she s/he~~ moves ~~his or her his/her~~ residence from the district for which ~~he or she s/he~~ was chosen, or if ~~the member s/he~~ attempts to influence the hiring of any District employee except the Superintendent, Board Attorney, Board Secretary, or Board Treasurer, or if ~~the member s/he~~ does anything that would render one ineligible for re-election, ~~the member s/he~~ shall be subject to removal from office pursuant to [KRS 415.050](#) and [KRS 415.060](#).¹

Board members shall not purchase supplies, equipment, or services for their personal use through the school District's bidding or purchasing procedures.

No Board member shall be financially interested, directly or indirectly, in the sale to the Board of books, stationery, or any other property, materials, supplies, equipment, or services for which school funds are expended.

IRREGULAR ATTENDANCE

Any Board member failing to attend three (3) consecutive regular meetings, unless excused by the Board for reason satisfactory to it, shall be removed from office pursuant to [KRS 415.050](#) and [KRS 415.060](#).²

POLITICAL SOLICITATION

No candidate for the Board shall solicit or accept any political assessment, subscription, contribution, or service of any District employee.³

RESIGNATIONS OR REMOVAL

A Board member who disqualifies ~~himself or him~~ herself does not automatically lose ~~his or her his/her~~ position on the Board and ~~the member's his/her~~ acts are valid until ~~he or she s/he~~ either resigns or is suspended by action taken by the Commissioner of Education and the Kentucky Board of Education, or removed ~~is~~ by action taken by the Attorney General.

REFERENCES:

¹[KRS 160.180](#)

²[KRS 160.270](#)

³[KRS 161.164](#)

[KRS 61.080](#), [KRS 62.010](#)

[KRS 156.132](#), [KRS 161.990](#); [KRS 415.050](#); [KRS 415.060](#)

[OAG 65-211](#); [OAG 83-369](#); [OAG 88-35](#); [OAG 90-141](#); [OAG 92-145](#)

Board Vacancy

APPOINTMENT

Vacancies on the Board shall be filled by a majority vote of the remaining members of the Board within sixty (60) days after the vacancy occurs. Within thirty (30) days of the vacancy, the Board shall, for two (2) weeks, solicit applications by posting a notice on the District's website and place an advertisement for two (2) weeks in the newspaper of the largest general circulation in the county to solicit applications.

An applicant shall file a letter of intent with the Board affirming that ~~the applicant s/he~~ meets the legal qualifications for the office as established by [KRS 160.180](#). In addition, the applicant shall submit a transcript as evidence of completion of the twelfth (12th) grade or results of a twelfth (12th) grade equivalency exam.

The Board shall select from the applicants who complete this process. Discussions that may lead to the appointment of an individual to fill the vacancy may take place in closed session. Such discussions may include individual interviews and consideration of individual applicants.¹ Final action to fill the vacancy shall be taken in open session.

As the executive agent of the Board, the Superintendent shall provide written notice to the following parties when a vacancy occurs or is expected to occur and also when a vacancy has been filled or has not been filled within the sixty (60) day timeline:

- Kentucky Secretary of State;
- ~~Jefferson~~ _____ County Clerk;
- Commissioner of Education; and
- Kentucky School Boards Association.

If the Board fails to make the appointment within the subject sixty (60) day timeline, then the Commissioner of Education shall fill the vacancy within sixty (60) days of the Board's failure to appoint. The member, meeting the legal requirements to fill the vacancy, shall hold office until ~~his/her~~ a successor is elected and has qualified.

ELECTION

Any vacancy having an unexpired term of one (1) year or more on August 1 shall be filled for the unexpired term by an election to be held at the next regular election after the vacancy occurs. The elected member shall succeed the member chosen by the Board or the Commissioner of Education to fill the vacancy.

If no candidate files a petition of nomination to fill this unexpired term, then a new vacancy shall exist on November 1 and that vacancy shall be filled by the Board as prescribed by law.

If no candidate files a petition of nomination for a new term pursuant to [KRS 118.315](#) and [KRS 118.365](#), then a vacancy shall exist on January 1 and that vacancy shall be filled by the Board as prescribed by law.²

Board Vacancy

REFERENCES:

¹[KRS 61.810](#); The Courier Journal and Louisville Times Company and Keith Runyon v. University of Louisville Board of Trustees, et. al, 596 S.W. 2d 374 (1979)

²[KRS 160.190](#)
[KRS 118.315](#); [KRS 118.365](#); [KRS 160.180](#)
[OAG 81-316](#)

RELATED POLICY:

01.2

Adopted/Amended: 7/16/2019
Order #: 2019-714

Board Member Compensation and Expenses**PER DIEM**

Board members shall receive a per diem of one-hundred-fifty dollars (\$150) for each day a regular or special Board meeting is attended or for each day a training session required by law is attended, not to exceed \$6,000 per calendar year per member.

IN-DISTRICT EXPENSES

Members shall be reimbursed for actual and necessary expenses incurred within the District while attending to Board business, not to exceed \$6,000 per calendar year per member.

