



FLOYD COUNTY BOARD OF EDUCATION
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Keith Smallwood, Member - District 4
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Consent Agenda Item (Action Item): Second reading for KSBA Policy Update #45 and edited policies/procedures resulting from KSBA policy audit.

Applicable Statutes or Regulations: BOE Policy 0.11 Powers and Duties of the Local Board of Education.

Fiscal Budgetary Impact: As noted on individual policies.

History/Background: As part of the policy service to districts, KSBA provides an annual update for policy and procedure to districts. The policy audit reviewed several policies and procedures that were in need of editing. All changes will be reviewed with appropriate district staff and the attorney.

Recommended Action: To review policy changes for second reading.

Contact Person: Angela Duncan, 606.886.4525


Superintendent


Administrator

Date: July 12, 2022

LEGAL: HOUSE BILL 9 (2021) CREATED KRS 78.510 - KRS 78.552 TO CLARIFY THAT THE "RETIREMENT OFFICE" MEANS THE KENTUCKY PUBLIC PENSIONS AUTHORITY (KPPA) WHICH INCLUDES THE KENTUCKY RETIREMENT SYSTEM (KRS) AND THE COUNTY EMPLOYEES' RETIREMENT SYSTEM (CERS) AND SEPARATED CERS FROM KRS. ALL REFERENCES TO SUCH INCLUDE BOTH.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.0

Definitions

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

POLICIES

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

ADMINISTRATIVE PROCEDURES

Statements of the Superintendent and/or district administration. Procedures are administrative instruments to implement Board policy and other legal mandates.

ADMINISTRATIVE REGULATIONS

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

FULL-TIME, PART-TIME STATUS

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

SUPERINTENDENT

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

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.

PRINCIPAL/HEAD TEACHER

In those schools without a Principal, the duties of the Principal as prescribed by this manual are assumed by the person designated as head teacher by the Board.

GENDER

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

Definitions**HUSBAND AND WIFE**

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

PARENT OR GUARDIAN

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

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 160.1590.

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.

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POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.0
(CONTINUED)

Definitions

REFERENCES:

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

[KRS 78.510 – KRS 78.852](#)

KRS 158.144

KRS 160.290; KRS 160.340; KRS 160.345

KRS 160.1590

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

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111

District Planning

PLANNING 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](#), and [revise](#) annually 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.

Selection of committee members shall reflect reasonable minority representation and encourage active minority participation.¹

IMPROVEMENT PLANNING

The Board may designate the length of time for completing implementation of the Comprehensive District Improvement Plan, which earmarks state and federal categorical funds to address priority needs, goals and objectives in the District. By February 1 each School/District Comprehensive Improvement Planning Committee shall review the school and District action plans and update components related to current achievement gap targets, as necessary. Revisions shall be forwarded to the District level committee to review for implications concerning the District plan.

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](#) 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 shall be:

- To improve student achievement on state and federally 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.

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District Planning**PLAN REQUIREMENTS (CONTINUED)**

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

The plan shall be updated as scheduled by the Board of Education and the Superintendent. The plan shall address, but not be limited to, the Standards and Indicators for School Improvement, Core Content for Assessment and the Kentucky Academic Standards. Strategies and Activities should be Best Practices, Research Based, strategies proving successful in other districts or strategies that are proving successful in our District that should be continued. The District Plan shall provide assistance in reducing physical, mental health, and academic barriers to learning, and address student equity.

The Superintendent shall present to the Board for review and approval the form and function of the District planning process, including format and timelines. All schools will turn in a mid-year and year-end report regarding the implementation and impact of strategies from the CSIP in December and May to the Plan Coordinator. The District will turn in a mid-year and year-end report regarding the implementation and impact of strategies from the plan in January and June to the Plan Coordinators. The Superintendent's report concerning CDIP/CSIP to the Board shall be written and submitted in February and July each year and include all school and District data.

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 and the Superintendent, the Board shall review annual targets in the Comprehensive School Improvement Plan and the Comprehensive District Improvement Plan specifically for reducing identified gaps in achievement.²

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

PUBLIC REVIEW

The plan shall have public review prior to presentation 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 and post the revisions on the District Web site immediately after adoption by the Board of Education.

BOARD APPROVAL

The plan shall be completed between November 1 and January 1 of each school year and presented to the Board for approval.

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

District Planning**IMPLEMENTATION**

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

The District Plan (CDIP) shall serve as a resource for Board decision making. The Superintendent shall develop methods of implementing the District Plan.

SCHOOL PLANS

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

DISTRICT REPORT CARDS

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

As outlined in KRS 160.463, a copy of the report card is to be 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:

¹KRS 156.500

²KRS 158.649

[KRS 158.070](#); KRS 158.6453; KRS 160.290; KRS 160.340; KRS 160.345; KRS 160.463
[701 KAR 5:150](#); 703 KAR 5:140; 703 KAR 5:225; 703 KAR 5:280; 704 KAR 3:390
P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

02.44; 02.441; 02.442; 04.1

LEGAL: HB 453 AMENDS THE NOTICE REQUIREMENTS IN KRS 61.826 TO PROVIDE SPECIFIC INFORMATION ON HOW ANY MEMBER OF THE PUBLIC OR MEDIA ORGANIZATION MAY VIEW A TELECONFERENCE MEETING ELECTRONICALLY. THE NOTICE SHALL IDENTIFY A PRIMARY PHYSICAL LOCATION IF TWO OR MORE MEMBERS ARE MEETING FROM THE SAME LOCATION.
FINANCIAL IMPLICATIONS: COST OF PROVIDING NOTICE
LEGAL: HB 121 AMENDS KRS 160.270 TO REQUIRE A PUBLIC COMMENT PERIOD AT REGULAR MEETINGS OF THE BOARD.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.42

Regular Meetings

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.^{1 & 2}

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PUBLICITY

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

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

OPEN MEETINGS

All meetings of a quorum of the members of the Board at which any public business is discussed or at which any action is taken are to be public meetings, open to the public at all times, except as provided in KRS 61.810.³

PUBLIC COMMENT PERIOD

Each regular meeting shall include a public comment period of at least fifteen (15) minutes. Any Board rules and policies regarding conduct during school board meetings shall apply during the public comment period.¹

VIDEO TELECONFERENCES

The Board may conduct its meeting by video teleconference (including closed sessions). Notice of a video teleconference meeting shall comply with the requirements of KRS 61.820 or KRS 61.823, as appropriate. 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, , precisely identify a 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.

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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.

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

REFERENCES:¹KRS 160.270²KRS 61.820; OAG 78-274; OAG 78-614³KRS 61.810⁴~~KRS 61.823; KRS 61.826~~

92-OMD-1677; 04-OMD-056

KRS 61.840; KRS 158.070

17-OMD-148

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RELATED POLICIES:

01.421; 01.43; 01.44; 08.3; 08.31

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

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.421

Public Participation in Open Meetings

PUBLIC ATTENDANCE

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

EXCEPTION

The chairman may impose conditions upon attendance at a given meeting only if such conditions are required for the maintenance of order.¹ Time for delegations to address the board will be placed on the agenda at the beginning of the meeting.

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.²

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

SPEAKERS

The chairman may require the name and address of the speaker. The chairman may rule on the relevance of the topic to the Board's agenda. The chairman may also establish time limits for speakers as may be required to maintain order and to ensure the expedient conduct of the Board's business.

REFERENCE:

¹KRS 61.840

²KRS 160.270

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RELATED POLICIES:

01.42, 01.45; 10.2

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

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.45

Board Meeting Agenda

PREPARATION

Agenda for Board meetings shall be prepared by the Superintendent at the direction of, and subject to the approval of, the Chairperson.

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

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

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

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

1. At 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.
3. The Board shall receive communications from citizens and schools/councils as early as practical in the agenda when such will permit the Board to complete the agenda.
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.¹

Board Meeting Agenda

DISTRICT EMPLOYEES/MEMBERS OF THE PUBLIC

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

District employees and members of the public may address the Board during the period set aside by the Board without submitting an item for the agenda. No action shall be taken during this portion of the meeting on issues raised by employees or the public unless deemed an emergency by the Board.

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

EXCEPTIONS

Any item submitted after the 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:

¹KRS 160.270
KRS 160.290

RELATED POLICIES:

01.42; 01.421; 01.44; 01.5
03.16/03.26

LEGAL. NEW REGULATION 702 KAR 1:116 REPLACES EXPIRED REGULATION 702 KAR 1:115 AND AMENDS THE PROCESS FOR APPROVAL OF BOARD TRAINING HOURS RECEIVED FROM SOURCES OTHER THAN KSBA.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.83

In-Service Training

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

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

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

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

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

IN-SERVICE TRAINING REGARDING CHARTER SCHOOL AUTHORIZATION

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

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

In-Service Training**IN-SERVICE TRAINING REGARDING CHARTER SCHOOL AUTHORIZATION (CONTINUED)**

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

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

ORIENTATION OF NEW BOARD MEMBERS

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

REFERENCES:

¹KRS 160.180
²KRS 160.1594
701 KAR 8:020
[702 KAR 1:116](#)
OAG 85-53; OAG 85-145

Deleted: 702 KAR 1:115

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; (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.

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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.

Authorization of Charter Schools

AUTHORIZER ORGANIZATIONAL CAPACITY (CONTINUED)

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

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

The Board shall:

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

Authorization of Charter Schools

AUTHORIZER ORGANIZATIONAL CAPACITY (CONTINUED)

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

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

REFERENCES:

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

RELATED POLICIES:

01.11; 01.911; 01.9111; 01.912; 01.913; 01.914

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Charter School Application Process

APPLICATION PROCESS

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

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

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

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

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

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

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Charter School Application Process

APPLICATION PROCESS (CONTINUED)

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

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

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

REFERENCES:

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

²KRS 160.1595; 701 KAR 8:030

³KRS 160.1599; 701 KAR 8:040

RELATED POLICIES:

01.11; 01.91; 01.9111; 01.912; 01.913; 01.914

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

FINANCIAL IMPLICATIONS: COST OF HIRING AND TRAINING SROS

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

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

ADMINISTRATION

02.31

School Resource Officers (SROs)

DEFINITION

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

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

ASSIGNMENT

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

BOARD MAY AUTHORIZE POLICE DEPARTMENT

~~KRS 158.196 provides that the Board is authorized to establish a police department for the District, appoint police officers and other employees, prescribe distinctive uniforms for the police officers of the District, and designate and operate emergency vehicles. Police officers appointed shall take an appropriate oath of office in the form and manner consistent with the constitution of Kentucky. Police officers shall be granted with the protections provided in KRS 15.520 and shall be certified in accordance with KRS 15.380.¹~~

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

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

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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. The cost of the training will be paid by the Board of Education.

The SRO shall be easily identified in the school setting by wearing uniforms while on duty.

FIREARM REQUIREMENT

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

SUPERINTENDENT TO REPORT

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

REFERENCES:

¹KRS 158.441

²KRS 158.4414

³[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: REPEAL OF 701 KAR 5:080 AND REVISIONS TO 701 KAR 5:100 ESTABLISH THE APPLICATION PROCESS AND GUIDELINES FOR EXEMPTION
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.413

Exemption (SBDM)

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

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

PETITION

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

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

SCHEDULING

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

NOTICE

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

MEETINGS

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

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

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

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

Exemption (SBDM)**VOTE TO RETURN**

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

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

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

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

SCHOOLS OF INNOVATION

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

REFERENCES:

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

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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 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 and one (1) administrator who shall be the Principal of the school. The parent representatives shall be appointed by the parent teacher organization. If no parent teacher organization exists at the school, then the parent representatives of the committee shall be elected under the procedures set out for electing parents to the school council. The student representative shall be appointed by the student government organization. If no student government organization exists at the school then the Principal shall appoint the student representative. The teacher representatives shall be elected by the teachers of the school.

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APPROVAL

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

REVIEW

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

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

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REFERENCES:

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

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

ADMINISTRATION

02.421

Election of School Council Members (SBDM)

COUNCIL ELECTIONS

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

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ELECTION OF TEACHER MEMBERS

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

Teachers may nominate themselves or another teacher. A written ballot containing the names of all qualified teachers nominated shall be prepared and kept on file with other council records. 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 parent-teacher 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.

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

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

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

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

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 council.

Election of School Council Members (SBDM)

COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS

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

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

CONFLICT OF INTEREST

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

REMOVAL OF COUNCIL MEMBERS

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

VACANCIES

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

REFERENCES:

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

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

ADMINISTRATION

02.4241

School Council Policies (SBDM)

ADOPTION OF POLICY

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

1. Curriculum responsibilities under KRS 158.6453:
 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/designee;
- As reflected in the District Code of Acceptable Behavior and Discipline, loss of physical activity periods shall not be used as a disciplinary consequence.

Deleted: The school council shall adopt policy to be implemented by the Principal in each of the following areas of responsibility:

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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.

School Council Policies (SBDM)**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 and/or designee'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.

Deleted: 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 ¶

ADMINISTRATION

02.4241
(CONTINUED)

School Council Policies (SBDM)

REFERENCES:

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

RELATED POLICIES:

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

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

FINANCIAL IMPLICATIONS: COSTS OF ALLOCATION OF FUNDS

ADMINISTRATION

02.4242

School Budget and Purchasing (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.¹

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

The Board shall allocate Section 7 funds according to the options provided in 702 KAR 3:246. Notice of the Section 7 allocation shall be provided in accordance with that regulation. Based on the needs assessment conducted by the school, the council shall forward to the Board a list of those priorities no later than January 1 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 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 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.

