

2022 KSBA Update

Policy Committee Review - June 13, 2022

Board First Reading – June 28, 2022

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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

HIGHLIGHTED TEXT IS RECOMMEND LANGUAGE FROM JCPS STAFF TO ADDRESS “PLAYING UP” FOR MIDDLE SCHOOL STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ATHLETICS. INCORPORATES KHSAA BYLAW REQUIREMENTS AND EXISTING JCPS GUIDELINES. REFLECTS AND RESPONDS TO CHANGE IN KHSAA RULES TO PERMIT CERTAIN A5 ALTERNATIVE EDUCATION PROGRAMS TO PARTICIPATE IN INTERSCHOLASTIC ATHLETICS.

STUDENTS

09.313

Eligibility (Athletics)

Determination of athletic eligibility shall be made in compliance with applicable administrative regulations and Kentucky High School Athletic Association (KHSAA) 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

MIDDLE SCHOOL STUDENTS PLAYING HIGH SCHOOL ATHLETICS

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, and harmonizing any conflicting school-based decision making (“SBDM”) council requirements. SBDM Council policies apply to the selection of sports activities, and student participation based on academic qualifications and attendance requirements, program evaluation, and supervision.¹

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

Participation in interscholastic athletics by a student in grade seven (7) or grade eight (8) shall be permitted under the following requirements:

1. A student enrolled in an A1 school that has a grade configuration that includes both middle school and high school grades shall be permitted to participate on a high school team only for that school or program.
2. A student enrolled exclusively and voluntarily in an A5 alternative education program that has a grade configuration that includes both middle school and high school grades and that is a member of KHSAA shall be permitted to participate on a high school team only for that program. The Superintendent may authorize an A5 alternative education program for membership in KHSAA, since A5 programs do not have SBDM councils.
- 4.3. A student enrolled in an A5 alternative education program that is not a member of KHSAA shall not be eligible to participate in interscholastic athletics.

Eligibility (Athletics) (Continued)

MIDDLE SCHOOL STUDENTS PLAYING HIGH SCHOOL ATHLETICS (CONTINUED)

4. A student enrolled in a middle school connected to a high school through a feeder pattern established in the Board approved District Student Assignment Plan shall be permitted to participate on a high school team only for the high school connected to the middle school by the feeder pattern.
5. A student enrolled in any other middle school shall be permitted to participate on a high school team only for the high school to which the student would be assigned under the Board approved Student Assignment Plan based on the student's residence, even if the student has applied for and has received admission to another high school for the next year.
6. A middle school student must be a member of the middle school team to play up on a high school team. Middle school practice and games take precedent over high school practice and games.
- ~~2. The parent/guardian of a middle school student must apply for and receive approval from the Director of Athletics and Activities prior to participation on a high school team.~~

STUDENT TRANSFERS

After enrolling in any ~~District high school-Jefferson County Public High School~~, ~~a any~~-student who is granted a transfer ~~shall will~~ be ineligible for athletic participation, regardless of prior participation, for one calendar year from date of transfer. This rule is in addition to the KHSAA Transfer Rule.

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 sanctioned by the KHSAA shall be eligible to participate in such activities at the District school of that student's residence.

REFERENCES:

¹[KRS 160.345](#)

²[KRS 156.070](#);

[KRS 160.1592](#)

[702 KAR 007:065](#); [OAG 15-022](#)

Kentucky High School Athletic Association (KHSAA)

RELATED POLICIES:

02.4241

~~09.11~~

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

09.423

Adopted/Amended: 8/7/2018

Order #: 2018-177

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

HIGHLIGHTED TEXT IS RECOMMEND LANGUAGE FROM JCPS STAFF.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.91

Authorization of Charter Schools

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 in alignment with the strategic priorities of the Board as set forth in the District's strategic plan.

The Board expects charter school applicants to:

- Demonstrate the capacity of such academic programs to close achievement gaps for low-performing groups of public school students; and
- Increase high-quality educational outcomes for exceptional children and youth as defined by KRS 157.200 or students at-risk of academic failure as defined in 701 KAR Chapter 8; and
- Close such achievement gaps and increase such educational outcomes at an accelerated pace so as to exceed the student and school performance and achievement of the non-charter schools in the District.

The Board will enforce the foregoing high expectations for the charter schools it authorizes and will hold them accountable to the terms of their charter contracts.¹

AUTHORIZER ORGANIZATIONAL CAPACITY

The Board shall commit the human and financial resources necessary to conduct its authorizing duties effectively and efficiently. The Superintendent, assisted by the Office of School Choice (Office), shall work with the Board in its capacity as authorizer to ensure quality authorizing in compliance with the duties of a charter school authorizer as set forth in KRS 160.1590 to KRS 160.1599, KRS 161.141 and 701 KAR Chapter 8.²

The Superintendent, assisted by the Office, shall make recommendations to the Board regarding all charter school applicants. With respect to charter school applications and monitoring of existing charter schools, the Superintendent shall not recommend a charter school contract to be executed or continued 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 Superintendent and Office 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 allow the Superintendent to file a letter objecting to approval of each charter application received based on substantial hardship 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.

