



FLOYD COUNTY BOARD OF EDUCATION
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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): Consider/Approve Second Reading Annual Policy (#46)/Procedures (#25) 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: KSBA provides revised and model policies and procedures annually as part of our policy service. Policies have been reviewed with department leads and board attorney.

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: HB 319 AMENDS KRS 160.380 TO REQUIRE THAT WHEN A VACANCY OCCURS, THE SUPERINTENDENT SHALL SUBMIT THE JOB POSTING TO THE STATEWIDE JOB POSTING SYSTEM. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.11

- CERTIFIED PERSONNEL -

Hiring

SUPERINTENDENT'S RESPONSIBILITIES

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

When a vacancy occurs, the Superintendent shall ~~submit the job posting to the statewide job posting system~~ fifteen (15) days before the position is to be filled.

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

EFFECTIVE DATE

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

QUALIFICATIONS

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

A "qualified applicant" is an individual who:

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

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

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Hiring**QUALIFICATIONS (CONTINUED)**

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

CRIMINAL BACKGROUND CHECK AND TESTING

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

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

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

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

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

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

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

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

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

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

REPORT TO SUPERINTENDENT

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

Hiring**JOB REGISTER**

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

VACANCIES POSTED

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

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

REVIEW OF APPLICATIONS

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

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

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

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

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

RELEASE OF APPLICATIONS

Only complete applications shall be released to schools or to the Department Lead.

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

PERSONNEL

03.11
(CONTINUED)

Hiring

RELATIONSHIPS

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

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

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

A relative of the Superintendent shall not be employed except as provided by KRS 160.380.

CONTRACT

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

JOB DESCRIPTION

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

EMPLOYEES SEEKING A JOB CHANGE

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

REFERENCES:

¹KRS 160.380

²KRS 161.605; 702 KAR 1:150

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

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

45 C.F.R. § 1302.90

KRS Chapter 13B

KRS 17.160; KRS 17.165

KRS 156.106; KRS 160.345; KRS 160.390

KRS 161.042; KRS 161.611; KRS 161.750

KRS 335B.020; KRS 405.435

16 KAR 9:080; 702 KAR 3:320; 704 KAR 7:130

OAG 18-017; OAG 73-333; OAG 91-10; OAG 91-149; OAG 91-206

OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6

Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.1311; 03.132

LEGAL: PER SMITH V. BENNETT, 644 S.W.3D 516 (KY. APP. 2021) WHEN A TEACHER HAS ATTAINED CONTINUING SERVICE CONTRACT STATUS IN ONE DISTRICT AND BECOMES EMPLOYED IN ANOTHER DISTRICT, THE TEACHER SHALL RETAIN THAT STATUS. HOWEVER, A DISTRICT MAY REQUIRE A ONE (1) YEAR PROBATIONARY PERIOD OF SERVICE IN THAT DISTRICT BEFORE GRANTING THAT STATUS. THE CONTINUING SERVICE CONTRACT STATUS OF A TEACHER SHALL NOT BE TERMINATED WHEN THE TEACHER LEAVES EMPLOYMENT, ALL PROVISIONS OF KRS 161.720 TO 161.810 TO THE CONTRARY NOTWITHSTANDING, AND THE CONTINUING SERVICE CONTRACT STATUS SHALL BE TRANSFERRED TO THE NEXT SCHOOL DISTRICT FOR A PERIOD OF UP TO SEVEN (7) MONTHS FROM THE TIME EMPLOYMENT IN THE FIRST SCHOOL DISTRICT WAS TERMINATED.

FINANCIAL IMPLICATIONS: TEACHERS OBTAINING TENURE IN DISTRICT

PERSONNEL

03.115

- CERTIFIED PERSONNEL -

Transfer of Tenure

The continuing service contract status of a teacher shall not be terminated when the teacher leaves employment, all provisions of KRS 161.720 to KRS 161.810 to the contrary notwithstanding, and the continuing service contract status shall be transferred to the next school district, for a period of up to seven (7) months from the time employment in the first school district has terminated.

All teachers employed who have attained continuing service contract status from another Kentucky district shall serve a one (1)-year probation period before being considered for continuing service contract status in the school District.

REFERENCE:

KRS 161.740

KRS 161.720 to KRS 161.810

Smith v. Bennett, 644 S.W.3d 516 (Ky. App. 2021)

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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

PERSONNEL

03.1161

- CERTIFIED PERSONNEL -

Athletic Directors, Coaches and Assistant Coaches

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training 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)** course that includes the use of an automated **external** defibrillator 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.³ **All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.**⁴

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Nonfaculty coaches and nonfaculty 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 first aid training. Follow-up training shall be provided annually.²

SELECTION OF ATHLETIC DIRECTORS, HEAD COACHES AND ASSISTANT COACHES

The Principal shall select the athletic director, where appropriate, and coach for each sport and the Superintendent shall complete the hiring action. However, under KRS 156.070 and related regulations, non-teaching personnel may be selected to serve as coaches.

REQUIREMENTS

Athletic Director

- Full time certified employee.
- Member of the school faculty where serving.

Head Coach and Assistant Coach – All High School Sports

- Employee of the District. Employment may be either full-time or part-time and either certified or classified.
- Successful completion of KHSAA coaching requirements.
- If not certified, successful completion of Floyd County Schools Volunteer Training is required. Certification is for two (2) years.
- If not a full time employee, an annual criminal records check under KRS 160.380 and KRS 161.185¹ shall be required.

PERSONNEL

03.1161
(CONTINUED)

Coaches and Assistant Coaches

SELECTION OF ATHLETIC DIRECTORS, HEAD COACHES AND ASSISTANT COACHES (CONTINUED)

Head Coach and Assistant Coach – All Middle and Elementary School Sports

- Successful completion of Floyd County Schools coaching seminar.
- Current CPR/First Aid Certification/**Emergency Medication**.
- If not certified, successful completion of Floyd County Schools Volunteer Training is required. Certification is for two (2) years.
- If not a full time employee, an annual criminal records check shall be required.
- Successful completion of the KHSAA Sports Safety Course

*Cheerleading and dance are considered sports by the Floyd County Schools and are subject to these requirements.

REFERENCES:

¹KRS 160.380

²KRS 161.185

³702 KAR 7:065

⁴**KRS 158.162**

Kentucky High School Athletic Association (KHSAA)
KRS 156.070; KRS 160.445; KRS 161.044; KRS 161.180
OAG 73-206; OAG 76-555

RELATED POLICIES:

03.2141; 03.5; 09.221; 09.31; 09.311

LEGAL: SB 7 (EFFECTIVE NOW) AMENDS KRS 336.134 TO PROHIBIT DISTRICTS FROM DEDUCTING MONEY FROM EMPLOYEE PAYROLL FOR CERTAIN PURPOSES. DISTRICTS SHALL NO LONGER DEDUCT ANY AMOUNT FOR: "ANY DUES, FEES, ASSESSMENTS, OR OTHER CHARGES TO BE HELD FOR, TRANSFERRED TO, OR PAID OVER TO A LABOR ORGANIZATION; OR ... POLITICAL ACTIVITIES."

ALSO NOTE THAT SB 7 AMENDS KRS 161.158 TO REFLECT THE FOLLOWING:
"THE DISTRICT BOARD IS PROHIBITED FROM DEDUCTING MEMBERSHIP DUES OF AN EMPLOYEE ORGANIZATION, MEMBERSHIP ORGANIZATION, OR LABOR ORGANIZATION [WITHOUT THE EXPRESS WRITTEN CONSENT OF THE EMPLOYEE. EXPRESS WRITTEN CONSENT OF THE EMPLOYEE MAY BE REVOKED IN WRITING BY THE EMPLOYEE AT ANY TIME]."
FINANCIAL IMPLICATIONS: TIME SPENT REMOVING PAYROLL DEDUCTIONS

PERSONNEL

03.1211

- CERTIFIED PERSONNEL -

Salary Deductions

MANDATORY DEDUCTIONS

Mandatory payroll deductions made by the Board include:

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

OPTIONAL DEDUCTIONS

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

1. Board approved health/life insurance program;
2. Board approved Tax Sheltered Annuity program;
3. Other state approved deferred compensation plan;
4. Board approved credit union; and
5. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans.

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Deleted: <#>Membership dues for professional teachers' organizations when thirty percent (30%) or more eligible members request the deduction. Such deductions may include a life insurance plan and an income protection plan associated therewith, but excluding teachers' organizations devoted to a particular discipline or disciplines, e.g., organizations for mathematics teachers, English teachers, etc. (For purposes of this policy, a professional teacher organization is one in which all teachers are eligible for membership.)

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PERSONNEL

03.1211
(CONTINUED)

Salary Deductions

OPTIONAL DEDUCTIONS (CONTINUED)

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

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

REFERENCES:

KRS 160.291; KRS 161.158
KRS 336.134
702 KAR 1:035; OAG 72-802

Deleted: <#>Membership dues in professional administrators' or supervisors' organizations when thirty percent (30%) or more of the eligible members request the deductions. Such deductions may include a life insurance plan and an income protection plan associated therewith, but excluding administrators' or supervisors' organizations devoted to a particular discipline or disciplines, e.g., organizations for school business officials, personnel officers, etc. (For purposes of this policy, a professional administrators' or supervisors' organization is defined as a professional organization in which all administrators and supervisors are eligible for membership.)¶
<#>The above limitations as to groups specified in subsections (6) and (7) above are designed to permit the Board to maintain a practicable control over the number of payroll deductions.¶
<#>Deductions for membership dues of an employee organization, association, or union shall only be made upon the express written consent of the employee. This consent may be revoked by the employee at any time by written notice to the employer.¶

Deleted: No other payroll deductions shall be made by the Board.¶

LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK AND PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1231

- CERTIFIED PERSONNEL -

Personal Leave

NUMBER OF DAYS

Full-time certified employees shall be entitled to three (3) days of personal leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized personal leave days calculated to the nearest one-half (1/2) day.