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ADMINISTRATION

02.4242
(CONTINUED)

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:

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

RELATED POLICY:

04.1

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

ADMINISTRATION

02.4244

School Hiring

PRINCIPAL SELECTION

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

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

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

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.

Deleted: 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.¶

Deleted: The council shall undergo training, with a trainer of its choice, in recruitment and interviewing techniques prior to carrying out the process of selecting a new Principal. The Board encourages the council to follow one (1) or more of the following practices when arranging for this training:¶
Selection of a trainer approved by the Kentucky Association of School Councils (KASC);¶
Selection of a trainer certified by the Kentucky Department of Education (KDE); and/or¶
Requiring the trainer selected to emphasize recruiting and interviewing techniques that reflect model standards developed by KASC.¶
ALTERNATIVE PRINCIPAL SELECTION PROCESS¶
The following Principal selection process may be used by the school council.¶
Prior to a meeting called to select a Principal, all school council members shall receive informational materials regarding Kentucky Open Records and Open Meetings laws and sign a nondisclosure agreement forbidding the sharing of information shared and discussions held in the closed session.¶
The Superintendent shall convene the school council and move into closed session as provided in KRS 61.810(1)(f) to confidentially recommend a candidate.¶
The council shall have the option to interview the recommended candidate while in closed session; and ¶
After any discussion, at the conclusion of the closed session, the council shall decide, in a public meeting by majority vote of the membership of the council, whether to accept or reject the recommended Principal candidate.¶

School Hiring**OTHER VACANCIES**

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

The Superintendent may forward to the Principal 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:

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

RELATED POLICIES:

02.4241; 03.11; 03.21

Deleted: ALTERNATIVE PRINCIPAL SELECTION PROCESS (CONTINUED)[¶]

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.^{1¶}

If the recommended candidate is not accepted by the school council under the Alternative Principal Selection Process, then the Principal Selection process above applies.^{1¶}

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

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

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

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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](#), and [revise](#) annually, 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](#) 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.

Each school shall keep its data for needs assessment on file for a period of five (5) years.

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 school council, shall review annually the school's disaggregated student data and revise the school's improvement plan, as required by applicable statute and regulation, to address any achievement gaps between various groups of students.

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

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

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Comprehensive School Improvement Plan**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.

SCHOOL REPORT CARDS

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

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

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

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

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

BOARD REVIEW

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

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

REFERENCES:

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

RELATED POLICIES:

01.111; 02.432; 02.44

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

PERSONNEL

03.12323

- CERTIFIED PERSONNEL -

Quarantine Leave

BOARD SHALL PROVIDE

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

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

ELIGIBILITY

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

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

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

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

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

REFERENCES:

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

RELATED POLICY:

03.1232

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

PERSONNEL

03.14

- CERTIFIED PERSONNEL -

Health and Safety

SAFETY

It is the intent of the Board to provide a safe and healthful working environment for all employees. 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;

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

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

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

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

LOCKOUT/TAGOUT

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

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

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;

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

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

REPORTING FATALITIES, AMPUTATIONS, HOSPITALIZATIONS, OR LOSS OF EYE

The District shall, within eight (8) hours from when reported to the District, make an oral report to the Kentucky Labor Cabinet of the death of an employee as a result of a work-related incident, including death resulting from a heart attack.

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.²

ASBESTOS MANAGEMENT

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

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

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PERSONNEL

03.14
(CONTINUED)

Health and Safety

REFERENCES:

¹401 KAR 58:010; 40 C.F.R. Part 763

²~~803 KAR 2:181~~

Kentucky Department for Public Health

Centers for Disease Control and Prevention

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

OSHA 29 C.F.R. 1910

132 PPE Hazard Assessment

147 Lockout/Tagout

1001 Asbestos-ACBM

1200 Hazard Communication

1030 Bloodborne Pathogens

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

PERSONNEL

03.22323

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- CLASSIFIED PERSONNEL -

Quarantine Leave

BOARD SHALL PROVIDE

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

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

ELIGIBILITY

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

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

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

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

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

REFERENCES:

702 KAR 1:191; 902 KAR 2:020

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

RELATED POLICY:

03.2232

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

PERSONNEL

03.24

- CLASSIFIED PERSONNEL -

Health and Safety

SAFETY

It is the intent of the Board to provide a safe and healthful working environment for all employees. 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;

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

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

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

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

LOCKOUT/TAGOUT

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

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

PERSONAL PROTECTIVE EQUIPMENT (PPE)

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;

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

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

REPORTING FATALITIES, AMPUTATIONS, HOSPITALIZATIONS, OR LOSS OF EYE

The District shall, within eight (8) hours from when reported to the District, make an oral report to the Kentucky Labor Cabinet of the death of an employee as a result of a work-related incident, including death resulting from a heart attack.

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.²

ASBESTOS MANAGEMENT

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

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

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PERSONNEL

03.24
(CONTINUED)

Health and Safety

REFERENCES:

¹401 KAR 58:010; 40 C.F.R. Part 763

²~~803 KAR 2:181~~

Kentucky Department for Public Health

Centers for Disease Control and Prevention

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

OSHA 29 C.F.R. 1910

132 PPE Hazard Assessment

147 Lockout/Tagout

1001 Asbestos-ACBM

1200 Hazard Communication

1030 Bloodborne Pathogens

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

FISCAL MANAGEMENT

04.1

Budget Planning and Adoption

PLANNING

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

PREPARATION OF BUDGETS

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

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

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

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

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. ~~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.

Deleted: During the 2021-2022 school year

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

FISCAL MANAGEMENT

04.1
(CONTINUED)

Budget Planning and Adoption

REFERENCES:

KRS 156.160; KRS 157.330; KRS 157.350; KRS 157.360
KRS 157.440; KRS 160.370; KRS 160.390
KRS 160.460; KRS 160.470; KRS 160.530; KRS 424.250
702 KAR 3:100; 702 KAR 3:110; 702 KAR 3:246; OAG 67-510

Deleted: 2021-2022 Budget Bill (HB192)

RELATED POLICIES:

01.11; 02.4242; 02.4331; 04.91

LEGAL REVISIONS TO 702 KAR 4:090 INCLUDE DISPOSITION OF REAL PROPERTY, NEW REQUIREMENTS FOR PROPERTY DISPOSAL, DOCUMENTATION OF FAIR MARKET VALUE, AND THIRD PARTY CONFLICT OF INTEREST FINANCIAL IMPLICATIONS. NONE ANTICIPATED

FISCAL MANAGEMENT

04.8

Disposal of School Property

BIDS OR AUCTION

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

DISPOSITION OF REAL PROPERTY

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

- (a) By public auction;
- (b) By accepting sealed bids; or
- (c) By setting a minimum acceptable price, which is at least the fair market value of the property.

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

CONFLICT OF INTEREST

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

REFURBISHED SURPLUS TECHNOLOGY

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

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

FISCAL MANAGEMENT

04.8

(CONTINUED)

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Disposal of School Property

REFURBISHED SURPLUS TECHNOLOGY (CONTINUED)

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

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

REFERENCES:

¹KRS 160.290

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

704 KAR 3:455

OAG 76-291; OAG 91-85

34 CFR 80.32

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

TRANSPORTATION

06.31

Bus Scheduling and Routing

RESPONSIBILITY FOR

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

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

REGULAR ROUTE VEHICLES

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

PRIVATE INDIVIDUAL CONTRACTS

In extreme situations, the Board may contract with private individuals to provide transportation for students who live on side roads inaccessible to bus traffic. In such cases, the contract shall be for transportation to an existing bus route only.

The vehicle used and the driver of said vehicle shall meet all safety and maintenance and training requirements, respectively, of regular school buses and drivers.

The distance traveled from the residence of the student(s) to the existing bus route shall be one (1) mile or more.

REFERENCES:

¹KRS 158.070
KRS 156.153
KRS 158.110
KRS 158.115
702 KAR 5:030
702 KAR 5:060

Deleted: KRS 158.070¹

RELATED POLICY:

08.31

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1

Curriculum

The curriculum in each school shall be designed to achieve the student capacities established by KRS 158.645 and the school goals established by KRS 158.6451. The curriculum shall comply with all applicable state and federal statutes and regulations.

CAPACITIES

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

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

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Curriculum**HIGH SCHOOL MASTER SCHEDULES/STUDENT PRE-REGISTRATION**

By January 31 of each year high schools shall conduct student pre-registration and submit pre-registration figures for each course offering to the Superintendent/designee no later than February 15.

From the January student pre-registration figures, by the end of February, high schools shall submit draft master schedules for the up-coming academic year to the Superintendent/designee.

SUPERINTENDENT 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. All council policies shall be designed to meet student academic expectations and goals established by statute, regulation and Board policy.

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STUDENTS WITH DISABILITIES

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

REFERENCES:

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

RELATED POLICIES:

Section 02.4 (All Policies)

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.11

Course of Study

DEVELOPMENT

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

ASSESSMENT OF STUDENT WORK / NONDISCRIMINATION

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

IMPLEMENTATION

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

SBDM SCHOOLS

In schools operating under SBDM, the Superintendent 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.

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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.

Course of Study**COURSE COMPLETION**

Credit shall be awarded following successful of high school courses and final grades will be calculated as follows:

1. 1st nine weeks – 20% ~~25%~~
2. 2nd nine weeks – 20% ~~25%~~
3. 3rd nine weeks – 20% ~~25%~~
4. 4th nine weeks – 20% ~~25%~~
5. ~~End of Course Assessment or Comprehensive Final~~—20%

REFERENCES:

¹704 KAR 3:303
²KRS 161.170
KRS 156.160; KRS 158.100; KRS 158.183
KRS 158.645; KRS 158.6451
KRS 160.345
702 KAR 7:125,
704 KAR 3:305

Deleted: , 703 KAR 4:060

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

CURRICULUM AND INSTRUCTION

08.113

Graduation Requirements

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic Standards, students must complete a minimum of twenty-two (22) credits, including demonstrated performance-based competency in technology, and all other state and local requirements in order to graduate from 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.⁵

INDIVIDUAL LEARNING PLAN (ILP)

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

ADDITIONAL REQUIREMENTS OF THE BOARD

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

Graduation Requirements**FOR STUDENTS ENTERING GRADE NINE (9) ON OR 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

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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

– [1]

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**PERFORMANCE-BASED CREDITS**

In addition to Carnegie units, students may earn credit toward high school graduation through the District's 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.

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.²

SENIOR RECORD REVIEW

By the end of the first semester, each senior's record shall be reviewed to determine eligibility for graduation. Written notification of ineligibility for graduation shall be provided by the Principal to both the student and parent.

TRANSITIONAL CLASS REQUIREMENTS

All students that have not met the Council for Post-Secondary Education's college readiness requirements in math based on the ACT scores during their junior year or by other approved assessments, will be required to take transitional math courses, as determined by the placement assessments, during their senior year.

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.³

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

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

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.⁴

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](#).

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.

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

Graduation Requirements

GRADUATION CEREMONIES

Students shall have completed the necessary requirements to earn a diploma before they may participate in the graduation exercises.

The Superintendent or the Principal, with the written approval of the Superintendent, may deny any senior the privilege of participating in any or all of the graduation activities if the senior's conduct is such that it will discredit the graduating class or school.

Graduation exercises at individual secondary schools shall be held no earlier than the evening of the last day of school in the school term.

TRANSCRIPTS

Each graduating senior is entitled to three (3) free copies of his/her transcript.

DIPLOMAS FOR VETERANS

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

REFERENCES:

- ¹KRS 40.010; KRS 158.140; 704 KAR 7:140
- ²KRS 158.622
- ³KRS 156.160; 20 U.S.C. § 1414
- ⁴KRS 158.142; 704 KAR 3:305
- ⁵KRS 158.141
- KRS 156.027; KRS 158.135
- KRS 158.1411; KRS 158.143; KRS 158.183; KRS 158.281
- KRS 158.302; KRS 158.645; KRS 158.6451
- KRS 158.860
- 13 KAR 2:020; 702 KAR 7:125; 703 KAR 4:060
- 704 KAR 3:303; 704 KAR 3:306; 704 KAR 7:090; 704 KAR Chapter 8
- OAG 78-348; OAG 82-386
- Kentucky Academic Standards

RELATED POLICIES:

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

RELATED PROCEDURE:

- 09.12 AP.25

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1312

Home/Hospital Instruction

PURPOSE

Home/hospital instruction provides educational services to students who cannot attend school for extended periods due to temporary or recurring conditions, including fractures, surgical recuperation, or 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.

PROGRAMS FOR HOME/HOSPITAL INSTRUCTION

Students applying for home/hospital instruction shall supply satisfactory evidence of need, verified by a signed statement by a licensed physician, advanced registered nurse practitioner, psychologist or psychiatrist, or public health official that the student's condition prevents or renders inadvisable attendance at school. Some conditions that warrant home/hospital instruction are: fractures; surgical recuperation; other physical, health, or mental conditions; and certain communicable diseases, etc.

