

**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:~~

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

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

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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

### OTHER PROVISIONS

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

The Board may authorize different diploma programs. The Board, Superintendent, Principal, or teacher may award special recognition to students. 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.

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 (MOVING TO NEW POLICY 08.11311)~~

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

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

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

~~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.~~

### GRADUATION ACTIVITIES

No student shall be allowed to participate in any graduation activities unless ALL requirements have been met.

The Principal will determine in advance of commencement exercises whether the student has satisfied these conditions.



## Graduation Requirements

### DIPLOMAS FOR VETERANS

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

### REFERENCES:

<sup>1</sup>KRS 40.010; KRS 158.140; 704 KAR 7:140

<sup>2</sup>KRS 158.622

<sup>3</sup>KRS 156.160; 20 U.S.C. § 1414

~~<sup>4</sup>KRS 158.142; 704 KAR 3:305~~

~~<sup>5</sup>KRS 158.141~~

KRS 156.027; KRS 158.135

KRS 158.1411; ~~KRS 158.1413; KRS 158.142;~~ 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 3:305;~~ 704 KAR 3:306; ~~704 KAR 3:535;~~ 704 KAR 7:090; 704

KAR Chapter 8

OAG 78348; OAG 82386

Kentucky Academic Standards

### RELATED POLICIES:

08.1131; ~~08.11311;~~ 08.14; 08.222; 08.4

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

### RELATED PROCEDURE:

09.12 AP.25



### **Alternative Credit Options**

In addition to regular classroom-based instruction, students may earn credit through the following means.

#### **EXTENSION/SUMMER SCHOOL UNITS**

With prior approval of the Principal/designee, high school students may earn, through an accredited extension/summer school program, academic credits to be applied toward graduation requirements. Students who have enrolled in and failed to receive credit toward graduation in a required course may enroll in an accredited extension/summer school program and receive credit for graduation upon successful completion of said course(s). Only courses offered by agencies and institutions recognized by the Board will be accepted.

#### **RECORD**

A student who needs online or extension/summer school courses in order to graduate shall not be eligible to participate in graduation activities or to receive a diploma until official record of the final grade is received and credit for the course is recorded at least five (5) working days prior to graduation.

#### **ONLINE COURSES**

The District shall recognize only those online courses that meet the international standards for online teachers, courses, and programs that have been adopted by the Kentucky Department of Education.

The Woodford County Board of Education approves the curriculum, instructional practices and use of the online courses as a means by which Woodford County students may acquire instruction and course credit. These online school credits are to be included on the student's transcript and will be counted toward graduation from the high schools in Woodford County.

A student may receive credit through an online school if the following requirements have been met and approved by the District's administration:

1. The student must make application (at the school) and receive written or signed permission to take an online school course. The Principal and/or his designee shall be the only person(s) that approves online courses. Permission forms are on file in the guidance or Principal's office.
2. An online course may be taken any time during grades five, six, seven, or eight (5-8), as well as anytime during the student's four (4) years of high school (grades 9-12).
3. It is the responsibility of the student and online school to provide a valid grade/score to the school. All grades will be confirmed through the online school office before final credit approval is granted to the student.
4. The District's grading scale will be followed in granting final credit.
5. The final exam for online school courses must be administered by public school personnel granting the credit.

Online courses may be subject to review by the Superintendent/designee for conformance with Kentucky Academic Standards and District graduation requirements.

## Alternative Credit Options

### ONLINE COURSES (CONTINUED)

A student that is considering online school credits should consider the following stipulations:

1. The student must arrange for the use of school facilities and equipment or provide his/her own.
2. The Board shall pay the fees and other costs for the course from funds that have been allocated to the school, provided the course is part of the student's regular school day coursework and within budgetary parameters.
3. The student will not be granted credit if he/she is not enrolled in a public school system and/or does not have permission from that district prior to enrolling in the course.
4. A student enrolling from another public school will be granted credit on his/her transcript for all online school credits approved.
5. The Superintendent shall determine, within the budget adopted by the Board, whether additional funding shall be granted, based on supporting data provided by the Principal.

This policy will be reviewed annually.

### DUAL-CREDIT SCHOLARSHIP PROGRAM

The District may offer the opportunity for students to earn dual-credits through the Kentucky Dual-Credit Scholarship Program and follows the guidelines outlined in the "*Kentucky Council on Postsecondary Education and Kentucky Department of Education Dual Credit Policy for Kentucky Public and Participating Postsecondary Institutions and Secondary Schools*," located on the Kentucky Department of Education website.

### 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 developing and amending the system shall address the following:

1. Conditions under which each high school may grant performance-based credits and the related performance descriptors and assessments;
2. Objective grading and reporting procedures;
3. Content standards established in 704 KAR 3:303 and 704 KAR Chapter 8;
4. The extent to which state-provided assessments will be used;
5. The ability for students to demonstrate proficiency and earn credit for learning acquired outside of school or in prior learning; and
6. Criteria to ensure that internships, cooperative learning experiences, and other learning in the school and community are:
  - Designed to further student progress towards the Individual Learning Plan;
  - Supervised by qualified instructors; and
  - Aligned with State and District content and performance standards.

**Alternative Credit Options**

**REFERENCES:**

KRS 158.622

704 KAR 3:303; 704 KAR 3:305; 704 KAR Chapter 8

**RELATED POLICIES:**

08.113; 08.11311; 08.2323; 09.1221; 09.3; 09.435



## **Early Graduation Program**

Students who meet all applicable legal requirements shall be eligible for the Early Graduation Program (EGP) in relation to receipt of a graduation diploma and an Early Graduation Certificate. Students wishing to participate in the EGP shall notify the Principal in writing at the beginning of grade nine (9) or as soon as the intent is known, but no later than the first thirty (30) school days of the academic year in which the student intends to graduate.

A student shall not be prohibited from completing the EGP if the student meets all requirements. Students who enroll in the EGP and meet all applicable legal requirements shall receive a diploma and an Early Graduation Certificate.

A Letter of Intent to Apply shall be entered into the student information system by October 15 of the year the student intends to graduate.

A student shall complete all requirements applicable to the academic year in which the student intends to graduate as established in administrative regulation by the Kentucky Board of Education.

A student who has indicated an intent to complete the EGP may participate in the state administration of the college entrance exam prior to the junior year, if needed.

For students wishing to participate in the EGP and earn an Early Graduation Certificate and scholarship the Superintendent/designee shall provide:

- a. Criteria for supporting the development and monitoring of the student's ILP;
- b. Goal planning related to the attainment of established District essential workplace ethics programs;
- c. Completion of a professional resume; and
- d. Completion of one (1) postsecondary admissions application that may be used at a Kentucky public two (2) year community and technical college, or a Kentucky four (4) year public or non-profit independent institution accredited by the Southern Association of Colleges and Schools.

Each EGP participant, with the support of the comprehensive school counselor/designee, shall:

- a. Identify all EGP requirements and develop a strategy within the ILP for meeting those requirements, including the District's established workplace ethics program; and
- b. Complete an entrance interview with the Principal/designee to discuss postsecondary goals and career aspirations.

By July 1, 2024, each high school shall determine performance descriptors and evaluation procedures for an EGP performance-based project, portfolio, or capstone required for students who intend to complete the EGP beginning with the 2024-2025 academic year.

## Early Graduation Program

### EARLY GRADUATION PROGRAM (EGP) (CONTINUED)

Performance descriptors and evaluation procedures shall provide an opportunity for the student to demonstrate attainment of the following critical skills required for post-secondary and career success:

- a. Attainment of essential workplace ethics program components;
- b. Demonstration of an ability to apply the academic standards as a lifelong learner and contributing member of society;
- c. Demonstration of written and verbal communication skills needed for post-secondary success; and
- d. Demonstration of an ability to think critically, synthesize information, and draw conclusions.

By July 1, 2024, the performance-based project, portfolio, or capstone shall be required for completion of the EGP.

Each high school shall maintain and make readily available to the Kentucky Department of Education the EGP participant's performance-based project, portfolio, or capstone for a minimum of five (5) years.

Any student seeking to graduate early who receives services deemed essential by the District shall engage in meaningful consultation with a school-based mental health services provider on the creation of a continuity of services plan prior to graduation.

The District shall ensure the creation of a continuity of services plan for all students identified as a homeless child, a migratory child, or youth engaged in foster care. A transition plan shall be completed for children aging out of foster care.

#### REFERENCES:

KRS 158.142  
704 KAR 3:305

#### RELATED POLICIES:

08.113; 08.1131



LEGAL: REVISIONS TO 704 KAR 3:395 CLARIFY THAT EXTENDED SCHOOL SERVICES SHALL BE PROVIDED TO ELIGIBLE STUDENTS WHO ARE IN THE FIRST YEAR OF THE PRIMARY SCHOOL PROGRAM THROUGH GRADE TWELVE. STUDENTS SHALL BE ELIGIBLE TO RECEIVE THESE SERVICES UNTIL THEY GRADUATE FROM GRADE TWELVE OR REACH TWENTY-ONE (21) YEARS OF AGE, WHICHEVER COMES FIRST.  
FINANCIAL IMPLICATIONS: COST OF PROVIDING ESS

CURRICULUM AND INSTRUCTION

08.133

## **Extended School/Direct Student Services**

### **PLAN FOR DIAGNOSING**

The Superintendent/designee shall develop a shall develop a plan for diagnosing and addressing student academic deficiencies by providing Eextended Sschool Sservices (ESS) as required by state law.

### **ESSEXTENDED SCHOOL SERVICES**

ESS shall be provided to eligible students who are in the first year of the primary school program through grade twelve. Students shall be eligible to receive these services until they graduate from grade twelve or reach twenty-one (21) years of age, whichever comes first. The Board shall provide ESSextended school services consistent with students' intervention plans and goals included as part of individual learning plans, requirements of 704 KAR 3:395, and local plans and procedures.

For students eligible to attend ESS, the District shall:

- Identify learning goals and benchmarks for each student that, if achieved, indicate that the student may exit the ESSextended school services program;
- Determine conditions under which a student's absence from the program may be considered excused or unexcused; and
- Determine method for transporting students mandated to attend.

The District shall select pupils who need additional instructional time or differentiated opportunity to learn academic and enrichment content aligned with their individual student needs to improve their present level of performance in one (1) or more content areas. Priority for ESS services shall be placed on designing and delivering services to students at risk academically.

