



Kenton County School District | *It's about ALL kids.*

**THE KENTON COUNTY BOARD OF  
EDUCATION**

1055 EATON DRIVE, FORT WRIGHT, KENTUCKY  
41017

TELEPHONE: (859) 344-8888 / FAX: (859) 344-1531

WEBSITE: [www.kenton.kyschools.us](http://www.kenton.kyschools.us)

Dr. Henry Webb, Superintendent of Schools

**KCSD ISSUE PAPER**

**DATE:**

July 25, 2018

**AGENDA ITEM (ACTION ITEM):**

Consider/Approve 2nd Reading of revisions to the following policies: 03.125, 03.223, 03.225, 05.3, 05.41, 05.47, 09.14, 09.33, 10.4

**APPLICABLE BOARD POLICY:**

Policy 01.5 – Powers and Duties of the Board

**HISTORY/BACKGROUND:**

During the school year, Administrators and Principals reviewed existing KCSD Policies and have recommended revisions to Policies 03.125, 03.223, 03.225, 05.3, 05.41, 05.47, 09.14, 09.33, 10.4. Revisions are highlighted. Language with strike through reflects deletion. The first reading of these revisions was at the June 4, 2018 board meeting. Copies of all policies with revisions are attached.

**FISCAL/BUDGETARY IMPACT:**

None

**RECOMMENDATION:**

Approval of the 2nd Reading of revisions to policy 03.125, 03.223, 03.225, 05.3, 05.41, 05.47, 09.14, 09.33, and 10.4 to adopt administrative recommendations.

**CONTACT PERSON:**

Dr. Webb

\_\_\_\_\_  
*Principal*

\_\_\_\_\_  
*District Administrator*

\_\_\_\_\_  
*Superintendent*

*Use this form to submit your request to the Superintendent for items to be added to the Board Meeting Agenda.*

*Principal –complete, print, sign and send to your Director. Director –if approved, sign and put in the Superintendent's mailbox.*

**Kenton County Board of Education**

Board Members: Carl Wicklund, Chairperson Karen L. Collins, Vice Chairperson Joshua Crabtree, Esq. Carla Egan Jesica Jehn  
"The Kenton County Board of Education provides *Equal Education & Employment Opportunities.*"

**Kenton County Board of Education  
Policy Updates (New/Revised)**

<b>Policy Number</b>	<b>Adopt as Written</b>	<b>Date of Board Approval</b>	<b>Order Number</b>
03.125	X		
03.223	X		
03.225	X		
05.3	X		
05.41	X		
05.47	X		
09.14	X		
09.33	X		
10.4	X		

\_\_\_\_\_  
Board Chair's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Superintendent's Signature

\_\_\_\_\_  
Date

**- CERTIFIED PERSONNEL -****Expense Reimbursement**

Provided the Superintendent/designee has given prior approval to incur necessary and appropriate expenses, the Board shall reimburse school personnel for school-related travel when such travel is a required part of the duties of the employee or for school-related activities approved by the Superintendent/designee and, when appropriate, the School Council. ~~A Travel Authorization Request (03.125 AP.21) must be submitted and approved for travel.~~ Travel expenses of school-based personnel in SBDM schools shall be paid from Council funds. In the case of expenses reimbursed from internal accounts, the Principal shall be the authority for approving reimbursement. Travel expenses for guests of employees shall not be reimbursed.

The expense reimbursement process shall require documentation of the funding source/category used to pay expenses for all approved trips. Overnight travel shall be documented on the Travel Authorization Request (Procedure 03.125 AP.21) and shall be submitted and approved prior to travel. Daily mileage shall be documented on the Mileage Reimbursement Form (03.125 AP.22).

The Board will be responsible only for actual expenses. Allowable expenses are:

**MILEAGE**

Actual mileage between official work stations within the school system and actual mileage for trips outside the school system which have been approved by the Superintendent/designee and, when appropriate, the Council in SBDM schools will be reimbursed at the same rate as the standard mileage rate established by the State of Kentucky Internal Revenue Service. Mileage reimbursements for travel that does not require an overnight stay shall be submitted on the Mileage Reimbursement Travel Voucher Request form and approved by the employee's immediate supervisor within sixty (60) days of the completed travel.

**GASOLINE**

Actual cost of gasoline and oil purchased and placed in a Board-owned vehicle by an employee while engaged in school-related travel. Purchase must be substantiated by a receipt showing total gallons and total charges.