Home/Hospital Instruction**PROGRAMS FOR HOME/HOSPITAL INSTRUCTION (CONTINUED)**

In cases where pregnant students need home/hospital services because the students are nearly full-term and subject to deliver or have already delivered their babies and need home/hospital services during recovery, services will be provided two (2) weeks prior to delivery and six (6) weeks after delivery. Medical complications may extend the amount of time needed in the program. In such cases, the application must describe what is abnormal about the pregnancy and the complication present that prevents school attendance.

While in home/hospital instruction, elementary students may be promoted or retained by the home/hospital teacher, based on the student's academic progress in all the basic skills areas.

The home/hospital teacher shall determine the final grade for each class exceeding twelve (12) weeks. The grade shall be determined by the student's academic progress evaluated by the home/hospital teacher. Students enrolled in home/hospital instruction for less than a twelve (12)-week period shall be assigned a final grade in each class by the student's school-based teacher.

SECONDARY STUDENTS

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

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

Only core courses will be offered through home/hospital instruction.

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.

CURRICULUM AND INSTRUCTION

08.1312
(CONTINUED)

Home/Hospital Instruction

REFERENCES:

KRS 157.360; KRS 158.033; KRS 159.030
~~702 KAR 7:150~~; 704 KAR 3:303,
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

Deleted: ; 704 KAR 7:120

RELATED POLICIES:

08.22
09.122
09.123

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

CURRICULUM AND INSTRUCTION

08.14

Guidance and Mental Health Service Providers

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

SERVICES

Services provided by the guidance program shall consist of educational counseling; career and 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.²

SUPERINTENDENT TO REPORT

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

REFERENCES:

¹KRS 158.4416

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

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

RELATED POLICIES:

08.113; 09.14

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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

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LEGAL: SB 1 AMENDS KRS 160.345 TO REQUIRE THE SUPERINTENDENT TO DETERMINE WHICH CURRICULUM, TEXTBOOKS, INSTRUCTIONAL MATERIALS, AND STUDENT SUPPORT SERVICES SHALL BE PROVIDED IN THE SCHOOL AFTER CONSULTING WITH THE BOARD, THE PRINCIPAL, AND THE SCHOOL COUNCIL
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.2322

Review of Instructional Materials

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

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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.

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After being notified of the complaint, the Principal shall appoint a committee to review the material. The Principal shall inform the Superintendent of the complaint.

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The Review Committee will present its findings in writing to the Principal within thirty (30) days of its appointment, and the Principal shall decide on disposition of the material within two (2) weeks and shall inform the complainant and Superintendent in writing of his decision.

If the complaint is not resolved satisfactorily at the school level, it may be referred to the Superintendent and then the Board.

REFERENCES:

KRS 158.183

[KRS 160.345](#)

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

Deleted: In schools operating under SBDM, the review process shall be determined by council policy.¶
Individuals may appeal a council's decision concerning challenged materials under the Board's policy on appeal of SBDM decisions.¶

RELATED POLICIES:

02.42411; [08.1](#); 10.2

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

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.¹

EXCEPTIONS

Kindergarten (entry level of the primary program) shall be provided no less than the equivalent of one-half (1/2) day, five (5) days a week for a full school year for each kindergarten student.

Students with disabilities shall attend school in accordance with the provisions of their Individual Education Plan (IEP).

MASTER SCHEDULE

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

REFERENCES:

¹KRS 158.070
KRS 158.060
KRS 157.320
KRS 157.360
KRS 158.030; KRS 158.070
702 KAR 7:125
702 KAR 7:140

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RELATED POLICIES:

01.42; 06.31; 08.1112; 08.3

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

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

All other pupils shall be classified as nonresidents for school purposes.¹

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:

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

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;²
- Seeing that school personnel who provide McKinney-Vento Services receive professional development and other support; and
- Ensuring that unaccompanied youths are enrolled in school and receive support to accrue credits and access to higher education.

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

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

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

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

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

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

CHILDREN IN FOSTER CARE

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

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

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.

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.

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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**NONRESIDENTS**

Nonresident pupils may be enrolled in the District's schools in accordance with Board policies 09.1222, 09.124, and upon approval of the Superintendent. Once a nonresident student is enrolled for the academic year, the student may not be dismissed during that academic year without applicable due process.³

Nonresident pupils who have been expelled from another district must have Board approval before admission.

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.

Pending receipt of the student's records from the previous school, the Board reserves the right to withhold placement of a nonresident student.

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.

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Nonresident pupils may be admitted to the District schools upon payment of tuition and/or transfer of the pupil's average daily attendance as defined under Kentucky's public school fund.⁴⁶⁷¹

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

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.⁴

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:

¹KRS 159.010; OAG 78-64

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

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

⁴KRS 158.155; KRS 157.330; KRS 158.150

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
09.126 (re requirements/exceptions for students from military families)
09.14; 09.211

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⁷702 KAR 7:125¶

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LEGAL. HB 517 AMENDS KRS 159.035 TO REQUIRE THAT ANY STUDENT ENROLLED IN A PUBLIC SCHOOL SHALL NOT HAVE HIS OR HER PERFECT ATTENDANCE RECORD NEGATIVELY AFFECTED BY PARTICIPATING IN ANY OF THE PAGE PROGRAMS OF THE GENERAL ASSEMBLY FINANCIAL IMPLICATIONS. ALTHOUGH THE STUDENT IS NOT PRESENT AT SCHOOL, THE DISTRICT WILL STILL RECEIVE SEEK FUNDING

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

FINANCIAL IMPLICATIONS. STUDENT NO LONGER ENROLLED FOR SEEK FUNDING

STUDENTS

09.122

Attendance Requirements

COMPULSORY ATTENDANCE

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

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

EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

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

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PHYSICIAN'S STATEMENT REQUIRED

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

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,² or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.³
3. Students may participate in cocurricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when cocurricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.⁴
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.⁴
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.⁴
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.⁵
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.⁶
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.^{4 & 7}
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.³
10. Students participating in any of the page programs of the General Assembly.¹

STUDENTS

09.122
(CONTINUED)

Attendance Requirements

REFERENCES:

- ¹KRS 159.010; OAG 85-55
- ²KRS 159.030
- ³KRS 159.035
- ⁴702 KAR 7:125
- ⁵KRS 158.240
- ⁶KRS 158.070
- ⁷704 KAR 3:305
- ~~⁸KRS 158.143~~
- KRS 158.030
- KRS 159.020; KRS 159.180; KRS 159.990
- 704 KAR 5:060
- OAG 79-68; OAG 79-539; OAG 87-40; OAG 97-26

RELATED POLICIES:

- 08.131; 08.1312
- 09.111; 09.121; 09.123; 09.36

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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

STUDENTS

09.1222

CHOOSE ONE OF THESE
OPTIONS:

Nonresident Students

☐ The District shall not allow nonresident students to enroll in the District.

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☒ 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.

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****See Drafted Policy**

~~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.~~

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****See Drafted Policy**

REFERENCES:

¹KRS 158.120
KRS 157.350

RELATED POLICIES:

09.12; 09.124; 09.313; 09.42811

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Nonresident Students**RESIDENCE DEFINED**

Except for emancipated pupils, the legal residence of a pupil is determined by the physical address of the legal residence of the parent or guardian and not by the address at which the pupil is living.

BOARD APPROVAL

The Board shall allow non-resident students to enroll in the District pursuant to existing Admissions and Attendance Policy 09.12 and related procedures.

CRITERIA

The Board may allow non-resident students to enroll in the District under the following conditions:

- A) When the student has not been expelled from the school in which he was last enrolled.
- B) When the student is not under suspension from the school in which he is or was enrolled.
- C) When the students does not have an unacceptable history of disciplinary problems.
- D) When class sizes will allow admission of the student.
- E) When no district vehicles will be required to leave the school district to pick up the student; and
- F) When the school district of residence agrees to release the ADA.

The Board may withdraw approval of the request for admission upon the discovery of any false or misleading information accompanying the request.

PROBATION

At any time during the school year, a list of names of non-resident students who have failed to meet the criteria established for non-resident students is sent to the Director of Pupil Personnel. The criteria are based on satisfactory conduct, attendance, and grades. Non-resident students who have failed to meet any of these criteria will receive a letter from the Principal placing those students on probation. Acceptance for enrollment in subsequent years may be reviewed at the end of each school year.

REFERENCES:

1KRS 158.120
KRS 157.350

RELATED POLICIES:

09.12; 09.124; 09.313; 09.42811

LEGAL: HB 44 AMENDS KRS 159.035 STATING THAT THE BOARD MAY INCLUDE PROVISIONS IN THIS POLICY FOR EXCUSED ABSENCES DUE TO A STUDENT'S MENTAL OR BEHAVIORAL HEALTH FINANCIAL IMPLICATIONS: NONE ANTICIPATED
LEGAL: HB 517 AMENDED KRS 159.035 TO REQUIRE THAT ANY STUDENT ENROLLED IN A PUBLIC SCHOOL SHALL NOT HAVE HIS OR HER PERFECT ATTENDANCE RECORD NEGATIVELY AFFECTED BY PARTICIPATING IN ANY OF THE PAGE PROGRAMS OF THE GENERAL ASSEMBLY. FINANCIAL IMPLICATIONS: ALTHOUGH THE STUDENT IS NOT PRESENT AT SCHOOL, THE DISTRICT WILL STILL RECEIVE SEEK FUNDING

STUDENTS

09.123

Absences and Excuses

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

TRUANCY DEFINED

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

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

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

EXCUSED ABSENCES

An excused absence or tardiness is one for which work may be made up, such as:

1. Illness of the pupil, including mental or behavioral health;
2. Death or severe illness in the pupil's immediate family;
3. Medical or dental appointments with written verification by the doctor or dentist;
4. Court summons and subpoenas;
5. Religious holidays and practices;
6. Driver's license test or examination;
7. One (1) day for attendance at the Kentucky State Fair;
8. Documented military leave;
9. One (1) day prior to departure of parent/guardian called to active military duty;
10. One (1) day upon the return of parent/guardian from active military duty;
11. 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;
12. Ten (10) days for students attending basic training required by a branch of the United States Armed Forces;
13. Students participating in any of the page programs of the General Assembly;² or

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

14. 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.

VERIFICATION REQUIRED

Students who have been absent or tardy are required to bring, upon their return to school, written and dated notes signed by the parent or guardian to explain the absence or tardy or otherwise satisfy the Principal as to the validity of the excuse.

Even though a student may have parental consent to stay away from classes, the school authorities reserve the right to decide the validity of the absence.

MAKE-UP WORK

Requesting make-up work is the responsibility of the student.

Make-up work shall be required for students with unexcused absences. All credit for make-up work will be reduced by twenty percent (20%) for students with unexcused absences.

PERFECT ATTENDANCE

A student has perfect attendance if s/he has zero (0) absences and zero (0) tardies. Absences due to school-sponsored/approved events shall not be considered when calculating absences for the purposes of determining perfect attendance.

REFERENCES:

¹702 KAR 7:125

²~~KRS 159.035~~

KRS 36.396; KRS 38.470; KRS 40.366

KRS 158.070; KRS 158.183; KRS 158.293; KRS 158.294

KRS 159.140; KRS 159.150; KRS 159.180

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

Deleted: KRS 159.035.

STUDENTS

09.123
(CONTINUED)

Absences and Excuses

RELATED POLICIES:

09.111; 09.122; 09.4281
09.126 (re requirements/exceptions for students from military families)

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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

Deleted: STUDENTS 09.125

~~Reciprocal Agreements with Other School Districts~~

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

~~While the equal exchange of students between individual school districts is the goal of the Board, it is recognized that many people may live in one school district and work in another, or for other reasons live in this District and enroll their children in another school system, or live outside this school District and desire to enroll their children here.~~

~~Giving consideration to the needs of parents and students both within and without the District, the Superintendent shall have the authority to permit the exchange of students between this District and others with which it has signed a reciprocal agreement, even when to do so would involve an unequal exchange of students between districts.~~

~~REFERENCES:~~

~~¹KRS 157.350(4)~~

~~²702 KAR 7:125 (Section 8)~~

~~OAG 91-75~~

~~RELATED POLICIES:~~

~~09.12~~

~~09.124~~

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

STUDENTS

09.313

Eligibility (Athletics)

Any student who transfers enrollment from a district of residence to a nonresident district shall be ineligible to participate in interscholastic athletics for one (1) calendar year from the date of transfer.²

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District standards for playing up from middle school (grades seven and eight [7 & 8]) to high school in sports other than football and soccer may include, but are not limited to, considerations related to safety, physical readiness, use of school space after the school day, transportation, funding, the student's disciplinary status and record, any substance testing restrictions, equitable opportunities for participation, 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.¹

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.

The SBDM Councils shall establish eligibility requirements for participation in practices and competitions. High school requirements shall be no less rigorous than specified by KHSAA.

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.

REFERENCES:

- ¹KRS 160.345
- ²KRS 156.070
- KRS 160.1592
- 702 KAR 7:065; OAG 15-022
- Kentucky High School Athletic Association (KHSAA)

RELATED POLICIES:

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

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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.¹

PURPOSE

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

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

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

As required by Kentucky Administrative Regulation:

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

ELIGIBILITY CRITERIA

Alternative education placements may be utilized for students at high school level.

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.

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.