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

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APPROVAL

The employee's immediate supervisor, who is the Superintendent's designee, must approve the leave date, but no reasons shall be required for the leave.

LIMITED NUMBER

No more than 5% of a school's certified employees, but not less than one (1) employee in applicable schools, may take personal leave on a given day. If requests exceed 5% or one employee in applicable schools, those making earliest application will be given preference.

PROHIBITION

Personal leave shall not be taken on the last work day before a vacation or holiday, or on the first day of work following a vacation or holiday, or taken during the first or last week of the school year.

STATEMENT

Employees taking personal leave must file a personal statement on their return to work stating that the leave was personal in nature.

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ACCUMULATION

On June 30, personal leave days not taken during the current school year shall be transferred and credited to the employee's accumulated sick leave account.

REFERENCE:

KRS 161.154

RELATED POLICY:

03.1232

LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK AND PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1232

- CERTIFIED PERSONNEL -

Sick Leave

NUMBER OF DAYS

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

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

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

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

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

ACCUMULATION

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

DEFINITION

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

FAMILY ILLNESS/MOURNING

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

TRANSFER OF SICK LEAVE

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

RESTORATION OF SICK LEAVE

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

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PERSONNEL

03.1232
(CONTINUED)

Sick Leave

SICK LEAVE DONATION PROGRAM

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

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

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

STATEMENT

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

REFERENCES:

¹KRS 161.155,
KRS 161.152
KRS 157.320
OAG 79-148
OAG 93-39
Family & Medical Leave Act of 1993

RELATED POLICIES:

03.124; 03.12322; 03.1233

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LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK (INCLUDING EMERGENCY LEAVE USED FOR THIS PURPOSE) AND PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1236

-CERTIFIED PERSONNEL-

Emergency Leave

NUMBER OF DAYS

Regular full-time certified employees shall be entitled to two (2) days of emergency leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized emergency leave days calculated to the nearest half day.

Emergency leave shall be granted for the following reasons:

DISASTERS/SEVERE WEATHER

Personal disasters of the magnitude of tornadoes, floods, and /or other inclement weather situations that could cause transportation problems from home to work station or work station to home.

OTHER

Other emergency reasons as approved by the Superintendent or designee where there exists a pressing necessity that requires immediate attention.

REQUEST FOR LEAVE

Emergency leave must be requested through the Superintendent or designee who will determine if the leave requested meets the Board's criteria.

STATEMENT

Persons taking emergency leave must complete an emergency leave card upon their return to work stating the specific reasons for their absence.

ACCUMULATION

On June 30 of each year, emergency leave days not taken during the current school year shall be transferred and credited to the employee's accumulated sick leave account.

ENTITLEMENT TO USE

The entitlement to emergency leave shall not be earned by an employee until after completion of the first day of work during the current year, except when the employee was on duty or on paid leave on the last day of the previous work year and provided the employee returns to work immediately following the use of such leave.

REFERENCES:

KRS 161.152; KRS 161.155
OAG 72-348; [OAG 74-770](#); OAG 76-427

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LEGAL: HB 547 CREATES A NEW SECTION OF KRS 158 WHICH PERMITS A SCHOOL DISTRICT EMPLOYEE ON DUTY TO ENGAGE IN RELIGIOUS EXPRESSION OTHERWISE PROTECTED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.13241

- CERTIFIED PERSONNEL -

Employee Religious Expression

"ON DUTY"

Per KRS 158.193, "on duty" means those times when an employee is:

1. Required by the District to be on campus or at another designated location and required to perform the scope of the employee's duties; or
2. Otherwise acting as a designated representative of the District.

The District shall not punish or prohibit an employee from, or punish an employee for, engaging in private religious expression otherwise protected by the First Amendment to the United States Constitution absent a showing that the employee has engaged in actual coercion.

EMPLOYEE MAY

While an employee is on duty, the employee may, at a minimum:

1. Engage in religious expression and discussions and share religious materials with other employees at the same time and in the same manner that employees are permitted to engage in nonreligious expression and discussions outside the scope of duties;
2. Engage in private religious expression at a time when it is otherwise permissible for an employee to engage in private expressive conduct or act outside the scope of duties;
3. Meet with other District employees for prayer or religious study during times that the employee is allowed to act outside the scope of duties, including but not limited to employee breaks, time before school, and during lunch;
4. Work as a sponsor of a student religious club or organization and assist students in planning meetings, activities, and events to the same extent that employee sponsors of nonreligious clubs or organizations are permitted to do so;
5. Wear religious clothing, symbols, or jewelry, provided that such items otherwise comply with any dress code implemented by the District;
6. Decorate their desk and other personal spaces with personal items that reflect their religious beliefs to the same extent that other employees are permitted to decorate their desk and other personal spaces with personal items; and
7. During noninstructional time, engage in religious expression and share religious materials to the same extent that other employees may engage in private expression permitted under the First Amendment to the United States Constitution.

Employee Religious Expression

AUTHORITY

This shall not be construed to authorize the state or any other governmental organization to:

1. Require any person to participate in prayer or any other religious activity; or
2. Violate the constitutional rights of any person.

This shall not be construed to limit the District's authority to:

1. Maintain order and discipline on school property in a content-neutral and viewpoint-neutral manner;
2. Protect the safety of students, employees, and visitors; and
3. Adopt and enforce policies and procedures regarding student speech at school that respect the rights of students.

REFERENCES:

KRS 158.193

Kennedy v. Bremerton School District 142 S.Ct. 2407 (2022)

RELATED POLICIES:

03.1325; 03.2325; 09.32; 09.34; 09.426

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LEGAL: HB 319 CREATES A NEW SECTION OF KRS 160 TO REQUIRE THE BOARD TO ADOPT A POLICY TO ENSURE THAT DISTRICT EMPLOYEES COMPLETE AN EXIT SURVEY WHEN THEY VOLUNTARILY LEAVE THE DISTRICT.
FINANCIAL IMPLICATIONS: POTENTIAL COST ASSOCIATED WITH THE SURVEY

PERSONNEL

03.17

- CERTIFIED PERSONNEL -

Termination/Nonrenewal/Separation by Employee

Termination and nonrenewal of contracts shall be the responsibility of the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

CODE OF ETHICS

Employees who violate provisions of the Professional Code of Ethics for Kentucky School Certified Personnel may be subject to disciplinary action, up to and including termination.

TERMINATION

No contract shall be terminated except upon notification of the Board by the Superintendent. Prior to notification of the Board, the Superintendent shall furnish the teacher with a written statement specifying in detail the charge against the teacher.¹

Termination of contracts of certified personnel shall be made in compliance with the requirements of KRS 161.790.

ALTERNATIVES TO TERMINATION

As an alternative to termination, the Superintendent, upon notifying the Board and providing written notification to the teacher, may impose sanctions in accordance with KRS 161.790.

NONRENEWAL

The Principal/immediate supervisor shall provide the Superintendent with notice of recommended nonrenewals by March 30. Nonrenewal of limited contracts of certified personnel shall be made no later than May 15 in compliance with the requirements of KRS 161.750.

SEPARATION BY EMPLOYEE

Certified employees seeking to resign or terminate contracts in force shall do so in compliance with KRS 161.780.

A certified employee who voluntarily leaves the District shall complete an exit survey that includes, but is not limited to the position vacated, the employee's years of service in the position and in the District, if the employee is taking a similar position in another district, and the reason(s) provided for leaving the District. This information shall be reported to the Kentucky Department of Education (KDE) by the District in a system developed by KDE without providing personally identifiable information.

REPORTING

The Superintendent shall comply with the reporting requirements of KRS 161.120.

PERSONNEL

03.17
(CONTINUED)

Termination/Nonrenewal/Separation by Employee

REFERENCES:

¹KRS 161.790
[KRS 160.382](#)
KRS 161.120; KRS 161.750; KRS 161.780
OAG 83-362; OAG 92-135
16 KAR 1:020 (Code of Ethics); 701 KAR 5:090
Consolidated Omnibus Budget Reconciliation Act

RELATED POLICY:

03.172

Deleted: EXIT INTERVIEW¶

The Superintendent shall develop a process to provide for exit interviews with employees who will not be returning to the District.¶

LEGAL: HB 32 AMENDS KRS 161.011 TO PERMIT HIRING OF CLASSIFIED PERSONNEL WITHOUT A HIGH SCHOOL DIPLOMA IF OPPORTUNITY TO OBTAIN A HIGH SCHOOL EQUIVALENCY DIPLOMA IS PROVIDED BY THE DISTRICT AND PERMITS CERTAIN GOVERNMENT ISSUED CERTIFICATIONS OR LICENSES TO SUBSTITUTE.
FINANCIAL IMPLICATIONS: POTENTIAL COST ASSOCIATED WITH ADMINISTERING THE EQUIVALENCY PROGRAM

PERSONNEL

03.21

- CLASSIFIED PERSONNEL -

Hiring

SUPERINTENDENT'S RESPONSIBILITIES

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

EFFECTIVE DATE

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

HIRING OF RETIRED PERSONS

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

CRIMINAL BACKGROUND CHECK AND TESTING

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

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

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

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

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

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

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

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

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

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

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

REPORT TO SUPERINTENDENT

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

EDUCATIONAL REQUIREMENTS

No person shall be initially hired unless s/he holds at least a high school diploma or high school certificate of completion or High School Equivalency Diploma or is provided an opportunity by the District upon employment to obtain a High School Equivalency Diploma at no cost to the employee, Licenses or credentials issued by a government entity that require specialized skill or training may also substitute for this requirement. Employees shall hold the qualifications for the position as established by the Commissioner of Education.³