Direct fuel purchases are not allowed except in cases of emergency or prior approval of the Superintendent/designee ~~or Director of Finance~~. Any request for reimbursement for a direct fuel purchase must be accompanied by a receipt on which the license plate number and odometer reading is recorded.

**TOLLS AND FEES**

All tolls and parking fees incurred in school-related travel. Parking fees must be substantiated by a ticket or receipt. (Tolls are not to be charged for District vehicles being operated in state in an official capacity.)

**CAR RENTAL**

Car rental charges when approved by the Superintendent/designee and, when appropriate, the Council in SBDM schools. Charges must be substantiated by a receipt.

**Expense Reimbursement****COMMON CARRIERS**

All charges or fares for necessary travel on common carriers (plane, bus, train, subway, taxi, Uber, ferry, etc.). Sight-seeing and pleasure tours are not reimbursable. Charges must be substantiated by a receipt.

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**OUT-OF-STATE TRAVEL**

Reimbursement for out-of-state travel by privately owned vehicles shall be made on the basis of airplane coach fare or mileage rate, whichever is the lesser amount.

**SUBSISTENCE (ALLOWANCE FOR MEALS WITH OVERNIGHT STAY)**

An employee traveling on official District business shall be eligible for reimbursement for subsistence (meals) during mealtime hours, at a rate established by the State of Kentucky. The authorized travel must be to a destination where an overnight stay has prior approval. Reimbursement for subsistence shall be substantiated with a lodging receipt. Employees shall be eligible for a subsistence per diem reimbursement for breakfast, or lunch, or dinner expenses while traveling, if the employee's travel requires an overnight stay and the employee is in travel status during the entire time as established below.

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<u>Authorized Travel</u>	<u>Reimbursement</u>
Breakfast 6:30 a.m. – 9:00 a.m.	\$87.00
Lunch 11:00 a.m. – 2:00 p.m.	\$108.00

Employees shall be eligible for a per diem reimbursement for dinner expenses while traveling, if employee is in travel status during the entire time as established below:

<u>Authorized Travel</u>	<u>Reimbursement</u>
Dinner 5:00 p.m. – 9:00 p.m.	\$185.00

Members of the Board are eligible for reimbursement of actual and necessary expenses while traveling on Board of Education business.

The Superintendent may approve the following per diems in high-rate areas outside the state of Kentucky. The following per diems apply to high-rate areas:

Breakfast	\$8.00
Lunch	\$9.00
Dinner	\$19.00

**LODGING**

Hotel or motel charges (not including food or other charges) incurred in school-related travel. Charges must be substantiated by a receipt.

**REGISTRATION FEES**

Reimbursement for registration fees shall be made for school-related activities approved by the Superintendent/designee and, when appropriate, the School Council. Charges must be substantiated by a receipt.

**EMERGENCY REPAIRS TO BOARD-OWNED VEHICLES**

Reimbursement will be made for emergency repairs or road service to Board-owned vehicles if incapacitated while out of District. Drivers may not obligate the Board for major repairs without the permission of the Director of Transportation or Superintendent/designee. Charges must be substantiated by a receipt.

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**Expense Reimbursement****REIMBURSEMENT FORM**

No requests for travel reimbursement shall be considered unless filed on the proper form and accompanied by appropriate itemized receipts. Requests for reimbursement shall be made within sixty (60) days of the date(s) the expenses are incurred.

Without proper documentation, individuals shall not receive reimbursement, and, if it is determined that reimbursement was made based on incomplete or improper documentation, the individual may be required to reimburse the District.

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The State of Kentucky has established High Rate Travel Areas for subsistence reimbursement rates outside the state of Kentucky. This document provides a listing of areas qualifying for high rate reimbursement. The following subsistence reimbursement rates apply to high-rate areas:

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Breakfast	\$10.00
Lunch	\$11.00
Dinner	\$23.00

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**TRAVEL BUDGET**

Each department, school, or individual shall be given an annual travel budget allocation. It is the responsibility of the appropriate supervisor to ensure that budgeted amounts are not exceeded. Travel which will exceed the available budget may not be approved without specific approval of the Superintendent or designee.

**SUPERINTENDENT'S TRAVEL EXPENSES**

Prior to granting approval for payment, the Board shall review itemized reimbursement requests for the Superintendent's travel expenses in an open board meeting.

