



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

Issue Paper

DATE:

June 7, 2022

AGENDA ITEM (ACTION ITEM):

Consider/Approve the Annual Policy Update and Revision Drafts - 2nd Reading

APPLICABLE BOARD POLICY:

01.5 – School Board Policies

HISTORY/BACKGROUND:

The Kentucky School Board Association has completed an annual update of our policies after the legislation session to align our policies with revised statutes. Administrators in the district also reviewed and revised several policies that are included in the annual update. Policy 09.12 was revised (highlighted) from the 1st reading on June 6, 2022 to the second reading on July 11, 2022. All other policies drafts remained the same.

FISCAL/BUDGETARY IMPACT:

None

RECOMMENDATION:

Approval of the Annual Policy Update and Revision Drafts upon the second reading.

CONTACT PERSON:

Henry Webb

Principal/Administrator

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.

KSBA Policy Service

2022 Policy Update (#45) Checklist

District: Kenton County Schools

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

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
01.0	☒	☐			☐	☐
01.111	☒	☐			☐	☐
01.42	☐	☒			☐	☐
01.421	☐	☒			☐	☐
01.45	☐	☒			☐	☐
01.83	☒	☐			☐	☐
01.91	☒	☐			☐	☐
01.911	☒	☐			☐	☐
02.31	☒	☐			☐	☐
02.413	☒	☐			☐	☐
02.414	☒	☐			☐	☐
02.421	☒	☐			☐	☐
02.4241	☒	☐			☐	☐
02.4242	☒	☐			☐	☐
02.4244	☐	☒			☐	☐
02.442	☒	☐			☐	☐
03.12323	☒	☐			☐	☐
03.14	☒	☐			☐	☐
03.22323	☒	☐			☐	☐
03.24	☒	☐			☐	☐

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
04.1	☒	☐			☐	☐
04.8	☒	☐			☐	☐
06.31	☒	☐			☐	☐
08.1	☒	☐			☐	☐
08.11	☒	☐			☐	☐
08.113	☐	☒			☐	☐
08.1312	☒	☐			☐	☐
08.14	☒	☐			☐	☐
08.21	☒	☐			☐	☐
08.2322	☐	☒			☐	☐
08.31	☒	☐			☐	☐
09.12	☐	☒			☐	☐
09.122	☒	☐			☐	☐
	☐	☐			☐	☐
09.123	☒	☐			☐	☐
09.124	☐	☒			☐	☐
09.125	☒	☐			☐	☐
09.313	☒	☐			☐	☐
09.4341	☒	☐			☐	☐
02.42411	☒	☐			☐	☐
03.11	☒	☐			☐	☐
03.123	☒	☐			☐	☐
03.18	☐	☒			☐	☐
03.21	☒	☐			☐	☐

Policy Number	Adopt as Written	Adopt with Modification*	Adoption Date	Order Number	Keep Current Policy	Rescind Policy
03.223	☒	☐			☐	☐
05.48	☒	☐			☐	☐
06.12	☒	☐			☐	☐
06.32	☒	☐			☐	☐
06.35	☒	☐			☐	☐
08.22	☒	☐			☐	☐
09.1221	☒	☐			☐	☐
09.2241	☒	☐			☐	☐
09.425	☒	☐			☐	☐
09.429	☐	☒			☐	☐
09.431	☐	☒			☐	☐
09.432	☒	☐			☐	☐
09.434	☒	☐			☐	☐
09.436	☒	☐			☐	☐
03.4	☒					
04.312	☒					
04.61	☒					
08.213	☒					
09.33	☒					

_____			_____	_____		
_____			_____	_____		

*Please attach a copy of the modified policy. DO NOT RETYPE A DRAFT - simply indicate the district-initiated changes by writing in colored ink, circling, highlighting, etc.

Board Chair's Signature

Date

Superintendent's Signature

Date

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

LEGAL: HOUSE BILL 9 (2021) CREATED KRS 78.510 – KRS 78.852 TO CLARIFY THAT THE “RETIREMENT OFFICE” MEANS THE KENTUCKY PUBLIC PENSIONS AUTHORITY (KPPA) WHICH INCLUDES THE KENTUCKY RETIREMENT SYSTEM (KRS) AND THE COUNTY EMPLOYEES’ RETIREMENT SYSTEM (CERS) AND SEPARATED CERS FROM KRS. ALL REFERENCES TO SUCH INCLUDE BOTH.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.0

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.

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/HEAD TEACHER

In this manual the term principal refers to principal or head teacher as appropriate and includes any other employee to whom the principal or head teacher may delegate responsibility for a specific task.

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, legal guardian, or other person authorized by law to act as a parent as the context requires.

Definitions**GENDER**

Unless otherwise noted, all gender references include both male and female.

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.

CHARTER SCHOOL

Use of the term "charter school" means a public charter school.

CHARTER SCHOOL AUTHORIZER

A local board of education as defined in KRS 160~~1~~.1590.

KENTUCKY PUBLIC PENSIONS AUTHORITY

Use of the terms Kentucky Retirement System (KRS) or County Employees' Retirement System (CERS) includes the Kentucky Public Pensions Authority (KPPA).

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RELATED POLICIES

The listing of related policies at the bottom of a document is a generic list and may include some policy numbers that this manual does not contain.

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.

REFERENCES:

¹KRS 157.320; 102 KAR 1:036; 702 KAR 1:035

[KRS 78.510 – KRS 78.852](#)

KRS 158.144

KRS 160.290; KRS 160.340; KRS 160.345

KRS 160~~1~~.1590

KRS 405.028

701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040

702 KAR 6:010; 702 KAR 6:020; 702 KAR 6:040

702 KAR 6:075; 702 KAR 6:090

LEGAL: REVISIONS TO 701 KAR 5:150 REQUIRE THAT A DISTRICT SEEKING COMMISSIONER APPROVAL OF A NONTRADITIONAL INSTRUCTION (NTI) PLAN ANNUALLY INCORPORATE IT INTO THE COMPREHENSIVE DISTRICT IMPROVEMENT PLAN (CDIP).

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: AMENDMENTS TO 703 KAR 5:225 CREATE ADDED FLEXIBILITY BY CLARIFYING TIMELINES AND CREATING PROVISIONS FOR THE INCLUSION OF NEW PLAN ELEMENTS CREATED BY OTHER STATE STATUTES OR REGULATIONS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111

District Planning

PLANNING CYCLE

The District's planning cycle shall follow a process of continuous improvement as data becomes available. The structure of the CDIP shall include completion of [a narrative summary of the current state of the school](#)~~the Continuous Improvement Diagnostic~~ between August 1 and October 1 of each school year and completion of the needs assessment between October 1 and November 1 of each school year. [A process for development of the CDIP is to be completed between November 1 and January 1 of each school year, and a District level plan for providing an equitable education to English Learners is to be completed by May 1 of each school year and other components required by state statutes or regulations. Unless otherwise noted, all additional components of the CDIP must be complete by May 1 of each school year.](#)

PLAN REQUIREMENTS

[The District seeking Commissioner approval of the nontraditional instruction \(NTI\) plan shall annually incorporate it within the CDIP. The District shall submit the NTI plan to the Department by May 1 for implementation at the beginning of the upcoming school term.](#) The primary purposes of the ~~CDIP~~[Comprehensive District Improvement Plan](#) shall be:

- To improve student achievement on state and federal mandated testing/accountability instruments;
- To eliminate achievement gaps among groups of students; and
- To develop District strategies and services to address deficiencies and/or sustain or strengthen current efforts.

The District plan shall be comprised of a Comprehensive District Improvement Plan. The plan shall be updated on an annual basis.

The District Plan shall provide assistance in reducing physical, mental health, and academic barriers to learning and address student equity. The Superintendent shall present to the Board for review and approval the form and function of the planning process, including format and timelines.

The Comprehensive District Improvement Plan (CDIP) shall reflect the Comprehensive School Improvement Plan (CSIP). The plan structure shall include the components set out in 703 KAR 5:225, the Every Student Succeeds Act of 2015 (ESSA), and KRS 158.649.

As part of the District planning process, the Board shall review District academic performance on the state assessments for various groups of students in compliance with legal requirements. Upon agreement of the council, or the Principal if there is not a council, and the Superintendent/designee, the Board shall establish an annual target for each school for reducing identified gaps in achievement.²

District Planning**PLAN REQUIREMENTS (CONTINUED)**

If the Board determines that a school has not met its target to reduce the identified gap in student achievement for a group of students, the Board shall require the council, or the Principal if no council exists, to submit its revisions to the school improvement plan describing the use of the professional development funds and funds allocated for continuing education to reduce the school's achievement gap for review and approval by the Superintendent. The plan shall address how the school will meet the academic needs of the students in the various gap groups.

PLANNING

Meaningful consultation with teachers, principals, council members, other school leaders, paraprofessionals, central office administrators, administrators, Board member(s), classified staff, parents, and community representatives will occur in order for these groups to provide input into the development of the Comprehensive District Improvement Plan (CDIP).

The Superintendent/designee shall establish times for consultation with stakeholder groups for input. The Superintendent/designee shall make the procedures known to the community and school personnel.

Active minority participation will be encouraged.

The Comprehensive District Improvement Plan shall be compiled by District Staff and shared publicly as a draft prior to Board review and action.

PUBLIC REVIEW

The Comprehensive District Improvement Plan shall have public review prior to presentation to the Board for final adoption.

BOARD APPROVAL

The Comprehensive District Improvement Plan shall be completed between November 1 and January 1 of each school year and presented to the Board for review and approval.

The Superintendent shall submit required assurances to the Kentucky Department of Education no later than September 30 of each year.

IMPLEMENTATION

The District shall maintain a copy of each plan permanently and, consistent with the District's planning cycle, post the current plan on the District's web site.

The plan shall serve as a resource for Board decision making.

SCHOOL PLANS

The District plan shall be broad enough to allow each school to develop its own School Improvement Plan, within the goals and objectives of the District.

DISTRICT REPORT CARDS

The District shall post the District report card on its website, as required by ESSA. District report cards shall be widely accessible to the public, in an understandable and uniform format, and when possible, written in a language that parents can understand.

District Planning

DISTRICT REPORT CARDS (CONTINUED)

As outlined in KRS 160.463, a copy of the report card is to be publicized by one of the following methods:

- a. In the newspaper of the largest general circulation in the county;
- b. Electronically on a website of the District; or
- c. By printed copy at a prearranged site at the main branch of the public library within the District.

If b or c above is selected, the Superintendent/designee shall cause notification to be published in the newspaper with largest circulation in the county that includes the electronic address of the website or the address of the library where the report card can be viewed by the public.

The District shall send a District report card to parents containing information about performance as outlined in KRS 158.6453 and 703 KAR 5:140, and information on electronic access to a summary of the results for the District shall be published in the newspaper with the largest circulation in the county.

References:

¹KRS 156.500

²KRS 158.649

[KRS 158.070](#); KRS 158.6453; KRS 160.290; KRS 160.340; KRS 160.345; KRS 160.463

[701 KAR 5:150](#); 703 KAR 5:140; 703 KAR 5:225; 703 KAR 5:280; 704 KAR 3:390

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

RELATED POLICIES:

02.44; 02.441; 02.442; 04.1; 09.21

DRAFT WITH DISTRICT CHANGES 5/25/2022

LEGAL: HB 453 AMENDS THE NOTICE REQUIREMENTS IN KRS 61.826 TO PROVIDE SPECIFIC INFORMATION ON HOW ANY MEMBER OF THE PUBLIC OR MEDIA ORGANIZATION MAY VIEW A TELECONFERENCE MEETING ELECTRONICALLY. THE NOTICE SHALL IDENTIFY A PRIMARY PHYSICAL LOCATION IF TWO OR MORE MEMBERS ARE MEETING FROM THE SAME LOCATION.

FINANCIAL IMPLICATIONS: COST OF PROVIDING NOTICE

LEGAL: HB 121 AMENDS KRS 160.270 TO REQUIRE A PUBLIC COMMENT PERIOD AT REGULAR MEETINGS OF THE BOARD.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.42

Regular Meetings

By January of each year the Board shall adopt a schedule of regular meetings for the following fiscal year, identifying the date, time and place of each meeting. Rescheduled regular meetings shall be noticed and held as special meetings.^{1 & 2,4}

PUBLICITY

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. The schedule of regular meetings shall be made available to the public.²

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

PUBLIC COMMENT PERIOD

Each regular meeting shall include a public comment period of at least fifteen (15) minutes, unless no one has signed up to speak. Any Board rules and policies regarding conduct during school board meetings shall apply during the public comment period.¹

VIDEO TELECONFERENCES

The Board may conduct its meeting by video teleconference (including closed sessions). Notice of a video teleconference meeting shall comply with the requirements of KRS 61.820 or KRS 61.823 as appropriate. ~~In addition,~~ The notice shall clearly state that the meeting will be a video teleconference; provide specific information on how any member of the public or media organization may view the meeting electronically; and in any case where the Board has elected to provide a physical location, or in any circumstance where two (2) or more members of the Board are attending a video teleconference meeting from the same physical location, and precisely identify ~~at~~ the primary physical 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. Members of the Board who participate in a video teleconference shall remain visible on camera at all times that business is being discussed.

Regular Meetings

VIDEO TELECONFERENCES (CONTINUED)

Any interruption in the video or audio broadcast of a video teleconference at any location shall result in the suspension of the video teleconference until the broadcast is restored.

If a regular meeting is changed to a video conference, the meeting shall remain a regular meeting if the meeting occurs on the same date and time as originally scheduled and the Board follows the provisions of KRS 61.823 to provide a notice that meets these requirements.⁴

REFERENCES:

¹KRS 160.270

²KRS 61.820; OAG 78-274; OAG 78-614

³KRS 61.810

⁴KRS 61.823; KRS 61.826

⁵~~92-OMD-1677~~; 04-OMD-056

~~KRS 61.826~~; KRS 61.840; KRS 158.070

17-OMD-148

RELATED POLICIES:

01.421; 01.43; 01.44; 08.3; 08.31

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DRAFT WITH DISTRICT CHANGES 5/25/2022

LEGAL: HB 121 AMENDS KRS 160.270 TO REQUIRE A PUBLIC COMMENT PERIOD AT REGULAR MEETINGS OF THE BOARD.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.421

Public Participation in Open Meetings

PUBLIC ATTENDANCE

The public and the news media are permitted to attend all open meetings of the Board. No person may be required to identify himself in order to attend any such meeting.¹

EXCEPTION

The Board may impose conditions upon attendance at a given meeting only if such conditions are required for the maintenance of order.¹

PUBLIC COMMENT PERIOD

Each regular meeting shall include a public comment period of at least fifteen (15) minutes, unless no one has signed up to speak. Any Board rules and policies regarding conduct during school board meetings shall apply during the public comment period.²

PUBLIC PARTICIPATION

Persons wishing to address the Board must register with the Board secretary prior to the meeting. At the time of registration, the subject of the presentation shall be stated.

SPEAKERS

The Chairperson may require the name and address of the speaker. The Chairperson may rule on the relevance of the topic to the Board's agenda. To ensure order and expedient conduct of Board business, the Chairperson shall limit presentations to five (5) minutes in length. The Chairperson may grant extension of speaking time. However, the Board reserves the right to limit or terminate discussion on any subject.

ACTION

Except for emergency situations, the Board shall not take action on matters brought to their attention at a first hearing.

REFERENCE:

¹KRS 61.840

²[KRS 160.270](#)

RELATED POLICIES:

[01.42](#); 01.45; 10.2

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LEGAL: HB 121 AMENDS KRS 160.270 TO REQUIRE A PUBLIC COMMENT PERIOD AT REGULAR MEETINGS OF THE BOARD.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.45

Board Meeting Agenda

PREPARATION

Agenda for Board meetings shall be prepared by the Superintendent at the direction of, and subject to the approval of, the Chairperson. The agenda for each meeting shall be made available to the public prior to the Board meeting.

Any member of the Board may submit items for the agenda for a regular meeting through the Chairperson or the Superintendent. The agenda shall be closed to Board members ten (10) calendar days preceding the scheduled regular meeting unless the addition of a late item is approved by the Chairperson or by a request of three (3) Board members.

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 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 three (3) members. However, once the agenda for a special called meeting is posted or 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. At each regular meeting, the Board shall recognize the achievements and contributions of students, staff, schools/councils, or community members.
2. The Board shall receive communications from citizens and schools/councils as early as practical in the agenda.
3. Each regular meeting agenda shall contain opportunities for dialogue concerning student achievement issues, including the impact of student learning and support services and an analysis of progress indicators and data.
4. The agenda shall reflect a regular schedule of reports to the Board on the status of District finances, programs, and services.
5. To the extent practicable, standard and/or recurring business shall be organized under a consent provision.

The agenda and accompanying documents for regular meetings shall be delivered to Board members no later than the Wednesday prior to the Monday night Board meeting.

PUBLIC COMMENT PERIOD

Each regular meeting shall include a public comment period of at least fifteen (15) minutes, unless no one has signed up to speak. Any Board rules and policies regarding conduct during school board meetings shall apply during the public comment period.¹

Board Meeting Agenda**DISTRICT EMPLOYEES/MEMBERS OF THE PUBLIC**

District employees and any member of the public may submit items to be considered for the agenda to the Superintendent ten (10) calendar days prior to the date of the meeting by filing the appropriate form (01.45 AP.2). Items may include a request that the Board consider adoption or amendment of a policy for future application.

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.

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

EXCEPTIONS

Any item submitted after the posting of a regular Board meeting agenda, and approved by the Superintendent or Board Chairperson as an item requiring immediate action by the Board, shall be posted as an addendum and considered part of the agenda. The necessity for immediate action shall be listed on the addendum.

ORDER OF BUSINESS

The agenda shall be the official guide by which the meeting will be conducted. The order of business shall be as follows:

1. Call to Order
2. Recognition and Information Agenda
3. Consent Agenda
 - a. Approval of Minutes
 - b. Payment of Bills
4. Discussion and Action Agenda
5. Motion Making Agenda Part of the Official Board Business Meeting
6. Other Business
 - a. Board
 - b. Personnel
 - c. Public
7. Adjournment

REFERENCE:

[¹KRS 160.270](#)
[KRS 160.290](#)

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RELATED POLICIES/PROCEDURES:

[01.42](#); [01.421](#); [01.44](#); [01.451](#); [01.5](#); [03.16/03.26](#)
[01.45 AP.2](#)

LEGAL: NEW REGULATION 702 KAR 1:116 REPLACES EXPIRED REGULATION 702 KAR 1:115 AND AMENDS THE PROCESS FOR APPROVAL OF BOARD TRAINING HOURS RECEIVED FROM SOURCES OTHER THAN KSBA.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.83

In-Service Training

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

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

If a Board member obtains hours through any sources other than KSBA, they shall have local Board approval prior to participation in the training event, and they shall ensure that a copy of proof of attendance including a recitation of the time, date, location, and description of the training is sent by the training provider to KSBA within two (2) weeks of completion of the training ~~and send a copy of the record (Board minutes) to KSBA.~~

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

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

IN-SERVICE TRAINING REGARDING CHARTER SCHOOL AUTHORIZATION

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

When the Board, or a collaborative of local school boards including the Board, receives a charter school application, any member of the Board or boards who has not received charter authorization training within twelve (12) months immediately preceding the date the application was received shall receive six (6) hours of in-service training prior to evaluating the charter application. Except for training provided prior to July 15, 2020, the training shall be in addition to the annual in-service training required under KRS 160.180, and the Board shall select the trainer to deliver the training to its members. Charter authorizer training shall not be required of any Board member until a charter application is submitted to the Board or boards.²

In-Service Training

IN-SERVICE TRAINING REGARDING CHARTER SCHOOL AUTHORIZATION (CONTINUED)

The charter authorizer training requirements shall be approved by the Commissioner of Education and shall address the following topics of authorizer responsibility and charter school formation and operation:

1. Financial governance and transparency;
2. Conflict of interest;
3. Charter application;
4. Charter school contracting;
5. Charter school monitoring;
6. Charter school renewal, nonrenewal, and revocation;
7. Charter school closure;
8. Ethics;
9. Curriculum and instruction;
10. Educational services provided for special needs, at risk, English learner, gifted, and other special population students; and
11. Physical restraint and seclusion of students.

ORIENTATION OF NEW BOARD MEMBERS

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

REFERENCES:

¹KRS 160.180

²KRS 160.1594

701 KAR 8:020

~~702 KAR 1:115~~ 702 KAR 1:115

OAG 85-53; OAG 85-145

LEGAL: HB 9 AMENDS 160.1594 TO CLARIFY THAT CHARTER SCHOOL AUTHORIZERS ARE ENCOURAGED TO GIVE PREFERENCE TO APPLICATIONS THAT DEMONSTRATE INTENT, CAPACITY, AND CAPABILITY TO PROVIDE COMPREHENSIVE LEARNING EXPERIENCES TO AT RISK STUDENTS, STUDENTS WITH SPECIAL NEEDS, AND STUDENTS SEEKING CAREER READINESS.
FINANCIAL IMPLICATIONS: FUNDING FOR CHARTER SCHOOLS

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.91

Authorization of Charter Schools

AUTHORIZATION

Approval of charter school applications shall be subject to the Board finding that the school described in the application meets statutory and regulatory requirements and is likely to improve student learning and achievement; that the applicant demonstrates the ability to operate the school in an educationally and fiscally sound manner; and that approval of the application will:

- Improve student learning outcomes by creating additional high-performing schools with high standards for student performance;
- Encourage the use of different, high-quality models of teaching, governing, scheduling, or other aspects of schooling that meet a variety of student needs;
- Close achievement gaps for low-performing groups of public school students;
- Allow schools freedom and flexibility in exchange for exceptional levels of results-driven accountability;
- Increase high-quality educational opportunities within the public education system for all students, especially those at risk of academic failure; and
- Provide students, parents, community members, and local entities with expanded opportunities for involvement in the public education system.

BOARD MISSION AND VISION FOR AUTHORIZING CHARTER SCHOOLS

The Board seeks to authorize high quality charter schools with innovative, unique, and effective academic programs that are designed to increase student performance and achievement in alignment with the strategic priorities of the Board as set forth in the District's vision, mission and strategic plans and is encouraged to give preference to applications that demonstrate the intent, capacity, and capability to provide comprehensive learning experiences to: (a) Students identified by the applicants as at risk of academic failure; ~~and~~ (b) Students with special needs as identified in their individualized education program as defined in KRS 158.281; and (c) students who seek career readiness education opportunities.