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

JOB REGISTER

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

VACANCIES POSTED

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

Deleted: or unless s/he shows progress, as defined by Administrative Regulations of the State Board for Adult, and Technical Education, toward obtaining a High School Equivalency Diploma

Hiring**REVIEW OF APPLICATIONS**

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

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

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

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

HIRING RELATIONSHIPS

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

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

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

EMERGENCY HIRING

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

JOB DESCRIPTION

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

CONTRACT

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

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT FOR SUBSTITUTE CLASSIFIED EMPLOYEES

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

Hiring

EMPLOYEES SEEKING A JOB CHANGE

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

REFERENCES:

- ¹KRS 160.380
- ²702 KAR 5:080, KRS 160.345, KRS 160.390
- ³KRS 161.011
- ⁴P. L. 114-95, (Every Student Succeeds Act of 2015)
- 20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)
- 34 C.F.R. § 200.58; 45 C.F.R. § 1302.90
- 49 C.F.R. § 382.701; 49 C.F.R. § 382.703
- KRS Chapter 13B
- KRS 17.160, KRS 17.165; KRS 156.070; KRS 335B.020, KRS 405.435
- OAG 18-017; OAG 91-10, OAG 91-149, OAG 91-206
- OAG 92-1, OAG 92-59, OAG 92-78, OAG 92-131
- 13 KAR 3:030; 702 KAR 3:320
- Kentucky Local District Classification Plan
- Records Retention Schedule, Public School District

RELATED POLICIES:

- 01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

LEGAL: HB 13 AMENDS KRS 281A.175 RELATED TO THE PHYSICAL EXAM REQUIREMENT FOR SCHOOL BUS DRIVERS IT CHANGES THE REQUIRED PHYSICAL EXAM FROM EVERY YEAR TO EVERY TWO (2) YEARS.
FINANCIAL IMPLICATIONS: LESS FREQUENT EXAMS COULD BE A COST SAVINGS

PERSONNEL

03.211

- CLASSIFIED PERSONNEL -

Medical Examination

BUS DRIVERS

As a condition of employment, each school bus driver, including substitute drivers, shall pass a medical examination on initial employment and ~~every two (2) years~~ thereafter in accordance with ~~KRS 281A.175, 702 KAR 5:030, and~~ 702 KAR 5:080. The Board shall contract with a medical practitioner to perform the examinations at no cost to the drivers.

Before being allowed to drive a bus, the driver must be free of any medical condition which could endanger the health or safety of students in the performance of duties.

OTHER NEWLY EMPLOYED CLASSIFIED PERSONNEL

As a condition of initial employment, all classified employees (except bus drivers), including substitute employees, shall pass a medical examination as indicated in 702 KAR 1:160. The examination shall be provided by a licensed physician designated by the Board.¹

REPORT REQUIREMENTS

Unless a new employee is hired after the beginning of the school year, examinations shall be conducted prior to August 1 of the school year in which the person is employed.

Medical examinations performed within a ninety (90)-day period prior to initial employment will be accepted.

The medical examination shall be reported on the form required by Kentucky Administrative Regulation or an electronic medical record that includes all of the data equivalent to that on the Medical Examination of School Employees form. A copy of the form or electronic medical record and a statement indicating the employee's medical status must be filed with the Superintendent prior to assuming assigned duties.

TUBERCULOSIS (TB) SCREENING/TESTING

Each medical examination shall include a risk assessment for TB as required by Kentucky Administrative Regulation. Individuals identified by that assessment as being at high risk for TB shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by 702 KAR 1:160. A person who tests positive for TB shall be required to comply with the directives of the Board, local board of health and the Kentucky Department for Public Health, Cabinet for Health and Family Services, for further evaluation and treatment of the TB infection.^{1, 2 & 3}

REQUIRED EXAMINATION FOR PRESENT PERSONNEL

When, in the opinion of the Superintendent, there is evidence that an employee is no longer able to perform satisfactorily the assigned duties because of health problems or when the employee poses a health threat to students or other employees, the Superintendent may, consistent with the Americans with Disabilities Act and the Family Medical Leave Act, require the employee to provide evidence of fitness in the form of an examination and report by a physician of the Superintendent's choosing. The Board shall bear the cost of this examination.³

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PERSONNEL

03.211
(CONTINUED)

Medical Examination

SCHOOL TO REPORT

Local school authorities shall report immediately all known or suspected cases of communicable disease to the local health department. Diseases to be reported shall not include those considered confidential, such as HIV/AIDS, as set forth in Kentucky Administrative Regulation.²

MEDICAL CONFIDENTIALITY

Signed consent of the employee designating personnel to be informed shall be required before the Superintendent advises personnel of the employee's medical condition.

The Superintendent shall determine which employees are to have access to medical information. This determination shall be made on a need-to-know basis.

REFERENCES:

¹KRS 161.145; 702 KAR 5:080

²702 KAR 1:160, 902 KAR 2:020; KRS 214.181; KRS 214.625

[702 KAR 5:030](#); [KRS 281A.175](#)

OAG 91-1

Genetic Information Nondiscrimination Act of 2008

Americans with Disabilities Act

Family Medical Leave Act of 1993

RELATED POLICIES:

³03.2234, 03.24

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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

PERSONNEL

03.2141

- CLASSIFIED PERSONNEL -

Nonteaching Coaches and Assistant Coaches

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training 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) course that includes the use of an automated external defibrillator 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.² ~~All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.³~~

Nonfaculty coaches and nonfaculty 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 first aid training. Follow-up training shall be provided annually.¹

REFERENCES:

¹KRS 161.185

²702 KAR 7:065

³~~KRS 158.162~~

Kentucky High School Athletic Association (KHSAA)
KRS 156.070; KRS 160.445

RELATED POLICIES:

03.1161

09.221

09.311

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Deleted: The Superintendent shall give preference to the hiring or assignment of certified personnel over nonteaching personnel for coaching positions in any sport or sport activity. The employment and utilization of nonteaching assistant coaches shall be in compliance with the state law, regulation and by-laws of the Kentucky High School Athletic Association.¶

LEGAL: SB 7 (EFFECTIVE NOW) AMENDS KRS 336.134 TO PROHIBIT DISTRICTS FROM DEDUCTING MONEY FROM EMPLOYEE PAYROLL FOR CERTAIN PURPOSES. DISTRICTS SHALL NO LONGER DEDUCT ANY AMOUNT FOR: "ANY DUES, FEES, ASSESSMENTS, OR OTHER CHARGES TO BE HELD FOR, TRANSFERRED TO, OR PAID OVER TO A LABOR ORGANIZATION; OR ... POLITICAL ACTIVITIES."

ALSO NOTE THAT SB 7 AMENDS KRS 161.158 TO REFLECT THE FOLLOWING:
"THE DISTRICT BOARD IS PROHIBITED FROM DEDUCTING MEMBERSHIP DUES OF AN EMPLOYEE ORGANIZATION, MEMBERSHIP ORGANIZATION, OR LABOR ORGANIZATION [WITHOUT THE EXPRESS WRITTEN CONSENT OF THE EMPLOYEE. EXPRESS WRITTEN CONSENT OF THE EMPLOYEE MAY BE REVOKED IN WRITING BY THE EMPLOYEE AT ANY TIME]."
FINANCIAL IMPLICATIONS: TIME SPENT REMOVING PAYROLL DEDUCTIONS

PERSONNEL

03.2211

- CLASSIFIED PERSONNEL -

Salary Deductions

MANDATORY DEDUCTIONS

Mandatory payroll deductions made by the Board include:

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

OPTIONAL DEDUCTIONS

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

1. Board approved health/life insurance program;
2. Board approved Tax Sheltered Annuity program;
3. Other state approved deferred compensation plan;
4. Board approved credit union; and
5. State-designated Flexible Spending Account (FSA) and Health Reimbursement Account (HRA) plans.

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

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Deleted: <#>Membership dues for job-related organizations when thirty percent (30%) or more eligible members request the deduction(s). Such deductions may include a life insurance plan and an income protection plan associated therewith.¶
<#>Deductions for membership dues of an employee organization, association, or union shall only be made upon the express written consent of the employee. This consent may be revoked by the employee at any time by written notice to the employer.¶

PERSONNEL

03.2211
(CONTINUED)

Salary Deductions

OPTIONAL DEDUCTIONS (CONTINUED)

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

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

REFERENCES:

KRS 160.291; KRS 161.158
KRS 336.134
702 KAR 1:035; OAG 72-802

Deleted: No other payroll deductions shall be made by the Board.¶

LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK AND PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2231

- CLASSIFIED PERSONNEL -

Personal Leave

NUMBER OF DAYS

Full-time classified employees shall be entitled to three (3) days of personal leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized personal leave days calculated to the nearest one-half (1/2) day.

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

APPROVAL

The employee's immediate supervisor, who is the Superintendent's designee, must approve the leave date, but no reasons shall be required for the leave.

LIMITED NUMBER

No more than 5% of a school's classified employees, but not less than one (1) employee in applicable schools, may take personal leave on a given day. If requests exceed 5% or one employee in applicable schools, those making earliest application will be given preference.

PROHIBITION

Personal leave shall not be taken on the last work day before a vacation or holiday, or on the first day of work following a vacation or holiday, or taken during the first or last week of the school year.

STATEMENT

Employees taking personal leave must file a personal statement on their return to work stating that the leave was personal in nature.

ACCUMULATION

On June 30, personal leave days not taken during the current school year shall be transferred and credited to the employee's accumulated sick leave account.