Deleted: ILPA TEAM (CONTINUED)

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:

Alternative Education**TRANSITION(CONTINUED)**

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. 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).

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

REFERENCES:

¹KRS 160.380

²704 KAR 19:002

³KRS 158.143

707 KAR 1:320

Student Discipline Guidelines, Kentucky Department of Education

OAG 77-419

RELATED POLICIES:

08.131, 08.141

09.123, 09.14, 09.426

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. THIS IS COVERED IN OTHER POLICY AREAS
FINANCIAL IMPLICATIONS NONE ANTICIPATED

DRAFT TO RESCIND 4/19/22

CURRICULUM AND INSTRUCTION

08.23

Textbooks and Instructional Materials

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The Principal, or school council where operational, shall develop a plan to provide the necessary textbooks, programs, and instructional materials for all grades and subject areas. This plan shall be developed in accordance with applicable statutes and regulations.¹ The Floyd County Board of Education encourages all schools and School-Based Decision-Making Councils to adopt textbooks and instructional materials for common grades and courses across the District as recommended by the District Textbook Committee to promote consistency within the District.¶

TIME LINE¶

The Principal of each school shall comply with the Textbook/Instructional Resources Time Line (Procedure 08.23 AP.1) in accordance with applicable procedures.¶

DISTRICT RECORD¶

The Superintendent shall keep on file the plans developed by each school. All purchases made with textbook, programs, and instructional materials allocations shall be specifically identified in District records.¶

Each school may carry forward to the next fiscal year any part of the state textbook, programs, and instructional materials allocation distributed to the school that has not been spent or committed in the current fiscal year.¶

INVENTORY¶

The Principal of each school shall be responsible for obtaining textbook inventories and submitting them to the Superintendent or designee by June 30.¶

RENTAL FEES¶

Students in Grades 9 – 12 may rent textbooks. If rental is authorized, the Board shall establish textbook rental fees annually in compliance with Kentucky statutes and administrative regulations.¶

ACCESS¶

Textbooks, programs, and/or instructional materials shall be made available to all students. If circumstances arise beyond the school's control which prevents the selected textbooks/instructional materials from being available to students on their first day of the school year, the Principal shall complete and submit the Textbooks and Instructional Resources Waiver Form (Procedure 08.23 AP.2) to the Superintendent and make appropriate temporary substitutions as approved by the Superintendent.¶

WAIVER OF FEES¶

The Superintendent shall recommend and the Board shall approve a process to waive fees for students who qualify for free and reduced-price meals. At the beginning of the school year or at the time of enrollment, all students who qualify shall be given clear and prominent written notice of the fee waiver provisions. The written notice of the fee waiver process shall include a form that parents may use to request waiver of fees. Mandatory waiver of fees for qualifying students shall be accomplished in compliance with applicable statutory and regulatory requirements.¹ ¶

Textbooks and Instructional Materials**Deleted: WAIVER OF FEES (CONTINUED)**

No student shall be denied full participation in any educational program due to an inability to pay for, or rent, all necessary school supplies, including textbooks.²

SELECTION

Within approved District budget limits, textbooks, programs, and instructional materials shall be selected by SBDM School Councils. Where no Council is operational, school committees shall make the selections, subject to approval by the Principal.

RESPONSIBILITY

Students or parents shall compensate the District for textbooks that are lost, damaged, or destroyed while in the student's possession.

SECTARIAN TEXTS

No book or other publication of a sectarian, infidel, or immoral character or one that reflects on any religious denomination shall be used or distributed in any school.⁴

REFERENCES:

¹KRS 156.439

²KRS 158.108

³KRS 160.330; 702 KAR 3.220

⁴KRS 158.190

KRS 157.100; KRS 157.180

KRS 157.160; KRS 157.170; KRS 157.180

KRS 157.190; KRS 157.440

KRS 156.400; KRS 156.439; KRS 156.440

KRS 156.445; KRS 156.460; KRS 156.465

KRS 156.474; KRS 156.476; KRS 160.345

702 KAR 3.246

702 KAR 3.455

RELATED POLICIES:

02.4242

02.4243

04.1

04.31

08.232

09.15

09.421

LEGAL: REGULATION 704 KAR 4:020 HAS BEEN RECODIFIED AND NO LONGER EXISTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

DRAFT 3/29/22

STUDENTS

09.211

Health Care Examination

All pupils shall undergo preventive student health care, dental, and vision examinations as required by Kentucky Administrative Regulation, which shall be reported on the state forms or an electronic medical record that includes all of the data equivalent to that on the appropriate forms required by state regulation.^{1&2}

IMMUNIZATIONS

The immunization certificate form shall be on file upon a student's enrollment in school.

Deleted: required by 704 KAR 4:020

A current immunization certificate shall be required for home-schooled students prior to attending one (1) or more in-school classes or participating in sports or other school-sponsored extra-curricular activities.

Forms relating to exemptions from immunization requirements shall be available at each school.

Immunization certificates shall be kept current.¹

The parent/guardian shall provide a current immunization certificate at enrollment in a day care center, kindergarten, seventh grade, eleventh grade, and for the 2018-2019 school year for twelfth grade; new enrollment at any grade; upon legal name change; and at a school required examination pursuant to 702 KAR 1:160.

REFERENCES:

¹KRS 156.160

²902 KAR 2:060

KRS 214.036; KRS 214.034

KRS 158.035

902 KAR 2:090

OAG 82-131

Health Services Reference Guide, Kentucky Department of Education

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

McKinney-Vento Act, 42 U.S.C. 11431 et seq.

Deleted: ; 704 KAR 4:020

RELATED POLICIES:

09.121

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

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

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

MEMBERS APPOINTED BY THE SUPERINTENDENT:												SCHOOL YEAR _____
Student(s)	Parent(s) ¹	Community Representative(s) ¹	Board Member(s) ²	Council Member(s)	Other School Leader(s) ³	Teacher(s)	Paraprofessionals(s) ³	Principal(s)	Central Office Administrator(s)	Other Administrator(s) ¹	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 and to Central Office staff 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 non-cognitive 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;
 - 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, 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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POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.91 AP.1
(CONTINUED)

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

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.

Deleted: The Board may utilize locally developed superintendent evaluation procedures.

Evaluation of the SuperintendentPERFORMANCE 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 SuperintendentSTANDARD 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 SuperintendentSTANDARD 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 SuperintendentSTANDARD 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 SuperintendentSTANDARD 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 SuperintendentSTANDARD 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 SuperintendentSTANDARD 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 SuperintendentDISTRICT 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 SuperintendentGOAL 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 SuperintendentGOAL 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 SuperintendentGOAL 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: _____

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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)	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 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, upon District request	KRS 158.305			✓	

Deleted: Response to Intervention

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.

Procurement

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.

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.

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Deleted: 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

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.

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.

Procurement

- 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](#). This application is available from the Kentucky Department of Education website.

RELATED PROCEDURES:

08.1312 AP.21

08.1312 AP.23

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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 may be obtained from the school library and will be made available to any resident of the District at the Superintendent'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.

Deleted: Principal

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 two (2) weeks after receipt of the completed form.

Deleted: Present its findings in writing to the Principal and/or school council, as appropriate, within thirty (30) days of its appointment

Deleted: and Superintendent

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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.

Review of Challenged Instructional Materials

APPEAL (CONTINUED)

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.

Within ten (10) school days after the complainant has been informed of the Superintendent/designee's decision, 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.

Deleted: Principal's

Deleted: SCHOOLS ADOPTING SBDM
Reviews of challenged instructional materials in schools that have adopted School Based Decision Making shall follow policies that 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

Deleted: School _____
Teacher _____
PLEASE INDICATE THE FORMAT OF THE MATERIAL (BOOK, DVD, MAGAZINE, CD, ETC.): _____
Title _____
AUTHOR _____
PUBLISHER/PRODUCER _____
NON-FICTION
PURPOSE What is the purpose of the material? _____
Is the purpose accomplished? <input type="checkbox"/> YES <input type="checkbox"/> NO
Authenticity Is the author competent and qualified in the field? <input type="checkbox"/> YES <input type="checkbox"/> NO What are the reputation and significance of the author and publisher/producer in the field? _____
Is the material current and accurate? <input type="checkbox"/> YES <input type="checkbox"/> NO Are information sources well documented? <input type="checkbox"/> YES <input type="checkbox"/> NO Are translations and retellings faithful to the original? <input type="checkbox"/> YES <input type="checkbox"/> NO
Appropriateness Does the material promote the educational goals and objectives of the curriculum? <input type="checkbox"/> YES <input type="checkbox"/> NO Is it appropriate to the level of instruction intended? <input type="checkbox"/> YES <input type="checkbox"/> NO Are the illustrations appropriate to the subject and age levels? <input type="checkbox"/> YES <input type="checkbox"/> NO
Content Is the content well presented by providing adequate scope, range, depth and continuity? <input type="checkbox"/> YES <input type="checkbox"/> NO Does this material present information not otherwise available? <input type="checkbox"/> YES <input type="checkbox"/> NO Does this material give a new dimension or direction to its subject? <input type="checkbox"/> YES <input type="checkbox"/> NO
Reviews Source of review _____ <input type="checkbox"/> Favorably reviewed <input type="checkbox"/> Unfavorably reviewed Does this title appear in one or more reputable selection aids? <input type="checkbox"/> YES <input type="checkbox"/> NO If answer is yes, please list titles of selection aids: _____
Does this material give a new dimension or direction to its subject? <input type="checkbox"/> YES <input type="checkbox"/> NO
Page Break
CURRICULUM AND INSTRUCTION 08.2322 AP.22 (CONTINUED)
STAFF/SCHOOL COUNCIL RECONSIDERATION OF INSTRUCTIONAL/LIBRARY MATERIALS
Fiction
PURPOSE What is the purpose, theme, or message of the material? _____
Is the purpose accomplished? <input type="checkbox"/> YES <input type="checkbox"/> NO ... [1]

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

Reconsideration Decision

Deleted: Staff/School Council

(Date)

Dear _____:

The Review Committee has reviewed your request to reconsider _____ We have decided to:

Deleted: staff

☐ 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

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

09.12 AP.21

Form to be used by **NONRESIDENT** students requesting admission.

Reason for Transfer _____

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.

Date _____

Professional recommendation, if required

Date _____

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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

Deleted: Admissions

NONRESIDENT TRANSFERS

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

- I. Complete the school's registration forms, which must be signed by the parent/guardian(s)
- II. 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:
 - A. 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.
 - B. Birth certificate or other proof of age.
 - C. Report of student's conduct including, but not limited to, physical violence and disciplinary action taken.
 - D. Statement of student's attendance.
 - E. Student's physical examination and immunization records.
- III. Nonresident pupils will only be enrolled when they can be assigned to classes where the enrollment is below the allowable maximum.
- IV. A student expelled from his/her previous school during the last school year must have Board approval before being admitted and must have his/her records and experiences reviewed before permission is granted for enrollment.
- V. When the number of nonresident students must be limited due to enrollment capacity, the following priorities will be observed:
 - A. Those nonresident students attending school in this District last year will have priority over new applicants.
 - B. Siblings of nonresident students already attending school in the District shall have priority over new applicants who do not have siblings currently enrolled.
 - C. Students of District employees will have priority over new applicants.
 - D. When priorities are equal, the date of application will be the determining factor for enrollment.
- VI. Nonresident pupils may be enrolled in the District's schools in accordance with Board policies 09.1222, and 09.124.
- VII. The decision of the Principal in granting enrollment of nonresident pupils may be appealed to the Superintendent. If the Superintendent's decision is not satisfactory, an appeal may be made to the Board. The decision of the Board shall be final.

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Deleted: admitted to

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Deleted: addressing reciprocal agreements (09.125)

Deleted: admission

STUDENTS

09.12 AP.22
(CONTINUED)

Nonresident Student Enrollment

Deleted: Admissions

RELATED POLICIES:

09.12 (all procedures)

09.1222, 09.124 (all procedures)

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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

ADA Exchange

In cases where nonresident students or out-of-state students would attend a school within the District, the Board would set the amount of tuition.