AUTHORIZER ORGANIZATIONAL CAPACITY

The Board shall allow the Superintendent/designee to file a letter of support or one objecting to approval of each charter application received based on substantial hardship that may result for the students who do not attend the charter school and shall allow comments at the public hearing from the Superintendent/designee if he or she has filed objections to the charter application. Any letter and supporting evidence filed by the Superintendent/designee must be published on the District website within three (3) days.

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Authorization of Charter Schools**AUTHORIZER ORGANIZATIONAL CAPACITY (CONTINUED)**

The Board shall consult with the Superintendent/designee on the timeline for submission, review, decision, and appeal for a charter application and/or request for contract renewal. The Board shall require the Superintendent/designee to provide information and evidence regarding the academic performance of the students identified in the charter application as the targeted community and shall publish the information on the District website within three (3) days of submission by the Superintendent/designee.

With respect to charter school applications and monitoring of existing charter schools, the Board shall not execute or renew a charter school contract if fiscal jeopardy or failure to make consistent progress towards the stated objectives of the charter school is evident or a likely outcome. In addition, the Board shall not allow an existing charter school to operate in a manner that would jeopardize the learning, safety, or well-being of its students and shall take appropriate intervention as warranted, up to and including revocation of the charter contract.

The Board shall:

- Receive, review, and take final action concerning all properly submitted charter school applications within the timelines established by all applicable statutes and regulations and shall provide a copy of a submitted charter application to the resident local District Superintendent and to any other authorizer within three (3) days.
- Conduct a comprehensive analysis of the strengths and weaknesses of each charter school application.
- Develop, in cooperation with the applicant, a charter contract that complies with all applicable statutes and regulations, subject to approval of the Board and the Commissioner of Education.
- Submit all required reports to the Kentucky Department of Education within the required timeframe, as established by all applicable statutes and regulations.
- Monitor each charter school's progress towards the goals, objectives, and performance framework established in its charter contract, including but not limited to:
 - Taking reasonable measures to obtain charter school compliance with all applicable statutes and regulations, including, but not limited to, the Kentucky Open Records and Open Meetings laws.
 - Holding the board of directors and officers of the charter school accountable to the Board through student achievement, financial, governance, operational, and climate and culture data that shall be collected throughout the year and provided to the Board.
 - Monitoring the charter school's academic, fiscal, and operational health, as well as school climate and culture, through a transparent accountability system, to include periodic reporting, monitoring visits, and publication of reports via the websites of the Board and the charter school.

Authorization of Charter Schools**AUTHORIZER ORGANIZATIONAL CAPACITY (CONTINUED)**

- Documenting, in writing, any discrepancies or deficiencies whether fiscal, educational, operational, or related to school climate and culture of the charter school and the steps and timelines developed by the charter school for correction and conduct additional monitoring. Copies of the documentation shall be provided to the charter school board of directors.
- Consider, as appropriate and required by law, amendments to as well as renewal, nonrenewal, and/or revocation of a charter contract.
- Publication of required information on the District website as well as each charter school's website, including but not limited to, the charter school's original application, charter contract, and any contract amendments.
- Compliance by each charter school with its charter contract.

Any failure of the authorizer to act on a charter application, renewal, or other appealable decision shall be deemed an approval.

REFERENCES:

KRS 160.1590; KRS 160.1591; KRS 160.1592; KRS 160.1593; KRS 160.1594
KRS 160.1595; KRS 160.1596; KRS 160.1597; KRS 160.1598; KRS 160.1599
701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040

RELATED POLICIES:

01.11; 01.911; 01.9111; 01.912; 01.913; 01.914

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Charter School Application Process

APPLICATION PROCESS

Eligibility: An application to establish a charter school may be submitted to the Board by teachers, parents, school administrators, community residents, public organizations, nonprofit organizations, or a combination thereof. The Board shall accept and document the date and time of receipt of all charter school applications.

A charter school approved by the Board shall be nonsectarian in its organizational structure and operations. A charter school approved by the Board shall not discriminate against any student, employee, or any other person on the basis of ethnicity, religion, national origin, sex, disability, special needs, athletic ability, academic ability or any other ground that would be unlawful if done by a public school. A charter school approved by the Board may serve any grade or combination of grades from kindergarten through grade twelve (12).

Application: For a charter school application to be considered complete, the application (a) shall be submitted on the form of Kentucky Charter School Application as incorporated by reference in 701 KAR 8:020, (b) shall satisfy the requirements of KRS 160.1593 and 701 KAR 8:020, and (c) shall satisfy the requirements of the District and shall also be submitted as a written notification of the application simultaneously to the state board as a record of the filing. Incomplete applications shall be denied. An applicant shall be provided a detailed analysis account of any deficiency in of the application and which shall include any identified deficiencies. The applicant shall be permitted ten (10) calendar days after receipt of such analysis account to address any identified deficiencies, including allowing an applicant to request a sixty (60) day extension to seek technical assistance in curing deficiencies from the state board remedy the deficiency. If supplemental information is not provided to remedy the deficiency, or the supplemental information provided is not sufficient, the application shall be denied by the Board.¹

Request for Charter School Applications: The request shall contain all information that will enable an applicant to submit a complete application to the Board, including but not limited to the form of Kentucky Charter School Application, a description of specific evidences to be provided by the applicant, a Scoring Rubric, and any additional information required by the Board.

An applicant shall complete and file the application on or before October 30.

Capacity: In order for an application to be approved, the applicant must demonstrate the capacity of the applicant's board of directors to operate a high-quality charter school as set forth in the performance contracting requirements. If an applicant intends to contract with an education management organization to operate all or parts of the proposed charter school, the applicant must demonstrate the ability of the applicant's board of directors to operate at arms' length from the education management organization as required in the Kentucky Charter School Application and Addendum.

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Charter School Application Process**APPLICATION PROCESS (CONTINUED)**

Charter Authorization: The Board shall approve only a charter school application that has been properly and timely submitted and that demonstrates a strong capacity to establish and sustainably operate a charter school that will provide high quality learning opportunities for all of its students and which satisfies the criteria for approval described in Policy 01.91. The Board shall review the Superintendent's recommendation and related materials and shall by majority vote approve or deny an application within sixty (60) days after the applicant's timely submission. The Board shall not approve a charter application unless the application meets all legal requirements. The Board shall only approve initial charter contracts with a term of five (5) years in length. Within five (5) days of an approval, the Board shall submit the approved charter application to the Commissioner of Education for review and approval.

Appeal: Following any decision to deny an application, the applicant may submit a notice of appeal to the Board and the Kentucky Board of Education. The notice of appeal shall be filed within thirty (30) days after the Board's decision to deny the application. The notice of appeal must comply with the requirements of KRS 160.1595 and 701 KAR 8:030. The requirements for the notice of appeal shall be posted on the District website.²

Conversion Charter Schools: The Board may by a majority vote designate an existing school within the District not scheduled for closure to be converted to a charter school. The processes for submission of a conversion application, community input, the Board's review and vote, the transfer of management and operations of a conversion charter school, and the transition of employees shall adhere to the requirements of KRS 160.1599 and 701 KAR 8:040. The requirements for petitioners advocating for conversion of an existing school within the District shall be posted on the District website.³

REFERENCES:

¹KRS 160.1592; KRS 160.1593; KRS 160.1594; 701 KAR 8:020

²KRS 160.1595; 701 KAR 8:030

³KRS 160.1599; 701 KAR 8:040

RELATED POLICIES:

01.11; 01.91; 01.9111; 01.912; 01.913; 01.914

LEGAL: HB 63 AMENDS KRS 158.4414 TO REQUIRE THAT THE BOARD SHALL ENSURE, FOR EACH CAMPUS IN THE DISTRICT, THAT AT LEAST ONE (1) CERTIFIED SCHOOL RESOURCE OFFICER (SRO) IS ASSIGNED TO AND WORKING ON-SITE FULL-TIME IN THE SCHOOL BUILDING OR BUILDINGS ON THE CAMPUS. IF SUFFICIENT FUNDS AND QUALIFIED PERSONNEL ARE NOT AVAILABLE FOR THIS PURPOSE FOR EVERY CAMPUS, THE BOARD SHALL FULFILL THE REQUIREMENTS ON A PER CAMPUS BASIS, AS APPROVED IN WRITING BY THE STATE SCHOOL SECURITY MARSHAL, UNTIL A CERTIFIED SRO IS ASSIGNED TO AND WORKING ON-SITE FULL-TIME ON EACH CAMPUS IN THE DISTRICT.

FINANCIAL IMPLICATIONS: COST OF HIRING AND TRAINING SROS

LEGAL: A NEW SECTION OF KRS 158 (KRS 158.471) PROVIDES THAT BOARDS OF EDUCATION ARE AUTHORIZED TO ESTABLISH A POLICE DEPARTMENT FOR LOCAL SCHOOL DISTRICTS, APPOINT POLICE OFFICERS AND OTHER EMPLOYEES, PRESCRIBE DISTINCTIVE UNIFORMS FOR THE POLICE OFFICERS OF THE SCHOOL DISTRICT, AND DESIGNATE AND OPERATE EMERGENCY VEHICLES. POLICE OFFICERS APPOINTED SHALL TAKE AN APPROPRIATE OATH OF OFFICE IN THE FORM AND MANNER CONSISTENT WITH THE CONSTITUTION OF KENTUCKY. POLICE OFFICERS SHALL BE GRANTED WITH THE PROTECTIONS PROVIDED IN KRS 15.520 AND SHALL BE CERTIFIED IN ACCORDANCE WITH KRS 15.380.

FINANCIAL IMPLICATIONS: COST OF ESTABLISHING POLICE DEPARTMENT, HIRING, AND SALARIES OF OFFICERS

ADMINISTRATION

02.31

School Resource Officers (SROs)

DEFINITION

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

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

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ASSIGNMENT

By August 1, 2022, the Board shall ensure, for each campus in the District, that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus. If sufficient funds and qualified personnel are not available for this purpose for every campus, the Board shall fulfill the requirements on a per campus basis, as approved in writing by the State School Security Marshal, until a certified SRO is assigned to and working on-site full-time on each campus in the District.

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School Resource Officers (SROs)**BOARD MAY AUTHORIZE POLICE DEPARTMENT**

KRS 158.196 provides that the Board is authorized to establish a police department for the District, appoint police officers and other employees, prescribe distinctive uniforms for the police officers of the District, and designate and operate emergency vehicles. Police officers appointed shall take an appropriate oath of office in the form and manner consistent with the constitution of Kentucky. Police officers shall be granted with the protections provided in KRS 15.520 and shall be certified in accordance with KRS 15.380.³

If the Board establishes a police department, the Superintendent/designee shall develop standard operating procedures governing the department.

TRAINING REQUIREMENTS

All School Resource Officers (SROs) with active SRO certification shall successfully complete forty (40) hours of annual in-service training that has been certified or recognized by the Kentucky Law Enforcement Council for SROs. Any SRO who fails to successfully complete training requirements within the specified time periods, including approved extensions, shall lose his/her SRO certification and shall no longer serve in the capacity of an SRO in a school.

FIREARM REQUIREMENT

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

SUPERINTENDENT TO REPORT

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

REFERENCES:

¹KRS 158.441

²KRS 158.4414

³KRS 158.196

KRS 15.380; KRS 15.520

KRS 61.902

KRS 158.471; KRS 158.473; KRS 158.475; KRS 158.477; KRS 158.479; KRS 158.481

KRS 158.4415

RELATED POLICY:

05.48; 09.4361

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LEGAL: REPEAL OF 701 KAR 5:080 AND REVISIONS TO 701 KAR 5:100 ESTABLISH THE APPLICATION PROCESS AND GUIDELINES FOR EXEMPTION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.413

Exemption (SBDM)

On or after January 1 and prior to March 1 of each calendar year, a school required to implement school-based decision making pursuant to KRS 160.345 may seek an SBDM exemption by submitting a written request to the Commissioner for consideration by the Kentucky Board of Education (KBE). Any school performing above its threshold level requirement as determined by the Kentucky Department of Education under KRS 158.6455 may apply to the Kentucky Board of Education for exemption from SBDM. Any school that requests such exemption shall inform the Superintendent and the Board. Implementation of an approved school-based decision making exemption shall begin on July 1 unless otherwise specified in the written request submitted to and approved by the KBE. An SBDM exemption approved by the KBE shall be valid for one (1) school year; however, a school may annually re-apply for an SBDM exemption if it meets the requirements set forth in KRS 160.345.

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Any District-operated school not defined as a "school" by KRS 160.345 (1) (b) is not eligible to operate under School Based Decision Making.

PETITION

Faculty members of a school who no longer wish to remain under SBDM shall present a written petition to the Principal signed by a minimum of twenty-five percent (25%) of the faculty members, indicating their desire for a vote on the matter.

Under guidelines established by its membership, the parent/teacher organization of the school or, if none exists, the largest organization of parents formed for this purpose may also submit a petition to the Principal, calling for a vote on whether to apply for an exemption.

SCHEDULING

On receiving a petition the Principal shall set the date, time and place of a faculty meeting for the purpose of voting on whether to apply for an exemption. This meeting shall be held not less than five (5) and not more than ten (10) school days from the Principal's receipt of the petition.

NOTICE

Notice of the meeting shall be provided to all faculty members assigned to the school at least five (5) days in advance of the meeting.

MEETINGS

The Principal shall chair the meeting at which the vote is taken by the faculty. Voting shall be by secret ballot. Ballots shall offer faculty members the opportunity to vote for or against applying for an exemption. The Principal and at least two (2) teachers chosen by the faculty shall count the ballots and announce the results at the conclusion of the meeting.

The parent vote on applying for an exemption shall be conducted by the parent/teacher organization of the school or, if none exists, the largest organization of parents formed for this purpose.

An affirmative vote of the majority of the faculty and a majority of at least twenty-five (25) voting parents of students enrolled in the school shall be required to apply for an exemption from SBDM. The Principal shall forward results of the faculty and parent elections to the Superintendent and the Board.

A vote to apply for an exemption shall be held not more than once every sixty (60) calendar days.

Exemption (SBDM)**VOTE TO RETURN**

An exemption, once granted by the Kentucky Board of Education, shall continue unless the school fails to meet threshold requirements or votes to return to SBDM.

A vote to enter into SBDM shall be held no more than once every sixty (60) calendar days. Faculty members of a school who wish to re-enter School Based Decision Making (SBDM) shall present a written petition to the Principal, signed by a minimum of twenty-five (25%) percent of the faculty members, indicating their desire for a vote on the matter.

The Principal shall chair the meeting at which the vote is taken. Voting shall be by secret ballot. Ballots shall offer faculty members the opportunity to vote for or against re-entering SBDM. The Principal and at least two (2) teachers chosen by the faculty shall count the ballots and announce the results at the conclusion of the meeting.

If two-thirds (2/3) of the faculty vote to re-enter SBDM, the school will do so. The Principal shall forward results of the vote to the Superintendent and the Board. Organization of elections to select teacher and parent representatives for the school council shall be conducted in accordance with Board Policy 02.421.

SCHOOLS OF INNOVATION

In a designated school of innovation participating in a district of innovation application and plan, the council may request a waiver from KRS 160.345 or specific provisions within that statute by conducting a vote as set out in KRS 160.107.

REFERENCES:

KRS 156.108; KRS 158.6455
KRS 160.107; KRS 160.345
[701 KAR 5:100](#)
OAG 94-51

RELATED POLICIES:

02.421
02.4241

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LEGAL: REPEAL OF 701 KAR 5:080 AND REVISIONS TO 701 KAR 5:100 ESTABLISH THE APPLICATION PROCESS AND GUIDELINES FOR ALTERNATIVE MODELS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.414

Alternative Models

A school may develop an alternate form of [School-Based Decision Making \(SBDM\)](#) under the following process.

PROCESS

[On or after January 1 and prior to March 1 of each calendar year, a school choosing to develop an alternative model for SBDM pursuant to KRS 160.345 shall submit a completed Alternative School-Based Decision Making Application through the Board to the Commissioner for consideration by the Kentucky Board of Education.](#) Alternate models may address membership, organization, duties and responsibilities of the council. The alternate model shall be developed by a committee composed of representatives of parents, high school students, teachers and administrators. The composition of the committee shall be three (3) parents, three (3) teachers, one (1) student and one (1) administrator who shall be the Principal of the school. The parent representatives shall be appointed by the parent teacher organization. If no parent teacher organization exists at the school, then the parent representatives of the committee shall be elected under the procedures set out for electing parents to the school council. The student representative shall be appointed by the student government organization. If no student government organization exists at the school then the Principal shall appoint the student representative. The teacher representatives shall be elected by the teachers of the school.

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APPROVAL

Any model developed by this committee must be approved by two-thirds (2/3) of the school faculty. An alternative model shall not eliminate or reduce the proportion of parent representatives on the council.

REVIEW

On recommendation of the Principal or on a two-thirds (2/3) vote of the certified staff, the alternate model may be reviewed by the establishment of a review committee whose membership shall be as described above. The review committee may propose amendments to the alternate model which must be approved by two-thirds (2/3) of the faculty of the school prior to its presentation to the Board.

Approved models or amendments shall be presented to the Board for review and transmitted to the Commissioner of Education and the State Board for Elementary and Secondary Education. [The date of implementation of the alternative SBDM model is July 1.](#)

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REFERENCES:

KRS 160.345; 701 KAR 5:100; OAG 93-52

LEGAL: SB 1 AMENDS KRS 160.345 TO CLARIFY THAT COUNCIL ELECTIONS MAY ALLOW VOTING TO OCCUR OVER MULTIPLE DAYS AND VIA ELECTRONIC MEANS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.421

Election of School Council Members

COUNCIL ELECTIONS

Council elections may allow voting to occur over multiple days and via electronic means.

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ELECTION OF TEACHER MEMBERS

Teachers may nominate themselves or another teacher. A written ballot containing the names of all qualified teachers nominated shall be prepared and kept on file with other council records. The teachers shall choose a chairperson to chair the election to elect teacher members to the council. Balloting will continue until three (3) teachers are elected. Teacher members must be employees of the District and currently assigned to the school where they are elected as council member. For the purpose of electing teacher council members, a Principal or Assistant Principal may not vote or serve as a teacher council member. Election shall be by majority vote of all teachers assigned to the school.

Itinerant teachers may vote at all schools to which they are assigned and may serve on the council of any of those schools.

Teachers elected to a council shall not be involuntarily transferred during their term of office.

ELECTION OF PARENT MEMBERS

Parents of students assigned to a school shall organize the election to select parent council members. They may request the Principal to provide administrative assistance required to conduct the election.

The president of the parent-teacher organization shall organize and oversee the election of parent council members. If the school does not have a parent-teacher organization, then the Principal shall set the date and time for parents to elect parent council members and shall provide notice of the election to parents.

A parent council member shall be a parent, stepparent, or foster parent of a student to be enrolled in the school during the parent's term of council service. Parent shall also mean a person who has legal custody of a student pursuant to a court order and with whom the student resides. A parent council member shall not be an employee or the relative of an employee of the school in which that parent serves, nor shall the parent representative be an employee or a relative of an employee in the District administrative offices. A parent representative shall not be a local Board member or Board member's spouse. Relative shall mean father, mother, brother, sister, husband, wife, son, and daughter.

A parent council member shall submit to a state and national fingerprint-supported criminal history background as required by KRS 160.380. The processing fee shall be incurred by the Board. In addition, the parent council member shall provide a clear CA/N check. A parent member may serve prior to the receipt of the criminal history background check and CA/N check, but shall be removed from the council on receipt by the District of a report documenting a record of abuse or neglect, or a sex crime or criminal offense against a victim who is a minor as defined in KRS 17.500 or as a violent offender as defined in KRS 17.165 and no further procedures shall be required.

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

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

Election of School Council Members**MINORITY REPRESENTATIVES**

School councils in schools having eight percent (8%) or more minority students enrolled, as determined by the enrollment on the preceding October 1, shall have at least one (1) minority member. If the council formed under paragraph (a) of this subsection does not have a minority member, the Principal, in a timely manner, shall be responsible for carrying out the following:

- a) **Organizing a special election to elect an additional member. The Principal shall call for nominations and shall notify the parents of the students of the date, time, and location of the election to elect a minority parent to the council by ballot; and**
- b) **Allowing the teachers in the building to select one (1) minority teacher to serve as a teacher member on the council. If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. Term limitations shall not apply for a minority teacher member who is the only minority on faculty.**

TERMS

Terms of school council members shall be for one (1) year. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. Term limitations shall not apply for a minority teacher member who is the only minority on faculty. Elections for terms that expire should be held before the expiration date as set by the council.

COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS

When a new school is opened or schools are consolidated, these guidelines shall be followed:

- If a school is scheduled for closing, there is no need to hold council elections for the upcoming school year.
- Council members of a school being consolidated with another school may not carry over a term of office to the newly consolidated school's council, but may stand for election if otherwise qualified.
- Following the opening of a new or consolidated school, elections shall be held to form a council.

CONFLICT OF INTEREST

Council members shall not have a conflict of interest pursuant to KRS Chapter 45A, except the salary paid to District employees.

REMOVAL OF COUNCIL MEMBERS

On recommendation of the Commissioner of Education and pursuant to statutory requirements, the Board may remove a council member for cause by a vote of four-fifths (4/5) of the Board's membership.

VACANCIES

Council vacancies shall be filled at a special called election and shall follow the guidelines set forth in this policy.