The Superintendent, assisted by the Office, shall:

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

- Receive, review, and recommend to the Board action concerning all complete and properly submitted charter school applications within the timelines established by all applicable statutes and regulations.
- Provide the Board with a comprehensive analysis of the strengths and weaknesses of each charter school application based on the work of the application reviewers.³
- Upon positive action by the Board, and approval of an application by the Commissioner of Education, develop for Board approval, in cooperation with the applicant, a charter contract that will be in compliance with all applicable statutes and administrative regulations.⁴
- 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:
 - Ensuring the charter school is fully compliant 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 at least quarterly.
 - 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.
 - 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 and to the Board.⁵
- Make relevant recommendations as may be appropriate for Board consideration, including but not limited to amendment, renewal or nonrenewal, and revocation of a charter contract.⁶
- Ensure the 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.
- Ensure compliance by each charter school with its charter contract.⁷

Any failure of the Board acting in its capacity as a charter school authorizer to act on a charter application, renewal, or other appealable decision shall be deemed an approval.

Authorization of Charter Schools**ADMINISTRATIVE PROCEDURES**

Pursuant to Board Policy 01.51, the Superintendent shall prepare administrative procedures designed to facilitate the implementation of this Policy, including procedures governing the Board's performance of its duties under KRS 160.1590 to 160.1599, 161.141, and 701 Chapter 8, as required by 701 KAR 8:020, Section 2.

RELATED POLICY:

01.911

REFERENCES:¹KRS 160.1591; 701 KAR 8:020, Section 2²KRS 160.1594; 701 KAR 8:020, Sections 2 through 8³KRS 160.1593⁴KRS 160.1596⁵KRS 160.1598⁶KRS 160.1593; KRS 160.1598⁷KRS 160.1598

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.911

Charter School Application Process

APPLICATION PROCESS¹

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 Office of School Choice 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 programs, admission policies, employment practices, and all other operations. A charter school approved by the Board shall not discriminate against any student, employee, or any other person on the basis of race, ethnicity, religion, national origin, sex, disability, special needs, athletic ability, academic ability, age, marital or parental status, political affiliations or beliefs, sex, sexual orientation, gender identity, gender expression, veteran status or disability. A charter school approved by the Board may serve any grade or combination of grades from kindergarten through grade 12.

Application: For a charter school application to be considered complete, the application shall be in compliance with KRS 160.1590 to KRS 160.1599, KRS 161.141 and 701 KAR Chapter 8 and shall satisfy the requirements of the Jefferson County Public Schools Request for Charter School Applications (RFCSA), which shall be issued by the Board annually. An applicant and shall simultaneously submit written notification of the application to the Kentucky Board of Education also be submitted as a simultaneously to the state board as a record of the filing. Incomplete applications shall not be considered by the Board. An applicant shall be provided a detailed analysisaccount 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 analysisaccount to address any identified deficiencies, during which time including allowing an applicant may to request a sixty (60) day extension to seek technical assistance in curing deficiencies from the state boardremedy the deficiency. If supplemental information is not provided to remedy the deficiency, or the supplemental information provided is not sufficient, the application shall not be considered for approval by the Board.

Request for Charter School Applications: The Board shall issue an RFCSA annually. The RFCSA shall contain all information that will enable an applicant to submit a complete application to the Board, including but not limited to the Kentucky Charter School Application, a Scoring Rubric, and any additional information required by the Board. The RFCSA shall reflect the priorities, high expectations, mission, and vision of the Board as an authorizer as set forth in the Board Policy on Authorization of Charter Schools.

An applicant shall complete and file the application by the deadline established in the RFCSA.

Capacity: In order for an application to be approved, the applicant must demonstrate the capacity to operate a high-quality charter school as set forth in the Charter School Performance Framework. 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.

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

Recommendation to Approve or Deny: The application shall be reviewed by application reviewers, composed of members selected by the Superintendent. The application reviewers shall review the application for compliance with the requirements of KRS 160.1590 to KRS 160.1599, KRS 161.141 and 701 KAR Chapter 8, and assist in the application review process including the scoring of the application using the Scoring Rubric provided in the RFCSA, conducting an in-person interview with the applicant group, and reviewing public feedback received during the community forum. The application reviewers shall narrow the applicants to finalists, each of which shall then make a presentation before the Board. The findings of the application reviewers shall be provided to the Board for its consideration, together with the Superintendent's recommendation to approve or deny the application. An applicant may withdraw an application at any time during the application process.

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 meet the high expectations established in the Charter School Performance Framework. The recommendation shall include summaries of evidences collected during the application review process. 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 and the Board deems the application to be in the public interest. The Board shall only approve initial charter contracts with a term of five (5) years in length.

Appeal: Following any decision to deny an application, the applicant may submit a notice of appeal to the Board and the State Board for Elementary and Secondary 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 160.1590 to KRS 160.1599, KRS 161.141 and 701 KAR Chapter 8. The requirements for petitioners advocating for conversion of an existing school within the District shall be posted on the District website.³

Prior to circulation of a conversion petition, the petitioner shall file a notice of intent with the Board. The Superintendent, assisted by the Office of School Choice, shall establish the procedure regarding timelines and standards covering the submission, processing and action on notices of intent, petitions, and applications relating to the conversion of a public school to a public charter school which shall be consistent with KRS 160.1599 and 701 KAR 8:040.

No conversion public charter school shall begin operation after the beginning of a school year.

Charter School Application Process

RELATED POLICIES:

01.91, 01.9111

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

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

~~Prior to the disposal of facilities and/or sites, the Superintendent shall advise the Board that the property is no longer needed for school purposes and shall recommend seeking approval for disposal from the state board of education.~~

BIDS OR AUCTION

Upon receiving the report from the Superintendent, 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.