REFERENCES:

KRS 161.154
OAG 77-115

RELATED POLICY:

03.2232

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LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK AND PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2232

- CLASSIFIED PERSONNEL -

Sick Leave

NUMBER OF DAYS

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

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

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

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

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

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ACCUMULATION

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

DEFINITION

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

FAMILY ILLNESS/MOURNING

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

TRANSFER OF SICK LEAVE

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

RESTORATION OF SICK LEAVE

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

PERSONNEL

03.2232
(CONTINUED)

Sick Leave

SICK LEAVE DONATION PROGRAM

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

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

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

STATEMENT

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

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REFERENCES:

KRS 157.320
KRS 161.155
OAG 79-148
OAG 93-39
Family & Medical Leave Act of 1993

RELATED POLICIES:

03.22322
03.2233
03.273

LEGAL: HB 319 REMOVES THE REQUIREMENT THAT AN AFFIDAVIT BE SUBMITTED FOR SICK (INCLUDING EMERGENCY LEAVE USED FOR THIS PURPOSE) AND PERSONAL LEAVE AND REPLACES AFFIDAVIT WITH STATEMENT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2236

- CLASSIFIED PERSONNEL -

Emergency Leave

NUMBER OF DAYS

Regular full-time classified employees shall be entitled to two (2) days or the equivalent number of hours of emergency leave with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized emergency leave days calculated to the nearest half day.

Emergency leave shall be granted for the following reasons:

DISASTERS/SEVERE WEATHER

Personal disasters of the magnitude of tornadoes, floods, and /or other inclement weather situations that could cause transportation problems from home to work station or work station to home.

OTHER

Other emergency reasons as approved by the Superintendent or designee where there exists a pressing necessity that requires immediate attention.

REQUEST FOR LEAVE

Emergency leave must be requested through the Superintendent or designee who will determine if the leave requested meets the Board's criteria.

STATEMENT

Persons taking emergency leave must complete an emergency leave card upon their return to work stating the specific reasons for their absence.

ACCUMULATION

On June 30 of each year, emergency leave days not taken during the current school year shall be transferred and credited to the employee's accumulated sick leave account.

ENTITLEMENT TO USE

The entitlement to emergency leave shall not be earned by an employee until after completion of the first day of work during the current year, except when the employee was on duty or on paid leave on the last day of the previous work year and provided the employee returns to work immediately following the use of such leave.

REFERENCES:

KRS 161.152; KRS 161.155,
OAG 72-348; OAG 74-770; OAG 76-427,

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PERSONNEL

03.173

- CERTIFIED PERSONNEL -

Suspension

PENDING TERMINATION ACTION

The Superintendent may suspend a certified employee without pay pending final action to terminate the contract if the character of the charges warrants such action. If a tribunal hearing is requested and the decision of the tribunal is against termination of the contract, the suspended teacher shall be paid full salary for the period of such suspension, except that the Board may appeal the tribunal's decision to the circuit court.

SANCTIONS

The Superintendent may suspend a teacher without pay as a disciplinary measure in accordance with [KRS 161.790](#).

BOARD NOTIFICATION

The Superintendent, at the first meeting following the suspension without pay, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

TEMPORARY SUSPENSION WITH PAY PENDING INVESTIGATION

An employee shall be suspended with pay only when the Superintendent determines there is a justifiable need for an investigation of alleged employee actions necessary to protect the safety of students and staff or to prevent significant disruption of the workplace and/or educational process. The period of suspension with pay shall not exceed the time needed to determine whether the employee is to return to active service or face disciplinary action. However, suspension with pay shall not exceed 20 working days. If circumstances arise that require and investigation or other proceedings that may extend beyond 20 days, the Superintendent may lengthen the period of leave.

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Employees suspended with pay shall remain available for immediate recall to active service.

REFERENCES:

[KRS 160.390](#)
[KRS 161.790](#)
[701 KAR 005:090](#)
[OAG 92-135, OAG 96-3](#)
938 S.W.2d 880 (Ky. 1996)

RELATED POLICIES:

03.1234
03.172
03.174

Adopted/Amended: 11/20/2006
Order #: 15302

*REMOVE DISTRICT INITIATED: NO MODEL POLICY

PERSONNEL

03.2332

- CLASSIFIED PERSONNEL -

Hours of Duty

Classified employees shall be prompt in attendance. They shall follow work schedules prepared by their immediate supervisor and approved by the Board.

The work year shall be set forth in the salary schedule and calendar.

REFERENCE:

[KRS 160.290](#)

Adopted/Amended: 11/17/1998

Order #: 11787

LEGAL: HB 547 CREATES A NEW SECTION OF KRS 158 WHICH PERMITS A SCHOOL DISTRICT EMPLOYEE ON DUTY TO ENGAGE IN RELIGIOUS EXPRESSION OTHERWISE PROTECTED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.23241

- CLASSIFIED PERSONNEL -

Employee Religious Expression

"ON DUTY"

Per KRS 158.193, "on duty" means those times when an employee is:

1. Required by the District to be on campus or at another designated location and required to perform the scope of the employee's duties; or
2. Otherwise acting as a designated representative of the District.

The District shall not punish or prohibit an employee from, or punish an employee for, engaging in private religious expression otherwise protected by the First Amendment to the United States Constitution absent a showing that the employee has engaged in actual coercion.

EMPLOYEE MAY

While an employee is on duty, the employee may, at a minimum:

1. Engage in religious expression and discussions and share religious materials with other employees at the same time and in the same manner that employees are permitted to engage in nonreligious expression and discussions outside the scope of duties;
2. Engage in private religious expression at a time when it is otherwise permissible for an employee to engage in private expressive conduct or act outside the scope of duties;
3. Meet with other District employees for prayer or religious study during times that the employee is allowed to act outside the scope of duties, including but not limited to employee breaks, time before school, and during lunch;
4. Work as a sponsor of a student religious club or organization and assist students in planning meetings, activities, and events to the same extent that employee sponsors of nonreligious clubs or organizations are permitted to do so;
5. Wear religious clothing, symbols, or jewelry, provided that such items otherwise comply with any dress code implemented by the District;
6. Decorate their desk and other personal spaces with personal items that reflect their religious beliefs to the same extent that other employees are permitted to decorate their desk and other personal spaces with personal items; and
7. During noninstructional time, engage in religious expression and share religious materials to the same extent that other employees may engage in private expression permitted under the First Amendment to the United States Constitution.

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Employee Religious Expression

AUTHORITY

This shall not be construed to authorize the state or any other governmental organization to:

1. Require any person to participate in prayer or any other religious activity; or
2. Violate the constitutional rights of any person.

This shall not be construed to limit the District's authority to:

1. Maintain order and discipline on school property in a content-neutral and viewpoint-neutral manner;
2. Protect the safety of students, employees, and visitors; and
3. Adopt and enforce policies and procedures regarding student speech at school that respect the rights of students.

REFERENCES:

- KRS 158.193
- Kennedy v. Bremerton School District 142 S.Ct. 2407 (2022)

RELATED POLICIES:

03.1325; 03.2325; 09.32; 09.34; 09.426

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- CLASSIFIED PERSONNEL -**Discipline, Suspension and Dismissal of Classified Employees****DISCIPLINARY OPTIONS**

Classified employees may be subject to the following actions, to include, but not limited to:

1. Verbal warning or reprimand by Superintendent/designee
2. Written warning or private reprimand by Superintendent/designee
3. Probation imposed by Superintendent/designee
4. Reassignment (temporary or permanent) by Superintendent
5. Public reprimand by Superintendent
6. Suspension without pay by Superintendent
7. Nonrenewal by Superintendent
8. Dismissal (termination of contract) by Superintendent

ACTIONS WHICH MAY REQUIRE HEARING PROCEDURES

Only the Superintendent may issue a public reprimand, suspend without pay or terminate a classified employee. Subject to the employee's exercise of applicable hearing rights, these personnel actions shall be effective on the employee's receipt of written notice from the Superintendent. Subject to the completion of any pending administrative hearing procedure on the action, the Superintendent shall notify the Board at the first meeting following a public reprimand, suspension without pay, or termination and such notification shall be recorded in the Board minutes.

TEMPORARY SUSPENSION WITH PAY PENDING INVESTIGATION

An employee may be relieved from duty for the remainder of the work day (without loss of pay for the affected portion of the day) by the immediate supervisor, pending a review of the facts or allegations, when such time is needed to protect health or welfare of students or staff or to prevent disruption of the educational process.

An employee shall be suspended with pay only when the Superintendent determines there is a justifiable need to protect the health, safety, or welfare of students and staff or to prevent significant disruption of the workplace and/or educational process. The period of suspension with pay shall not exceed the time needed to conduct an investigation and to determine whether the employee is to return to active service or face disciplinary action. However, suspension with pay shall not exceed 20 working days. If circumstances arise that require an investigation or other proceedings that may extend beyond 20 days, the Superintendent may lengthen the period of leave.

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Employees suspended with pay shall remain available for immediate recall to active service.