ADMINISTRATION

02.421
(CONTINUED)

Election of School Council Members

REFERENCES:

KRS 17.165; KRS 17.500; KRS 156.132
KRS 160.345; KRS 160.347; KRS 160.380
OAG 91-148; OAG 91-192; OAG 91-206
OAG 92-88; OAG 93-49; OAG 94-41

LEGAL: SB 1 AMENDS KRS 160.345 TO CLARIFY THAT SCHOOL COUNCIL POLICIES SHALL BE CONSISTENT WITH BOARD POLICIES AND CURRICULUM RESPONSIBILITIES UNDER KRS 158.6453.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4241

School Council Policies (SBDM)

ADOPTION OF POLICY

The school council shall have the responsibility to set school policy that shall be consistent with District Board Policy and which shall provide an environment to enhance the students' achievement and help the school meet the goals established by KRS 158.645 and KRS 158.6451 and goals established by the Board to be implemented by the Principal in each of the following areas of responsibility.
~~The school council shall adopt policy to be implemented by the Principal in each of the following areas of responsibility:~~

1. ~~Determination of curriculum including needs assessment and e~~Curriculum responsibilities development under KRS 158.6453;
 - a. ~~Such policies shall determine the writing program for the school, consistent with KRS 158.6453, to be submitted to the Kentucky Department of Education for review and comment.~~
2. Assignment of all instructional and non-instructional staff time;
3. Assignment of students to classes and programs within the school;
 - a. Placement of students from the household of an active duty service member or civilian military employee transferring into the District before or during the school year shall be based initially on enrollment in courses offered at the sending school and/or educational assessments conducted at that school. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advanced Placement, Cambridge Advanced International, vocational, technical, and career pathways courses. Initial placement does not preclude the District/school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of students in the course(s).
 - b. Each secondary school-based decision making council shall establish a policy on the recruitment and assignment of students to Advanced Placement (AP), International Baccalaureate (IB), Cambridge Advanced International, dual enrollment, and dual credit courses that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum.
4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar and transportation requirements established by the Board;
5. Determination of the use of school space during the school day related to improving classroom teaching and learning;
6. Planning and resolution of issues regarding instructional practices;
7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor and principal;
8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation and supervision;

School Council Policies (SBDM)**ADOPTION OF POLICY (CONTINUED)**

The school shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

9. Adoption of a school emergency plan and implementation of safety practices required by KRS 158.162;
10. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;
11. Commitment to a parent involvement process (for all schools receiving Title I services) that provides for:
 - a. Establishing an open, parent-friendly environment;
 - b. Increasing parental participation;
 - c. Improving two-way communication between school and home, including what their child will be expected to learn; and
 - d. Developing parental outreach programs.
12. Procedures to assist the council with consultation in the selection of [the Principal by the Superintendent, and the selection of](#) personnel by the Principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.
13. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)

The Superintendent/designee shall provide assistance in identifying strategies and options to promote daily moderate to vigorous physical activity for students, which may include those that increase strength and flexibility, speed heart rate and breathing and stress activities such as stretching, walking, running, jumping rope, dancing, and competitive endeavors that involve all students.

It is permissible for a council policy to be a statement of acceptance of an existing school or Board policy or for the council to delegate the responsibility to the administration.

It is recommended that councils do not adopt a policy at the meeting in which the policy is first introduced.

OTHER POLICIES

~~Councils may adopt policies for areas other than those listed above to provide an environment that enhances student achievement and to help the school meet goals established by law and by the Board, provided the policies adopted are consistent with Board policies in those areas.~~

School Council Policies (SBDM)**REVIEW OF POLICIES**

Before final adoption of a council policy, it shall be reviewed by the Superintendent/designee who may request that the proposed policy be reviewed by the Board Attorney. Any concerns shall be shared with the council within ten (10) working days of the Superintendent's receipt of the draft policy. If there are concerns, the Superintendent shall provide a copy of the council policy to the Board for review, along with any concerns s/he and the Board Attorney may have noted, such as possible conflicts with state and federal laws or contractual obligations, liability and/or health and safety questions, and budgetary issues.

The review process is not intended to interfere with a council's authority to adopt and implement legally and operationally permissible policies. Therefore, it is the Board's intent that information resulting from the review process be shared with the council in a timely manner.

COMPLIANCE WITH BOARD POLICY

In the development and application of school policies as permitted by statute, schools operating under SBDM shall comply with those policies that fall within the authority of the Board, including but not limited to those prohibiting discrimination based on age, race, sex, color, religion, national origin, political affiliation, or disability.

MANUAL

Each school council shall maintain a manual of council policies and make such a manual available to the school's council members, working committees and staff, and to the public, Superintendent and Board.

WAIVER OF STATE REGULATIONS

School councils who decide to request 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 shall submit the supporting information to the Superintendent as required by law. The Superintendent shall then forward the request to the Kentucky Board of Education.

SCHOOLS OF INNOVATION

In a designated School of Innovation participating in a District of Innovation application and plan, the council may request a waiver from KRS 160.345 or specific provisions within that statute by conducting a vote as set out in KRS 160.107.

The school council shall vote and be responsible for conducting a vote to determine if the school shall be an applicant as a School of Innovation in the District's application for District of Innovation status and to approve the school's plan of innovation before it is submitted to the District. The vote shall be taken by secret ballot among eligible employees as defined in KRS 160.107. At least seventy percent (70%) of those casting votes in the affirmative shall be required before the school requests to be included in the District's plan and to approve the school's plan of innovation.

ADMINISTRATION

02.4241
(CONTINUED)

School Council Policies (SBDM)

REFERENCES:

KRS 156.072; KRS 156.160; KRS 156.730; KRS 156.735
KRS 158.197; KRS 158.645; KRS 158.6451; KRS 158.6453
KRS 158.162; KRS 160.345; KRS 160.348
KRS 156.108; KRS 160.107; 701 KAR 5:140
OAG 93-55; OAG 94-29; 702 KAR 7:140; 704 KAR 3:510
Board of Educ. of Boone County v. Bushee, Ky., 889 S.W. 2d 809 (1994)
U. S. Dept. of Agriculture's *Dietary Guidelines for Americans*

RELATED POLICIES:

01.11; 02.422; 02.4231; 03.112; 08.1
09.126 (re requirements/exceptions for students from military families)

LEGAL: SB 1 AMENDS KRS 160.345 TO CLARIFY THAT THE SUPERINTENDENT SHALL DETERMINE AND THE BOARD SHALL ALLOCATE AN APPROPRIATION TO EACH SCHOOL THAT IS ADEQUATE TO MEET THE SCHOOLS' NEEDS RELATED TO INSTRUCTIONAL MATERIALS AND SCHOOL-BASED STUDENT SUPPORT SERVICES, AS DETERMINED BY THE PRINCIPAL AFTER CONSULTATION WITH THE COUNCIL.

FINANCIAL IMPLICATIONS: COSTS OF ALLOCATION OF FUNDS

ADMINISTRATION

02.4242

School Budget and Purchasing

BOARD ALLOCATIONS

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

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

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

SCHOOL RESPONSIBILITY

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

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

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

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

BOARD APPROPRIATION

The Superintendent/council shall determine, ~~within available resources, the which curriculum, textbooks, instructional materials, resources, travel, equipment,~~ and student support services ~~shall to~~ be provided in the school ~~after consulting with the Board, the Principal, and the school council and after a reasonable review and response period for stakeholders in accordance with Board policy.~~

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PURCHASING

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

ADMINISTRATION

02.4242
(CONTINUED)

School Budget and Purchasing

SUPERINTENDENT'S RESPONSIBILITY

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

EXPENDITURE OF FUNDS

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

REFERENCES:

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

RELATED POLICIES:

04.1; 04.312

DRAFT WITH DISTRICT CHANGES #2 6/2/2022

LEGAL: SB 1 CHANGES THE PROCESS FOR HIRING THE PRINCIPAL FROM THE COUNCIL TO THE SUPERINTENDENT WITH CONSULTATION WITH THE COUNCIL AND REMOVES THE ALTERNATIVE SELECTION PROCESS AND REQUIRED TRAINING ON INTERVIEWING TECHNIQUES.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4244

School Hiring

PRINCIPAL SELECTION

The Superintendent shall fill the vacancy after consultation with the council.¹

Prior to consultation with the school council, each member shall sign a nondisclosure agreement forbidding the disclosure of information shared and discussions held during consultation.

A person who believes a violation of the nondisclosure agreement occurred may file a written complaint with the Kentucky Board of Education (KBE). A council member found to have violated the nondisclosure agreement may be subject to removal from the council by the KBE.

~~When a vacancy exists in the position of school Principal, the outgoing Principal shall not serve on the council during the Principal selection process.~~

A vacancy is created in the position of Principal by the resignation, removal, transfer, retirement or death of the current Principal.

Following the Superintendent declaring a vacancy, the Superintendent will select the principal after completion of the following actions:

- Development of the principal selection timeline;
- Selection of a designee to complete the following actions:
 - Serve as chair of all committees/panels in the principal selection process
 - Administer an online survey for stakeholder feedback to inform the selection criteria
 - Host a SBDM Council Meeting to consult with the SBDM Council to include: sharing the principal selection timeline, soliciting feedback for the principal selection criteria, soliciting other feedback from the council and recruiting SBDM members for participation in the selection process
 - Select principal selection panel to complete the following (the panel should include at least one [1] SBDM member):
 - Develop principal selection criteria
 - Review all applications
 - Conduct reference checks
 - Select applicants for first round interviews
 - Conduct interviews and send a maximum of three (3) applicants to the Superintendent for consideration
- The Superintendent will host a SBDM Council meeting to share the principal selection with the SBDM Council.

~~The candidate selected by the council shall be employed by the Superintendent.~~

~~In the event the Principal resigns before the end of the school year or becomes unable to perform the duties of a Principal, the Superintendent shall appoint a Principal for the interim period. The~~

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~~interim/acting Principal shall act in the role of chairperson only to facilitate the operation of the council and shall not vote on council decisions, unless otherwise authorized by council procedures.~~

School Hiring

~~The Superintendent/designee shall serve as the Chair of the council for the purpose of the hiring process and shall have voting rights during the selection process. The council shall have access to the applications of all persons certified for the position. The Principal shall be elected on a majority vote of the membership of the council.~~

No Principal who has been previously removed from a position in the District for cause may be considered for appointment as Principal.

~~The council shall undergo training, with a trainer of its choice, in recruitment and interviewing techniques prior to carrying out the process of selecting a new Principal. The Board encourages the council to follow one (1) or more of the following practices when arranging for this training:~~

~~Selection of a trainer approved by the Kentucky Association of School Councils (KASC);~~

~~Selection of a trainer certified by the Kentucky Department of Education (KDE); and/or~~

~~Requiring the trainer selected to emphasize recruiting and interviewing techniques that reflect model standards developed by KASC.~~

Alternative Principal Selection Process

The following Principal selection process may be used by the school council:

~~Prior to a meeting called to select a Principal, all school council members shall receive informational materials regarding Kentucky Open Records and Open Meetings laws and sign a nondisclosure agreement forbidding the sharing of information shared and discussions held in the closed session;~~

~~The Superintendent shall convene the school council and move into closed session as provided in KRS 61.810(1)(f) to confidentially recommend a candidate;~~

ALTERNATIVE PRINCIPAL SELECTION PROCESS (CONTINUED)

~~THE COUNCIL SHALL HAVE THE OPTION TO INTERVIEW THE RECOMMENDED CANDIDATE WHILE IN CLOSED SESSION; AND~~

~~After any discussion, at the conclusion of the closed session, the council shall decide, in a public meeting by majority vote of the membership of the council, whether to accept or reject the recommended Principal candidate.~~

~~If the recommended candidate is selected, and the recommended candidate accepts the offer, the name of the candidate shall be made public during the next meeting in open session.[†]~~

~~If the recommended candidate is not accepted by the school council under the Alternative Principal Selection Process, then the Principal Selection process above applies.[†]~~

~~If the recommended candidate is not accepted by the school council, the confidentially recommended candidate's name and the discussions of the closed session shall remain confidential under KRS 61.810(1)(f), and any documents used or generated during the closed meeting shall not be subject to an open records request as provided in KRS 61.878(1)(i) and (j).~~

~~A school council member who is found to have disclosed confidential information regarding the proceeding of the closed session shall be subject to removal from the school council by the Kentucky Board of Education.~~

~~Discretionary authority exercised by a school council pursuant to the statutory alternative Principal selection process shall not violate provisions of any employer-employee bargained contract existing between the District and its employees.~~

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School Hiring**OTHER VACANCIES**

When the position to be filled in the school is other than that of Principal, the Principal, after consulting with the council, in accordance with procedures established by the council shall fill the position from a list of qualified applicants provided by the Superintendent. The Superintendent shall provide names of all additional applicants to the Principal upon request when qualified applicants are available.

The Superintendent may forward to the ~~Principal~~^{council} names of qualified applicants who have certification pending from the Education Professional Standards Board pursuant to state law. Applicants subsequently employed shall provide evidence they are certified prior to assuming the duties of their position.

If the applicant is the spouse of the Superintendent and meets the requirements of KRS 160.380, s/he shall only be employed upon the recommendation of the Principal and the approval of a majority vote of the school council.

PERSONNEL DECISIONS

Personnel decisions made at the school level shall be binding on the Superintendent who completes the hiring process. The council shall not have the authority to recommend transfers or dismissals.

REFERENCES:

¹KRS 160.345
KRS 61.810; KRS 61.878
KRS 160.380
OAG 91-149; OAG 92-131; OAG 92-78
OAG 95-10; OAG 96-38

RELATED POLICIES:

02.4241; 03.11; 03.21

LEGAL: AMENDMENTS TO 703 KAR 5:225 CREATE ADDED FLEXIBILITY BY CLARIFYING TIMELINES AND CREATING PROVISIONS FOR THE INCLUSION OF NEW PLAN ELEMENTS CREATED BY OTHER STATE STATUTES OR REGULATIONS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.442

Comprehensive School Improvement Plan

RESPONSIBILITY

Each school council, or Principal, in a school without a council, shall develop, [review](#) ~~monitor~~, and [revise](#) annually ~~update~~ a Comprehensive School Improvement Plan (CSIP) by January 1 of each school year.

In an SBDM school, the school council shall organize a planning process, consistent with District's established planning process. The structure of the CSIP shall include completion of [a narrative summary of the current state of the school](#) ~~the Continuous Improvement Diagnostic~~ between August 1 and October 1 of each school year and completion of the needs assessment between October 1 and November 1 of each school year. [A process for development of the CSIP is to be completed between November 1 and January 1 of each school year, and other components required by state statutes or regulations. Unless otherwise noted, all additional components of the CSIP may be complete by May 1 of each school year.](#)

In a school without a council, the Principal shall appoint a School Planning Committee comprised, at a minimum, of four (4) teachers, four (4) parents, and a community representative. The high school(s) shall include a student on the committee. The community representative shall not be a teacher, spouse of a teacher, or a parent of child(ren) attending the District schools.

The primary purposes of the CSIP shall be:

- To improve student achievement on state and federal mandated testing/accountability instruments; and
- To eliminate achievement gaps among groups of students.

FORM

Unless the school planning committee requests and is granted a waiver by the Board, the school committee shall use any improvement plan format that has been established and approved by the Board. The CSIP structure shall include the component set out in 703 KAR 5:225, Every Student Succeeds Act of 2015 (ESSA), and the elements required by KRS 158.649.

In addition, the school council, or school planning committee appointed by the Principal if there is no school council, shall review annually the school's disaggregated student data and revise the school's improvement plan, as required by applicable statute and regulation, to address any achievement gaps between various groups of students.

The plan shall also address the reduction of physical and mental health barriers to learning, student equity, District safety and student discipline assessments, and District goals established by the Board.

The school plan shall serve as a resource for school/council decision making and shall be posted to the school's web site.

PUBLIC REVIEW

The Principal shall convene a public meeting at the school to present and discuss the plan prior to submitting it to the Superintendent and Board.

Comprehensive School Improvement Plan**SCHOOL REPORT CARDS**

Each school shall post its school report card on its website as required by ESSA. School report cards shall be widely accessible to the public, in an understandable and uniform format, and when possible, written in a language that parents can understand.

As outlined in KRS 160.463, a copy of the report card is to be publicized by one of the following methods:

- a. In the newspaper of the largest general circulation in the county;
- b. Electronically on a website of the District; or
- c. By printed copy at a prearranged site at the main branch of the public library within the District.

If b or c above is selected, the Superintendent shall be directed to publish notification in the newspaper with the largest circulation in the county. The notification shall include the electronic address of the website or the address of the library where the report card can be viewed by the public.

Each school shall send to parents a school report card containing information about school performance as outlined in KRS 158.6453 and 703 KAR 5:140, and information on electronic access to a summary of the results for the district shall be published in the newspaper with the largest circulation in the county.

BOARD REVIEW

The school's plan for eliminating gaps among various groups of students shall be presented to the Board for its review and comment. The Board may share its comments, in writing, with the council.

In keeping with Board Policy 02.44, each School Council or School Planning Committee shall annually report to the Board regarding the progress toward achieving the goals and desired outcomes and meeting the needs identified in the improvement plan, including those for student groups for whom data indicate an achievement gap exists.

REFERENCES:

KRS 158.645; KRS 158.6451; KRS 158.6453; KRS 158.649
KRS 160.290; KRS 160.345; KRS 160.463
703 KAR 5:140; 703 KAR 5:225; 703 KAR 5:280
P. L. 114-95 (Every Student Succeeds Act of 2015)

RELATED POLICIES:

01.111; 02.432; 02.44

LEGAL: NEW REGULATION 702 KAR 1:191 REQUIRES THE DISTRICT TO HAVE A POLICY TO PROVIDE QUARANTINE LEAVE IF EMPLOYEES ARE EXPOSED TO CERTAIN INFECTIOUS DISEASES.
FINANCIAL IMPLICATIONS: COST OF PROVIDING PAID TIME OFF

PERSONNEL

03.12323

- CERTIFIED PERSONNEL -

Quarantine Leave

BOARD SHALL PROVIDE

Each eligible full or part-time employee in the District shall receive at least ten (10) days paid leave per school year for quarantine due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school District or the Department for Public Health.

This leave shall be in addition to any other leave provided by statute or Board policy.

ELIGIBILITY

In order to be eligible for leave under this section, the employee shall:

- (a) Be ordered to quarantine by a licensed treating physician, physician assistant, or advanced practice registered nurse, the Department for Public Health, or a local health department due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school District or the Department for Public Health; and
- (b) Have exhausted all accumulated sick leave provided to the employee pursuant to KRS 161.155 and Board policies, or be ineligible to utilize accumulated sick leave provided to the employee pursuant to KRS 161.155 and Board policies.

The District shall require the employee to provide written documentation from the entity ordering the employee to quarantine due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school district or the Department for Public Health.

The District, at its discretion, may determine quarantine leave is unnecessary if an employee can fulfill his or her job duties remotely during the quarantine period.

Leave granted pursuant to this section shall be on a day-by-day basis, as needed, and shall not accumulate or carry over year-to-year, and shall not be transferrable to any other classification of paid leave established by KRS 161.155, KRS 161.154, or Board policy.

REFERENCES:

702 KAR 1:191; 902 KAR 2:020
KRS 156.160; 160.290; KRS 160.291; KRS 161.154; KRS 161.155

RELATED POLICY:

03.1232

LEGAL: 803 KAR 2:180 WAS FOUND DEFICIENT AND REPEALED. 803 KAR 2:181 OUTLINES NEW OSHA REPORTING REQUIREMENTS.
FINANCIAL IMPLICATIONS: EMPLOYEE TIME MAKING REPORTS

PERSONNEL

03.14

- CERTIFIED PERSONNEL -

Health and Safety

SAFETY

It is the intent of the Board to provide a safe and healthful working environment for all employees. The employee shall report any condition he/she believes to be unsafe to his/her immediate supervisor, who shall examine the situation and take appropriate action.

The District shall develop, maintain and implement health and safety plans in compliance with state and federal law.

REPORTING ACCIDENTS AND/OR INJURIES

Employees involved in a job-related accident or incident wherein the employee may have received an injury shall report the incident to the Superintendent or designee. The employee shall be required to fill out forms, etc., attesting to the incident.

HAZARD COMMUNICATION

The Superintendent/designee shall develop a District Hazard Communication Plan. The plan shall include:

1. The assignment of a District employee to be responsible for the implementation and coordination of the Hazard Communication Plan;
2. An inventory of all chemicals used at each school and worksite;
3. The identification of each chemical in the inventory that is covered by the OSHA Hazard Communication Standard;
4. Maintenance of a Safety Data Sheet (SDS) for each substance on the chemical inventory list for as long as the District uses the substance, plus thirty (30) years;
5. Labeling of all containers of each chemical identified as required by the Hazard Communication Standard;
6. The development of an employee Hazard Communication Information and Training Program; and
7. The development, implementation and maintenance of a written Hazard Communication Program.

BLOODBORNE PATHOGEN CONTROL

The Superintendent/designee shall develop an Exposure Control Plan to eliminate or minimize District occupational exposure to bloodborne pathogens. The plan shall address:

1. Identification of employees at-risk of occupational exposure and their assigned tasks and procedures which could lead to such exposure;
2. Communication of hazards to employees;
3. Vaccinations of at-risk employees for Hepatitis B at no cost to these employees;
4. Determination of universal precautions to be observed, including adequate engineering controls and housekeeping procedures;
5. Appropriate training of employees;

Health and Safety**BLOODBORNE PATHOGEN CONTROL (CONTINUED)**

6. Health and Safety Provision of personal protective equipment including an opportunity provided annually for employees who use medical sharps in performance of their duties to identify, evaluate and select engineering and work practice controls to be implemented by the District, as appropriate;
7. Maintenance of a sharps injury log;
8. Medical follow-up and counseling for employees after a work-site exposure;
9. Maintenance of confidential records of each exposure incident; and
10. A schedule for implementing all provisions required by the OSHA standard.

The Superintendent or designee shall review and update the Exposure Control Plan at least once each year and when needed to reflect new or modified tasks and procedures that affect occupational exposure or new or revised employee positions with occupational exposure. The review and update shall also address:

1. Changes in technology that eliminate or reduce exposure to bloodborne pathogens; and
2. Annually document that appropriate, commercially available and effective safer medical devices that are designed to eliminate or minimize occupational exposure have been obtained and are now in use.

LOCKOUT/TAGOUT

The Superintendent/designee shall develop a lockout/tagout program to eliminate or minimize the unexpected startup or release of stored energy in mechanical or electrically powered equipment. The plan shall address:

1. Assignment of a District employee to be responsible for implementation and coordination of the lockout/tagout program;
2. A written program consisting of energy control procedures;
3. Development, documentation and utilization of energy control procedures for the control of potentially hazardous energy when employees are engaged in servicing and maintaining equipment;
4. Periodic review of the lockout/tagout program to assure authorized employees are properly controlling unexpected startup or release of stored energy; and
5. Annual training of employees authorized to use lockout/tagout to emphasize program procedures and retraining whenever a periodic review reveals deficiencies in employee performance.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Each year, the Superintendent/designee shall conduct a hazard assessment to determine when and where the use of personal protective equipment (PPE) is necessary. The hazard assessment shall address:

1. Assignment of a District employee responsible for assessing the workplace for hazards;
2. Selection of appropriate PPE to safeguard employees from hazards that cannot be eliminated;

Health and Safety**PERSONAL PROTECTIVE EQUIPMENT (CONTINUED)**

3. A training program to be conducted to educate employees about the need for PPE and when it must be worn;
4. Training of employees on the use and care of PPE, how to recognize deterioration and failure and the need for replacement; and
5. Requiring employees to wear designated PPE, as deemed necessary by the hazard assessment.