SCHOOL FACILITIES

~~The Superintendent shall submit to the Board, for approval, recommendations to close schools. Specific procedures addressing school facilities that are no longer needed shall be developed by the Superintendent.~~

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 (1) 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

Disposal of School Property**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. The District shall document to whom the technology is distributed.

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 develop and implement procedures to carry out this policy.

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

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 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: 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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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: 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

HIGHLIGHTED TEXT IS RECOMMEND LANGUAGE FROM JCPS STAFF.

ADMINISTRATION

02.31

School Safety Officers (SSOs)

DEFINITION

- (1) "School resource officer" or "SRO", as defined in KRS 158.441, means an officer 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; orand
 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
- (2) "School safety officer" or "SSO" means school resource officer who is employed directly by the District. All SROs serving in the District shall be referred to as SSOs.

PURPOSE AND GOAL: SAFER SCHOOLS AND SAFER STUDENTS

The Board is responsible for the general management and control of schools in the District², including promoting and fostering a safe environment for students, staff, and visitors. Every student should have access to a safe, secure, and orderly school that is conducive to learning.³ Central to that responsibility is the implementation of a fair and equitable system of behavior supports and interventions for all students. School administrators are expected to develop and implement a plan with teachers to ensure that expected behaviors are intentionally taught, modeled, learned, and reviewed to ensure understanding and success by students, school staff, and SSOs.

The District's commitment to achieving racial equity through awareness, action, and accountability must be embedded in all school and District practices, to ensure that all students are treated fairly and without discrimination. Critical to school safety and student success is the importance of building and sustaining positive adult-to-student relationships that: celebrate and recognize positive student behavior; incorporate cultural competence; use age- and

School Safety Officers (SSOs)**PURPOSE AND GOAL: SAFER SCHOOLS AND SAFER STUDENTS (CONTINUED)**

developmentally-appropriate strategies; and are based on mutual respect and two-way communication.

A central goal of implementing this system of strategies to develop positive relationships in schools is reducing the number of students who become engaged with the juvenile justice and criminal justice systems.

The purpose of the program is not to enforce or administer matters of school discipline and student conduct. Such matters are the responsibility of other District or school personnel. The purpose of the SSO program is to: promote and foster a safe environment in schools, at school-sponsored events, and on school transportation; provide a law enforcement presence on school property and at school-sponsored events; enhance educational programs relating to safety and positive behaviors; build positive relationships with students to support academic success and personal growth; provide a liaison to community and law enforcement agencies, and contribute to the District focus on building trusting relationships in school communities through approaches such as restorative practices, positive behavior interventions and supports, social-emotional learning, and trauma-informed practice. The primary domain of activity for an SSO is outside the school building, except when called to respond to an incident or emergency by the principal or District administrator. An SSO shall work to develop strong working collaborative relationships with principals; other school administrators; and with School Safety Administrators, whose primary domain of activity is within school buildings.

PURPOSE AND GOAL: SAFER SCHOOLS AND SAFER STUDENTS

The goal of the SSO program is to promote safer schools and safer students by employing law enforcement officers with high levels of specialized school-specific and student-focused training to work proactively with others in the school community to create a safer and more supportive learning environment for all students. SSOs shall work as a team with administrators and teachers to develop strategies to protect and support all children so they can reach their fullest potential. Administrators will work to facilitate opportunities for SSOs who have mentoring relationships with students to maintain those relationships.

The SSO program is one component of a broader effort within schools and the District central office to promote and foster a safe learning environment for students, staff and community. Schools are safer when administrators, teachers, and staff work intentionally to:

- Actively engage students in authentic learning that matters to their sense of self and personal development.
- Build a culture and climate that foster and sustain attitudes, beliefs, values, and practices that promote success for all students.
- Make racial equity foundational to all school systems and practices.
- Develop and implement a comprehensive system of supports to address student mental health, social, and emotional needs, and the roots of disruptive behavior.

ROLES AND EXPECTATIONS

- Collaborate closely with appropriately trained and equipped law enforcement professionals – SSOs – to promote and foster a safe environment for students, faculty, staff, and the school community.

School Safety Officers (SSOs)**ROLES AND EXPECTATIONS (CONTINUED)**

- An SSO will have such training, certification, and commission as is required by provisions of KRS Chapters 15, 61, and 158.
- In addition to requirements established under state law for SROs, an SSO shall meet all additional training and other requirements established by the District in the SSO job description and in procedures to implement this policy.
- Per KRS 158.4414, an SSO who fails to successfully and timely complete SRO training requirements shall lose their SRO certification and shall no longer work in the District as an SSO. An SSO who fails to meet other requirements established by the District shall be subject to the provisions of the policies and procedures governing employee discipline.
- An SSO shall also obtain training on the use of physical restraint and seclusion including additional training applicable to “core team” school personnel designated to respond to dangerous behavior.
- An SSO is vested with law enforcement jurisdiction and authority as described in KRS 61.902 to KRS 61.930 and other applicable law, including, but not limited to, investigating and responding to possible criminal offenses and to health or safety threats to students or school personnel.
- As authorized under the Family Educational Rights and Privacy Act (“FERPA”), SSOs and all staff within the Department of Security and Investigations, are designated as the District’s “law enforcement unit” under the Chief Operations Officer possessing law enforcement authority and exercising safety and security functions as described in state law and referenced above. Records created and maintained by an SSO for a law enforcement purpose do not constitute education records under FERPA.³ District staff other than law enforcement personnel are not responsible for the creation of law enforcement records and are expected to observe restrictions on access to such records. An SSO is expected to provide guidance and insight to District officials and staff on such restrictions.

