

May 20, 2022

Dear Superintendent/Policy Contact:

Enclosed are your customized 2022 policy update (#45) and procedure update (#26) (if applicable) and related checklists. Proposed changes reflect new legal requirements.

Please note the following:

- **KRS 160.340 requires that board policies be kept up to date by filing annual amendments thereto by August 15.**
- At the top of each draft is the legal and/or recommended explanation for the proposed change. In the body of each draft, new language is underlined. Language with ~~strike-through~~ is recommended for deletion.

**Mark any requested changes in edit mode in Word or contact your KSBA Consultant for assistance with such.** Also, if you have been working with your Consultant on a draft to revise any of the update areas, contact him/her if you want to substitute that draft for the one enclosed with this update.

As we do each year, we request that staff review the introductory pages in your hard copy manual for changes to be made to any vision/mission statement and/or goals found there.

The update checklist is the only document we need returned to us, unless there are drafts to be modified. Complete the checklist and return to the KSBA Policy Service by September 1 so that final copies can be returned to you for use during the upcoming school year.

If you have questions or comments about the updating process or need your Consultant to prepare additional drafts, contact us immediately. If this will be your first experience with a policy update, we strongly recommend you contact your assigned Policy Consultant for help.

**Please be aware that because the policies belong to your Board of Education, the choice of language to be adopted rests solely with the Board.** The KSBA Policy Service appreciates the opportunity to serve your District and stands ready to assist the Board with this important task.

Note the approved changes go into effect as of the date of Board approval, unless otherwise noted in your Board meeting minutes.

Sincerely,

***Your KSBA Policy Staff***

Enclosures



**Athletic Eligibility/Substance Abuse Policy****VIOLATIONS/SANCTIONS(CONTINUED)**

- Additionally, the student athlete will participate for six (6) consecutive weeks in a counseling/assistance program at the expense of the parent/guardian.<sup>1</sup> The counseling process must begin within one (1) week after the notification of the positive test result. The Board must approve the counselor and/or the counseling agency. Notification of attendance at the counseling sessions must be submitted **each week** to the Principal/designee. If the weekly requirement is not fulfilled, the student athlete will not be allowed to participate in contests until the six (6) consecutive weekly counseling sessions have been fulfilled.
- Furthermore, the student will undergo weekly urinalysis testing at the expense of the parent/guardian for six (6) consecutive weeks.<sup>1</sup> Testing must begin within one (1) week after notification of the positive test result. Official notification of the urinalysis results must be submitted weekly to the Principal/designee. If this requirement is not fulfilled, the student will not be allowed to participate until each weekly urinalysis is completed. Submission of a positive test will result in a second violation (See section titled "Second Violation.").
- The student shall also be required to undergo mandatory substance abuse testing each scheduled testing date for the next two (2) seasons in which the student plans to participate.

**First Violation****Option 2**

Suspension from all athletics, including practices, for a twelve (12) month period beginning on the date the Principal meets with the student and the student's parent/guardian to inform them of the violation and ending on the same date twelve (12) months later.

**Second Violation**

A second violation during any year of the student's eligibility results in automatic suspension from all athletics, including practices, for a twelve (12) month period beginning on the date the Principal meets with the student and the student's parent/guardian to inform them of the violation and ending on the same date twelve (12) months later.

**Third Violation**

A third violation results in suspension from all athletics for the remainder of the student's interscholastic eligibility.

**CHARTER SCHOOL STUDENTS**

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

**AMENDMENT OF POLICY**

The Board may amend this policy at any time.

**Athletic Eligibility/Substance Abuse Policy****REPORTING POSITIVE TEST RESULTS(CONTINUED)**

not limited to, a doctor's statement as evidence the student feels may have affected the test results. If when requested, the student fails to present written documentation to support his/her defense, s/he shall be subject to the sanctions for a positive test result provided in the policy. At the student's expense, further laboratory analysis shall be conducted using the student's remaining urine specimen preserved by the testing agency.

The Principal/designee shall make the final determination of the student's athletic eligibility.

If a student athlete is eighteen (18) years of age or will turn eighteen (18) years of age during the sport season, the student athlete must agree to release all test results to his/her parent/guardian.

One (1) year after the student athlete turns eighteen (18) years old or one (1) year after the student athlete's graduation, whichever is later, all records in regard to this Policy shall be destroyed, and at no time shall these results or records be placed in the student's academic file or be voluntarily turned over to any law enforcement agency, or used for any purpose other than those stated herein. For student athletes who transfer from the District or who do not fulfill the requirements for graduation, the records of that student athlete shall be destroyed one (1) year after the student turns eighteen (18) years old.

**VIOLATIONS/SANCTIONS**

Offenses shall be cumulative over a student athlete's entire period of participation in all District athletics and shall accumulate regardless of the sport season in which they occur.

After completing a period of suspension from an athletic program, the student athlete shall be retested before beginning the next season for which s/he is eligible.

Student tampering with the urinalysis collection or any aspect of the testing process will result in a positive test result and will be treated as an automatic second offense.

After confirmation of a positive test result, the student and his/her parent/guardian shall be notified and the Principal/designee shall convene a meeting with the student and his/her parent/guardian providing them with an opportunity to be heard before sanctions are imposed.

**First Violation****Option 1**

- Suspension for 20% of the total allowable regular season contests by the KHSAA for that specific sport. (Example: - Baseball is allowed thirty (30) regular season games and 20% of 30 games is 6 games.) All games played on the same day count as one contest. Round percentages **up** if .5 or greater, **down** if .4 or lower.) If the violation is at the end of a season and the student does not fulfill the 20% requirement, the remainder of the suspension shall be administered in the next season in which the student participates. Additionally, if the specific sports team/individual qualifies for post season and the suspension has not been fulfilled, the student will not participate in post season play until the requirement has been completed. This shall occur even if the next season runs into the following school year. However, practices shall be allowed.
- Prior to readmission to participation in contests, the student must submit a negative test result.
-

**Athletic Eligibility/Substance Abuse Policy****TESTING PROCESS (CONTINUED)**

- Students shall be identified only by their student numbers;
- The Principal/designee shall be present immediately prior to the collection process to insure proper student identification;
- One or more representatives of the testing agency shall be present when the specimen is taken;
- The testing agency shall provide each student with a receptacle for the collection of urine;
- The student shall be given absolute privacy during the collection process, the exception being supervised urinalysis if there is reasonable suspicion that a student intends to falsify the urine collection or has falsified any prior collection;
- Immediately prior to entering the facility used for the collection process, the student shall be required to leave all personal belongings (including jackets, purses, book bags, pocket contents, etc.) in the custody of the Principal/designee;
- Prior to collecting specimens, the testing agency shall treat the water in the facility used for the collection process with a coloring substance (frequently referred to by the testing laboratories as "bluing the water") to prevent a student from attempting to dilute or otherwise adulterate the urine specimen;
- Within a time specified by the testing agency, a representative of the testing agency shall utilize a temperature strip to test the temperature of the specimen to determine if the student will be required to produce another specimen;
- The testing agency shall initially test each specimen using a highly accurate immunoassay technique (EMIT);
- The testing agency shall preserve for a minimum of six (6) months a portion of each positive urine specimen given by a tested student; and
- The testing agency shall be authorized to mail written test reports only to the Superintendent and to provide test results to other district personnel by telephone only after the requesting official recites a code confirming his/her authority. Only the Superintendent and Principals shall have access to test results.

**REPORTING POSITIVE TEST RESULTS**

In the event that a student's urine specimen produces a positive result, the Principal/designee shall meet with the student and his/her parent/guardian to disclose and discuss the test results. At this meeting, the Principal/designee shall advise the student and his/her parent/guardian of further procedural rights and discuss the options pertaining to the student's eligibility.

A student athlete who has tested positive or the student's parent/guardian may contest the test results by notifying the Principal/designee within 72 hours of receipt of notice of the positive test result. The student and his/her parent/guardian shall have the opportunity to confer with the Medical Review Officer (MRO) as to the validity of the test results and the determination of a possible alternate medical explanation for a positive urine drug screen. Prior to the implementation of sanctions, the student athlete and his/her parent/guardian shall be entitled to present evidence in defense of the student. The Principal/designee may require written documentation including, but

### **Athletic Eligibility/Substance Abuse Policy**

#### **DRUG TESTING PROGRAM(CONTINUED)**

following:

- Random selection
- Proper student identification using student identification numbers
- Identification of the sample with the correct student participant
- Unadulterated integrity of the specimen
- Integrity of the collection process
- Integrity of the confidentiality of the test results

#### **ILLEGAL SUBSTANCES**

A drug shall be defined as any illegal substance or substance controlled by federal regulation including, but not limited to:

Amphetamines	Benzodiazepine	Opiates
Marijuana (THC)	Barbiturates	Phencyclidine (PCP)
Cocaine and its derivatives	Methadone	Propoxyphene

#### **TESTING PROCESS**

All student participants shall be subject to random testing at any time between the student's selection to the athletic team and the date of the last game of the season for that sport. The Principal/designee shall determine scheduled dates and times for random tests.

There will be a total of three (3) random tests during the course of an athletic season.

- Twenty-five percent (25%) of the students will be tested near the beginning of the fall, winter, and spring seasons on dates scheduled by the Principal/designee. Those students selected for testing shall be notified and tested that same day.
- Twenty-five percent (25%) of the students will be tested on two (2) other dates scheduled by the Principal/designee during the remainder of that particular season.
- Students selected for testing shall be notified and tested that same day.
- Repeat offenders will also be tested and will not be included in the twenty-five percent (25%) of randomly selected students.

A computerized program under the direction of the Director of Assessment and Technology shall determine which students are to be tested by a random selection of student identification numbers from the participation lists of all sports in that specific season. The student identification numbers shall be selected no earlier than the morning of the test. Two (2) EIS staff members shall witness the random selection process.

The collection of urine specimens and analysis of the collected specimens shall be conducted by a testing agency designated by the Board.

Collection procedures shall be developed, maintained, and administered by the testing agency to minimize any intrusion or embarrassment, to ensure the proper identification of the student and the student's specimen, to minimize the likelihood of the adulteration of a urine specimen, and to maintain complete confidentiality of test results. In addition, the following guidelines shall apply:

- The collection of urine specimens for the initial test and random testing shall be conducted on school premises;

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

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

STUDENTS

09.313

### **Athletic Eligibility/Substance Abuse Policy**

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

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") 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.<sup>2</sup>

To be eligible to try out and participate at the high school level, middle school students 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.

#### **DRUG TESTING PROGRAM**

The District has established a drug-testing program for the following reasons:

- The District has reason to believe student athletes are using illegal drugs.
- Student athletes often serve as role models for other students.
- Through participation in athletics, students using illegal drugs pose a threat to their own health and safety, as well as to that of other students.

Each student who plans to participate voluntarily in an extracurricular athletic program and his/her parent/guardian must sign a written consent form for substance testing as a prerequisite to the student's participation. If both parties do not sign the consent form, the student shall be ineligible for participation in extracurricular athletic programs.

A student athlete shall be any student participating in athletic practices and/or contests under the control and jurisdiction of the District, including players on varsity, sub-varsity and middle school teams, cheerleaders, and student managers.

Testing shall be accomplished by the analysis of a urine specimen obtained from the student.

Collection and testing procedures shall be established, maintained, and administered to insure the

STUDENTS

09.224  
(CONTINUED)

**Emergency Medical Treatment**

**RELATED POLICIES:**

09.21; 09.22; 09.2241



LEGAL: SB 56 AMENDS KRS 217.186 AND KRS 156.502 TO CHANGE THE TERM NALOXONE (NARCAN) TO OPIOID ANTAGONIST.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.224

## **Emergency Medical Treatment**

### **FIRST AID TO BE PROVIDED**

First aid shall be provided to all pupils in case of an accident or sudden illness until the services of a health care professional become available.

### **FIRST-AID ROOM**

A first-aid area with appropriate equipment, supplies and provisions for the child to recline shall be designated in each school. At least two (2) adult employees in each school, at least one (1) of whom shall be present at the school at all times during school hours, shall have completed and been certified in a standard first aid course that includes CPR for infants and children.

The District shall have employees trained in accordance with the law to administer or help administer emergency medications. No medication shall be administered for any student that has not been supplied by the parent or legal guardian of the child.

When enrolled students, for whom documentation under KRS 158.838, including seizure action plans, has been provided to the school, are present during school hours or as participants in school-related activities, a school employee who has been appropriately trained to administer or assist with the self-administration of glucagon, insulin, seizure rescue medications, or medication prescribed to treat seizure disorder symptoms approved by the FDA and administered pursuant to a student's seizure action plan, shall be present.

District schools may maintain ~~an opioid antagonist~~~~Narcan/naloxone~~ for administration to any individual who may experience a life-threatening, opioid overdose while on Board-owned property or attending a District event. ~~An opioid antagonist~~~~Narcan/naloxone~~ for such instances shall be administered following the protocols developed by the Kentucky Department of Public Health. ~~These protocols should be stored along with the Narcan/naloxone for ease of reference.~~

### **INFORMATION NEEDED**

A number at which parents can be reached and the name of the family physician shall be maintained at each school for all its pupils.<sup>1</sup> Parents will be notified in the event of an accident.

### **EMERGENCY CARE PROCEDURES**

Schools shall have emergency care procedures comporting with regulation<sup>1</sup> and may utilize the Kentucky Department of Education's Health Services Reference Guide (HSRG) as a resource.

When an emergency arises and the student's parent/guardian or designee cannot be reached in a timely manner, the school will take action necessary to maintain the student's health, such as calling emergency medical personnel or taking the student to a health care facility. In such instances, school personnel shall notify health professionals of any medications that they are aware the student is taking.

### **REFERENCES:**

<sup>1</sup>702 KAR 1:160

KRS 156.160; KRS 156.502; KRS 158.836; KRS 158.838

KRS 217.186

Kentucky Department of Education Health Services Reference Guide (HSRG)

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

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

STUDENTS

09.125

### **Reciprocal Agreements with Other School Districts**

~~Reciprocal written agreements with other school districts concerning nonresident students shall be made in compliance with state statutes<sup>1</sup> and administrative regulations.<sup>2</sup>~~

#### ~~REFERENCES:~~

~~\*KRS 157.350(4)~~

~~\*702 KAR 7:125~~

~~OAG 9175~~

#### ~~RELATED POLICIES:~~

~~09.12~~

~~09.124~~

STUDENTS

09.124  
(CONTINUED)

**Tuition**

**REFERENCES:**

~~KRS 158.120~~  
~~KRS 157.350; KRS 158.120; KRS 158.135~~  
~~237 S.W. 2D 65 (1951)~~  
~~OAG 80-47; 702 KAR 7:125~~

**RELATED POLICY:**

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

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

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

STUDENTS

09.124

## Tuition

### FEES

The Board may charge a fee, according to a schedule adopted by the Board, for each student attending its schools, whose parent is not a bona fide resident of the District.<sup>1</sup>

According to a schedule adopted annually by the Board, a nonresident student shall be charged tuition equal to the District's basic SEEK allotment, ~~unless the student's district of residence has signed a reciprocal agreement to exchange ADA funds.~~ Students of any District employee may attend tuition free without regard to residence, contingent on the District receiving ADA as provided by law. In cases where the District does receive the ADA on the nonresident student, a processing fee of \$175.00 shall be charged annually.

Tuition fees shall be paid annually in advance or via a payment plan established by the Superintendent. Employees may elect to pay tuition fees through a payroll deduction plan.

Students who voluntarily withdraw from the District shall receive a prorata tuition refund.

### APPLICATION

The Superintendent/designee shall develop guidelines to ensure the acceptance of nonresident pupils on a nondiscriminatory basis.

Application for admission of a nonresident tuition student shall be made to the Superintendent who shall review the application and, in conjunction, with the building Principal concerned, determine whether or not the student should be admitted to the District school.

The Superintendent shall make the final decision. The following factors shall be used when reviewing applications:

- Whether or not the entrance of an additional student will have any negative effect on the instructional program.
- Whether or not an additional student will exceed the pupil-teacher ratio specified in state guidelines.
- Whether or not the applicant is under disciplinary measures or has been suspended or expelled from another school district.

If a non-resident student's application is rejected, the student shall attend school in the district of residence.

### CONTINUED ATTENDANCE

A student who has been accepted on a tuition basis may continue to attend the District schools until graduation provided all fees are paid and the student complies satisfactorily with applicable laws, policies, rules and regulations. A tuition student who, in the opinion of the building Principal, the Director of Pupil Personnel, and the Superintendent becomes a disciplinary or attendance problem, may not be permitted to re-enroll in the District schools at the start of the following semester. The Superintendent shall make the final decision.