REPORTING FATALITIES, AMPUTATIONS, HOSPITALIZATIONS, OR LOSS OF EYE

The District shall, within eight (8) hours from when reported to the District, make an oral report to the Kentucky Labor Cabinet and the Occupational Safety and Health Administration (OSHA) of the death of any employee as a result of a work-related incident, 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.~~

The District shall, within seventy-two (72) hours from when reported to the District, make an oral report to the Kentucky Labor Cabinet and OSHA of an amputation suffered by an employee, an employee's loss of an eye, or the hospitalization of an employee, including hospitalization resulting from a heart attack ~~fewer than three (3) employees, which occurs in the work environment or is caused or contributed to by an event in the work environment.~~²

ASBESTOS MANAGEMENT

The District shall conduct school inspection and re-inspection activities as required by state and federal law¹ to identify the status of asbestos. The District shall maintain an updated asbestos management plan that shall include, but not be limited to, applicable current and/or future inspection activities, response actions and surveillance activities and a description of steps taken to inform staff and parents about any such activities. Each school shall maintain in its administrative office an updated copy of the management plan for that school. Annual written notice of the availability of the plan shall be provided to parent, teacher, and employee organizations. In the absence of any such organizations, the District shall provide written notice of plan availability to parents, teachers, or employees, as applicable.

Any custodial or maintenance personnel who may work in a building with asbestos-containing building materials (ACBM) shall have a minimum of two (2) hours of asbestos awareness training. New custodial or maintenance staff who may work in the areas above shall be trained within sixty (60) days of hire. Maintenance and custodians who will be involved in activities that will involve a disturbance of ACBM shall receive an additional fourteen (14) hours of asbestos training.

PERSONNEL

03.14
(CONTINUED)

Health and Safety

REFERENCES:

¹401 KAR 58:010; 40 C.F.R. Part 763

²~~803 KAR 2:181~~ ~~803 KAR 2:180~~

Kentucky Department for Public Health

Centers for Disease Control and Prevention

Kentucky Labor Cabinet; 803 KAR 2:308; 803 KAR 2:404

OSHA 29 C.F.R. 1910

132 PPE Hazard Assessment

147 Lockout/Tagout

1001 Asbestos-ACBM

1200 Hazard Communication

1030 Bloodborne Pathogens

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LEGAL: NEW REGULATION 702 KAR 1:191 REQUIRES THE DISTRICT TO HAVE A POLICY TO PROVIDE QUARANTINE LEAVE IF EMPLOYEES ARE EXPOSED TO CERTAIN INFECTIOUS DISEASES.
FINANCIAL IMPLICATIONS: COST OF PROVIDING PAID TIME OFF

PERSONNEL

03.22323

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- CLASSIFIED PERSONNEL -

Quarantine Leave

BOARD SHALL PROVIDE

Each eligible full or part-time employee in the District shall receive at least ten (10) days paid leave per school year for quarantine due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school District or the Department for Public Health.

This leave shall be in addition to any other leave provided by statute or Board policy.

ELIGIBILITY

In order to be eligible for leave under this section, the employee shall:

- (a) Be ordered to quarantine by a licensed treating physician, physician assistant, or advanced practice registered nurse, the Department for Public Health, or a local health department due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school District or the Department for Public Health; and
- (b) Have exhausted all accumulated sick leave provided to the employee pursuant to KRS 161.155 and Board policies, or be ineligible to utilize accumulated sick leave provided to the employee pursuant to KRS 161.155 and Board policies.

The District shall require the employee to provide written documentation from the entity ordering the employee to quarantine due to exposure to a reportable infectious or contagious disease under 902 KAR 2:020 or any other infectious or contagious disease designated as reportable to a local health department or the Department for Public Health by a valid order or administrative regulation of the local health department serving the school district or the Department for Public Health.

The District, at its discretion, may determine quarantine leave is unnecessary if an employee can fulfill his or her job duties remotely during the quarantine period.

Leave granted pursuant to this section shall be on a day-by-day basis, as needed, and shall not accumulate or carry over year-to-year, and shall not be transferrable to any other classification of paid leave established by KRS 161.155, KRS 161.154, or Board policy.

REFERENCES:

702 KAR 1:191; 902 KAR 2:020
KRS 156.160; 160.290; KRS 160.291; KRS 161.154; KRS 161.155

RELATED POLICY:

03.2232

LEGAL: 803 KAR 2:180 WAS FOUND DEFICIENT AND REPEALED. 803 KAR 2:181 OUTLINES NEW OSHA REPORTING REQUIREMENTS.
FINANCIAL IMPLICATIONS: EMPLOYEE TIME MAKING REPORTS

PERSONNEL

03.24

- CLASSIFIED PERSONNEL -

Health and Safety

SAFETY

It is the intent of the Board to provide a safe and healthful working environment for all employees. The employee shall report any conditions he/she believes to be unsafe to his/her immediate supervisor, who shall examine the situation and take appropriate action.

REPORTING ACCIDENTS AND/OR INJURIES

Employees involved in a job-related accident or incident wherein the employee may have received an injury shall report the incident to the Superintendent or designee. The employee shall be required to fill out forms, etc., attesting to the incident.

The District shall develop, maintain and implement health and safety plans in compliance with state and federal law.

HAZARD COMMUNICATION

The Superintendent/designee shall develop a District Hazard Communication Plan. The plan shall include:

1. The assignment of a District employee to be responsible for the implementation and coordination of the Hazard Communications Plan;
2. An inventory of all chemicals used at each school and worksite;
3. The identification of each chemical in the inventory that is covered by the OSHA Hazard Communication Standard;
4. Maintenance of a Safety Data Sheet (SDS) for each substance on the chemical inventory list for as long as the district uses the substance, plus thirty (30) years;
5. Labeling of all containers of each chemical identified as required by the Hazard Communication Standard;
6. The development of an employee Hazard Communication Information and Training Program; and
7. The development, implementation and maintenance of a written Hazard Communication Program.

BLOODBORNE PATHOGEN CONTROL

The Superintendent/designee shall develop an Exposure Control Plan to eliminate or minimize District occupational exposure to bloodborne pathogens. The plan shall address:

1. Identification of employees at-risk of occupational exposure and their assigned tasks and procedures which could lead to such exposure;
2. Communication of hazards to employees;
3. Vaccinations of at-risk employees for Hepatitis B at no cost to these employees;
4. Determination of universal precautions to be observed, including adequate engineering controls and housekeeping procedures;
5. Appropriate training of employees;

Health and Safety**BLOODBORNE PATHOGEN CONTROL (CONTINUED)**

6. Provision of personal protective equipment including an opportunity provided annually for employees who use medical sharps in performance of their duties to identify, evaluate and select engineering and work practice controls to be implemented by the District, as appropriate;
7. Maintenance of a sharps injury log;
8. Medical follow-up and counseling for employees after a worksite exposure;
9. Maintenance of confidential records of each exposure incident; and
10. A schedule for implementing all provisions required by the OSHA standard.

The Superintendent or designee shall review and update the Exposure Control Plan at least once each year and when needed to reflect new or modified tasks and procedures that affect occupational exposure or new or revised employee positions with occupational exposure. The review and update shall also address:

1. Changes in technology that eliminate or reduce exposure to bloodborne pathogens; and
2. Annual documentation that appropriate, commercially available and effective safer medical devices that are designed to eliminate or minimize occupational exposure have been obtained and are now in use.

LOCKOUT/TAGOUT

The Superintendent/designee shall develop a lockout/tagout program to eliminate or minimize the unexpected startup or release of stored energy in mechanical or electrically powered equipment. The plan shall address:

1. Assignment of a District employee to be responsible for implementation and coordination of the lockout/tagout program;
2. A written program consisting of energy control procedures;
3. Development, documentation and utilization of energy control procedures for the control of potentially hazardous energy when employees are engaged in servicing and maintaining equipment;
4. Periodic review of the lockout/tagout program to assure authorized employees are properly controlling unexpected startup or release of stored energy; and
5. Annual training of employees authorized to use lockout/tagout to emphasize program procedures and retraining whenever a periodic review reveals deficiencies in employee performance.

Health and Safety**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Each year, the Superintendent/designee shall conduct a hazard assessment to determine when and where the use of personal protective equipment (PPE) is necessary. The hazard assessment shall address:

1. Assignment of a District employee responsible for assessing the workplace for hazards;
2. Selection of appropriate PPE to safeguard employees from hazards that cannot be eliminated;
3. A training program to be conducted to educate employees about the need for PPE and when it must be worn;
4. Training of employees on the use and care of PPE, how to recognize deterioration and failure and the need for replacement; and
5. Requiring employees to wear designated PPE, as deemed necessary by the hazard assessment.

REPORTING FATALITIES, AMPUTATIONS, HOSPITALIZATIONS, OR LOSS OF EYE

The District shall, within eight (8) hours from when reported to the District, make an oral report to the Kentucky Labor Cabinet and the Occupational Safety and Health Administration (OSHA) of the death of ~~any~~ employee as a result of a work-related incident, 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.~~

The District shall, within seventy-two (72) hours from when reported to the District, make an oral report to the Kentucky Labor Cabinet and OSHA of an amputation suffered by an employee, an employee's loss of an eye, or the hospitalization of an employee, including hospitalization resulting from a heart attack ~~fewer than three (3) employees, which occurs in the work environment or is caused or contributed to by an event in the work environment.~~²

ASBESTOS MANAGEMENT

The District shall conduct school inspection and re-inspection activities as required by state and federal law¹ to identify the status of asbestos. The District shall maintain an updated asbestos management plan that shall include, but not be limited to, applicable current and/or future inspection activities, response actions and surveillance activities and a description of steps taken to inform staff and parents about any such activities. Each school shall maintain in its administrative office an updated copy of the management plan for that school. Annual written notice of the availability of the plan shall be provided to parent, teacher, and employee organizations. In the absence of any such organizations, the District shall provide written notice of plan availability to parents, teachers, or employees, as applicable.

Any custodial or maintenance personnel who may work in a building with asbestos-containing building materials (ACBM) shall have a minimum of two (2) hours of asbestos awareness training. New custodial or maintenance staff who may work in the areas above shall be trained within sixty (60) days of hire. Maintenance and custodians who will be involved in activities that will involve a disturbance of ACBM shall receive an additional fourteen (14) hours of asbestos training.

PERSONNEL

03.24
(CONTINUED)

Health and Safety

REFERENCES:

¹401 KAR 58:010; 40 C.F.R. Part 763

²~~803 KAR 2:181~~ ~~803 KAR 2:180~~

Kentucky Department for Public Health

Centers for Disease Control and Prevention

Kentucky Labor Cabinet; 803 KAR 2:308; 803 KAR 2:404

OSHA 29 C.F.R. 1910

132 PPE Hazard Assessment

147 Lockout/Tagout

1001 Asbestos – ACBM

1200 Hazard Communication

1030 Bloodborne Pathogens

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LEGAL: HB 1 (2022-2024 BIENNIAL BUDGET BILL) INCLUDES AN EXCEPTION FOR A WORKING BUDGET WITH A MINIMUM RESERVE OF LESS THAN TWO PERCENT (2%). THE EXCEPTION EXPIRES JUNE 30, 2024.

FINANCIAL IMPLICATIONS: EXCEPTION TO THE MINIMUM RESERVE

FISCAL MANAGEMENT

04.1

Budget Planning and Adoption

PLANNING

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

PREPARATION OF BUDGETS

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

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

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

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

BUDGET DEFICIT PROHIBITED

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

FISCAL YEAR

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

TIMELINE

On or before January 31, the Board shall formally and publicly examine a detailed estimate of revenues and proposed expenditures by line item for the following fiscal year. On or before May 30, the Board shall adopt a tentative working budget, which includes a minimum reserve of two percent (2%) of the total budget. ~~During the 2021-2022 school year~~ When permitted by the Kentucky executive branch budget, the District may adopt, and the Kentucky Board of Education may approve, a working budget that includes a minimum reserve less than two percent (2%) of the total budget.

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

FISCAL MANAGEMENT

04.1
(CONTINUED)

Budget Planning and Adoption

REFERENCES:

KRS 156.160; KRS 157.330; KRS 157.350; KRS 157.360
KRS 157.440; KRS 160.370; KRS 160.390
KRS 160.460; KRS 160.470; KRS 160.530; KRS 424.250
~~2021-2022 Budget Bill (HB192)~~
702 KAR 3:100; 702 KAR 3:110; 702 KAR 3:246; OAG 67-510

RELATED POLICIES:

01.11; 02.4242; 02.4331; 04.91

LEGAL: REVISIONS TO 702 KAR 4:090 INCLUDE DISPOSITION OF REAL PROPERTY, NEW REQUIREMENTS FOR PROPERTY DISPOSAL, DOCUMENTATION OF FAIR MARKET VALUE, AND THIRD PARTY CONFLICT OF INTEREST.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.8

Disposal of School Property

BIDS OR AUCTION

The Superintendent shall advise the Board when certain properties are no longer needed for public school purposes. Upon receiving this report, the Board may, at such time as it deems proper and after compliance with applicable state¹ or federal regulations, authorize the disposal of school properties through closed sealed bids, public auction, or sale for at least the fair market value established by certified appraisal. The Board reserves the right to reject any and all bids.

DISPOSITION OF REAL PROPERTY

School property proposed for disposal shall be surplus to the educational program need of the District as determined by the effective District facility plan. Surplus property includes real property designated as a "Transitional Center" or not listed on the effective District facility plan. Request for approval to dispose of real property shall be submitted in writing to the Kentucky Department of Education. The request shall identify the property by its address and last reported name and include a plan for resolving mortgage liens or other encumbrances. Upon receipt of written contingent approval from the Department, the District may start the disposal process using one of the following methods that secures the fair market value for the property and ensures that the District retains no residual interest as owner or lender:

(a) By public auction;

(b) By accepting sealed bids; or

(c) By setting a minimum acceptable price, which is at least the fair market value of the property.

Dependent upon the method of disposal above, the District shall follow the requirements specified in 702 KAR 4:090.

CONFLICT OF INTEREST

If the Board uses a third party to dispose of or lease property, the third party shall not have any financial interest in the transaction or adjacent property beyond a standard commission approved by the Board. If the third party has any financial interest in the transaction or adjacent property beyond a standard commission, the third party shall publicly disclose his or her conflict of interest to the Board and the conflict shall be spread on the Board's meeting minutes. The Board shall provide minutes of any such meeting to the Department when requesting approval.²

REFURBISHED SURPLUS TECHNOLOGY

If the District receives a written determination that surplus technology does not meet Kentucky Education Technology System standards, it may choose to distribute the refurbished surplus property to eligible low-income students.

First priority shall be given to eligible students in the free or reduced lunch program, and they or their parent/guardian must request the property in writing.

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Disposal of School Property

REFURBISHED SURPLUS TECHNOLOGY (CONTINUED)

Efforts will be made to involve local businesses and organizations to participate in refurbishing efforts with career and technical programs and student organizations.

The Superintendent shall designate the staff member(s) who shall review requests and make recommendations for approval of the Superintendent/designee. The District shall document to whom the technology is distributed.

REFERENCES:

¹KRS 160.290

²~~702 KAR 4:090~~; KRS 160.335; KRS 45A.425

~~702 KAR 4:090~~; 704 KAR 3:455

OAG 76-291; OAG 91-85

34 CFR 80.32

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LEGAL: SB 151 AMENDS KRS 158.070 TO ALLOW THE SUPERINTENDENT OF A DISTRICT THAT PARTICIPATES IN THE FEDERAL SCHOOL BREAKFAST PROGRAM TO AUTHORIZE UP TO FIFTEEN (15) MINUTES OF THE STUDENT ATTENDANCE DAY TO PROVIDE THE OPPORTUNITY FOR CHILDREN TO EAT BREAKFAST DURING INSTRUCTIONAL TIME.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

TRANSPORTATION

06.31

Bus Scheduling and Routing

RESPONSIBILITY

The Superintendent or designee shall be responsible for scheduling and routing all buses in keeping with applicable statutes and regulations. This shall include a system of notifying parents, pupils, and drivers of bus schedules and routes and, for those schools serving breakfast, arranging bus schedules so that buses arrive in sufficient time to provide breakfast prior to the student attendance day. If the District participates in the Federal School Breakfast Program, the Superintendent may also authorize up to fifteen (15) minutes of the student attendance day to provide the opportunity for children to eat breakfast during instructional time.¹

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Buses shall be routed only on public roads which are safe for bus travel.

REGULAR ROUTE VEHICLES

Except in cases of emergencies or for the transportation of students with disabilities, only school buses as defined by applicable statute and administrative regulation shall be used for transporting students to and from school along regular bus routes.

REFERENCES:

KRS 158.070
KRS 156.153
KRS 158.070
KRS 158.110
702 KAR 5:030

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RELATED POLICY:

08.31

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LEGAL: SB 1 AMENDS KRS 160.345 TO REQUIRE THE SUPERINTENDENT TO DETERMINE WHICH CURRICULUM, TEXTBOOKS, INSTRUCTIONAL MATERIALS, AND STUDENT SUPPORT SERVICES SHALL BE PROVIDED IN THE SCHOOL AFTER CONSULTING WITH THE BOARD, THE PRINCIPAL, AND THE SCHOOL COUNCIL AND AFTER A REASONABLE REVIEW AND RESPONSE PERIOD FOR STAKEHOLDERS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1

Curriculum

The curriculum in each school shall be designed to achieve the student capacities established by KRS 158.645 and the school goals established by KRS 158.6451. The curriculum shall comply with all applicable state and federal statutes and regulations and will include a study of the Constitution of the United States and the Bill of Rights.

CAPACITIES

The curriculum shall allow and assist all students to acquire the following capacities:

1. Communication skills necessary to function in a complex and changing civilization;
2. Knowledge to make economic, social, and political choices;
3. Core values and qualities of good character to make moral and ethical decisions throughout his or her life;
4. Understanding of governmental processes as they affect the community, the state, and the nation;
5. Sufficient self-knowledge and knowledge of his/her mental and physical wellness;
6. Sufficient grounding in the arts to enable each student to appreciate his/her cultural and historical heritage;
7. Sufficient preparation to choose and pursue his/her life's work intelligently;
8. Skills to enable him/her to compete favorably with students in other states.

CURRICULUM AND AVAILABILITY OF ADVANCED PLACEMENT COURSES

Each year, all Kenton County High Schools will offer college-level courses in at least four (4) of the following six (6) areas:

- | | |
|-----------------|----------------------|
| 1.) English | 4.) Social Studies |
| 2.) Science | 5.) Foreign language |
| 3.) Mathematics | 6.) The Arts |

These courses will be offered as Advanced Placement/Dual Credit classes within the schools, through the Kentucky Virtual High School, or through arrangements with nearby colleges or universities.

Students are responsible for tuition, books, fees, and exam fees for college-level/Dual Credit courses.

If the course is designated as an Advanced Placement course, it must:

- 1.) Be identified as an Advanced Placement course by the College Board.
- 2.) Include the content as described in the College Board overview, description, and recommended course syllabus for the appropriate course.
- 3.) Be aligned with Kentucky's Academic Expectations and Kentucky Academic Standards.
- 4.) Prepares a student to take and be successful on the appropriate advanced placement examination administered by the College Board.

Curriculum**CURRICULUM AND AVAILABILITY OF ADVANCED PLACEMENT COURSES (CONTINUED)**

- 5.) Be taught by staff with appropriate content certification and professional development preparation to teach the advance placement course.

STUDENT ASSIGNMENT AND RECRUITMENT

High schools will encourage all students to prepare for and take one or more college-level courses. They will do that in the following ways:

- 1.) Counselors will advise students and parents of those options when they prepare and revise their Individual Learning Plans (ILP) and encourage each student to take appropriate preparatory courses.
- 2.) Teachers will encourage all students to take challenging courses each term.
- 3.) The council may amend its school improvement plan to add additional steps to ensure equitable participation in future terms.

All students may take college-level courses if they have the skills they need to be ready for that work. They may establish that they have that level of skill by any one or more of the following means:

- 1.) Successful completion of prerequisite courses listed in the Student Handbook.
- 2.) Taking and passing the examinations for those prerequisite courses.
- 3.) Receiving permission of the teacher.

SUPERINTENDENT COUNCIL RESPONSIBILITY

The council of each school operating under School Based Decision Making shall adopt school policy to be implemented by the principal in each of the areas specified in policy 02.4241.

In any school administered under the provisions of KRS 160.345, the Superintendent shall determine which curriculum, textbooks, instructional materials, and student support services shall be provided in the school after consulting with the Board, the Principal, and the school council and after a reasonable review and response period for stakeholders. ~~the instructional program may be determined by school policy adopted by the school council.~~ All council policies shall be designed to meet student academic expectations and goals established by statute, regulation and Board policy.

CURRICULUM DEVELOPMENT

The District shall establish district curricula and guidelines for P-12 programs. Staff from throughout the District will be invited to serve on Curriculum Development committees.

STUDENTS WITH DISABILITIES

The Board shall operate programs for students with disabilities in accordance with the legal obligations contained in the District's policy and procedures manual relating to such programs.

REFERENCES:

KRS 156.160; KRS 156.162; KRS 158.075; KRS 158.183
KRS 158.188; KRS 158.301; KRS 158.302; KRS 158.305
KRS 158.645; KRS 158.6451; KRS 158.6453; KRS 160.345
704 KAR 3:303; 704 KAR 3:305; 704 KAR 3:440
Kentucky Academic Standards

CURRICULUM AND INSTRUCTION

08.1
(CONTINUED)

Curriculum

RELATED POLICIES:

Section 02.4 (All Policies)

LEGAL: SB 1 AMENDS KRS 160.345 TO REQUIRE THE SUPERINTENDENT TO DETERMINE WHICH CURRICULUM, TEXTBOOKS, INSTRUCTIONAL MATERIALS, AND STUDENT SUPPORT SERVICES SHALL BE PROVIDED IN THE SCHOOL AFTER CONSULTING WITH THE BOARD, THE PRINCIPAL, AND THE SCHOOL COUNCIL.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.11

Course of Study

DEVELOPMENT

The Superintendent shall develop and disseminate to the schools a course of study for primary school through twelfth grade that will include minimum statutory and regulatory requirements¹ and additional requirements as specified by the Board.