**REFERENCES:**

KRS 160.290; KRS 160.410; KRS 175.525

OAG 80-395

*United States v. Correll*, 389 U.S. 299 (1967)

Accounting Procedures for Kentucky School Activity Funds

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**RELATED PROCEDURES:**

03.125 AP.21

03.125 AP.22

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**- 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 the related policies listed below 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. Failure to do so will render the position vacant.

**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 they may not be rehired 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.

**FMLA**

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

**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 -

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**REFERENCES:**

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OAG 80-395

United States v. Correll, 389 U.S. 299 (1967)

Accounting Procedures for Kentucky School Activity Funds

**Formatted: Space After: 6 pt****RELATED PROCEDURES:**

03.125 AP.21

03.125 AP.22

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### **Community Use of School Facilities**

The Board is responsible for the stewardship of all District facilities. It is the goal of the Board to allow access of the public to the facilities, **dependent on availability of staff for coverage**, during school and non-school hours under the following conditions:

1. Regular school activities shall take first priority,
2. Any non-school organization usage shall include a fee to offset operational costs, cleaning, fair depreciation and replacement,
3. Any rental of facilities shall be individualized with priority given to those individuals or groups who reside within the geographic boundaries of Kenton County School District.

#### **WHO MAY USE**

The Board approves the use of school facilities by school groups and community groups of general interest. Priority consideration shall be given to school groups and community groups that involve children that reside in Kenton County School District and adult community groups that reside in Kenton County School district. School facilities are not available to groups from outside the county **without Superintendent/designee approval. Please see 05.3 AP.1 for priority scheduling order.**

The Board may authorize the use of school property by public members of the community during non-school hours for the purpose of recreation, sport, academic, literary, artistic, or community uses as defined in KRS Chapter 162 pursuant to this and other policies adopted by the Board and related procedures established by the Superintendent.<sup>1</sup>

Profit-making groups shall not use facilities, unless approved by the **Superintendent/designee**. School facilities shall not be used for personal or commercial activities, nor shall use of school facilities be granted when such use interferes with educational purposes **or creates a conflict with the overall mission of the school District.**

**If a staff wellness program initiates within 30 minutes after dismissal from the school of which the program is being held or is held in the morning and is over prior to the start time for staff involved in the program and 100 % of participants are Kenton County employees the service provider will not be charged to use the facility. The provider must adhere to the following:**

1. **They must be a certified provider of whatever type of wellness program they are teaching.**
2. **They must provide appropriate liability insurance, as indicated in this policy.**
3. **They must complete a Board contract.**
4. **All participants must sign an approved waiver form.**

#### **AVAILABILITY**

**The Superintendent/designee, in cooperation with the school Principal, shall determine, consistent with Board policy and administrative procedures, when and which facilities will be available to the community and shall follow the approved fee schedule to determine the cost for their rental, consistent with those procedures.**

Availability shall be contingent upon the presence of an approved Board employee or shall be made in accordance with the arrangement set by the **Superintendent/designee**. Priority use will be given to groups whose membership resides within the Kenton County School District. School facilities are not available to groups outside the county **without District approval.**

## Community Use of School Facilities

### APPLICATION AND FACILITY USE CONTRACTS

The Superintendent shall prepare for Board review an official application form and an official rental contract, both of which shall detail the conditions of usage. Persons authorized to represent officially the renting organization must sign the application and contract.

~~Contracts~~ Applications must be approved submitted to by the Principal who will forward all requests them to the Superintendent/designee for final approval, ~~who will approve and~~ The school will then schedule the use of facilities according to Board policy. Approval of a request to use District facilities does not signify District sponsorship, endorsement or approval of an organization or activity.

### RESPONSIBLE INDIVIDUAL

The renting organization shall indicate an individual who shall be responsible for the group and who shall be in attendance during the rental period. This person shall attend an orientation session with the Principal ~~or designee~~ to review the building use guidelines.

### LIABILITY

The Board shall require a renting organization to assume all liability for injury to individuals by reason of the lease of Board property and that the organization indemnify and save harmless the Board from any loss or damage thereby.

### INSURANCE

Groups or individuals shall obtain liability and casualty insurance and shall provide an up-to-date certification of coverage by the insurance carrier. The policy shall provide for a minimum of \$2,000,000 General Liability coverage in the aggregate, \$1,000,000 General Liability coverage per occurrence, and \$5,000 medical expense coverage per person. The medical expense coverage shall not exclude participants in the lessee's activities. The certificate shall name the Board as additional insured.