A tuition student who has been expelled from the District's schools may not be permitted to re-enter at any future date.

### **Absences and Excuses**

#### **EARLY VACATION/EXTENDED TIME**

The school calendar is published early enough that parents are expected not to remove their children during school or school days preceding vacation. Parents also need to be aware of the dates which mark the end of each non-week grading period for these are test days. If a parent must remove a student for a vacation on school days or for an extended period of time, a written request from the parent must be submitted at least a week prior to the vacation. Excused absence will occur only if a written request has been submitted and approved by the Principal.

#### **HOME VISIT**

The Director of Pupil Personnel will make a home visit to any student whose name is turned over to him by the school to ascertain reasons for absences. If attendance does not improve after a home visit, court proceeding will be initiated.

#### **APPEALS PROCEDURES**

Once a student has exceeded the allowed number of absences and been notified of disciplinary action, the student and/or parent may appeal to the Attendance Appeals Committee. The Committee holds an informal hearing and decides if the absences are satisfactorily justified. If the student and/or parent are not satisfied with the result of the hearing, they may request a second hearing with the presence of a designee from the Central Office.

The best approach to address an appeal is for the student and parent to first meet with the Principal to resolve the attendance issue. If this is not successful, the school Attendance Appeals Committee will be assembled.

#### **SCHOOL ATTENDANCE COMMITTEE**

This Committee may be established at the school level for the purpose of hearing student appeals as they relate to attendance. In establishing a Committee, the Principal will take the lead role. The school Attendance Appeals Committee is made up of the Principal, guidance counselor and a teacher.

#### **REFERENCES:**

<sup>1</sup>702 KAR 7:125

<sup>2</sup>~~KRS 159.035~~

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

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

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

OAG 76566~~;~~ OAG 7968~~;~~ OAG 79539~~;~~ OAG 9179~~;~~ OAG 96-28

#### **RELATED POLICIES:**

09.111~~;~~ 09.122~~;~~ 09.1231~~;~~ 09.4281

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

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

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

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

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

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

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

**EXAMPLES OF UNEXCUSED ABSENCES**

1. Truancy
2. Working
3. Missed Ride
4. Missed or suspended from bus
5. Overslept
6. Out-of-town

LEGAL: HB 44 AMENDS KRS 159.035 STATING THAT THE BOARD MAY INCLUDE PROVISIONS IN THIS POLICY FOR EXCUSED ABSENCES DUE TO A STUDENT'S MENTAL OR BEHAVIORAL HEALTH. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

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

STUDENTS

09.123

## **Absences and Excuses**

Attendance is a student-parent/guardian responsibility. The progress of a student depends upon the punctuality and regularity of attendance. Recording of absences and tardies shall be made in compliance with the requirements of 702 KAR 7:125.<sup>1</sup>

### **TRUANCY POLICY**

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

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

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

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

### **REPORTING ABSENCES**

When a student must be absent from school, it is the responsibility of the parent/guardian to contact the school on the day of absence and report why their child is absent. It is important to understand that the *primary purpose* for calling is to make the school aware that the parent/guardian is aware that their child is not in school. The telephone call alone *does not mean* the student will receive an excused absence. In order for the absence to be considered excused, it needs to meet one of the criteria listed under the heading "Examples of Excused Absences."

- After the sixth (6th) absence (whether previous absences have been excused or unexcused) all subsequent absences for a student will be unexcused unless the child presents a doctor's note and/or appropriate legal documentation.

### **EXAMPLES OF EXCUSED ABSENCES**

1. Student illness, including mental or behavioral health – doctor's note required after the 6th absence
2. Family emergencies – administrator needs to be notified
3. Death or severe illness in the student's immediate family
4. Religious holidays and practices
5. Court appearances
6. Driver's license exam
7. College day (seniors only)
- 8.



LEGAL: HB 563 (2021) AMENDED KRS 158.120 TO REQUIRE THAT BY JULY 1, 2022, LOCAL BOARDS ADOPT A NONRESIDENT PUPIL POLICY TO GOVERN THE TERMS UNDER WHICH THE DISTRICT SHALL ALLOW ENROLLMENT OF NONRESIDENT PUPILS. WRITTEN AGREEMENTS WILL NO LONGER BE NECESSARY. CHOOSE AN OPTION BELOW.  
FINANCIAL IMPLICATIONS: NONRESIDENT PUPILS WILL BE COUNTED IN ADA FOR STATE FUNDING

09.1222

CHOOSE ONE OF THESE  
OPTIONS.

### **Nonresident Students**

- ☐ The District shall not allow nonresident students to enroll in the District.
- ☐ The District shall allow nonresident students to enroll in the District pursuant to existing Admissions and Attendance Policy 09.12, Tuition Policy 09.124, and related procedures.

Upon allowing nonresident pupil enrollment, the policy shall allow nonresident children to be eligible to enroll in any public school located within the District. The policy shall not discriminate between nonresident pupils, but may recognize enrollment capacity, as determined by the District. The nonresident pupil policy and any subsequent changes adopted by the Board shall be filed with the Kentucky Department of Education no later than thirty (30) days following their adoption.<sup>1</sup>

#### **REFERENCES:**

<sup>1</sup>KRS 158.120  
KRS 157.350

#### **RELATED POLICIES:**

09.12; 09.124; 09.313; 09.42811



## **Attendance Requirements**

### **REFERENCES:**

<sup>1</sup>KRS 159.010; OAG 8555  
<sup>2</sup>KRS 159.030  
<sup>3</sup>KRS 159.035  
<sup>4</sup>702 KAR 7:125  
<sup>5</sup>KRS 158.240  
<sup>6</sup>KRS 158.070  
<sup>7</sup>704 KAR 3:305  
~~<sup>8</sup>KRS 158.143~~  
KRS 158.030; ~~KRS 158.143~~  
KRS 159.020; KRS 159.180; KRS 159.990  
704 KAR 5:060  
OAG 7968; OAG 79539; OAG 8740; OAG 97-26

### **RELATED POLICIES:**

08.131; 08.1312  
09.111; 09.121; 09.123; 09.36

### **Attendance Requirements**

#### **EXCEPTIONS TO PRESENCE AT SCHOOL**

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

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,<sup>2</sup> or court-ordered instruction in another setting.
2. Participation of a pupil in 4H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4H club leader shall be considered school attendance.<sup>3</sup>
3. Students may participate in cocurricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when cocurricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.<sup>4</sup>
4. Students participating in an off-site virtual high school class or block may be counted in attendance in accordance with requirements set out in Kentucky Administration Regulation.<sup>4</sup>
5. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.<sup>4</sup>
6. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.<sup>5</sup>
7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.<sup>6</sup>
8. The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, and that falls within one (1) or more of the categories of standards-based course work. A pupil may be counted in attendance for performance-based credit for a class or block for the year or semester in which the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in accordance with local policies.<sup>4 & 7</sup>
9. Students attending basic training required by a branch of the United States Armed Forces shall be considered present for all purposes for up to ten (10) days.<sup>3</sup>
10. Students participating in any of the page programs of the General Assembly.<sup>3</sup>

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

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

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

FINANCIAL IMPLICATIONS: STUDENT NO LONGER ENROLLED FOR SEEK FUNDING

STUDENTS

09.122

## **Attendance Requirements**

### **COMPULSORY ATTENDANCE**

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

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

### **EXEMPTIONS FROM COMPULSORY ATTENDANCE**

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school;<sup>3</sup>
2. A pupil who is enrolled in a private or parochial school;<sup>3</sup>
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten nursery school;<sup>3</sup>
4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study;<sup>3</sup>
5. A pupil who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children;<sup>3</sup>~~or~~
6. A pupil who is enrolled and in regular attendance in a state supported program for exceptional children;<sup>2</sup> or
7. A student enrolled in a District-operated alternative education program who attains a High School Equivalency Diploma.<sup>8</sup>

### **PHYSICIAN'S STATEMENT REQUIRED**

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

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

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

**REFERENCES:**

<sup>1</sup>KRS 159.010; OAG 7864

<sup>2</sup>42 U.S.C. 11431 et seq. (McKinney-Vento Act)

<sup>3</sup>KRS 158.120; OAG 8047; OAG 79327; OAG 75602; G.C. v. Owensboro Public Schools, 711 F.3d 623 (6th Cir., 2013)

~~<sup>4</sup>KRS 157.320~~

~~<sup>5</sup>702 KAR 7:125~~

~~<sup>6</sup>KRS 158.155; KRS 157.330; KRS 158.150~~

~~<sup>7</sup>KRS 158.140~~

KRS 157.320; KRS 157.350; KRS 157.360; KRS 158.100; KRS 199.802

702 KAR 7:125; 704 KAR 7:090; OAG 91-171

P. L. 104-208

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

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

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

Equal Educational Opportunities Act of 1974 (EEOA)

**RELATED POLICIES:**

06.32; 08.1114; 09.11; 09.121; 09.1222; 09.1223; 09.123; 09.124; ~~09.125~~

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

09.14; 09.211

### Admissions and Attendance

#### NONRESIDENTS

Nonresident pupils may be ~~enrolled inadmitted to~~ the District schools in accordance with Board policies 09.1222, 09.124, upon approval of the Superintendent/designee<sup>3</sup> and payment of tuition ~~and/or transfer of the pupil's average daily attendance as defined under Kentucky's public school fund. Once a nonresident student is enrolled for the academic year, the student may not be dismissed during that academic year without applicable due process.~~<sup>34-6-5</sup>

~~Written nonresident pupil contract information shall be kept on file at both the attending and resident districts.~~

Nonresident students who have been expelled or suspended from another school district or whose suspension or expulsion is pending shall not be permitted to enroll in the District's schools until the period of suspension or expulsion has expired, unless there are extenuating circumstances as determined by the Superintendent.

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

#### NON-IMMIGRANT FOREIGN STUDENTS

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

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

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

#### EXPELLED/CONVICTED STUDENTS

The parent, guardian, Principal, or other person or agency responsible for the student shall provide to the school prior to admission, a sworn statement or affirmation concerning any of the following that have occurred in or outside Kentucky:

1. If a student has been expelled from school; or
2. If a student has been adjudicated guilty/convicted of, homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.

Assault shall mean any physical assault, including sexual assault.

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

### **Admissions and Attendance**

#### **CHILDREN IN FOSTER CARE (CONTINUED)**

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

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

#### **BEST INTEREST OF THE CHILD**

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

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

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

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

#### **IMMIGRANTS**

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

The District may provide an approved high school program to a student who is a refugee or legal alien until the student graduates or until the end of the school year in which the student reaches the age of twenty-one (21), whichever comes first.

## **Admissions and Attendance**

### **HOMELESS CHILDREN AND UNACCOMPANIED YOUTH (CONTINUED)**

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

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

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

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

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

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

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

### **CHILDREN IN FOSTER CARE**

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

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

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

- “Outreach” to other entities and agencies so that homeless students are identified;



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

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

LEGAL: G.C. V. OWENSBORO PUBLIC SCHOOLS, 711 F.3D 623 (6TH CIR., 2013) CLARIFIES THAT ONCE A NONRESIDENT STUDENT IS ENROLLED FOR THE ACADEMIC YEAR, THE STUDENT MAY NOT BE DISMISSED DURING THAT ACADEMIC YEAR WITHOUT APPLICABLE DUE PROCESS.

FINANCIAL IMPLICATIONS: COST OF DUE PROCESS HEARINGS

STUDENTS

09.12

## **Admissions and Attendance**

### **RESIDENCE DEFINED**

Minor, school-aged children who reside with a parent(s), guardian, or custodian who is a bona-fide resident of the District and has custody of the student, or emancipated/married pupils who are bona-fide resident of the District, or as otherwise provided by state or federal law, shall be considered residents and entitled to the privileges of the District's schools.

All other pupils shall be classified as nonresidents for school purposes.<sup>1</sup>

### **HOMELESS CHILDREN AND UNACCOMPANIED YOUTH**

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

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

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

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

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

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

CURRICULUM AND INSTRUCTION

08.31

## **Student Attendance Day**

### **STUDENT ATTENDANCE DAY**

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

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

### **EXCEPTIONS**

Kindergarten (entry level of the primary program) shall be a full day, five (5) days a week for a full school year for each kindergarten student.

Students with disabilities and students attending preschool may attend less than six (6) hours per day under programs approved by the Board and the Kentucky Board of Education.<sup>1</sup>

### **MASTER SCHEDULE**

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

### **REFERENCES:**

<sup>1</sup>KRS 158.060

<sup>2</sup>KRS 158.070

KRS 157.320

KRS 157.360

KRS 158.030; KRS 158.070

702 KAR 7:125

702 KAR 7:140

### **RELATED POLICIES:**

01.42; 06.31; 08.3

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**

A review of instructional materials on the basis of citizen concerns shall be conducted in response to a properly filed written request under procedures developed by the Superintendent. ~~In schools operating under SBDM, these procedures for review shall include school council~~ consideration of the written concerns regarding instructional materials. Instructional materials shall include textbooks, supplementary materials, and library books. Forms for such requests may be obtained from the school and will be made available to any resident of the school district at the Superintendent's office. The request shall include a written reason for objection and a statement of the desired action regarding the material under consideration.

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

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

#### **REFERENCES:**

KRS 158.183

KRS 160.345

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

#### **RELATED POLICIES:**

02.42411; 08.1

LEGAL: SB 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 102 AMENDS KRS 158.4416 BY CHANGING COUNSELORS (UNDER SUPERINTENDENT TO REPORT) TO MENTAL HEALTH PROVIDERS ALONG WITH ADDING INFORMATION TO BE REPORTED BY THE SUPERINTENDENT TO THE KY DEPARTMENT OF EDUCATION BY NOVEMBER 1, 2022.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.14

### **Guidance and Mental Health Service Providers**

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

#### **SERVICES**

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

#### **INDIVIDUAL LEARNING PLANS**

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

#### **CONFIDENTIAL MATERIAL**

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

#### **SUPERINTENDENT TO REPORT**

No later than November 1, 20~~22~~<sup>24</sup>, and each subsequent year, the Superintendent shall report to the Kentucky Department of Education the number ~~and placement of~~ school-based mental health service providers, the position held, placement~~school counselors~~ in the District, certification of licensure held, ~~The report shall include~~ the source of funding for each position, ~~as well as a~~ summary of the job duties and work undertaken by each school-based mental health service provider, counselor and the approximate percent of time devoted to each duty over the course of the year.

#### **REFERENCES:**

<sup>1</sup>KRS 158.4416

<sup>2</sup>KRE 506 (Kentucky Rules of Evidence); KRS 158.154; KRS 158.155; KRS 158.156

KRS 61.878; KRS 620.030

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

#### **RELATED POLICIES:**

08.113; 09.14

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

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

**STUDENTS WITH DISABILITIES**

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

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

**REFERENCES:**

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

**RELATED POLICIES:**

09.122  
09.123



LEGAL: STUDENTS IN HOME/HOSPITAL INSTRUCTION ARE INELIGIBLE TO WORK, PLAY SPORTS, OR PARTICIPATE IN EXTRACURRICULAR ACTIVITIES. AMENDMENTS TO 702 KAR 7:150 CLARIFY THAT STUDENTS WITH A 504 PLAN MAY WORK, PLAY SPORTS, OR PARTICIPATE IN EXTRACURRICULAR ACTIVITIES IF PARTICIPATION IS CONSISTENT WITH THE STUDENT'S 504 PLAN. ADDITIONALLY, 704 KAR 7:120 IS REPEALED.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1312

## **Home/Hospital Instruction**

### **PURPOSE**

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

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

### **ELIGIBILITY**

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

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

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

### **SECONDARY STUDENTS**

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

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

## **Graduation Requirements**

### **REFERENCES:**

<sup>1</sup>KRS 40.010; KRS 158.140; 704 KAR 7:140  
<sup>2</sup>KRS 158.622  
<sup>3</sup>KRS 156.160; 20 U.S.C. § 1414  
<sup>4</sup>KRS 158.142; 704 KAR 3:305  
<sup>5</sup>KRS 158.141  
KRS 156.027; KRS 158.135  
KRS 158.1411; KRS 158.143; KRS 158.183; KRS 158.281  
KRS 158.302; KRS 158.645; KRS 158.6451  
KRS 158.860  
13 KAR 2:020; 702 KAR 7:125; 703 KAR 4:060  
704 KAR 3:303; 704 KAR 3:306; 704 KAR 7:090; 704 KAR Chapter 8  
OAG 78348; OAG 82386  
Kentucky Academic Standards

### **RELATED POLICIES:**

08.1131; 08.14; 08.22; 08.222; 08.4  
09.126 (re requirements/exceptions for students from military families)

### **RELATED PROCEDURE:**

09.12 AP.25



## **Graduation Requirements**

### **OTHER PROVISIONS**

The Board may grant different diplomas to those students who complete credits above the minimum number as established by the Kentucky Board of Education. In addition, the Board may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

The Board, Superintendent, Principal, or teacher may award special recognition to students.

