

## **Summary of Proposed Amendments to KY Tech Policy and Procedure Manual**

The Office of Career and Technical Education (OCTE) contracts with the Kentucky School Board Association (KSBA) to maintain the KY Tech Policies and Procedure Manual, as well as provide legislative-related updates and suggestions.

<b>Amendment</b>	<b>Rationale</b>
<p><b>Policy 01.1 - Guiding Principles:</b></p> <p>Add “(including sexual orientation or gender identity)” <i>Page 1, Section: Notice of Nondiscrimination</i></p> <p>Add “(including sexual orientation or gender identity)” <i>Page 1, Section: Notice of Nondiscrimination</i></p> <p>Add “(including sexual orientation or gender identity)” <i>Page 2, Section: Notice of Nondiscrimination</i></p> <p>Add “(including sexual orientation or gender identity)” <i>Page 3, Section: Yearly Classified Newspaper Advertisement</i></p> <p>Add reference to Bostock v. Clayton County, Georgia 140 S. Ct. 1731 (2020) <i>Page 3, Section: References</i></p>	<p>For Policy 01.1, KSBA states “EXEC ORDER 1402, 86 FED.REG.13,803 (3/11/21) recommends the findings of Bostock v. Clayton County, Georgia “discrimination on the basis of “sex” covers discrimination on the basis of sexual orientation or gender identity” be applied to “other laws that prohibit sex discrimination, including title IX”.</p>
<p><b>Policy 03.113 - Equal Employment Opportunity:</b></p> <p>Add “(including sexual orientation or gender identity)” <i>Page 1, Section: Equal Employment Opportunity</i></p> <p>Add reference to Bostock v. Clayton County, Georgia 140 S. Ct. 1731 (2020) <i>Page 2, Section: References</i></p>	<p>For Policy 03.113, KSBA states “EXEC ORDER 1402, 86 FED.REG.13,803 (3/11/21) recommends the findings of Bostock v. Clayton County, Georgia “discrimination on the basis of “sex” covers discrimination on the basis of sexual orientation or gender identity” be applied to “other laws that prohibit sex discrimination, including title IX”.</p>
<p><b>Policy 03.14 - Health and Safety:</b></p> <p>Add Section “REPORTING FATALITIES, AMPUTATIONS, HOSPITALIZATIONS, OR LOSS OF EYE</p> <p>The Office of Career and Technical Education shall, within eight (8) hours, make an oral report to</p>	<p>For Policy 03.14, KSBA STATES “OSHA regulations requires reporting certain injuries and deaths. Financial Implications: Potential fines for not reporting.”</p>

<p>the Kentucky Labor Cabinet of the death of any employee, including any death resulting from a heart attack; or the hospitalization of three (3) or more employees, including any hospitalization resulting from a heart attack, which occurs in the work environment or is caused or contributed to by an event in the work environment.</p> <p>The Office of Career and Technical Education shall, within seventy-two (72) hours, make an oral report to the Kentucky Labor Cabinet of an amputation suffered by an employee, an employee's loss of an eye or the hospitalization of fewer than three (3) employees, which occurs in the work environment or is caused or contributed to by an event in the work environment.<sup>2</sup>”</p> <p>Add <sup>2</sup>803 KAR 2:180  <i>Page 12, Section: References</i></p>	
<p><b>Policy 03.162 - Harassment/Discrimination</b></p> <p>Add “(including sexual orientation or gender identity)”  <i>Page 1, Section: Applicability</i></p> <p>Add reference to Bostock v. Clayton County, Georgia 140 S. Ct. 1731 (2020)  <i>Page 3, Section: References</i></p>	<p>For Policy 03.162, KSBA states “EXEC ORDER 1402, 86 FED.REG.13,803 (3/11/21) recommends the findings of Bostock v. Clayton County, Georgia “discrimination on the basis of “sex” covers discrimination on the basis of sexual orientation or gender identity” be applied to “other laws that prohibit sex discrimination, including title IX”.</p>
<p><b>Policy 09.13 - Equal Educational Opportunities</b></p> <p>Change “discriminated against” to “subject to unlawful discrimination”  <i>Page 1, Section: Discrimination Prohibited</i></p> <p>Add, “(including sexual orientation or gender identity)”  <i>Page 1, Section: Discrimination Prohibited</i></p> <p>Add reference to Bostock v. Clayton County, Georgia 140 S. Ct. 1731 (2020)  <i>Page 3, Section: References</i></p>	<p>For Policy 09.13 KSBA states “the united states department of education, office of civil rights has stated that one focus in implementing the referenced executive order” (exec order 1402, 86 fed.reg.13,803 (3/11/21) “will be ensuring that students who have experienced discrimination based on sexual orientation or gender identity will have their legal rights “FULLY MET”. ”</p>
<p><b>Policy 09.2241 - Student Medication</b></p> <p>Change “epinephrin auto-injector” to “injectable epinephrin device”  <i>Page 1, Section: Self-Administration</i></p> <p>Change “epinephrin auto-injector” to “injectable epinephrin device”  <i>Page 1, Section: Self-Administration</i></p>	<p>For Policy 09.2241 KSBA states “SB 127 AMENDS KRS 158.836 to change the definition of EpiPen’s or other epinephrine auto-injectors to injectable epinephrine devices.</p>