### SECURITY DEPOSIT

When required as part of the contract (AP 5.3 1.1), each renting organization shall make a security deposit of at least 50% of the expected cost with the Superintendent~~Principal~~/designee. A \$10 non-refundable application fee will be assessed when the completed form is returned by the applicant. The application fee will be applied to the organization's rental charges if the bill is paid within two weeks of the event. If it should become necessary to expend all or any portion of the security deposit to repair or replace any part of the facility or equipment, an additional amount necessary to bring the deposit back to 50% of the expected cost, shall be deposited with the Superintendent/designee, prior to any future usage. If the amount of damage exceeds the deposit, the total cost shall be paid before any further usage. At the conclusion of the renting period, the security deposit, or any unused portion of the deposit, shall be refunded to the group.

The Superintendent~~Principal~~/designee shall record the security deposit in a District account.

**Community Use of School Facilities****FEES FOR USE**

The renting group or organization shall be charged fees, as established by the Board, for the use of facilities (AP 5.3 1.2). These fees shall include utility costs and custodial fees. If kitchen facilities are used, the group shall bear the cost of the food service employees required.

All fees shall be paid to the Board.

**DISREGARD OF RULES**

Disregard of the rules and regulations governing the use of school buildings and facilities shall result in the refusal of the Board to grant the offending group or organization further use of the buildings and facilities.

**RESTITUTION OF DAMAGES**

The renting group or organization shall reimburse the Board for any damages to or replacement of school property lost, stolen, damaged, or vandalized while under its care.

**OTHER RENTAL REQUESTS**

Rental requests not otherwise referenced in this policy and accompanying procedures shall be forwarded by the building Principal to the Superintendent/designee for review and final decision.

**REFERENCES:**

<sup>1</sup>KRS 162.055  
KRS 158.183; KRS 160.290; KRS 160.293  
KRS 160.340; KRS 162.050  
OAG 60-389; OAG 80-78  
P. L. 114-95, (Every Student Succeeds Act of 2015)

**RELATED POLICIES:**

05.31; 10.3

**Fire Drills****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**

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**

**Earthquakes**

The Superintendent/designee shall develop written procedures to promote the safety of students and personnel in the event of an earthquake.

Written procedures shall include a building disaster plan, a **“Drop, Cover, and Hold On!” training**~~“drop procedure”~~ 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.**

**REFERENCE:**

KRS 158.163

### **Student Records**

Data and information about students shall be gathered to provide a sound basis for educational decisions and to enable preparation of necessary reports.

#### **PROCEDURE TO BE ESTABLISHED**

The Superintendent shall establish procedures to promote effective notification of parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) and to ensure District compliance with applicable state and federal student record requirements.

#### **DISCLOSURE OF RECORDS**

Student records shall be made available for inspection and review to the parent/guardian(s) of a student or to an eligible student on request. Legal separation or divorce alone does not terminate a parent's record access rights. Eligible students are those 18 years of age or older or those duly enrolled in a post-secondary school program. In general, FERPA rights pass to the eligible student upon either of those events. Parents may be provided access to the educational records of an eligible student 18 years old or older if the student is dependent under federal tax laws.<sup>1</sup>

Upon written request, parents, guardians, or eligible students may be provided copies of their educational records, including those maintained in electronic format, when necessary to reasonably permit inspection. Such copies shall be provided in a manner that protects the confidentiality of other students. A reasonable fee may be charged for copies of student records.

District personnel must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the District discloses personally identifiable information from education records.

In addition, considering the totality of the circumstances, the District may disclose information from education records to appropriate parties, including parents of eligible students, whose knowledge of the information is necessary to protect the health or safety of a student or another individual, if there is an actual, impending, or imminent articulable and significant threat to the health or safety of a student or other individual. In such instances, the basis for a decision that a health or safety emergency existed shall be recorded in the student's education records.

Authorized District personnel also may disclose personally identifiable information to the following without written parental consent:

- Officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer;
- Authorized representatives of a Kentucky state child welfare agency if such agency presents to the District an official court order placing the student whose records are requested under the care and protection of said agency. The state welfare agency representative receiving such records must be authorized to access the child's case plan.
- School officials (such as teachers, instructional aides, administrators, including health or medical staff and law enforcement unit personnel) and other service providers (such as contractors, consultants, and volunteers used by the District to perform institutional services and functions) having a legitimate educational interest in the information.