NATURE OF EMPLOYMENT

An SSO is a classified employee. An SSO is therefore generally covered by District classified employee policies, including, but not limited to, policies regarding terms and conditions of employment; fringe benefits; employee discipline; and reductions in force.⁴ However, as applied to an SSO, such general District classified employee policies may be subject to the terms of their contract with the District; their job description; and their authority to carry out certain law enforcement functions as permitted by law.⁵ Police officers shall be granted with the protections provided in KRS 15.520 and shall be certified in accordance with KRS 15.380.⁶ In accordance with KRS 61.926, 527.020, and 527.070, as applicable, each SSO shall be armed with a firearm, notwithstanding any provision of Board policy, school council policy, or memorandum of agreement.⁵

School Safety Officers (SSOs)**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.

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 15.380.⁶~~

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

TRAINING REQUIREMENTS

All SSOs 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, as well as all other additional training requirements for SSOs established by the District. Any SSO who fails to successfully complete the state-mandated training requirements within the specified time periods, including approved extensions, shall lose their SRO certification and shall no longer serve in the capacity as an SSO. An SSO who has lost SRO certification due solely to the officer's failure to meet state training requirements may regain certification status as an SRO upon completion of the training deficiency, and may resume service in the capacity as an SSO. An SSO who fails to meet other training requirements established by the District shall be subject to the provisions of the policies and procedures governing employee discipline.

As set forth in KRS 158.4414, the course curriculum for in-service training certified or recognized by the Kentucky Law Enforcement Council for SROs, shall include but not be limited to:

- (1) Foundations of school-based law enforcement;
- (2) Threat assessment and response;
- (3) Youth drug use and abuse;
- (4) Social media and cyber security;
- (5) School resource officers as teachers and mentors;
- (6) Youth mental health awareness;
- (7) Diversity and bias awareness training;
- (8) Trauma-informed action;
- (9) Understanding students with special needs; and

School Safety Officers (SSOs)**TRAINING REQUIREMENTS (CONTINUED)**

(10) De-escalation strategies.

Course curriculum for additional District-mandated SSO training shall include, but not be limited to:

- (1) Bullying;
- (2) Cross-cultural communication and bias awareness training;
- (3) De-escalation strategies;
- (4) Multi-Tiered Systems of Support and Positive Behavior Interventions and Supports (MTSS and PBIS);
- (5) Restorative Practices;
- (6) Safe Crisis Management;
- (7) Student Support and Behavior Intervention Handbook;
- (8) Trauma-informed action;
- (9) Understanding students with special needs;
- (10) Youth mental health awareness;
- (11) Weapon qualification;
- (12) Drug rehabilitation resources;
- (13) Suicide prevention;
- (14) Use of trained interpreters when engaging with a student, family member, or other individual whose first language is not English;
- (15) Family Educational Rights and Privacy Act (FERPA); and
- (16) All trainings required by the District for classified employees

Principals and School Safety Administrators shall be given training and guidance regarding positive and effective relationships with SSOs, including the circumstances under which requesting support from an SSO is appropriate, and when it is not appropriate.

DATA COLLECTION, ANALYSIS, REPORTING, AND PROGRESS MONITORING

1. The SSO Standard Operating Procedures Manual, as described below, shall include detailed guidance for the reporting of incidents by SSOs, including but not limited to: the types of incidents that must be reported; the information required; the form of documentation; and the delivery, storage, and maintenance of incident reports.
2. The Executive Administrator of Security and Investigations shall create a Data Review Team to establish program goals and metrics to assist in measuring progress toward meeting those goals. The Chief of Accountability, Research and Systems Improvement/designee shall assist the Data Review Team in establishing metrics and data collection and analysis protocols. The Data Review Team shall include the Chief Equity Officer/designee, the Assistant Superintendent of Culture and Climate/designee, Chief of Exceptional Child Education/designee, and three mental health professionals, who may include, but are not limited to, a school psychologist, counselor, or mental health practitioner.

School Safety Officers (SSOs)**DATA COLLECTION, ANALYSIS, REPORTING, AND PROGRESS MONITORING (CONTINUED)**

3. The Chief Operations Officer shall prepare regular reports for the Superintendent and the Board outlining program implementation activities, progress towards meeting goals, challenges, next steps, and program needs. Reports to the Board shall be provided at least twice a year as determined by the Board Chair and the Superintendent, and quarterly through the end of the 2022-23 school year.
4. The Chief Operations Officer shall establish an SSO Community Data Review Team, which shall meet at least quarterly to review and analyze aggregate data regarding incidents reported by SSOs and make recommendations to the District regarding the SSO program. The SSO Community Data Review Team shall include individuals with knowledge and expertise regarding data analysis, violence prevention, justice-involved youth, racial equity in the school setting, and other pertinent matters.
5. As Racial Equity and Culture and Climate are two of the three pillars of the District, the Data Review Team shall closely monitor, consistently report, and actively work to reduce both racial disproportionality in and the overall number of citations, arrests, and other law enforcement involvement with students.
6. The Chief Operations Officer/designee shall establish a process whereby authentic student feedback regarding the School Safety Program and SSOs is collected, analyzed, and shared with District leadership and the Board.
7. The Chief Operations Officer/designee shall notify the Superintendent, General Counsel, and all Board members, as soon as possible and within three (3) days, of all incidents in which an SSO:
 - a. Detains a student under the age of eighteen (18) into custody under KRS 610.190 for an offense for which an adult could be arrested, including a physical detention to another location and a detention that results in the issuance of a citation and release;
 - b. Arrests an adult student including a physical arrest to another location and an arrest that results in the issuance of a citation and release;
 - c. Arrests an individual who is not a student;
 - d. Unholsters a firearm or Taser; or
 - e. Discharges a firearm or Taser.