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

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

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

### **EARLY GRADUATION CERTIFICATE**

Students who meet all applicable legal requirements shall be eligible for early graduation in relation to receipt of a graduation diploma and an Early Graduation Certificate. Students wishing to follow an early graduation pathway shall notify the Principal of their intent prior to the beginning of grade nine (9) or as soon thereafter as the intent is known, but within the first thirty (30) school days of the academic year in which they wish to graduate. A Letter of Intent to Apply shall be entered into the student information system by October 1 of the year the student declares intent to graduate early.<sup>4</sup>

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

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

- e. ~~Score proficient or higher on the state required assessments; and~~
- f. ~~Meet the college readiness exam benchmarks established 13 KAR 2:020 for placement in credit-bearing courses without the need for remediation.~~

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

### **DIPLOMAS FOR VETERANS**

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

## **Graduation Requirements**

### **PERFORMANCE-BASED CREDIT**

In addition to Carnegie units, students may earn credit toward high school graduation through a District approved standards-based, performance-based credit system that complies with requirements of Kentucky Administrative Regulation. Procedures for the developing and amending the system shall address the following:

1. Conditions under which high school credit will be granted under the system that allow students to demonstrate proficiency and earn credit for learning acquired outside the normal classroom setting, outside of school, or in prior learning;

Performance-based credit may be earned while the student is still “in school,” but the instructional setting will look different from a traditional “seat time” environment.

2. Performance descriptors and their linkages to State content standards and academic standards;

At the high school level, performance descriptors and evaluation procedures shall be established to determine if the content and performance standards have been met.

3. Assessments and the extent to which state-mandated assessments will be used;
4. An objective grading and reporting process; and
5. Criteria to promote and support school and community learning experiences, such as internships and cooperative learning, in support of a student’s ILP. Such experiences shall be supervised by qualified instructors and aligned with State and District content and performance standards.

The high school student handbook shall include complete details concerning specific graduation requirements.

### **MIDDLE SCHOOL CREDIT**

In accordance with the following conditions, middle school students may earn high school credit for Algebra I or Geometry. Students earning a B or better shall receive high school credit and the grade earned will become part of the high school grade point average.

- The middle school level course is taught by teachers with secondary school level certification (grades 7-12) with the appropriate content specialization.
- The course must be taught at the same depth and pace and cover the same content as the course taught at the high school level.
- A specified process must be in place to identify students who are permitted to take the courses for high school credit.

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

### **GRADUATION EXERCISES**

Students shall be required to fulfill all graduation requirements as determined by the Principal in order to participate in graduation exercises.

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

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

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

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

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

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

a)

## GRADUATION REQUIREMENTS

**FOR STUDENTS ENTERING GRADE NINE (9) ON OR BEFORE THE FIRST DAY OF THE 2018-2019 ACADEMIC YEAR**

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

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

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

CURRICULUM AND INSTRUCTION

08.113

## **Graduation Requirements**

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic Standards, students must complete a minimum of twenty-two (22) credits, as follows, including demonstrated performance-based competency in technology, and all other state and local requirements in order to graduate from high school in the District.

### **CIVICS EXAM REQUIREMENT**

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

### **INDIVIDUAL LEARNING PLAN (ILP)**

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

### **ADDITIONAL REQUIREMENTS OF THE BOARD**

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

**Course of Study**

**REFERENCES:**

<sup>1</sup>704 KAR 3:303

<sup>2</sup>KRS 161.170

KRS 156.160

KRS 158.100; KRS 158.183; KRS 158.645; KRS 158.6451; KRS 160.345

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

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.11

## Course of Study

### DEVELOPMENT

The Superintendent shall develop and disseminate to the schools a course of study for primary school through twelfth grade that will include minimum statutory and regulatory requirements<sup>1</sup> and additional requirements as specified by the Board.

### ASSESSMENT OF STUDENT WORK / NONDISCRIMINATION

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

### IMPLEMENTATION

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

### SBDM SCHOOLS

In schools operating under SBDM, the Superintendent shall determine ~~the implementation of which~~ curriculum, textbooks, instructional materials, and student support services shall be provided in the school after consulting with the Board, the Principal, and the school council ~~for the school~~ based on the Kentucky Academic Standards.

### SYLLABUS

Teachers at all levels (preschool through adult education) shall develop a syllabus for each course, grade/level or subject (single and/or interdisciplinary area) they teach to communicate to students and parents the following information:

1. Prerequisites for the course
2. Topics to be covered
3. Order of material to be covered
4. Resources to be used
5. Planned testing points
6. Performance standards and expectations

Each year teachers shall distribute a current syllabus to their students and the students' parents/guardians as directed by the Superintendent/designee.

The Principal/designee shall make pertinent student achievement data available to each teacher and, in keeping with policies set by the council, monitor the process of reviewing and updating syllabi in response to such data.



## **Curriculum**

### **REFERENCES:**

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

### **RELATED POLICIES:**

Section 02.4 (All Policies)

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

Each school shall obtain and maintain accreditation with the Southern Association of Colleges and Schools.

### **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 selfknowledge 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.

### **SUPERINTENDENT COUNCIL RESPONSIBILITY**

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

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

### **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.

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

TRANSPORTATION

06.31

## **Bus Scheduling and Routing**

### **RESPONSIBILITY**

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

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

### **REGULAR ROUTE VEHICLES**

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

### **REFERENCES:**

~~KRS 158.070~~

KRS 156.153

~~KRS 158.070~~

KRS 158.110

702 KAR 5:030

### **RELATED POLICY:**

08.31

#### REFURBISHED SURPLUS TECHNOLOGY (CONTINUED)

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

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

#### REFERENCES:

<sup>1</sup>KRS 160.290

<sup>2</sup>~~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: REVISIONS TO 702 KAR 4:090 INCLUDE DISPOSITION OF REAL PROPERTY, NEW REQUIREMENTS FOR PROPERTY DISPOSAL, DOCUMENTATION OF FAIR MARKET VALUE, AND THIRD PARTY CONFLICT OF INTEREST.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.8

## **Disposal of School Property**

### **BIDS OR AUCTION**

The Superintendent shall advise the Board when certain properties are no longer needed for public school purposes. Upon receiving this report, the Board may, at such time as it deems proper and after compliance with applicable state<sup>1</sup> or federal regulations, authorize the disposal of school properties through closed sealed bids, public auction, or sale for at least the fair market value established by certified appraisal. The Board reserves the right to reject any and all bids.

### **DISPOSITION OF REAL PROPERTY**

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

(a) By public auction;

(b) By accepting sealed bids; or

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

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

### **CONFLICT OF INTEREST**

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

### **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.

FISCAL MANAGEMENT

04.8

(CONTINUED)

## **Disposal of School Property**

**Budget Planning and Adoption**

**REFERENCES:**

KRS 156.160; KRS 157.330; KRS 157.350; KRS 157.360

KRS 157.440; KRS 160.370; KRS 160.390

KRS 160.460; KRS 160.470; KRS 160.530; KRS 424.250

~~2021-2022 Budget Bill (HB192)~~

702 KAR 3:100; 702 KAR 3:110; 702 KAR 3:246; OAG 67-510

**RELATED POLICIES:**

01.11; 02.4242; 02.4331; 04.91

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

FINANCIAL IMPLICATIONS: EXCEPTION TO THE MINIMUM RESERVE

FISCAL MANAGEMENT

04.1

## **Budget Planning and Adoption**

### **PLANNING**

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

### **PREPARATION OF BUDGETS**

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

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

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

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

### **TIMELINE**

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

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



## Health and Safety

### REPORTING FATALITIES, AMPUTATIONS, HOSPITALIZATIONS, OR LOSS OF EYE

The District shall, within eight (8) hours from when reported to the District, make an oral report to the Kentucky Labor Cabinet of the death of ~~an~~any employee as a result of a work-related incident, including ~~any~~ death resulting from a heart attack; ~~or the hospitalization of three (3) or more employees, including any hospitalization resulting from a heart attack, which occurs in the work environment or is caused or contributed to by an event in the work environment.~~

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

### ASBESTOS MANAGEMENT

The District shall conduct school inspection and re-inspection activities as required by state and federal law<sup>1</sup> to identify the status of asbestos. The District shall maintain an updated asbestos management plan that shall include, but not be limited to, applicable current and/or future inspection activities, response actions and surveillance activities and a description of steps taken to inform staff and parents about any such activities. Each school shall maintain in its administrative office an updated copy of the management plan for that school. Annual written notice of the availability of the plan shall be provided to parent, teacher, and employee organizations. In the absence of any such organizations, the District shall provide written notice of plan availability to parents, teachers, or employees, as applicable.

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

### REFERENCES:

<sup>1</sup>401 KAR 58:010; 40 C.F.R. Part 763

<sup>2</sup>~~803 KAR 2:181~~803 KAR 2:180

Kentucky Department for Public Health

Centers for Disease Control and Prevention

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

OSHA 29 C.F.R. 1910

132 PPE Hazard Assessment

147 Lockout/Tagout

1001 Asbestos – ACBM

1200 Hazard Communication

1030 Bloodborne Pathogens



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

7. Maintenance of a sharps injury log;
8. Medical followup and counseling for employees after a worksite exposure;
9. Maintenance of confidential records of each exposure incident; and
10. A schedule for implementing all provisions required by the OSHA standard.

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

**LOCKOUT/TAGOUT**

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

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

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

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

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

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

PERSONNEL

03.24

**CLASSIFIED PERSONNEL**

## **Health and Safety**

### **SAFETY**

It is the intent of the Board to provide a safe and healthful working environment for all employees. Employees shall report any conditions they believe to be unsafe to their immediate supervisor, who shall examine the situation and take appropriate action.

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

### **HAZARD COMMUNICATION**

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

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

### **BLOODBORNE PATHOGEN CONTROL**

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

1. Identification of employees at risk of occupational exposure and their assigned tasks and procedures which could lead to such exposure;
2. Communication of hazards to employees;
3. Vaccinations of at-risk employees for Hepatitis B at no cost to these employees;
4. Determination of universal precautions to be observed, including adequate engineering controls and housekeeping procedures;
5. Appropriate training of employees;
6. Provision of personal protective equipment including an opportunity provided annually for employees who use medical sharps in performance of their duties to identify, evaluate and select engineering and work practice controls to be implemented by the District, as appropriate;

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

CLASSIFIED PERSONNEL

Quarantine Leave

BOARD SHALL PROVIDE

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

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

ELIGIBILITY

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

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

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

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

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

REFERENCES:

702 KAR 1:191; 902 KAR 2:020

KRS 156.160; 160.290; KRS 160.291; KRS 161.154; KRS 161.155

RELATED POLICY:

03.2232

### Health and Safety

#### REPORTING FATALITIES, AMPUTATIONS, HOSPITALIZATIONS, OR LOSS OF EYE

The District shall, within eight (8) hours from when reported to the District, make an oral report to the Kentucky Labor Cabinet of the death of ~~anany~~ employee as a result of a work-related incident, including ~~any~~ death resulting from a heart attack; ~~or the hospitalization of three (3) or more employees, including any hospitalization resulting from a heart attack, which occurs in the work environment or is caused or contributed to by an event in the work environment.~~

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

#### ASBESTOS MANAGEMENT

The District shall conduct school inspection and re-inspection activities as required by state and federal law<sup>1</sup> to identify the status of asbestos. The District shall maintain an updated asbestos management plan that shall include, but not be limited to, applicable current and/or future inspection activities, response actions and surveillance activities and a description of steps taken to inform staff and parents about any such activities. Each school shall maintain in its administrative office an updated copy of the management plan for that school. Annual written notice of the availability of the plan shall be provided to parent, teacher, and employee organizations. In the absence of any such organizations, the District shall provide written notice of plan availability to parents, teachers, or employees, as applicable.

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

#### REFERENCES:

<sup>1</sup>401 KAR 58:010; 40 C.F.R. Part 763

<sup>2</sup>~~803 KAR 2:181~~ 803 KAR 2:180

Kentucky Department for Public Health

Centers for Disease Control and Prevention

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

OSHA 29 C.F.R. 1910

132 PPE Hazard Assessment

147 Lockout/Tagout

1001 Asbestos-ACBM

1200 Hazard Communication

1030 Bloodborne Pathogens

## **Health and Safety**

### **BLOODBORNE PATHOGEN CONTROL (CONTINUED)**

8. Medical followup and counseling for employees after a worksite exposure;
9. Maintenance of confidential records of each exposure incident; and
10. A schedule for implementing all provisions required by the OSHA standard.

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

### **LOCKOUT/TAGOUT**

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

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

### **PERSONAL PROTECTIVE EQUIPMENT (PPE)**

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

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

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

PERSONNEL

03.14

**CERTIFIED PERSONNEL**

### **Health and Safety**

#### **SAFETY**

It is the intent of the Board to provide a safe and healthful working environment for all employees. Employees shall report any conditions they believe to be unsafe to their immediate supervisor, who shall examine the situation and take appropriate action.

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

#### **HAZARD COMMUNICATION PLAN**

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

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

#### **BLOODBORNE PATHOGEN CONTROL**

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

1. Identification of employees at risk of occupational exposure and their assigned tasks and procedures which could lead to such exposure;
2. Communication of hazards to employees;
3. Vaccinations of at-risk employees for Hepatitis B at no cost to these employees;
4. Determination of universal precautions to be observed, including adequate engineering controls and housekeeping procedures;
5. Appropriate training of employees;
6. Provision of personal protective equipment including an opportunity provided annually for employees who use medical sharps in performance of their duties to identify, evaluate and select engineering and work practice controls to be implemented by the District, as appropriate;
7. Maintenance of a sharps injury log;



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

PERSONNEL

03.12323

CERTIFIED PERSONNEL –

### Quarantine Leave

#### BOARD SHALL PROVIDE

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

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

#### ELIGIBILITY

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

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

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

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

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

#### REFERENCES:

702 KAR 1:191; 902 KAR 2:020

KRS 156.160; 160.290; KRS 160.291; KRS 161.154; KRS 161.155

#### RELATED POLICY:

03.1232

## **Comprehensive School Improvement Plan**

### **SCHOOL REPORT CARDS**

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

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

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

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

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

### **BOARD REVIEW**

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

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

### **REFERENCES:**

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

### **RELATED POLICIES:**

01.111; 02.432; 02.44



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

ADMINISTRATION

02.442

## **Comprehensive School Improvement Plan**

### **RESPONSIBILITY**

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

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

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

The primary purposes of the CSIP shall be:

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

### **FORM**

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

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

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

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

### **PUBLIC REVIEW**

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

ADMINISTRATION

02.4244  
(CONTINUED)

**School Hiring (SBDM)**

**RELATED POLICIES:**

02.4241; 03.11; 03.21

**School Hiring (SBDM)****ALTERNATIVE PRINCIPAL SELECTION PROCESS (CONTINUED)**

1. ~~The 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 council shall decide, in a public meeting by majority vote of the membership of the council, whether to accept or reject the recommended Principal candidate.~~

~~If the recommended candidate is selected, and the recommended candidate accepts the offer, the name of the candidate shall be made public during the next meeting in open session.<sup>1</sup>~~

~~If the recommended candidate is not accepted by the school council under the Alternative Principal Selection Process, then the Principal Selection process above applies.<sup>2</sup>~~

~~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 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 Principaleouncil names of qualified applicants who have certification pending from the Education Professional Standards Board pursuant to state law. Applicants subsequently employed shall provide evidence they are certified prior to assuming the duties of their position.

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

**REFERENCES:**

- <sup>1</sup>KRS 160.345
- KRS 61.810; KRS 61.878
- KRS 160.380
- OAG 91149; OAG 92131; OAG 9278
- OAG 9510; OAG 96-38

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

ADMINISTRATION

02.4244

## **School Hiring (SBDM)**

### **PRINCIPAL SELECTION**

The Superintendent shall fill the vacancy after consultation with the council.<sup>1</sup>

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

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

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

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

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

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

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

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

### **ALTERNATIVE PRINCIPAL SELECTION PROCESS**

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

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

- ~~d. 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;~~

**School Budget and Purchasing (SBDM)****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:**

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

**RELATED POLICY:**

04.1

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 regulation.<sup>1</sup>

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

The Board shall allocate Section 7 funds according to the options provided in 702 KAR 3:246. Notice of the Section 7 allocation shall be provided in accordance with that regulation. Based on the needs assessment conducted by the school, the council shall forward to the Board a list of those priorities no later than January 30 each year.