Actual mileage shall be reimbursed at the same rate as for employees of the District.

Meals incurred inside the District shall not be reimbursed, except for banquets that members attend representing the District.

DEDUCTIONS

At the request of a Board member, deductions from per diem and expense reimbursement may be made for, but not be limited to, membership dues that provide a reasonable business benefit, health insurance purchases, scholarship funds, and contributions to a political action committee.

OUT-OF-DISTRICT TRAVEL

Board members shall be reimbursed for actual and necessary expenditures incurred outside the District. Board members are encouraged to attend school board conferences, conventions and workshops on a local, regional, state and national level and other officially called meetings related to education or school matters. Board members shall obtain Board approval prior to incurring out-of-district expenses.

All claims for reimbursement of necessary expenses incurred in attending such meetings, ~~and/or~~ conferences shall be made out according to law and filed with the secretary of the Board ~~and shall be approved and paid in accordance with for approval and payment~~ District Travel Guidelines.. Reimbursement for meals and mileage shall be at the same rates as that for employees of the District. Reimbursement for other necessary expenses shall be documented by receipts. With prior Board approval, expenses such as airfare and hotel costs may be paid directly to the vendor. No other advancements for anticipated expenses shall be made.

Expenses for personal entertainment shall not be reimbursed.

Expenses not in compliance with this policy shall not be reimbursed or paid by the Board.

CREDIT CARDS

Board members shall not be issued District credit cards.

SPOUSE'S TRAVEL

All travel expenses of spouses shall be paid by the Board member at the time the expense is incurred. There shall be no reimbursement of such expenditures.

REFERENCES:

[KRS 160.280; KRS 161.158](#)
[OAG 76-329; OAG 80-395; OAG 85-53; OAG 92-136](#)

RELATED POLICIES:

01.4; 03.125; 03.225

Adopted/Amended: 8/6/2019

Order #: 2019-840

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 the Kentucky School Boards Association (KSBA), he or she ~~they~~ shall have local Board approval prior to participation in the training event and shall send a copy of the record of approval (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 addition to the in-service training required by state law, Board members shall be encouraged to participate in activities such as:

1. Attendance at school ~~board~~ Board and administrative conferences, conventions, and workshops on a local, regional, state, and national level;
2. Exchange of ideas through joint meetings with neighboring school boards;
3. Reports on educational programs presented at Board meetings by the Superintendent and staff; and
4. Regular exposure to professional journals and papers.

In-Service Training

IN-SERVICE TRAINING REGARDING CHARTER SCHOOL AUTHORIZATION

Separate and apart from the above in-service training, each member of the Board shall participate in in-service training regarding charter school authorization 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 authorization training shall not be required of any Board member until a charter application is submitted to the Board or boards.²

The charter authorization 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 talented, and other special population students; and
11. Physical restraint and seclusion of students.

NEW BOARD MEMBER ORIENTATION

Each new member of the Board shall be afforded every opportunity to learn the functions and responsibilities entailed by election to the Board. It shall be the duty of the Superintendent and the administrative staff to assist each member-elect in understanding the functions, policies, and procedures of the Board and the operation of the school system before taking office. The following procedures shall be employed as a minimum:

- 1) The member-elect shall be given selected materials on the function of the Board and of the school system.
- 2) A copy of the Board's policies and bylaws and a copy of the administrative procedures shall be provided each new member, either in paper and/or electronic format.

In-Service Training

NEW BOARD MEMBER ORIENTATION (CONTINUED)

- 3) A copy of the current budget of the school system and the opportunity to become fully acquainted with the financial structure of the school system shall be provided each member-elect.
- 4) The member-elect shall be invited to attend Board meetings and to participate in discussion prior to actual induction.
- 5) The incoming member shall be invited to meet with the Superintendent and other administrative personnel whom the Superintendent shall designate to discuss the services they perform for the Board.

REFERENCES:

¹[KRS 160.180](#)

²[KRS 160.1594](#)

[701 KAR 008:020](#)

[702 KAR 001:115](#)

[OAG 85-53; OAG 85-145](#)

Adopted/Amended: 7/21/2020
Order #: 2020-101

Policy Review Cycle Board Meetings

Board Meetings

The Board, as elected representatives of the people, shall uphold democratic principles which underlie its governance of the public school system. Acknowledging the responsibility conferred upon it by the electorate, the Board shall function in a democratic manner.

RULES OF ORDER

Robert's Rules of Order, Newly Revised, shall be the official authority of the Board on all points of parliamentary procedure, except when changed by statute or regulation of the Board.

The chairperson shall have all privileges and rights of all other members, including the right to make a motion, speak to a motion, and vote.

SUSPENSION OF RULES OF ORDER

Any rule or regulation which the Board has authority to make, or any portion of such rule or regulation, may be amended or suspended at any time by a two thirds (2/3) majority vote of the members of the Board.

