

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) ¹	Community Representative(s) ¹	Board Member(s) ²	Council Member(s)	Other School Leader(s) ³	Teacher(s)	Paraprofessional(s) ³	Principal(s)	Central Office Administrator(s)	Other Administrator(s) ³	Classified Staff

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

²The Board shall select its representative(s) to the committee.

³Additional 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.

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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

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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.

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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

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By: _____

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Printed Name: _____

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Title: _____

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Dated: _____

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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.

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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

PERSONNEL

03.19 AP.23

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			✓	
Employees authorized to use Criminal History Record Information (CHRI) will complete Security Awareness Training via Criminal Justice Information Services (CJIS)	KRS 160.380	03.11 AP.2521			✓	
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	
Title IX Sexual Harassment	34 C.F.R. § 106.45	03.1621/03.2621/09.428111		✓		
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) School Principal training on procedures for completion of the required school security risk assessment.	KRS 158.4412	05.4			✓	
Fire drill procedure system.	KRS 158.162	05.41		✓		
Lockdown drill procedure system.	KRS 158.162 KRS 158.164	05.411		✓		
Severe Weather/Tornado drill procedure system.	KRS 158.162 KRS 158.163	05.42		✓		
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 7 C.F.R. §210.31	07.1 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	✓		✓	

PERSONNEL

03.19 AP.23
(CONTINUED)**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			✓	

PERSONNEL

03.19 AP.23
(CONTINUED)

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 multi-tiered system of supports Response to Intervention 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

- 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 \$1,000. 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.~~

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Procurement

~~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.~~

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.

Procurement

Technical data and trade secrets information submitted by actual and prospective bidders are exceptions to the open records requirements and shall be rated confidentially.

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/designee 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.

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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
1. What are the reputation and significance of the author and publisher/producer in the field?

2. Is the material current and accurate? ☐ YES ☐ NO
3. Are information sources well documented? ☐ YES ☐ NO
4. 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
1. Is it appropriate to the level of instruction intended? ☐ YES ☐ NO
2. 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
1. Does this material present information not otherwise available? ☐ YES ☐ NO
2. 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? _____
1. 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
1. When factual information is part of the story, is it presented accurately? ☐-YES ☐-NO
2. Are concepts age appropriate for the potential readers? ☐-YES ☐-NO
3. Do characters speak in a language true to the period/section of the country in which they live? ☐-YES ☐-NO
4. Is the presentation of the main character or any of the minor characters offensive? ☐-YES ☐-NO
5. 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:** _____

*Principal/designee's Signature**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 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

09.12 AP.21

Nonresident Student Transfer/Registration Form

Form to be used by NONRESIDENT students requesting admission.

Student's Name _____
Last First Middle Initial

Home Address _____ Phone # _____

Present District and School _____ Present Grade _____

Requested School _____ For School Year _____ Grade _____

Date of Request: _____

Reason for Transfer _____

NOTICE

1. Transfers involving athletics will be in accordance with Kentucky High School Athletic Association (KHSAA) By-Laws. Any student who transfers enrollment from a district of residence to a nonresident district shall be ineligible to participate in interscholastic athletics for one (1) calendar year from the date of transfer.
2. Requests for transfer for middle and high school students are considered incomplete until class scheduling information has been submitted to the prospective school.

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I UNDERSTAND THAT, IF APPROVED, THIS ASSIGNMENT WILL BE GRANTED FOR ONLY ONE (1) SCHOOL YEAR AND THAT ANY SPECIAL TRANSPORTATION NEEDED IS THE RESPONSIBILITY OF THE PARENT/GUARDIAN.

Parent/Guardian's Signature

Date

TO BE COMPLETED BY CENTRAL OFFICE PERSONNEL

Application ☐ Approved ☐ Disapproved Date _____

Parent/guardian contacted ☐ Yes ☐ No Date _____

Present School Contacted ☐ Yes ☐ No Date _____

Requested School Contacted ☐ Yes ☐ No Date _____

Professional recommendation, if required _____

Superintendent/designee's Signature

Date

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

NONRESIDENT TRANSFERS

Those nonresident pupils requesting enrollment in a school in this District for the first time shall follow these procedures:

1. Establish guardianship or legal custody through the Court.
2. Complete the school's registration forms, which must be signed by the parent/guardian(s).
3. 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.
 - ☐ Birth certificate or other proof of age.
 - ☐ Report of student's conduct including, but not limited to, physical violence and disciplinary action taken.
 - ☐ Statement of student's attendance.
 - ☐ Student's physical examination and immunization records.
4. Nonresident pupils will be enrolled~~admitted~~ only when they can be assigned to classes where the enrollment is below the allowable maximum.
5. A student expelled from his/her previous school during the last school year
 - ☐ need not apply for admission.
 - ☐ must have Board approval before being admitted.
 - ☐ will have his/her records and experiences reviewed before permission is granted for enrollment.
6. 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~~.
7. Nonresident pupils may be enrolled~~inadmitted to~~ the District's schools in accordance with Board policies 09.1222, and 09.124.

Please
check the
appropriate
boxes

STUDENTS

09.12 AP.22
(CONTINUED)

Nonresident Student Enrollment Admissions

NONRESIDENT TRANSFERS (CONTINUED)

1. 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

The procedures cited below are to be followed in implementing the Board's tuition policy:

DISTRICTS EXCHANGE ADA

~~When non-resident students attend school within this District and the two (2) Boards enter into a written contract to educate "any and all" non-resident students, tuition shall not be charged.~~

NO EXCHANGE

Where non-resident 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 non-resident/out-of-state students,~~ the amount of tuition shall be set by the Board.

These students ~~may~~shall be charged a fee based on a schedule established and reviewed annually by the Board.

TUITION PAYMENT

One-half of tuition fees may be paid on the opening day of school and the balance paid on the first day school opens in January.