

EXPLANATION: AMENDMENTS TO 703 KAR 5:225 REFLECT ADDITIONAL REQUIREMENTS THAT MAY BE NECESSARY BY THE RECEIPT OF FEDERAL FUNDS UNDER THE ELEMENTARY AND SECONDARY EDUCATION ACT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION 01.111 AP.2

District Planning Committee

SCHOOL YEAR _____

MEMBERS APPOINTED BY THE SUPERINTENDENT:

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

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

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

³Additional input as required by Every Student Succeeds Act.

COMMITTEE APPOINTMENTS APPROVED BY THE BOARD ON _____
Date

ORIENTATION/TRAINING

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

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

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

District Planning Committee**PROCESS GUIDELINES**

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

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

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

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

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EXPLANATION: HB 9 AMENDS KRS 160.1594 AS IT RELATES TO CHARTER SCHOOL AUTHORIZATION.
FINANCIAL IMPLICATIONS: FUNDING TO CHARTER SCHOOLS

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.91 AP.1

Charter School Authorization

AUTHORIZER DUTIES

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

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

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

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

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

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

- Number of applications received, reviewed, and approved;
- Authorizing duties performed by the authorizer;
- Summary of the academic and financial performance of each charter school;
- Names of each charter school that have not yet begun to operate; and

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Charter School Authorization

AUTHORIZER DUTIES (CONTINUED)

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

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

EXPLANATION: SB 1 CHANGES THE PROCESS FOR HIRING THE PRINCIPAL FROM THE COUNCIL TO THE SUPERINTENDENT WITH CONSULTATION WITH THE COUNCIL AND REMOVES THE ALTERNATIVE SELECTION PROCESS. PER KRS 160.345, THE SUPERINTENDENT SHALL FILL THE POSITION OF PRINCIPAL AT A SCHOOL AFTER CONSULTATION WITH THAT SCHOOL'S SCHOOL BASED DECISION MAKING (SBDM) COUNCIL. PRIOR TO CONSULTATION WITH THE SBDM COUNCIL, EACH MEMBER SHALL SIGN A NONDISCLOSURE AGREEMENT FORBIDDING THE DISCLOSURE OF INFORMATION SHARED AND DISCUSSIONS HELD DURING CONSULTATION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION 02.4244 AP.2

Nondisclosure Agreement (SBDM)

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

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

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

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

SBDM MEMBER

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By: _____

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Printed Name: _____

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Title: _____

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Dated: _____

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

FINANCIAL IMPLICATIONS: SAVINGS RESULTING FROM INSTITUTIONS PAYING FOR THE CHECKS

PERSONNEL

03.11 AP.252

Criminal Records Release Authorization

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

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

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

FINANCIAL IMPLICATIONS: COSTS OF TRAINING/MAINTAINING/DESTROYING RECORDS

PERSONNEL

03.11 AP.2521

Criminal History Record Information

PURPOSE

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

AUTHORITY

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

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

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

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

AUTHORIZED PERSONNEL

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

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

Criminal History Record Information

TRAINING OF AUTHORIZED PERSONNEL

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

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

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

FINGERPRINT CARD PROCESSING

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

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

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

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

COMMUNICATION

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

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

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

Criminal History Record Information

PHYSICAL SECURITY

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

STORAGE AND RETENTION OF CHRI

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

During the fitness determination:

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

Criminal History Record Information

STORAGE AND RETENTION OF CHRI (CONTINUED)

- 15. Wireless (802.11x) Access
- 16. Boundary Protection
- 17. Intrusion Detection Tools and Techniques
- 18. Malicious Code Protection
- 19. Spam and Spyware Protection
- 20. Security Alerts and Advisories
- 21. Patch Management
- 22. Voice over Internet Protocol (VoIP)
- 23. Partitioning and Virtualization
- 24. Cloud Computing

- Per KRS 61.878, CHRI is not subject to disclosure under the Kentucky Open Records Act and will not be archived in a publicly accessible location.