ASSESSMENT OF STUDENT WORK / NONDISCRIMINATION

Consistent with District policies addressing assessment of student progress and grading as well as council and school policies relating to the determination of curriculum and assignments, instructional staff are expected to issue grades or assessments of student assignments, including in the classroom, based on responsiveness to the assigned task(s), accuracy, and quality of work, utilizing sound pedagogical judgment and providing modifications for students with disabilities as required by law, free from discrimination or penalty based on constitutionally protected expressions of religious or political views in otherwise responsive student submissions.

ALIGNMENT WITH STATE STANDARDS

The Superintendent will develop and the Board will approve exit expectations in various content areas that determine alignment with state standards, technology utilization, and program appraisal.

ASSESSMENT OF INDIVIDUAL STUDENT PROGRESS

The Superintendent will develop and the Board will approve exit expectations and sample assessments in various content areas to be used by schools to guide assessment of individual students, including testing and reporting of student progress to students, parents, the District, the community, and the state.

IMPLEMENTATION

Each teacher shall implement the course of study prescribed for the assigned grade and subject area.²

SBDM SCHOOLS

In schools operating under SBDM, the ~~Superintendent~~^{council} shall determine which curriculum, textbooks, instructional materials, and student support services shall be provided in the school after consulting with the Board, the Principal, and the school council ~~for the school.~~

REFERENCES:

¹704 KAR 3:303

²KRS 161.170

KRS 156.160; KRS 158.100; KRS 158.183

KRS 158.645; KRS 158.6451

KRS 160.345

702 KAR 7:125; ~~703 KAR 4:060~~; 704 KAR 3:305

LEGAL: SB 61 AMENDS KRS 158.142 TO REMOVE BENCHMARK SCORES FOR END-OF-COURSE EXAMINATIONS AND THE ACT AS REQUIREMENTS FOR EARLY GRADUATION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.113

Graduation Requirements

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic Standards, students must complete a minimum of twenty-two (22) credits, including demonstrated performance-based competency in technology, and all other state and local requirements in order to graduate from a Kenton County High School with a Traditional Diploma.

CIVICS EXAM REQUIREMENT

Students wishing to receive a regular diploma must pass a civics test made up of one hundred (100) questions selected from the civics test administered to persons seeking to become naturalized citizens and prepared or approved by the Board. A minimum score of sixty percent (60%) is required to pass the test and students may take the test as many times as needed to pass. Students that have passed a similar test within the previous five (5) years shall be exempt from this civics test. This shall be subject to the requirements and accommodations of a student's individualized education program (IEP) or a Section 504 Plan.⁵

INDIVIDUAL LEARNING PLAN (ILP)

Students shall complete an Individual Learning Plan (ILP) that focuses on career exploration and related postsecondary education and training needs.

ADDITIONAL REQUIREMENTS OF THE BOARD

In addition to the content requirements established by the Kentucky Academic Standards, and the credits required by the minimum requirements for high school graduation in 704 KAR 3:305, the Board may impose other requirements for graduation from high school. However, the Board shall not adopt any graduation requirements that include achieving a minimum score on a statewide assessment.

GRADUATION REQUIREMENTS

~~For Students Entering Grade Nine (9) on or Before the First Day of the 2018-2019 Academic Year~~

~~CREDITS SHALL INCLUDE CONTENT STANDARDS AS PROVIDED BY THE KENTUCKY ACADEMIC STANDARDS ESTABLISHED IN 704 KAR 3:303 AND 704 KAR CHAPTER 8. THE REQUIRED CREDITS AND DEMONSTRATED COMPETENCIES SHALL INCLUDE THE FOLLOWING MINIMUM REQUIREMENTS:~~

Language Arts	Four (4) Credits (English I, II, III, and IV) taken each year of high school. Students that do not meet the college readiness benchmarks for English and language arts shall take a transitional course or intervention, which is monitored to address remediation needs, before exiting high school.
Social Studies	Three (3) Credits
Mathematics	Three (3) Credits (Algebra I, Geometry and Algebra II); An integrated, applied, interdisciplinary, occupational, or technical course that prepares a student for a career path based on the student's ILP may be substituted for a traditional Algebra I, Geometry, or Algebra II course on an individual student basis if the course meets the content standards in the Kentucky Academic Standards, established in 704 KAR 3:303 and 704 Chapter 8. A mathematics course or its equivalent as determined by the District shall be taken each year of high school to ensure readiness for postsecondary education or the workforce. Any mathematics course other than Algebra I, Geometry, or Algebra II shall be counted as an elective. Students that do not meet the college readiness benchmarks for mathematics shall take a transitional course or intervention, which is monitored to address remediation needs, before exiting high school.
Science	Three (3) Credits incorporating lab-based scientific investigation
Health	One-half (1/2) Credit
P.E.	One-half (1/2) Credit
Visual and Performing Arts	One (1) Credit or a standards-based specialized arts course based on the student's ILP
Academic and Career Interest Standards-based Learning Experiences	Seven (7) Credits total (Three (3) plus four (4) standards-based credits in an academic or career interest based on the student's ILP)
Technology	Demonstrated performance-based competency

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Graduation Requirements**FOR STUDENTS ENTERING GRADE NINE (9) ON OR AFTER THE FIRST DAY OF THE 2019-2020 ACADEMIC YEAR**

Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR 3:303 and 704 KAR Chapter 8. The required credits and demonstrated competencies shall include the following minimum requirements:

English/Language Arts	Four (4) Credits total (English I and II plus two (2) credits aligned to the student's ILP)
Social Studies	Three (3) Credits total – (Two (2) plus one (1) credit aligned to the student's ILP)
Mathematics	Four (4) Credits total (Algebra I and Geometry plus two (2) credits aligned to the student's ILP)
Science	Three (3) Credits total – (Two (2) credits incorporating lab-based scientific investigation experiences plus one (1) credit aligned to the student's ILP)
Health	One-half (1/2) Credit
P.E.	One-half (1/2) Credit
Visual and Performing Arts	One (1) Credit or a standards-based specialized arts course based on the student's ILP
Academic and Career Interest Standards-based Learning Experiences	Six (6) Credits total (Two (2) plus four (4) standards-based credits in an academic or career interest based on the student's ILP)
Technology	Demonstrated performance-based competency

Graduation Requirements**FOR STUDENTS ENTERING GRADE NINE (9) ON OR AFTER THE FIRST DAY OF THE 2020-2021 ACADEMIC YEAR**

Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR 3:303 and 704 KAR Chapter 8. The required credits and demonstrated competencies shall include the following minimum requirements:

English/Language Arts	Four (4) Credits total (English I and II plus two (2) credits aligned to the student's ILP)
Social Studies	Three (3) Credits total – (Two (2) plus one (1) credit aligned to the student's ILP)
Mathematics	Four (4) Credits total (Algebra I and Geometry plus two (2) credits aligned to the student's ILP)
Science	Three (3) Credits total – (Two (2) credits incorporating lab-based scientific investigation experiences plus one (1) credit aligned to the student's ILP)
Health	One-half (1/2) Credit
P.E.	One-half (1/2) Credit
Visual and Performing Arts	One (1) Credit or a standards-based specialized arts course based on the student's ILP
Academic and Career Interest Standards-based Learning Experiences	Six (6) Credits total (Two (2) plus four (4) standards-based credits in an academic or career interest based on the student's ILP)
Technology	Demonstrated performance-based competency
Financial Literacy	One (1) or more courses or programs that meet the financial literacy requirements pursuant to KRS 158.1411.

Graduation Requirements

The Board requires enrollment for four (4) full school calendar years for all high school students. (For exceptions, see sections for Graduate Early and Early Graduation Certificate.)

ALTERNATIVE HIGH SCHOOL DIPLOMA

Students eligible for an Alternative High School Diploma will participate in graduation ceremonies during the same school year in which they complete their program or reach twenty-one (21) years of age.

PARTICIPATION IN GRADUATION EXERCISES

No student shall be permitted to participate in graduation ceremonies until all graduation requirements have been fulfilled, as determined by the Principal.

KENTON COUNTY BASIC DIPLOMA

A student must meet or exceed all credits in the prescribed domains and meet or exceed all SBDM requirements to be granted a traditional Diploma from one of the high schools in Kenton County. While it is anticipated that all students will meet this standard, the Board recognizes there may be extenuating circumstances that prevent some students from successfully completing all the standards. In an effort to meet the needs of the total student population, students meeting the following criteria may apply for a Kenton County Basic High School Diploma that meets the State minimum requirements as set forth in 704 KAR 3:305 and described above.

1. Receive their Principal's recommendation for participation in the program;
2. Review all SWS/Alternative School options;
3. Enrolled in a Kenton County high school for two (2) semesters. [The Board authorizes the Superintendent to waive the two \(2\) semester enrollment requirement on a case-by-case basis.](#)

KENTON COUNTY STATE MINIMUM STANDARDS DIPLOMA

A Kenton County State Minimum Standards Diploma, that meets the minimum state high school graduation credit requirements as set forth in 704 KAR 003:305, may be awarded to a state agency child, as defined in KRS 158.135. Individual students with extenuating circumstances and who meet the minimum state graduation requirements and local guidelines may qualify for such a diploma.

A student who is at least seventeen (17) years of age and who is a state agency child, as defined in KRS 158.135, shall be eligible to seek attainment of a High School Equivalency Diploma.

OTHER PROVISIONS

Upon request and approval of the Board, District high schools may offer different diploma programs.

The Board, Superintendent, Principal, or teacher may award special recognition to students. In addition, the Board may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

Graduation Requirements

OTHER PROVISIONS (CONTINUED)

Consistent with the District's graduation practices for all students, an alternative high school diploma shall be awarded to students with disabilities in compliance with applicable legal requirements. In addition, former students may submit to the Superintendent a request that the District provide them with an alternative high school diploma to replace the certificate of attainment they received at time of graduation from the District.³

A student who is at least seventeen (17) years of age and who is a state agency child, as defined in KRS 158.135, shall be eligible to seek attainment of a High School Equivalency Diploma.

The Board may substitute an integrated, applied, interdisciplinary, occupational, technical, or higher-level course for a required course if the alternative course provides rigorous content.

GRADUATE EARLY (CREDIT-BASED)

Students who meet the District's requirements shall be eligible to apply to graduate early. The student shall notify the Principal of their intent to request Board approval to graduate early. The Board has the right to deny any request to graduate early. The requirements to apply to graduate early are:

1. Student shall submit a Letter of Intent stating the valid reason for their request.
2. Must have completed all District high school graduation credit requirements.
3. Must provide proof of enrollment in a post-secondary program or enlistment in the military.

EARLY GRADUATION CERTIFICATE (PATHWAY)

Students who meet all applicable legal requirements shall be eligible for early graduation in relation to receipt of a graduation diploma and an Early Graduation Certificate. Students wishing to follow an early graduation pathway shall notify the Principal of their intent prior to the beginning of grade nine (9) or as soon thereafter as the intent is known, but within the first thirty (30) school days of the academic year in which they wish to graduate. A Letter of Intent (08.113 AP.21) to apply shall be entered into the student information system by October 1 of the year the student declares intent for early graduation.⁴ The student must graduate in three (3) years or less. Students exceeding three (3) years to not qualify for the incentives identified with Early Graduation.

Students working toward receipt of an Early Graduation Certificate shall be supported by development and monitoring of an ILP to support their efforts.

To graduate early and earn an Early Graduation Certificate, a student shall successfully complete the requirements for early high school graduation as established in administrative regulation by the Kentucky Board of Education.

~~To earn an Early Graduation Certificate, the student must meet all requirements established in 013 KAR 002:020, 703 KAR 005:200, and 704 KAR 003:305.~~

A student who has indicated an intent to graduate early may participate in the student's state administration of the college readiness exam prior to the junior year, if needed. Students who meet all applicable legal requirements shall be awarded a diploma and an Early Graduation Certificate.

Graduation Requirements**MIDDLE SCHOOL CREDIT**

With Board approval, high school credit may be awarded for courses taken at the middle school level if the following criteria are met:

- Teachers with secondary certification with the appropriate content specialization teach proposed middle school courses.
- The student demonstrates mastery of middle school level content as specified in the Kentucky Academic Standards and criteria are in place to make reasonable determination that the middle school students are capable of success in the high school course.
- The content of the course offered at the middle school level is the same as that defined in the Kentucky Academic Standards for the high school course.

In keeping with statutory requirements, the District shall accept for credit toward graduation and completion of high school course requirements an advanced placement or a high school equivalent course taken by a student in grades 5, 6, 7, or 8 if that student attains performance levels expected of high school students in the District as determined by achieving a score of "3" or higher on a College Board Advanced Placement examination or a grade of "C" or better in a high school equivalent.²

DIPLOMAS FOR VETERANS

In keeping with statute and regulation, the Board shall award an authentic high school diploma to an honorably discharged veteran who did not complete high school prior to being inducted into the United States Armed Forces during World War II, the Korean conflict, or the Vietnam War.¹

REFERENCES:

¹KRS 40.010; KRS 158.140; 704 KAR 7:140

²KRS 158.622

³KRS 156.160; 20 U.S.C. § 1414

⁴KRS 158.142; 704 KAR 3:305

⁵KRS 158.141

KRS 156.027; KRS 158.135

KRS 158.1411; KRS 158.143; KRS 158.183; KRS 158.281

KRS 158.302; KRS 158.645; KRS 158.6451

KRS 158.860

13 KAR 2:020; 702 KAR 7:125; 703 KAR 4:060

704 KAR 3:303; 704 KAR 3:306; 704 KAR 7:090; 704 KAR Chapter 8

OAG 78-348; OAG 82-386

Kentucky Academic Standards

RELATED POLICIES:

08.1131; 08.14; 08.22; 08.222; 08.4

09.126 (re requirements/exceptions for students from military families)

RELATED PROCEDURE:

09.12 AP.25

LEGAL: STUDENTS IN HOME/HOSPITAL INSTRUCTION ARE INELIGIBLE TO WORK, PLAY SPORTS, OR PARTICIPATE IN EXTRACURRICULAR ACTIVITIES. AMENDMENTS TO 702 KAR 7:150 CLARIFY THAT STUDENTS WITH A 504 PLAN MAY WORK, PLAY SPORTS, OR PARTICIPATE IN EXTRACURRICULAR ACTIVITIES IF PARTICIPATION IS CONSISTENT WITH THE STUDENT'S 504 PLAN. ADDITIONALLY, 704 KAR 7:120 IS REPEALED.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1312

Home/Hospital Instruction

PURPOSE

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

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

ELIGIBILITY

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

At any time based on changes in the student's condition, the home/hospital review committee may schedule a review of the student's continued eligibility for home/hospital instruction. [Eligibility for home/hospital instruction shall cease for students placed by the review committee if the student works, plays sports, or participates in extracurricular activities. For students with a 504 plan, eligibility for home/hospital instruction shall not cease if the student works, plays sports, or participates in extracurricular activities if participation is consistent with the student's 504 plan.](#)

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

SECONDARY STUDENTS

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

1. The student's ability to work independently during extended periods without direct assistance.
2. The student's capacity to complete assignments within a reasonable time frame.

Home/Hospital Instruction**SECONDARY STUDENTS (CONTINUED)**

3. The likelihood that the student will be able to complete course criteria required for graduation, as required by the Kentucky Academic Standards.
4. When considering the student's condition, should s/he take a full or reduced course load? (If a reduced course load is appropriate, the committee shall determine the number of courses the student may take.)

STUDENTS WITH DISABILITIES

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

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

REFERENCES:

KRS 157.360
KRS 158.033
KRS 159.030
[702 KAR 7:150](#)
704 KAR 3:303
~~704 KAR 7:120~~
707 KAR 1:320
707 KAR 1:350
20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)
Section 504 of the Rehabilitation Act of 1973
34 C.F.R. 104.35

RELATED POLICIES:

09.122; 09.123

LEGAL: SB 102 AMENDS KRS 158.4416 BY CHANGING COUNSELORS (UNDER SUPERINTENDENT TO REPORT) TO MENTAL HEALTH PROVIDERS ALONG WITH ADDING INFORMATION TO BE REPORTED BY THE SUPERINTENDENT TO THE KY DEPARTMENT OF EDUCATION BY NOVEMBER 1, 2022.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.14

Guidance and Mental Health Service Providers

Guidance and counseling services shall be provided for students. Counselors may perform mental health services and provide implementation and training on trauma-informed practices as addressed in law.¹

SERVICES

Services provided by the guidance program shall consist of educational counseling; career and mental health counseling; testing, and other services requested by students, parents, or staff.

INDIVIDUAL LEARNING PLANS

In keeping with Kentucky Administrative Regulation, the District shall implement an advising and guidance process to support development and implementation of an Individual Learning Plan (ILP) for each student that includes career development and awareness. The ILP shall specifically address the content as provided in the Kentucky Academic Standards for career studies.

CONFIDENTIAL MATERIAL

All records and counseling information shall be kept in confidence as provided by applicable law.²

SUPERINTENDENT TO REPORT

No later than November 1, 2022~~19~~, and each subsequent year, the Superintendent shall report to the Kentucky Department of Education the number ~~and placement of~~ school-based mental health service providers, the position held, placement ~~school counselors~~ in the District, certification of licensure held, ~~The report shall include~~ the source of funding for each position, ~~as well as~~ a summary of the job duties and work undertaken by each school-based mental health service provider, counselor and the approximate percent of time devoted to each duty over the course of the year.

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REFERENCES:

¹KRS 158.4416

²KRE 506 (Kentucky Rules of Evidence); KRS 158.154; KRS 158.155; KRS 158.156
KRS 61.878; KRS 620.030

703 KAR 4:060; 704 KAR 3:303; 704 KAR 3:305; 704 KAR Chapter 8

RELATED POLICIES:

08.113; 09.14

LEGAL: SB 1 CREATES A NEW SECTION OF KRS 158 (KRS 158.196) TO REQUIRE EACH SCHOOL TO PROVIDE INSTRUCTION AND INSTRUCTIONAL MATERIALS THAT ARE ALIGNED WITH THE SOCIAL STUDIES ACADEMIC STANDARDS AND CONSISTENT WITH CERTAIN CONCEPTS.
FINANCIAL IMPLICATIONS: COST OF PURCHASING/CREATING INSTRUCTIONAL MATERIALS

CURRICULUM AND INSTRUCTION

08.21

Instruction and Instructional Materials

A new section of KRS 158.196 requires each school to provide instruction and instructional materials that are aligned with the social studies academic standards and consistent with the following concepts:

1. All individuals are created equal;
2. Americans are entitled to equal protection under the law;
3. An individual deserves to be treated on the basis of the individual's character;
4. An individual, by virtue of the individual's race or sex, does not bear responsibility for actions committed by other members of the same race or sex;
5. The understanding that the institution of slavery and post-Civil War laws enforcing racial segregation and discrimination were contrary to the fundamental American promise of life, liberty, and the pursuit of happiness, as expressed in the Declaration of Independence, but that defining racial disparities solely on the legacy of this institution is destructive to the unification of our nation;
6. The future of America's success is dependent upon cooperation among all its citizens;
7. Personal agency and the understanding that, regardless of one's circumstances, an American has the ability to succeed when he or she is given sufficient opportunity and is committed to seizing that opportunity through hard work, pursuit of education, and good citizenship; and
8. The significant value of the American principles of equality, freedom, inalienable rights, respect for individual rights, liberty, and the consent of the governed.

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Schools are not restricted from providing instruction or using instructional materials that include:

1. The history of an ethnic group, as described in textbooks and instructional materials adopted by the District;
2. The discussion of controversial aspects of history; or
3. The instruction and instructional materials on the historical oppression of a particular group of people.

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REFERENCES:

KRS 158.196

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RELATED POLICY:

08.1353

LEGAL: SB 1 AMENDS KRS 160.345 TO REQUIRE THE SUPERINTENDENT TO DETERMINE WHICH CURRICULUM, TEXTBOOKS, INSTRUCTIONAL MATERIALS, AND STUDENT SUPPORT SERVICES SHALL BE PROVIDED IN THE SCHOOL AFTER CONSULTING WITH THE BOARD, THE PRINCIPAL, AND THE SCHOOL COUNCIL.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

DRAFT TO INCLUDE WITH UPDATE 5/27/2022

CURRICULUM AND INSTRUCTION

08.2322

Review of Instructional Materials

A review of instructional materials on the basis of citizen concerns shall be conducted in response to a properly filed written request under procedures [\(08.2322 AP.1\)](#) developed by the Superintendent. ~~In schools operating under SBDM, the~~ These procedures for review shall include ~~school council~~ consideration of the written concerns regarding instructional materials. Instructional materials shall include textbooks, supplementary materials, and library books in hard copy or electronic form. ~~The forms~~ [\(08.2322 AP.21\)](#) for such requests may be obtained from the school and will be made available to any resident of the school district at the Superintendent's office. The request shall include a written reason for objection and a statement of the desired action regarding the material under consideration.

Employees receiving a written request for review of instructional materials shall notify the Principal of the complaint, who shall then notify the Superintendent/designee. The Superintendent shall notify the Board of all complaints filed ~~and the council's response~~.

~~Individuals may appeal a council's decision concerning challenged materials under the Board's policy on appeal of SBDM decisions.~~

References:

KRS 158.183

[KRS 160.345](#)

Board of Educ., Island Trees v. Pico, 102 S.Ct. 2799 (1982)

RELATED POLICIES:

02.42411; [08.1](#)

LEGAL: SB 151 AMENDS KRS 158.070 TO ALLOW THE SUPERINTENDENT OF A DISTRICT THAT PARTICIPATES IN THE FEDERAL SCHOOL BREAKFAST PROGRAM TO AUTHORIZE UP TO FIFTEEN (15) MINUTES OF THE STUDENT ATTENDANCE DAY TO PROVIDE THE OPPORTUNITY FOR CHILDREN TO EAT BREAKFAST DURING INSTRUCTIONAL TIME.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.31

Student Attendance Day

STUDENT ATTENDANCE DAY

The length of the student attendance day designated by the Board shall provide students with no less than the minimum number of student attendance days/hours required by law. The Board may request approval of an alternative school calendar based on procedures set out in Kentucky Administrative Regulations.