Deleted: 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, ADA shall be exchanged between the two (2) districts.¶

NO EXCHANGE¶

Deleted: and should the two (2) districts not enter into a written contract to educate the nonresident/out-of-state students,

School _____ Teacher _____

PLEASE INDICATE THE FORMAT OF THE MATERIAL (BOOK, DVD, MAGAZINE, CD, ETC.): _____

Title _____

AUTHOR _____

PUBLISHER/PRODUCER _____

NON-FICTION**PURPOSE**

What is the purpose of the material? _____

Is the purpose accomplished? ☐ YES ☐ NO**Authenticity**Is the author competent and qualified in the field? ☐ YES ☐ NOWhat are the reputation and significance of the author and publisher/producer in the field?
_____Is the material current and accurate? ☐ YES ☐ NOAre information sources well documented? ☐ YES ☐ NOAre translations and retellings faithful to the original? ☐ YES ☐ NO**Appropriateness**Does the material promote the educational goals and objectives of the curriculum? ☐ YES ☐ NOIs it appropriate to the level of instruction intended? ☐ YES ☐ NOAre the illustrations appropriate to the subject and age levels? ☐ YES ☐ NO**Content**Is the content well presented by providing adequate scope, range, depth and continuity? ☐ YES ☐ NODoes this material present information not otherwise available? ☐ YES ☐ NODoes this material give a new dimension or direction to its subject? ☐ YES ☐ NO**Reviews**

Source of review _____

☐ Favorably reviewed ☐ Unfavorably reviewedDoes this title appear in one or more reputable selection aids? ☐ YES ☐ NO

If answer is yes, please list titles of selection aids. _____

Does this material give a new dimension or direction to its subject? ☐ YES ☐ NO

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CURRICULUM AND INSTRUCTION

08.2322 AP.22

(CONTINUED)

**STAFF/SCHOOL COUNCIL RECONSIDERATION OF INSTRUCTIONAL/LIBRARY
MATERIALS****Fiction****PURPOSE**

What is the purpose, theme, or message of the material? _____

Is the purpose accomplished? ☐ YES ☐ NO

Does reading, viewing, and/or listening to material result in more compassionate understanding of human beings? ☐ YES ☐ NO

Does it offer an opportunity to better understand and appreciate the aspirations, achievements, and problems of various ethnic groups? ☐ YES ☐ NO

Are questionable elements of the story central to a worthwhile theme or message? ☐ YES ☐ NO

Content

Is the view of life presented in the material a realistic one? ☐ YES ☐ NO

When factual information is part of the story, is it presented accurately? ☐ YES ☐ NO

Are concepts age appropriate for the potential readers? ☐ YES ☐ NO

Do characters speak in a language true to the period/section of the country in which they live? ☐ YES ☐ NO

Is the presentation of the main character or any of the minor characters offensive? ☐ YES ☐ NO

Is there preoccupation with sex, violence, cruelty, brutality, and aberrant behavior that would make this material inappropriate? ☐ YES ☐ NO

If there is use of offensive language, is it appropriate to the purpose of the text? ☐ YES ☐ NO

Is the material well written or produced? ☐ YES ☐ NO

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

Does the material make a significant contribution to the history of literature? ☐ YES ☐ NO

Are the illustrations appropriate and in good taste? ☐ YES ☐ NO

Are the illustrations realistic in relation to the story? ☐ YES ☐ NO

ADDITIONAL
COMMENTS: _____

Principal/designee's Signature

Date

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

All appointments, promotions, and transfers of certified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes and, if a school-based position is to be filled, shall be submitted with a certified statement reflecting the school's entitlement, current staffing, the reason(s) why the position was vacant, and the financial impact of the employment.

When a vacancy occurs, the Superintendent shall notify the Commissioner of Education fifteen (15) days before the position is to be filled.

When a vacancy needs to be filled in less than fifteen (15) days to prevent disruption of necessary instructional or support services of the school District, the Superintendent may seek a waiver of the fifteen (15)-day advance notice requirement from the Commissioner of Education. If the waiver is approved, the appointment shall not be made until the person selected by the Superintendent has been approved by the Commissioner of Education.

EFFECTIVE DATE

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

QUALIFICATIONS

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

A "qualified applicant" is an individual who:

1. Holds proper certification for the position sought;
2. Has no actions pending or sanctions applied against his/her administrative and/or teaching certificate;
3. Is not currently under contractual agreement with another board of education and said agreement cannot be terminated without violating [KRS 161.780\(1\)](#); and
4. Has not been formally placed at another school within this District no later than thirty (30) days before the first student attendance day of the school year unless released from placement by the Superintendent pursuant to Policy 03.1311 (Transfer).

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

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

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING

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

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

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

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

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

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

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

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

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

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

REPORT TO SUPERINTENDENT

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

Hiring

JOB REGISTER

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

VACANCIES POSTED

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

When a vacancy for a teaching position occurs in the District, the Superintendent shall conduct a search to locate minority candidates to be considered for the position.

REVIEW OF APPLICATIONS

The Superintendent shall release all applications to the Department Lead for district level positions. The Lead shall select no fewer than five (5) applicants for District positions, unless there were fewer than five (5) applicants.

The Superintendent shall appoint members of an Interview Committee. The Interview Committee, which may include the Superintendent, shall be composed of at least three (3) members, one (1) of whom shall be a building Principal. All applicant interviews shall be arranged through the Office of Human Resources.

Applications for candidates not employed shall be retained for three (3) years.

To be considered an applicant for a position, the person must have the following information on file in the District Office of Human Resources:

1. Completed application form;
2. Copy of valid Kentucky teaching certificate or Intern Statement of Eligibility, if required;
3. Official transcript of all college work and/or a copy of the person's high school diploma or High School Equivalency Diploma; and
4. Three (3) letters of recommendation on the required form.

RELEASE OF APPLICATIONS

Only complete applications shall be released to schools or to the Department Lead ~~District Position Screening Committee~~. The Office of Human Resources shall accept all applications for positions but shall release applications to school councils and ~~interview committees~~ Department Lead beginning with applications submitted by individuals who are certified in terms of subject matter and grade range and who are currently employed by the District. If no hiring selection results from the initial release of applications, the District shall forward all remaining applications to the council or interview committee. A school council may receive all available applications with the initial release if such a request is made to the Superintendent.

Hiring

BEST-QUALIFIED APPLICANT

Floyd County Schools is committed to hiring the best-qualified applicant for a certified vacancy as outlined in [KRS 161.100](#) and [016 KAR 002:120](#). If a recommendation or selection is made to employ an applicant who is not the best-qualified, then documentation shall be provided and shall support why the better-qualified applicant(s) were not recommended or selected. The documentation shall be based on references, evaluations, attendance patterns, communications regarding past performance according to previous supervisors, and notes from personal interviews.

RELATIONSHIPS

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

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

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

A relative of the Superintendent shall not be employed except as provided by [KRS 160.380](#).

CONTRACT

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

JOB DESCRIPTION

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

EMPLOYEES SEEKING A JOB CHANGE

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

Hiring

REFERENCES:

¹ [KRS 160.380](#)

² [KRS 161.605](#); [702 KAR 001:150](#)

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

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

45 C.F.R. § 1302.90

KRS Chapter 13B

[KRS 17.160](#); [KRS 17.165](#)

[KRS 156.106](#); [KRS 160.345](#); [KRS 160.390](#)

[KRS 161.042](#); [KRS 161.611](#); [KRS 161.750](#)

[KRS 335B.020](#); [KRS 405.435](#)

[016 KAR 009:080](#); [702 KAR 003:320](#); [704 KAR 007:130](#)

[OAG 18-017](#); [OAG 73-333](#); [OAG 91-10](#); [OAG 91-149](#); [OAG 91-206](#)

[OAG 92-1](#); [OAG 92-59](#); [OAG 92-78](#); [OAG 92-131](#); [OAG 97-6](#)

[Records Retention Schedule, Public School District](#)

RELATED POLICIES:

01.11; 02.4244; 03.1311; 03.132

Adopted/Amended: 7/27/2020
Order #: 19661

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

All appointments, promotions, and transfers of classified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes and, if a school-based position is to be filled, shall be submitted with a certified statement reflecting the school's entitlement, current staffing, the reason(s) why the position was vacant, and the financial impact of the employment.

EFFECTIVE DATE

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

HIRING OF RETIRED PERSONS

The Superintendent may rehire at full pay classified personnel (62 years of age or older) who have retired from the District and are receiving Social Security and County retirement benefits.

CRIMINAL BACKGROUND CHECK AND TESTING

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

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

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

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

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

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

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

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

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

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

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

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

REPORT TO SUPERINTENDENT

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

EDUCATIONAL REQUIREMENTS

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

All paraprofessionals shall satisfy educational requirements specified by federal law.⁴

JOB REGISTER

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

VACANCIES POSTED

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

REVIEW OF APPLICATIONS

Applications for candidates not employed shall be retained for three (3) years.

Only complete applications shall be released to schools and Department Leads. The Superintendent shall release all applications to the District Lead for district level positions. The Lead will select no fewer than five (5) qualified applicants to interview. The Interview Committee, which may include the Superintendent, shall be composed of at least three (3) members, one (1) of whom shall be a building Principal. All applicant interviews shall be arranged through the Office of Human Resources.

Hiring**REVIEW OF APPLICATIONS (CONTINUED)**

To be considered an applicant for a position, the person must have the following information on file in the Office of Human Resources:

1. Completed application form;
2. Current license, if required, by position;
3. Official transcript of all college work and/or a copy of the person's high school diploma or High School Equivalency Diploma; and
4. Three (3) letters of recommendation on the required form.

HIRING RELATIONSHIPS

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

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

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

EMERGENCY HIRING

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

JOB DESCRIPTION

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

CONTRACT

All regular full-time and part-time employees shall receive a contract.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT FOR SUBSTITUTE CLASSIFIED EMPLOYEES

Substitute classified employees shall be notified in writing by April 30 of each year as to whether they have reasonable assurance of continued employment for the following year.

EMPLOYEES SEEKING A JOB CHANGE

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

Hiring

REFERENCES:

¹[KRS 160.380](#)

²[702 KAR 005:080](#), [KRS 160.345](#), [KRS 160.390](#)

³[KRS 161.011](#)

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

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

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

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

KRS Chapter 13B

[KRS 17.160](#), [KRS 17.165](#); [KRS 156.070](#); [KRS 335B.020](#), [KRS 405.435](#)

[OAG 18-017](#); [OAG 91-10](#), [OAG 91-149](#), [OAG 91-206](#)

[OAG 92-1](#), [OAG 92-59](#), [OAG 92-78](#), [OAG 92-131](#)

[013 KAR 003:030](#); [702 KAR 003:320](#)

Kentucky Local District Classification Plan

Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

Adopted/Amended: 7/27/2020

Order #: 19661

Hiring

The following procedures shall apply in the recruitment, selection, and employment of all classified and certified personnel hired in the District.

RECRUITMENT

Recruiting shall be the responsibility of the Superintendent/designee. Efforts shall be made to recruit a quality staff to include, but not be limited to:

1. Working through placement bureaus of regional and state colleges and universities;
2. Conducting orientation meetings with students at the high school relating to future employment opportunities with the District;
3. Working with state educational associations and the state department of education;
4. Conducting recruitment programs through parent-teacher organizations; and
5. Advertising through appropriate media.

POSTING

Vacancies shall be posted in the Central Office, in each school building during the school year, and in the following, as appropriate:

1. Local and/or state newspapers,
2. Predetermined locations in the community;
3. Professional publications, and/or
4. Campus recruiting offices.

NOTE: Districts are required to post all certified vacancies on the Kentucky Department of Education's web site.

CERTIFIED VACANCIES

The Superintendent/designee shall notify the Chief State School Officer of the vacancy at least fifteen (15) days prior to filling the position. When such a vacancy needs to be filled in fewer than fifteen (15) days to prevent disruption of necessary instructional or support services, a waiver may be requested from the Chief State School Officer. If the waiver is approved, the appointment shall not be made until the person selected has been approved by the Chief State School Officer.

APPLICATIONS

Completed applications should be filed with the Department of Human Resources and accompanied by transcripts and certificates, as appropriate. Current and former employees must complete the same process of application as required of all other candidates.

The Human Resources staff shall review each application for completeness and shall send a notice to each applicant indicating (a) the date of the review and (b) any additional materials requested.

Hiring**SELECTION FACTORS**

Applicant screening shall be based on the following factors:

1. Completeness of application
2. Education
3. Work experience
4. References
5. Potential for success in position

INTERVIEW PROCESS

In screening applicants for district level positions, the District Department Lead will recommend a minimum of five (5) applicants for interviews with the Superintendent/designee. If the Interview Committee does not recommend an applicant from this list then interviews shall continue until either a candidate is selected or the list of qualified applicants is exhausted.

EMPLOYMENT

For SBDM schools, hiring shall follow statutory guidelines and the provisions of Policy 02.4244, and the Superintendent shall complete the hiring process. Decisions on Central Office and District-wide personnel shall be made by the Superintendent/designee. The Superintendent shall inform the Board of the appointment of all personnel.

CONTRACT

Personnel hired by the Superintendent shall be notified of their contractual obligations by letter. Contracts shall be signed during the orientation scheduled for all new employees.

NEW HIRE REPORTS

Within twenty (20) days of hiring a new employee or an employee's return from leave, the District shall submit a report as directed by the Cabinet for Families and Children for each newly hired employee and for those employees returning to work from an unpaid leave of absence lasting more than thirty (30) days or from a reduction in force.

Review/Revised:7/26/2021

- CERTIFIED PERSONNEL -**Salary Deductions****MANDATORY DEDUCTIONS**

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational tax, when applicable;
3. The Teachers' Retirement System of the State of Kentucky;
4. Any deductions required as a result of judicial process, e.g., salary attachments, etc.; and
5. Medicare (FICA) - applicable to personnel newly hired after 3/31/86.