MEDIA TRANSPORT

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

DISPOSAL OF MEDIA CHRI

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

MISUSE OF CHRI

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

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

FINANCIAL IMPLICATIONS: COSTS OF TRAINING/MAINTAINING/DESTROYING RECORDS

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

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

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.19 AP.23

District Training Requirements**SCHOOL YEAR:** _____

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

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

PERSONNEL

03.19 AP.23
(CONTINUED)**District Training Requirements**

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

PERSONNEL

03.19 AP.23
(CONTINUED)**District Training Requirements**

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

PERSONNEL

03.19 AP.23
(CONTINUED)**District Training Requirements**

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

THIS IS NOT AN EXHAUSTIVE LIST – CONSULT OSHA/ADA AND BOARD POLICIES FOR OTHER TRAINING REQUIREMENTS.For training provided in person, participants should sign in at the end of the meeting to document their attendance. The sign-in sheet shall be maintained in paper or electronic format as required by the Kentucky Records Retention/Public School District Schedule.

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

FINANCIAL IMPLICATIONS: COSTS OF TRAINING/MAINTAINING/DESTROYING RECORDS

PERSONNEL

03.21 AP.2521

Criminal History Record Information

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

RELATED PROCEDURE:

03.11 AP.2521

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

FINANCIAL IMPLICATIONS: POTENTIAL SAVINGS IN PURCHASING PERISHABLE FOODS

FISCAL MANAGEMENT

04.32 AP.1

Procurement

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

Purchasing officers are authorized to acquire goods, services, or construction through non-competitive negotiation under the following circumstances providing a written determination is made that competitive bidding is not feasible. If available, quotes from three 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 which 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 non-competitive 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 and documentation is attached.
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 non-competitive negotiation.

4. Contracts for services.

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

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

5. The contract is for the purchase of perishable items, as indicated in applicable federal and state law, purchased with funds other than school nutrition service funds on a weekly or more frequent basis. ~~“Perishables” are those items which 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 which are normally purchased less frequently than by the week. Items which 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.~~

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Procurement

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

Procurement

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 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 non-competitive negotiation when specialized training is required of the contractor, when a specific program or service can be delivered by only one or a few individual, or when travel costs and time dictate constraints on the bidding process.

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

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

I. Annual reports from those vested with purchasing authority as may be deemed advisable in order to insure that the requirements of this policy are complied with.

1. Each staff member authorized to approve purchase orders shall:

- a. Keep a copy of all purchase orders issued.
- b. Maintain a log to include the name of the vendor from which products or services were obtained.
- c. Record the purpose of the product or service.
- d. Record how the decision was made to purchase from the vendor (bid, negotiation, single source, state price contract, etc.)
- e. List other vendors contacted and their cost for the product or service.

2. All Board policies and District procedures pertaining to procurement, whether promulgated under KRS 45A.345 to 45A.460 or otherwise, shall be maintained in the District Central Office and shall be available to the public upon request at a cost not to exceed the cost of reproduction.

J. Except as permitted by law, every invitation for bid or request for proposals shall provide that an item equal to that named or described in the specifications may be furnished.

EXPLANATION: 704 KAR 7:120 HAS BEEN REPEALED AND REPLACED WITH 702 KAR 7:150.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1312 AP.1

Application for Home/Hospital Instruction

The Home/Hospital Instruction application is incorporated by reference in ~~704 KAR 7:120~~ [702 KAR 7:150](#). This application is available from the Kentucky Department of Education website.

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RELATED PROCEDURES:

08.1312 AP.21

08.1312 AP.23

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

CURRICULUM AND INSTRUCTION

08.2322 AP.1

Review of Challenged Instructional Materials

REQUEST FOR REVIEW

The review of instructional materials, including textbooks, supplementary materials, library books, audiovisual media, class content, and technology on the basis of citizen concerns will be conducted in response to a properly filed request. Forms for such requests will be made available to any resident of the District at the Principal's Office. The request shall include a statement of reason for objection and a statement of desired action regarding the material.

In the event of a citizen complaint regarding instructional materials, freedom of information and professional responsibility shall be the guiding principles. The use of challenged material may be restricted until final disposition has been made. However, individuals may be assigned other materials in lieu of those being challenged.