The District may provide ESSextended school services, which may include a before-school and/or after-school tutorial program for students attending school during the school year and during the regular school day when a waiver for alternative service delivery has been obtained. ESSextended school services offered during the summer shall be available to all eligible students residing in the District regardless of whether they attend District schools.

### **DIRECT STUDENT SERVICES**

The District may apply for Title I funding for Direct Student Services if eligible as provided in Every Student Succeeds Act and the state plan required under federal law. Required notices, funding, and provision of Direct Student Services shall be consistent with federal and state requirements.

### **REFERENCES:**

- KRS 158.070
- 704 KAR 3:395
- 20 U.S.C. § 6303b
- P. L. 114-95 (Every Student Succeeds Act of 2015)



LEGAL: SB 150 (EFFECTIVE NOW) AMENDS KRS 158.1415 TO REQUIRE A POLICY TO RESPECT PARENTAL RIGHTS REGARDING HUMAN SEXUALITY. IT ALSO REQUIRES PARENTAL NOTIFICATION OF THE STUDENT'S PLANNED PARTICIPATION IN THE COURSE AND A PROCESS FOR WRITTEN CONSENT FROM THE PARENT OR GUARDIAN.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

## Human Sexuality

Per KRS 158.1415, if a school council or, if none exists, the Principal adopts a curriculum for human sexuality or sexually transmitted diseases, instruction shall include but not be limited to the following content:

- a) Abstinence from sexual activity is the desirable goal for all school-age children;
- b) Abstinence from sexual activity is the only certain way to avoid unintended pregnancy, sexually transmitted diseases, and other associated health problems;
- c) The best way to avoid sexually transmitted diseases and other associated health problems is to establish a permanent mutually faithful monogamous relationship;
- d) A school policy to respect parental rights by ensuring that:
  1. Children in grade five (5) and below do not receive any instruction through curriculum or programs on human sexuality or sexually transmitted diseases; or
  2. Any child, regardless of grade level, enrolled in the district does not receive any instruction or presentation that has a goal or purpose of students studying or exploring gender identity, gender expression, or sexual orientation; and
- e) A school policy to notify a parent in advance and obtain the parent's written consent before the parent's child in grade six (6) or above receives any instruction through curriculum or programs on human sexuality or sexually transmitted diseases.

### CURRICULUM REQUIREMENTS

Any course, curriculum, or program offered by a public school on the subject of human sexuality provided by school personnel or by third parties authorized by the school shall:

- a) Provide an alternative course, curriculum, or program without any penalty to the student's grade or standing for students whose parents have not provided written consent as required by law;
- b) Be subject to an inspection by parents of participating students that allows parents to review the following materials:
  - 1) Curriculum;
  - 2) Instructional materials;
  - 3) Lesson plans;
  - 4) Assessments or tests;
  - 5) Surveys or questionnaires;
  - 6) Assignments; and
  - 7) Instructional activities;

## Human Sexuality

### CURRICULUM REQUIREMENTS (CONTINUED)

- c) Be developmentally appropriate; and
- d) Be limited to a curriculum that has been subject to the reasonable review and response by stakeholders in conformity with KRS 160.345.

A public school offering any course, curriculum, or program on the subject of human sexuality shall provide written notification to the parents of a student at least two (2) weeks prior to the student's planned participation in the course, curriculum, or program. The written notification shall:

- a) Inform the parents of the provisions of the course or curriculum;
- b) Provide the date the course, curriculum, or program is scheduled to begin;
- c) Detail the process for a parent to review the materials;
- d) Explain the process for a parent to provide written consent for the student's participation in the course, curriculum, or program; and
- e) Provide the contact information for the teacher or instructor of the course, curriculum, or program and a school administrator designated with oversight.

This shall not prohibit school personnel from:

- a) Discussing human sexuality, including the sexuality of any historic person, group, or public figure, where the discussion provides necessary context in relation to a topic of instruction from a curriculum approved pursuant to KRS 160.345; or
- b) Responding to a question from a student during class regarding human sexuality as it relates to a topic of instruction from a curriculum approved pursuant to KRS 160.345.

### REFERENCES:

KRS 158.1415; KRS 160.345

### RELATED POLICIES:

08.1; 08.23; 08.2322



LEGAL: SB 5 CREATES A NEW SECTION OF KRS 158 TO REQUIRE THE BOARD TO ADOPT A COMPLAINT RESOLUTION POLICY FOR PARENTS OR GUARDIANS ALLEGING THAT MATERIAL, A PROGRAM, OR AN EVENT THAT IS HARMFUL TO MINORS HAS BEEN PROVIDED OR IS CURRENTLY AVAILABLE TO THEIR STUDENT ENROLLED IN THE DISTRICT.

FINANCIAL IMPLICATIONS: TIME SPENT INVESTIGATING, RESPONDING TO APPEALS, COST OF NEWSPAPER ADVERTISEMENT REGARDING FINAL OUTCOME

CURRICULUM AND INSTRUCTION

08.23

## **“Harmful to Minors” Complaint Resolution Process**

### **“HARMFUL TO MINORS”**

Per KRS 158.192 “harmful to minors” means materials, programs, or events that:

- a) Contain the exposure, in an obscene manner, of the unclothed or apparently unclothed human male or female genitals, pubic area, or buttocks or the female breast, or visual depictions of sexual acts or simulations of sexual acts, or explicit written descriptions of sexual acts;
- b) Taken as a whole, appeal to the prurient interest in sex; or
- c) Is patently offensive to prevailing standards regarding what is suitable for minors.

### **COMPLAINT RESOLUTION PROCESS**

This complaint resolution policy shall be used to address complaints submitted by parents or guardians alleging that material, a program, or an event that is harmful to minors has been provided or is currently available to a student enrolled in the District who is the child of the parent or guardian.

The complaint resolution process shall require that:

- a) Complaints be submitted in writing to the Principal of the school where the student is enrolled;
- b) Complaints provide the name of the complainant, a reasonably detailed description of the material, program, or event that is alleged to be harmful to minors, and how the material, program, or event is believed to be harmful to minors.

The appeal process is outlined in 08.23 AP.21/Complaint Resolution Process.

Complaints regarding other issues shall be submitted pursuant to other appropriate policies including but not limited to: Grievances; Harassment/Discrimination; Title IX Sexual Harassment; Review of Instructional Materials; and Citizen Suggestions and Complaints.

### **REFERENCES:**

KRS 158.192

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

### **RELATED POLICIES:**

03.16; 03.162; 03.1621; 03.26; 03.262; 03.2621

08.2322; 09.4281; 09.42811; 09.428111; 10.2



LEGAL: SB 247 CREATES A NEW SECTION OF KRS 158 TO ALLOW THE PARENT OR GUARDIAN OF A STUDENT WHO HAS CHANGED RESIDENCES WITHIN THE DISTRICT AND IS IN GRADES K-3 THE OPTION TO REQUEST TO REMAIN IN THE ORIGINAL SCHOOL REGARDLESS OF TRANSPORTATION DECISION.

FINANCIAL IMPLICATIONS: COSTS OF TRANSPORTING STUDENTS TO ANOTHER SCHOOL

STUDENTS

09.11

## School Attendance Areas

### ASSIGNED ZONES

All pupils shall be assigned by geographic attendance zones and will attend the school designated to serve their area of residence. Specific areas served by each attendance zone will be marked on a map in the central administration office. The Board may revise attendance zones from time to time to attain maximum utilization of school facilities.<sup>1</sup>

No student may be assigned to or required to attend a charter school by the District.

### EXCEPTIONS

If a family moves from one attendance zone to another within the school system, the pupil may be permitted to finish the school year in the school in which s/he was last enrolled (at no cost or service by the Board). The pupil must enroll the following year in the school in the attendance zone of his/her legal residence.

**Students who attend a school, other than their assigned schools, shall provide their own transportation to and from school.**

### ELIGIBLE STUDENTS AND TRANSPORTATION

Per KRS 158.072, "eligible student" is defined as a student enrolled in kindergarten or grade one (1), two (2), or three (3) who qualifies for free or reduced-price school meals or attends a school that participates in the community eligibility provision of the National School Lunch Program.

If the eligible student changes residence and the change in residence results in the student being assigned to a different school within the District, the parent or guardian of the eligible student shall have the option to request the student, and any of the student's siblings enrolled in the same school in any grade, remain enrolled in the original school regardless of the transportation decision made by the Superintendent.

The District shall provide transportation to the original school from the eligible student's new residence unless the Superintendent denies the transportation request if s/he determines the distance and travel time that the student would spend in transport is impracticable. The District shall report the transportation denial and supporting rationale to the Kentucky Department of Education.

### REQUESTS FOR TRANSFER

Requests for transfer to another District school must be based on physical, psychological, or educational reasons. Family hardship may also be considered in changing school assignment.

In compliance with and as set forth by federal requirements, the District shall allow students to transfer to another District school if:

1. The assigned school is designated by the state as being "persistently dangerous"; or
2. The student becomes a victim of a violent criminal offense, as determined by state law, while attending school.<sup>2</sup>

**School Attendance Areas**

**REFERENCES:**

<sup>1</sup>KRS 159.070; OAG 80394

<sup>2</sup>P. L. 114-95, (Every Student Succeeds Act of 2015); 20 U.S.C. § 6301 et seq.

**KRS 158.072**; KRS 160.1592

McKinney-Vento Act, 42 U.S.C. 11431 et seq.; 20 U.S.C. § 7912(a)

**702 KAR 3:190**

**RELATED POLICIES:**

**06.32**

**08.1211**

LEGAL: REVISIONS TO 702 KAR 7:125 ADD ANOTHER EXCEPTION TO THE REQUIREMENT FOR STUDENTS TO BE PHYSICALLY PRESENT IN SCHOOL TO BE COUNTED IN ATTENDANCE.  
FINANCIAL IMPLICATIONS: STUDENTS COUNTED AS PRESENT UNDER SEEK

STUDENTS

09.122

## Attendance Requirements

### COMPULSORY ATTENDANCE

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

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

### EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school;
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;<sup>2</sup> or
7. A student enrolled in a District-operated alternative education program who attains a High School Equivalency Diploma.<sup>8</sup>

### STATEMENT REQUIRED

The Board, before granting an exemption for number four (4) above, shall require a signed statement as required by law unless a student's individual education plan (IEP) specifies that placement of the child with a disability at home or in a hospital is the least restrictive environment for providing services.<sup>2</sup>

### EXCEPTIONS TO PRESENCE AT SCHOOL

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

1. Students shall be counted in attendance when they are receiving home/ hospital, institutional,<sup>2</sup> or court-ordered instruction in another setting.