QUORUM

At a meeting of the Board, a majority of the members shall constitute a quorum. No action shall be taken unless a quorum is present.¹

MAJORITY VOTE

A concurring vote of a majority of the full Board is necessary to take any particular action, unless otherwise specified by statute.²

VOTING METHOD

Verbal or hand votes, including those of the chairperson, shall be taken on all motions considered by the Board, and the vote shall be entered in the minutes.

ABSTENTIONS

Members of the Board who are present but abstain from voting are considered as acquiescing with the majority.² Abstentions shall be recorded as such.

MINUTES

The minutes of actions taken at every meeting of the Board, setting forth an accurate record of votes and actions at such meetings, shall be promptly recorded, and submitted for approval at the next regularly scheduled meeting, and such records shall be open to public inspection at reasonable times after they have been approved by the Board. Minutes of an executive session shall be an exception to this policy.

Minutes shall be maintained in an official record book designated for said purpose. A copy of the proceedings shall be sent to Board members upon request. Minutes may not be changed to reflect an individual's vote different from that actually cast. Minutes may be changed only to correct errors and to reflect an accurate account of actual conduct of Board meetings.

Meetings

MINUTES (CONTINUED)

Recordings ~~Tapes~~ of the discussion may be maintained for preparation of the minutes.

REFERENCES:

¹[KRS 160.270](#) (1)

²[OAG 82-374](#); Payne v. Petrie, Ky., 419 S.W. (2d) 761 (1967)

[OAG 88-35](#)

[OAG 92-77](#)

[OAG 92-136](#)

03-OMD-006

Adopted/Amended: 5/28/2013

Order #: 2013-087

Organizational Board Meetings

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

The Board shall conduct an organizational meeting at its first regular meeting in January. At the organizational ~~this~~-meeting, the Board shall elect a Chairperson and a Vice-Chairperson from among its members.

TERM OF OFFICE FOR CHAIRPERSON AND VICE-CHAIRPERSON

The Chairperson and Vice-Chairperson shall serve one (1)-year terms beginning immediately following their election.

REFERENCE:

[KRS 160.160](#)

RELATED POLICY:

01.45

Adopted/Amended: 5/9/2017
Order #: 2017-138

Regular Board Meetings**TIME AND PLACE**

The Board shall conduct an organizational meeting at its first meeting in January. The dates, times, and places of regular meetings shall be approved each year by the Board and entered in its minutes. The schedule of regular meetings shall be made available to the public.² Rescheduled regular meetings shall be noticed and held as special meetings.^{1 & 4}

Notice to Board members of regular meetings shall be given by adoption of scheduled meeting dates, times, and places.

The Board may, at its discretion, conduct its meetings at places and dates other than those approved, provided that Board members and the general public receive timely notice in keeping with statutory requirements for special called meetings.

The Board shall hold at least one (1) regular business meeting each month.

There are two types of regular meetings of the Board:

1. Board Business Meetings; and
2. Board Work Session Meetings.

The agenda formats for Board Business Meetings and Board Work Session Meetings are established in Board Policy 01.45.

All meetings of the Board, and any committees or subcommittees thereof, shall be held at specified times and places which are convenient to the public.

Note: Additional notice requirements applicable to regular meetings held for purposes of adopting the school calendar are located in [KRS 158.070](#) and are covered in Board Policy 08.3.

OPEN MEETINGS

All meetings of a quorum of the members of the Board at which any public business is discussed or at which any action is taken are to be public meetings, open to the public at all times, except as provided in [KRS 61.810](#).³

VIDEO TELECONFERENCES

The Board may conduct its meeting by video teleconference (including closed sessions). Notice of a video teleconference shall comply with the requirements of [KRS 61.820](#). In addition, the notice shall clearly state that the meeting will be a video teleconference and precisely identify a primary location of the video teleconference where all members can be seen and heard and the public may attend in accordance with [KRS 61.840](#).

The same procedures with regard to participation, distribution of materials and other matters shall apply in all video teleconference locations.

REFERENCES:

¹[KRS 160.270](#)

²[KRS 61.820](#); [OAG 78-274](#); [OAG 78-614](#)

³[KRS 61.810](#)

⁴92-OMD-1677; 04-OMD-056

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.42
(CONTINUED)

Regular Board Meetings

REFERENCES: (CONTINUED)

[KRS 61.826](#); [KRS 61.840](#); [KRS 158.070](#)
17-OMD-148

RELATED POLICIES:

01.421; 01.43; 01.44; 08.3; 08.31

Adopted/Amended: 8/7/2018
Order #: 2018-177

Public Participation in Open Meetings

The Board shall conduct its meetings in a manner which engenders public confidence and provides for full discussion of the issues and for the input and exchange of ideas in a reasonable manner to the end that appropriate decisions will be reached.