OPTIONAL DEDUCTIONS

Pursuant to the provisions of [KRS 161.158](#), the following optional payroll deductions are authorized by the Board for those employees who choose to participate:

1. Board approved health/life insurance program;
2. Board approved Tax Sheltered Annuity program;
3. Other state approved deferred compensation plan;
4. Board approved credit union;
5. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
6. Membership dues for professional teachers' organizations when thirty percent (30%) or more eligible members request the deduction. Such deductions may include a life insurance plan and an income protection plan associated therewith, but excluding teachers' organizations devoted to a particular discipline or disciplines, e.g., organizations for mathematics teachers, English teachers, etc. (For purposes of this policy, a professional teacher organization is one in which all teachers are eligible for membership.)
7. Membership dues in professional administrators' or supervisors' organizations when thirty percent (30%) or more of the eligible members request the deductions. Such deductions may include a life insurance plan and an income protection plan associated therewith, but excluding administrators' or supervisors' organizations devoted to a particular discipline or disciplines, e.g., organizations for school business officials, personnel officers, etc. (For purposes of this policy, a professional administrators' or supervisors' organization is defined as a professional organization in which all administrators and supervisors are eligible for membership.)

The above limitations as to groups specified in subsections (6) and (7) above are designed to permit the Board to maintain a practicable control over the number of payroll deductions.

Deductions for membership dues of an employee organization, association, or union shall only be made upon the express written consent of the employee. This consent may be revoked by the employee at any time by written notice to the employer.

Salary Deductions

OPTIONAL DEDUCTIONS (CONTINUED)

~~Additional payroll deductions requested by employees shall be made only with the Superintendent's approval. Administrative procedures may limit the number of participants required before additional programs are approved.~~

Change to:

No new optional insurance program deductions shall be made for any organization enrolling less than fifty (50) employees.

All eligible employees may participate in the cafeteria plan of optional insurance benefits.

No other payroll deductions shall be made by the boards.

REFERENCES:

[KRS 160.291; KRS 161.158](#)

[KRS 336.134](#)

[702 KAR 001:035; OAG 72-802](#)

Adopted/Amended: 7/24/2017

Order #: 19245

- CLASSIFIED PERSONNEL -**Salary Deductions****MANDATORY DEDUCTIONS**

Mandatory payroll deductions made by the Board include:

1. State and federal income taxes;
2. Occupational tax, when applicable;
3. Social Security, when applicable;
4. County Employees' Retirement System of the State of Kentucky, when applicable;
5. Any deductions required as a result of judicial process, e.g., salary attachments, etc.; and
6. Medicare (FICA) - applicable to personnel newly hired after 3/31/86.

OPTIONAL DEDUCTIONS

Pursuant to the provisions of [KRS 161.158](#), the following optional payroll deductions are authorized by the Board for those employees who choose to participate:

1. Board approved health/life insurance program;
2. Board approved Tax Sheltered Annuity program;
3. Other state approved deferred compensation plan;
4. Board approved credit union;
5. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans;
6. Membership dues for job-related organizations when thirty percent (30%) or more eligible members request the deduction(s). Such deductions may include a life insurance plan and an income protection plan associated therewith.

Deductions for membership dues of an employee organization, association, or union shall only be made upon the express written consent of the employee. This consent may be revoked by the employee at any time by written notice to the employer.

Additional payroll deductions requested by employees shall be made only with the Superintendent's approval. Administrative procedures may limit the number of participants required before additional programs are approved.

Add:

No new optional insurance program deductions shall be made for any organization enrolling less than fifty (50) employees.

All eligible employees may participate in the cafeteria plan of optional insurance benefits.

No other payroll deductions shall be made by the boards.

REFERENCES:

PERSONNEL

03.2211

- CLASSIFIED PERSONNEL -

Salary Deductions

[KRS 160.291](#); [KRS 161.158](#)

[KRS 336.134](#)

[702 KAR 001:035](#); [OAG 72-802](#)

Adopted/Amended: 7/24/2017

Order #: 19245

***FORM NO LONGER NEEDED**

PERSONNEL

03.1211 AP.21

Employee Request for Optional Salary Deductions

Enrollment form(s) for programs checked below must be submitted to the Central Office designee.

Annually, employees shall complete and file this form with the Superintendent/designee by

☐ June 1

☐ July 1

☐ Other; specify _____.

Employees who are hired after June 1 must complete this form within the first ten (10) working days.

The following minimum number of payers (not number of contracts) is required for each type of payroll deduction:

☐ 10

☐ 15

☐ 25

☐ Other, specify _____.

Except for tax-sheltered annuity deductions, the Board shall discontinue current payroll deductions at the end of the fiscal year when the number of employees making payments to any agency or company falls below the required number of payers.

I hereby authorize the following salary deduction(s) for the _____ school year.

INSURANCE OPTIONS

☐ Option _____ of the Board-approved family plan health insurance program(s)

☐ Option _____ of the State family plan health insurance program(s)

☐ Option _____ of the Board-approved life insurance program(s)

☐ Option _____ of the State life insurance program(s)

☐ Option _____ of the Board-approved dental insurance program(s)

☐ Option _____ of the State dental insurance program(s)

☐ Option _____ of the Board-approved cancer insurance program(s)

☐ Option _____ of the Board-approved income protection/disability program(s)

☐ Other, specify _____

Employee Request for Optional Salary Deductions**OPTIONAL SAVINGS PROGRAMS**

- ☐ Option _____ of the Board-approved tax sheltered annuity programs
- ☐ Board-approved credit union
- ☐ U.S. Savings Bond(s)
- ☐ Option _____ of state-designated deferred compensation plans (401K/403(b)/457)
- ☐ State-designated Flexible Spending Account (FSA) plan
- ☐ State-designated Health Reimbursement Account (HRA) plan
- ☐ Other, specify _____

PROFESSIONAL AND JOB-RELATED ORGANIZATIONS

- ☐ KEA-NEA and Local
- ☐ KASA
- ☐ PAC
- ☐ Classified employees' job-related organizations, specify _____
- ☐ Other, specify _____

Deductions for membership dues of an employee organization, association, or union shall only be made upon the express written consent of the employee. This consent may be revoked by the employee at any time by written notice to the employer.

CHARITABLE ORGANIZATIONS

- ☐ United Way
- ☐ Other, specify _____

OTHER

- ☐ Salary reduction for participation in Cafeteria Plan (See Policies 03.1213/03.2212, if applicable.)

Employee's Signature

Date

Review/Revised:7/24/2017

***FORM NO LONGER NEEDED**

PERSONNEL

03.1211 AP.22

Program Vendor Requirements

The Superintendent/designee(s) shall determine annually the types of deductions to offer and which companies to recommend to the Board.

In order to be added to the Board-approved list of vendors, the company(ies) must meet a minimum of one (1) of the following criteria:

- ☐ Offer a better rate.
- ☐ Have a different feature than presently being offered.
- ☐ Replace a company that has been discontinued.
- ☐ Are required by statute or regulation.
- ☐ Other, specify _____

For each type of payroll deduction, any company wishing to be added must maintain at least the following number of payers (not number of contracts):

- ☐ ten (10)
- ☐ fifteen (15)
- ☐ twenty-five (25)
- ☐ fifty (50)
- ☐ Other, specify _____

Companies with fewer than the number of required payers on a billing will be deleted at the end of the fiscal year for which they fell below the required number of payers.

In addition to the above requirements, payroll deduction companies must provide the services checked below:

- ☐ Coordinate with third-party administrator.
- ☐ Execute a master contract.
- ☐ Conform to all insurance regulations put forth by the Kentucky Department of Insurance.
- ☐ Designate a representative within a 100-mile radius and provide current name(s), address(es), and phone number(s).
- ☐ Provide information for comparison sheet.
- ☐ Provide current brochures with rates to all school employees.
- ☐ Provide ample supply of membership and claims forms
- ☐ Provide a timely billing procedure to conform to other deductions.
- ☐ Participate in annual benefits fair, if applicable, and/or meet with staff during noninstructional times as designated by the Principal.
- ☐ Furnish 1099's for benefits paid under Section 125 and refunds of tax-exempt premiums.
- ☐ Provide watts line for billing, claims, and questions relating to coverage.
- ☐ Provide Fax number for faster correspondence.

Review/Revised:10/10/2000

- CLASSIFIED PERSONNEL -**Personnel Documents****EMPLOYEE'S NAME** _____ **POSITION/WORK SITE** _____**REQUIREMENTS**

Employment shall be contingent upon meeting all requirements (state and local) for the position. Employees shall provide the following documents to the Central Office.

- ☐ **HIGH SCHOOL DIPLOMA (or High School Equivalency Diploma or proof of progress toward High School Equivalency Diploma for staff employed after 7/31/90)**
- ☐ **APPLICATION** (including references, a list of states of former residence and dates of residency, and picture identification.)
- ☐ **CERTIFICATION (i.e., CDL for bus drivers) OR LICENSURE, WHERE APPLICABLE**
- ☐ **SIGNED CONTRACT (with letter of notification of employment)**
- ☐ **VERIFICATION OF EXPERIENCE:** Verification from each school district or the Kentucky Department of Education for which there is experience. (This must be on file before salary can be received based on that experience). Central Office personnel will write for verification after the names of the school districts have been provided.
- ☐ **HEALTH CERTIFICATION:** Each regular or substitute employee must have a medical examination, which shall include a tuberculin risk assessment, prior to initial employment and proof shall be filed with the Central Office. Individuals identified as being at high risk for TB shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by [702 KAR 001:160](#). This form is required annually for school bus drivers, as are required drug testing results. Health certification records shall also include results from Hepatitis B vaccinations, if the position so requires.
- ☐ **MEMBERSHIP APPLICATION TO THE COUNTY EMPLOYEES' RETIREMENT SYSTEM:** Each regular full time classified employee must file a membership application with the County Employees' Retirement System if they are not already a member or if they have previously withdrawn their account.
- ☐ **EMPLOYMENT ELIGIBILITY VERIFICATION (FORM I-9):** Employers are to verify an individual's eligibility for employment in the United States.
- ☐ **TAX WITHHOLDING EXEMPTION CERTIFICATES:** Each employee is to complete a copy of Form K-4 (State) and Form W-4 (Federal) for their file. (New certificates must be completed any time the employee makes a change in the number of exemptions claimed or the amount to be deducted.)
- ☐ **CRIMINAL RECORDS CHECK FORM:** Required by state. ~~Form will be mailed to the State Police by Central Office personnel. New classified employees must be fingerprinted at the Central Office.~~ (add): Instruction sheet containing directions for completion of the criminal records check will be emailed to each employee upon offer of employment.

Personnel Documents**REQUIREMENTS (CONTINUED)**

- ☐ **LETTER FROM CABINET FOR HEALTH AND FAMILY SERVICES:** Applicants (hired on or after April 4, 2018) must provide a letter from the Cabinet for Health and Family Services stating that there are no administrative findings of child abuse or neglect on record.
- ☐ **DRIVING RECORDS CHECK FORM:** Required by state for all bus drivers and by the District, if applicable, for other classified personnel. Form will be mailed by Central Office personnel to the Kentucky Transportation Cabinet, Division of Driver Licensing.
- ☐ **I-9 FORM:** Required by federal law to determine eligibility for employment in the United States.
- ☐ **COMMERCIAL DRIVER'S LICENSE:** Must be presented to the Superintendent's designee by each regular or substitute bus driver employed by the District prior to assuming the duties of the position.
- ☐ **CAFETERIA BENEFIT PLAN APPLICATION, if applicable:** Must be completed by every full-time employee of the School District. (This is usually done shortly after the opening of school by a person who visits each school to have the forms completed.)
- ☐ **FOOD SAFETY TRAINING CERTIFICATE, if applicable:** Must be presented to the Superintendent's designee by each regular or substitute food service employee of the School District prior to assuming the duties of the position, if required by the county/district Health Department.

Personnel records also may include the following: evaluation documents; documentation of personnel actions (promotions, transfers, demotions, disciplinary actions, nonrenewals, terminations); record of professional development activities, and other payroll-related information (insurance forms/deductions and direct deposit authorizations).

Review/Revised:7/27/2020

- CERTIFIED PERSONNEL -**Sick Leave****NUMBER OF DAYS**

Full-time certified employees with up to 219 contract days shall be entitled to eleven (11) days of sick leave with pay annually.

Full-time certified employees with 220 to 239 contract days shall be entitled to twelve (12) days of sick leave with pay annually.

Full-time certified employees with 240 contract days shall be entitled to thirteen (13) days of sick leave with pay annually.

Persons employed for less than a full year contract due to a mid-year hire shall receive a prorata part of the authorized sick leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

ACCUMULATION

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation to the credit of the certified employee to whom they were granted. Each certified employee shall be given, on or before September 1 of each school year, a statement of accumulated and current sick leave days.

DEFINITION

Sickness shall mean personal illness, including illness or temporary disabilities arising from pregnancy.

FAMILY ILLNESS/MOURNING

Sick leave can also be taken for illness in the immediate family or for the purpose of mourning a member of the employee's immediate family. Immediate family shall mean the employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, brothers and sisters, parents, spouse's parents, grandparents, and spouse's grandparents without reference to the location or residence of said relative and any other blood relative who resides in the employee's home.

TRANSFER OF SICK LEAVE

Teachers coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the District.

RESTORATION OF SICK LEAVE

A certified employee who is non-renewed during the spring semester and regains employment with the District during the fall semester of the following year and meets the requirements for gaining a year of experience for salary purposes as described in [KRS 157.320](#) (1) (10) shall have any remaining unused sick leave from the preceding year restored to his/her respective accruals.

Sick Leave**SICK LEAVE DONATION PROGRAM**

Under procedures developed by the Superintendent, certified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee's sick leave balance to less than fifteen (15) days.

Certified employees are eligible to receive donated days if they meet the criteria established in statute.