District and school officials/staff may only access student record information in which they have a legitimate educational interest.

## **Student Records**

### **DISCLOSURE OF RECORDS (CONTINUED)**

Contractors, consultants, volunteers, and other parties to whom the District has outsourced services or functions may access student records provided they are:

- Under the District's direct control with respect to the use and maintenance of education records; and
- Prohibited from disclosing the information to any other party without the prior written consent of the parent/eligible student, or as otherwise authorized by law.

### **DISCLOSURE TO REPRESENTATIVES FOR FEDERAL OR STATE PROGRAM PURPOSES**

Personally identifiable student information may be released to those other than employees who are designated by the Superintendent in connection with audit, evaluation, enforcement, or compliance activities regarding Federal or State programs. Such designation must be executed in writing with the authorized representative and specify information as required by 34 C.F.R. Part 99.35.

### **DUTY TO REPORT**

If it is determined that the District cannot comply with any part of FERPA or its implementing regulations due to a conflict with state or local law, the District must notify the Family Policy Compliance Office (FPCO) within forty-five (45) days of the determination and provide the text and citation of the conflicting law.

### **DIRECTORY INFORMATION**

The Superintendent/designee is authorized to release Board-approved student directory information. Approved "directory information" shall be: name, address, phone number, date and place of birth, student's school email address, major field of study, participation in officially recognized activities and sports, photograph/picture, grade level, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, and most recent educational institution attended. Any eligible student or parent/guardian who does not wish to have directory information released shall notify the Superintendent/designee in writing within thirty (30) calendar days after receiving notification of FERPA rights.

Information about the living situation of a student designated as homeless is not to be treated as directory information and is not to be disclosed unless prior written consent is given or unless the information meets one of FERPA's exceptions to required consent. The living situation is not considered directory information.

The District allows for disclosure of directory information only to specific parties for specific purposes. Such limitations are specified in the student directory information notification located in the Code of Acceptable Behavior.

Unless the parent/guardian or student who has reached age 18 requests in writing that the District not release such information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters and institutions of higher education upon their request.

### **SURVEYS OF PROTECTED INFORMATION**

The District shall provide direct notice to parents/guardian to obtain prior written consent for their minor child(ren) to participate in any protected information survey, analysis, or evaluation, if the survey is funded in whole or in part by a program of the U.S. Department of Education.



**Student Records****SURVEYS OF PROTECTED INFORMATION (CONTINUED)**

Parents/eligible students also shall be notified of and given opportunity to opt their child(ren) out of participation in the following activities by following the guidelines established in the Code of Acceptable Behavior:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Parents/eligible students may inspect, upon written request and prior to administration or use, materials or instruments used for the collection, disclosure, or use of protected information.

Protection of Pupil Rights Amendment (PPRA) requirements do not apply to evaluations administered to students in accordance with the Individuals with Disabilities Education Improvement Act of 2004.

**STUDENTS WITH DISABILITIES**

The District's special education policy and procedures manual shall include information concerning records of students with disabilities.

**RECORDS RELEASE TO JUVENILE JUSTICE SYSTEM**

Once a complaint is filed with a court-designated worker alleging that a child has committed a status offense or public offense, schools shall provide all records specifically requested in writing, and pertaining to that child to any agency that is listed as part of Kentucky's juvenile justice system in KRS 17.125 if the purpose of the release is to provide the juvenile justice system with the ability to effectively serve, prior to adjudication, the needs of the student whose records are sought. The authorities to which the data are released shall certify that any educational records obtained pursuant to this section shall only be released to persons authorized by statute and shall not be released to any other person without the written consent of the parent of the child. The request, certification, and a record of the release shall be maintained in the student's file.

**JUVENILE COURT RECORDS**

Records or information received on youthful or violent offenders shall not be disclosed except as permitted by law. When such information is received, the Superintendent shall notify the Principal of the school in which the child is enrolled. The Principal shall then release the information as permitted by law. Only the Superintendent and school administrative, transportation, and counseling personnel or teachers or other school employees with whom the student may come in contact, shall be privy to this information, which shall be kept in a locked file when not in use and opened only with permission of the administrator. Notification in writing of the nature of offenses committed by the student and any probation requirements shall not become a part of the child's student record.<sup>2</sup>

**Student Records****RECORDS OF MISSING CHILDREN**

Upon notification by the Commissioner of Education of a child's disappearance, the District in which the child is currently or was previously enrolled shall flag the record of such child in a manner that whenever a copy of or information regarding the child's record is requested, the District shall be alerted to the fact that the record is that of a missing child. Instead of forwarding the records of a child who has been reported as missing to the agency, institution, or individual making the request, the District shall notify the Justice Cabinet.