### **SCHOOL RESPONSIBILITY**

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

### **BOARD APPROPRIATION**

The ~~Superintendent~~~~council~~ shall determine, ~~within available resources, the which curriculum, textbooks,~~ instructional ~~materials, resources, travel, equipment,~~ 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 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.

**School Council Policies (SBDM)**

**REFERENCES:**

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

**RELATED POLICIES:**

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



## **School Council Policies (SBDM)**

### **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.~~

### **REVIEW OF POLICIES**

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

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

### **COMPLIANCE WITH BOARD POLICY**

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

### **WAIVER OF STATE REGULATIONS**

School councils who decide to request a waiver of state regulations and/or reporting requirements established by a Kentucky Revised Statute requiring paperwork to be submitted to the Kentucky Board of Education or the Department of Education shall submit the supporting information to the Superintendent as required by law. The Superintendent shall then forward the request to the Kentucky Board of Education.

### **SCHOOLS OF INNOVATION**

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

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



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

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 involvement process that provides for:
  - a. Establishing an open, parent-friendly environment;
  - b. Increasing parental participation;
  - c. Improving two-way communication between school and home, including what their child will be expected to learn; and
  - d. Developing parental outreach programs.
12. Procedures to assist the council with consultation in the selection of the Principal by the Superintendent, and the selection of personnel by the Principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.
13. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)  
The Superintendent/designee shall provide assistance in identifying strategies and options to promote daily moderate to vigorous physical activity for students, which may include those that increase strength and flexibility, speed heart rate and breathing and stress activities such as stretching, walking, running, jumping rope, dancing, and competitive endeavors that involve all students.

As an alternative to adopting separate policies, school councils may adopt Board policy or standards established by the Board as council policy in the above areas, or they may delegate responsibility for developing a policy to the Principal.

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

ADMINISTRATION

02.4241

## **School Council Policies (SBDM)**

### **ADOPTION OF POLICY**

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

1. ~~Determination of curriculum including needs assessment and eCurriculum responsibilities development under KRS 158.6453;~~  
~~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;
  - Placement of students from the household of an active duty service member or civilian military employee transferring into the District before or during the school year shall be based initially on enrollment in courses offered at the sending school and/or educational assessments conducted at that school. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advanced Placement, Cambridge Advanced International, vocational, technical, and career pathways courses. Initial placement does not preclude the District/school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of students in the course(s).
  - Each secondary school-based decision making council shall establish a policy on the recruitment and assignment of students to Advanced Placement (AP), International Baccalaureate (IB), Cambridge Advanced International, dual enrollment, and dual credit courses that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum.
4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar, and transportation requirements established by the Board;
5. Determination of the use of school space during the school day related to improving classroom teaching and learning;
6. Planning and resolution of issues regarding instructional practices;
7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and Principal;

As reflected in the District Code of Acceptable Behavior and Discipline, loss of physical activity periods shall not be used as a disciplinary consequence unless an alternate physical activity can be provided.

**Election of School Council Members (SBDM)****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. Each school council shall define by council policy what constitutes a council vacancy.

**REFERENCES:**

KRS 17.165; KRS 17.500; KRS 156.132  
KRS 160.345; KRS 160.347; KRS 160.380  
OAG 91148; OAG 91192; OAG 91206  
OAG 9288; OAG 9349; OAG 9441

## **Election of School Council Members (SBDM)**

### **ELECTION OF PARENT MEMBERS(CONTINUED)**

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**

If the 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 select one (1) minority teacher to serve as a teacher member on the council.

If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. 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 Principal in cooperation with the President of the parent-teacher organization.

### **COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS**

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

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

### **CONFLICT OF INTEREST**

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

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 who are willing to serve shall be prepared and kept on file with other council records. The teachers attending the meeting shall choose a chairperson to chair the meeting to elect teacher members to the council. Balloting will continue until three (3) teachers are elected. Teacher members must be employees of the District and currently assigned to the school where they are elected as council member. For the purpose of electing teacher council members, a Principal or Assistant Principal may not vote or serve as a teacher council member. Election shall be by majority vote of all teachers assigned to the school.

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

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

#### **ELECTION OF PARENT MEMBERS**

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

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

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

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



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

ADMINISTRATION

02.414

### **Alternative Models (SBDM)**

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

#### **PROCESS**

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

#### **APPROVAL**

Any model developed by this committee must be approved by twothirds (2/3) of the school faculty. An alternative model shall not eliminate or reduce the proportion of parent representatives on the council unless all parent representatives on the committee agree to the change.

#### **REVIEW**

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

Approved models or amendments shall be presented to the Board for review and transmitted to the Commissioner of Education and the Kentucky Board of Education. The date of implementation of the alternative SBDM model is July 1.

#### **REFERENCES:**

KRS 160.345; 701 KAR 5:100; OAG 9352

**Exemption (SBDM)****VOTE TO RETURN**

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

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

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

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

**SCHOOLS OF INNOVATION**

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

**REFERENCES:**

KRS 156.108; KRS 158.6455

KRS 160.107; KRS 160.345

701 KAR 5:100

OAG 9451

**RELATED POLICIES:**

02.421

02.4241

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

ADMINISTRATION

02.413

### **Exemption (SBDM)**

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

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

#### **PETITION**

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

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

#### **SCHEDULING**

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

#### **NOTICE**

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

#### **MEETINGS**

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

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

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

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



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

KRS 158.196 provides that the Board is authorized to establish a police department for the District, appoint police officers and other employees, prescribe distinctive uniforms for the police officers of the District, and designate and operate emergency vehicles. Police officers appointed shall take an appropriate oath of office in the form and manner consistent with the constitution of Kentucky. Police officers shall be granted with the protections provided in KRS 15.520 and shall be certified in accordance with KRS 15.380.<sup>3</sup>

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

**TRAINING REQUIREMENTS**

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

**FIREARM REQUIREMENT**

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

**SUPERINTENDENT TO REPORT**

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

**REFERENCES:**

<sup>1</sup>KRS 158.441

<sup>2</sup>KRS 158.4414

<sup>3</sup>KRS 158.196

KRS 15.380; KRS 15.520

KRS 61.902

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

KRS 158.4415

**RELATED POLICY:**

05.48; 09.4361

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

FINANCIAL IMPLICATIONS: COST OF HIRING AND TRAINING SROS

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

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

ADMINISTRATION

02.31

### School Resource Officers (SROs)

#### DEFINITION

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

- (a)
  - 1. A sworn law enforcement officer; or
  - 2. A special law enforcement officer appointed pursuant to KRS 61.902; or
  - 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.<sup>1</sup>

#### 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.

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

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

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

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

**REFERENCES:**

<sup>1</sup>KRS 160.1592; KRS 160.1593; KRS 160.1594; 701 KAR 8:020

<sup>2</sup>KRS 160.1595; 701 KAR 8:030

<sup>3</sup>KRS 160.1599; 701 KAR 8:040

**RELATED POLICIES:**

01.11; 01.91; 01.9111; 01.912; 01.913; 01.914

## **Charter School Application Process**

### **APPLICATION PROCESS**

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

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

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

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

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

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

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

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

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

**REFERENCES:**

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

**RELATED POLICIES:**

01.11; 01.911; 01.9111; 01.912; 01.913; 01.914

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

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

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

The Board shall:

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



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

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.91

## **Authorization of Charter Schools**

### **AUTHORIZATION**

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

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

### **BOARD MISSION AND VISION FOR AUTHORIZING CHARTER SCHOOLS**

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

### **AUTHORIZER ORGANIZATIONAL CAPACITY**

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



**InService Training****INSERVICE TRAINING REGARDING CHARTER SCHOOL AUTHORIZATION (CONTINUED)**

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

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

**ORIENTATION OF NEW BOARD MEMBERS**

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

**REFERENCES:**

<sup>1</sup>KRS 160.180

<sup>2</sup>KRS 160.1594

701 KAR 8:020; ~~702 KAR 1:116~~~~702 KAR 1:115~~

OAG 8553; OAG 85145

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.83

### **InService Training**

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

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

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

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

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

#### **INSERVICE TRAINING REGARDING CHARTER SCHOOL AUTHORIZATION**

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

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

## **Board Meeting Agenda**

### **PREPARATION OF AGENDA (CONTINUED)**

4. Each regular meeting agenda shall contain opportunities for dialogue concerning student achievement issues, including the impact of student learning and support services and an analysis of progress indicators and data.
5. The agenda shall reflect a regular schedule of reports to the Board on the status of District finances, programs, and services.
6. To the extent practicable, standard and/or recurring business shall be organized under a consent provision.

### **PUBLIC COMMENT PERIOD**

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.<sup>1</sup>

### **MEMBERS OF THE PUBLIC**

Any member of the public may submit items to be considered for the agenda to the Superintendent five (5) calendar days prior to the date of the meeting by filing the appropriate form. Items may include a request that the Board consider adoption or amendment of a policy for future application.

Members of the public may address the Board concerning items on the agenda during the period set aside by the Board.

### **EXCEPTIONS**

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

### **REFERENCE:**

~~4~~KRS 160.270  
~~1~~KRS 160.290

### **RELATED POLICIES:**

01.42; 01.421; 01.44; 01.5  
03.16/03.26

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

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## **Board Meeting Agenda**

### **PREPARATION OF AGENDA**

The Superintendent will cause to be prepared an agenda, which, with the unapproved minutes of the previous meeting(s), will be delivered to the Board members prior to each regular Board meeting.

As part of the official agenda for each regular Board meeting, the Superintendent shall prepare a consent agenda of routine business items. Prior to the approval of the agenda, any Board member may, by request, cause any item on the consent agenda to be removed and placed on the action agenda or any item on the regular agenda to be placed on the action agenda.

Any member of the Board may submit items for the agenda for a regular meeting through the Chairperson or the Superintendent. The agenda shall be closed to Board members five (5) calendar days preceding the scheduled regular meeting unless the addition of a late item is approved by the Chairperson or by a request of three (3) Board members.

Items may be placed on a proposed special called meeting agenda at the direction of the Chairperson and shall be placed on the proposed agenda if requested by three (3) or more Board members.

The agenda of a regular meeting may be amended at the meeting upon affirmative vote of at least three (3) members. However, once the agenda for a special called meeting is posted or delivered to Board members and requesting media, it may only be amended when a new notice and reposting of the agenda, as amended, is completed prior to the twenty-four (24) hour period before the meeting as required by statute.

To reflect the Board's focus on advancing student achievement, the agenda for regular meetings shall be developed in accordance with the following requirements:

1. At least once each month when school is in session, the agenda shall include a student presentation, performance, or other demonstration of student learning.
2. At each regular meeting, the Board shall recognize the achievements and contributions of students, staff, schools/councils, or community members, as follows:
  - The Board shall recognize individual students or teams composed of District students who compete in athletic and/or academic competition after they have won regional or state competition. Such recognition shall take place after the highest level has been successfully completed.
  - Team recognition shall include all members of the team and the coaches or faculty sponsors.
  - The Board shall recognize students or other individuals (including, but not limited to, staff or community patrons who are associated with the District) for outstanding performance that gains them state or national recognition.
3. The Board shall receive communications from citizens and schools/councils as early as practical in the agenda.

LEGAL: HB 121 AMENDS KRS 160.270 TO REQUIRE A PUBLIC COMMENT PERIOD AT REGULAR MEETINGS OF THE BOARD.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.421

## **Public Participation in Open Meetings**

### **PUBLIC ATTENDANCE**

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

News media coverage, including, but not limited to, recording and broadcasting, will be permitted at all regular and special Board meetings.

### **EXCEPTION**

The chairperson may impose conditions upon attendance at a given meeting only if such conditions are required for the maintenance of order.<sup>1</sup>

### **PUBLIC COMMENT PERIOD**

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.<sup>2</sup>

### **PUBLIC PARTICIPATION**

Persons who wish to speak on items listed on the agenda should seek recognition at the time the Board considers that particular item. Persons who wish to speak on an item not listed on the agenda are asked to seek recognition from the chairperson.

Persons wishing to address the Board must first be recognized by the chairperson.

### **SPEAKERS**

Persons wishing to address the Board must first be recognized by the chairperson. The chairperson may require the name and address of the speaker. The chairperson may rule on the relevance of the topic to the Board's agenda and establish time limits for speakers as may be required to maintain order and to ensure the expedient conduct of the Board's business. The Board as a whole shall have the final decision as to the appropriateness of all rulings.

### **REFERENCE:**

<sup>1</sup>KRS 61.840

<sup>2</sup>KRS 160.270

### **RELATED POLICIES:**

01.42; 01.45; 10.2

## **Regular Meetings**

### **VIDEO TELECONFERENCES (CONTINUED)**

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

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

#### **REFERENCES:**

<sup>1</sup>KRS 160.270

<sup>2</sup>KRS 61.820; OAG 78274; OAG 78614

<sup>3</sup>KRS 61.810

<sup>4</sup>KRS 61.823; KRS 61.826

~~<sup>5</sup>92OMD1677; 04-OMD-056~~

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

17-OMD-148

#### **RELATED POLICIES:**

01.421; 01.43; 01.44; 08.3; 08.31

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

FINANCIAL IMPLICATIONS: COST OF PROVIDING NOTICE

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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## **Regular Meetings**

### **TIME AND PLACE**

At a meeting in January, the Board shall adopt a schedule of regular meetings for the calendar year, identifying the date, time and place of each meeting. Rescheduled regular meetings shall be noticed and held as special meetings.<sup>1 & 4</sup>

### **PUBLICITY**

All meetings of the Board, and any committees or subcommittees thereof, shall be held at specified times and places which are convenient to the public. The schedule of regular meetings shall be made available to the public.<sup>2</sup>

Note: Additional notice requirements applicable to regular meetings held for purposes of adopting the school calendar are located in KRS 158.070 and are covered in Board Policy 08.3.

### **OPEN MEETINGS**

All meetings of a quorum of the members of the Board at which any public business is discussed or at which any action is taken are to be public meetings, open to the public at all times, except as provided in KRS 61.810.<sup>3</sup>

### **PUBLIC COMMENT PERIOD**

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.<sup>1</sup>

### **VIDEO TELECONFERENCES**

The Board may conduct its meeting by video teleconference (including closed sessions). Notice of a video teleconference meeting shall comply with the requirements of KRS 61.820 or KRS 61.823 as appropriate. ~~In addition, t~~The notice shall clearly state that the meeting will be a video teleconference; provide specific information on how any member of the public or media organization may view the meeting electronically; and in any case where the Board has elected to provide a physical location, or in any circumstance where two (2) or more members of the Board are attending a video teleconference meeting from the same physical location, and precisely identify ~~at the~~ primary physical location of the video teleconference where all members can be seen and heard and the public may attend in accordance with KRS 61.840.

The same procedures with regard to participation, distribution of materials and other matters shall apply in all video teleconference locations. Members of the Board who participate in a video teleconference shall remain visible on camera at all times that business is being discussed.



**District Planning****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 publicized by one of the following methods:

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

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

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

**REFERENCES:**

<sup>1</sup>KRS 156.500

<sup>2</sup>KRS 158.649

KRS 158.070; KRS 158.6453; KRS 160.290; KRS 160.340; KRS 160.345; KRS 160.463  
701 KAR 5:150; 703 KAR 5:140; 703 KAR 5:225; 703 KAR 5:280; 704 KAR 3:390

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

**RELATED POLICIES:**

02.44; 02.441; 02.442; 04.1; 09.21

## **District Planning**

### **PLAN REQUIREMENTS (CONTINUED)**

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

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. Upon agreement of the council, or the Principal if there is not a council, and the Superintendent, the Board shall establish an annual target for each school for reducing identified gaps in achievement.<sup>2</sup>

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.

### **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, post the plan on the District web site and provide 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. If revisions are needed, the District planning committee shall forward proposed revisions to the Superintendent. Revisions must reflect requirements of Every Student Succeeds Act of 2015 and KRS 158.649. 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.

### **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.

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

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## **District Planning**

### **STRATEGIC PLANNING COMMITTEE**

A District planning committee, representative of the community and the school district, shall be appointed by the Superintendent and approved by the Board to develop, review~~monitor~~, and revise annually ~~update~~ a Comprehensive District Improvement Plan (CDIP) as stated herein. The committee shall include teachers, Principals, council members, other school leaders, paraprofessionals, Central Office administrators, administrators, Board member(s), classified staff, parents, community representatives, and high school students.