STANDARD OPERATING PROCEDURES MANUAL

The Superintendent/designee shall prepare an SSO Standard Operating Procedures (SOP) Manual to provide operational guidance to the Office of School Safety and School Safety Officers (SSOs). The SOP Manual shall provide written processes that describe in detail how to perform tasks specific to the SSO program to meet statutory, regulatory, and Board policy standards; establish expectations for high quality operations; and to create a culture of accountability and continuous improvement.

School Safety Officers (SSOs)**STANDARD OPERATING PROCEDURES MANUAL (CONTINUED)**

Using national best practices and procedures for school resource officer programs, the District shall establish an SOP Manual Team, including members from District departments and the community, to develop SSO SOPs.

The manual shall be reviewed and updated by a reconstituted SOP Manual Team at least once every two years, and as needed.

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 SSOs in the District. The report shall include the source of funding and method of employment for each position.

REFERENCES:

¹KRS 158.441

²KRS 160.290

³20 U.S.C. 1232(g)(a)(4)(ii); 34 C.F.R. § 99.8

⁴KRS 161.011

⁵KRS 61.902 – KRS 61.930; KRS 527.020; KRS 527.070

⁶KRS 158.196

KRS 15.380; KRS 15.520

KRS 158.440 – KRS 158.4461

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

704 KAR 7:160

RELATED POLICIES:

09.14; 09.2211; 09.227; 09.422; 09.425; 09.4361

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

LEGAL: SB 1 REQUIRES THE BOARD TO OVERSEE AN ANNUAL REVIEW OF STUDENT PERFORMANCE IN THE DISTRICT AND THE REPORTING OF KEY STUDENT PERFORMANCE DATA TO ENSURE COMPLIANCE WITH STATE AND FEDERAL LAW AND ACCURATE REPORTING TO THE BOARD.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

HIGHLIGHTED TEXT IS RECOMMEND LANGUAGE FROM JCPS STAFF.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111

District Planning

The Board shall establish long-range, District-wide educational goals and objectives to guide the administration's development of annual objectives and budget priorities. The District-wide goals and objectives shall be based on a three to five (3-5)-year cycle, but shall be reviewed for revision every year.

DISTRICT IMPROVEMENT PLAN

The Superintendent shall develop, review, and revise annually a Comprehensive District Improvement Plan (CDIP) which shall include, but not be restricted to, statements of the District's goals and objectives, the annual school budget, current educational issues, and evaluation information relative to the major needs of the District and significant changes proposed for the coming year.

PLANNING

The Superintendent shall present to the Board for review and approval the form and function of the District planning process, including format and timelines.

PLANNING CYCLE

The District's planning cycle shall follow a process of continuous improvement as data becomes available. Thus, procedures should be in place allowing for regular review of progress relative to the Plan and District Goals. The structure of the CDIP shall include completion of a narrative summary of the current state of the District 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 shall 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 shall 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 shall must be complete by May 1 of each school year.

PLAN REQUIREMENTS

-The District shall submit the NTI plan (Continuation of Learning plan) to the Department by May 1 for implementation at the beginning of the upcoming school term. The primary purposes of the CDIP shall be:

District Planning**PLAN REQUIREMENTS (CONTINUED)**

- To improve student achievement on state and federal mandated testing/accountability instruments and improve student learning outcomes on other success skills needed to be transition ready;
- To eliminate achievement gaps; and
- To develop District strategies and services to address deficiencies and/or sustain or strengthen current efforts.

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.

The plan shall be updated on an annual basis, provide assistance in reducing physical, mental health, and academic barriers to learning, and address student equity.

Planning activities shall draw on information from a variety of sources that shall include an opportunity for parents and other citizens of the community to have input into the plan.

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.¹

By November 1 each year, the Board shall oversee an annual review of student performance in the District and the reporting of key student performance data to ensure compliance with state and federal law and accurate reporting to the Board.²

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.

BUDGET IMPLICATIONS

A presentation shall be made by staff members on the plan for the fiscal year under consideration, which shall include priorities, objectives, program plans, and budget implications.

PUBLIC REVIEW

The plan shall have public review prior to presentation to the Board for final adoption. Opportunity for public and school staff review shall be provided for a period of at least two (2) weeks and shall be advertised in the newspaper of the largest circulation in the District, or as an alternative, posted on the District web site for electronic review and feedback.

BOARD APPROVAL

The plan shall be completed between November 1 and January 1 of each school year and presented to the Board for approval annually. If revisions are needed, the District planning committee shall forward proposed revisions to the Superintendent. Revisions must reflect the requirements of State and Federal Law. All recommendations for revisions require approval by the Board.

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

District Planning**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 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.