**COURT ORDER/SUBPOENA**

Prior to complying with a lawfully issued court order or subpoena requiring disclosure of personally identifiable student information, school authorities shall make a documented effort to notify the parent or eligible student. In compliance with FERPA, notice to the parent is not required when a court order directs that disclosure be made without notification of the student or parent, or when the order is issued in the context of a dependency, neglect, or abuse proceeding in which the parent is a party. If the District receives such orders, the matter(s) may be referred to local counsel for advice.

**REFERENCES:**

<sup>1</sup>Section 152 of the Internal Revenue Code of 1986  
<sup>2</sup>KRS 158.153; KRS 610.320; KRS 610.340; KRS 610.345  
KRS 7.110; KRS 15A.067; KRS 17.125; KRS 158.032; KRS 159.160; KRS 159.250  
KRS 160.990; KRS 161.200; KRS 161.210  
KRS 365.732; KRS 365.734; KRS 600.070  
702 KAR 1:140; 702 KAR 3:220  
20 U.S.C. 1232g et seq., 34 C.F.R. 99.1 - 99.67  
20 U.S.C. 1232h (Protection of Pupil Rights Amendment); 34 C.F.R. 98  
OAG 80-33; OAG 85-130; OAG 85-140; OAG 86-2; OAG 93-35  
Kentucky Family Educational Rights and Privacy Act (KRS 160.700; KRS 160.705  
KRS 160.710; KRS 160.715; KRS 160.720; KRS 160.725; KRS 160.730)  
Individuals with Disabilities Education Improvement Act of 2004  
Kentucky Education Technology System (KETS)  
P. L. 114-95, (Every Student Succeeds Act of 2015)  
42 U.S.C. 11431 et seq. (McKinney-Vento Act)

**RELATED POLICIES:**

09.111; 09.12311; 09.43

### **Fund-Raising Activities**

#### **APPROVAL REQUIRED**

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

~~Elementary schools and middle schools are prohibited from conducting fund-raising activities which involve elementary or middle school students soliciting door-to-door.~~

#### **CAMPAIGN RESTRICTIONS**

~~No school or school group shall have more than one (1) school-wide fund-raising project per year.~~

No fund-raising shall ~~interfere with~~ occur during 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.<sup>1</sup> 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.<sup>4</sup>

#### **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.

#### **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).

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#### **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.

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

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.<sup>2</sup>

**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 Crowdfunding Proposal form included 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 proposal must be sent to the Chief Financial Officer. 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.

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.

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**Fund-Raising Activities**

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.

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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.

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**REFERENCES:**<sup>1</sup>KRS 158.290<sup>2</sup>KRS 367.515 (3)<sup>3</sup>KRS 238.505; KRS 238.535; KRS 238.540<sup>4</sup>Accounting 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

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**Advertising and Distribution of Materials in the School****APPROVAL REQUIRED**

No commercial advertising or distribution of materials shall be allowed in the facilities or on the grounds of school property, except as expressly approved by the Board through the Superintendent or designee.

**Announcements, notices and signs that advertise student activities shall be reviewed and accepted by the Superintendent/designee provided the content is determined to be constitutional, relevant and not disruptive to the educational process.**

**Students, school employees and school facilities or equipment shall not be used to produce or disseminate any material that is not directly associated with the educational goals and objectives of the District.**

**School and/or student publications that normally solicit paid advertisements as a means of supplementing income may accept and publish paid advertising copy that is appropriate for school publications with prior approval of the Superintendent or designee.**

**POLITICAL ACTIVITIES**

**No employee shall promote, organize, or engage in political activities while performing his/her duties or during the work day.**

**EXCEPTION**

Nothing herein shall be construed to prevent advertising in publications which are published by professional school organizations, PTA/PTO, booster club, or other parent groups.

**SOLICITATIONS**

Unless authorized by the Superintendent or designee, sales representatives, agents, or other solicitors shall not solicit or contact pupils, teachers, or other employees during the school day.

**REFERENCES:**

KRS 158.183

OAG 68-452

**RELATED POLICIES:**

03.1324

03.2324