## Attendance Requirements

### EXCEPTIONS TO PRESENCE AT SCHOOL (CONTINUED)

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

## Attendance Requirements

### REFERENCES:

<sup>1</sup>KRS 159.010; OAG 8555

<sup>2</sup>KRS 159.030

<sup>3</sup>KRS 159.035

<sup>4</sup>702 KAR 7:125

<sup>5</sup>KRS 158.240

<sup>6</sup>KRS 158.070

<sup>7</sup>704 KAR 3:305

<sup>8</sup>KRS 158.143

<sup>9</sup>KRS 158.150

KRS 158.030; KRS 159.020; KRS 159.180; KRS 159.990

704 KAR 3:535; 704 KAR 5:060

OAG 7968; OAG 79539; OAG 8740; OAG 97-26

### RELATED POLICIES:

08.131; 08.1312

09.111; 09.121; 09.123; 09.36



LEGAL: SB 150 (EFFECTIVE NOW) CREATES A NEW SECTION OF KRS 158 TO REQUIRE THE BOARD TO ADOPT POLICIES NECESSARY TO PROTECT THE PRIVACY RIGHTS OF STUDENTS.  
FINANCIAL IMPLICATIONS: COST OF LITIGATION DEFENDING THIS LEGISLATION

STUDENTS

09.141

## **Student Privacy Rights**

### **PUBLIC COMMENT REQUIRED**

KRS 158.189 requires the Board, after allowing public comment at an open meeting, to adopt this Policy (09.141), necessary to protect the privacy rights for students, that at a minimum, does not allow students to use restrooms, locker rooms, or shower rooms that are reserved for students of a different biological sex.

A student who asserts to school officials that his or her gender is different from his or her biological sex and whose parent or legal guardian provides written consent to school officials shall be provided with the best available accommodation, but that accommodation shall not include the use of school restrooms, locker rooms, or shower rooms designated for use by students of the opposite biological sex while students of the opposite biological sex are present or could be present.

Acceptable accommodations may include but are not limited to access to single-stall restrooms or controlled use of faculty bathrooms, locker rooms, or shower rooms.

### **REFERENCE:**

KRS 158.189

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY MIDDLE AND HIGH SCHOOL BUILDING, AND AS FUNDS BECOME AVAILABLE, AT SCHOOL-SANCTIONED MIDDLE AND HIGH SCHOOL ATHLETIC PRACTICES AND COMPETITIONS, AND TO ADOPT PROCEDURES FOR THE USE OF AEDS DURING EMERGENCIES.

FINANCIAL IMPLICATIONS: COSTS OF PURCHASING, MAINTAINING AEDS, COPYING AND DISTRIBUTING PLANS, AND PERSONNEL TRAINING COSTS

STUDENTS

09.224

## **Emergency Medical Treatment**

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

First aid shall be provided all pupils in case of an accident or sudden illness until the services of a health care professional become available. ~~Automated external defibrillators may be used to provide emergency first aid in accordance with Policy 05.4 and established procedures.~~

### **EPINEPHRINE**

District schools may maintain epinephrine for administration to students who may have a life-threatening allergic reaction but have no written individual health plan in place. Epinephrine for such instances shall be administered following the protocols developed by the Kentucky Department of Public Health.

Epinephrine shall be stored in a minimum of two (2) locations in the school, including but not limited to the school office and the school cafeteria and shall keep epinephrine auto-injectors in a secure, accessible, but unlocked location. Staff should be made aware of the storage location in each school.

### **FIRSTAID AREA**

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

The District shall have employees trained in accordance with the law to administer or help administer emergency medications.

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

### **AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)**

The District shall maintain a portable AED in a public, readily accessible, well-marked location in every middle and high school building and, as funds become available, at school-sanctioned middle and high school athletic practices and competitions. A minimum of three (3) employees in the school and all interscholastic athletic coaches shall be trained on the use of a portable AED.<sup>2</sup>

### **INFORMATION NEEDED**

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



## **Emergency Medical Treatment**

### **EMERGENCY CARE PROCEDURES**

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

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

### **REFERENCES:**

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

<sup>2</sup>[KRS 158.162](#)

KRS 156.502; KRS 158.836; KRS 158.838

Kentucky Department of Education Health Services Reference Guide (HSRG)

### **RELATED POLICIES:**

05.4; 09.2; 09.22; 09.2241

LEGAL: SB 229 AMENDS KRS 620.030 REMOVING DUPLICATE REPORTING TO AUTHORITIES AND ADDS FACILITATING COOPERATION BETWEEN AGENCIES.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.227

## Child Abuse

### REPORT REQUIRED

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected<sup>1</sup>, or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make an oral report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's Attorney or ~~the~~ County Attorney in accordance with KRS 620.030.<sup>2</sup>

After making ~~that oral~~ report, the employee shall then immediately notify the Principal of the suspected abuse, ~~who then shall also promptly make a report to the proper authorities for investigation.~~ If the Principal is suspected of child abuse, the employee shall notify the Superintendent/designee ~~who shall also promptly report to the proper authorities for investigation.~~

Upon notification, the Principal or the Superintendent/designee shall facilitate the cooperation of the school with the investigation of the report. Any person who knowingly causes intimidation, retaliation, or obstruction in the investigation of the report shall be guilty of a Class A misdemeanor.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the District shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the District, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel action.

### WRITTEN REPORT

The person reporting shall, if requested, in addition to the report required above, file with the local law enforcement agency or the Kentucky State Police or the Commonwealth's or County's Attorney or the Cabinet for Health and Family Services or its designated representative within fortyeight (48) hours of the original report a written report containing specific information regarding the child, the child's parents or guardians, and the person allegedly responsible for the abuse or neglect.

### WRITTEN RECORDS

Copies of reports kept by the District that are submitted to authorities in compliance with the child abuse law are educational records and subject to inspection by the parents of the alleged victim of child abuse. Whether the records are considered "internal records", and not maintained with the students' "permanent records", is immaterial if such records are directly related to students and are maintained by the school or school District.

### INTERVIEWS

If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet Health and Family Services representative as to whether to contact a parent<sup>3</sup> and shall provide the Cabinet access to a child subject to an investigation or assessment without parental consent.<sup>4</sup>



## Child Abuse

### AGENCY CUSTODY

If, as a result of dependency, neglect, or abuse, a child has been placed in the custody of the Cabinet, the Principal, or any Assistant Principal of the school in which the child is enrolled, and the District's Director of Pupil Personnel shall be notified of the names of persons authorized to contact the child at school, in accordance with school visitation or communication policy, or remove the child from school grounds.

The notification shall be provided to the school by the Cabinet:

- a) By written notice via email or fax on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. Verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By email, fax, or hand delivery of a copy of the court order within ten (10) calendar days following a change of custody or change in contact or removal authority.

### REQUIRED TRAINING

All current school administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors shall complete Board selected training on child abuse and neglect prevention, recognition, and reporting by January 31, 2017, and every two (2) years thereafter. School administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors hired after January 31, 2017, shall complete the training within ninety (90) days of being hired, and every two (2) years thereafter.

### OTHER

Each school shall prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services and the National Human Trafficking Reporting Hotline number administered by the United States Department for Health and Human Services.

### REFERENCES:

<sup>1</sup>KRS 600.020

<sup>2</sup>KRS 620.030; KRS 620.040

<sup>3</sup>OAG 85134; OAG 92138

<sup>4</sup>KRS 620.072

KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580

KRS 156.095; KRS 199.990

KRS 209.020; KRS 508.125; KRS 620.050; KRS 620.146

OAG 77407; OAG 77506; OAG 8050; OAG 85134

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights  
Regulations Implementing Title IX

### RELATED POLICIES:

09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY MIDDLE AND HIGH SCHOOL BUILDING, AND AS FUNDS BECOME AVAILABLE, AT SCHOOL-SANCTIONED MIDDLE AND HIGH SCHOOL ATHLETIC PRACTICES AND COMPETITIONS, AND TO ADOPT PROCEDURES FOR THE USE OF AEDS DURING EMERGENCIES. IT ALSO REQUIRES ALL INTERSCHOLASTIC ATHLETIC COACHES BE TRAINED ON THE USE OF PORTABLE AEDS AND MAINTAIN A CPR CERTIFICATION RECOGNIZED BY A NATIONAL ACCREDITING BODY ON HEART HEALTH.

FINANCIAL IMPLICATIONS: COSTS OF PURCHASING, MAINTAINING AEDS, COPYING AND DISTRIBUTING PLANS, AND PERSONNEL TRAINING COSTS

STUDENTS

09.311

## **Safety (Athletics)**

District policy and procedures shall be developed to conform with statutory and regulatory requirements designed to protect the safety of the students in all athletic practices and events.

### **SUPERVISION**

All athletic practices and events shall be under the direct supervision of a qualified employee of the Board.

### **TRAINING**

All persons employed by the District as a coach for any interscholastic athletic activity or sport shall meet statutory training requirements. Training shall include how to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion.

In addition, at least one (1) person who has completed the required course shall be present at every interscholastic athletic practice and competition.<sup>1</sup>

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete training as required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a cardiopulmonary resuscitation (CPR) C.P.R. course that includes the use of an automated automatic external defibrillator (AED) and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.<sup>4</sup> All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.<sup>5</sup>

Non-faculty coaches and non-faculty assistants shall complete District training that includes information on the physical and emotional development of students of the age with which they will be working, the District's and school's discipline policies, procedures for dealing with discipline problems, and safety and the first aid training. Follow-up training shall be provided annually.<sup>3</sup>

### **EMERGENCY ACTION PLAN**

In keeping with rules established by Kentucky Board of Education (KBE) or the Kentucky High School Athletic Association (KHSAA), each school participating in interscholastic athletics shall develop and implement a venue-specific, written emergency action plan and submit annual written verification of the plan to the designated agency. The school plan shall be reviewed, distributed, posted, and rehearsed annually as provided in statute.<sup>1</sup>



## Safety (Athletics)

### CARDIAC EMERGENCY RESPONSE PLAN

A written cardiac emergency response plan that clearly identifies the location of each AED shall be rehearsed by simulation prior to the beginning of each athletic season by all: licensed athletic trainers, school nurses, and athletic directors; and interscholastic coaches and volunteer coaches of each athletic team active during that athletic season.