[If the District participates in the Federal School Breakfast Program, the Superintendent may authorize up to fifteen \(15\) minutes of the student attendance day to provide the opportunity for children to eat breakfast during instructional time.²](#)

EXCEPTIONS

The Board shall provide a preschool education program in compliance with applicable statutes and administrative regulations.

Students with disabilities and students attending primary school may attend less than six (6) hours per day under programs approved by the Board and the Commissioner of Education.¹

MASTER SCHEDULE

An up-to-date master (bell) schedule shall be on file in each school and up-to-date master (bell) schedules for each school shall be on file in the District's central office.

REFERENCES:

¹KRS 158.060

²[KRS 158.070](#)

KRS 157.320

KRS 157.360

KRS 158.030; KRS 158.070

702 KAR 7:125

702 KAR 7:140

RELATED POLICIES:

01.42

[06.31](#)

08.1112

08.1114

08.3

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DRAFT WITH DISTRICT CHANGES #2 6/15/2022

LEGAL: HB 563 (2021) AMENDED KRS 158.120 TO REQUIRE THAT BY JULY 1, 2022, LOCAL BOARDS ADOPT A NONRESIDENT PUPIL POLICY TO GOVERN THE TERMS UNDER WHICH THE DISTRICT SHALL ALLOW ENROLLMENT OF NONRESIDENT PUPILS. WRITTEN AGREEMENTS WILL NO LONGER BE NECESSARY.

FINANCIAL IMPLICATIONS: NONRESIDENT PUPILS WILL BE COUNTED IN ADA FOR STATE FUNDING

~~NONRESIDENT PUPILS WHO ENROLL IN SCHOOLS IN THE ACADEMIC YEAR 2019-2020 SHALL BE DISMISSED DURING THAT ACADEMIC YEAR WITHOUT APPLICABLE DUE PROCESS.~~
FINANCIAL IMPLICATIONS: COST OF DUE PROCESS HEARINGS

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STUDENTS

09.12

Admissions and Attendance

RESIDENCE DEFINED

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

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

HOMELESS CHILDREN AND UNACCOMPANIED YOUTH

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

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

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

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

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

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

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

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

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

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

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

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

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

CHILDREN IN FOSTER CARE

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

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

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

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

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

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

BEST INTEREST OF THE CHILD

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

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

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

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

Admissions and Attendance**IMMIGRANTS**

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

NONRESIDENTS

Nonresident pupils may be admitted to the District's schools if capacity is available at the school in accordance with Board policies ~~policy~~ 09.1222, 09.124, and upon approval of the Non-Resident Pupil Admission application (09.124 AP.21) by the Superintendent/designee. Adequate capacity is defined as adequate space per recommended State Cap existing in the grade level/classes in the school and there is no undue impact on the programmatic needs of the school/District. Parents are responsible for all transportation to/from school if accepted. Once a nonresident student is enrolled for the academic year, the student may not be dismissed during that academic year without applicable due process.³ ~~Nonresident students shall be withdrawn from District schools upon discovery of any false or misleading information included in an application for admission.~~

~~Written nonresident pupil contract information, once approved by the Board, shall be kept on file at both the attending and resident districts.~~

Assuming space is available, cases will be considered for acceptance based on students abiding by the following four (4) criteria:

- Satisfactory academic progress and effort as determined by the Principal.
- District attendance policies including matching the District's average attendance and not exceeding six (6) unexcused absences.
- Behave in accordance with the Code of Expected Behavior and Conduct.
- Parent(s)/guardian(s) are cooperative and supportive in their working relationship with the school.

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

TRANSFER OF ADA

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

EMPLOYEES' CHILDREN

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

Admissions and Attendance**EXPELLED/CONVICTED STUDENTS (CONTINUED)**

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.⁴⁶

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

NON-IMMIGRANT FOREIGN STUDENTS

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

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

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

EXCHANGE STUDENTS

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

OTHER

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

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

Admissions and Attendance**REFERENCES:**

¹KRS 159.010; OAG 78-64

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

³KRS 158.120; OAG 80-47; OAG 79-327; OAG 75-602; [G.C. v. Owensboro Public Schools, 711 F.3d 623 \(6th Cir., 2013\)](#)

⁴~~KRS 157.320~~

⁵~~702 KAR 7:125~~

⁶KRS 158.155; KRS 157.330; KRS 158.150

⁷~~KRS 158.140~~

[KRS 157.320](#); [KRS 157.350](#); KRS 157.360; KRS 158.100; KRS 199.802
[702 KAR 7:125](#); 704 KAR 7:090; OAG 91-171

P. L. 104-208

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

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

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

Equal Educational Opportunities Act of 1974 (EEOA)

RELATED POLICIES:

06.32; 08.1114; 09.11; 09.121; [09.1222](#); 09.1223; 09.123; 09.124; ~~09.125~~

09.126 (re requirements/exceptions for students from military families)

09.14; 09.211

LEGAL: HB 517 AMENDS KRS 159.035 TO REQUIRE THAT ANY STUDENT ENROLLED IN A PUBLIC SCHOOL SHALL NOT HAVE HIS OR HER PERFECT ATTENDANCE RECORD NEGATIVELY AFFECTED BY PARTICIPATING IN ANY OF THE PAGE PROGRAMS OF THE GENERAL ASSEMBLY.

FINANCIAL IMPLICATIONS: ALTHOUGH THE STUDENT IS NOT PRESENT AT SCHOOL, THE DISTRICT WILL STILL RECEIVE SEEK FUNDING

LEGAL: HB 194 AMENDS KRS 158.143 TO PROVIDE THAT A STUDENT ENROLLED IN A DISTRICT-OPERATED ALTERNATIVE EDUCATION PROGRAM SHALL BE ELIGIBLE TO SEEK ATTAINMENT OF A HIGH SCHOOL EQUIVALENCY DIPLOMA UNDER CERTAIN CONDITIONS AND SHALL BE EXEMPTED FROM COMPULSORY ATTENDANCE.

FINANCIAL IMPLICATIONS: STUDENT NO LONGER ENROLLED FOR SEEK FUNDING

STUDENTS

09.122

Attendance Requirements

COMPULSORY ATTENDANCE

All children in the district who have entered kindergarten or who are between the ages of six (6), as of August 1, and eighteen (18), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned.¹

Per 704 KAR 5:060, any five (5) year old child not otherwise subject to compulsory attendance laws, but who voluntarily enrolls in the primary school program at the beginning of the school year, may upon parental or guardian's written request be withdrawn from the program at any time within the first two (2) school calendar months. At the end of such trial period a child shall be considered irrevocably entered into the primary school program for purposes of KRS 159.010 and KRS 159.020.

EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school~~;~~
2. A pupil who is enrolled in a private or parochial school~~;~~
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten nursery school~~;~~
4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study~~;~~
5. A pupil who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children~~;~~~~or~~
6. A pupil who is enrolled and in regular attendance in a state supported program for exceptional children~~;~~² or
- 6.7.A student enrolled in a District-operated alternative education program who attains a High School Equivalency Diploma.⁷

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PHYSICIAN'S STATEMENT REQUIRED

The Board, before granting an exemption, shall require a signed statement as required by law unless a student's individual education plan (IEP) specifies that placement of the child with a disability at home or in a hospital is the least restrictive environment for providing services.²

EXCEPTIONS TO PRESENCE AT SCHOOL

Students must be physically present in school to be counted in attendance, except under the following conditions:

Attendance Requirements**EXCEPTIONS TO PRESENCE AT SCHOOL (CONTINUED)**

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,² or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.³
3. Students may participate in cocurricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when cocurricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.⁴ (See policy 09.36)
4. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.⁴
5. Students participating in an off-site virtual high school class or block may be counted in attendance in accordance with requirements set out in Kentucky Administration Regulation.⁴
6. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.⁵
7. The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, and that falls within one (1) or more of the categories of standards-based course work. A pupil may be counted in attendance for performance-based credit for a class or block for the year or semester in which the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in accordance with local policies.⁴
& 6

8. Students attending basic training required by a branch of the United States Armed Forces shall be considered present for all purposes for up to ten (10) days.³

~~8.9.~~ Students participating in any of the page programs of the General Assembly.³

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STUDENTS

09.122
(CONTINUED)

Attendance Requirements

REFERENCES:

¹KRS 159.010; OAG 85-55

²KRS 159.030

³KRS 159.035

⁴702 KAR 7:125

⁵KRS 158.240

⁶KRS 158.070

⁷704 KAR 3:305

⁸[KRS 158.143](#)

KRS 158.030; ~~KRS 158.143~~

KRS 159.020; KRS 159.180; KRS 159.990

704 KAR 5:060

OAG 79-68; OAG 79-539; OAG 87-40; OAG 97-26

704 KAR 5:060

RELATED POLICIES:

08.131; 08.1312

09.111; 09.121; 09.123; 09.36

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LEGAL: HB 44 AMENDS KRS 159.035 STATING THAT THE BOARD MAY INCLUDE PROVISIONS IN THIS POLICY FOR EXCUSED ABSENCES DUE TO A STUDENT'S MENTAL OR BEHAVIORAL HEALTH.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 517 AMENDED KRS 159.035 TO REQUIRE THAT ANY STUDENT ENROLLED IN A PUBLIC SCHOOL SHALL NOT HAVE HIS OR HER PERFECT ATTENDANCE RECORD NEGATIVELY AFFECTED BY PARTICIPATING IN ANY OF THE PAGE PROGRAMS OF THE GENERAL ASSEMBLY.

FINANCIAL IMPLICATIONS: ALTHOUGH THE STUDENT IS NOT PRESENT AT SCHOOL, THE DISTRICT WILL STILL RECEIVE SEEK FUNDING

STUDENTS

09.123

Absences and Excuses

Pupils are required to attend regularly and punctually the school in which they are enrolled. Recording of absences and tardies shall be made in compliance with the requirements of 702 KAR 7:125.¹

TRUANCY DEFINED

Any student who has attained the age of six (6), but has not reached his/her eighteenth (18th) birthday, who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant.

Any student enrolled in a public school who has attained the age of eighteen (18) years, but has not reached his/her twenty-first (21st) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days, is a truant.

Any student who has been reported as a truant two (2) or more times is a habitual truant.

Truants shall be reported to the Principal and then to the Director of Pupil Personnel both of whom shall take appropriate action.

Unexcused absences from any class or grade that exceed ten per cent (10%) of the instructional days in any grading period, semester, or school year may result in the student's receiving no credit for the semester or school year.

For the purposes of establishing a student's status as a truant, a student's attendance record is cumulative for an entire school year. When students transfer from one Kentucky district to another, attendance information from the previous district shall become part of their official attendance record for that school year.

EXCUSED ABSENCES

An excused absence or tardiness is one for which work may be made up, such as those occurring as a result of:

1. Death, family emergencies (as determined by the Principal) or severe illness in the pupil's immediate family;
Unless an exception is granted by the Principal, notes from parents verifying a student's illness shall be accepted for up to three (3) events of absence per grading or nine (9) days per school year.
2. Illness of the pupil, including mental or behavioral health (A physician's statement shall be required for the fourth day and all subsequent days of absence each grading period);
3. Doctor or dentist appointments;
4. Religious holidays and practices;

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Absences and Excuses**EXCUSED ABSENCES (CONTINUED)**

5. Court-ordered appearances;⁵
6. One (1) day for attendance at the Kentucky State Fair;⁵
7. Documented military leave;⁵
8. One (1) day prior to departure of parent/guardian called to active military duty;⁵
9. One (1) day upon the return of parent/guardian from active military duty;⁵
10. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave;⁵
11. Ten (10) days for students attending basic training required by a branch of the United States Armed Forces;⁵ ~~or~~
- ~~11.~~ 12. Students participating in any of the page programs of the General Assembly;² or
- ~~12.~~ 13. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.

Students shall be granted an excused absence for up to ten (10) school days to pursue an educational enhancement opportunity determined by the Principal to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts.

Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within State or District testing periods shall not be granted.

The Principal's determination may be appealed to the Superintendent/designee whose decision may then be appealed to the Board under its grievance policy and procedures.

Students receiving an excused absence under this section shall have the opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence.

NOTIFICATION PROCEDURE

Parents are requested to call the school by 10:00 a.m. to report their child's absence on that day. When students return to school following an absence, they must bring a statement signed by their parent or doctor in order to receive an excused absence.

MAKE-UP WORK

On return to school from an absence, students are responsible for contacting their teachers concerning make-up work. The time allowed to complete make-up work shall not exceed two (2) weeks.

STUDENTS

09.123
(CONTINUED)

Absences and Excuses

SUSPENSIONS

Students who have been suspended shall not be allowed to make up daily work. They shall be allowed to make up major projects and tests, assignments made before they were suspended that are due during the period of suspension, and assignments made during the suspension that are due after the suspension ends.

REFERENCES:

¹702 KAR 7:125

²~~KRS 159.035~~

KRS 36.396~~;~~ KRS 38.470~~;~~ KRS 40.366

KRS 158.070~~;~~ KRS 158.183~~;~~ KRS 158.293~~;~~ KRS 158.294

~~KRS 159.035~~; KRS 159.140~~;~~ KRS 159.150~~;~~ KRS 159.180

OAG 76-566~~;~~ OAG 79-68~~;~~ OAG 79-539~~;~~ OAG 91-79~~;~~ OAG 96-28

RELATED POLICIES:

09.111~~;~~ 09.122~~;~~ 09.4281

09.126 (re requirements/exceptions for students from military families)

LEGAL: HB 563 (2021) AMENDED KRS 158.120 TO REQUIRE THAT BY JULY 1, 2022, LOCAL BOARDS ADOPT A NONRESIDENT PUPIL POLICY TO GOVERN THE TERMS UNDER WHICH THE DISTRICT SHALL ALLOW ENROLLMENT OF NONRESIDENT PUPILS. WRITTEN AGREEMENTS WILL NO LONGER BE NECESSARY.

FINANCIAL IMPLICATIONS: NONRESIDENT PUPILS WILL BE COUNTED IN ADA FOR STATE FUNDING

STUDENTS

09.124

Tuition

FEE TO BE CHARGED

According to a schedule recommended by the Superintendent and adopted by the Board, the Board shall charge an annual fee of five hundred dollars (\$500.00) for each student attending its schools whose parent, guardian or legal custodian is not bona fide resident of the District¹ or a full-time employee of the District.

~~If the student's district of residence does not release ADA funds, or if the student lives out of state, the tuition fee shall also include the ADA amount.~~

WHEN STUDENTS MOVE

When a student's parents move out of the District, the student may continue to attend the District school during the current grading period without tuition charge.

Students who move out of the District with more than a full grading period remaining in the year shall be required to transfer to a school in their new district of residence or pay tuition.

Requests to remain in a District school ~~due to~~~~must be based on~~ a family hardship or a physical, psychological, or educational reason ~~may result in tuition being waived~~. A Non-Resident Pupil Admission Form (09.124 AP.21) must be submitted. Approval to remain in the current school, for any reason, without paying tuition may only be granted for the remainder of the school year. ~~The Superintendent shall be authorized to waive tuition for any of the above reasons.~~

~~Failure by the student or parent/guardian to notify the school that the student has moved outside the District or is fraudulently attending the school shall result in the forfeiture of attendance privileges, effective on the date school officials become aware of the situation.~~

EMPLOYEES' CHILDREN

With permission of the Superintendent/designee, full-time employees who live outside the District may enroll their children in District schools grades K-12 without a tuition charge, contingent on the District receiving ADA as provided by law. District full-time employees who live outside the District may enroll their children in the District preschool program if approved by the Superintendent/designee and if the District receives preschool funds or the tuition is paid. Preschool tuition is two thousand five hundred dollars (\$2,500.00) per student for the school year, or one thousand two hundred fifty dollars (\$1,250.00) for enrollment after January 1st of the school year.

STUDENTS WITH DISABILITIES

For information concerning nonresident students requiring special educational services, refer to the Board-approved policy and procedures manual for students with disabilities. The District shall not discriminate against students with disabilities in accordance with Section 504 and Title II of the Americans with Disabilities Act.

TUITION REIMBURSEMENT

If a tuition paying family moves into the District within the first sixty (60) days of the first day of the school year, tuition may be reimbursed.

Tuition

REFERENCES:

¹KRS 158.120
237 S.W. 2D 65 (1951), OAG 80-47, OAG 91-75
KRS 157.350, KRS 158.135, 702 KAR 7:125

RELATED POLICIES:

| 09.12, ~~09.125~~
09.126 (re requirements/exceptions for students from military families)

LEGAL: HB 563 (2021) AMENDED KRS 158.120 TO REQUIRE THAT BY JULY 1, 2022, LOCAL BOARDS ADOPT A NONRESIDENT PUPIL POLICY TO GOVERN THE TERMS UNDER WHICH THE DISTRICT SHALL ALLOW ENROLLMENT OF NONRESIDENT PUPILS. WRITTEN AGREEMENTS WILL NO LONGER BE NECESSARY.

FINANCIAL IMPLICATIONS: NONRESIDENT PUPILS WILL BE COUNTED IN ADA FOR STATE FUNDING

STUDENTS

09.125

Reciprocal Agreements with Other School Districts

~~Reciprocal written agreements with other school districts concerning nonresident students shall be made in compliance with state statutes¹ and administrative regulations.²~~

~~REFERENCES:~~

~~¹KRS 157.350(4)~~

~~²702 KAR 7:125~~

~~OAG 91-75~~

~~RELATED POLICIES:~~

~~09.12~~

~~09.124~~

LEGAL: HB 563 (2021) AMENDED KRS 156.070 TO CLARIFY THAT ANY STUDENT WHO TRANSFERS ENROLLMENT FROM A DISTRICT OF RESIDENCE TO A NONRESIDENT DISTRICT SHALL BE INELIGIBLE TO PARTICIPATE IN INTERSCHOLASTIC ATHLETICS FOR ONE (1) CALENDAR YEAR FROM THE DATE OF TRANSFER.

FINANCIAL IMPLICATIONS: NONRESIDENT PUPILS WILL BE COUNTED IN ADA FOR STATE FUNDING

STUDENTS

09.313

Eligibility (Athletics)

Determination of athletic eligibility shall be made in compliance with applicable administrative regulations and Kentucky High School Athletic Association requirements. Any student who transfers enrollment from a district of residence to a nonresident district shall be ineligible to participate in interscholastic athletics for one (1) calendar year from the date of transfer.²

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District standards for playing up from middle school (grades seven and eight [7 & 8]) to high school in sports other than football and soccer may include, but are not limited to, considerations related to safety, physical readiness, use of school space after the school day, transportation, funding, the student's disciplinary status and record, any substance testing restrictions, equitable opportunities for participation. Open enrollment middle school students, attending a school that feeds multiple high schools, may only participate at the high school they are assigned to attend based on student home address. Tuition middle school students, attending a school that feeds multiple high schools, may only participate at the high school where the majority of students are assigned to attend for the next school year, based on student home addresses. Students who have begun high school competition shall continue at the school where they began competing.

To be eligible to try out and participate at the high school level, middle school students must meet all applicable KHSAA and District requirements. The Superintendent/Designee in cooperation with principals, SBDM councils, coaches, and athletic directors, as deemed appropriate, have developed the following guidelines for Board approval addressing playing up.

1. The parent/guardian must provide a written request to the head coach of the high school sport/sport activity.
2. The head coach, in consultation with the high school principal/designee, may or may not allow students below the 9th grade to participate on the high school team.
3. The student, at the time of the request, must possess abilities equal to or greater than high school students participating on the team to be selected for the sport/sport activity.
4. If selected for the sport/sport activity team: high school head coach, high school principal/designee, and parent/guardian must all be in agreement playing up is in the best interest of the student.

CHARTER SCHOOL STUDENTS

A student enrolled in a public charter school that offers any interscholastic athletic activity shall be ineligible to participate in interscholastic activities at any other school. Subject to applicable law, regulations, and bylaws (e.g. KHSAA, Title IX) and the terms of the charter contract, students who are enrolled in a charter school that does not offer any interscholastic athletic activities shall be eligible to participate in such activities at the District school of that student's residence.

STUDENTS

09.313
(CONTINUED)

Eligibility (Athletics)

REFERENCES:

¹KRS 160.345

²KRS 156.070;

KRS 160.1592

702 KAR 7:065; OAG 15-022; Kentucky High School Athletic Association (KHSAA)

RELATED POLICIES:

02.4241

[09.1222](#)

09.126 (re requirements/exceptions for students from military families)

09.423

LEGAL: HB 194 AMENDS KRS 158.143 TO PROVIDE THAT A STUDENT ENROLLED IN A DISTRICT-OPERATED ALTERNATIVE EDUCATION PROGRAM SHALL BE ELIGIBLE TO SEEK ATTAINMENT OF A HIGH SCHOOL EQUIVALENCY DIPLOMA UNDER CERTAIN CONDITIONS AND SHALL BE EXEMPTED FROM COMPULSORY ATTENDANCE.

FINANCIAL IMPLICATIONS: STUDENT NO LONGER ENROLLED FOR SEEK FUNDING

STUDENTS

09.4341

Alternative Education

DEFINITION

Alternative Education Program means a program that exists to meet the needs of students that cannot be addressed in a traditional classroom setting but through the assignment of students to alternative classrooms, centers, or campuses or virtual learning places that are designed to remediate academic performance, improve behavior, or provide an enhanced learning experience. Alternative education programs do not include career or technical centers or departments.¹

PURPOSE

The purpose of the Board's Alternative Education Program is to provide:

- Learning activities that support innovative pathways and are aligned to college and career outcomes for all students.
- A curriculum that is aligned with the Kentucky Academic Standards and the learning goals in each student's Individual Learning Plan (ILP).
- Successful student transition to the regular school assignment, when possible, or to post-secondary status.
- A meaningful alternative to suspension and/or expulsion of a student.

NOTE: Students do not have a right to assignment to alternative programs or services except as specifically provided by law.

As required by Kentucky Administrative Regulation:

- The District's Alternative Education Program shall include training to build capacity of staff and administrators to deliver or monitor high-quality services and programming.
- The Board shall review this policy and accompanying procedure(s) annually.²

ELIGIBILITY CRITERIA

Alternative education placements may be utilized for students at all grade levels.

Placement may be voluntary or involuntary, and the program may be offered either on-site or off-site.

An ILP shall exist for a student in grade six (6) and above as required by regulation.

A student's parent/legal guardian or a student who is eighteen (18) years of age or older may request voluntary placement in the Alternative Education Program.