CAUSES FOR ACTION

Any classified employee may be subject to appropriate disciplinary or job action for one (1) or more of the following reasons:

1. Dishonesty, neglect of duty, incompetence, inefficiency or insubordination.

Discipline, Suspension and Dismissal of Classified Employees**CAUSES FOR ACTION (CONTINUED)**

2. Reporting to work under the influence of or use or possession of alcohol or controlled substances while on duty, or the illegal use or possession of controlled substances at any time.
3. Unsatisfactory evaluation of any factor on the employee's performance evaluation report.
4. Repeated unexcused absence, tardiness, absence without notification or abuse of sick leave.
5. Violation of or refusal to obey local policies or state regulations adopted by the Kentucky Board of Education or by the Board.
6. Refusal to comply with safety directives.
7. Falsifying information supplied to the District including information on application forms, absence reports, or any other information.
8. Violation of local policy, state, or federal statutes or regulations that apply to assigned duties.
9. Failure to notify the Superintendent if the classified employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal.
10. Being convicted of or entering an "Alford" plea or plea of nolo contendere to a felony or any crime (including misdemeanors) involving moral turpitude or illegal transactions with minors or students.
11. Immorality, misconduct, or conduct unbecoming a school employee.
12. Loss of licensure or certification required for the position; failure to provide cooperation or consents necessary to serve or continue serving in positions requiring licensure; or being disqualified from serving in a licensed position based on information obtained by the District from the Federal Motor Carrier Safety Administration (FMCSA) drug and alcohol electronic "Clearinghouse" or otherwise.
13. Failure to maintain the confidentiality of information about students or staff obtained in the course of employment, unless disclosure serves a legitimate job-related purpose or is required by law.
14. Engaging in any sexually related behavior with a student with or without consent, including, but not limited to, behavior such as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape, threats of physical harm; and sexual assault.
15. Physical or mental disability, consistent with applicable laws protecting employees with disabilities.¹

Discipline, Suspension and Dismissal of Classified Employees**DUE PROCESS PROVISIONS**

The Superintendent shall develop/adopt procedures to provide adequate due process, covering matters that may result in public reprimand, suspension without pay or termination of classified employees. The procedures shall address, but are not limited to notice, opportunity to be heard, right to counsel, conducting a hearing (if requested), and the rendition of a decision or action.

Employees shall be provided written notification of the charges that may result in a public reprimand, suspension without pay or termination. The notification shall include a statement of the right to a hearing and a form, the signing and filing of which with the Superintendent shall constitute a demand for a hearing and a denial of the charges. If an employee wishes to request a hearing, the employee shall present the appropriate form to the Superintendent within ten (10) calendar days of the receipt of the written notification of the charges. If the employee does not file the demand for a hearing within the ten (10) day period, final personnel action may be taken or completed without a hearing or further proceedings.

If the employee disagrees with the decision rendered by the Superintendent, the employee will have the opportunity to appeal the decision to a hearing officer who will direct a hearing process set in procedures and render a decision that sustains, amends, or dismisses the action directed by the Superintendent.

OTHER DISCIPLINARY ACTIONS

When disciplinary actions other than public reprimand, suspension without pay or termination, are at issue, employees may submit a written response, which shall be placed in their file along with any documentation of the disciplinary action.

REFERENCES:

¹Americans with Disabilities Act
42 U.S.C. § 12111 et seq.
49 C.F.R. § 382.701; 49 C.F.R. § 382.703
KRS Chapter 344
[KRS 160.380](#); [KRS 160.390](#); [KRS 161.011](#)
[OAG 92-135](#); [OAG 96-3](#); [OAG 05-006](#)
Consolidated Omnibus Budget Reconciliation Act

RELATED POLICIES:

03.212; 03.23251; 03.26; 03.271; 03.2711
07.162; 09.14; 09.42811

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

LEGAL: HB 319 CREATES A NEW SECTION OF KRS 160 TO REQUIRE THE BOARD TO ADOPT A POLICY TO ENSURE THAT DISTRICT EMPLOYEES COMPLETE AN EXIT SURVEY WHEN THEY VOLUNTARILY LEAVE THE DISTRICT.
FINANCIAL IMPLICATIONS: POTENTIAL COST ASSOCIATED WITH THE SURVEY

PERSONNEL

03.272

- CLASSIFIED PERSONNEL -

Separation by Employee

~~A classified employee who voluntarily leaves the District shall complete an exit survey that includes, but is not limited to the position vacated, the employee's years of service in the position and in the District, if the employee is taking a similar position in another district, and the reason(s) provided for leaving the District. This information shall be reported to the Kentucky Department of Education (KDE) by the District in a system developed by KDE without providing personally identifiable information.~~

REFERENCE:

KRS 160.382

RELATED POLICY:

03.27

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LEGAL: SB 169 AMENDS KRS 65.028 BY PERMITTING SCHOOL DISTRICTS TO ENGAGE IN PUBLIC-PRIVATE PARTNERSHIPS WITH BOARD APPROVAL
FINANCIAL IMPLICATIONS: POTENTIAL SAVINGS IN SHARING COST OF PROJECTS
LEGAL: HB 522 AMENDS KRS 45A.385 INCREASING THE AGGREGATE CONTRACT AMOUNT MAXIMUM FOR SMALL PURCHASE TO \$40,000.
FINANCIAL IMPLICATIONS: LARGER AMOUNT FOR SMALL PURCHASE PROCEDURES

FISCAL MANAGEMENT

04.32

Model Procurement Code Purchasing

AUTHORITY

Purchasing procedures shall conform to the Model Procurement Code, KRS 45A.345 – KRS 45A.460.¹ All contracts or purchases shall be awarded by competitive sealed bidding or competitive negotiation, both of which may include the use of a reverse auction, except as otherwise provided by law.²

All purchases of Kentucky Education Technology System (KETS) components shall adhere to KETS architectural standards and procedures.

The District may purchase supplies and/or equipment outside price contract of the federal government (GSA), the State Division of Purchases, a cooperative agency bid approved by the Board, or a District bid if:

1. The supplies and/or equipment meet the specifications of contracts awarded by the Division of Purchases, a federal agency (GSA), a cooperative agency, or a District bid;
2. The supplies and/or equipment are available for purchase at a lower price;
3. The purchase does not exceed \$2,500⁴ & ⁸; and
4. The District's finance or purchasing officer has certified compliance with the first and second requirements.

Prior to purchase of education technology components defined in the master technology plan, the Department of Education must certify that the items to be purchased meet or exceed the specifications of components of the original equipment of manufacturers currently holding Kentucky price contracts.⁴

PUBLIC-PRIVATE PARTNERSHIPS

The Board may utilize a public-private partnership delivery method. Public-private partnerships shall comply with KRS 65.028 and other applicable state laws and regulations.

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FEDERAL AWARDS/CONFLICT OF INTEREST

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.⁷

The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. In determining whether an activity constitutes an impermissible acceptance of a gratuity or item of monetary value, the definition of "gratuity" (covering anything of more than fifty dollars [\$50] value) set forth in KRS 45A.445 shall apply. Violation of these standards may result in disciplinary action including, but not limited, to suspension, dismissal, or removal.

Model Procurement Code Purchasing**ETHICAL STANDARDS**

To avoid conflicts that may arise during the decision-making process for procurement of services and products for the District, employees shall adhere to the ethical standards set out in KRS 45A.455.

PREFERENCE FOR RESIDENT BIDDERS

For all contracts funded in whole or in part by the District, the Board shall apply the reciprocal preference for resident bidders required by law. Geographical preferences relating to school nutrition service purchases may be utilized only as permitted by applicable federal law.³

EXEMPTIONS

Federal regulatory requirements do not provide a bidding exception for purchase of perishables using school nutrition service funds. Such purchases must follow applicable federal regulations.⁷

PRICE REDUCTIONS

Price reductions may be accepted on supplies and/or equipment being offered by the vendor with whom a price agreement has been made if the supplies and/or equipment meet all terms and conditions specified in the price agreement except for price and if the price reduction is offered to all participants in the price agreement. Price reductions may be accepted even if the reduced price requires the purchase of a specified quantity of units different from the quantity stated in the original price agreement.

SMALL PURCHASES

District small purchase procedures may be used for any contract in which the aggregate amount does not exceed ~~\$40,000.00~~.⁵

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The following employees are authorized to approve small purchases up to \$1,500: Director of Transportation, Director of Buildings and Grounds, and Principals (school activity funds only).

BACKGROUND CHECKS

The Superintendent shall require an adult who is permitted access to school grounds on a regularly scheduled and continuing basis pursuant to a written agreement for the purpose of providing services directly to a student or students as part of a school-sponsored program or activity to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and to provide a clear CA/N check in keeping with KRS 160.380.⁶

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

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

FISCAL MANAGEMENT

04.32
(CONTINUED)

Model Procurement Code Purchasing

REFERENCES:

¹KRS 45A.343
²KRS 45A.345; KRS 160.290; KRS 45A.380
³KRS 160.303; 200 KAR 5:400; KRS 45A.494
⁴KRS 156.076
⁵KRS 45A.385
⁶KRS 160.380
⁷2 C.F.R. 200.318
⁸KRS 45A.360
KRS 45A.352; KRS 45A.365; KRS 45A.370
KRS 45A.420; KRS 45A.445; KRS 45A.455; KRS 45A.460; KRS 45A.620
KRS 65.027; KRS 65.028; KRS 160.151; KRS 164A.575; KRS 176.080
200 KAR 5:355
OAG 79-501; OAG 82-170; OAG 82-407
Kentucky Educational Technology Systems (KETS)

RELATED POLICIES:

05.6; 06.4; 07.13

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE EACH SCHOOL TO HAVE A WRITTEN CARDIAC EMERGENCY RESPONSE PLAN. IT ALSO REQUIRES 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 CREATES A NEW SECTION OF KRS 158 TO REQUIRE THE DISTRICT TO REPORT THE NUMBER OF AEDS AT EACH SCHOOL TO THE KENTUCKY DEPARTMENT OF EDUCATION.

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

SCHOOL FACILITIES

05.4

Safety

BOARD TO ADOPT PLAN

The Board shall adopt a plan for immediate and long-term strategies to address school safety and discipline, which shall be reviewed annually and revised, as needed. This plan shall utilize information gathered from the District assessment of school safety and student discipline required by law and shall include the Board's code of acceptable behavior and discipline and a description of instructional placement options for threatening or violent students. The committee that develops the plan for Board consideration shall include at least one (1) representative from each school in the District, as well as representatives from the community as required by law.