### CONCUSSIONS

When an interscholastic coach, school athletic personnel, or contest official suspect that a student athlete has sustained a concussion during an athletic practice or competition, the student shall be removed from play and evaluated by a physician or licensed health care provider, as specified in statute, who shall determine if a concussion has occurred. Upon the completion of the required evaluation, the coach may return the student to play if it is determined that no concussion has occurred. If no physician or licensed health care provider is present to perform the required evaluation, the coach shall not return the student to play or participation in subsequent practices or athletic competitions until written clearance is provided.

A student athlete deemed to be concussed shall not be permitted to participate in any athletic practice or competition occurring on the day of the injury or, unless a physician provides written clearance, participate in any practice or athletic competition held on a subsequent day.

### MEDICAL EXAMINATION

Each student seeking eligibility to participate in any school athletic activity or sport must pass an annual medical examination performed and signed by a medical practitioner.<sup>2</sup>

The required physical examination and parental authorization shall include acknowledgement of receipt of information on the nature and risk of concussion and head injury, including the continuance of playing after concussion or head injury.<sup>1</sup>

### REFERENCES:

<sup>1</sup>KRS 160.445

<sup>2</sup>KRS 156.070

<sup>3</sup>KRS 161.185

<sup>4</sup>702 KAR 7:065

<sup>5</sup>[KRS 158.162](#)

### RELATED POLICIES:

03.1161

03.2141



LEGAL: SB 145 AMENDS KRS 156.070 REMOVING THE STATUTORY ELIGIBILITY RESTRICTION FOR NONRESIDENT STUDENT PARTICIPATION IN INTERSCHOLASTIC ATHLETICS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.313

### **Eligibility (Athletics)**

~~Determination of athletic eligibility shall be made in compliance with applicable administrative regulations and Kentucky High School Athletic Association (KHSAA) requirements. Any student who transfers enrollment from a district of residence to a nonresident district shall be ineligible to participate in interscholastic athletics for one (1) calendar year from the date of transfer.~~<sup>21</sup>

#### **EDUCATION AND PREVENTION PROGRAM**

The Superintendent shall establish a comprehensive and on-going drugfree/alcoholfree prevention program for all students which shall include notice to students and parents of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/student assistance programs; and
5. Penalties that may be imposed upon students for violations of this policy.

Each school year at least one (1) educational opportunity addressing alcohol and/or drug abuse issues shall be conducted. These educational opportunity shall be accessible to all Woodford County middle- and high-school students, but shall be required for all participants of athletics, competitive extracurricular activities and for students who will be driving or parking on any school property. Each student participant shall be given a survey upon completion. If a student does not participate in the educational opportunity due to being absent or due to not deciding to participate in a covered activity until after the educational opportunity has been held, there will be an opportunity to make-up the educational opportunity. Students who fail to satisfactorily complete the survey following attendance at the educational opportunity will be required to attend the make-up educational opportunity or will be prohibited from participation in a covered activity. If accommodations are needed and requested, those will be addressed on a case-by-case basis.

#### **SEMINARS FOR PARENTS/GUARDIANS**

Educational information will be available for parents/guardians that will address alcohol and other forms of drug use. The central purpose of this information will be to provide parents/guardians with access to necessary information about drug abuse prevention.

All student athletes, competitive extracurricular team and organization members, students that hold an on-campus parking permit, voluntary participants, and their parents or legal guardians must have access to the following policy and must acknowledge, in writing, that they have read the policy, understand the policy, and agree to be bound by the terms and conditions contained in the policy.

## Eligibility (Athletics)

### STATEMENT OF PURPOSE

The purpose of the Drug Testing Program is to aid and assist students. It is not intended to unduly interfere with the student's private life or to bring hardship, but rather to protect the student's well-being and to prevent any threat to others who are associated with extracurricular activities in the District. Specific goals of the program are as follows.

1. To reassure students, parents and community that the health and academic progress of each of its students is the primary goal of the District.
2. To develop a drug-free extracurricular activities program and produce students who can serve as role models to influence peers to lead healthy and responsible lives.
3. To prevent drug use and abuse by students of the District.
4. To identify any student who may be using or abusing drugs including synthetic illegal substances, and to determine the identity of the drug or drugs.
5. To educate any student who may be using or abusing drugs including synthetic illegal substances, as to the possible physical and mental effects drug use may have and its possible adverse effects on a team and its members.
6. To provide counseling opportunities for any student who is determined to be using or abusing drugs including synthetic illegal substances.
7. To provide reasonable safeguards to help insure that every student in the District is physically competent to participate in extracurricular activities.

No student testing positive, (positive defined as: evidence of tested drugs including synthetic illegal substances in blood system), refusing to test, refusing to cooperate with testing or otherwise being in violation of this policy shall be penalized academically. Information, including testing positive, shall not be released to criminal or juvenile authorities absent compulsion by valid state or federal laws. The District shall work with the student and/or his or her parent(s)/legal guardian(s) when there is any violation of this policy and procedures.

### TESTING PROGRAM

Testing and collection shall be accomplished by the analysis of urine specimens obtained from the student participants and will be conducted by a professional testing laboratory selected by the Woodford County Board of Education. This testing laboratory shall determine which student participants are to be tested by the random drawing of unique numbers assigned to these student participants; approximately fifty (50) students will be tested each month. The collection of urine specimens for the random testing shall be conducted on the Woodford County High School, Woodford County Middle School, or Safe Harbor Academy premises. If a test result is found to have been adulterated, the student may be required to be retested. In the alternative, the adulterated test result, or any other attempt by the student to circumvent the drug testing, may be treated as a positive test result and the appropriate sanctions under violations will be assessed if the student is unable to provide an explanation which is acceptable with the District.



**Eligibility (Athletics)****TESTING PROGRAM (CONTINUED)**

Collection and testing procedures shall be established, developed, maintained, and administered to ensure (a) randomness of selection procedures, (b) proper student identification, (c) accurate specimen, (d) unadulterated integrity of the specimen, (e) the integrity of the collection and testing process, (f) minimal intrusion into privacy or other embarrassment for each student, and (g) the confidentiality of test results.

All scientific analysis of the collected specimens shall be conducted by the professional testing laboratory. Each specimen shall initially be tested by the testing laboratory using a highly accurate immunoassay technique (EMIT). Initial positive results must be confirmed by gas chromatography/mass spectrometry (GC/MS). If the initial positive result is not confirmed by the GC/MS technique, the test shall be deemed to be negative. Only after the GC/MS confirmation shall a test result be reported as positive. A portion of each urine specimen given by each student participant shall be preserved by the testing laboratory for a minimum of six (6) months.

Written confirmation of all test results shall be forwarded by the testing laboratory to the Superintendent's Designee. The testing laboratory shall not provide test results verbally.

The test results forwarded to the Superintendent's Designee shall indicate that the results were confirmed by the GC/MS and shall indicate the name of the individual for whom the test results are being reported; the type of test indicated on the custody and control form; the date and location of the test collection; the identity of the controlled substance(s) for which the test verified positive. Test results shall be forwarded to the Superintendent's Designee in a manner to ensure that the Superintendent's Designee cannot determine that any test was a presumptive, positive test unable to be confirmed by GC/MS.

In the event that a student participant's urine specimen produces a positive result (after the GC/MS confirmation), the Superintendent's Designee shall disclose and discuss the test results with the relevant Principal, Athletic Director, Head Coach, extracurricular Sponsor or other staff deemed appropriate by school administration; as well as with the student participant and the student's parent(s) or legal guardian(s) and shall advise of further procedural rights under this policy.

Any student participant who has tested positive, or the student's parents or legal guardians, may contest the test result by informing the Principal within seventy-two (72) hours of receipt of notice of the positive test result. The student and parent shall be entitled to present any evidence they desire to defend the charge of violation on this policy prior to implementation of sanctions. The Principal may require written documentation (such as a doctor's statement) of any evidence the student may wish to present that the student feels may have affected the test results. Failure to present written documentation to support the student's defense of the case may result in the student being subject to the sanctions provided in this policy for a positive test result. Further laboratory analysis shall be conducted with the student participant's remaining urine specimen preserved by the testing laboratory and shall be conducted at the expense of the student participant or his/her parent. A hair follicle test, at the expense of the student participant or his/her parent, may also be used as evidence on behalf of the student, if the student has hair of sufficient length to produce an adequate test result covering the time period of the original specimen collection.



**Eligibility (Athletics)****TESTING PROGRAM (CONTINUED)**

Student(s) eighteen (18) years of age or who will turn eighteen (18) years of age during the school year may check the box at the bottom of the “Student/Guardian Consent to Perform Urinalysis for Drug Testing” form they opt to have all test results released to the student’s parent(s) or legal guardian(s). One (1) year after the student turns eighteen (18) years old or one (1) year after the student’s graduation, whichever is later, all records in regard to this policy concerning each student participant shall be destroyed, and at no time shall these results or records be placed in the student participant’s academic file, or be voluntarily turned over to any law-enforcement agency, or used for any purpose other than those stated herein. For students who transfer to the District or otherwise do not fulfill the requirements for graduation, the records of that student shall be destroyed one (1) year after the student turns eighteen (18) years old.

The final determination of the student participant’s eligibility shall be made at the school level by the Principal based on the criteria for eligibility stated in the policy.

**APPLICABILITY**

This policy applies to all students grades 7-12 who choose to represent Woodford County High School or Woodford County Middle School on athletic teams, competitive extra-curricular teams and organizations, competitive events, and students who drive a motor vehicle on to any school campus, which are all voluntary activities. In addition, parents of students who would not otherwise be subject to this policy, may choose to have their child participate.