NOTIFICATION

The Principal or other designated administrator shall notify the parents by letter of their child's agreed assignment to an Alternative Education Program. The letter shall include length and reason for assignment, expected behavior of the student, and notification that assignment may be extended or shortened depending upon the attitude and cooperation of the student.

Alternative Education**ATTAINMENT OF A HIGH SCHOOL EQUIVALENCY DIPLOMA**

Students enrolled in a District-operated alternative education program shall be eligible to seek attainment of a High School Equivalency Diploma if the student:

- Is at least seventeen (17) years of age;
- Is not on track to graduate*; and
- Has previously attained a passing score on an official readiness test for a High School Equivalency Diploma.

*Not on track to graduate – At the fourth (4th) school year, cumulative grade point average of less than 2.5 and/or not at the 75% mark to obtain the minimum twenty-two (22) credits to graduate.

A student who has attained a High School Equivalency Diploma shall be exempt from compulsory attendance.³

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NOTE: THIS POLICY DOES NOT APPLY TO A TEMPORARY/SHORT-TERM INTERVENTION.

REFERENCES:

¹KRS 160.380

²704 KAR 19:002

³KRS 158.143

707 KAR 1:320

Student Discipline Guidelines, Kentucky Department of Education

OAG 77-419

RELATED POLICIES:

08.131, 08.141

09.123, 09.14, 09.426

Appeal of Decisions

ELIGIBILITY

Any resident of the District or a parent, student or employee of the school may appeal council decisions.

PROCESS

Appealing a decision made by a school council shall include the following procedure:

1. An appeal must be filed within ~~twenty (20) school~~~~ten (10) working~~ days following a council decision.
2. An appeal on a decision made by a school council must first be reviewed by the school council, which shall make a timely response to the appealing party.
3. If the matter is not satisfactorily resolved by the council, the appeal may then be submitted in writing to the Superintendent.
4. If, within ~~twenty (20) school~~~~ten (10) calendar~~ days, the matter is not satisfactorily resolved by the Superintendent, the appealing party may, within twenty (20) calendar days, appeal to the Board. The Board shall afford the affected parties an opportunity to be heard within thirty (30) ~~school~~~~calendar~~ days of the appeal to the Board.
5. The Board shall issue a final written decision on the appeal with its rationale no later than sixty (60) ~~school~~~~calendar~~ days from the date of the presentation to the Board.
6. At any point in the process the Board may direct a review and report on the issues, but shall not extend its decision beyond sixty (60) ~~school~~~~calendar~~ days from the date of the presentation to the Board without the agreement of the affected parties.
7. The decision of the Board may be appealed to the Chief State School Officer.

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BASIS FOR REVIEW

The Board will determine whether the issue on appeal falls within the authority granted to the council by KRS 160.345.

Actions that fall within the statutory authority of the council will be reviewed on appeal based on whether the council action raises liability and/or health and safety concerns, exceeds budgetary limitations, conflicts with contractual obligations, or was otherwise unlawful under state or federal law.

Actions that fall within the authority of the Board will be reviewed on appeal based on whether the council action lacks educational merit, is inconsistent with District goals, violates District policy, exceeds the authority of the council, raises liability and/or health and safety concerns, exceeds budgetary limitations, conflicts with contractual obligations, or is otherwise unlawful under state or federal law.

BOARD ACTION

When the appeal issue falls within statutory council authority, the Board shall either (1) affirm the council decision or (2) refer the appeal back to the council with documentation of its concerns and suggestions.

ADMINISTRATION

02.42411
(CONTINUED)

Appeal of Decisions

BOARD ACTION (CONTINUED)

When the appeal issue falls within the authority of the Board to decide, the Board shall either (1) uphold the council decision or (2) reverse any council action found to violate any of the review standards.

REFERENCE:

KRS 160.345

- CERTIFIED PERSONNEL -**Hiring****SUPERINTENDENT'S RESPONSIBILITIES**

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

EFFECTIVE DATE

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

QUALIFICATIONS

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

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

CRIMINAL BACKGROUND CHECK AND TESTING

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

Each application form provided by the employer to an applicant for a certified position shall conspicuously state the following:

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

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

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

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

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

3. Upheld by a Circuit Court in an appeal of the results of an administrative hearing conducted in accordance with KRS Chapter 13B.¹

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

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

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

REPORT TO SUPERINTENDENT

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

JOB REGISTER

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

VACANCIES POSTED

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

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

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

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

REVIEW OF APPLICATIONS

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

RELATIONSHIPS

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

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

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

Hiring**CONTRACT**

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

JOB DESCRIPTION

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

INTENT

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

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

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

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

EMPLOYMENT OF RETIREES

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

REFERENCES:

¹KRS 160.380

²KRS 161.605; 702 KAR 1:150

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

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

45 C.F.R. § 1302.90

KRS Chapter 13B

KRS 17.160; KRS 17.165

KRS 156.106; KRS 160.345; KRS 160.390

KRS 161.042; KRS 161.611; KRS 161.750

KRS 335B.020; KRS 405.435

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

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

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

Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.132

- CERTIFIED PERSONNEL -**Leaves and Absences****APPROVAL**

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

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

NOTIFICATION OF RETURN

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

PLACEMENT UPON RETURN

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

VACANCIES AND REPLACEMENTS

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

LEGAL PROCEEDINGS

The Superintendent shall grant release time to employees who are summoned to appear in legal proceedings in keeping with the provisions of the contractual agreement with the local education association.

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 terms and conditions set forth in KRS 161.155.

Leaves and Absences**LEAVE REQUESTS**

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

FMLA

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

REQUEST FOR MEDICAL INFORMATION

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

REFERENCES:

KRS 161.155; KRS 161.770
OAG 01-9; Family and Medical Leave Act of 1993

RELATED POLICIES:

03.1232, 03.12322, 03.1233, 03.1234, 03.1235, 03.124

- CERTIFIED PERSONNEL -**Evaluation****DEVELOPMENT OF SYSTEM**

The Superintendent shall recommend for approval by the Board and the Kentucky Department of Education an evaluation system, developed by an evaluation committee, for all certified employees below the level of District Superintendent, which is in compliance with and which shall be implemented consistent with applicable statute and regulation. The District's certified evaluation plan shall be aligned with the Kentucky Framework for Personnel Evaluation.¹

PURPOSE

The purpose of the certified evaluation plan shall be to: support and improve performance of all certified school personnel and to inform individual personnel decisions. The District certified evaluation plan for certified personnel assigned to the District level for purposes of evaluation shall be specific to the evaluatee's job category.

The District may submit an alternative effectiveness evaluation system to the Kentucky Board of Education for approval.

FREQUENCY OF SUMMATIVE EVALUATIONS

At a minimum, summative evaluations shall occur annually for certified employees below the level of superintendent who have not attained continuing service status. Summative evaluations shall occur at least once every three (3) years for a teacher or other professional who has attained continuing service status, as well as principals, assistant principals, and other certified administrators.

NOTIFICATION

The evaluation criteria and evaluation process to be used shall be explained to and discussed with certified school personnel within one (1) month for reporting for employment and within sixty (60) days for reporting for employment for administrators.

CONFIDENTIALITY

Evaluation data on individual classroom teachers shall not be disclosed under the Kentucky Open Records Act.

REVIEW

All employees shall be afforded an opportunity for a review of their evaluations. All written evaluations shall be discussed with the evaluatee, and he/she shall have the opportunity to submit a written response to be included in the certified employee's personnel record. Both the evaluator and evaluatee shall sign and date the evaluation instrument.

All evaluations shall be maintained in the employee's personnel file.²

APPEAL PANEL

The District shall establish a panel to hear appeals from summative evaluations as required by law.¹

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Evaluation**ELECTION**

Two (2) members of the panel shall be elected by and from the certified employees of the District. A list ranking alternates, from highest to lowest on the basis of votes received, shall be maintained in the event an elected member cannot serve. The Board shall appoint one (1) certified employee and one (1) alternate certified employee to the panel.

TERMS

All terms of panel members and alternates shall be for two (2) years and run from the date of election/appointment ~~January 1 to December 31~~. Members may be reappointed or reelected. ~~Elections are to be held prior to November 30 according to Evaluation Guidelines.~~

CHAIRPERSON

The chairperson of the panel shall be the certified employee appointed by the Board ~~elected by the Appeals Panel.~~

APPEAL TO PANEL

Any certified employee who believes that he or she was not fairly evaluated on the summative evaluation may appeal to the Superintendent within ten (10) school days of the summative conference. Both the evaluator and the evaluatee shall be given the opportunity, at least five (5) days in advance of the hearing to review documents that are to be presented to the District evaluation appeals panel and may have representation of their choosing.

APPEAL FORM

The appeal shall be signed and in writing on a form prescribed by the District evaluation committee. The form shall state that evaluation records may be presented to and reviewed by the panel.

CONFLICTS OF INTERESTS

No panel member shall serve on any appeal panel considering an appeal for which s/he was the evaluator.

Whenever a panel member or a panel member's immediate family appeals to the panel, the member shall not serve for that appeal. Immediate family shall include father, mother, brother, sister, husband, wife, son, daughter, uncle, aunt, nephew, niece, grandparent, and corresponding in-laws.

A panel member shall not hear an appeal filed by his/her immediate supervisor.

BURDEN OF PROOF

The certified employee appealing to the panel has the burden of proof. The evaluator may respond to any statements made by the employee and may present written records which support the summative evaluation.

HEARING

The panel shall hold necessary hearings. The evaluation committee shall develop necessary procedures for conducting the hearing.

PANEL DECISION

The panel shall review the complaint, grant a hearing, and deliver its decision to the District Superintendent who shall take whatever action is appropriate or necessary as permitted by law. The panel's written decision shall be issued within fifteen (15) school days from the date an appeal is filed. The panel shall deliberate and issue its written findings within ten (10) school days of the hearing. No extension of that deadline shall be granted without written approval of the Superintendent.

Evaluation**REVISIONS TO PREVIOUSLY APPROVED DISTRICT EVALUATION PLAN**

If a revision adding or removing a source of evidence or changing a decision rule or calculation in the summative rating formula in the District's certified evaluation plan is made by the local certified evaluation committee, the revised certified evaluation plan shall be reviewed and approved by the Board. If the Board determines that changes do not meet the requirements of KRS 156.557, the certified evaluation plan shall be returned to the certified evaluation committee for revision. The Superintendent shall submit proposed revisions to the evaluation plan to the Board for its review to ensure compliance with applicable statute and regulation. Upon adoption, all revisions to the plan shall be submitted to the Kentucky Department of Education for approval.

REFERENCES:

¹KRS 156.557; 704 KAR 3:370
703 KAR 5:225
OAG 92-135; Thompson v. Board of Educ., Ky., 838 S.W.2d 390 (1992)

RELATED POLICIES:

²02.14; 03.15; 03.16

- CLASSIFIED PERSONNEL -**Hiring****SUPERINTENDENT'S RESPONSIBILITIES**

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

EFFECTIVE DATE

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

RECRUITMENT/SELECTION

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

CRIMINAL BACKGROUND CHECK AND TESTING

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

Each application form provided by the employer to an applicant for a classified position shall conspicuously state the following:

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

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

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

1. Not appealed through an administrative hearing conducted in accordance with KRS Chapter 13B;

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

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

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

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

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

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

REPORT TO SUPERINTENDENT

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

JOB PLACEMENT ASSESSMENT (JPA)

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

EDUCATIONAL REQUIREMENTS

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

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

JOB REGISTER

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

Hiring

VACANCIES POSTED

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

REVIEW OF APPLICATIONS

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

HIRING RELATIONSHIPS

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

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

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

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

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

EMERGENCY HIRING

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

JOB DESCRIPTION

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

CONTRACT

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

INTENT

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

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

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

Hiring**REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT (CONTINUED)**

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

EMPLOYEES SEEKING A JOB CHANGE

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

EMPLOYMENT OF RETIREES

Hiring of classified personnel who have previously retired under KPPA/CERS shall be in compliance with applicable legal requirements.

When the District hires full-time classified employees previously retired under KPPA, those employees shall participate in the District's health insurance program.

REFERENCES:

¹KRS 160.380

²702 KAR 5:080

³KRS 161.011

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

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

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

49 C.F.R. § 382.701; 49 C.F.R. § 382.703

KRS Chapter 13B

KRS 17.160; KRS 17.165; KRS 156.070

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

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

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

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

Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

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

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

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

NOTIFICATION OF RETURN

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

PLACEMENT UPON RETURN

Employees taking any long term leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same location cannot be guaranteed. Employees whose job type requires a JPA (Job Placement Assessment) upon initial employment must undergo and pass a JPA following ten (10) or more days of consecutive leave. The JPA must be performed by a health care provider designated by the Board and the cost shall be borne by the District.

VACANCIES AND REPLACEMENTS

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

LEGAL PROCEEDINGS

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

LEAVE FOLLOWING ASSAULT

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

Leaves and Absences**LEAVE REQUESTS**

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

FMLA

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

REQUEST FOR MEDICAL INFORMATION

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

REFERENCES:

KRS 161.155; Family and Medical Leave Act of 1993

RELATED POLICIES:

03.2232, 03.22322, 03.2233, 03.2234, 03.224

Weapons

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

WEAPONS PROHIBITED

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

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

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

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

EXCEPTIONS:

- Each School Resource Officer (SRO) shall be armed with a firearm, notwithstanding any provision of local board policy, local school council policy, or memorandum of agreement.²
- An exception may be made for students participating in an authorized curricular or extracurricular activity or team involving the use of firearms and to those persons listed in KRS 527.070.
- Law enforcement officials, including peace officers and police as provided in KRS 527.070 and KRS 527.020, or District employees in sworn positions are authorized to bring weapons onto school property in performance of their duties.

FEDERAL REQUIREMENTS REGARDING STUDENTS

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

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

Weapons

STATE POSTING REQUIREMENTS

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

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

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

STATE REPORTING REQUIREMENTS

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

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

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

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

ENFORCEMENT

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

REFERENCES:

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

²KRS 158.4414

18 U.S.C. §921(a)

KRS 158.154

KRS 158.155; KRS 160.290; KRS 160.340; KRS 161.790

KRS 237.106; KRS 237.110; KRS 237.138 to KRS 237.142

KRS 500.080; KRS 508.075; KRS 508.078; KRS 527.020

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

Section 504 of the Rehabilitation Act of 1973, as amended

SCHOOL FACILITIES

05.48
(CONTINUED)

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Weapons

RELATED POLICIES:

02.31; 09.435; 09.436; 09.4361

Maintenance

INSPECTION

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

REPORTING DEFECTS

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

REFERENCES:

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

Eligibility for Transportation

Pupils shall be transported to and from school in accordance with predetermined bus routes.

REGULAR BUS SERVICE

Kenton County School buses will provide regular bus service on streets that are more than one fourth (1/4) mile in length. Students living on streets less than one fourth (1/4) miles in distance will be required to meet the school bus at the end of the street at a designated bus stop.

~~Mid-day Kindergarten routes,~~ Special Needs routes, and Pre-School routes may be an exception to the one fourth (1/4) mile rule.

Bus service will be provided to students who live on streets over one fourth (1/4) mile in length if the following conditions are met:

- A. All street construction and home construction has been completed.
- B. The street meets all area planning requirements including cul-de-sac and T-street turn around requirements and either the city or county road departments has installed "No Parking" signs in the turn around areas.
- C. The school bus must be able to make a safe exit from the side street onto the main street.
- D. Group bus stops (approved areas where groups of students wait for the school bus) will be utilized whenever possible; however, individual bus stops may also be designated on the same street. All bus stops must be approved by the Director of Transportation or his/her designee.

There may be exceptions to the one fourth (1/4) mile rule street length rule as follows:

- ~~1. The Transportation Department will provide special bus service for mid-day kindergarten students if the items in lines A thru D listed above are met. However, when the kindergarten students ride the regular morning elementary bus to school or the afternoon elementary bus home, the morning pick-up and afternoon drop-off will be at the closest designated bus stop.~~
- ~~2.~~1. Special Needs students will be provided bus service on their street if the items in lines A thru D are met. If any of these qualifications are not met, an alternate bus stop must be approved.
- ~~3.~~2. Pre-School students may request ~~will be provided~~ bus service on their street if the items in lines A thru D are met. If any of these qualifications are not met, an alternate bus stop may ~~must~~ be approved.
- ~~4.~~3. All exceptions shall be approved by the Director of Transportation or his/her designee.

Eligibility for Transportation

ELIGIBLE PASSENGERS

The Board owns and operates the bus fleet for the transportation of:

1. District pupils to and from the public schools, including school-sponsored and school-related trips.
2. Adults authorized by the Superintendent.

PERSONS NOT ELIGIBLE

Unless they obtain the written authorization of the Superintendent, persons not of school age, employees of the Board, parents of students, former students and persons not associated with the schools shall not be permitted to ride the buses during the regularly scheduled transporting of students.

PRESCHOOL TRANSPORTATION

Students attending preschool programs of the District shall be transported in accordance with the provisions of 702 KAR 5:150 and other appropriate laws and regulations.

REFERENCES:

KRS 157.280; KRS 158.110; KRS 158.115
702 KAR 5:020; 702 KAR 5:030
702 KAR 5:110 (Vocational Pupils)
702 KAR 5:120; 702 KAR 5:150
OAG 80-390; OAG 82-392; OAG 83-294
P. L. 114-95, (Every Student Succeeds Act of 2015), 20 U.S.C. § 6301 et seq.
McKinney-Vento Act, 42 U.S.C. 11431 et seq.

School-Sponsored Trips and Extra-Curricular Transportation

School vehicles may be used for school sponsored trips upon the prior approval of the Principal when not disruptive to the regular transportation of pupils.

ATHLETICS

The Principal shall be responsible for meeting the transportation needs of athletic teams and maintaining compliance with 20 USC Section 1681 (Title IX) as specified by the Kentucky High School Athletic Association (KHSAA).

EXTRA-CURRICULAR TRANSPORTATION

The Kenton County Board of Education offers a broad range of sports and extracurricular activities to students at the elementary, middle and high school levels. This broad range of activities places constraints on the ability of the District to provide transportation for all these activities at all times. The purpose of this policy is to provide guidance to principals, athletic directors, coaches, extracurricular sponsors and parents regarding the availability of transportation provided by the Board.

The following guidelines shall apply unless a waiver is sought from and granted by the Superintendent/[designee](#):

- 1) Elementary School Extracurricular Events:
 - a. Parents shall be solely responsible for providing transportation to Elementary Level extracurricular activities.
- 2) Middle School Extracurricular Events:
 - a. Parents shall be solely responsible for providing transportation to Middle School Level extracurricular activities.
- 3) High School Extracurricular Events:
 - a. Transportation will be available to all High School athletic teams and bands. Each High School will have assigned busses/[vans](#) and assigned drivers specifically for this purpose.
 - b. Athletic Directors, with support of the transportation department, will schedule all transportation as reflected by the season schedules.
 - c. Parents will be informed seasonally about all transportation arrangements.
 - i. Coaches and Athletic Directors are expected to actively communicate with parents and monitor the implementation of this policy.
 - ii. When transportation is not provided by the District, refer to Procedure 09.36 AP.212.
- 4) Summer camps, special events and other activities:
 - a. Parents shall be solely responsible for providing transportation to summer camps and any other special events or activities not covered elsewhere in this policy.

RELATED POLICY:

09.31

09.36

20 USC 1681 (Title IX)

Kentucky High School Athletic Association (KHSAA)

Promotion and Retention

Any promotions or credits earned in attendance in any approved public school are valid in any other public school.¹

TRANSFERS

In case a pupil transfers from the school of one district to the school of another district, s/he may not be assigned to a lower grade or course until the pupil has demonstrated that s/he is not suited for the work in the grade or course to which s/he has been promoted.¹

Pupils who transfer from a non-accredited school may be required to take tests from the previous grade to determine grade placement or course credit.²

HIGH SCHOOL GRADUATION

Upon successful completion of all state and Board requirements, the student shall receive a diploma indicating graduation from high school.¹

VOCATIONAL CERTIFICATE

A student who has completed the requirements established by the State Department of Education for a vocational program shall receive an industry certificate of completion specifying the areas of competence.¹

STUDENT PROGRESS

Each school shall determine criteria for student progress through the school's program. The criteria shall reflect mastery of state-required capacities and be aligned with the Kentucky Core Academic Standards.

A student may advance through the primary program without regard to age if the District determines that s/he has acquired the academic and social skills taught in kindergarten and that advancement would be in his/her best educational interest. Students in the primary program must complete the exit criteria specified in administrative procedures before entering fourth grade.

High school students shall be promoted and classified on the following basis:

Sophomores - 5 academic credits (including English I)

Juniors - 11~~3~~ academic credits (including English I and II)

Seniors - 17~~20~~ academic credits (including English I, II and III)

The promotion/classification criteria listed above are based on a traditional six period day. Due to high school alternative scheduling, variations may occur.

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.³

PARENTAL NOTIFICATION

Parents shall be notified when their child is performing below expectations and/or achieving below expected outcomes. Although final decisions as to promotion or retention shall rest with school authorities, no student may be retained without prior consultation with the parents and approval of the Principal.

Promotion and Retention

REFERENCES:

¹KRS 158.140
²704 KAR 3:307
³P .L. 105-17
KRS 156.070
KRS 158.030
KRS 158.031
KRS 158.645
KRS 158.6451
KRS 158.6453
KRS 158.860
KRS 160.1592
KRS 160.345
OAG 82-473

RELATED POLICIES:

08.113
08.222
08.5
09.121

Part-Time Students

The Board ~~will consider~~ authorizes the Superintendent to determine whether a shortened school day ~~only for seniors to attend part-time in accordance with this policy;~~ preschool and kindergarten students, and students with an individual education plan or 504 plan that supports a shortened day ~~is in order.~~

~~High school Principals are authorized to permit students who are seniors to attend school on a part-time basis, under the following guidelines:~~

- ~~• Students shall be allowed to attend part-time only when there is a demonstrated need. In general, work is not considered to be a demonstrated need.~~
- ~~• Students may be allowed to attend part-time in order to attend college, trade or technical schools with enrollment being verified in writing by officials of the institution.~~
- ~~• Parents of students requesting part-time status (or students eighteen (18) years of age or older) must submit a written request to the Principal. The request shall include:~~
 - ~~d. A statement signed by the student's employer verifying the days of the week and the hours of employment for the student, if applicable.~~
 - ~~e. Parental permission for the student to be dismissed early, if the student is younger than eighteen (18).~~

~~Students and/or parents may be required to provide the Pupil Personnel Department with information to support the request for early dismissal.~~

- ~~5. Students, with a change of the original request, shall be required to provide a new written request or return to school as a full-time student.~~

- ~~6. Part-time students shall abide by all behavioral and attendance regulations.~~

~~If, at any time, students are deemed to be in violation of the terms of this policy, their part-time status shall be revoked permanently, and they shall be required to attend school on a full-time basis.~~

REFERENCES:

KRS 339.210
 KRS 339.220
 KRS 339.230
 KRS 339.360
 702 KAR 7:125
 Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act
 20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)

RELATED POLICIES:

08.131; 08.31; 09.122; 09.13

Student Medication

School personnel authorized to give medications must be trained in accordance with KRS 158.838, KRS 156.502 and 702 KAR 1:160.