The Superintendent shall develop, and present to the Board for review, procedures for appointment and training of the planning committee. The Superintendent shall make the procedures known to the community and school personnel.

Selection of committee members shall reflect reasonable minority representation and encourage active minority participation.<sup>1</sup>

### **PLANNING CYCLE**

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

### **PLAN REQUIREMENTS**

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

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

The 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.

**Definitions**

**REFERENCES:**

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

KRS 78.510 – KRS 78.852

KRS 158.144

KRS 160.290; KRS 160.340; KRS 160.345

KRS 160~~4~~.1590

KRS 405.028

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

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

702 KAR 6:075; 702 KAR 6:090

## **Definitions**

### **PARENT OR GUARDIAN**

Parent, as used in the policy manual, means parent, legal guardian, or other person authorized by law to act as a parent as the context requires.

### **GENDER**

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

### **CHILDREN AND YOUTH WITH DISABILITIES**

In compliance with federal law and unless otherwise indicated, use of the terms "handicapped/special education/exceptional" shall refer to children and youth with disabilities.

### **SCHOOL NUTRITION PROGRAM**

Use of the term "food service" shall also refer to the District's School Nutrition Program.

### **STUDENT ATTENDANCE DAY**

Unless otherwise noted, use of the term "instructional day" shall have the same meaning as "student attendance day".

### **HEALTH PROVIDER**

Unless otherwise noted, the terms "health care provider" and "health care practitioner" have the same meaning.

### **CHARTER SCHOOL**

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

### **CHARTER SCHOOL AUTHORIZER**

A local board of education as defined in KRS 1604.1590.

### **KENTUCKY PUBLIC PENSIONS AUTHORITY**

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

### **RELATED POLICIES**

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

### **REFERENCES**

Legal references listed in this manual, such as state and federal statutes and regulations, Kentucky Attorney General Opinions, and court cases are provided as a tool for additional research and are not intended to be viewed as a complete listing of legal resources applicable to a particular topic.

LEGAL: HOUSE BILL 9 (2021) CREATED KRS 78.510 – KRS 78.852 TO CLARIFY THAT THE “RETIREMENT OFFICE” MEANS THE KENTUCKY PUBLIC PENSIONS AUTHORITY (KPPA) WHICH INCLUDES THE KENTUCKY RETIREMENT SYSTEM (KRS) AND THE COUNTY EMPLOYEES’ RETIREMENT SYSTEM (CERS) AND SEPARATED CERS FROM KRS. ALL REFERENCES TO SUCH INCLUDE BOTH.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

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## **Definitions**

The following expressions are defined with respect to their intended meanings in the context of this manual:

### **POLICIES**

An expression of the will of the elected Board of Education or the school council. Although other statutes may have Board policy implications, the general scope of Board policies is defined by KRS 160.290 and KRS 160.340. The scope of council policies is defined by KRS 160.345. Board policies cover the general management and governance of school district operations and functions. Within the parameters of the District’s legal authority, violations of policy may provide grounds for administrative response or action as relates to students, District employees, parents, and members of the community, but such policies are not intended to heighten standards of care, establish grounds for liability or create rules for immunities enjoyed by defendants in civil judicial actions against the Board, its members, District employees, officers, or volunteers.

### **ADMINISTRATIVE REGULATIONS**

References such as "State Board regulations", "state regulations", and "administrative regulations" shall mean Kentucky Administrative Regulations (KAR) promulgated by the Kentucky Board of Education.

### **FULLTIME/PARTTIME STATUS**

Employment status shall be determined in compliance with statute and regulation and shall be defined in the employee's contract.<sup>1</sup>

### **SUPERINTENDENT**

Policies that charge the Superintendent with preparing and/or implementing provisions of procedures, plans, or programs for Board review also direct any other employee to whom the Superintendent may delegate such charges.

### **PRINCIPAL/HEAD TEACHER**

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

### **TEACHER**

Except for referenced statutes which specify a different definition for the purposes of those statutes, in this manual the term teacher shall refer to any person, other than the Superintendent, for whom certification is required as a basis for employment.

### **HUSBAND AND WIFE**

The term husband and wife, as used in the policy manual, shall be deemed to include a spouse in a legally recognized marriage unless the context otherwise requires.

**Athletic Eligibility/Substance Abuse Policy**

**REFERENCES:**

<sup>2</sup>KRS 160.345  
<sup>3</sup>KRS 156.070  
KRS 160.1592  
702 KAR 7:065; OAG 15-022  
Kentucky High School Athletic Association (KHSAA)  
Vernonia School District 47J v. Acton. \_\_\_\_ U.S. \_\_\_\_ (1995)

<sup>1</sup>The District shall provide program assistance for students who receive free or reduced price meals.

**RELATED POLICIES:**

02.4241  
09.1222  
09.126 (re requirements/exceptions for students from military families)  
09.423



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

FINANCIAL IMPLICATIONS: STUDENT NO LONGER ENROLLED FOR SEEK FUNDING

STUDENTS

09.4341

## **Alternative Education**

### **DEFINITION**

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

### **PURPOSE**

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

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

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

As required by Kentucky Administrative Regulation:

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

### **ELIGIBILITY CRITERIA**

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

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

An ILP shall exist for a student in grade six (6) and above as required by regulation prior to placement in a District Alternative Education Program. Criteria for involuntary assignment by District personnel in the Alternative Education Program may include one (1) or more of the following:

- The need for a different educational environment for the student that will reflect an instructional delivery style best provided in an alternative setting.
- The student has contributed to substantial and on-going disruption of the educational process.

**Alternative Education****ELIGIBILITY CRITERIA (CONTINUED)**

- Documentation that there are specific academic and/or behavioral performance areas that require intensive assistance best provided in alternative setting.
- Confirmation that the student has significant and on-going truancy issues that are impeding academic growth.
- Documentation that the student needs intensive support in the areas of social and personal issues that are impeding academic performance and/or behavioral expectations.
- The student has been assigned for code of conduct or Board policy violations for which assignment to an alternative program is authorized under the code or policy.
- The student has been identified as being at risk of academic failure and/or dropping out of school.
- The student has previously dropped out of school, but has requested to return to school via enrollment in an alternative education setting.
- The student is assigned to an alternative school or program for other reasons as provided in the code of conduct, Board policy, or other program standards adopted by the Board.
- Other reasons related to safety concerns and educational needs of the student referenced in 704 KAR 19:002.

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

**NOTIFICATION**

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

The duration of the alternative assignment shall be as provided in applicable Board policy, code of conduct, or other alternative program standards adopted by the District or as decided by the team and approved by the Superintendent/designee.

**ATTAINMENT OF A HIGH SCHOOL EQUIVALENCY DIPLOMA**

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

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

## **Alternative Education**

### **ATTAINMENT OF A HIGH SCHOOL EQUIVALENCY DIPLOMA (CONTINUED)**

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

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

#### **ILPA TEAM**

The Superintendent/designee shall appoint members of a team to develop an Individual Learning Plan Addendum (ILPA) for students in grades six through twelve (6-12) assigned to an alternative school or program. The team may consist of the lead administrator/designee of the student's current school/program, the lead administrator/designee of the alternative school/program, counselors, teachers and other staff as appropriate.

The Superintendent/designee shall chair the team and invite the parents, and as appropriate, the student to participate.

After consideration of input of the team, the counselor or the designated administrator shall prepare or revise the ILPA to address, as appropriate, academic and behavioral needs, criteria for re-entry into the traditional program and review of student progress.

#### **EXCEPTIONS:**

- Such decisions for individual students with disabilities under the IDEA shall be made when required through the Admissions and Release Committee process and changes in service delivery required under the IDEA shall be made to the student's IEP.
- Such decisions for students identified under Section 504 shall be made through the team process as required under federal law and corresponding District policies and procedures.

#### **EXTRACURRICULAR PARTICIPATION**

Students assigned to alternative schools or programs shall be eligible to access extracurricular activities including, but not limited to sports activities, as allowed under applicable Board policy, code of conduct, SBDM policy, KHSAA rules or other alternative program standards adopted by the District.

#### **CONTINUING SUPPORT**

Opportunities shall be provided for students to continue regular school work as appropriate under the supervision of Alternative Education Program staff. Students participating in an alternative program shall continue to be able to access tutoring, intervention, counseling, and other resources and services already available in the District as determined through the development of the ILPA.

#### **TRANSITION**

Students may transition to a regular classroom setting in accordance with any criteria for re-entry established by the ILPA Team and in accordance with the following process:

1. The lead Alternative Education Program administrator/designee shall invite the student (age 18 or older) or the parent/legal guardian to meet to discuss the proposed transition.

**Alternative Education****TRANSITION(CONTINUED)**

If the parent/legal guardian or adult student do not attend, written notification shall be provided to explain the proposed re-entry.

For IDEA or Section 504 students, the IEP or Section 504 team shall determine placement of students as required by law.

2. Strategies shall be documented to promote successful transition to include specific staff responsibilities and how follow-up monitoring will occur.
3. Should the transition not be successful for the student, reassignment to the Alternative Education Program may be considered, and the ILPA Team may be reconvened accordingly.

**COLLABORATION WITH OUTSIDE AGENCIES**

The coordinator or lead administrator of the Alternative Education Program shall establish a process to collaborate with outside agencies involved with involuntary placements, including courts or other social service agencies to address student transitions between programs. Release of protected information about students involved in the program shall be in compliance with the Family Educational Rights and Privacy Act (FERPA).

<b>NOTE: THIS POLICY DOES NOT APPLY TO A TEMPORARY/SHORT-TERM INTERVENTION.</b>
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**REFERENCES:**

<sup>1</sup>KRS 160.380

<sup>2</sup>704 KAR 19:002

<sup>3</sup>KRS 158.143

707 KAR 1:320

*Student Discipline Guidelines*, Kentucky Department of Education

OAG 77419

**RELATED POLICIES:**

08.131, 08.141

09.123, 09.14, 09.426



EXPLANATION: AMENDMENTS TO 703 KAR 5:225 REFLECT ADDITIONAL REQUIREMENTS THAT MAY BE NECESSARY BY THE RECEIPT OF FEDERAL FUNDS UNDER THE ELEMENTARY AND SECONDARY EDUCATION ACT.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111 AP.2

## District Planning Committee

SCHOOL YEAR \_\_\_\_\_

### MEMBERS APPOINTED BY THE SUPERINTENDENT:

Student(s)	Parent(s) <sup>1</sup>	Community Representative(s) <sup>1</sup>	Board Member(s) <sup>2</sup>	Council Member(s)	Other School Leader(s) <sup>3</sup>	Teacher(s)	Paraprofessional(s) <sup>3</sup>	Principal(s)	Central Office Administrator(s)	Other Administrator(s) <sup>3</sup>	Classified Staff

<sup>1</sup>The Board may propose to the Superintendent candidates to serve as community and parent representatives.

<sup>2</sup>The Board shall select its representative(s) to the committee.

<sup>3</sup>Additional input as required by Every Student Succeeds Act.

COMMITTEE APPOINTMENTS APPROVED BY THE BOARD ON \_\_\_\_\_

*Date*

### ORIENTATION/TRAINING

Orientation and/or training was provided to committee members on the following topics:

Areas	Facilitator/Trainer	Date(s) Provided
<input type="checkbox"/> Appropriate stakeholder input into the development and review of the plan		
<input type="checkbox"/> Planning skills to assist in developing required plan provisions		
<input type="checkbox"/> Identifying sources of assistance to address reduction of physical and mental health barriers to learning and established gap targets		
<input type="checkbox"/> Including plan elements required by ESSA		
<input type="checkbox"/> Other:		

As appropriate, the Superintendent shall provide the committee with pertinent District data, including but not limited to: student academic performance and noncognitive data, the school facilities plan prepared by the Local Planning Committee, and the most recent annual school report card.

## **District Planning Committee**

### **PROCESS GUIDELINES**

Consistent with requirements of 703 KAR 5:225 and ESSA, the Committee shall:

1. *Identify data to be collected and analyzed to determine causes and contributing factors*, which must include an annual review of disaggregated student assessment data and a standards-based process for measuring organizational effectiveness.
2. *Review gap targets* established by the Board.
3. *Conduct a needs assessment* between October 1 and November 1 that includes, but is not limited to:
  - A description of the data reviewed and process used to develop the needs assessment;
  - A review of the previous plan and its implementation to inform development of the new plan; ~~and~~
  - Perception data gathered from the administration of a valid and reliable measure of teaching and learning conditions-; and
  - Any additional requirements made necessary by the receipt of federal funds authorized by the Elementary and Secondary Education Act.
4. *Use the reporting structure required by Kentucky Administrative Regulation.*
5. *Develop goals, objectives, strategies, and activities* to enhance student achievement based on the needs assessment and analysis, which shall include targets or measures of success, timelines, persons responsible, and a budget that addresses funding and other resources needed.
6. *Schedule a public meeting* at which the information is discussed by various stakeholders (Board and council members, students, District staff, and citizens).
7. *Conduct required implementation and impact checks* each year to evaluate plan activities and achievement of plan goals and objectives, with results to be reported to the Board.

The Committee also shall provide information and updates, as directed by the Superintendent/designee, to promote communication and coordination between the District Planning Committee and school councils.
8. *Schedule a review and update* of the plan at least once a year.
9. *Submit updated plan* to Superintendent and Board, school staff, school councils, and the community for review and comment as directed by Policy 01.111.
10. *Maintain copies of the plan* permanently and other documentation to illustrate compliance with state and federal requirements.

The format of the District plan shall be consistent with parameters set forth in the eProve platform.



EXPLANATION: HB 9 AMENDS KRS 160.1594 AS IT RELATES TO CHARTER SCHOOL AUTHORIZATION.

FINANCIAL IMPLICATIONS: FUNDING TO CHARTER SCHOOLS

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.91 AP.1

## **Charter School Authorization**

### **AUTHORIZER DUTIES**

Under KRS 160.1594, a public charter school authorizer shall establish an annual timeline consistent with statutory guidelines to:

- Solicit, invite, accept, and evaluate applications;
- Approve new and renewal applications that meet statutory requirements;
- Decline applications that:
  1. Fail to meet statutory requirements; or
  2. Are for a school that would be under the direction of any religious denomination; and
- Negotiate and execute in good faith contracts with each authorized charter school;
- Monitor the performance and compliance of charter schools in accordance with contract terms;
- Determine whether each charter merits renewal or revocation;
- Establish and maintain practices consistent with professional standards for authorizers, including:
  1. Organizational capacity and infrastructure;
  2. Soliciting and evaluating applications;
  3. Performance contracting;
  4. Ongoing public charter school oversight and evaluation; and
  5. Charter approval, renewal, and revocation decision making.

Pursuant to KRS 160.1592, an authorizer shall semiannually consider for approval a charter school's proposed amendments to the contract.

- Authorizers. may consider requests more frequently upon mutual agreement with the charter.
- Denials of amendment requests are appealable under KRS 160.1595.

KRS 160.1596 requires authorizers to collect, analyze, and report to the KBE all state required assessment and achievement data for each charter it oversees.

By August 31, ~~2023~~2019, and annually thereafter, each authorizer must submit to the (1) Commissioner, (2) Education and Workforce Development Secretary, and (3) Interim Joint Committee on Education a report that includes:

- Number of applications received, reviewed, and approved;
- Authorizing duties performed by the authorizer;
- Summary of the academic and financial performance of each charter school;

- Names of each charter school that have not yet begun to operate; and

### **Charter School Authorization**

#### **AUTHORIZER DUTIES (CONTINUED)**

- Names of each charter school during the prior academic year that:
  1. Closed during or after the year; and
  2. Had their contract nonrenewed or revoked.

701 KAR 8:020 requires authorizers to publicly report on oversight and services provided to charter schools under its authority and authorizing functions provided by the authorizer, including operating costs and expenses as detailed in an annual audited financial statement.