As outlined in KRS 160.463, a copy of the report card is to be published 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 cause notification to be published in the newspaper of the 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 158.649

²KRS 160.370

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

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.421

Public Participation in Open Meetings

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

PUBLIC ATTENDANCE

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

EXCEPTION

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

PUBLIC COMMENT PERIOD/COMMENTS

Each regular meeting shall include a public comment period of at least fifteen (15) minutes. Any Board rules and policies regarding conduct during school board meetings shall apply during the public comment period.²

Members of the public shall be given the opportunity to share opinions or express concerns at every Board meeting, either through comments addressed to the Board during a meeting or through written comments shared with Board members and the public. The Superintendent/designee shall establish administrative procedures for the process to submit written comments. The procedures shall be made available to the public on the District website.

Recognizing its responsibility to conduct the business of the District in an orderly and efficient manner, the Board shall require reasonable controls for public presentations to the Board. If necessary to permit the Board to conduct its business in an orderly and efficient manner, the Chairperson may, prior to publication of the meeting notice required under KRS 61.823:

1. Remove Agenda Item VII and/or Agenda Item XIV permitting persons to address the Board from a Board Business Meeting agenda; or
2. Remove Agenda Item IV and/or Agenda Item VI permitting persons to address the Board from a Board Work Session Meeting agenda.

Persons wishing to address the Board must first be recognized by the Chairperson. The Chairperson may require the name and address of the speaker to be provided.

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

Public Participation in Open Meetings

PUBLIC COMMENT PERIOD/COMMENTS (CONTINUED)

1. Any person wishing to present a matter to the Board shall register with the secretary of the Board at least fifteen (15) minutes prior to the start of the meeting. The speaker's name, contact information, and subject of the presentation shall be stated at that time.
2. Any materials presented to the Board shall be forwarded prior to or following all Board meetings to the Assistant Secretary to the Board for dissemination purposes.
3. Speakers shall be limited to a maximum of three (3) minutes each and may not share these minutes with any other speaker; however, a person with a medically recognized disability who is entitled to a reasonable accommodation under the Americans with Disabilities Act (ADA) shall be given an additional minute to speak. The Chairperson shall reserve the right to limit, extend or terminate discussion on any subject.
4. Discussion of personnel matters is not permitted, as the Board has no legal authority regarding such matters, and such discussion is not appropriate. If a person begins to discuss a personnel matter, the Chairperson shall immediately terminate the speaker's remarks.
5. At a public Board meeting, no person may orally initiate charges or complaints against an individual District employee. Discussion of a District employee by name or position is not permitted, in order to ensure confidentiality and fairness for the employee. If a person discusses a District employee by name or position in their remarks to the Board, the Chairperson shall immediately terminate the speaker's remarks.
6. Undue interruption or other interference with the orderly conduct of Board business cannot be allowed. Defamatory or abusive remarks are always out of order. The Chairperson may terminate the speaker's participation if, after being called to order, the speaker persists in improper conduct or remarks.
7. Speakers before the entire Board are not allowed to use props, displays, or any other objects during their presentations. However, informational handouts may be given to the Assistant Secretary to the Board and distributed in accordance with Board Policy.
8. Persons within the audience are allowed to have signs in the Board chambers that are no larger than 8 ½ x 11 inches. However, such signs may not be attached to any sort of stick and must be displayed in a manner that does not inhibit others from viewing the Board meeting.
9. Speakers may not engage in electioneering or the endorsement of any commercial product or service.

Public Participation in Open Meetings**NEWS MEDIA REPRESENTATIVES**

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

REFERENCE:

¹KRS 61.840

²[KRS 160.270](#)

RELATED POLICIES:

[01.42](#); 01.45; 10.2

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 (SBDM)

COUNCIL ELECTIONS

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

ELECTION OF TEACHER MEMBERS

Teachers assigned to a school shall organize the election to select teacher council members. Teachers may request the Principal to provide administrative assistance in preparing for the election.

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. Teacher members must be employees of the District and currently assigned to the school where they are elected as council member. A Principal or Assistant Principal may not vote in a teacher council member election 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

As used in this policy, "Parent" means:

1. A parent, stepparent, or foster parent of a student; or
2. A person who has legal custody of a student pursuant to a court order and with whom the student resides.

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 parent member shall be elected by the largest organization of parents formed for this purpose.

A parent council member shall be a parent of a student enrolled in the school during the parent council member's term of council service. A parent council member shall not be an employee or the relative of an employee of the school in which that member serves, nor shall the parent council member be an employee or a relative of an employee in the District administrative offices. A parent council representative shall not be a Board member or Board member's spouse. Relative shall mean father, mother, brother, sister, husband, wife, son, and daughter.

Election of School Council Members (SBDM)**ELECTION OF PARENT MEMBERS (CONTINUED)**

A parent council member shall submit to a state and national fingerprint-supported criminal history background as required by KRS 160.380. In addition, the parent council member shall provide a clear CA/N check, defined in KRS 160.380 as “a letter from the Cabinet for Health and Family Services indicating that there are no administrative findings of child abuse or neglect relating to a specific individual.” 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/3013RequestfromthePublicforCANChecksandCentralRegistryChecks.aspx>

MINORITY REPRESENTATIVES

As used in this policy, “minority” has the same meaning as in KRS 160.345.

If a council formed under the elections described above does not have a minority member, and the school has eight percent (8%) or greater enrollment of minority students, the Principal shall be responsible for carrying out the following:

1. The Principal shall organize a special election no sooner than ten (10) and no later than twenty (20) calendar days following the elections described above to elect a minority parent to the council by ballot. The Principal shall notify all parents of the date, time, and location of the election. The notice shall call for nominations of minority parents for the ballot. The election shall be conducted using the same procedures as the election of the two (2) other parent members of the council.
2. The Principal shall call a meeting of all teachers in the building within seven (7) days following the initial election of parent and teacher council members. The teachers shall elect 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. Procedures for election of the teacher representative shall be the same as the procedures for election of the other three (3) teacher members of the council.