Pupils may take medicine which is brought from home once a completed authorization form from the parent/guardian and a signed authorization from the health care practitioner is on file, provided the conditions required by administrative procedures are met.

SELF-ADMINISTRATION

Students may be permitted to carry medication that has been prescribed or ordered by a health care practitioner to stay on or with the pupil due to an ~~emergency~~ pressing medical need.

Provided the parent/guardian and health care practitioner files a completed authorization form each year as required by law and follows the procedures developed by the Superintendent, a student under treatment for certain chronic conditions requiring emergency administration may be permitted to self-administer medication.¹

In accordance with KRS 158.836, students with a documented life-threatening allergy or designated staff shall be permitted to carry an injectable epinephrine device in all school environments. The injectable epinephrine device shall be provided by the student's parent/guardian, and a written individual health care plan shall be in place for the student.²

Students with serious allergies or other serious health conditions may be permitted to self-administer medication as provided in an individualized education program, Section 504 Plan or Health Plan.

Students shall not share any prescription or over-the counter medication with another student. Each year, the District shall notify students in writing of this prohibition and that violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion.

REFERENCES:

¹KRS 158.834; KRS 158.838

²KRS 158.836

KRS 156.502; KRS 158.832

702 KAR 1:160

Americans with Disabilities Act

Section 504 of the Rehabilitation Act of 1973

OAG 73-768

OAG 77-530

OAG 83-115

RELATED POLICIES:

09.22; 09.224

Assault and Threats of Violence

For purposes of this Policy, a “threat” shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

PUPILS

Any pupil who threatens, assaults, batters or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion.¹

Students may also be subject to prosecution or juvenile justice interventions for assault, threats, or other abusive conduct.

The Principal shall provide written notice to all students, parents, and guardians of students within ten (10) days of the first instructional day of each school year of the provision of KRS 508.078 and potential penalties under KRS 532.060 and KRS 534.030.²

SCHOOL PERSONNEL

Any pupil who threatens, assaults, batters or physically or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action¹ up to and including expulsion from school and/or legal action.

REMOVAL OF STUDENTS

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting or from the District's transportation system pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to:

1. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.
2. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

Removal of students from a bus shall be made in compliance with 702 KAR 5:080.

~~Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.~~

~~When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as practicable. The Principal shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.~~

REPORT TO LAW ENFORCEMENT AGENCY

When they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon.

Assault and Threats of Violence**DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION**

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

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

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child pursuant to KRS 620.030. This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

If individual school personnel has reasonable cause to believe that a victim with whom s/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, s/he shall provide educational materials to the victim relating to such form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the school District's area.

NOTIFICATIONS

As soon as the Superintendent/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

Any District employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other school official who has knowledge of the student's behavior prior to the assignment or contact.

REFERENCES:

¹KRS 158.150

²KRS 158.1559

KRS 158.154; KRS 160.290

KRS 161.155; KRS 161.190; KRS 161.195

KRS 209A:020; KRS 209.160

KRS 209A.100; KRS 209A.110; KRS 209A.130

KRS 211.160; KRS 403.720; KRS 456.010

KRS 508.025; KRS 508.075; KRS 508.078; KRS 525.080

KRS 532.060; KRS 534.030; KRS 620.030

702 KAR 5:080

Code of Conduct

(CONTINUED)

Assault and Threats of Violence

RELATED POLICIES:

03.123; 03.13253; 03.223; 03.23253; 05.4
06.34; 09.14; 09.2211; 09.422; 09.429

Threat Assessments

DEFINITIONS

"School safety" shall mean a program of prevention that protects students and staff from substance abuse, violence, bullying, theft, the sale or use of illegal substances, exposure to weapons and threats on school grounds, and injury from severe weather, fire, and natural disasters.

"School security" shall mean procedures followed and measures taken to ensure the security of school buildings, classrooms, and other school facilities and properties.

"Threat Assessment" shall mean the standardized, comprehensive team approach used to analyze threats of violence and the process to determine if a student poses a threat of targeted violence at school.

"Threat assessment team" and "team" shall mean a school safety and security threat assessment team established pursuant to this policy and KRS 158.4410.

THREAT ASSESSMENT

Threat assessments shall be conducted to support students of concern, prevent acts of targeted school violence, identify students who pose threats to school safety, and to mitigate potential threat by intervening.

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ESTABLISHMENT AND MEMBERSHIP OF TEAMS

A school ~~safety and security~~ threat assessment team shall be established at each school by the Principal of the District. The members of the team ~~at each school shall be designated by the District School Safety Coordinator, and~~ shall consist of two (2) or more school staff members. School staff members that may be designated as a member of the team at any given school may include: school administrators; school counselors; school psychologists, school resource officers; school-based mental health services providers; teachers; and other school personnel. If necessary, a threat assessment team may serve more than one (1) school of the District.

PURPOSE OF TEAM

The purpose of a team shall be to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or school security.

GENERAL COMPONENTS OF SCHOOL SAFETY AND SCHOOL SECURITY PLANNING

According to the U.S. Secret Service Guide, Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence, key components of a comprehensive school safety and school security plan include efforts to:

1. Foster a climate of respect and trust;
2. Build relationships;
3. Promote communication;
4. Define and identify prohibited and concerning behaviors;
5. Maintain a multidisciplinary threat assessment team;
6. Reinforce clear policies and procedures and risk management options;
7. Provide resources to appropriately respond to students;

Threat Assessments**GENERAL COMPONENTS OF SCHOOL SAFETY AND SCHOOL SECURITY PLANNING (CONTINUED)**

8. Promote information-sharing between the school District and appropriate community stakeholders as allowed by law;
9. Liaison with law enforcement; ~~and~~
10. Provide consistent training and assessment procedures to stakeholders; ~~and~~
- ~~10.11.~~ Create and promote a safe school culture.

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GUIDING PRINCIPLES OF COMPREHENSIVE THREAT ASSESSMENT PLANNING

The District School Safety Coordinator, members of threat assessment teams, and other appropriate District administrators and staff, shall give appropriate consideration to the following non-exhaustive list of general principles as threat assessment teams are established and as they plan for and conduct their work:

1. A threat assessment process best functions as one component of overall school safety, in conjunction with physical school security and emergency management.
2. Students may engage in a continuum of concerning behaviors, the vast majority of which will be non-threatening and non-violent, but may still call for some type of response.
3. Students should feel empowered to communicate their own concerns to appropriate school staff without fear of reprisal. Incoming reports regarding concerning behavior or statements presenting a threat to school safety and school security should be given due consideration and assessed.
4. The goal of a threat assessment process is to identify, assess, and respond to potential threats to school safety and school security. The process begins with establishing a comprehensive plan for schools to:
 - a. Identify students or situations of concern;
 - b. Gather additional relevant information in a lawful manner;
 - c. Assess the student or situation risk, in context based on the totality of the information available; ~~and~~
 - d. Identify and implement or recommend appropriate response strategies to address the concern; ~~and~~
 - ~~d.e.~~ Connect students to services and support systems that provide encouragement and hope and reduce the likelihood that the student will engage in future threatening behavior.

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THREAT ASSESSMENT TEAM MEMBER TRAINING

Training to members of threat assessment teams should be provided or arranged by the District regarding the purpose of the team, the guiding principles stated above, and the members' roles in enhancing school safety and school security through identifying and responding to students exhibiting behavior that indicates a potential threat to school safety or school security. Training shall address the following: strategies to properly respond to students who provide information about a threatening or concerning situation, ways to assess and respond to potential threats, and how and to whom they should report threatening communications or behavior.

Threat Assessments**THREAT ASSESSMENT TEAM MONITORING**

The ~~District School Safety Coordinator and the~~ Superintendent/designee shall monitor the work of the threat assessment team in each school of the District.

ACCESS TO STUDENT RECORDS

Threat assessment team members, including any members who are not school District employees, are hereby designated as “school officials” for purposes of the Family Educational Rights and Privacy Act (FERPA), and as such may access student records to the extent necessary in connection with the work of the team, in accordance with FERPA and Board Policy 09.14.

INTERACTION OF TEAM ACTIVITIES WITH SCHOOL DISCIPLINARY ACTION AND/OR LAW ENFORCEMENT

Threat assessment team activities and any responses undertaken or recommended by a team, do not negate or override applicable disciplinary procedures or action under Board policy or the Code of Conduct and Expected Behavior or legal reporting requirements, including those covering bullying or criminal activity; dependency, neglect or abuse; or domestic and dating violence.²

IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY

A school District, ~~School Safety Coordinator~~, and any school employees participating in the activities of a school safety and security threat assessment team enjoy immunity from civil and criminal liability regarding their participation in the threat assessment process as provided in KRS 158.4410.¹

REFERENCES:

¹KRS 158.4410

U.S. Secret Service Guide, *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*

RELATED POLICIES:

²09.2211; 09.227; 09.438
05.4; 09.14; 09.425

Due Process**RIGHT TO DUE PROCESS**

Before being punished at the school level with suspension for violation of school regulations, a pupil shall have the right of the following due process procedures.¹

1. The pupil shall be given oral or written notice of the charge(s) against ~~them~~him.
2. If the pupil denies the charge(s), ~~they~~he shall be given an explanation of the evidence against ~~them~~him.
3. The pupil shall be given an opportunity to present ~~them~~his own version of the facts concerning the charge(s).

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, procedures mandated by federal and state law shall be followed.²

REFERENCES:

¹KRS 158.150

²P. L. 105-17; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592 (1988)

RELATED POLICIES:

09.43

09.433

09.434

Detention

PRINCIPAL TO ESTABLISH

The Principal or his designee may establish a detention as an alternative disciplinary method.

NOTICE TO PARENTS

A pupil's parent/guardian shall be notified prior to the detention so that transportation may be arranged by the parent.¹

Parental notification of assignment to detention shall be recorded in the student information system.

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~~SATURDAY SCHOOL~~

~~Under procedures developed by the Superintendent, Principals may utilize assignment to Saturday School as an alternative disciplinary method for students.~~

REFERENCES:

¹KRS 160.290

KRS 160.340

Suspension

WHO MAY SUSPEND

In accordance with KRS 158.150, the Superintendent, Principal or assistant Principal may suspend a pupil up to a maximum of ten (10) days per incident.

Suspension of preschool through third (3rd) grade~~primary-school~~ students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the Principal in consultation with the Superintendent/designee.

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PRIOR DUE PROCESS REQUIRED

A pupil shall not be suspended until due process procedures have been provided as described in KRS 158.150 (09.431)¹, unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process. If the Superintendent lengthens the period of suspension imposed by the Principal, additional due process shall be provided.

IMMINENT DANGER

In such cases, due process shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.

WRITTEN REPORT REQUIRED

The Principal or assistant Principal shall report any suspension in writing¹ immediately to the Superintendent/designee and to the parent, guardian, or legal custodian of the pupil being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

EXTRACURRICULAR ACTIVITIES

A student on suspension shall not be allowed to participate in any extracurricular activity or attend events sponsored by the school.

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, procedures mandated by federal and state law for students with disabilities shall be followed.²

REFERENCES:

¹KRS 158.150

²20 U.S.C. Sections § 1400 et seq; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592(1988)

OAG 77-419; OAG 77-427; OAG 77-547

OAG 78-392; OAG 78-673; 707 KAR 1:340

Goss v. Lopez, 419 US 565 (1975)

RELATED POLICIES:

09.3; 09.43; 09.431

Search and Seizure**REASONABLE SUSPICION**

No pupil's outer clothing, pockets, or his or her personal effects (e.g., handbags, backpacks, etc.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the pupil has violated or is violating either a school rule or the law.¹ Search of a pupil's person shall be conducted only with the express authority of the Principal/designee.

AUTHORIZED PERSONNEL

Searches of a pupil's person or his or her personal effects shall only be conducted by a certified person directly responsible for the conduct of the pupil or the Principal/designee of the school which the student attends. However, when an immediate threat to the health or safety of others occurs off site with no certified employee reasonably available, a non-certified person (i.e., bus driver or coach/sponsor) that is responsible for the students is authorized to conduct the search of a student or his/her personal effects. Examples of immediate threats would include reasonable suspicion of the presence of illegal drugs or a weapon.

WITNESS/PERSONAL SEARCHES

When a pat-down search of pupil's person is conducted, the person conducting the search shall be the same sex as the pupil; and a witness of the same sex as the pupil shall be present during the search. In addition, no search of a pupil shall be conducted in the presence of other students.

These restrictions shall not apply to situations involving an imminent threat to students or staff where immediate action is required to prevent harm to health and safety.

STRIP SEARCHES

No strip searches of students shall be permitted.

FAILURE TO COOPERATE

Students who fail to cooperate with school authorities when requested to shall be subject to other disciplinary action.

REGULAR INSPECTION

School property, such as lockers, desks, and network systems, technology resources and accounts owned or supplied by the District are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property and resources on a regular basis. During these inspections, items which are school property, such as overdue library books, may be collected. Students should not expect privacy for items and information left in such locations. A single desk, locker or a technology resource/account may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

ILLEGAL ITEMS

Illegal items (e.g., weapons, drugs, etc.) or other possessions reasonably determined by proper school authorities to be a threat to the pupil's safety or to others' safety and security may be seized by school officials.

Search and Seizure**OTHER DISRUPTIVE ITEMS**

Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the pupil's possession by a staff member. Such items may be returned to the pupil by the staff member or through the Principal's office.

DISPOSITION OF ITEMS

All items which have been seized shall be turned over to the proper authorities or returned to the true owner.

VEHICLES

When reasonable suspicion exists that a student's automobile or the contents there is a threat to student health, safety or welfare or of disruption to the educational process, the Superintendent/designee may refer the matter to law enforcement authorities.

USE OF TRAINED DOGS

The Superintendent/designee may request law enforcement officials to bring trained dogs onto school property to search for contraband (prohibited items) and shall be notified prior to the search taking place. Use of trained dogs shall be subject to the following conditions:

1. The dogs shall be certified as never having been trained as attack dogs. However, police canines are trained to defend their handlers, but only in absolute emergencies.
2. The Principal or designee shall be present.
3. Searches involving dogs shall be conducted only when students are in classrooms or other designated safe area; no student shall be in the vicinity of lockers or other area of school property being searched. The dogs shall not be used to search persons or items in their immediate possession.
4. A positive alert may constitute reasonable suspicion as to the presence of illegal substances.
5. All dogs shall be on a leash and will not be allowed to come in close proximity to any student.
6. The results of all canine searches shall be reported to the District ~~Safety Coordinator~~^{Law Enforcement Liaison, Chief Academic Officer}~~the Deputy Superintendent~~, and the Superintendent.

The alert of trained dog to an item or area shall qualify as reasonable grounds on which to base a further search.

REFERENCES:

- ¹New Jersey vs. T.L.O., 105 S.Ct. 733 (1985)
KRS 161.180; KRS 531.335
Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (2009)

RELATED POLICIES:

08.2323; 09.4261

Substitute Teachers

QUALIFICATIONS

All substitute teachers shall meet background records check requirements (including a letter from the Cabinet for Health and Family Services provided by the individual documenting that the individual does not have an administrative finding of child abuse or neglect in records maintained by the Cabinet) and medical examination requirements as specified in policies 03.11 and 03.111. In addition, substitutes serving in a position on a long-term/extended basis must meet all certification requirements established by the Education Professional Standards Board.

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

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

SUBSTITUTE LIST

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

RETIRED TEACHERS

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

LENGTH OF DUTY

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

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

SUBSTITUTE SALARY AND PAYMENT SCHEDULE

Substitutes shall be paid on a per diem basis according to the salary schedule approved by the Board. The salary schedule may reflect adjustments for long-term/continuous assignment substitutes, which shall begin following the completion of fourteen (14) consecutive days in the same continuous substitute assignment. While serving in a long-term/continuous assignment(s), the substitute shall be allowed a total of five (5) unpaid days for the school year before pay is reduced back to the initial fourteen (14) day rate of pay.

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

MINIMUM NUMBER OF DAYS WORKED

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

EMPLOYMENT NOTIFICATION

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

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

Substitute Teachers

REFERENCES:

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

RELATED POLICIES:

03.11; 03.111; 03.121

School Activity Funds

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

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

UNIFORM ACCOUNTING

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

TWO SIGNATURES REQUIRED

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

PURCHASE ORDERS

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

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

FINANCIAL REPORTS

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

DEFINITION OF SCHOOL ACTIVITY FUNDS

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

DEFINITION OF DISTRICT ACTIVITY FUNDS

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

Funds carry over at year end subject to board policy.

~~DONATIONS~~

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

School Activity Funds**DONATIONS**

The Board authorizes the school Principal to receive any gifts of real or personal property for the benefit of the school or for the students of the school and use it as requested provided that the purpose is consistent with policies and programs approved by the Board.

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The Principal is responsible for ensuring any gift, donation or grant is used/spent in accordance with the approved purpose for which it was given.

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Monetary donations of \$2,500 or more and monetary donations specifically for instructional materials or operating expenses must be sent to the District as District Activity Funds.

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Donations valued by the donor at \$250 or more require a Donation Acceptance Form (Redbook F-SA-18) be completed and filed with the school bookkeeper.

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

AUDIT OF FUNDS

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

SUPPORT/BOOSTER CLUBS

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

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

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

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

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

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

External support/booster organizations shall obtain prior Board approval ([Form 09.33 AP.2](#)) to establish and lend support, seek assistance, and/or raise funds in the name of the District or school or students or a District or school program.

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

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

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

FUND-RAISING PROJECTS

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

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

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

HANDLING OF CASH

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

REFERENCES:

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

²702 KAR 3:120

³OAG 79-556

⁴KRS 158.290

KRS 139.497; KRS 156.070; KRS 160.290; KRS 160.340

FISCAL MANAGEMENT

04.312
(CONTINUED)

School Activity Funds

RELATED POLICIES:

04.61; 09.33

Gifts, Donations, and Grants

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

DONATIONS FOR SCHOOLS

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

The Principal is responsible for ensuring any gift, donation or grant is used/spent in accordance with the approved purpose for which it was given.

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Monetary donations of \$2,500 or more and monetary donations specifically for instructional materials or operating expenses must be sent to the District as District Activity Funds.

Donations valued by the donor at \$250 or more require a Donation Acceptance Form (Redbook F-SA-18) be completed and filed with the school bookkeeper.

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

FAMILY RESOURCE AND YOUTH SERVICE CENTERS

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

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

REFERENCES:

¹KRS 160.580; 158.4461

²KRS 156.496

Accounting Procedures for Kentucky School Activity Funds (Redbook)

RELATED POLICY

04.312

Guest Speakers

Prior approval of Principal required.

CLASSROOM

Teachers who are considering guest speakers/performers should be guided by the age and maturity of the students and the relationship of the materials to the standards/curriculum. Teachers shall have the Principal's permission prior to extending the invitation to the guest speaker/performer and shall be present and maintain supervisory control during the program/presentation.

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SCHOOL-WIDE ASSEMBLIES/PUBLIC EVENTS

Certified persons responsible for the speaker shall be aware of the contents of the intended presentation and shall evaluate its appropriateness, educational relevance, and value to the students commensurate with their maturity level and shall be present and shall maintain supervisory control during the presentation. The Principal's approval shall be obtained before an invitation is issued to a guest speaker and/or before plans are finalized.

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Fund-Raising Activities**DEFINITION**

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

APPROVAL REQUIRED

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

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

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

DOOR-TO DOOR SALES

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

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

CAMPAIGN RESTRICTIONS

No fund-raising shall interfere with the instructional day.

PUPIL NOT COMPELLED

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

CONDUCT OF ACTIVITIES

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

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).

Fund-Raising Activities**SOLICITATION**

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

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

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

CHARITY DRIVES

The collection of monies or goods for the purpose of donating to a reputable charity organization may be organized by the school or a school group.

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Principal approval of the collection/donation activity and the organization that the funds/goods will be distributed to is required on the Fundraiser Approval Form (Redbook F-SA-2A).

The bookkeeper shall establish a separate school activity account for the event. Daily collection of cash/check donations will be reported on a Multiple Receipt Form (Redbook F-SA-6) and will be remitted to the school bookkeeper daily for deposit into the school activity account opened specifically for the event. One hundred percent (100%) of the account receipts will be remitted to the charitable organization in a timely manner and will be the only permitted disbursement from the account.

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This type of activity is categorized as "Collections of Specific Donations" by the Redbook. Procedures for this activity are described in Appendix B of the Redbook. Completion of the Fundraiser Summary Form (F-SA-2B) at the end of the collection drive is required to recap the total cash receipts and disbursements activity, then filed with the bookkeeper and Principal.

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CHARITABLE NON-PROFIT SOLICITATIONS

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

Collections shall not take place in classrooms.

SUBSCRIPTION SALE OF PRINTED MATERIAL

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

GAMING ACTIVITIES LICENSE

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

Fund-Raising Activities**CROWDFUNDING**

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

Employees wishing to raise funds for a particular school must obtain prior written approval from their principal and if applicable, the Board after providing pertinent details. Crowdfunding projects shall be described and approved using the Fundraiser & Crowdfunding Approval form included in the Accounting Procedures for Kentucky School Activity Funds. A copy of the approved form must be sent to the Chief Financial Officer. Approval forms 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.

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

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

REFERENCES:

¹KRS 158.290

²KRS 367.515 (3)

³KRS 238.505; KRS 238.535; KRS 238.540

⁴Accounting Procedures for Kentucky School Activity Funds

KRS 156.160; KRS 158.854

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

| STUDENTS

09.33
(CONTINUED)

Fund-Raising Activities

RELATED POLICY/PROCEDURES:

04.312
09.33 AP.21