EXPLANATION: PER KRS 156.557 AND 704 KAR 3:370, THE BOARD MAY UTILIZE LOCALLY DEVELOPED SUPERINTENDENT EVALUATION PROCEDURES HOWEVER, THIS IS THE KSBA RECOMMENDED VERSION THAT HAS BEEN APPROVED BY KDE AND IS USED IN KSBA SUPERINTENDENT EVALUATION TRAINING REQUIRED BY LAW.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.14 AP.2

## **Evaluation of the Superintendent**

~~The Board may utilize locally developed superintendent evaluation procedures.~~

### **PROCESS**

1. At the beginning of each contract year, the Board reviews the plan and expectations with the Superintendent prior to implementing the evaluation plan.
2. The Board and Superintendent collaboratively determine the evaluation process, timelines, and forms including the type of performance rating system to be used – numerical (4-1), descriptive (Exemplary, Accomplished, Developing, Improvement Required), or both. The Board will get more effective evaluation data through thoughtful discussions in determining a descriptive performance rating, but using and averaging numbers is an option.
3. Using the following Superintendent Evaluation instrument, the Superintendent conducts a self-assessment and reflects on his/her own performance levels in terms of the standards, indicators, and local District goals.
4. Each Board member uses the following Superintendent Evaluation instrument to reflect on Superintendent progress and performance levels on standards, indicators and District goals. Board members should also consider areas of emphasis on previous evaluations.
5. Each Board member should rate all the performance standards to create a comprehensive evaluation of the job, keeping in mind that factors such as experience and organizational structure may determine the level of focus on each standard. Performance indicators are listed below every standard. These performance indicators suggest objective measures to consider. Do not rate each performance indicator separately; only rate the overall performance standard.
6. Written comments in support of your rating are recommended as they provide clarity and are helpful during the Board discussions of the evaluation.
7. Each Board member's forms should be returned to the Board Chair or designee for compiling.
8. The entire Board and Superintendent meet to discuss individual and/or compiled reflection/assessment results. This conversation shall be held in a closed session and may include identifying commonalities and differences as well as developing and agreement on performance expectations.
9. The Board and Superintendent determine expectations relating to performance standards and District goals. Throughout the year the Superintendent collects and retains evidence of performance for areas of emphasis as well as standards and District goals. S/he shares evidence with the Board throughout the year to demonstrate efforts toward increased competencies in these areas.
10. The Board considers and incorporates Superintendent evidences into the Superintendent annual performance evaluation and collectively, with one voice, determines the Superintendent performance level for each standard and goal.

11. The final evaluation (summative) of the Superintendent shall be discussed and adopted in an open meeting of the Board and reflected in the meeting minutes.

## Evaluation of the Superintendent

### PERFORMANCE RATING LEVELS

The following performance levels will be used to indicate the progress of a Superintendent toward the seven standards and District goals.

(4) Exemplary: Exceeds the standard

(3) Accomplished: Meets the standard

(2) Developing: Making progress toward meeting the standard

(1) Improvement Required: Progress toward meeting the standard/goal is unacceptable; standard/goal is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent.

Comments are recommended to support performance levels for each standard and District goal and necessary when performance is determined to be Improvement Required.

## Evaluation of the Superintendent

### EVALUATION INSTRUMENT

#### STANDARD 1: STRATEGIC LEADERSHIP

*The Superintendent leads the development and implementation of District vision, mission, and goals while creating conditions to ensure that every student graduates high school with the knowledge and skills necessary to be successful in the 21st century.*

#### PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

- 1.1 With direction from the Board, the Superintendent facilitates a community process to develop and implement a shared vision that focuses on improving student achievement.
- 1.2 Empowers all stakeholders to reach high levels of performance and achieve the District's vision.
- 1.3 Communicates high expectations for student achievement while promoting academic rigor that focuses on learning and excellence.
- 1.4 Develops, implements, promotes, and monitors continuous improvement processes.
- 1.5 Assists the Board in developing, implementing, and monitoring District goals.
- 1.6 Understands and demonstrates that District and school improvement goals are connected to student learning goals.

The Superintendent's performance for this standard:

- ☐ (4) Exemplary: Exceeds the standard
- ☐ (3) Accomplished: Meets the standard
- ☐ (2) Developing: Making progress toward meeting the standard
- ☐ (1) Improvement Required: Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:



## Evaluation of the Superintendent

### STANDARD 2: INSTRUCTIONAL LEADERSHIP

*The Superintendent supports and builds a system to effectively use District resources and research-based best practices for curriculum, instruction, and assessment in reducing achievement gaps and continuously improving teaching, learning, and student achievement.*

#### PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

2.1 Communicates student achievement expectations to staff and stakeholders.

2.2 Demonstrates the need to identify and remove barriers to student learning.

2.3 Proposes appropriate recommendations for programs and curricula in anticipating adjustments of occupational trends and school-to-career needs.

2.4 Develops, implements, promotes, and monitors continuous improvement processes with faculty and stakeholders to ensure alignment of curriculum, instruction and assessment.

2.5 Encourages the use of technology in educational programming.

2.6 Using a variety of techniques, work with principals and administrators to formulate plans to assess and analyze the effectiveness of instruction through student progress. These may include monitoring, evaluating and reporting student achievement and performance gaps; observing teaching methods and classroom management; and research, assessments, feedback, and reflection.

2.7 Understands data analysis, including how it applies to school and District student achievement goals, how to address curricular gaps and how to use data to prioritize decisions and drive change that will improve student learning.

2.8 Ensures school and District progress in the areas of: proficiency, growth, graduation rate, closing achievement gaps, transition readiness, opportunity, and access.

The Superintendent's performance for this standard:

☐ (4) Exemplary: Exceeds the standard

☐ (3) Accomplished: Meets the standard

☐ (2) Developing: Making progress toward meeting the standard

☐ (1) Improvement Required: Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:

## Evaluation of the Superintendent

### STANDARD 3: CULTURAL LEADERSHIP

*The Superintendent understands the history, tradition, and multicultural differences of the District. S/he empowers all stakeholders to assist in shaping District culture and climate as they support efforts to improve teaching and learning for all.*

#### PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

3.1 Creates and supports a community of learners that empowers others to reach high levels of performance to achieve the school's vision.

3.2 Promotes understanding and celebrating of school/community cultures.

3.3 Promotes and expects a school-based climate of tolerance, acceptance and civility.

3.4 Advocates, nurtures and sustains school culture and instructional programming conducive to student learning.

3.5 Models and demonstrates multicultural and ethnic practices and is responsive to the needs of diverse populations.

3.6 Encourages instructional strategies that include cultural diversity and differences in learning styles.

The Superintendent's performance for this standard:

☐ (4) Exemplary: Exceeds the standard

☐ (3) Accomplished: Meets the standard

☐ (2) Developing: Making progress toward meeting the standard

☐ (1) Improvement Required: Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:

## Evaluation of the Superintendent

### STANDARD 4: HUMAN RESOURCE LEADERSHIP

*The Superintendent leads the District in developing professional learning communities among a highly effective and diverse staff. S/he assists in the planning of professional development opportunities for all staff and develops and implements an effective staff performance evaluation system. If applicable, the Superintendent provides technical advice to the Board to administer and negotiate labor contracts.*

#### PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

- 4.1 Demonstrates use of system and staff evaluation data for personnel policies, decision-making, career growth and professional development.
- 4.2 Understands and demonstrates that professional development needs to be aligned to the analysis of test data.
- 4.3 Demonstrates understanding of continual improvement processes for teacher and principal effectiveness systems, and implements them.
- 4.4 Identifies and applies appropriate policies, criteria, and processes for the recruitment, selection, induction, compensation, support, evaluation, development, and retention of a high-performing, diverse staff.
- 4.5 Mentors and coaches' administrators throughout the District.

*If applicable:*

- 4.6 Develops bargaining strategies based upon collective bargaining laws and processes.
- 4.7 Identifies contract language issues and proposes modifications.
- 4.8 Participates in the collective bargaining processes as determined by the Board, establishing productive relationships with bargaining groups while effectively managing contracts.

The Superintendent's performance for this standard:

- ☐ (4) Exemplary: Exceeds the standard
- ☐ (3) Accomplished: Meets the standard
- ☐ (2) Developing: Making progress toward meeting the standard
- ☐ (1) Improvement Required: Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:



## Evaluation of the Superintendent

### STANDARD 5: MANAGERIAL LEADERSHIP

*The Superintendent uses data analysis in budgeting, staffing, and problem solving to make recommendations to the Board as they effectively and efficiently allocate resources and establish support systems for all District stakeholders.*

#### PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

5.1 Demonstrates understanding and comprehends the importance of managing the District budget, including financial forecasting, planning, cash-flow management, account auditing, and monitoring that results in the following:

- A balanced operational budget for school programs and activities.
- Utilization of District resources to attain the highest and most efficient use to improve student learning, while maintaining compliance with legal, ethical and policy standards.
- Effective communication of the District's budget and resource allocation to the Board and constituents.
- Meeting reporting deadlines as required by statute, regulatory agency, local policy or Board action.

5.2 Ensures sound management of the organization, operations, and resources for a safe, efficient, and effective learning environment.

5.3 Secures and uses a variety of appropriate school and community resources to support learning.

5.4 Understands and monitors the District technology plan, making informed decisions about computer hardware and software, as well as related staff development and training needs.

5.5 Demonstrates knowledge of school facilities and develops a process that builds internal and public support for facility needs, including bond issues.

5.6 Establishes procedures and practices to assist all stakeholders in implementing and monitoring emergency plans for District safety and security practices for weather, threats, violence and trauma in collaboration with local, state, and federal agencies.

The Superintendent's performance for this standard:

☐ (4) Exemplary: Exceeds the standard

☐ (3) Accomplished: Meets the standard

☐ (2) Developing: Making progress toward meeting the standard

☐ (1) Improvement Required: Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:

## Evaluation of the Superintendent

### STANDARD 6: COLLABORATIVE LEADERSHIP

The Superintendent maintains a positive relationship with Board members as they work together to establish community support for the District's goals through effective two-way communications with students, staff, parents, business representatives, government leaders, community members, and the media.

#### PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

- 6.1 Understands and articulates the system of public school governance and differentiates between policy-making and administrative roles.
- 6.2 Develops effective Superintendent/Board interpersonal and working relationships.
- 6.3 Understands and interprets the role of federal, state and regional governments, policies, and politics and their relationships to local Districts and schools.
- 6.4 Effectively uses legal resources (e.g. local Board attorney) to protect the District from civil and criminal liabilities.
- 6.5 Collaboratively develops, implements and monitors processes to improve student learning and teaching.
- 6.6 Uses formal and informal techniques to gain perceptions of District from all stakeholders, internal and external.
- 6.7 Demonstrates effective communication skills (written, verbal and non-verbal), in formal and informal settings, large and small group and one-on-one environments.
- 6.8 Establishes effective school/community relations, school/business partnerships and a positive working relationship with the media; and promotes involvement of all stakeholders to fully participate in the process of education.

The Superintendent's performance for this standard:

☐ (4) Exemplary: Exceeds the standard

☐ (3) Accomplished: Meets the standard

☐ (2) Developing: Making progress toward meeting the standard

☐ (1) Improvement Required: Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:

## Evaluation of the Superintendent

### STANDARD 7: INFLUENTIAL LEADERSHIP

The Superintendent uses his/her position in the District and community to work with local, state and federal officials to influence policies affecting the political, social, economic, legal, cultural, and ethical governance of public education.

#### PERFORMANCE INDICATORS:

(Do not rate individual indicators. These are listed only to help demonstrate the types of activities that may occur within this standard when assessing the Superintendent's performance.)

- 7.1 Understands and interprets the role of federal, state and regional governments; policies; and politics and their relationships to local Districts and schools.
- 7.2 Provides input on critical education issues at the local, state and federal levels.
- 7.3 Continually models a professional code of moral and ethical standards, and demonstrates personal integrity.
- 7.4 Explores and develops ways to find common ground in dealing with difficult and divisive issues.
- 7.5 Promotes the establishment of moral and ethical practices in every classroom, every school, and throughout the District.

The Superintendent's performance for this standard:

- ☐ (4) Exemplary: Exceeds the standard
- ☐ (3) Accomplished: Meets the standard
- ☐ (2) Developing: Making progress toward meeting the standard
- ☐ (1) Improvement Required: Progress toward meeting the standard is unacceptable; standard is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

Comments & Evidence to support the Superintendent's performance for this standard:

## Evaluation of the Superintendent

### DISTRICT GOALS

Part of the Superintendent's job is to guide the District toward successful completion of District goals collaboratively developed by the Board and Superintendent and to report progress toward goals on a regular, prescribed basis. Goals may also be developed as part of the Superintendent's performance expectations.

1. Attached are the forms to be completed by each Board member rating the Superintendent's performance in meeting the goals agreed to by the Superintendent and the Board at the beginning of the year. Each goal statement should be inserted into a separate page for completion.
2. Each Board member should rate the performance level for each goal.
3. Written comments in support of your rating are recommended as they provide clarity and are helpful during the Board discussions of the evaluation.
4. Each Board member's forms should be returned to the Board Chairperson or designated Board member for compiling.



**Evaluation of the Superintendent****GOAL 1:**

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
- ☐ **(3) Accomplished:** Meets the standard
- ☐ **(2) Developing:** Making progress toward meeting the standard
- ☐ **(1) Improvement Required:** Progress toward meeting the goal is unacceptable; goal is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

**Comments & Evidence to support the Superintendent's performance for this goal:**

**Evaluation of the Superintendent****GOAL 2:**

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
- ☐ **(3) Accomplished:** Meets the standard
- ☐ **(2) Developing:** Making progress toward meeting the standard
- ☐ **(1) Improvement Required:** Progress toward meeting the goal is unacceptable; goal is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.

**Comments & Evidence to support the Superintendent's performance for this goal:**

**Evaluation of the Superintendent****GOAL 3:**

The Superintendent's performance for this standard:

- ☐ **(4) Exemplary:** Exceeds the standard
  - ☐ **(3) Accomplished:** Meets the standard
  - ☐ **(2) Developing:** Making progress toward meeting the standard
  - ☐ **(1) Improvement Required:** Progress toward meeting the goal is unacceptable; goal is required to be addressed with Performance Expectations agreed upon by the Board and Superintendent. Comments to support this performance level are required.
- Comments & Evidence to support the Superintendent's performance for this goal:

EXPLANATION: 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. PER KRS 160.345, THE SUPERINTENDENT SHALL FILL THE POSITION OF PRINCIPAL AT A SCHOOL AFTER CONSULTATION WITH THAT SCHOOL'S SCHOOL BASED DECISION MAKING (SBDM) COUNCIL. PRIOR TO CONSULTATION WITH THE SBDM COUNCIL, EACH MEMBER SHALL SIGN A NONDISCLOSURE AGREEMENT FORBIDDING THE DISCLOSURE OF INFORMATION SHARED AND DISCUSSIONS HELD DURING CONSULTATION.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4244 AP.2

### **Nondisclosure Agreement (SBDM)**

This Nondisclosure Agreement (the "Agreement") is entered into by and between the members of the \_\_\_\_\_ School Based Council ("SBDM") and \_\_\_\_\_ School District, for the purpose of preventing the unauthorized disclosure of Confidential Information as defined below.

For purposes of this Agreement, "Confidential Information" shall include all information, written material whether hardcopy or digital, media, communications, other files, or discussions that are part of the consultation between the Superintendent and the SBDM related to the hiring of the school Principal.

For purposes of this Agreement, "Confidential Information" shall NOT include information that is publicly known at the time of disclosure, or information that is publicly disclosed by the Superintendent.

For purposes of this Agreement, "consultation" means the act of discussing or deliberating together where information is exchanged between the Superintendent and the SBDM and its members.

#### **SBDM MEMBER**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

EXPLANATION: HB 283 AMENDS KRS 160.380 TO PERMIT STUDENT TEACHERS TO SUBMIT AND PROVIDE A COPY OF A NATIONAL AND STATE CRIMINAL BACKGROUND CHECK SUBMITTED THROUGH AN ACCREDITED TEACHER EDUCATION INSTITUTION.

FINANCIAL IMPLICATIONS: SAVINGS RESULTING FROM INSTITUTIONS PAYING FOR THE CHECKS

PERSONNEL

03.11 AP.252

### **Criminal Records Release Authorization**

**In order to obtain required state and national background checks, District employees and student teachers assigned within the District must complete the Kentucky State Police Criminal Records Release Authorization form, which is available from the Kentucky State Police. The District will submit the required payments.**

Student teachers may submit and provide a copy of a national and state criminal background check by the Kentucky State Police and the Federal Bureau of Investigation through an accredited teacher education institution in which the student teacher is enrolled and who have a clear CA/N check.

EXPLANATION: THE FEDERAL BUREAU OF INVESTIGATION (FBI) REQUIRES THAT THE KENTUCKY STATE POLICE (KSP) AUDIT SCHOOL DISTRICTS FOR COMPLIANCE WITH CRIMINAL HISTORY RECORD INFORMATION (CHRI). IN COLLABORATION WITH KSP, THIS PROCEDURE WILL ASSIST DISTRICTS WITH COMPLIANCE.