Any sick leave not used shall be returned on a proportionate/pro-rated basis to employees who donated days.

AFFIDAVIT

Upon return to work, a certified employee claiming sick leave must file a personal affidavit or a certificate of a physician stating that the employee was ill or that the employee was absent for the purpose of attending to a member of the immediate family who was ill.¹

ATTENDANCE INCENTIVE PROGRAM

~~The Superintendent will develop and implement procedures designed to improve employee attendance by creating the Employee Attendance Incentive Program. All full-time certified employees shall be eligible for participation in the District's Employee Attendance Incentive Program. Eligible certified employees will have the opportunity to win cash awards and to earn one additional sick day per year.~~

REFERENCES:

¹[KRS 161.155](#), Sec. 2

[KRS 161.152](#)

[KRS 157.320](#)

[OAG 79-148](#)

[OAG 93-39](#)

Family & Medical Leave Act of 1993

RELATED POLICIES:

03.124, 03.12322, 03.1233

Adopted/Amended: 7/26/2021
Order #: 19873

- CLASSIFIED PERSONNEL -**Sick Leave****NUMBER OF DAYS**

Full-time classified employees with up to 219 contract days shall be entitled to eleven (11) days of sick leave with pay annually.

Full-time classified employees with 220 to 239 contract days shall be entitled to twelve (12) days of sick leave with pay annually.

Full-time classified employees with 240 contract days shall be entitled to thirteen (13) days of sick leave with pay annually.

Persons employed for less than a full year contract due to a mid-year hire shall receive a prorata part of the authorized sick leave days calculated to the nearest 1/2 day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

ACCUMULATION

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation.

DEFINITION

Sickness shall mean personal illness, including illness or temporary disabilities arising from pregnancy.

FAMILY ILLNESS/MOURNING

Sick leave can also be taken for illness in the immediate family or for the purpose of mourning a member of the employee's immediate family. Immediate family shall mean the employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, brothers and sisters, parents, spouse's parents, grandparents, and spouse's grandparents without reference to the location or residence of said relative and any other blood relative who resides in the employee's home.

TRANSFER OF SICK LEAVE

Classified employees coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the District.

RESTORATION OF SICK LEAVE

A classified employee who is non-renewed during the spring semester and regains employment with the District during the fall semester of the following year and meets the requirements for gaining a year of experience for salary purposes as described in [KRS 157.320](#) (1) (10) shall have any remaining unused sick leave from the preceding year restored to his/her respective accruals.

Sick Leave**SICK LEAVE DONATION PROGRAM**

Under procedures developed by the Superintendent, full-time classified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee's sick leave balance to less than fifteen (15) days.

Classified employees are eligible to receive donated days if they meet the criteria established in procedures.

Any sick leave not used shall be returned on a proportionate/pro-rated basis to employees who donated days.

AFFIDAVIT

Upon return to work, an employee claiming sick leave must file a personal affidavit or a certificate of a physician stating that the employee was ill or that the employee was absent to attend a member of the immediate family who was ill.

ATTENDANCE INCENTIVE PROGRAM

~~The Superintendent will develop and implement procedures designed to improve employee attendance by creating the Employee Attendance Incentive Program. All full-time classified employees shall be eligible for participation in the District's Employee Attendance Incentive Program. Eligible classified employees will have the opportunity to win cash awards and to earn one additional sick day per year.~~

REFERENCES:

[KRS 161.155](#)

[KRS 157.320](#)

[OAG 79-148](#)

[OAG 93-39](#)

Family & Medical Leave Act of 1993

RELATED POLICIES:

03.2232

03.2233

03.273

Adopted/Amended: 7/26/2021

Order #: 19873

***FORM NO LONGER NEEDED**

PERSONNEL

03.123 AP.2

Leave Request Form and Affidavit

NAME: _____	LOCATION: _____
DATE SUBMITTED: _____	

☐ **PERSONAL LEAVE:** REQUESTED UNDER THE TERMS OF POLICIES 03.1231/03.2231. (SEE NEXT PAGE FOR REQUIRED AFFIDAVIT)

DATE(S) OF PERSONAL LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

☐ **SICK LEAVE:** REQUESTED UNDER THE TERMS OF POLICIES 03.1232/03.2232. . (SEE NEXT PAGE FOR AFFIDAVIT THAT MAY BE REQUIRED)

DATE(S) OF SICK LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

CHECK ONE: ☐ EMPLOYEE'S ILLNESS ☐ ILLNESS OF FAMILY MEMBER ☐ MOURNING

IS SICK LEAVE BEING USED FOR EMERGENCY LEAVE PURPOSES, PURSUANT TO POLICY? ☐ YES ☐ NO

☐ **MATERNITY/ADOPTION/CHILDREARING LEAVE:** REQUESTED UNDER THE TERMS OF POLICIES 03.1233/03.2233.

ESTIMATED DATE(S) OF LEAVE _____ TO _____ SUBSTITUTE NEEDED ☐

☐ PAID MATERNITY LEAVE (NOT TO EXCEED 30 DAYS) /NUMBER OF SICK LEAVE DAYS _____

☐ UNPAID MATERNITY LEAVE

☐ PAID ADOPTION LEAVE (NOT TO EXCEED 30 DAYS) /NUMBER OF SICK LEAVE DAYS _____

☐ UNPAID CHILDREARING LEAVE

☐ **JURY LEAVE:** REQUESTED UNDER THE TERMS OF POLICIES 03.1237/03.2237.

DATE(S) OF JURY LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

☐ EMPLOYEE WILL SIGN OVER COURT-ISSUED JURY PAY CHECK TO DISTRICT.

☐ EMPLOYEE WILL REIMBURSE DISTRICT FOR ANY JURY PAY RECEIVED.

☐ **MILITARY/DISASTER SERVICES LEAVE:** REQUESTED UNDER THE TERMS OF POLICIES 03.1238/03.2238.

DATE(S) OF LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

☐ **EMERGENCY LEAVE:** REQUESTED UNDER THE TERMS OF POLICIES 03.1236/03.2236. (SEE NEXT PAGE FOR REQUIRED AFFIDAVIT)

DATE(S) OF EMERGENCY LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

☐ DISASTERS ☐ OTHER, SPECIFY: _____

IS SICK LEAVE BEING USED FOR EMERGENCY LEAVE PURPOSES, PURSUANT TO POLICY? ☐ YES ☐ NO

I understand that if I have provided information that is not true, I may be subject to disciplinary action.

Employee's Signature

Date

Superintendent/designee's Signature Approving Leave as Requested Date

Leave Request Form and Affidavit

A personal affidavit is required for the use of personal leave, the use of emergency leave, and the use of sick leave for the purpose of mourning a member of the employee's immediate family.* Either a personal affidavit or a certificate of a physician supporting the need for sick leave is required for the use of sick leave if the employee was absent due to his/her own personal illness or for the purpose of attending to an immediate family member* who was ill. If an employee who requests to use sick leave for his/her own personal illness or to attend to an immediate family member* who is ill does not submit a supporting physician's certificate, s/he must submit a supporting personal affidavit. Requirements for use of sick leave following child birth and adoption are stated in Policies 03.1233/03.2233.

LEAVE AFFIDAVIT**(KRS 161.152, KRS 161.154, KRS 161.155)**

Comes the affiant, _____, after being duly sworn, and states as follows:

I am submitting this request for the use of leave for the following purpose(s) (check applicable boxes); that the facts supporting the request for leave as indicated below are true and correct; and that to the best of my knowledge, information, and belief, I am qualified for the leave requested pursuant to applicable state statute and Board policy.

- ☐ - Sick leave based on personal illness Date(s): _____
- ☐ - Sick leave to attend to an immediate family member* who was ill Date(s): _____
- ☐ - Sick leave to mourn the death of an immediate family member* Date(s): _____
- ☐ - Personal leave in compliance with and subject to qualifications set forth in Policy 03.1231/03.2231. This leave is personal in nature. Date(s): _____
- ☐ - Emergency leave in compliance with and subject to conditions set forth in Policy 03.1236/03.2236
- ☐ Bereavement ☐ Disasters ☐ Court /Legal ☐ Other, specify: _____

Affiant's Signature_____
Date_____
Affiant's Name (Print or Type)

Subscribed and sworn to before me this _____ day of _____, 2_____

Notary Public: _____, _____ County, Kentucky

My Commission Expires: _____

*Immediate family member shall mean the employee's spouse, children (including stepchildren and foster children), grandchildren, daughters-in-law and sons-in-law, brothers and sisters, parents, spouse's parents, grandparents, and spouse's grandparents, without reference to the location or residence of said relative and any other blood relative who resides in the employee's home.

Review/Revised:8/26/2019

- CERTIFIED PERSONNEL -**Leaves and Absences**

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

NOTIFICATION

In all cases of absence, teachers shall notify the Principal before the opening of school or the night before, if possible, and the Principal shall call substitute teachers from the official substitute list approved by the Superintendent/*Designee*.

Employees on leave covered by the related policies listed below shall notify the Superintendent in writing by March 30 of the year the leave terminates of the date of their intent to return to the school system. Employees who fail to notify the Superintendent of their return by March 30 cannot be guaranteed employment for the following school year. If an employee on leave has not contacted the Superintendent by March 30, the Superintendent is authorized to fill the position for the following school year. Where an employee in the final year of leave fails to contact the Superintendent by March 30, to either request an extension of leave or to provide a date of return, the Superintendent may determine whether personnel action is required.

LEAVE FOLLOWING ASSAULT

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

PLACEMENT UPON RETURN

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

FMLA

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

REQUEST FOR MEDICAL INFORMATION

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

PERSONNEL

03.123
(CONTINUED)

Leaves and Absences

REFERENCES:

[KRS 161.155](#); [KRS 161.770](#); [OAG 01-9](#)
Family and Medical Leave Act of 1993

RELATED POLICIES:

03.1232, 03.12322, 03.1233, 03.1234, 03.1235, 03.124

Adopted/Amended: 8/26/2019
Order #: 19537

***FORM NO LONGER IN USE DUE TO ELECTRONIC REQUEST**

SCHOOL FACILITIES

05.2 AP.22

Maintenance Request Form

EMPLOYEE'S NAME _____ DATE _____

POSITION/TITLE _____ SCHOOL/WORKSITE _____

IDENTIFY BELOW THE NEED FOR MAINTENANCE. INCLUDE LOCATION (ROOM NUMBER, STAIRWELL, SPECIFIC PIECE OF EQUIPMENT, ETC.).

Employee's Signature

Date

Principal/Site Supervisor or designee's Signature

Date

=====

For Central Office Use

Approved by: _____ Date _____

Return this form to: _____

Order of Importance:

- ☐ Must do now.
- ☐ As soon as possible.
- ☐ As time permits.

Maintenance Personnel Assigned: _____

=====

For School/Site Use

Date Work Completed _____

Principal/Site Supervisor or designee's Signature

Date

Review/Revised:10/10/2000

Use of Buses by Outside Groups

The Board may grant, lease, or lend school vehicles only to agencies of state government.

Such agencies shall show evidence of insurance sufficient to cover all liability and losses of all persons who might reasonably be held responsible, including the members of the Board of Education and the District. The Board shall be listed as an additional insured.

~~The driver must be a regular bus driver for the district.~~

REFERENCES:

[KRS 160.305](#)

[OAG 75-643](#)

[702 KAR 005:080](#)

Adopted/Amended: 11/17/1998

Order #: 11787

School-Related Student Trips

EXTENSION OF CLASSROOM

The Board endorses school-related curricular and co-curricular trips of significant educational value and aligned to the state and local courses of study and the Comprehensive Improvement Plan. Such trips are to be an extension of the regular classroom work and an integral part of the educational program.

In order for students to be counted present during school-related trips during the school day, the activity must be co-curricular or instructional.

PURPOSE

Field trips make students appreciate the relevance and important of what they learn in the classroom. The purpose of these trips may include, but not be limited to:

- Content
- Socialization
- Community Involvement/Instruction

FIELD TRIP

A field trip is a visit to a place outside the regular classroom designed to achieve certain objectives which cannot be achieved as well by using other means and is any trip away from the campus by a group of students supervised by a faculty member/school personnel.

CATEGORIES OF FIELD TRIPS/CRITERIA

Curricular Trips-Curricula field trips provide students the opportunity to deepen, broaden, and integrate their knowledge of Kentucky's Academic Standards. Out-of-classroom experiences should provide rich opportunities for students to establish differences as well as connections/relationships among various core concepts. As a result of the field trip experience, students will be able to analyze and synthesize content knowledge at higher performance levels- specifically performance descriptors that can be found in the proficient and distinguished range of assessment. These field trips should provide classroom teachers the opportunity to engage students in higher levels of thinking as well as an interdisciplinary approach to content.

1. Select the concepts of objectives to be taught on the trip.
2. Identify a site which will help students achieve the desired objectives. Principals, SBDM councils and trip planners need to take into consideration the economic/financial means of the families and communities when making decisions about the proposed sites for these trips. If the same objectives can be achieved at closer or less expensive sites, consideration should be given to these alternatives.
3. Prepare lesson plans and assessments that will implement objectives as well as measure the effectiveness of student learning. Identify core content to be covered and performance descriptors to be targeted.
4. Plan an agenda.
5. Identify funding source.