**NOTICE TO PARTICIPANT**

Prior to participation on any team or organization, or the issuance of a student parking permit each year, the Woodford County High School and Woodford County Middle School Administrators shall provide all students choosing to participate with teams or with student organizations, and student drivers and their parent or legal guardian with access to a written copy of this policy. Each student who chooses to participate or compete with a team or with student organizations, or drive a motor vehicle on to any school campus, and a parent or legal guardian of that student shall be required to sign a statement indicating that the student and the student’s parent or legal guardian have read this policy and acknowledge and agree to be bound by the terms and conditions contained therein. A copy of notification of procedures will be included in the school handbook and available on the website. A refusal to sign will result in the student’s ineligibility to participate in any covered activity.

**SUBSTANCES TESTED**

Student participants’ urine specimen shall be tested for the following which includes, but may not be limited to:

- Amphetamines;
- Marijuana (THC);
- Cocaine and its derivatives;
- Opiates;
- Phencyclidine (PCP);
- Benzodiazepine;
- Blockers;
- Methamphetamine;

## Eligibility (Athletics)

### NOTICE TO PARTICIPANT (CONTINUED)

- Methadone;
- Barbiturates; and
- Other abused, illegal, or controlled substances as determined by the Superintendent or listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by regulation under [KRS 218A.010](#).

### IMPLEMENTATION, REVIEW, AND EVALUATION

All student participants and their parents/guardians (*if the student is under the age of eighteen (18)*) must sign the *Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing* form before the student shall be permitted to participate in any extracurricular activity or be authorized to drive or park on school property. The Superintendent shall have the responsibility for implementing this policy. In implementing this policy, the Superintendent may seek input from school principals, coaches, the athletic director, the Title IV coordinator, the school health coordinator, counselors, the drug coordinator, parents or parent groups, local law enforcement officials, local health department officials, and any state agency officials.

The Superintendent shall devise procedures to implement this policy fairly and efficiently and shall review and evaluate the effectiveness of the drug-testing policy on an annual basis. The evaluation shall include, but not be limited to, the effectiveness of the comprehensive educational and counseling program, substance testing program, procedural safeguards, and the list of drug substances tested. In devising procedures to implement this policy, the superintendent may incorporate the policies and procedures of the collecting and testing agencies and the language in any contract(s) with such agencies.

### SANCTIONS

#### **First Violation**

1. A student testing positive will be suspended from competing or participating in interscholastic/extracurricular events or athletics for the next 25% of the season. Student drivers will be denied permission to drive and/or park on any school property for the next nine (9) consecutive weeks of school. The suspension will begin the date that the results are received. If necessary, the suspension shall carry over to the student's subsequent participation on another athletic team/extracurricular activity and/or the following season. While serving the sanctions associated with a first violation, a student athlete or participant will be permitted to take part in practices with parent approval. Before being eligible to practice and before reinstatement after the first violation, the student participant must receive an assessment or evaluation for chemical dependency by a qualified health service provider, at the expense of the student or his/her parent. Prior to readmission to participation to the athletic team/extracurricular activity or reauthorization to drive, the student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a second violation.
2. If a student is reinstated to the athletic team/extracurricular activity or driving privileges following the first violation, the student's participation in another activity shall not be restricted solely because of the existence of the first violation, as long as the student has completed the period of suspension and was appropriately reinstated to the prior activity.



**Eligibility (Athletics)****SANCTIONS (CONTINUED)**

3. If the student elects not to seek reinstatement to the activity after a first violation (either because of the student's own election or because the season concluded prior to the expiration of the student's period of suspension), the student is still required to serve the unexpired portion of the suspension before becoming eligible for participation in any other extracurricular activity. A student serving a suspension for any sport may try out for a second sport if the student provides a negative drug test result from the testing laboratory under contract. If the student successfully makes the team or joins a competitive extracurricular group, the student must serve the unexpired portion of the previous suspension prior to participation. The student must complete all forms required for participation on another competitive extracurricular activity, and the student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a second violation.

**Second Violation**

1. For a second violation, the student participant shall be suspended for the next fifty percent (50%) of athletic/interscholastic/extracurricular events. Student drivers with a second violation will be denied permission to drive and/or park on school property for the next eighteen (18) consecutive weeks of school. If necessary, the suspension shall carry over to the student's subsequent participation on another athletic team/extracurricular activity and/or the following season. While serving the sanctions associated with a second violation, a student athlete or participant will be permitted to take part in practices with parent approval. Before being eligible to practice and before reinstatement to the activity after a second violation, the student participant must successfully complete recommendations that resulted from the chemical dependency assessment as evidenced by a written statement to that effect issued by a treatment counselor or other qualified health service provider.  
The student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a third violation.
2. If a student is reinstated to the activity following a second violation, the student's participation in another activity shall not be restricted solely because of the existence of the second violation, as long as the student has completed the period of suspension and the required chemical dependency program and was appropriately reinstated to the prior activity.
3. If the student elects not to seek reinstatement to an activity after a second violation (either because of the student's own election or because the season concluded prior to the expiration of the student's period of suspension) the student is still required to serve the unexpired portion of the suspension before becoming eligible for any other extracurricular activity. A student serving a suspension for one sport/activity may try out for a second sport or join a second activity if the student provides a negative drug test result from the testing laboratory under contract. If the student makes the team, prior to participation, the student must serve the unexpired portion of the previous suspension. The student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a third violation.



**Eligibility (Athletics)****SANCTIONS (CONTINUED)****Third and Subsequent Violations:**

The student participant or driver shall be excluded from participation in any covered activity for one (1) full calendar year. A student who has tested positive a third or subsequent time must submit to voluntary drug testing upon return to participation and will be tested no fewer than two (2) times in the first full calendar year following their return to participation. The student/parents are encouraged to seek drug counseling. If a student under the age of eighteen (18) has tested positive four (4) or more times within a two (2) year period, a neglected child report may be made if required by the child abuse/neglect reporting statute.

**Voluntary Participant Violations**

Any offense by a voluntary participant shall be reported to his/her parent/legal guardian, but no discipline may occur through this policy or otherwise.

**Refusal to Participate**

Any refusal by a student participant to be tested shall be treated as a violation, and the appropriate sanctions will be assessed. The student's parents or legal guardians shall be notified by the Principal of the refusal and sanction. Violations shall be deemed to accumulate across the student participant's involvement in all teams and/or organizations.

**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:**

~~\*KRS 160.345~~

<sup>21</sup>KRS 156.070

KRS 158.150; KRS 158.154; KRS 158.155

KRS 160.1592; KRS 160.290; ~~KRS 160.345~~; KRS 161.180

KRS 217.900; KRS 218A.020; KRS 218A.1447

OAG 82633; OAG 9332

Clark County Board of Education vs. Jones, KY. App., 625 S. W. 2d 586 (1981).

Board of Ed. of Tecumseh Public School District, Independent School Dist. No. 92 of Pottawatomie Cty. v. Earls, \_\_\_ U.S. \_\_\_, 242 F.3d 1264 (2002).

**RELATED POLICY:**

09.1222

09.2241

LEGAL: SB 9 CREATES A NEW SECTION OF KRS 508 WHICH MAKES HAZING A CRIMINAL OFFENSE AND INCLUDES DEFINITIONS OF HAZING AND AN ORGANIZATION.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.422

## **Bullying/Hazing**

In order to effectively participate in the democratic process as adults, students must learn to respect the rights of others and to interact with them in a civil manner. Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors to the schools.

### **ACTIONS NOT TOLERATED**

The use of lewd, profane or vulgar language is prohibited. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or other threatening behavior.<sup>1</sup> This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

Students who violate this policy shall be subject to appropriate disciplinary action.

### **BULLYING DEFINED**

Per KRS 158.148, B "bullying" is defined as means any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event: or
2. That disrupts the education process.

This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process.<sup>2</sup>

### **HAZING DEFINED**

Per KRS 508.150, 'hazing' is defined as an action which endangers the mental or physical health of a minor or student for the purpose of recruitment, initiation into, affiliation with, or enhancing or maintaining membership or status within any organization\*, including but not limited to actions which cause, coerce, or force a minor or a student to:

- (a) Violate federal or state criminal law;
- (b) Consume any food, liquid, alcoholic liquid, drug, tobacco product, or other controlled substance which subjects the minor or student to a risk of mental harm or physical injury;
- (c) Endure brutality of a physical nature, including whipping, beating or paddling, branding, or exposure to the elements;



## **Bullying/Hazing**

### **HAZING DEFINED (CONTINUED)**

- (d) Endure brutality of a mental nature, including personal servitude, sleep deprivation, or circumstances which would cause a reasonable person to suffer substantial mental distress;
- (e) Endure brutality of a sexual nature; or
- (f) Endure any other activity that creates a reasonable likelihood or mental harm or physical injury to the minor or student.

\*Per KRS 508.180, "organization" is defined as a number of persons who are associated with a school or postsecondary education institution and each other, including a student organization, fraternity, sorority, association, corporation, order, society, corps, club, or similar group and includes any student organization registered pursuant to policies of the school or postsecondary education institution at any time during the previous five (5) years.

### **REPORTS**

As provided in the District Code of Acceptable Behavior and Discipline, students that believe they are victims of bullying/hazing shall be provided with a process to enable them to report such incidents to District personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it.

The District Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by Board policy 09.42811. The Principal/designee shall investigate and address alleged incidents of such misbehavior.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy 09.2211; and
2. Investigate and complete documentation as required by policy 09.42811 covering federally protected areas.

### **OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.426 and/or 09.42811. Harassment/discrimination allegations shall be governed by Policy 09.42811.



## **Bullying/Hazing**

### **REFERENCES:**

<sup>1</sup>KRS 158.150

<sup>2</sup>KRS 158.148

KRS 158.156

KRS 160.290

**KRS 508.180**

KRS 525.080

Bethel School District No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)

Mahanoy Area School District v. B. L., 594 US \_ (2021)

Tinker v. Des Moines Independent School District, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

### **RELATED POLICIES:**

03.162; 03.262; 09.13; 09.421; 09.425; 09.426; 09.4281; 09.42811; 09.438

09.2211 (re: reports required by law)

LEGAL: HB 538 AMENDS KRS 158.150 TO INCLUDE BEHAVIORS THAT OCCUR OFF SCHOOL PROPERTY IF THE INCIDENT IS LIKELY TO SUBSTANTIALLY DISRUPT THE EDUCATIONAL PROCESS AND OPTIONS FOR REMOVAL OF STUDENTS.