The plan shall identify measures to be taken in protecting students, staff, visitors, and property. Areas addressed by the plan shall include, but not be limited to, the following:

1. Employment practices and employee management;
2. School facility design, maintenance, and usage;
3. Safety and security procedures, orientation and training in use and management of equipment and facilities;
4. Supervision of students;
5. Compliance with state and federal safety requirements;
6. Quarterly reports to the Board concerning implementation of the plan and its effects on District students, personnel, and operations;
7. Emergency/crisis intervention; **and**
8. Community involvement.

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DISTRICT SCHOOL SAFETY COORDINATOR

The Superintendent shall appoint an individual to serve as the District's School Safety Coordinator (SSC) and primary point of contact for public school safety and security functions.¹ The SSC shall:

1. Complete the school safety coordinator training program developed by the Center for School Safety within six (6) months of his or her date of appointment;
2. Designate a school safety and security threat assessment team at each school in the District consisting of two (2) or more staff members to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or security. Members of a threat assessment team may include school administrators, school counselors, school resource officers, school-based mental health services providers, teachers, and other school personnel;

Safety**DISTRICT SCHOOL SAFETY COORDINATOR (CONTINUED)**

3. Provide training to school Principals on procedures for completion of the school security risk assessment;
4. Review all school security risk assessments completed within the District and prescribe recommendations as needed in consultation with the state school security marshal;
5. Advise the Superintendent by annually of completion of required security risk assessments;
6. Formulate recommended policies and procedures, which shall be excluded from the application of KRS 61.870 to KRS 61.884, for an all-hazards approach including conducting emergency response drills for hostage, active shooter, and building lockdown situations in consultation and coordination with appropriate public safety agencies to include but not be limited to fire, police, and emergency medical services for review and adoption as part of the school emergency plan required by KRS 158.162. The recommended policies shall encourage the involvement of students, as appropriate, in the development of the school's emergency plan; and
7. Ensure each school campus is toured at least once per school year, in consultation and coordination with appropriate public safety agencies, to review policies and procedures and provide recommendations related to school safety and security.

The SSC, and any school employees participating in the activities of a School Safety and Security Threat Assessment Team, acting in good faith upon reasonable cause in the identification of students, shall be immune from any civil or criminal liability that might otherwise be incurred or imposed from:

- a. Identifying the student and implementing a response pursuant to policies and procedures adopted as required above; or
- b. Participating in any judicial proceeding that results from the identification.

SUPERINTENDENT TO REPORT

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

AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)

The District shall maintain AEDs in designated locations throughout the District. An AED shall be used in emergency situations warranting its use in accordance with KRS 311.665 to KRS 311.669.

The District shall notify the local emergency medical services system and the local emergency communications or vehicle dispatch center of the existence, location, and type of each AED.

AEDs shall be kept on school property and will not accompany EMS personnel to a hospital emergency room.

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Safety

SCHOOL EMERGENCY PLANNING

~~The Board shall require~~ the school council or, if none exists, the Principal ~~to~~ adopt an emergency plan for the school that shall include:

- ~~1. Procedures to be followed in cases of **medical emergency**, fire, severe weather, earthquake, or a building lockdown as defined in KRS 158.164;~~
- ~~2. A written cardiac emergency response plan; and~~
- ~~3. A diagram of the **facility, that clearly identifies the location of each AED.**~~

~~The emergency plan shall be provided to appropriate first responders, and all school staff.~~

Following the end of each school year, ~~the school nurse~~, the school council, or if none exists, the Principal, and first responders shall review the emergency plan and revise it as needed.

The school emergency plan shall address staff responsibilities for safely evacuating students needing special assistance during safety drills and actual emergency situations, including students with disabilities and those with 504 plans. The Principal shall discuss the emergency plan with all school staff prior to the first instructional day annually and document the date and time ~~of any discussion.~~

~~The cardiac emergency response plan shall be rehearsed by simulation prior to the beginning of each athletic season by all:~~

- ~~1. Licensed athletic trainers, school nurses, and athletic directors; and~~
- ~~2. Interscholastic coaches and volunteer coaches of each athletic team active during that athletic season.~~

Whenever possible, first responders shall be invited to observe emergency response drills.

In addition, the school council or, if none exists, the Principal shall:

1. Establish and post primary and secondary evacuation routes in each room by any doorway used for evacuation;
2. Identify the best available severe weather safe zones, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency, and post the location of the safe zones in each room;
3. Develop school procedures to follow during an earthquake;
4. Develop and adhere to practices to control access to the school. ~~Practices~~ shall include but not be limited to:
 - Controlling outside access to exterior doors during the school day;
 - Controlling the main entrance of the school with electronically locking doors, a camera, and an intercom system;

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Safety

SCHOOL EMERGENCY PLANNING (CONTINUED)

- Controlling access to individual classrooms;
- Requiring classroom doors to be equipped with hardware that allows the door to be locked from the outside but opened from the inside;
- Requiring classroom doors to remain closed and locked during instructional time, except in instances when only one (1) student and one (1) adult are in the classroom or when approved in writing by the State School Security Marshal;
- Requiring classroom doors with windows to be equipped with material to quickly cover the window during a building lockdown;
- Requiring all visitors to report to the front office of the building, provide valid identification, and state the purpose of the visit; and
- Providing a visitor's badge to be visibly displayed on a visitor's outer garment;

~~5. 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 and:~~

- ~~a) Adopt procedures for the use of the portable AED during an emergency;~~
- ~~b) Adopt policies for compliance with KRS 311.665 to KRS 311.669 on training, maintenance, notification, and communication with the local emergency medical services system;~~
- ~~c) Ensure that a minimum of three (3) employees in the school and all interscholastic athletic coaches be trained on the use of a portable AED in accordance with KRS 311.667; and~~
- ~~d) Ensure that all interscholastic athletic coaches maintain a cardiopulmonary resuscitation certification recognized by a national accrediting body on heart health; and~~

~~6. Require development of an event-specific emergency action plan for each school-sanctioned nonathletic event held off-campus to be used during a medical emergency, which may include the provision of a portable AED. The plan shall:~~

- ~~a) Include a delineation of the roles of staff and emergency personnel, methods of communication, any assigned emergency equipment including a portable AED, a cardiac emergency response plan, and access to and plan for emergency transport; and~~
- ~~b) Be in writing and distributed to any member of school personnel attending the school-sanctioned event in an official capacity;~~

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Safety**SCHOOL EMERGENCY PLANNING (CONTINUED)**

No later than November 1 of each school year, the Superintendent shall send verification to the Kentucky Department of Education that all schools are in compliance with school emergency planning requirements.

~~By August 1 of each year, the Superintendent shall report to the Kentucky Department of Education on the number of portable AEDs at each school within the District.²~~

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PRECAUTIONS

Precautions will be taken for the safety of the students, employees, and visitors.

REPORTING HAZARDS

Each employee observing a potential safety or security hazard shall report such hazard in writing to his/her immediate supervisor who shall cause the situation to be remedied or reported to the proper authority for remedy.

COMMUNICATION SYSTEM

The Board shall establish a process for a two-way communication system for employees to notify the Principal, supervisor or other administrator of an existing emergency. The process may include, but is not limited to, use of intercoms, telephones, and two-way radios.

REFERENCES:

¹KRS 158.4412

~~²KRS 158.1621~~

KRS 61.870 to KRS 61.884

KRS 158.148; KRS 158.162; KRS 158.164; KRS 158.4410; KRS 158.445

KRS 160.290; KRS 160.445

~~KRS 311.665 to KRS 311.669~~; KRS 311.667; KRS 411.148

702 KAR 1:180

RELATED POLICIES:

02.31; 03.14; 03.24; 05.2; 05.21; 05.41; 05.411; 05.42; 05.45; 05.47; 05.5
09.22; 09.221; 09.4 (entire section); 10.5

LEGAL: REVISIONS TO 704 KAR 3:305 IMPACT THE INDIVIDUAL LEARNING PLAN, PERFORMANCE-BASED CREDITS, AND THE EARLY GRADUATION PROGRAM.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.113

Graduation Requirements

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

CIVICS EXAM REQUIREMENT

Students wishing to receive a regular diploma must pass a civics test made up of one hundred (100) questions selected from the civics test administered to persons seeking to become naturalized citizens and prepared or approved by the Board. A minimum score of sixty percent (60%) is required to pass the test and students may take the test as many times as needed to pass. Students that have passed a similar test within the previous five (5) years shall be exempt from this civics test. This shall be subject to the requirements and accommodations of a student's individualized education program (IEP) or a Section 504 Plan.⁴

INDIVIDUAL LEARNING PLAN (ILP)

~~The development of the Individual Learning Plan (ILP) for each student shall be established within the first ninety (90) days of the sixth (6th) grade year and shall be focused~~ on career exploration and related postsecondary education and training needs.

ADDITIONAL REQUIREMENTS OF THE BOARD

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

The high school student handbook shall include complete details concerning specific graduation requirements.

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(CONTINUED)¶

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:

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Deleted: Visual and Performing Arts

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Deleted: Academic and Career Interest Standards-based Learning Experiences

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

Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR 3:303 and 704 KAR Chapter 8. The required credits and demonstrated competencies shall include the following minimum requirements:

English/Language Arts	Four (4) Credits total (English I and II plus two (2) credits aligned to the student's ILP)
Social Studies	Three (3) Credits total – (Two (2) plus one (1) credit aligned to the student's ILP)
Mathematics	Four (4) Credits total (Algebra I and Geometry plus two (2) credits aligned to the student's ILP)
Science	Three (3) Credits total – (Two (2) credits incorporating lab-based scientific investigation experiences plus one (1) credit aligned to the student's ILP)
Health	One-half (1/2) Credit
P.E.	One-half (1/2) Credit
Visual and Performing Arts	One (1) Credit or a standards-based specialized arts course based on the student's ILP
Academic and Career Interest Standards-based Learning Experiences	Six (6) Credits total (Two (2) plus four (4) standards-based credits in an academic or career interest based on the student's ILP)
Technology	Demonstrated performance-based competency
Financial Literacy	One (1) or more courses or programs that meet the financial literacy requirements pursuant to KRS 158.1411.