FINANCIAL IMPLICATIONS: COSTS OF TRAINING/MAINTAINING/DESTROYING RECORDS

PERSONNEL

03.11 AP.2521

## **Criminal History Record Information**

### **PURPOSE**

The District may use Criminal History Record Information (CHRI) obtained from the Kentucky State Police (KSP) to check qualification for employment or service as provided in KRS 160.380 and related policies and for authorizing personnel who will make fitness determinations. CHRI may not be used for any other purpose.

### **AUTHORITY**

The District has the authorization to submit fingerprints to KSP for a fee-based state and federal background check pursuant to KRS 160.380.

### **NONCRIMINAL JUSTICE AGENCY CONTACT (NAC) & LOCAL AGENCY SECURITY OFFICER (LASO)**

The Superintendent will designate employee(s) to serve as the NAC and LASO points of contact with KSP through which communication regarding audits, District personnel changes, training, and security are conducted. The NAC and LASO will receive and disseminate communication from KSP to all authorized District personnel. Additionally, the LASO shall where applicable:

1. Identify who is using the Criminal Justice Information Services (CJIS) Systems Agency (CSA) approved hardware, software, and firmware and ensure no unauthorized individuals or processes have access to the same.
2. Identify and document how the equipment is connected to the state system.
3. Ensure that personnel security screening procedures are being followed as stated.
4. Ensure approved and appropriate security measures are in place and working as expected.
5. Support policy compliance and ensure the CSA Information Security Officer is promptly informed of security incidents.

### **AUTHORIZED PERSONNEL**

Authorized personnel will be given access to view and handle CHRI after completing the required Security Awareness Training and any additional training required by KSP. Only authorized personnel may access, discuss, use, possess, disseminate, or destroy CHRI.

The District will keep an updated list of authorized personnel that will be available to the KSP Auditor during the audit process.

## Criminal History Record Information

### TRAINING OF AUTHORIZED PERSONNEL

The District will ensure all persons authorized to have CHRI access will complete Security Awareness Training via CJIS Online immediately upon hire or appointment to access CHRI. The NAC will keep on file the Security Awareness Training certificate on all authorized personnel.

The District will ensure authorized users complete recertification of Security Awareness Training every twenty-four (24) months.

Authorized personnel will review the KSP website Noncriminal Justice Agency (NCJA) section for policies, procedures, and forms necessary for CHRI handling and fitness determination.

### FINGERPRINT CARD PROCESSING

The District requires that all covered persons for whom fingerprint check is required must provide a valid, unexpired form of government-issued photo identification prior to fingerprinting to verify their identity.

A copy of the FBI Privacy Rights Notification will be provided to the covered persons prior to fingerprinting. Covered persons will also be advised of the process regarding a challenge of the criminal history record.

Covered persons that have disclosed a conviction must still be fingerprinted. Proper reason for fingerprinting must be documented in the "Reason for Fingerprinting" box.

Proper chain of custody procedures protecting the integrity of the covered person's fingerprints prior to submission will include maintaining fingerprints in a secure environment, in a sealed envelope.

### COMMUNICATION

Authorized personnel may discuss the CHRI results with covered persons in a secure, private area. Extreme care will be taken to prevent overhearing, eavesdropping, or interception of communication.

The District will not allow a covered person to have a copy of their record or take a picture of it with an electronic device.

The District will provide the covered person with required forms and options to obtain their record if a record is to be challenged.



## Criminal History Record Information

### PHYSICAL SECURITY

The District will ensure that information system hardware, software, and media are physically protected through access control measures by ensuring the perimeter of a physically secured location shall be prominently posted and separated from non-secure locations by physical controls. The District will control all access points (except for those areas within the facility officially designated as publicly accessible) and will verify individual access authorizations before granting access. The District will control physical access to information system distribution and transmission lines within the physically secure location. The District will control physical access to information system devices that display Criminal Justice Information (CJI) and will position information system devices in such a way as to prevent unauthorized individuals from accessing and viewing CJI. The District will monitor physical access to the information system to detect and respond to physical security incidents. The District will control physical access by authenticating visitors before authorizing escorted access to the physically secure location (except for those areas designated as publicly accessible) and will escort visitors in a secured location.

### STORAGE AND RETENTION OF CHRI

The fingerprint results from KSP should only be handled by authorized personnel.

During the fitness determination:

- CHRI will be stored in a locked drawer/container at the Central Office and only accessible to authorized personnel.
- CHRI will be stored in a separate file that cannot be released for any public records request and will not be archived in a publicly accessible location.
- CHRI results will be stored electronically the agency using proper security and encryption methods.
- If stored electronically, the District will ensure compliance of CJIS Security Policy for the Network Infrastructure to include the following:
  1. Network Configuration
  2. Personally Owned Information Systems
  3. Publicly Accessible Computers
  4. System Use Notification
  5. Identification/User ID
  6. Authentication
  7. Session Lock
  8. Event Logging
  9. Advance Authentication
  10. Encryption
  11. Dial-up Access
  12. Mobile Devices
  13. Personal Firewalls
  14. Bluetooth Access

## Criminal History Record Information

### STORAGE AND RETENTION OF CHRI (CONTINUED)

15. Wireless (802.11x) Access
  16. Boundary Protection
  17. Intrusion Detection Tools and Techniques
  18. Malicious Code Protection
  19. Spam and Spyware Protection
  20. Security Alerts and Advisories
  21. Patch Management
  22. Voice over Internet Protocol (VoIP)
  23. Partitioning and Virtualization
  24. Cloud Computing
- Per KRS 61.878, CHRI is not subject to disclosure under the Kentucky Open Records Act and will not be archived in a publicly accessible location.

### MEDIA TRANSPORT

The District will protect and control digital and physical media during transport outside of controlled areas and will restrict the activities associated with transport of such media to authorized personnel.

### DISPOSAL OF MEDIA CHRI

The District will properly sanitize or destroy physical or electronic CHRI per the Kentucky Department of Libraries and Archives (KDLA) Public School District Records Retention Schedule. If a third party performs the destruction, an authorized person shall accompany the CHRI through the destruction process. For electronic media, the District shall overwrite three (3) times or degauss digital media prior to disposal or release. Inoperable digital media shall be destroyed; cut up, shredded, etc. The District shall ensure the sanitation or destruction is witnessed or carried out by authorized personnel.

### MISUSE OF CHRI

In the event of deliberate or unintentional misuse of CHRI, the District will subject the employee to disciplinary action per Board policy and procedures, up to and including termination, or request for criminal investigation/charges.



EXPLANATION: THE FEDERAL BUREAU OF INVESTIGATION (FBI) REQUIRES THAT THE KENTUCKY STATE POLICE (KSP) AUDIT SCHOOL DISTRICTS FOR COMPLIANCE WITH CRIMINAL HISTORY RECORD INFORMATION (CHRI). EMPLOYEES AUTHORIZED TO USE CHRI WILL COMPLETE SECURITY AWARENESS TRAINING VIA CRIMINAL JUSTICE INFORMATION SERVICES (CJIS).

FINANCIAL IMPLICATIONS: COSTS OF TRAINING/MAINTAINING/DESTROYING RECORDS

EXPLANATION: TITLE IX SEXUAL HARASSMENT REGULATIONS (34 C.F.R. § 106.45) EFFECTIVE AUGUST 14, 2020, REQUIRE TRAINING OF INDIVIDUALS ON TITLE IX SEXUAL HARASSMENT/DISCRIMINATION.

FINANCIAL IMPLICATIONS: COST OF PROVIDING NOTICE AND TRAINING TO ALL PERSONNEL

EXPLANATION: SB 9 AMENDS KRS 158.305 TO CHANGE TERMINOLOGY FROM RESPONSE TO INTERVENTION TO A MULTI TIERED SYSTEM OF SUPPORTS FOR ACADEMICS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## District Training Requirements

SCHOOL YEAR: \_\_\_\_\_

This form may be used to track completion of local and state employee training requirements that apply across the District and maintain a record for the information of the Superintendent and Board.

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
District planning committee members.		01.111			✓	
Board member training hours.	KRS 160.180; 702 KAR 1:115; 701 KAR 8:020	01.83			✓	
Superintendent training program to be completed within two (2) years of taking office.	KRS 160.350	02.12			✓	
Certified Evaluation Training.	KRS 156.557; 704 KAR 3:370	02.14/03.18	✓		✓	
Supervisors shall receive appropriate training to equip them to meet the standards of Personnel Management.		02.3			✓	
All School Resource Officers (SROs) 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.	KRS 158.4414	02.31			✓	
Council member training required for Principal selection.	KRS 160.345	02.4244			✓	
Council member training hours.	KRS 160.345	02.431			✓	
<u>Employees authorized to use Criminal History Record Information (CHRI) will complete Security Awareness Training via Criminal Justice Information Services (CJIS)</u>	<u>KRS 160.380</u>	<u>03.11 AP.2521</u>			✓	
Initial/follow-up training for coaches of interscholastic athletic activities or sports.	KRS 160.445; KRS 161.166; KRS 161.185; 702 KAR 7:065	03.1161 03.2141 09.311			✓	
Asbestos Containing Building Material (ACBM), Lockout/Tagout and personal protective equipment (PPE) training for designated employees.	40 C.F.R. Part 763 401 KAR 58:010 803 KAR 2:308 OSHA 29 C.F.R. 1910.132 29 C.F.R. 1910.147 29 C.F.R. 1910.1200	03.14/03.24			✓	
Bloodborne pathogens.	OSHA 29 C.F.R. 1910.1030	03.14/03.24		✓		
Behaviors prohibited/required reporting of harassment/discrimination.	34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Guidance	03.162/03.262		✓		

PERSONNEL

03.19 AP.23  
(CONTINUED)

## District Training Requirements

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
<b>Title IX Sexual Harassment</b>	<b>34 C.F.R. § 106.45</b>	<b>03.1621/03.2621/09.428111</b>		✓		
Teacher professional development/learning.	KRS 156.095	03.19	✓			
Active Shooter Situations.	KRS 156.095	03.19/03.29			✓	
Instructional leader training.	KRS 156.101	03.1912			✓	
The Superintendent shall develop and implement a program for continuing training for selected classified personnel.		03.29			✓	
Training of the instructional teachers' aide with the certified employee to whom s/he is assigned.	KRS 161.044	03.5			✓	
Orientation materials for volunteers.	KRS 161.048	03.6			✓	
Integrated Pest Management (7a) Certification.	302 KAR 29:060	05.11			✓	
Training for designated personnel on use and management of equipment.		05.4			✓	
If District owns automated external defibrillator (AEDs), training on use of such.	KRS 311.667	05.4			✓	
School Safety Coordinator (SSC) training program developed by the Kentucky Center for School Safety (KCSS)	KRS 158.4412	05.4			✓	
School Principal training on procedures for completion of the required school security risk assessment.						
Fire drill procedure system.	KRS 158.162	05.41		✓		
Lockdown drill procedure system.	KRS 158.162	05.411		✓		
	KRS 158.164					
Severe Weather/Tornado drill procedure system.	KRS 158.162	05.42		✓		
	KRS 158.163					
Earthquake drill procedure system.	KRS 158.163	05.47		✓		
First Aid and Cardiopulmonary Resuscitation (CPR) Training.	702 KAR 5:080	06.221			✓	
Annual in-service school bus driver training.	702 KAR 5:030	06.23			✓	
Designated training for School Nutrition Program Directors and food service personnel.	KRS 158.852	07.1			✓	
	7 C.F.R. §210.31	07.16				
Teachers of gifted/talented students required training on identifying and working with gifted/talented students. All other personnel working with gifted students shall be prepared through appropriate professional development to address the individual needs, interests, and abilities of the students.	704 KAR 3:285	08.132	✓		✓	

**District Training Requirements**

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
KDE to provide training to address the characteristics and instructional needs of students at risk of school failure and most likely to drop out of school.	KRS 156.095	08.141	✓		✓	
Student training on appropriate online behavior on social networking sites and cyberbullying awareness and response.	47 U.S.C. 254/Children's Internet Protection Act; 47 C.F.R. 54.520	08.2323			✓	
Confidentiality of student record information.	34 C.F.R. 300.623	09.14		✓		
Student suicide prevention training: Minimum of one (1) hour in-person, live stream, or via video recording every year including the recognition of signs and symptoms of possible mental illness. New hires during off year to receive suicide prevention materials to review. [Employees with job duties requiring direct contact with students in grades six (6) through twelve (12).]	KRS 156.095; KRS 158.070	09.22			✓	
At least one (1) hour of self-study review of seizure disorder materials required for all principals, guidance counselors, and teachers by July 1, 2019, and for all principals, guidance counselors, and teachers hired after July 1, 2019.	KRS 158.070	09.22			✓	
Training for school personnel authorized to give medication.	KRS 158.838 KRS 156.502 702 KAR 1:160	09.22 09.224 09.2241			✓	
Training on employee reports of criminal activity.	KRS 158.148; KRS 158.154; KRS 158.155; KRS 158.156; KRS 620.030	09.2211		✓		
Personnel training on restraint and seclusion and positive behavioral supports.	704 KAR 7:160	09.2212		✓	✓	
Personnel training child abuse and neglect prevention, recognition, and reporting.	KRS 156.095	09.227	✓		✓	
Age appropriate training for students during the first month of school on behaviors prohibited/required reporting of harassment/discrimination.	34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Guidance	09.42811			✓	



**District Training Requirements**

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
Training to build capacity of staff and administrators to deliver high-quality services and programming in the District's Alternative Education Program.	704 KAR 19:002	09.4341			✓	
Student discipline code.	KRS 158.148; KRS 158.156; KRS 158.444; KRS 525.070; KRS 525.080	09.438		✓		
Intervention and response training on responding to instances of incivility.		10.21		✓		
Training for Supervisors of Student Teachers.	16 KAR 5:040				✓	
Career Tech – If funds available, High School teachers to receive training regarding embedding reading, math, and science in career tech courses.	KRS 158.818				✓	
Committee for Mathematics Achievement – training for teachers based on available funds.	KRS 158.832		✓			
KDE to provide or facilitate statewide training for teachers and administrators regarding content standards, integrating performance assessments, communication, and higher order thinking.	KRS 158.6453 (SB 1)		✓			
Grants regarding training for state-funded community education directors.	KRS 160.156				✓	
Local Board to develop and implement orientation program for adjunct instructors.	KRS 161.046				✓	
KDE shall provide technical assistance and training for <u>multi-tiered system of supports</u> <del>Response-to-Intervention</del> upon District request.	KRS 158.305				✓	

THIS IS NOT AN EXHAUSTIVE LIST – CONSULT OSHA/ADA AND BOARD POLICIES FOR OTHER TRAINING REQUIREMENTS.

For training provided in person, participants should sign in at the end of the meeting to document their attendance. The sign-in sheet shall be maintained in paper or electronic format as required by the Kentucky Records Retention/Public School District Schedule.

EXPLANATION: THE FEDERAL BUREAU OF INVESTIGATION (FBI) REQUIRES THAT THE KENTUCKY STATE POLICE (KSP) AUDIT SCHOOL DISTRICTS FOR COMPLIANCE WITH CRIMINAL HISTORY RECORD INFORMATION (CHRI). IN COLLABORATION WITH KSP, THIS PROCEDURE WILL ASSIST DISTRICTS WITH COMPLIANCE.

FINANCIAL IMPLICATIONS: COSTS OF TRAINING/MAINTAINING/DESTROYING RECORDS

PERSONNEL

03.21 AP.2521

### **Criminal History Record Information**

See existing Procedure 03.11 AP.2521 for Criminal History Record Information.

#### **RELATED PROCEDURE:**

03.11 AP.2521

EXPLANATION: SB 42 AMENDS KRS 45A.380 BY CHANGING THE DESCRIPTION OF PERISHABLE FOOD ITEMS.

FINANCIAL IMPLICATIONS: POTENTIAL SAVINGS IN PURCHASING PERISHABLE FOODS

FISCAL MANAGEMENT

04.32 AP.1

### **Procurement Procedures**

- A. Conditions, including emergencies, and procedures under which purchases may be made by means other than competitive sealed bids.