FINANCIAL IMPLICATIONS: COST OF EDUCATING EXPELLED STUDENTS AND CONDUCTING HEARINGS

STUDENTS

09.425

### Assault and Threats of Violence

For purposes of this Policy, a “threat” shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

#### STUDENTSPUPILS

Any ~~student~~~~pupil~~ who threatens, physically assaults, batters or abuses another ~~student~~~~pupil~~ shall be subject to appropriate disciplinary action, including Level IV or Level V disciplinary action (i.e. suspension, referral for Administrative Hearing or Placement Committee process, or expulsion).<sup>1</sup>

Students may also be subject to prosecution or juvenile justice interventions for assault, threats, or other abusive conduct.

The Principal shall provide written notice to all students, parents, and guardians of students within ten (10) days of the first instructional day of each school year of the provision of KRS 508.078 and potential penalties under KRS 532.060 and KRS 534.030.<sup>2</sup>

#### EDUCATIONALSCHOOL PERSONNEL

Any ~~student~~~~pupil~~ who threatens, physically assaults, batters or physically or verbally abuses ~~a teacher or other school~~educational personnel on or off school property (and the incident is likely to substantially disrupt the educational process) shall be subject to appropriate disciplinary action<sup>1</sup> up to and including expulsion from school and/or legal action.

#### REMOVAL OF STUDENTS

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting or from the District's transportation system pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to:

1. Disrupts the classroom environment and education process or the student challenges the authority of a supervising adult.
2. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.
3. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

The Principal may establish (school) procedures for a student's removal from and reentry to the classroom when the student's behavior disrupts the classroom environment and education process or the student challenges the authority of a supervising adult. In addition to removal, the student shall be subject to further discipline for the behavior consistent with the school's code of conduct.

Removal of students from a bus shall be made in compliance with 702 KAR 5:080.

Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.



## **Assault and Threats of Violence**

### **REMOVAL OF STUDENTS (CONTINUED)**

When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as practicable. The Principal/designee shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

Per KRS 158.150, a student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered "chronically disruptive" and may be suspended from school and no other basis for suspension shall be deemed necessary.

At any time during the school year, for a student who has been removed from the classroom the Principal may require a review of the classroom issues with the teacher and the parent, guardian, or other person having legal custody or control of the student and determine a course of action for the teacher and student regarding the student's continued placement in the classroom.

At any time during the school year, the Principal may permanently remove a student from a classroom for the remainder of the school year if the Principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students.

When a student is removed from a classroom temporarily or permanently, the Principal shall determine the placement of the student in lieu of that classroom, which may include but is not limited to:

- Another classroom in that school; or
- An alternative program or setting, which may be provided virtually, as approved by the Superintendent.

Any permanent action by the Principal shall be subject to an appeal process in accordance with Policy 09.4281/Grievances.

### **REPORT TO LAW ENFORCEMENT AGENCY**

When they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon.

### **DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION**

Upon the request of a victim, school personnel shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. School personnel shall discuss the report with the victim prior to contacting a law enforcement officer.

School personnel shall report to a law enforcement officer when s/he has a belief that the death of a victim with whom s/he has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child pursuant to KRS 620.030. This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

## Assault and Threats of Violence

### **DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION (CONTINUED)**

If individual school personnel has reasonable cause to believe that a victim with whom s/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, s/he shall provide educational materials to the victim relating to such form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the school District's area.

### **NOTIFICATION**

Any teacher assigned to work directly with, or who come in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other school official who has knowledge of the student's behavior prior to the assignment or contact.

### **REFERENCES:**

<sup>1</sup>KRS 158.150  
<sup>2</sup>KRS158.1559  
KRS 158.154; KRS 160.290  
KRS 161.155; KRS 161.190; KRS 161.195  
KRS 209A:020; KRS 209.160  
KRS 209A.100; KRS 209A.110; KRS 209A.130  
KRS 211.160; KRS 403.720; KRS 456.010  
KRS 508.025; KRS 508.075; KRS 508.078; KRS 525.080  
KRS 532.060; KRS 534.030; KRS 620.030  
702 KAR 5:080

### **RELATED POLICIES:**

03.123; 03.13253; 03.223; 03.23253; 05.4; 05.48  
06.34; 09.14; 09.2211; 09.422; 09.426; 09.4281; 09.429; 09.4341



LEGAL: HB 538 AMENDS KRS 158.150 TO DEFINE "CHRONICALLY DISRUPTIVE" TO THE EDUCATIONAL PROCESS AND OPTIONS FOR REMOVAL OF STUDENTS.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.426

### **Disrupting the Educational Process**

Behavior that materially or substantially disrupts the educational process, whether on or off school property or at school-sponsored events and activities, shall not be tolerated and shall subject the offending studentpupil or studentspupils to appropriate disciplinary action. For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct that disrupts the classroom environment and education process or the student challenges the authority of a supervising adult;
2. Conduct which threatens the health, safety, or welfare of others;
3. Conduct which may damage public or private property, including the property of students or staff;
4. Illegal activity;
5. Conduct that materially or substantially interferes with another student's access to educational opportunities or programs, including the ability to attend, participate in and benefit from instructional and extracurricular activities; or
6. Conduct that materially or substantially disrupts the delivery of instructional services or interferes with the orderly administration of the school and schoolrelated activities or District operations.

#### **REMOVAL**

Per KRS 158.150, a student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered "chronically disruptive" and may be suspended from school and no other basis for suspension shall be deemed necessary.

At any time during the school year, for a student who has been removed from the classroom the Principal may require a review of the classroom issues with the teacher and the parent, guardian, or other person having legal custody or control of the student and determine a course of action for the teacher and student regarding the student's continued placement in the classroom.

At any time during the school year, the Principal may permanently remove a student from a classroom for the remainder of the school year if the Principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students.

When a student is removed from a classroom temporarily or permanently, the Principal shall determine the placement of the student in lieu of that classroom, which may include but is not limited to:

- Another classroom in that school; or
- An alternative program or setting, which may be provided virtually, as approved by the Superintendent.

Any permanent action by the Principal shall be subject to an appeal process in accordance with Policy 09.4281/Grievances.

## **Disrupting the Educational Process**

### **OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.42811, which address harassment/discrimination allegations.

### **REFERENCES:**

KRS 158.150; KRS 158.165; KRS 160.290

### **RELATED POLICIES:**

09.13; 09.422; 09.425; 09.4281; 09.42811; 09.431; 09.438



## Due Process

### RIGHT TO DUE PROCESS

Before being punished at the school level with suspension for violation of school regulations, a studentpupil shall have the right of the following due process procedures.<sup>1</sup>

1. The studentpupil shall be given oral or written notice of the charge(s) against him or her;-
2. If the studentpupil denies the charge(s), the student shall be given an explanation of the evidence of the charge(s) against him or her;- and
3. The studentpupil shall be given an opportunity to present his or her own version of the facts relating to concerning the charge(s).

### STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, federal, state, and local procedures shall be followed.<sup>2</sup>

### REFERENCES:

<sup>1</sup>KRS 158.150

<sup>2</sup>P. L. 105-17; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592 (1988)

### RELATED POLICIES:

09.426

09.43

09.433

09.434

09.4341

09.435

LEGAL: HB 538 AMENDS KRS 158.150 TO DEFINE "CHRONICALLY DISRUPTIVE" TO THE EDUCATIONAL PROCESS AND ADDS STATUTORY GUIDELINES FOR SUSPENSION OF A STUDENT.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.434

## **Suspension**

### **WHO MAY SUSPEND**

In accordance with KRS 158.150, the Principal or assistant Principal may suspend a ~~student~~~~pupil~~ up to a maximum of ten (10) days per incident.

The Superintendent may suspend or extend suspension of a ~~student~~~~pupil~~ up to a maximum of ten (10) days per incident.

Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the Superintendent/designee.

### **LENGTH OF SUSPENSION**

A ~~student~~~~pupil~~ may not be suspended for more than a total of ten (10) days per incident.

### **PRIOR DUE PROCESS REQUIRED**

A ~~student~~~~pupil~~ shall not be suspended until due process procedures have been provided as described in KRS 158.150 (09.431)<sup>1</sup>, unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process. If the Superintendent lengthens the period of suspension imposed by the Principal, additional due process shall be provided.

A student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered "chronically disruptive" and may be suspended from school and no other basis for suspension shall be deemed necessary.

### **IMMINENT DANGER**

In such cases, due process shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.

### **WRITTEN REPORT REQUIRED**

The Principal or assistant Principal shall report any suspension in writing<sup>1</sup> immediately to the Superintendent and to the parent of the ~~student~~~~pupil~~ being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

### **SUSPENSION FROM COCURRICULAR ACTIVITIES**

Any high school student who is suspended from school shall be declared ineligible to participate in any cocurricular activities including, but not limited to, practices, games, or contests held on the day(s) of suspension.

### **STUDENTS WITH DISABILITIES**

In cases which involve students with disabilities, federal and state law and local procedures for students with disabilities shall be followed.<sup>2</sup>



## Suspension

**REFERENCES:**

<sup>1</sup>KRS 158.150

<sup>2</sup>20 U.S.C. Sections § 1400 et seq; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592 (1988)

OAG 77419; OAG 77427; OAG 77547; OAG 78392; OAG 78673

Goss v. Lopez, 419 US 565 (1975); 707 KAR 1:340

**RELATED POLICIES:**

09.425; 09.426; 09.301, 09.31;<sub>3</sub>; 09.43;<sub>3</sub>; 09.431

LEGAL: REVISIONS TO KRS 158.150 ALLOW STUDENTS TO BE PLACED IN AN ALTERNATIVE PROGRAM OR SETTING (INCLUDING VIRTUAL PROGRAMS OR SETTINGS) AND SPECIFIC PROCESSES FOR PLACEMENT IN LIEU OF EXPULSION OF STUDENTS.