Graduation Requirements

(MOVING TO POLICY 08.1131) SENIOR RECORD REVIEW

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

TRANSITIONAL CLASS REQUIREMENTS

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

Deleted: PERFORMANCE-BASED CREDITS

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In addition to Carnegie units, students may earn credit toward high school graduation through the District's standards-based, performance-based credit system that complies with requirements of Kentucky Administrative Regulation. Procedures for the developing and amending the system shall address the following:¶

Conditions under which high school credit will be granted under the system that allow students to demonstrate proficiency and earn credit for learning acquired outside the normal classroom setting, outside of school, or in prior learning.¶

Performance-based credit may be earned while the student is still "in school," but the instructional setting will look different from a traditional "seat time" environment.¶
Performance descriptors and their linkages to State content standards and academic standards.¶

At the high school level, performance descriptors and evaluation procedures shall be established to determine if the content and performance standards have been met.¶

Assessments and the extent to which state-mandated assessments will be used.¶

An objective grading and reporting process, and¶

Criteria to promote and support school and community learning experiences, such as internships and cooperative learning, in support of a student's ILP. Such experiences shall be supervised by qualified instructors and aligned with State and District content and performance standards.¶

Moved up [1]: The high school student handbook shall include complete details concerning specific graduation requirements.¶

Moved down [2]: In keeping with statutory requirements, the District shall accept for credit toward graduation and completion of high school course requirements an advanced placement or a high school equivalent course taken by a student in grades 5, 6, 7, or 8 if that student attains performance levels expected of high school students in the District as determined by achieving a score of "3" or higher on a College Board Advanced Placement examination or a grade of "B" or better in a high school equivalent.²¹

Graduation Requirements

OTHER PROVISIONS

In keeping with statutory requirements, the District shall accept for credit toward graduation and completion of high school course requirements an advanced placement or a high school equivalent course taken by a student in grades 5, 6, 7, or 8 if that student attains performance levels expected of high school students in the District as determined by achieving a score of "3" or higher on a College Board Advanced Placement examination or a grade of "B" or better in a high school equivalent.²

Moved (insertion) [2]

The Board may grant different diplomas to those students who complete credits above the minimum number as established by the Kentucky Board of Education. In addition, the Board may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

The Board, Superintendent, Principal, or teacher may award special recognition to students.

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

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

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

[MOVING TO NEW POLICY 08 11311]

Deleted: EARLY GRADUATION CERTIFICATE

Deleted: ¶ ... [1]

Graduation Requirements**GRADUATION CEREMONIES**

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

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

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

TRANSCRIPTS

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

DIPLOMAS FOR VETERANS

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

REFERENCES:

¹KRS 40.010; KRS 158.140; 704 KAR 7:140

²KRS 158.622

³KRS 156.160; 20 U.S.C. § 1414

⁴KRS 158.141

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 78-348; OAG 82-386

Kentucky Academic Standards

RELATED POLICIES:

08.1131; ~~08.11311~~; 08.14; 08.22; 08.222; 08.4

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

RELATED PROCEDURE:

09.12 AP.25

Deleted: ~~KRS 158.142; 704 KAR 3:305~~

5

Alternative Credit Options

In addition to regular classroom-based instruction, students may earn credit by attending course(s) away from their high school of attendance to obtain certain courses required for graduation and/or to take advantage of postsecondary class/credit opportunities verified by the institution, the high school of attendance, and the District.

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.

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

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.

REFERENCES:

KRS 158.622; KRS 164.786
13 KAR 002:020
704 KAR 3:303; 704 KAR 3:305; 704 KAR Chapter 8

CURRICULUM AND INSTRUCTION

08.1131
(CONTINUED)

Alternative Credit Options

RELATED POLICIES:

| 08.1121; 08.113; 08.11311

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

A plan for diagnosing and addressing student academic deficiencies shall be developed to provide ~~Extended School Services~~ (ESS) as required by state law.

ADMINISTRATIVE PROCEDURE

An appropriate administrative procedure shall be formulated for implementation of this policy.

ESS

~~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 ESS 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 ESS 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 ESS during the regular school day when a waiver for alternative service delivery has been obtained. ESS 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.

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CURRICULUM AND INSTRUCTION

08.133
(CONTINUED)

Extended School/Direct Student Services

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

CURRICULUM AND INSTRUCTION

08.13531

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

Guest Speakers

PRIOR APPROVAL OF PRINCIPAL REQUIRED

Resource persons may be utilized to enrich and reinforce the instructional program. Principals/designees shall take appropriate steps to determine that any person involved with the program/presentation has an acceptable background of behavior. No guest speaker or participant in any program/presentation shall appear in any school or classroom without the prior approval of the Principal. Prospective guest speakers and/or presentation/program participants shall be given a copy of this policy upon initial contact with schools.

BACKGROUND CHECKS

Guest speakers and/or program/presentation participants with the following convictions shall not appear in any school nor participate in any program/presentation:

1. All sex-related offense convictions;
2. All offense convictions against minors;
3. All felony offense convictions against persons;
4. All drug-related offense convictions; and
5. All deadly weapon-related offense convictions.

Thirty (30) calendar days prior to the appearance of a guest speaker for a program/presentation, the Principal/designee shall submit the name, date of birth, social security number, and mailing address of the guest speaker and/or program/presentation participants to the District coordinator for volunteerism. The coordinator shall submit the necessary information for a background check through the Administrative Office of the Courts and shall notify the Principal/designee and the Superintendent/designee of the results of the search. A minimum of three (3) days prior to the appearance of the scheduled guest speaker and/or program/presentation, the Principal/designee shall conduct a search of the Kentucky State Police Sex Offender Registry. If a record is found, the Principal shall immediately notify the scheduled guest of the cancellation of the program/presentation and shall notify the Office of the Superintendent.

Representatives of public institutions and/or governmental agencies shall be in compliance with this policy through the issuance of a letter certifying the institution and/or agency conducts background checks on its employees. These letters shall be maintained on file in the school office and shall be available for inspection.

ASSEMBLIES

Certified persons responsible for the speaker shall be aware of the contents of the intended presentation and shall evaluate its appropriateness, educational relevance, and value to the students commensurate with their maturity level and shall be present and shall maintain supervisory control during the presentation. The Principal's approval shall be obtained before an invitation is issued to a guest speaker and/or before plans are finalized.

Guest Speakers

CLASSROOMS

Teachers who are considering guest speakers should be guided by the age and maturity of the students and the relationship of the materials to the curriculum. Teachers shall have the Principal's permission prior to extending an invitation to a guest speaker and shall be present and maintain supervisory control during the program/presentation.

RELATED POLICIES:

03.6
08.1353

Adopted/Amended: 01/26/2004

Order #: 13993

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

FLOYD COUNTY SCHOOLS ACCEPTABLE USE POLICY

CURRICULUM AND INSTRUCTION POLICY # 08.2323

Floyd County School District in compliance with the KETS Master Plan for Kentucky provides students and staff with electronic information and communication to enhance learning through electronic resources via means of Internet and E-mail. We believe it is incumbent upon users to utilize this privilege in an appropriate and responsible manner as required by this policy and related procedures, which apply to all parties who use District technology.

PARENTAL CONSENT REQUIREMENT

Regardless of the level, the student must sign a user's agreement and parental permission must be secured before Internet access can be provided. This policy acknowledges the fact that standards of behavior relating to morals and personal values are within the realm of the family. To the degree that a parent guides a child's exposure to television, videos, and music the parent should guide the child's exposure to the computer networks when giving permission for independent access or individualized study. The school cannot be held responsible if a student given parental permission for independent access intentionally accesses material, which his/her family considers objectionable. District and school acceptable use policies are intended to address "ethics," leaving issues relating to "morals" between the parent or guardian and child. Parents shall be notified in writing (via Code of Conduct) that the Internet and electronic mail may be used with students as part of the instructional process.

Parents shall be notified (via Code of Conduct) that students must sign a student Acceptable Use Policy agreement before direct access to Internet and electronic mail will be provided. Written parental consent shall be required (AUP user agreement) before any student is given direct, hands on access to the Internet or to electronic mail.

This AUP, once signed by the Student/Staff/Admin/Parent, shall be kept on file as a legal, binding document, for the duration of their career at Floyd County Schools unless otherwise dictated by policy change.

"Parental Consent to Child's Use of Microsoft Online Service. When your child provides information to Microsoft, the information is used to enable and customize Microsoft services and for the purposes described in the [Microsoft Online Privacy Statement \(available online at https://privacy.microsoft.com/en-us/privacystatement\)](https://privacy.microsoft.com/en-us/privacystatement). Some Microsoft online services within Office 365 allow people of all ages to share personal information with others and that the permission granted hereunder allows your child access to sign in and use these services. Giving or denying permission for your child to sign in and use Microsoft services will not affect his or her ability to use other websites."

Parents shall be notified in writing (via Code of Conduct) that students will be held accountable for violations of the student Acceptable Use Policy agreement and that disciplinary action may be taken.

PERSONALLY OWNED DEVICES

Any school personnel or student who brings a privately or personally owned computer/software/peripheral into the Floyd County School District, may be allowed to connect their personally owned device to the district network, and must adhere to all Floyd County Board of Education Policies and Procedures. This includes all aspects of this Acceptable Use Policy and they must maintain equipment to a Kentucky Education Technology System Standard for Internet and email access. Such access will be monitored and will require students to login using their district credentials. However, families are responsible for all service and support of personal devices. The district is not responsible for any damage or loss incurred with the use of a personal device in the school setting. Students are expected to use devices for educational purposes and only with the consent of school staff.

