



FLOYD COUNTY BOARD OF EDUCATION
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Linda C. Gearheart, Board Chair - District 1
William Newsome, Jr., Vice-Chair - District 3
Dr. Chandra Varia, Member- District 2
Keith Smallwood, Member - District 4
Steve Slone, Member - District 5

Consent Agenda Item (Action Item): Emergency Reading Annual Policy/Procedures Update

Applicable State or Regulations: BOE Policy 01.11 Powers and duties of the local board.

Fiscal/Budgetary Impact: As noted on individual policies.

History/Background: Due to the July 1 timeline for having the new "08.23/08.23 AP.21 "Harmful to Minors" Complaint Resolution Process and Policy 08.11311/Graduation Requirements [Early Graduation Program (EGP)] requirements, the Board may utilize policy 01.5 for one emergency reading.

Recommended Action: Approve as presented

Contact Person(s): Angela Duncan, Executive Officer of Operations

N/A
Principal

Angela Duncan Director
Anna Whitaker Shepherd Superintendent

Date: June 5, 2023

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

EXPLANATION: HB 522 AMENDS KRS 45A.385 AND KRS 424.260 INCREASING THE AGGREGATE CONTRACT AMOUNT MAXIMUM FOR SMALL PURCHASE TO \$40,000.
FINANCIAL IMPLICATIONS: LARGER AMOUNT FOR SMALL PURCHASE PROCEDURES

SUPPORT SERVICES

07.13 AP.1

Bidding of School Food Service Supplies

LIKE ITEMS IN EXCESS OF \$~~40,000~~

If the total amount of purchases for like items is \$~~40,000~~ or more, formal bid procedures will be utilized. Food, food products, supplies and equipment will be bid semiannually (during the months of March and September), as needed, and/or through or in accordance with a schedule determined by the local educational cooperative.

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BID SPECIFICATIONS

1. The bid specifications, including delivery and storage instructions, for all lunchroom/cafeteria supplies shall be prepared by the School Food Service/School Nutrition Program Director.
2. The request for bid shall be advertised in the local newspaper with the greatest circulation in the District.
3. Specifications and bid documents shall be mailed to all potential bidders.
4. Bids shall be opened and tabulated by the School Food Service/School Nutrition Program Director.
5. The bids shall be submitted to the Board of Education for action.

PERISHABLES

Applicable federal law does not provide a bidding exception for perishable food items purchased with school food service funds. Perishables purchased using school food service funds shall be procured in accordance with 2 C.F.R. 200.320.

EMERGENCY PURCHASES

If it is necessary to make an emergency purchase in order to continue service, the purchase shall be made and a log of all such purchases shall be maintained and reviewed by the School Food Service/School Nutrition Program Director.

The log of emergency purchases shall include: Item name, dollar amount, vendor, reason for emergency.

RECORDS MANAGEMENT

The following records will be maintained for a period of three (3) years plus the current year:

1. Records of all phone quotes
2. Logs of all emergency and noncompetitive purchases
3. All written quotes and bid documents
4. Comparison of all price quotes and bids with the effective dates shown
5. Price comparison showing bid or quote awarded
6. Log of approval substitutions

RELATED PROCEDURE:

04.32 AP.1

EXPLANATION: 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

STUDENTS

08.23 AP.21

"Harmful to Minors" Complaint Resolution Process

This parent or guardian complaint must be submitted in writing to the Principal of the school where the student is enrolled alleging that material, a program, or an event that is "harmful to minors" has been provided or is currently available to the child of the parent or guardian.

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"Harmful to minors" is defined in KRS 158.192 and Policy 08.23.

COMPLAINANT (PARENT OR GUARDIAN)

Complainant Name _____ Date _____
Home Address _____ Phone _____
Student Name(s) _____
Home Address _____ Phone _____
School _____ Grade Level _____

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COMPLAINT(S)

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." (Use additional sheet if necessary.)

Complainant's Signature _____ Date _____

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LEVEL ONE: SCHOOL PRINCIPAL NAME:

Within seven (7) business days of receiving a written complaint, the Principal shall review the complaint and take reasonable steps to investigate the allegations in the complaint, including but not limited to reviewing the material, program, or event that is alleged to be "harmful to minors;"

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Per KRS 158.192, the Principal shall determine whether:

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- The material, program, or event that is the subject of the complaint is "harmful to minors;"
- Student access to material that is the subject of the complaint shall remain, be restricted, or be removed;
- A program or event that is the subject of the complaint shall be eligible for future participation by students in the school;

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“Harmful to Minors” Complaint Resolution Process

COMPLAINT(S) (CONTINUED)

~~Within ten (10) business days of receiving the complaint, unless another schedule is mutually agreed to by the parent or guardian and the Principal, the Principal shall confer with the parent or guardian and inform him or her whether the material, program, or event that is the subject of the complaint was determined to be “harmful to minors” and what the resolution will be.~~

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PRINCIPAL’S DETERMINATION (USE ADDITIONAL SHEET IF NECESSARY.)

Principal’s Signature Date

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~~A parent or guardian not having filed the appeal may request in writing access to the appealed materials, programs, or events for review and shall abide by the school’s and District’s policies and procedures when requesting and reviewing such information.~~

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LEVEL TWO: APPEAL OF THE PRINCIPAL’S DETERMINATION TO THE BOARD

Complainant Name: _____

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Date appeal received at this level: _____

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The parent or guardian shall make any appeal within ten (10) days. The appeal shall:

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- ~~• Be subject to full administrative and substantive review by Board and shall not be delegated;~~
- ~~• Include an opportunity for the parent or guardian to provide input during public comment at a Board meeting;~~
- ~~• Be completed within thirty (30) calendar days of receiving the written appeal unless another time frame is mutually agreed upon by the parent or guardian and the Board; and~~
- ~~• Be discussed and voted on during a meeting of the Board subject to the open records and open meeting requirements under KRS Chapter 61.~~

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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