FINANCIAL IMPLICATIONS: SEEK FUNDING FOR THE DISTRICT FOR STUDENTS IN THE VIRTUAL ALTERNATIVE PROGRAM OR SETTING, COST OF EDUCATING EXPELLED STUDENTS, AND CONDUCTING HEARINGS

LEGAL: REVISIONS TO 704 KAR 19:002 A STUDENT ENROLLED IN AN ALTERNATIVE EDUCATION PROGRAM MAY BE ELIGIBLE TO PARTICIPATE IN ONE (1) OR MORE TYPES OF PROGRAMS TO ADDRESS STUDENT LEARNING NEEDS THAT MAY INCLUDE AN ALTERNATIVE DIGITAL LEARNING ENVIRONMENT, CREDIT RECOVERY, OR AN INNOVATIVE PATH TO GRADUATION.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.4341

## Alternative Education

### DEFINITION

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

### PURPOSE

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

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

### ALTERNATIVE EDUCATION IN LIEU OF EXPULSION

In lieu of expelling a student, or upon the expiration of a student's expulsion, the Superintendent may place a student into an alternative program or setting if the Superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or school staff.

The alternative program or setting may be provided virtually. Students placed in an alternative program or setting shall be subject to compulsory attendance requirements under KRS Chapter 159 and applicable Board policy.

Action to expel, extend the expulsion, or place in an alternative program or setting a student shall not be taken until the parent, guardian, or other person having legal custody or control of the student has had an opportunity for a hearing before the Board. Following the initial alternative placement of a student, the Board shall review the alternative program or setting placement at least once per year and determine if the placement should be continued.<sup>4</sup>

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

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## Alternative Education

As required by Kentucky Administrative Regulation the District shall ensure:

- That each~~The District's~~ Alternative Education Program ~~shall is not limited in scope or design and is aligned to the academic program of the District~~include training to build capacity of staff and administrators to deliver high quality services and programming.
- A student enrolled in an Alternative Education Program may be eligible to participate in one (1) or more types of programs to address student learning needs that may include an alternative digital learning environment, credit recovery, or an innovative path to graduation.
- The Board shall review this policy and accompanying procedure(s) annually.<sup>2</sup>

### ELIGIBILITY CRITERIA

Alternative education placements may be utilized for students at middle and high school grade levels.

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

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

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

## Alternative Education

### ELIGIBILITY CRITERIA (CONTINUED)

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.

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

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

### ILPA TEAM

The Superintendent/designee shall appoint members of a team to develop an Individual Learning Plan Addendum (ILPA) for students with long term placements 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 guardiansparents, and as appropriate, the student to participate.

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

### EXCEPTIONS:

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



## Alternative Education

### 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, transportation, library and media services, specialty course work, intervention, counseling, and other resources and services already available in the District as determined through the development of the ILPA.

### TRANSITION

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

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

<sup>1</sup>KRS 160.380

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

<sup>3</sup>KRS 158.143

<sup>4</sup>KRS 158.150

KRS Chapter 159

707 KAR 1:320

*Student Discipline Guidelines*, Kentucky Department of Education

OAG 77419

## Alternative Education

### RELATED POLICIES:

08.131<sub>35</sub>; 08.141

09.123<sub>35</sub>; 09.14<sub>35</sub>; 09.426; 09.431; 09.435



LEGAL: HB 538 AMENDS KRS 158.150 TO REQUIRE EXPULSION FOR AT LEAST TWELVE (12) MONTHS IF A STUDENT MAKES THREATS THAT POSE A DANGER TO OTHER STUDENTS OR STAFF (WITH OPTIONAL MODIFICATION ON CASE-BY-CASE BASIS) AND REQUIRES LOCAL POLICY REGARDING A STUDENT WHO ASSAULTS OTHER STUDENTS OR STAFF OFF CAMPUS AND THE INCIDENT IS LIKELY TO SUBSTANTIALLY DISRUPT THE EDUCATIONAL PROCESS.  
FINANCIAL IMPLICATIONS: COST OF EDUCATING EXPELLED STUDENTS AND CONDUCTING HEARINGS

STUDENTS

09.435

## Expulsion

### BOARD MAY EXPEL

The Board may expel or extend the expulsion of any ~~student~~<sup>pupil</sup> from the regular school setting for misconduct as defined by law. Provision of educational services will be required unless the Board determines, on the record and supported by clear and convincing evidence, that the expelled student posed a threat to the safety of other students or school staff and could not be placed in a state-funded agency program.<sup>1</sup>

The Board shall require the expulsion from school for a period of at least twelve (12) months for a student who is determined by the Board:

1. Through clear and convincing evidence to have made threats that pose a danger to the well-being of students, faculty, or staff of the District; OK \_\_\_\_\_ add
2. To have brought a weapon to a school under its jurisdiction per Board Policy 05.48.

The Board may expel a student for longer than twelve (12) months.

Behavior that may be determined to pose a threat shall include, but not be limited to, the physical assault, battery, or abuse of others on or off school property (and the incident is likely to substantially disrupt the educational process); the threat of physical force; being under the influence of drugs or alcohol; the use, possession, sale, or transfer of drug or alcohol; the carrying, possessing, or transfer of weapons or dangerous instruments; and any other behavior that may endanger the safety of others.

The Superintendent shall present to the Board for its approval options for providing or ensuring that educational services are provided to expelled students.

In lieu of expelling a student, or upon the expiration of a student's expulsion, the Superintendent may place a student into an alternative program or setting if the Superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or school staff.

### HEARING AND RECORDS REQUIRED

shall not be taken until the parent, guardian, or other person having legal custody or control of the ~~student~~<sup>pupil</sup> has had an opportunity for a hearing before the Board.<sup>1</sup> The special education and disciplinary records of IDEA eligible students shall be provided to the Board for review before the decision is made to expel.<sup>3</sup>

Within thirty (30) days prior to the end of a student's expulsion, the Board shall review the details of the expulsion and current factors and circumstances, including if ending the expulsion will substantially disrupt the education process or constitute a threat to the safety of students or school staff, to determine if the expulsion shall be extended for a period not to exceed twelve (12) months. The expulsion review process shall be used prior to the end of each expulsion period until the Board ends the expulsion or the student is no longer subject to compulsory attendance under KRS 159.010.

## Expulsion

### BOARD DECISION FINAL

The Board may establish an appeals committee and delegate authority to hear appeals to the committee. Otherwise, the Board's decision shall be final.<sup>1</sup>

### STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, procedures mandated by federal and state law for students with disabilities shall be followed. (Students with disabilities who are eligible for services under federal law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed. Educational services must continue for IDEA eligible students who are expelled.)<sup>1&3</sup>

### TRANSFER OF RECORDS

Records transferred to another school must reflect the charges and final action of an expulsion hearing if the student was expelled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol or drugs. Records of a student facing an expulsion hearing on charges described above shall not be transferred until the expulsion hearing process is completed.<sup>2</sup>

### REFERENCES:

<sup>1</sup>KRS 158.150

<sup>2</sup>KRS 158.155

<sup>3</sup>20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA); 707 Chapter 1;

Section 504 of the Rehabilitation Act of 1973, as amended

KRS 159.010

Honig v. Doe, 108 S.Ct. 592(1988)

OAG 78673

### RELATED POLICIES:

05.48; 09.12; 09.423; 09.425; 09.426; 09.43; 09.431; 09.434



### Visitors to the Schools

The Board encourages parents, professional educators, and others who have legitimate educational interests pertaining to the District's public school program to visit the schools. To ensure that school personnel are aware of visitors' presence, visits to classrooms shall be scheduled in advance unless authorized by the Principal/designee and all visitors must report immediately to the Principal's office upon entering the school and identify themselves with a photo ID, as well as declare their purposes for visiting.

#### REGISTRANTS

No registrant, as defined in KRS 17.500, nor any person residing outside of Kentucky who would be required to register under KRS 17.510 if the person resided in Kentucky, shall be on, loiter within one thousand (1,000) feet of, or work in or operate any mobile business within one thousand (1,000) feet of the clearly defined grounds of a District school, except with the advance written permission of the Principal or the Board that has been given after full disclosure of the person's status under KRS 17.510 as a registrant or sex offender from another state and all registrant information as required in KRS 17.500.

A registrant is defined as:

1. Any person eighteen (18) years of age or older at the time of the offense or any youthful offender, as defined in KRS 600.020, who has committed:
  - a. A sex crime; or
  - b. A criminal offense against a victim who is a minor; or
2. Any person required to register under KRS 17.510; or
3. Any sexually violent predator; or
4. Any person whose sexual offense has been diverted pursuant to KRS 533.250, until the diversionary period is successfully completed.

Per KRS 17.545, "loiter" is defined as remaining in or about the clearly defined grounds of a District school, while not having any reason or relationship involving custody of or responsibility for a minor or any other specific legitimate reason for being there.

Per KRS 17.545, "mobile business" is defined as any business that operates from a motor vehicle or wheeled cart that can be operated, pushed, or pulled on a sidewalk, street, or highway where food, goods, or services are prepared, processed, or sold or dispensed to the public.

A registrant, who is the parent/legal guardian, or the person designated by the parent/legal guardian to have access to a student, must request and receive prior permission from the Principal to come onto school grounds. The Principal shall determine whether the requesting registrant is permitted to come onto school grounds for the following reasons:

1. To pick up or drop off their child each day.
2. To pick up the child who is injured or ill.
3. To confer with school staff concerning academic, disciplinary or placement issues involving the student, including matters required by federal or state law.

## Visitors to the Schools

### REGISTRANTS (CONTINUED)

4. To attend a school activity, including athletic practices and competition, in which the student is a participant.
5. To vote when the school has been designated as a polling place.

Depending on the facts of the particular request, the Principal's response options may include, but are not be limited to the following:

- Requiring the registrant to provide additional information needed;
- Specifying check-in and check-out requirements;
- Requiring the registrant to be directly supervised by an individual designated by the Principal while on school grounds;
- Restricting the registrant to a designated location on school grounds;
- Limiting the time the registrant will be permitted to be on school grounds; and
- Denying the request to come onto school grounds.

The Principal shall notify the Superintendent/designee of each request from a registrant and the response made to the registrant. If questions arise about a request, the Principal shall consult with the Superintendent concerning requests from registrants, and the Superintendent may seek further advice from the Board Attorney.

For all other reasons and for all individuals making a request other than parent/legal guardian/designee, the Principal shall consult with the Superintendent as the executive agent of the Board before making a final determination.

### CONDUCT/PROHIBITION ON RECORDING

All visitors to the schools must conduct themselves so as not to interfere with the daily operation of the school program.

Due to privacy concerns, and except for emergency situations, personally owned recording devices are not to be used to create video or audio recordings or to take pictures except with prior permission from the Principal/designee and the affected individual(s).