TERMS

Terms of school council members shall be for one (1) year and shall begin on July 1 and end on June 30 of the following 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. Annual elections for the following year's terms should be held no later than the preceding May, but the specific date shall be set by the council.

Election of School Council Members (SBDM)**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, no council elections for the upcoming school year shall be held.
- 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.

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

HIGHLIGHTED TEXT IS RECOMMEND LANGUAGE FROM JCPS STAFF.

ADMINISTRATION

02.4241

School Council Policies (SBDM)

RESPONSIBILITIES OF SCHOOL COUNCIL

~~The school based decision making council (SBDM) shall have the responsibility to set school policy, consistent with District Board policy, 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.~~

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(19);~~
~~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;
 - Assignment of students to classes in the elementary and middle school shall be made based on the judgment and decision of the Principal and counselor prior to the opening of school or upon the enrollment of a new student. Assignment of students to classes in high school shall be accomplished by course selection by the student and parent and the approval of the Principal or designee.
 - 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.
 - Secondary 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).
 - Each secondary SBDM 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

ADMINISTRATION

02.4241

School Council Policies (SBDM)

ADOPTION OF POLICY (CONTINUED)

- all students have the right to participate in a rigorous and academically challenging curriculum. 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;
4. Determination of the use of school space during the school day related to improving classroom teaching and learning;
 5. Planning and resolution of issues regarding instructional practices;
 6. 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;

As reflected in the Student Support and Behavior Intervention Handbook, loss of physical activity periods shall not be used as a disciplinary consequence.
 8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;

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/guardian involvement process that provides for:
 - a. Establishing an open, parent/guardian-friendly environment;
 - b. Increasing parent/guardian participation;
 - c. Improving two-way communication between school and home, including what their child will be expected to learn; and
 - d. Developing parent/guardian 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.

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

13. Schools with grades K-5, 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.

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.~~

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 and state law in those areas.

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 General Counsel. Any concerns shall be shared with the council within ten (10) working days of the Superintendent/designee's receipt of the draft policy.

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 on the basis of race, color, national origin, age, religion, marital or parental status, political affiliations or beliefs, sex, sexual orientation, gender identity, gender expression, veteran status, genetic information, disability, or limitations related to pregnancy, childbirth, or related medical conditions.

School Council Policies (SBDM)**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/designee 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 of teachers and staff as set out in KRS 160.107 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.

REFERENCES:

KRS 156.072; KRS 156.160; KRS 156.730; KRS 156.735
KRS 158.197; KRS 158.162; KRS 158.645; KRS 158.6451; KRS 158.6453
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 (SBDM)

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 School councils shall be provided notice of allocations for the next budget year in accordance with the timelines required by Kentucky Administrative Regulation.¹

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

SCHOOL RESPONSIBILITY

The school administration (SBDM council or the Principal with consultation from the participatory management committee) shall prepare a detailed budget using the basic allocation to purchase the necessary certified and classified positions, supplies and instructional materials, professional training, etc., to provide a sound program of instruction to all of the school's students.

School administration shall submit this budget to the Superintendent in accordance with the budgeting calendar approved by the Board.

Schools may request additional general fund monies from the Board. The Board shall consider such requests under the following conditions:

1. Each school shall have a budget and all expenditures shall be made in accordance with this budget. In addition, the school shall comply with all federal and state laws and regulations.
2. The ratio of teachers to students shall be flexible depending upon grade levels, course offerings, accrediting standards, other applicable state laws and regulations and provisions of negotiated agreements.

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. Expenditure of these funds, with the exception of personnel salaries, shall be accomplished only by completing a central office purchase order.

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.

All state 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 Board approval to escrow the funds to be used at a future date for an approved project.

School Budget and Purchasing (SBDM)**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.

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.

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:

02.4331
04.1

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.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

HIGHLIGHTED TEXT IS RECOMMEND LANGUAGE FROM JCPS STAFF.

ADMINISTRATION

02.4244

School Hiring (SBDM)

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 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 school council during the Principal selection process.

The Superintendent/designee shall serve as the Chair of the school council for the purpose of the hiring process and shall have voting rights during the selection process. The school 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 school council.

The selection of a Principal by a majority vote of the school council shall be subject to approval by the Superintendent. If the Superintendent does not approve the Principal selected by the school council, then the Superintendent may select the Principal.

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

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

The school 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 school council to follow one (1) or more of the following practices when arranging for this training:

1. Selection of a trainer approved by the Kentucky Association of School Councils (KASC);
2. Selection of a trainer certified by the Kentucky Department of Education (KDE); and/or
3. Requiring the trainer selected to emphasize recruiting and interviewing techniques that reflect model standards developed by KASC.

School Hiring (SBDM)**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 received and discussions held in the closed session;~~

Alternative Principal Selection Process (continued)

~~1. 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;~~

~~1. The school council shall have the option to interview the recommended candidate while in closed session; and~~

~~2. After any discussion, at the conclusion of the closed session, the school council shall decide, in a public meeting by majority vote of the membership of the school 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.~~

OTHER VACANCIES

When the position to be filled in the school is other than that of Principal, the Principal, after consulting with the school 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 Principalschool 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.