Purchasing officers are authorized to acquire goods, services, or construction through noncompetitive negotiation under the following circumstances, providing a written determination is made that competitive bidding is not feasible. If available, quotes from three (3) suppliers shall be secured if for purchases exceeding **\$2,500**. At least one (1) of the following conditions shall be met:

1. An emergency has been determined.

An emergency condition is a situation that creates a threat to public health, welfare, or safety such as may arise by reason of floods, epidemics, riots, and equipment failures. The existence of such a condition creates an immediate and serious need to supplies, services, or construction that cannot be met through normal procurement procedures and the lack of which would seriously threaten (a) the functioning of the District; (b) the preservative or protection of property; (c) the health or safety of any person. When such conditions exist, the Superintendent and designated purchasing agents are authorized to purchase through noncompetitive negotiation. The determination of an emergency and the details of the procurement shall be stated in writing and reported to the Board at its next regular meeting.

2. The product or service to be procured is available from a single source.
3. A necessity is temporarily unavailable from the contracted supplier.

When a particular necessity is temporarily unavailable from the contract supplier and the purchasing officer makes a written determination to that effect, the purchasing officer has the authority to treat such items as a single source of services or products and has authority to proceed to procure the same by noncompetitive negotiation.

4. Contracts for services.

The District may contract for the services of licensed professionals such as attorney, physician, psychiatrist, psychologist, certified public accountant, registered nurse, or educational specialist; technicians such as plumber, electrician, carpenter, or mechanic; or an artist such as a sculptor, aesthetic painter, or musician; printers for special projects. This provision shall not apply to architects or engineers providing construction management services rather than professional architect or engineer services.

Noncompetitive negotiations for services of licensed professionals shall occur only when specialized training is required of the contractor, when a specific program or service can be delivered by only one or a few individuals, or when travel costs and time dictate constraints on the bidding process.

5. The contract is for the purchase of perishable items as indicated in applicable federal and state law, purchased with funds other than school nutrition service funds on a weekly or more frequent basis.

~~Perishables" are those items that are subject to natural decay and deterioration if not put to their intended use within a reasonable time and include such items as fresh fruits and vegetables, meats and fish. Perishables do not include dried, canned, or frozen food products that are normally purchased less~~

~~frequently than by the week. Items that may be classed as perishables, but which readily lend themselves to competitive bidding, shall be obtained only by competitive bidding. Such items include milk and bread.~~

**Procurement Procedures**

Purchase of such items with school nutrition service funds shall be done consistent with methods authorized by federal regulation (7 C.F.R. §3016.36).

6. The contract or purchase is for replacement parts where the need cannot be reasonably anticipated and stockpiling is not feasible.
  7. The contract is for proprietary items for resale.
  8. Items for resale include printed documents; stocks and inventories for school bookstores; candies; soft drinks, and, all other items that are sold to students and to the general public. Supplies that must be processed prior to resale such as food purchases for the lunchroom are not included as items for resale.
  9. The contract or purchase relates to an enterprise in which the buying or selling by students is a part of the educational experience.
  10. The contract or purchase is for expenditures made on authorized trips outside the boundaries of the service area of the agency.
  11. The contract or purchase is for purchase of supplies that are sold at public auction or by receiving sealed bids.
  12. The contract is for group life insurance, group health and accident insurance, group professional liability insurance, worker's compensation insurance, or unemployment insurance.
  13. The contract or purchase is for a sale of supplies at reduced prices that will afford a purchase at savings to the school district.
  14. The contract or purchase is from a state, U.S. Government, or other public agency.
  15. The contract or purchase is from a state, U.S. Government, or other public agency price contract.
  16. Specifications cannot be made sufficiently specific to permit an award on the basis of either the lowest bid price or the lowest evaluated bid price.
  17. Sealed bidding is inappropriate because the available sources of supply are limited.
  18. The bid prices received through sealed bidding are unresponsive or unreasonable.
- B. Reverse Auction
- Competitive bidding or competitive negotiation for goods and leases may include use of a reverse auction, which is to be conducted as provided in KRS 45A.365 (competitive sealed bidding) or KRS 45A.370 (competitive negotiation).
- C. Rejection of bids, consideration of alternate bids, and waiver of informalities in offers.
- The conditions for bidding shall be applicable to and incorporated in all invitations for bids. Failure to comply with such conditions shall be cause for rejection of the bid. The Board or its designee retains the right to waive any informalities in offer.
- D. Confidentiality of technical data and trade secrets information submitted by actual and prospective bidders or offerors.
- Technical data and trade secrets information submitted by actual and prospective bidders are exceptions to the open records requirements and shall be rated confidentially.

**Procurement Procedures****E. Partial, progressive and multiple awards.**

The District purchasing officer is authorized, when feasible, to advertise for bids as a discount from a price list or catalog. The conditions shall state that multiple awards may be made. When such multiple awards are made, purchases at the contract discount may be made from such price lists or catalogs without further negotiation. However, any changes in the price list exceeding ten percent (10%) during the period of the contract shall disqualify such items from purchase.

**F. Supervision of store rooms and inventories, including determination of appropriate stock levels, and the management, transfer, sale or other disposal of government-owned property shall be the responsibility of the purchasing officer of the district.****G. Definitions and classes of contractual services and procedures for acquiring them.**

The District may obtain the services of various classes of professionals, technicians, and artists by noncompetitive negotiation when specialized training is required of the contractor, when a specific program or service can be delivered by only one or a few individuals, or when travel costs and time dictate constraints on the bidding process.

**H. Procedures for the verification and auditing of local public agency procurement records.**

The Superintendent shall maintain sufficient records for the Board to verify all purchasing agreements and purchases made through such agreements. Financial records of all transactions related to the purchase of goods and services for the District or individual schools are subject to an annual financial audit.

**I. Annual reports from those vested with purchasing authority as may be deemed advisable in order to insure that the requirements of this policy are complied with.****1. Each staff member authorized to approve purchase orders shall:**

- a. Keep a copy of all purchase orders issued.
- b. Maintain a log to include the name of the vendor from which products or services were obtained.
- c. Record the purpose of the product or service.
- d. Record how the decision was made to purchase from the vendor (bid, negotiation, single source, state price contract, etc.)
- e. List other vendors contacted and their cost for the product or service.

**2. All Board policies and District procedures pertaining to procurement, whether promulgated under KRS 45A.345 to 45A.460 or otherwise, shall be maintained in the District Central Office and shall be available to the public upon request at a cost not to exceed the cost of reproduction.****J. Except as permitted by law, every invitation for bid or request for proposals shall provide that an item equal to that named or described in the specifications may be furnished.**

EXPLANATION: 704 KAR 7:120 HAS BEEN REPEALED AND REPLACED WITH 702 KAR 7:150.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1312 AP.1

### **Application for Home/Hospital Instruction**

The Home/Hospital Instruction application is incorporated by reference in ~~702 KAR 7:150~~~~704 KAR 7:120~~. This application is available from the Kentucky Department of Education website.

**RELATED PROCEDURES:**

08.1312 AP.21

08.1312 AP.23



EXPLANATION: 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 AP.1

## **Review of Challenged Instructional Materials**

### **REQUEST FOR REVIEW**

The review of instructional materials, including textbooks, supplementary materials, library books, audiovisual media, class content, and technology on the basis of citizen concerns will be conducted in response to a properly filed request. Forms for such requests will be made available to any resident of the District at the Principal's Office. The request shall include a statement of reason for objection and a statement of desired action regarding the material.

In the event of a citizen complaint regarding instructional materials, freedom of information and professional responsibility shall be the guiding principles. The use of challenged material may be restricted until final disposition has been made. However, individuals may be assigned other materials in lieu of those being challenged.

### **REVIEW COMMITTEE**

The Superintendent/designee shall establish a Review Committee, composed of the Principal, professional librarian(s), two (2) staff members as designated by the Principal and whose subject area is affected, and two (2) parents. All committee members shall represent the school receiving the complaint.

The following steps shall be taken by the Review Committee:

1. Review the specific written complaint.
2. Read and/or examine the materials in question.
3. Determine general acceptance of the challenged materials in the community, other school systems and professional media.
4. Discuss the complaint and merit of the challenged material; make a value judgment based on the materials as a whole, and not on parts taken out of context.
5. Determine the merit of potential alternative instructional materials.
6. Prepare a recommendation for disposition of the complaint.
7. File a written decision with the Principal and/or school council, as appropriate, and send a copy to the Superintendent/designee.

The Principal shall inform the complainant in writing of the decision within ten (10) school days after receipt of the completed form.

### **APPEAL**

Within ten (10) school days after the complainant has been informed of the committee's decision, the complainant may appeal the decision, in writing, to the Superintendent/designee.

Upon receipt of the appeal, the Superintendent/designee will review the challenged material and the decision of the Review Committee and, within ten (10) school days, notify the complainant and Principal of his/her determination.

**Review of Challenged Instructional Materials****APPEAL (CONTINUED)**

Within ten (10) school days after the complainant has been informed of the decision of the Superintendent/designee, the complainant may appeal the decision, in writing, to the Board.

The Board will consider the appeal at the next scheduled meeting and so notify the complainant of its final decision regarding the challenged material.

**~~SCHOOLS ADOPTING SBDM~~**

~~Reviews of challenged instructional materials in schools which have adopted School Based Decision Making shall follow policies which have been adopted by the School Council.~~

EXPLANATION: 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. RECONSIDERATION OF INSTRUCTIONAL/LIBRARY MATERIALS IS ADDRESSED IN 08.2322 AP.21.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.2322 AP.22

## **Staff/School Council Reconsideration of Instructional/Library Materials**

School \_\_\_\_\_ Teacher \_\_\_\_\_

PLEASE INDICATE THE FORMAT OF THE MATERIAL (BOOK, DVD, MAGAZINE, CD, ETC.): \_\_\_\_\_

Title \_\_\_\_\_

AUTHOR \_\_\_\_\_

PUBLISHER/PRODUCER \_\_\_\_\_

### **NON-FICTION**

#### **PURPOSE**

1. What is the purpose of the material? \_\_\_\_\_
2. Is the purpose accomplished? ☐ YES ☐ NO

#### **Authenticity**

1. Is the author competent and qualified in the field? ☐ YES ☐ NO
2. What are the reputation and significance of the author and publisher/producer in the field? \_\_\_\_\_

3. Is the material current and accurate? ☐ YES ☐ NO
4. Are information sources well documented? ☐ YES ☐ NO
5. Are translations and retellings faithful to the original? ☐ YES ☐ NO

#### **Appropriateness**

1. Does the material promote the educational goals and objectives of the curriculum? ☐ YES ☐ NO
2. Is it appropriate to the level of instruction intended? ☐ YES ☐ NO
3. Are the illustrations appropriate to the subject and age levels? ☐ YES ☐ NO

#### **Content**

1. Is the content well presented by providing adequate scope, range, depth and continuity? ☐ YES ☐ NO
2. Does this material present information not otherwise available? ☐ YES ☐ NO
3. Does this material give a new dimension or direction to its subject? ☐ YES ☐ NO

#### **Reviews**

1. Source of review \_\_\_\_\_  
☐ Favorably reviewed ☐ Unfavorably reviewed
2. Does this title appear in one or more reputable selection aids? ☐ YES ☐ NO  
If answer is yes, please list titles of selection aids. \_\_\_\_\_
3. Does this material give a new dimension or direction to its subject? ☐ YES ☐ NO

STAFF/SCHOOL COUNCIL RECONSIDERATION OF INSTRUCTIONAL/LIBRARY MATERIALS**Fiction****PURPOSE**

1. What is the purpose, theme, or message of the material? \_\_\_\_\_
2. Is the purpose accomplished? ☐ YES ☐ NO
1. Does reading, viewing, and/or listening to material result in more compassionate understanding of human beings? ☐ YES ☐ NO
2. Does it offer an opportunity to better understand and appreciate the aspirations, achievements, and problems of various ethnic groups? ☐ YES ☐ NO
3. Are questionable elements of the story central to a worthwhile theme or message? ☐ YES ☐ NO

**Content**

1. Is the view of life presented in the material a realistic one? ☐ YES ☐ NO
2. When factual information is part of the story, is it presented accurately? ☐ YES ☐ NO
3. Are concepts age appropriate for the potential readers? ☐ YES ☐ NO
4. Do characters speak in a language true to the period/section of the country in which they live? ☐ YES ☐ NO
5. Is the presentation of the main character or any of the minor characters offensive? ☐ YES ☐ NO
6. Is there preoccupation with sex, violence, cruelty, brutality, and aberrant behavior that would make this material inappropriate? ☐ YES ☐ NO
1. If there is use of offensive language, is it appropriate to the purpose of the text? ☐ YES ☐ NO
2. Is the material well written or produced? ☐ YES ☐ NO
3. Does the story give a broader understanding of human behavior without stressing differences of class, race, color, sex, education, religion, or philosophy in any adverse way? ☐ YES ☐ NO
4. Does the material make a significant contribution to the history of literature? ☐ YES ☐ NO
5. Are the illustrations appropriate and in good taste? ☐ YES ☐ NO
6. Are the illustrations realistic in relation to the story? ☐ YES ☐ NO

**ADDITIONAL****COMMENTS:**

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*Principal/designee's Signature*

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*Date*

EXPLANATION: 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 AP.23

**Staff/School Council Reconsideration Decision**

\_\_\_\_\_  
(Date)

Dear \_\_\_\_\_:

The Review Committee~~staff~~ has reviewed your request to reconsider \_\_\_\_\_ . We have decided to:

- ☐ Retain
- ☐ Replace
- ☐ Reassign (alternative)
- ☐ Other, as specified \_\_\_\_\_ .

You must contact me within ten (10) days of the date of this letter if you wish to appeal this decision to the Superintendent.

Thank you for your interest in the District's schools and the instructional materials used.

Sincerely yours,

\_\_\_\_\_  
*Principal/designee's Signature*

\_\_\_\_\_  
*School*

EXPLANATION: HB 563 (2021) AMENDED KRS 158.120 TO REQUIRE THAT BY JULY 1, 2022, LOCAL BOARDS ADOPT A NONRESIDENT PUPIL POLICY TO GOVERN THE TERMS UNDER WHICH THE DISTRICT SHALL ALLOW ENROLLMENT OF NONRESIDENT PUPILS.

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

STUDENTS

09.12 AP.22

### **Nonresident Student Enrollment Admissions**

#### **NONRESIDENT TRANSFERS**

Those nonresident pupils requesting enrollment in a school in this District for the first time shall follow these procedures:

1. Complete the school's registration forms, which must be signed by the parent/guardian(s).
2. Parent/guardian(s) and pupil then make an appointment with the Principal for a review of the application and the pupil's school records. The pupil shall bring the following documents from the last school attended to this meeting:
  - Report card and other academic information including the entire cumulative folder from the student's former school, if the student has the folder in his/her possession.
  - Statement of student's attendance.
  - Student's physical examination and immunization records.
3. Nonresident pupils will only be enrolled~~admitted~~ when they can be assigned to classes where the enrollment is below the allowable maximum.
4. A student expelled from his/her previous school during the last school year will have his/her records and experiences reviewed before permission is granted for enrollment.
5. When the number of nonresident students must be limited due to enrollment capacity, the following priorities will be observed:
  - Those nonresident students attending school in this District last year will have priority over new applicants.
  - Siblings of nonresident students already attending school in the District shall have priority over new applicants who do not have siblings currently enrolled.
  - Students of District employees will have priority over new applicants.
  - When priorities are equal, the date of application will be the determining factor for enrollment admittance.
6. Nonresident pupils may be enrolled ~~inadmitted to~~ the District's schools in accordance with Board policies 09.1222, and 09.124.
7. The decision of the Principal in granting enrollment admission of nonresident pupils may be appealed to the Superintendent. If the decision of the Superintendent is not satisfactory, an appeal may be made to the Board. The decision of the Board shall be final.

#### **RELATED POLICIES:**

09.12 (all procedures)

09.1222; 09.124 (all procedures)

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

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

STUDENTS

09,124 AP.1

### **Tuition/Processing Fee**

The procedures cited below are to be followed in implementing the Board's tuition policy:

#### **~~DISTRICTS EXCHANGE ADA~~**

~~When nonresident students attend school within this District and the two (2) Boards enter into a written contract to educate "any and all" nonresident students, tuition shall not be charged however, a processing fee of \$175 shall be charged annually.~~

#### **~~NO EXCHANGE~~**

Where nonresident students or out-of-state students attend a school within the District ~~and the two (2) districts do not enter into a written contract to educate the nonresident/out of state students,~~ the amount of tuition shall be set by the Board.

#### **TUITION/PROCESSING FEE PAYMENT**

Tuition/processing fees shall be paid annually in advance or via a tuition plan established by the Superintendent. Employees may elect to pay tuition/processing fees through a payroll deduction plan. If a student voluntarily withdraws from school, s/he shall receive a pro rata tuition refund.