School-Related Student Trips**CURRICULAR TRIPS (CONTINUED)**

6. Obtain school approval: discuss with Principal and other school staff.
7. Acquire parental approval.
8. Seek Board approval if needed.
9. Prepare students for the experience of the trip: laying necessary groundwork, reviewing necessary objectives and outcomes.
10. Arrange for logistics of trip: food, chaperones, transportation, and equipment.
11. Engage in student assessments after field trip has been completed/share results with other interested staff.
12. A feedback form shall be completed on-line at the end of each trip in order to facilitate other planning of future trips.

Co-curricular—those student trips that are related to the classroom curriculum

1. All co-curricular (academic related) field trips, contests or competitions must be approved by the SBDM council, Principal and the Director of Instruction (i.e. speech and debate, drama club, future problem solving, Beta Club, newspaper/yearbook, etc.)
2. No school instructional time may be lost for travel to or from a co-curricular field trip, contest, or competition without approval of the school Superintendent.

Athletics/Extracurricular

1. For high schools, all athletic-related contests or extracurricular competitions must have the prior approval of the athletic director/Principal at each school.
2. For middle and elementary schools, all athletic-related contests or extracurricular competitions must have the prior approval of the Principal.
3. The field trips must meet the guidelines established by the Kentucky High School Athletic Association (KHSAA) and/or the Floyd County Schools policy and the criteria within the policy.
4. No instructional time may be lost for travel to or from any regular interscholastic athletic contest unless a “special” circumstance arises in which the school Superintendent/district designee can grant permission.
5. Out-of-state and trips that require the use of commercial carriers require Superintendent/Board approval.

FIELD TRIP REQUESTS

Field trip requests shall be approved by the Principal prior to forwarding the request to the Central Office for approval by the Director of Instruction for the school. If the trip is to be out-of-state, requests shall be submitted to the Central Office by the Principal at least ten (10) calendar days prior to the Board meeting.

~~Field trips should not be requested during the period of ten (10) instructional days prior to the school's state assessment period.~~

All trips that require approval by the Superintendent and the Board of Education shall be submitted and approved before fund-raising/planning begins for that trip.

School-Related Student Trips**TRANSPORTATION ARRANGEMENTS**

Arrangements for school system transportation shall be made by the Director of Transportation after the trip request receives approval of the Director of Instruction. Out-of-state trips must be approved by the Board.

The transportation of students on regular daily routes shall receive first priority before the assignment of buses for school-related trips. School-sponsored trips requiring the use of a school bus shall be limited to a 275-mile radius.

DRIVERS/VEHICLES

All District-owned vehicles shall be driven by an adult duly qualified and licensed to operate the vehicle. Drivers of school vehicles and operation of District-owned passenger vehicles transporting students shall be in compliance with requirements specified in applicable statutes and administrative regulations.¹

The Board recognizes that while participation in co-curricular or extra-curricular activities is a privilege and not a right for students, it is not the desire of the Board to place an undue burden on either the student or the parent/guardian of the student who participates in such activities. The Board fully accepts responsibility for the supervision and safety of students participating in Board sponsored events or activities and believes that responsibility begins when students enter the grounds of a Board owned facility to participate or when the student boards transportation provided by or approved by the Board to an off campus or "away" game or event or when the school coach or sponsor receives the student from the parent or guardian at any event site that is not controlled by the Board.

Where the Board provides transportation to and from off-campus or "away" games or for other school- or District-sponsored activities or events, participating students must use Board-provided or -approved transportation, unless they are released from the requirement by the Superintendent or designee due to circumstances that can reasonably be regarded as placing an undue burden for participation on the student or the parent/guardian of the student. It is the expectation of the Board that release from the student transportation requirement shall not conflict with the authority of a coach to require members of a school team to travel together to a competition. The release will be considered or granted for a student traveling to/from an event with the parent/guardian of the student or an individual on the school checkout list with written parental consent.

If there is one (1) child that is attending an event, then the parent has the option of transporting the child. The parent must sign a waiver before this can occur.

SUPERVISION

A certified or classified staff member must accompany students on each vehicle and/or bus on all school-sponsored or school-endorsed trips. For athletic trips, a nonfaculty coach or a nonfaculty assistant may accompany students as provided in statute. Persons designated to accompany students shall be at least twenty-one (21) years old.²

The staff member accompanying students on the trip shall supervise students upon return until all students are picked up by a parent or guardian.

The Principal shall approve all chaperones who will be responsible for the behavior of the passengers. The number of chaperones, each of whom shall possess a satisfactory crime check and be approved by the Principal, shall be sufficient to supervise the number and maturity level of students in comparison to the purpose and location of the trip.

School-Related Student Trips**MEDICATION**

If prescribed medications must be taken during the trip, the student shall place such medications (along with a card on which the student's name, instructions for dosage, and emergency information/contacts are written) in a see-through bag and shall give this bag to the person in charge of the trip.

Administering of medications during field trips shall be in accordance with Board policy 09.2241 and associated procedures and shall comply with applicable law, regulation and medication administration training developed by the Kentucky Department of Education.

When students will be travelling outside the state, the Superintendent's designee shall do the following:

1. Determine applicable legal requirements concerning delegation of student medication responsibilities in states through which students will be travelling; and
2. Assign staff to accompany students on the field trip to address student medication needs.

REMOVAL OF STUDENT FROM A TRIP

If it is determined that a student should be removed from a school-related trip for disciplinary reasons, the student's parent shall be contacted. The parent shall be given the following options from which to choose:

- Have the student returned home accompanied by a chaperone;
- Having the student remain on the trip, but not participate in any activities and be under close supervision of a faculty member/chaperone; or
- Picking up the student at the location of the trip.

INSURANCE

Only Board-insured vehicles or appropriately certificated common carriers shall be used for transporting students.³

CERTIFICATED COMMON CARRIER SERVICE

Use of certificated common carrier service shall be authorized by the Board on a case-by-case basis, and the reasons to justify such use shall be cited in Board minutes.³

Verification of the certification and insurance standards of a certificated common carrier shall be determined by the Director of Transportation before a request for approval is made to the Board.

PARENTS' APPROVAL

Parents are to be informed of the nature of the trip, the approximate departure and return times, means of transportation, and any other relevant information. Parents must give written approval for students to participate in school-sponsored trips.

School-Related Student Trips**REIMBURSEMENT**

The individual schools shall reimburse the Board at the rate required by the Kentucky Department of Education for the Board-approved use of vehicles by athletic teams or other student groups representing the school system.

REFERENCES:

¹[KRS 156.153](#)

²[KRS 161.185](#)

³[702 KAR 005:060](#)

[KRS 158.110](#), [KRS 158.838](#); [KRS 160.340](#), [KRS 189.125](#); [KRS 189.540](#)

[702 KAR 001:160](#); [702 KAR 003:220](#), [702 KAR 005:030](#), [702 KAR 005:080](#), [702 KAR 005:130](#)

[702 KAR 007:125](#)

RELATED POLICIES:

03.1321; 03.2321

09.15; 09.122; 09.221; 09.2241

Adopted/Amended: 8/26/2019
Order #: 19537

Civility**BOARD INTENT**

The Board invites parental and community member involvement and recognizes that the vast majority of input received will be of a constructive and civil nature. This policy is designed to address those rare instances where that is not the case.

While it is not the Board's intent to deny an individual's right to freedom of expression, it has the responsibility to maintain, to the extent possible and reasonable, safe, harassment-free schools, school activities, and workplaces for students and staff and to minimize disruptions to the District's programs.

PREPARATION OF EMPLOYEES

The Superintendent/designee shall implement intervention and response training to notify employees of this policy and their corresponding responsibilities and to prepare them to deal with incidents of incivility.

BEHAVIOR STANDARDS

Persons coming onto District property shall be under the jurisdiction of the site administrator or designee.

District employees shall be courteous and helpful in interacting and responding to parents, visitors, and members of the public. In turn, individuals who come onto District property or contact employees on school or District business are expected to behave accordingly. Specifically, actions that are discouraged and may warrant further action include, but are not limited to:

1. Cursing and use of obscenities,
2. Disrupting or threatening to disrupt school or office operations,
3. Acting in an unsafe manner that could threaten the health or safety of others,
4. Verbal or written statements or gestures indicating intent to harm an individual or property, and
5. Physical attacks intended to harm an individual or substantially damage property.

Employees who fail to observe these standards in their own behavior shall be subject to appropriate disciplinary measures, up to and including dismissal.

EMPLOYEE OPTIONS

In cases involving physical attack of an employee or imminent threat of harm, the first priority shall be for employees to take immediate action to protect themselves and others. In absence of an imminent threat, employees shall attempt to calmly and politely inform the individual of the provisions of this policy and/or provide him/her with a copy. However, if the individual continues to behave in a discourteous and uncivil manner, the employee may respond as needed, to include, but not be limited to, the following options:

Civility**EMPLOYEE OPTIONS (CONTINUED)**

1. Hang up on a caller;
2. End a meeting;
3. Ask the individual to leave the school;
4. Call the site administrator or designee for assistance; and/or
5. Call the police.

Employees shall submit to their immediate supervisor, as soon as possible, a written incident report for all such occurrences. The Superintendent/designee, on advice from the Board Attorney, shall determine whether an incident indicates the need for a restraining order or pursuit of other legal options on behalf of the District. Individual employees are free to pursue other legal courses of action.

SCHOOL SPONSORED EVENTS INCLUDING ATHLETIC EVENTS

This civility policy applies to participants, parents, and spectators (including student spectators) during all school sponsored events, including extracurricular activities and athletic practices and competitions. Violators may be banned from participation or attendance at future events and may face criminal charges. The site administrator/supervisor during any event has the authority to eject from the event venue any person who violates the above Behavior Standards. Contest officials in events sanctioned by the Kentucky High School Athletic Association have the authority to exclude student participants and adult non-participants from an event venue and to suspend competition until order is restored.

Parents and spectators should observe a cooling-off period of 24-hours after any practice or competition before addressing complaints or criticisms with coaching staff, except in circumstances where prompt communication is reasonably believed necessary for the health or safety of a student participant. Parents should schedule meetings with coaching staff to discuss concerns, rather than discuss individual concerns immediately before or after practices or competitions when coaches are required to supervise student participants.

REFERENCES:

[KRS 161.190](#), [KRS 503.110](#), [KRS 518.090](#)

RELATED POLICIES:

03.1325, 03.2325, 09.425, 10.2, 10.5

Adopted/Amended: 02/28/2000
Order #: 12397

- CERTIFIED PERSONNEL -**Transfer**

Transfers of certified personnel shall be made by the Superintendent who, at the first meeting following the transfer, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

Transfer or reassignment of certified personnel will be made no later than thirty (30) days before the first student attendance day of the school year except to fill vacancies created by illness, death, or resignations; to reduce or increase personnel because of a shift in school population; to make personnel adjustments after consolidation or merger; or to assign personnel according to their major or minor fields of training.¹

TRANSFER OF EMPLOYEES CHARGED WITH A FELONY

Notwithstanding any other policy provision, the Superintendent may transfer an employee charged with a felony offense as permitted under KRS 160.380.

REFERENCES:

¹KRS 161.760; OAG 78-266
KRS 160.380; OAG 76-360
OAG 91-149
OAG 92-1
OAG 91-115
OAG 92-135
OAG 92-78

RELATED POLICY:

02.4244

Adult/Community Education

The Board authorizes the Superintendent or designee to plan and operate an educational program based on the needs and interests of adults and youth of the community.

The Board may establish an adult education program to provide basic skills, career and technical training and/or to prepare for meeting equivalency requirements. The Board also may enter into an agreement with the Council on Postsecondary Education to establish an external diploma program.

The conduct of adult/community education programs and determination of eligibility for participation in the High School Equivalency Diploma program shall be consistent with requirements established by applicable statutes and administrative regulations, including, but not limited to, those addressing minimum age requirements and enrollment status.

VIRTUAL HIGH SCHOOL COMPLETION PROGRAMS

The Board may establish a high school completion program consistent with KRS 158.100¹.

SCHOOL FACILITIES AND RESOURCES

The Board authorizes the use of school facilities and resources for conducting these programs and further authorizes the acceptance of other agency funds for their operation.

REFERENCES:

¹KRS 158.100
KRS 158.143
KRS 160.155; KRS 160.156; KRS 160.157; KRS 164.0064
13 KAR 3:010; 13 KAR 3:050

RELATED POLICIES:

08.113; 09.1223; 09.124

Public Information Program

RIGHT TO BE INFORMED

The Board recognizes the rights of the public to be fully and accurately informed about its schools. The Board shall, through the Superintendent and the Superintendent's designees:

1. Communicate regularly with the public through available media such as District web sites, newsletters, bulletins, newspapers, and radio and television releases;
2. Provide speakers for PTA/PTO, church, civic, and other community groups who have an interest in the schools;
3. Work cooperatively with the news media in their efforts to inform the public; and
4. Conduct Board business in an atmosphere that lets the public know that their attendance at Board meetings is welcome and appreciated.

RELEASE OF INFORMATION

Public statements concerning controversial or potentially disruptive matters shall be issued only by the Superintendent or the Superintendent's designee.

REFERENCES:

KRS 61.805
KRS 61.850

RELATED POLICIES:

01.4
01.44