

**Kentucky School for the Blind (KSB) and Kentucky School for the Deaf (KSD)
2021 Policy Adoptions and Amendments**

Chapter	Policy #	Policy Title	Basis for Change(s)	Financial Implications
Personnel	03.113	Equal Employment Opportunity	In <i>Bostock v. Clayton County, Georgia</i> , the US Supreme Court held that the Title VII prohibition on discrimination on the basis of “sex” covers sexual orientation or gender identity.	None anticipated
Personnel	03.14	Health and Safety	Occupational Safety and Health Administration (OSHA) regulations requires reporting certain injuries and deaths.	Potential fines for not reporting
Personnel	03.162	Harassment/Discrimination	In <i>Bostock v. Clayton County, Georgia</i> , the US Supreme Court held that the Title VII prohibition on discrimination on the basis of “sex” covers sexual orientation or gender identity.	None anticipated
Personnel	03.175	Retirement	HB 258 creates a foundation benefit component for individuals who become members of the teachers’ retirement system on or after January 1, 2022. Unused sick days for those members may be deposited into the member’s supplemental benefit component upon retirement.	None anticipated
Personnel	03.19	Professional Development	Clarify KSB/KSD professional development plan requirements to ensure alignment to help achieve student capacities established by KRS 158.645 and goals established by KRS 158.6451 ; support the KSB/KSD's mission, goals and assessed needs;	None anticipated.

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			and to increase teachers' understanding of curriculum content and methods of instruction appropriate for each content area.	
Transportation	06.221	School Bus Drivers' Use of Tobacco and Other Substances	Revisions to 702 KAR 5:080 clarify that school bus drivers, mechanics or anyone performing safety-sensitive student transportation duties found under the influence of alcohol or any illegal drugs while on duty or with remaining driving responsibilities that same day, shall be dismissed from employment in accordance with Kentucky administrative regulation and board policy and shall not be eligible for reemployment in a safety-sensitive student transportation position for five years.	None anticipated
Transportation	06.23	Driver and Substitute Driver Training	Revisions to 702 KAR 5:080 include first aid and CPR training requirements.	Cost of additional training.
Transportation	06.342	Hazards in and on Bus	Revisions to 702 KAR 5:080 permit archery equipment, used in connection with school archery teams, to be transported on the bus and clarify the use of a service animal.	None anticipated
Support Services	07.16	Food Service Employees	Repeal of 702 KAR 6:045 alleviates some of the administrative burden on school districts while preserving the safety of school nutrition programs as, under current law, the food service staff for school districts participating in federal child nutrition programs are	None anticipated

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			subject to local, state and federal training requirements.	
Curriculum and Instruction	08.113	Graduation Requirements	SB 158 (2020) amended KRS 158.140 to clarify that any high school graduation requirements adopted by the board shall not include achieving a minimum score on a statewide assessment to graduate from high school. Additionally, revisions to 704 KAR 3:305 remove graduation prerequisites and qualifiers.	None anticipated
Students	09.13	Equal Educational Opportunities	In Bostock v. Clayton County, Georgia, the US Supreme Court held that the Title VII prohibition on discrimination on the basis of “sex” covers sexual orientation or gender identity. Bostock deals with discrimination (termination) in employment. On January 20, 2021, the president of the United States indicated in Executive Order 1402, 86 Fed. Reg. 13,803 (3/11/21) that the reasoning of Bostock applies to other laws that prohibit sex discrimination, including Title IX, “So long as the laws do not contain sufficient indications to the contrary.” The president directed other federal agencies to review such issue. The United States Department of Justice has since issued a memorandum advising other federal agencies that	None anticipated

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			the reasoning of Bostock applies to Title IX and the United States Department of Education, Office of Civil Rights has stated that one focus in implementing the referenced executive order will be ensuring that students who have experienced discrimination based on sexual orientation or gender identity will have their legal rights “fully met.” While the inclusion of this specific additional terminology is not mandatory at this time, it is recommended based on the above.	
Students	09.2241	Student Medication	SB 127 amends KRS 158.836 to change the definition of EpiPen or other epinephrine auto-injectors to injectable epinephrine devices.	None anticipated
Students	09.42811	Harassment/Discrimination	In Bostock v. Clayton County, Georgia, the US Supreme Court held that the Title VII prohibition on discrimination on the basis of “sex” covers sexual orientation or gender identity. Bostock deals with discrimination (termination) in employment. On January 20, 2021, the president of the United States indicated in Executive Order 1402, 86 Fed. Reg. 13,803 (3/11/21) that the reasoning of Bostock applies to other laws that prohibit sex discrimination, including Title IX, “So long as the laws do not contain sufficient	None anticipated

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Students	09.43	Student Disciplinary Processes	SB 1 (2019) created KRS 158.4416 to require on or before July 1, 2021, districts to adopt a plan for implementing a trauma-informed approach in its schools including developing trauma-informed discipline policies.	Cost of implementing trauma-informed, school safety and threat assessment teams