PUBLIC ATTENDANCE

The Board shall comply with the Kentucky Revised Statutes in the conduct of its meetings. All regular and special Board meetings shall be open to the public and the news media. The public shall be given notice of the time and place of Board meetings via the news media. No person may be required to identify himself or herself in order to attend any such meeting.¹

EXCEPTION

The Chairperson shall be responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public discussion, the appropriateness of the subject being presented, and the suitability of the time for such presentation. The Board, as a whole, shall have the final decision in determining the appropriateness of all such rulings. The Chairperson may impose conditions upon attendance at a given meeting only if such conditions are required for the maintenance of order.¹

PUBLIC PARTICIPATION/SPEAKERS

Recognizing its responsibility to conduct the business of the ~~school~~-District in an orderly and efficient manner, the Board shall require reasonable controls for public presentations to the Board. Persons wishing to address the Board must first be recognized by the Chairperson.

Members of the public may be given time to voice opinions or express concerns. The Chairperson may require the name and address of the speaker to be provided.

Public viewpoint shall be recorded in the minutes if the speaker provides the Board secretary with a copy of his or her ~~his/her~~ remarks.

1. Any person ~~or persons~~ wishing to present a matter to the Board shall register with the secretary of the Board at least fifteen (15) minutes prior to the start of the meeting. The speaker's name, contact information, and subject of the presentation shall be stated at that time.
2. Any materials presented to the Board shall be forwarded prior to or following all Board meetings to the Assistant Secretary to the Board for dissemination purposes.
3. Speakers shall be limited to a maximum of three (3) minutes each and may not share these minutes with any other speaker; however, a person with a medically recognized disability who is entitled to a reasonable accommodation under the Americans with Disabilities Act (ADA) shall be given an additional minute to speak. The Board shall reserve the right to limit, extend or terminate discussion on any subject.
4. Discussion of personnel matters is not permitted, as the Board has no legal authority regarding such matters, and such discussion is not appropriate. If a person begins to discuss a personnel matter, the Chair shall immediately terminate the speaker's remarks.

Public Participation in Open Meetings**PUBLIC PARTICIPATION/SPEAKERS (CONTINUED)**

5. At a public Board meeting, no person may orally initiate charges or complaints against an individual District employee. Discussion of a District employee by name or position is not permitted, in order to ensure confidentiality and fairness for the employee. If a person discusses a District employee by name or position in their remarks to the Board, the Chair shall immediately terminate the speaker's remarks.
6. Undue interruption or other interference with the orderly conduct of Board business cannot be allowed. Defamatory or abusive remarks are always out of order. The Chairperson may terminate the speaker's participation if, after being called to order, the speaker persists in improper conduct or remarks.
7. Speakers before the entire Board are not allowed to use props, displays, or any other objects during their presentations. However, informational handouts may be given to the Assistant Secretary to the Board and distributed in accordance with Board Policy.
8. Persons within the audience are allowed to have signs in the Board chambers that are no larger than 8 ½ x 11 inches. However, such signs may not be attached to any sort of stick and must be displayed in a manner that does not inhibit others from viewing the Board meeting.
9. Speakers may not engage in electioneering or the endorsement of any commercial product or service.

NEWS MEDIA REPRESENTATIVES

All news media representatives will be encouraged to attend Board meetings. Prior to each meeting, the Superintendent shall notify the media as to the major business to be conducted and the time and place of the meeting. News media coverage, including but not limited to recording and broadcasting, shall be permitted and encouraged at all regular and special Board meetings. In accordance with Kentucky open meetings laws, news media shall not be permitted to attend executive sessions of the board. The Board, through the Superintendent/designee, shall make available meeting announcements and reports to keep the public informed as to the plans and activities of the school system.

REFERENCE:

¹[KRS 61.840](#)

RELATED POLICIES:

01.45; 10.2

Adopted/Amended: 8/7/2018
Order #: 2018-179

Executive Sessions**AUTHORIZATION**

The Board may at any meeting go into executive session to discuss any matters which it may lawfully discuss at a closed meeting.¹

All meetings of the Board shall be open to the general public, except meetings on issues permitted to be discussed in closed meetings under [KRS 61.810](#), including but not limited to the following topics:

1. Deliberations on future acquisition or sale of real property, but only when publicity might affect the value;
2. Discussion of proposed or pending litigation against or on behalf of the Board;
3. Collective bargaining negotiations strategy;
4. Discussions or hearings which might lead to the appointment, discipline, or dismissal of an employee, member or student (unless the person being considered requests an open meeting), provided that this exception is designed to protect the reputation of individual persons and shall not be interpreted to permit discussion of general personnel matters in secret; and
5. Meetings which Federal or State law specifically requires to be conducted in privacy.

REQUIREMENTS

The above matters may be discussed in executive session only if the following conditions are met:

1. Notice shall be given in open meeting of the general nature of the business to be discussed in executive session and the reason, and the specific provision of KRS 61.810 authorizing the executive session;
2. Executive sessions shall be held only after a motion is made and carried by a majority vote in open, public session;
3. No final action shall be taken at an executive session, except as permitted by law;²; and
4. No matters shall be discussed in an executive session other than those publicly announced prior to convening the executive session.