REVIEW COMMITTEE

The Superintendent/designee shall establish a Review Committee, composed of the Principal, professional librarian(s), two (2) staff members as designated by the Principal and whose subject area is affected, and two (2) parents. All committee members shall represent the school receiving the complaint.

The following steps shall be taken by the Review Committee:

1. Review the specific written complaint.
2. Read and/or examine the materials in question.
3. Determine general acceptance of the challenged materials in the community, other school systems and professional media.
4. Discuss the complaint and merit of the challenged material; make a value judgment based on the materials as a whole, and not on parts taken out of context.
5. Determine the merit of potential alternative instructional materials.
6. Prepare a recommendation for disposition of the complaint.
7. File a written decision with the Principal and/or school council, as appropriate, and send a copy to the Superintendent/designee.

The Principal shall inform the complainant in writing of the decision within ten (10) school days after receipt of the completed form.

APPEAL

Within ten (10) school days after the complainant has been informed of the committee's decision, the complainant may appeal the decision, in writing, to the Superintendent/designee.

Upon receipt of the appeal, the Superintendent/designee will review the challenged material and the decision of the Review Committee and, within ten (10) school days, notify the complainant and Principal of his/her determination.

Review of Challenged Instructional Materials

APPEAL (CONTINUED)

Within ten (10) school days after the complainant has been informed of the decision of the Superintendent/designee, the complainant may appeal the decision, in writing, to the Board.

The Board will consider the appeal at the next scheduled meeting and so notify the complainant of its final decision regarding the challenged material.

SCHOOLS ADOPTING SBDM

~~Reviews of challenged instructional materials in schools which have adopted School Based Decision Making shall follow policies which have been adopted by the School Council.~~

EXPLANATION: SB 1 AMENDS KRS 160.345 TO REQUIRE THE SUPERINTENDENT TO DETERMINE WHICH CURRICULUM, TEXTBOOKS, INSTRUCTIONAL MATERIALS, AND STUDENT SUPPORT SERVICES SHALL BE PROVIDED IN THE SCHOOL AFTER CONSULTING WITH THE BOARD, THE PRINCIPAL, AND THE SCHOOL COUNCIL. RECONSIDERATION OF INSTRUCTIONAL/LIBRARY MATERIALS IS ADDRESSED IN 08.2322 AP.21.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.2322 AP.22

Staff/School Council Reconsideration of Instructional/Library Materials

School _____ Teacher _____

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

Title _____

AUTHOR _____

PUBLISHER/PRODUCER _____

Non-Fiction

PURPOSE

What is the purpose of the material? _____

1. Is the purpose accomplished? ☐ YES ☐ NO

Authenticity

1. Is the author competent and qualified in the field? ☐ YES ☐ NO

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

1. Is the material current and accurate? ☐ YES ☐ NO

1. Are information sources well documented? ☐ YES ☐ NO

1. Are translations and retellings faithful to the original? ☐ YES ☐ NO

Appropriateness

1. Does the material promote the educational goals and objectives of the curriculum? ☐ YES ☐ NO

1. Is it appropriate to the level of instruction intended? ☐ YES ☐ NO

1. Are the illustrations appropriate to the subject and age levels? ☐ YES ☐ NO

Content

1. Is the content well presented by providing adequate scope, range, depth and continuity? ☐ YES ☐ NO

1. Does this material present information not otherwise available? ☐ YES ☐ NO

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

Reviews

1. Source of review _____

☐ Favorably reviewed ☐ Unfavorably reviewed

1. Does this title appear in one or more reputable selection aids? ☐ YES ☐ NO

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

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

STAFF/SCHOOL COUNCIL RECONSIDERATION OF INSTRUCTIONAL/LIBRARY
MATERIALS

Fiction**PURPOSE**

1. _____ What is the purpose, theme, or message of the material? _____
1. _____ Is the purpose accomplished? ☐-YES ☐-NO
1. _____ Does reading, viewing, and/or listening to material result in more compassionate understanding of human beings? _____ ☐-YES ☐-NO
1. _____ Does it offer an opportunity to better understand and appreciate the aspirations, achievements, and problems of various ethnic groups? _____ ☐-YES ☐-NO
1. _____ Are questionable elements of the story central to a worthwhile theme or message? _____ ☐-YES ☐-NO