School Hiring (SBDM)**OTHER VACANCIES (CONTINUED)**

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

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: 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.

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.

INSTRUCTIONAL GOALS

1. Use basic communication and mathematics skills for purposes and situations they will encounter throughout their lives;
2. Apply core concepts and principles from mathematics, the sciences, the arts, the humanities, social studies, and practical living studies to situations they will encounter throughout their lives;
3. Become self-sufficient individuals of good character exhibiting the qualities of altruism, citizenship, courtesy, hard work, honesty, human worth, justice, knowledge, patriotism, respect, responsibility, and self-discipline;
4. Become responsible members of a family, work group, or community, including demonstrating effectiveness in community service;
5. Think and solve problems in school situations and in a variety of situations they will encounter in life;

Curriculum

INSTRUCTIONAL GOALS (CONTINUED)

7. Connect and integrate experiences and new knowledge from all subject matter fields with what they have previously learned and build on past learning experiences to acquire new information through various media sources; and
8. Express their creative talents and interests in visual arts, music, dance, and dramatic arts.

SUPERINTENDENT COUNCIL RESPONSIBILITY

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.

ACADEMIC FREEDOM

The classroom teachers representing the District shall have the primary responsibility for the delivery of established program of studies in assigned areas. All methods and techniques utilized in the fulfillment of this responsibility shall be exemplified by sound educational practices and respect for all students.

COMPREHENSIVE ARTS EDUCATION

The Board supports a Comprehensive Arts Plan designed to serve as a framework to strengthen the developmental arts program; to utilize community resources; and to incorporate the arts into the total instructional program for all students of the District.

JUNIOR RESERVE OFFICERS TRAINING CORPS PROGRAM (JROTC)

The Board may establish and operate a high school JROTC program in accordance with federal requirements. Each school that maintains a JROTC unit shall permit membership in the unit to homeschooled students residing in the District who are qualified for membership in the unit (but for lack of enrollment in the District).

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

Curriculum

REFERENCES: (CONTINUED)

704 KAR 3:303; 704 KAR 3:305; 704 KAR 3:440

Kentucky Academic Standards

Section 2031 of Title 10, United States Code

P.L. 116-92

RELATED POLICIES:

Section 02.4 (All Policies)

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.

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.

REFERENCES:

KRS 158.196

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

CURRICULUM AND INSTRUCTION

08.2322

Review of Instructional Materials

~~In schools with a SBDM council, the school council shall determine which textbooks, instructional materials, and student support services shall be provided in the school. The SBDM council shall establish informal and formal reconsideration procedures to reevaluate materials, books, media, speakers, and electronically accessed resources questioned or criticized by a parent, employee, or District resident. Individuals may appeal a council's decision concerning challenged materials under the Board's policy on appeal of SBDM decisions.~~

~~In schools without a SBDM council, t~~The Superintendent shall establish informal and formal reconsideration procedures to reevaluate materials, books, media, speakers, and electronically accessed resources questioned or criticized by a parent, employee, or District resident.

Reconsideration procedures shall include consideration of the written concerns regarding instructional materials stated on an approved form that includes the reason for objection and a statement of the desired outcome regarding the material under consideration. Forms shall be available at the school. Employees receiving a written request for reconsideration of instructional materials shall notify the Principal of the complaint, who shall then notify the Superintendent/designee.

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 1 AMENDS KRS 160.370 TO REQUIRE THAT BY NOVEMBER 1 THE BOARD OVERSEE AN ANNUAL AUDIT OF THE FINANCIAL DEALINGS OF THE DISTRICT AND THE REPORTING OF KEY FINANCIAL PERFORMANCE DATA IN ORDER TO ENSURE FAIR AND ACCURATE REPORTING TO THE BOARD.

FINANCIAL IMPLICATIONS: COST OF AUDIT

FISCAL MANAGEMENT

04.9

Audits

By November 1, the Board shall oversee an annual audit of the financial dealings of the District and the reporting of key financial performance data in order to ensure fair and accurate reporting to the Board.¹

The Board's financial statements shall be audited by a firm of independent certified public accountants annually. The Superintendent shall recommend for Board approval a CPA firm to conduct annual audits of all accounts under the jurisdiction of the Board. Before any audit is initiated, the Superintendent shall secure the necessary approval from the appropriate state agencies.

The audit report, along with the audited financial statements, shall be presented to the Board. The Superintendent shall be responsible for the distribution of copies of each audit report and financial statements to members of the Board and, appropriate state agencies by the statutory deadline. The Board shall see that actions are taken to respond to significant deficiencies and material weaknesses identified in the audit report.

All audits shall be conducted in compliance with requirements for local school districts established by the State Committee for School District Audits.

Internal audits of all school system accounts and business procedures, both centralized and decentralized, shall be conducted as required by the state and as needed to provide an accurate assessment of the status of all funds, records, and reports controlled by employees of the District.

INVESTMENTS

In connection with the audit of Board funds conducted by an independent certified public accountant, the auditor shall incorporate, as part of his audit procedures, a review of the Board's investment program, including internal controls and procedures, and, to the extent that any material weaknesses are noted, these weaknesses and any recommended changes shall be reported to the Board in accordance with standard auditing procedures.

REFERENCES:

¹KRS 160.370

702 KAR 3:130; 702 KAR 3:150

KRS 156.255; KRS 156.265

KRS 156.275; KRS 156.285

KRS 160.290

OAG 61-407

Governmental Accounting Standards Board, Statement on Auditing Standards (SAS) No. 112