Closed sessions by video teleconference may be held in properly noticed meetings as provided in [KRS 61.826](#).⁴

SERIAL MEETINGS PROHIBITED

No series of meetings of less than a quorum of the Board, where those attending one or more meetings collectively constitute a quorum of the Board, may be held where the meetings are designed to avoid the requirements of the Open Meetings Law. Discussions between individual Board members may be held if the purpose of the discussion is to educate the members on specific issues.

Executive Sessions

REFERENCES:

¹[KRS 61.810](#)

²[OAG 81-135](#)

³[KRS 61.815](#)

⁴[KRS 61.826](#)

15-OMD-090

Adopted/Amended: 8/7/2018

Order #: 2018-177

Special Called Meetings**AUTHORIZATION**

The Board may hold such special meetings as are necessary to expedite its business.¹ A special meeting may be open or closed, and the Board may accordingly conduct any activities in a special meeting that are permitted in an open or closed meeting.² The Board may consider only those subjects set forth in the notice of the meeting and agenda.³

CALL AND NOTICE

Special meetings may be called at any time by the chairperson or by written request of three (3) of the members to the secretary of the Board. The notice shall consist of the date, time and place of the special meeting and the agenda. Discussion and action at the meeting shall be limited to items listed on the agenda in the notice.¹

DELIVERY AND TIMING OF NOTICE

Notice of a special meeting shall be delivered personally, by mail, by facsimile machine, or by electronic mail (email) to each Board member and to each local newspaper of general circulation, each news service, and each local radio and television station, which has on file with the Board written request to be notified of special meetings. The notice shall be delivered at least twenty-four (24) hours prior to the specified time of the meeting and shall list the matters to be discussed. Written notice shall also be posted at least twenty-four (24) hours before the meeting in a conspicuous place in the building where the meeting will take place and in the Board central office.⁴

EXCEPTION

Requirements for notice, delivery and timing are not required in case of an emergency, which prevents compliance. If emergency conditions exist such that injury, or damage to personal property, or financial loss to the Board is likely, less than twenty-four (24) hours notice may be given. In such a case reasonable effort shall be made to notify Board members, media organizations that have filed a written request for notification and the public of the emergency meeting. At the beginning of the meeting, the Chairperson shall explain, for the record, the emergency circumstances preventing compliance with notice, delivery and timing requirements. This explanation shall be recorded in the minutes of the meeting. Discussion and action at this meeting shall be limited to the emergency for which the meeting has been called.⁴

REFERENCES:

¹[KRS 160.270](#)

²[OAG 78-274](#)

³[OAG 77-221](#); [OAG 61-24](#)

⁴[KRS 61.823](#)

92-OMD-1677

Board Meeting Agenda**AGENDA PREPARATION AND DISSEMINATION**

The Superintendent shall consult with the Board Chairperson to ensure that an agenda is prepared for all regular and special meetings of the Board. For special meetings, the Board shall consider only those matters that are listed on the agenda.

There are two types of regular meetings of the Board:

1. Board Business Meetings; and
2. Board Work Session Meetings.

The Board Business Meeting format includes agenda items necessary for the Board to conduct the regular business of the District, including action items, information items, and a consent calendar. The Board Work Session Meeting format is designed to permit the Board to receive information and have in-depth discussions regarding key issues confronting the District, to better inform subsequent decisions and actions, and also includes a consent calendar for items necessary for the Board to conduct the regular business of the District.

Board members may review and offer suggestions for future Board meeting agendas during the Board Planning Calendar portion of regular Board Business meetings. Board members may also suggest topics for inclusion via e-mail to the Board Chairperson, with copy to the Superintendent. Board input is considered and coordinated as the Superintendent and Board leadership develop subsequent Board Planning Calendars and Board Meeting Agendas. In some instances, the Board Chairperson and Superintendent may determine that a requested topic is best addressed through a written report to Board members rather than through inclusion on the Board Meeting Agenda.

Agenda Items and related presentations and supporting or background material shall be provided to the Board members on or before the Tuesday seven (7) days preceding the regular meeting except if significant extenuating circumstances preclude it. Any Item added to the Agenda after that date shall note the necessity for immediate action in the rationale for that Item.

Items may be placed on a proposed special called meeting agenda at the direction of the Chairperson and shall be placed on the proposed agenda if requested in writing by three (3) or more Board members.

The agenda of a regular meeting may be amended at the meeting upon affirmative vote of at least four (4) members. However, once the agenda for a special called meeting is posted and delivered to Board members and requesting media, it may only be amended when a new notice and reposting of the agenda, as amended, is completed prior to the twenty-four (24) hour period before the meeting as required by statute.

To reflect the Board's focus on advancing student achievement, the agenda for regular meetings shall be developed in accordance with the following requirements:

1. The agenda may include a student presentation, performance, or other demonstration of student learning.
2. The Board shall recognize the achievements and contributions of students, staff, schools/councils, or community members.