An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena.

Such devices include, but are not limited to, personal cell phones and tablets.

### USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED

The use of any tobacco product, alternative nicotine product, or vapor product, as defined in KRS 438.305, is prohibited for all persons and at all times on or in all property, including any vehicle, that is owned, operated, leased, or contracted for use by the Board and while attending or participating in any school-related student trip or student activity and in the presence of a student or students.<sup>1</sup>



## **Visitors to the Schools**

### **USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED (CONTINUED)**

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the Board, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

School employees shall enforce the policy. Persons in violation of this policy, in addition to fines which may be imposed by law<sup>2</sup>, are subject to verbal warnings to refrain from use of the subject product. Refusal to refrain from such use or repeated instances of prohibited use after prior warnings may subject the individual to a ban from school property as permitted by law and corresponding civil and criminal penalties.<sup>3</sup>

### **ACCOMMODATION**

Visitors with disabilities shall be accommodated as required by law. Individuals requesting accommodation shall contact the District ADA Coordinator for assistance and guidance. Accommodations may include, but are not limited to, the following considerations:

- Effective communication
- Event ticket sales accommodation
- Companion seating at events
- Use of power driven mobility devices
- Use of service animals

The District shall notify the public of any requirements and/or deadline for requesting such accommodation.

### **WEBSITE ACCESSIBILITY**

The District is committed to ensuring accessibility of its website for students, parents, and members of the community with disabilities. All pages on the District's website will conform to the W3C WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents.

Under District developed administrative procedures, students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 related to the accessibility of any official District web presence which is developed by, maintained by, or offered through the District or third party vendors and open sources.

**Visitors to the Schools**

**REFERENCES:**

- <sup>1</sup>KRS 438.345
- <sup>2</sup>KRS 438.050
- <sup>3</sup>KRS 511.070; KRS 511.080; OAG 90-11  
KRS 17.545; KRS 17.500; KRS 17.510  
KRS 160.380; KRS 211.394, KRS 211.395; KRS 438.305  
KRS 600.020; KRS 620.146  
OAG 91-137  
P. L. 114-95, (Every Student Succeeds Act of 2015)  
29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)  
42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII  
42 U.S.C. 12101 et seq., Americans with Disabilities Act

**RELATED POLICIES:**

- 01.1
- 03.113; 03.1327; 03.162; 03.212; 03.2327; 03.262; 05.3; 05.31; 06.221
- 09.1231; 09.227; 09.3211; 09.4232; 09.426; 09.42811
- 10.2



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**Absences and Excuses**

Students 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 007:125.<sup>1</sup>

**NOTES REQUIRED**

When students return to school after an absence event they shall bring notes signed and dated by the parents/legal guardian to the attendance office. This note shall include phone numbers to assist attendance personnel in verifying information. All notes of excuse shall be turned into the attendance office within two (2) school days of the student's return to school. The Principal or his/her designee shall determine whether the absence is excused.

**EXCUSED TARDIES**

~~A parent note can excuse any tardy event, for a valid reason, on five (5) occasions per year for any student. Notes must be provided to the school within two (2) days or the tardy will be unexcused. All tardies beyond five (5) shall be unexcused.~~

**EXCUSED ABSENCES/TARDIES**

Parent/legal guardian notes expressing a reason will excuse and absence or tardy on for seven (7) total occasions per year for a student absences for elementary, middle and high school students will be accepted as excused during the school year. Each student is also allotted 3 (three) parent notes for only tardies, separate from, and in addition to, the previously referenced 7 parent notes. Parent notes can be written for the following reasons:-

- ~~1. Death or severe illness in the pupil's immediate family;~~
- ~~2. Illness of the pupil, including mental or behavioral health;~~
- ~~3. Participation in school related activities approved by the Principal;~~
- ~~4. Religious holidays and practices;~~
- ~~5. One (1) day for attendance at the Kentucky State Fair;~~
- ~~6. Court appearances;~~
- ~~7. Documented military leave;~~
- ~~8. Driver's license exam;~~
- ~~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;<sup>2</sup> or~~
- ~~14. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.~~
- 15.

## Absences and Excuses

### **EXCUSED ABSENCES/TARDIES (CONTINUED)**

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.

The Principal has the right to request additional documentation.

All other absences and tardies beyond seven (7) must have a physician's statement or other required verification to be excused or be approved as excused by the Principal.

### **TRUANCY DEFINED**

Any student enrolled in public school who has attained the age of six (6), but has not reached his/her twenty-first (21st) birthday, who has been absent from school without a valid excuse for three (3) days or more, or tardy without a valid excuse on three (3) days or more, is a truant.

A 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.

### **TRUANCY PROCESS**

1. After three (3) unexcused absence and/or tardy events, a letter shall be mailed to the parent(s) notifying them of the truancy.
2. After six (6) unexcused absence and/or tardy events, a letter of final notice shall be mailed to the parent(s) advising them that the student(s) will be referred to the Director of Pupil Personnel/Asst. to the DPP for further action if the student continues to accumulate unexcused absences and tardies.
3. Upon receipt of a referral, the Director of Pupil Personnel/Asst. to the DPP will provide further intervention as needed.
4. Information ascertained about the issues surrounding the truancy will be made available to appropriate school personnel on a need-to-know basis.



**Absences and Excuses****TRUANCY PROCESS (CONTINUED)**

5. The Director of Pupil Personnel/Asst. to the DPP may refer the case to the Court. Charges against a student between the ages of eighteen (18) to twenty-one (21) may be referred to the County Attorney for processing as an adult offender.

**UNEXCUSED ABSENCES**

All other absences including suspensions shall be considered unexcused; and no makeup work shall be allowed without approval of the Principal.

Students who are legally truant (3 unexcused absences and/or tardies) will not be allowed to obtain or maintain parking privileges on school property. Students will also lose their parking privileges if they provide transportation for a student who “skips” school or if they skip school themselves.

Truancy will also be considered when determining a student’s eligibility for participation in school activities including, but not limited to, athletics, dances, prom, award ceremonies, graduation ceremony, etc.

Students who are eighteen (18) or older shall be subject to the same criteria for **EXCUSED ABSENCES** as all other students. Supporting documentation for any absence (i.e., verification of medical or dental appointment) may be required by school staff. Failure to provide such documentation will result in the absence being coded as unexcused. Check-outs for lunch are not permitted under any circumstances. Truant students who are eighteen (18) or older are also subject to prosecution in Woodford District Court.

**REFERENCES:**

[<sup>1</sup>702 KAR 007:125](#)

[<sup>2</sup>KRS 159.035](#)

[KRS 36.396; KRS 38.470; KRS 40.366](#)

[KRS 158.070; KRS 158.183; KRS 158.293; KRS 158.294](#)

[KRS 159.140; KRS 159.150; KRS 159.180](#)

[OAG 76566; OAG 7968; OAG 79539; OAG 9179; OAG 96-28](#)

**RELATED POLICIES:**

09.111; 09.122; 09.4281

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

Adopted/Amended: 7/18/2022

Order #: VIII D

## Rental Application and Contract

### CONDITIONS OF RENTAL

All rental of school facilities is subject to the following conditions:

1. An official application shall be made to the Superintendent or the Superintendent's designee.
2. Rentals will be made only to responsible and organized groups, and responsible officers of that group must sign the application and the contract and be present when the facility is in use under this contract.
3. Conditions of that contract shall include:
  - a. Acceptance of responsibility by officials of the renting organization for any damage or loss resulting from the rental;
  - b. Agreement that renting organizations, and officers thereof, shall assume all liability for any personal injuries incurred during their use of the facilities and shall hold the Board harmless from any such claims against it;
  - c. Agreement to observe all fire and safety regulations;
  - d. Agreement that the use of any tobacco product, alternative nicotine product or vapor product shall not occur on or in all property. The use of alcoholic beverages is prohibited in school buildings or on school grounds;
  - e. Observance that no immoral or illegal activity shall be allowed on the premises;
  - f. The presence of a school custodian at all times. **An hourly rate for** ~~The hourly wage of the custodian(s) must be~~ **is** included in the contract along with the social security and retirement payments required by law. ~~If the employee is employed beyond the normal 40 hour week that s/he works for the Board, overtime wages must be paid.~~ Agreement that no alterations to the buildings or grounds be made without prior approval;
  - g. Agreement that the renting party shall not sublease or reassign any portion of the building or item of equipment covered by the rental contract;
  - h. Agreement that school equipment shall not be a part of the rental contract unless specifically enumerated;
  - i. Agreement to leave the facilities in as good a condition as before used; and
  - j. The specific areas of the facility that may be used by the renter shall be specified in the contract.

### REFERENCES:

[KRS 162.055](#); [KRS 438.050](#); [KRS 438.305](#); [KRS 438.345](#)  
[OAG 81295](#)

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

### RELATED POLICIES:

03.1327; 03.2327; 06.221; 09.4232; 10.3; 10.5

Adopted/Amended: 7/15/2019

Order #: IV A



## **Alterations of Buildings and Grounds**

### **APPROVAL NEEDED**

Any change or modification to be made in the landscape of school grounds, construction of driveways or roads across such grounds; renovation of the school buildings or the alteration of any part thereof; or the construction of buildings, playing fields, tennis courts, or the erection of lighting systems for such fields or courts shall be done only after the approval of the project by the Board and appropriate state agencies.

**Any cosmetic changes such as painting shall be done only after obtaining written approval of the project by the Superintendent or Chief Operating Officer.**

### **INTEGRATED PEST MANAGEMENT**

In compliance with applicable Kentucky Administrative Regulation (302 KAR Chapter 29), the District shall implement a program of Integrated Pest Management (IPM) with the primary goal of controlling pests, general pests, and wood-destroying organisms with judicious use of pesticides.

The IPM program shall include, but not be limited to, the following components:

- Persons who apply pesticides in any District school building shall be certified in keeping with applicable statutes and regulations.
- Notification in compliance with Kentucky Administrative Regulation.

### **REFERENCES:**

[KRS 158.447](#)

[KRS 160.290](#)

[KRS 162.060](#)

[302 KAR 029:010](#); [302 KAR 029:020](#)

[302 KAR 029:050](#); [302 KAR 029:060](#)

[702 KAR 004:180](#)

Adopted/Amended: 7/18/2016

Order #: IV-A