<p><b>Policy 09.42811 - Harassment/Discrimination Grievances</b></p> <p>Add, “(including sexual orientation or gender identity)”  <i>Page 1, Section: Definitions</i></p> <p>Change, “Capital Plaza Tower” to “300 Sower Blvd., 5<sup>th</sup> floor”  <i>Page 3, Section: Student Formal Grievance Procedure</i></p> <p>Add reference to Bostock v. Clayton County, Georgia 140 S. Ct. 1731 (2020)  <i>Page 5, Section: References</i></p>	<p>For Policy 09.42811, KSBA states “EXEC ORDER 1402, 86 FED.REG.13,803 (3/11/21) recommends the findings of Bostock v. Clayton County, Georgia “discrimination on the basis of “sex” covers discrimination on the basis of sexual orientation or gender identity” be applied to “other laws that prohibit sex discrimination, including title IX”.</p>
<p><b>Policy 09.43 - Student Discipline</b></p> <p>Change, “the school principal” to “administrators employed in or assigned to work in a Kentucky TECH school”  <i>Page 1, Section: Student Discipline</i></p> <p>Add, “career and”  <i>Page 1, Section: Student Discipline</i></p> <p>Change, “parent’ to “sending”  <i>Page 1, Section: Student Discipline</i></p> <p>Add, “where pursuant to KRS 158.444, the incident must be recorded within the student information system.”  <i>Page 1, Section: Student Discipline</i></p> <p>Change, “parent” to “sending”  <i>Page 1, Section: Serious Problems</i></p> <p>Add, “KRS 158.444”  <i>Page 2, Section: References</i></p>	<p>For Policy 09.43, KSBA states “revisions to 780 KAR 2:060 require discipline incidents to be recorded in the student information system.”</p>
<p><b>Policy 03.114 - Continuing Status</b></p> <p>Add, “A certified employee who has earned continuing status in the state certified personnel system under KRS 156.800 to KRS 156.860 shall be granted a continuing service contract as defined in KRS 161.720 upon transfer to a local board of education. A principal who has earned continuing status prior to transfer shall be granted a continuing service contract, but the provisions relating to demotion of the principal under KRS 24</p>	<p>For Policy 03.114, KSBA states “SB 101 amends KRS 156.844 to require continuing contract status for one (1) year for personnel upon transfer to a local board of education.”</p>

<p>161.765 shall apply.”  <i>Page 1, Section: Continuing Status</i></p> <p>Add, “to KRS 156.860”  <i>Page 1, Section: References</i></p> <p>Add, “KRS 161.720”  <i>Page 1, Section: References</i></p>	
<p><b>Policy 09.434 - Suspension</b></p> <p>Add, “or his/her designee”  <i>Page 1, section: Who May Suspend</i></p> <p>Add, “from the Area Technology Center, (ATC)”  <i>Page 1, section: Who May Suspend</i></p> <p>Change, “parent” to “sending”  <i>Page 1, section: Who May Suspend</i></p> <p>Change, “technical” to “academic”  <i>Page 1, Section: Who May Suspend</i></p> <p>Change, “area technology center principal” to  “Kentucky TECH school administrator”  <i>Page 1, Section: Who May Suspend</i></p> <p>Change, “parent” to “sending”  <i>Page 1, Section: Who May Suspend</i></p> <p>Change, “parent” to “sending”  <i>Page 1, Section: Who May Suspend</i></p> <p>Change, “suspended or expelled from a  participating local high school” to “suspended  from a participating local high school or expelled  from a participating local school district”  <i>Page 1, Section: Who May Suspend</i></p> <p>Change, “in such cases” to “the”  <i>Page 1, Section: Who May Suspend</i></p> <p>Add, “procedures outlined in KRS 158.150”  <i>Page 1, Section: Who May Suspend</i></p>	<p>For Policy 09.434, KSBA states “Revisions to 780  KAR 2:060 clarify who may suspend and that due  process procedures must be followed”.</p>