(CONTINUED)

Board Meeting Agenda**AGENDA PREPARATION AND DISSEMINATION (CONTINUED)**

3. The Board shall receive communications from citizens and schools/councils.
4. Each meeting shall contain opportunities for dialogue among Board members and Superintendent concerning student achievement issues, including the impact of student learning and support services and an analysis of progress indicators and data.
5. Each Board Business meeting shall contain an opportunity for Board members to report on noteworthy events pertaining to the work of schools and the District. Reports are expected to be brief, and other opportunities for sharing information with fellow Board members and the public will be made available to Board members for more extensive communications.
6. The agenda for Board Business meetings shall reflect a regular schedule of reports to the Board on the status of District finances, programs, and services.
7. To the extent practicable, standard and/or recurring business shall be organized under the Consent Calendar.

BOARD BUSINESS MEETING AGENDA FORMAT

- I. Moment of Silence
- II. Pledge of Allegiance
- III. Recognitions and Resolutions
- IV. Approval of Meeting Agenda
- V. Minutes
- VI. Superintendent's Report
- VII. Persons Requesting to Address the Board
- VIII. Action Items
- IX. Information Items
- X. Consent Calendar
- XI. Board Planning Calendar
- XII. Committee Reports
- XIII. Board Reports
- XIV. Persons Requesting to Address the Board (if necessary)
- XV. Executive Session (if necessary)
- XVI. Action Item (if necessary)
- XVII. Adjournment

Board Meeting Agenda

As applicable, the policy, statute or regulation that authorizes each business item and a short synopsis of each item shall appear on the agenda.

PERSONS ADDRESSING THE BOARD AT A BOARD BUSINESS MEETING

The following shall apply regarding persons addressing the Board at a Board Business Meeting:

1. Persons addressing the Board shall comply with provisions of Board Policy 01.421.
2. All persons who wish to address the Board regarding items on the Board Agenda shall be permitted to speak prior to persons wishing to speak regarding non-agenda items.
3. A maximum of forty-five (45) minutes shall be allocated for Agenda Item VII. Speakers who are unable to be accommodated under Agenda Item VII. due to the time limitation may address the Board under Agenda Item XIV.

BOARD WORK SESSION MEETING AGENDA FORMAT

- I. Approval of Meeting Agenda
- II. Minutes
- III. Work Sessions
- IV. Persons Requesting to Address the Board
- V. Consent Calendar
- VI. Persons Requesting to Address the Board (if necessary)
- VII. Adjournment

As applicable, the policy, statute or regulation that authorizes each business item and a short synopsis of each item shall appear on the agenda.

PERSONS ADDRESSING THE BOARD AT A BOARD WORK SESSION MEETING

The following shall apply regarding persons addressing the Board at a Board Work Session Meeting:

1. Persons addressing the Board shall comply with provisions of Board Policy 01.421.
2. All persons who wish to address the Board regarding items on the Board Agenda shall be permitted to speak prior to persons wishing to speak regarding non-agenda items.
3. A maximum of forty-five (45) minutes shall be allocated for Agenda Item IV. Speakers who are unable to be accommodated under Agenda Item IV. due to the time limitation may address the Board under Agenda Item VI.

CONSENT CALENDAR ITEMS

Routine matters and recommendations of the Superintendent that the Board has had an opportunity to review and about which no opposition is expected will be voted on as a single item in a Consent Calendar. Any Board member may request an agenda item to be removed from the Consent Calendar for consideration as a separate item. To assist in the conduct of orderly and effective

Board Meeting Agenda**CONSENT CALENDAR ITEMS (CONTINUED)**

Board meetings, the Board member should make every effort to submit the request prior to the meeting via e-mail to the Board Chairperson, copying the Superintendent.

Depending on the reason for the request and whether Board action is time-sensitive, the Board Chairperson may:

1. Remove the item from the agenda entirely, and add it to the agenda of the next regularly scheduled Board meeting as an Action Item; or
2. Remove the item from the Consent Calendar so the Board may consider it as a separate item during the current Board meeting.

BOARD MEMBER REQUESTS FOR INFORMATION REGARDING AGENDA ITEMS

To assist in the conduct of orderly and effective Board meetings, to the degree possible, questions by Board members regarding Board agenda items and clarification of recommendations to the Board should be dealt with prior to the meeting. Board members should submit requests for information regarding Board agenda items to the Superintendent as early as possible to allow the Superintendent and staff adequate time to prepare a response prior to the Board meeting.

DISTRICT EMPLOYEES/MEMBERS OF THE PUBLIC

District employees and members of the public may address the Board during the period set aside by the Board without submitting an item for the agenda. No action shall be taken during this portion of the meeting on issues raised by employees or the public unless deemed an emergency by the Board.

Employees' concerns dealing with a grievance/communication issue must first be addressed in keeping with the Board's established policies and procedures~~policy/procedures~~.