Content

1. _____ Is the view of life presented in the material a realistic one? _____ ☐-YES ☐-NO
1. _____ When factual information is part of the story, is it presented accurately? _____ ☐-YES ☐-NO
1. _____ Are concepts age appropriate for the potential readers? _____ ☐-YES ☐-NO
1. _____ Do characters speak in a language true to the period/section of the country in which they live? _____ ☐-YES ☐-NO
1. _____ Is the presentation of the main character or any of the minor characters offensive? _____ ☐-YES ☐-NO
1. _____ Is there preoccupation with sex, violence, cruelty, brutality, and aberrant behavior that would make this material inappropriate? _____ ☐-YES ☐-NO
1. _____ If there is use of offensive language, is it appropriate to the purpose of the text? _____ ☐-YES ☐-NO
1. _____ Is the material well written or produced? _____ ☐-YES ☐-NO
1. _____ 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
1. _____ Does the material make a significant contribution to the history of literature? _____ ☐-YES ☐-NO
1. _____ Are the illustrations appropriate and in good taste? _____ ☐-YES ☐-NO
1. _____ Are the illustrations realistic in relation to the story? _____ ☐-YES ☐-NO

ADDITIONAL

COMMENTS: _____

*Principal/designee's Signature*_____
Date

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

CURRICULUM AND INSTRUCTION

08.2322 AP.23

Staff/School Council Reconsideration Decision

(Date)

Dear _____:

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

- ☐ Retain
- ☐ Replace
- ☐ Reassign (alternative)
- ☐ Other, as specified _____.

You must contact me within ten (10) days of the date of this letter if you wish to appeal this decision to the Superintendent.

Thank you for your interest in the District's schools and the instructional materials used.

Sincerely yours,

Principal/designee's Signature

School

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

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

STUDENTS

09.12 AP.21

Nonresident K -12 Student Transfer/Registration Form

Form to be used by NONRESIDENT students requesting admission

Date of Request: _____ Date of Birth: _____

Student's Name _____
Last First Middle Initial

Home Address _____ Phone # _____

Present District and School _____ Present Grade _____

Requested School _____ For School Year _____ Grade _____

Reason for Transfer _____

NOTICE

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

I understand that, if approved, this assignment will be granted for only one (1) school year and that any special transportation needed is the responsibility of the parent/guardian.

Parent/Guardian's Signature

Date

TO BE COMPLETED BY PRINCIPAL AND CENTRAL OFFICE PERSONNEL

Ethnicity _____ Gender _____ Special Education: *Circle one.*
MMD SLD EBD FMD OHI TBI DD OTHER
(For placement purposes only – not a determining factor in granting acceptance.)

Signature of Person Accepting Release (if request is granted to attend school in another county)

Date

Signature of Person Authorizing Release (if requesting to attend school in Mercer County)

Date

Principal's Signature/Approval (of the requested school in Mercer County)

Date

Superintendent _____ Approval of Releasing District _____

☐ Yes ☐ No Date: _____

Superintendent _____ Approval of Receiving/Nonresident District of Student
(Mercer County Schools)

☐ Yes ☐ No 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. WRITTEN AGREEMENTS OR CONTRACTS WILL NO LONGER BE NECESSARY.
FINANCIAL IMPLICATIONS: NONRESIDENT PUPILS WILL BE COUNTED IN ADA FOR STATE FUNDING

STUDENTS

09.124 AP.1

Tuition

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

~~DISTRICTS EXCHANGE ADA~~

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

~~No EXCHANGE~~

Where nonresident students or out-of-state students attend a school within the District ~~and the two (2) districts do not enter into a written contract to educate the nonresident/out-of-state students,~~ the amount of tuition shall be set by the Board.

Tuition may be paid as follows:

- ☐ in full at the beginning of the school year, or
- ☐ one-half may be paid on the opening day of school and the balance paid on the first day school opens in January.

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