REFERENCE:

[KRS 160.290](#)

RELATED POLICIES:

01.421
01.44
01.5
03.16/03.26

Adopted/Amended: 12/10/2019
Order #: 2019-215

Policy Review Cycle

Board Policies

School Board Policies**BOARD POLICY DEVELOPMENT**

The legal responsibility for policymaking belongs to the Board. The Superintendent, as executive officer of the Board, shall see that policies are executed as provided by law. As in all matters, the Board's rules and regulations shall conform to law and the rules and regulations of the ~~Kentucky state~~ Board of Education.

The Board shall be the legislative body which determines all questions of general policy to be employed in the governance of the public schools.

The formulation and adoption of written policies shall constitute the basic method by which the Board exercises its leadership in the operation of the ~~school~~ District. All policies developed for adoption shall be reviewed by the General Counsel to the Board. The study and evaluation of reports concerning the execution of its written policies shall constitute the basic method by which the Board exercises its control over the operation of the District.

The formal adoption of policies shall be recorded in the minutes of the Board. The Board shall adopt only those policies which it believes to be sound and workable. Only those written statements so adopted and so recorded shall be regarded as official Board policy. They shall be set by the Board to clarify relationships with employees; to regulate and give positive direction to employees; and to aid in the evaluation of school services.

To the extent practicable, District employees to be affected by a decision shall have the opportunity to participate or have input into decision making. Appropriate areas for broad participation by District employees shall include, but not be limited to, policy development, development of administrative procedures, budget planning, curriculum development, and textbook and materials selection.

TOPICS

The Board shall file in the Board's office its policies including, but not limited to, the following matters:

1. Transportation of pupils;
2. Discipline and conduct of pupils;
3. Limitations or restrictions on use of school facilities;
4. Conduct of meetings of the Board; including policies on the calling of executive sessions;
5. Personnel policies that apply to:
 - a. Certified employees including duties, fringe benefits, salary schedules, non-classroom duties, professional development, teacher-student ratio, hiring, assignment, transfer, dismissal, suspension, reinstatement, promotion and demotion; and

School Board Policies**TOPICS (CONTINUED)**

- b. Classified employees addressing terms and conditions of employment; identification and documentation of fringe benefits, employee rights, and procedures for the reduction or laying off of employees; and discipline guidelines and procedures that satisfy due process requirements.
6. Employment and evaluation of the Superintendent ~~of schools~~;
7. Identification and statement of District goals and objectives and establishment of criteria to determine District progress;
8. Evaluation of certified and classified employees;
9. Selection of textbooks and instructional materials;
10. Expenditure and accounting for school funds, including all special funds; and
11. Policies dealing with school-based decision making.¹

INTENTION

It is intended that these policies shall cover matters within the authority and discretion of the Board and not matters otherwise required by law or regulation.¹

REVIEW AND UPDATING

Written policies shall be reviewed regularly and shall be used consistently by the Board as a basis for its actions. Such policies shall be kept up-to-date by filing annual amendments thereto by August 15 and shall be public records.

ENACTMENT OF POLICY

Policies shall be submitted to the Board for first reading prior to approval by the Board. In an emergency situation, the Board may enact or revise a policy in the same meeting that it is initially introduced.

DISSEMINATION AND IMPLEMENTATION OF POLICY

The Superintendent shall monitor the implementation of Board policies and administrative procedures and shall establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Board and the procedures needed to put the policies into effect. It shall be the responsibility of each administrator to inform all employees supervised as to the location of Board policies and procedures.

All employees shall be responsible for complying with all Board policies and administrative procedures, the Kentucky Revised Statutes, regulations of the Kentucky state Board of Education, contractual agreements, and oral directives of their supervisors which apply to their scope of employment.

School Board Policies**POLICIES ARE BINDING**

In the absence of a policy relating to the efficient operation of the District, the Superintendent shall be responsible for the development, publication, and dissemination of administrative rules, regulations, directives and procedures until such time as a policy is adopted by the Board.

All policies of the Board are binding on employees of the District, schools, students, and on the Board itself.² Employees and students who fail to comply with Board policies may be subject to disciplinary action.

Exception: Policy exemptions may apply to a participating school of innovation as specified in the District's application for district of innovation status as approved by the Kentucky Board of Education.⁴

Exception: In the areas specified by [KRS 160.345](#), councils may adopt school policies that differ from Board policy, to the extent permitted by law.

REFERENCES:

¹ [KRS 160.340](#)

² [KRS 160.290](#)

³ [KRS 161.011](#)

⁴ [KRS 156.108](#)

[KRS 160.107](#); [KRS 160.345](#)

RELATED POLICIES:

01.0; 01.11; 01.6; 01.61

Adopted/Amended: 5/28/2013

Order #: 2013-087

Administrative Procedures

The Superintendent shall prepare administrative procedures designed to facilitate the implementation of Board policies.

DISSEMINATION AND IMPLEMENTATION OF PROCEDURES

The Superintendent shall monitor the implementation of Board policies and administrative procedures and shall establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Board and the procedures needed to put the policies into effect. It shall be the responsibility of each administrator to inform all employees supervised as to the location of Board policies and procedures.

All employees shall be responsible for complying with all Board policies and administrative procedures, the Kentucky Revised Statutes, regulations of the Kentucky Board of Education, contractual agreements, and oral directives of their supervisors which apply to their scope of employment.

Adopted/Amended: 5/28/2013

Order #: 2013-087

Board Records

Records of the Board shall be maintained in the Central Office and shall be under the custody of the Secretary to the Board.¹

The Secretary shall develop and submit for Board review procedures as noted in [KRS 61.876](#) to provide public access to public records and to ensure the security and orderly maintenance of the records. Said procedures shall be printed and made available to the public upon request.

REFERENCES:

¹[KRS 160.440](#)

[KRS 61.870](#)

[KRS 61.872](#)

[KRS 61.874](#)

[KRS 61.876](#)

[KRS 61.878](#)

[KRS 61.884](#)

[OAG 92-59](#)

[OAG 92-131](#)

15-ORD-190

1996 Open Records Decision 159

RELATED POLICY:

10.11

Adopted/Amended: 5/28/2013

Order #: 2013-087

Records Management

RECORDS OFFICER

The Superintendent shall designate a Records Officer who shall inventory, analyze and schedule disposition of District records, as well as maintain a destruction record, noting the authorization for said destruction and the amount of records to be destroyed. Each year, the Records Officer shall provide a copy of this record to the ~~Board (Superintendent)~~ and to the Director of the Division of Archives and Records.¹

An inventory of all public records kept by the District shall be taken, these records to include those made or received by the District in connection with the transaction of school business. Records shall refer to those documents specified in [KRS 171.410](#) and in the Records Retention/Public School District Schedule.

SUPERINTENDENT'S RESPONSIBILITIES

Pursuant to statutory requirements, the Superintendent shall establish procedures to safeguard against the unlawful destruction, removal or loss of records.² The Superintendent shall notify the [Kentucky](#) Department of Libraries and Archives of any actual, impending or threatened unlawful disposition of records and shall initiate action through the Attorney General for recovery of such records.³

RETENTION AND DISPOSAL OF RECORDS

The District shall follow the Records Retention/Public School District Schedule in its management of school records. If a record in question is not listed in this schedule, a written request for disposal of records must be submitted by the Superintendent to the Division of Archives and Records and the request must be approved in writing by the State Librarian.⁴

For record and archival purposes, the Superintendent shall place on permanent file one (1) copy of each Board policy that is rescinded or amended in any manner.

When there is a question whether a particular record or group of records should be destroyed, the state archives and records commission shall have exclusive authority to make this decision.⁵

LITIGATION

After consultation with the Board Attorney as deemed appropriate, the Superintendent should direct that records relevant to pending or threatened litigation, administrative proceedings, or investigations shall not be destroyed even if the retention period for such records has passed.

INFORMATION SECURITY BREACH

Information security breaches shall be handled in accordance with [KRS 61.931](#), [KRS 61.932](#), and [KRS 61.933](#) including, but not limited to, investigations and notifications.

Within seventy-two (72) hours of the discovery or notification of a security breach, the District shall notify the Commissioner of the Kentucky State Police, the Auditor of Public Accounts, the Attorney General, and the Commissioner of Education ~~Commissioner~~.

The District shall acknowledge to the Board in a public meeting prior to August 31 of each year, that the District has reviewed the Data Security and Breach Notification Best Practice Guide and

Records Management

has implemented best practices that meet the needs of reasonable personal information security in the District.

RETENTION OF RECORDINGS

School officials shall retain any digital, video, or audio recording according to the following:

- Retain for a minimum period of one (1) week a master copy of any digital, video, or audio recordings of school activities without editing, altering, or destroying any portion of the recordings, although secondary copies of the master copy may be edited;
- Retain for a minimum of one (1) month in an appropriate format, a master copy of any digital, video, or audio recordings of activities that include, or allegedly include, injury to students or school employees without editing, altering, or destroying any portion of the recordings.
- If an incident is being investigated, retain recordings until investigation and legal activity are completed.⁶
- Indefinitely retain a master copy of any digital, video, or audio recordings of all ~~Jefferson County Board of Education~~ meetings held in open session without editing, altering, or destroying any portion of the recordings. A copy of these recordings shall be publicly accessible via the main website for ~~the District~~~~Jefferson County Public Schools~~.

REFERENCES:

¹[725 KAR 001:010](#)

²[KRS 171.710](#)

³[KRS 171.720](#)

⁴[725 KAR 001:030](#); [KRS 171.420](#); [KRS 171.570](#)

⁵[KRS 171.670](#); [KRS 171.410](#); [KRS 171.660](#); [725 KAR 001:020](#)

⁶[KRS 160.705](#);

[KRS 61.931](#); [KRS 61.932](#); [KRS 61.933](#)

[725 KAR 001:025](#)

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

RELATED POLICIES:

01.5; 04.81

Adopted/Amended: 5/9/2017

Order #: 2017-138