TEACHER AND STAFF SUPERVISION OF STUDENT COMPUTER USE

1. Teachers/Staff and others whose duties include classroom management and /or student supervision shall sign an Acceptable Use Agreement acknowledging responsibility for exercising reasonable supervision of student access to Internet and Electronic Mail.
2. Teachers/Staff shall not direct or advise students accessing school computing and communications networks to use electronic mail systems other than the Kentucky Education Technology System standard email system.
3. Teachers/Staff shall supervise all student computer use to ensure it is used for educational purposes and non-approved software, programs and resources are not utilized. This includes the restricted use of Virtual Private Networks (VPNs) or Anonymizers that permit access to the Internet via means of bypassing the District's Web Filtering service.
4. Teachers/Staff will maintain daily log files that will provide student name, date, time-in and time out for all student use of computers.
5. Teachers/Staff shall supervise and proof all school-related material placed, posted, or published on school sites.
6. Teachers/Staff shall not publish/post or direct/advise students to post or publish school-related information outside the school district except in cases where students name and or work needs to be published to any online entity or other KDE supported events and where written parental permission has been given.

EMPLOYEE USE

Employees are encouraged to use e-mail and other District technology resources to promote student learning and communication. If those resources are used, they shall be used for purposes directly related to work-related activities.

Employees are required to set up and utilize Multi-factor Authentication (MFA) in order to access district provided accounts and any application that uses district credentials for access. MFA not only protects the employees account but also will aid in protecting the data an employee's account has access to.

Technology-based materials, activities and communication tools shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students with whom they are used.

District employees and activity sponsors may set up **websites, messaging apps or social networking accounts** using district resources and following district guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction **with school and/or district level administrator approval**.

Networking, communication and other options offering instructional benefits may be used for the purpose of supplementing classroom instruction and to promote communications with students and parents concerning school-related activities.

In order for district employees or **district activity sponsors to set up websites, messaging apps or social networking accounts** for instructional, administrative or other work-related communication purposes, they shall comply with the following:

- They shall request prior permission from the Superintendent/designee.
- If permission is granted, staff members will set up the site following any District guidelines developed by the Superintendent's designee.
- Guidelines may specify whether access to the site must be given to school/District technology staff
- Follow all guidelines of the District's Internet Safety Standards
- If written parental consent is not otherwise granted through AUP forms provided by the District, staff shall notify parents of the site and obtain written permission for the students to become "friends" prior to the students being granted access. This permission shall be kept on file at the school as determined by the Principal.
- **Once created**, the sponsoring staff member is responsible for the following:
 - **Monitoring and managing the site, application or account to promote safe and acceptable use, and observing confidentiality restrictions concerning release of student information under state and federal law.**

District Employees are discouraged from doing the following:

- Creating personal social networking sites to which they invite students to be friends; or Engaging in personal interactions with students via postings on other networks. Employees taking such actions do so at their own risk.

ELECTRONIC MAIL

Standards for use of email by students and staff communication:

- Do not send or attach documents containing pornographic, obscene, or sexually explicit material
- Do not transmit obscene, abusive or sexually explicit language
- Do not transmit any illegal, alcohol, drug or drug related information.
- Do not use electronic mail for communications, which are not directly related to instruction, sanctioned school activities, or a person's job.
- Do not use electronic mail, for instance, for private business or personal, non-work related communications
- Do not access, copy or transmit another's messages and or attachments without permission.
- Do not use electronic mail to transmit any form of aggression (e.g. threats, anger, or harassment, bullying).

- Do not send or forward any form of a chain letter.
- Do not use electronic mail to transmit information or communicate with gangs, hate groups or groups with violent themes.
- Do not use electronic mail to transmit any data relating to violent themes.

SPECIAL SAFETY CAUTIONS, WHICH ARE AGAIN ANALOGOUS TO COMMON PRACTICE:

Students should not reveal their name and personal information to or establish relationships with "strangers" on the network, unless the communication has been coordinated by a parent or teacher. The school should not reveal a student's personal identity unless the parent has given written consent. The school should not transmit a student's work or picture with personally identifiable information without written parental consent.

CYBER BULLYING-as defined is harassing, threatening, or any other type of communication via means of internet or email, and telecommunications including cell phones that threatens a person or persons character or personal safety. You should report any form of "Cyber Bullying" to your teacher, principal, or supervisor as soon as possible.

With respect to the privacy rights of students, teachers, and staff, this policy states clearly that email is not guaranteed to be private. Systems administrators can, and may be required sporadically, to inspect email. This aspect of an acceptable use policy might be analogous to the Board's policy on school lockers; while generally private, lockers may be searched under certain circumstances.

LOCAL TECHNOLOGY RESOURCES

Standards for student, teacher, and staff use of local technology resources (hardware, software, and communications devices) and use of other school property and instructional materials in traditional formats.

- Copyrights must be respected. Copyrighted software and other instructional materials must not be copied or transferred to another except as provided under the license agreement or copyright notice. Resources should not be used for private business or personal gain.
- Authorship and/or publishers of information in electronic form must be appropriately acknowledged in writing and research (footnotes, bibliographies, etc.).
- Vandalism or theft of resources (including data and files) will not be tolerated.
- Passwords must not be exchanged and other's passwords must not be used. The individual is responsible for the security of his/her own password.

THE NETWORK:

The Floyd County Schools network and computer resources are provided for instructional and educational purposes only. **The following list items that will not be permitted or tolerated.**

- Accessing, displaying, possession, or transferring pornography, drugs, or other illegal activities.
- Carrying out activities deemed to be a security risk to the network (Use of VPNs, hacking, denial of services, etc.). Use of Non-KETS approved email or online chat service.

- Displaying, sending or publishing obscene, threatening, or harassing messages or pictures.
- Use of the network for private, criminal or malicious intent.
- Trespassing in others computers, network accounts, files, directories, or work.
- Alterations misuse, abuse, or damage to computer or network equipment.
- Loading of illegal, non-approved or non-licensed software, on board owned equipment including uploading and downloading from the Internet and unreliable sources.
- Misuse or intentionally wasting resources via Internet or email.
- Software installation without permission by proper school or district authorities including (Games or Freeware).
- Employment of the network for private, profit, personal, or commercial gain.
- Do not use the network to access, display, send, receive or communicate with gangs, hate groups or groups with violent themes or to participate in any form of "Cyberbullying".
- Any activity deemed inappropriate by school or district authorities.
- Only authorized personnel may post or publish school related information.
- Only school related files or information is to be placed, posted, or published on the Floyd County School Network.
- All school related information placed, posted, or published on the web shall be proofed and approved by authorized school personnel prior to posting/publishing.
- School related information shall not be placed, posted, or published outside the Floyd County School district network without the permission of the Superintendent.

SOCIAL, WEB AND COLLABORATIVE CONTENT

The district recognizes that Internet-based resources that can enhance educational activities are growing in number each day. The district may provide access to web sites or tools that support communication and collaboration with others in addition to general productivity. Students are reminded to communicate appropriately and safely via these resources and that communication may be monitored. Use of any website outside of the district control is subject to their use and may require specific permission in addition to the AUP.

INTERNET SAFETY STANDARDS

Internet safety standards address all of the following issues:

- Access by minors to inappropriate matter on the Internet
- Internet access through the school is to be used for instruction, research, and school administration. School access is not to be used for private business or personal, non-work related communications.
- The Internet is accessed through assigned user id and password only. Access is not permitted through the use of anonymous proxy sites or sites that permit access to restricted sites **via means of a Virtual Private Network (VPN) service.**
- The safety and security of minors when using email, chat, and other forms of direct electronic communications
- Unauthorized access including "hacking" and other unlawful activities by minors online

The Floyd County Schools network and computer resources are provided for instructional and educational purposes only. The following list items that will not be permitted or tolerated.

- Accessing, displaying, possession, or transferring pornography, drug, or other illegal activities.
- Carrying out activities deemed to be a security risk to the network (hacking, denial of services, etc.).
- Use of Non-KETS approved email, online chat service.
- Displaying, sending or publishing obscene, threatening, or harassing messages or pictures.
- Use of the network for private, criminal or malicious intent.
- Trespassing in others computers, network accounts, files, directories, or work.
- Alterations misuse, abuse, or damage to computer or network equipment.
- Loading of illegal, non-approved or non-licensed software, on district owned equipment including uploading and downloading from the Internet and unreliable sources.
- Misuse or intentionally wasting resources via Internet or email.
- Software installation without permission by proper school or district authorities including (Games or Freeware).
- Employment of the network for private, profit, personal, or commercial gain.
- Do not use the network to access, display, send, receive or communicate with gangs, hate groups or groups with violent themes or to participate in any form of "Cyberbullying".
- Any activity deemed inappropriate by school or district authorities.
- Only authorized personnel may post or publish school related information.
- Unauthorized disclosure, use, and dissemination of personal information regarding minors.
- Only school related files or information is to be placed, posted, or published on the Floyd County School Network.
- All school related information placed, posted, or published on the web shall be proofed and approved by authorized school personnel prior to posting/publishing.
- School related information shall not be placed, posted, or published outside the Floyd County School district network without the permission of the Superintendent.
- Students should not reveal their name and personal information to or establish relationships with "strangers" on the Internet, unless a parent or teacher has coordinated the communication.
- The school should not reveal a student's personal identity or post a picture of the student or the student's work on the Internet with personally identifiable information unless the parent has given written consent.
- Schools are encouraged to create and maintain a school website, however only school and related educational information shall be displayed on school or Floyd County School Communication networks.

Measures designed to restrict minors' access to materials harmful to minors. To manage the student or staff member, who is determined or occasionally tempted to violate acceptable use policies, certain deterrents can be put in place:

- Certain network management software packages allow the systems administrator to view or intervene and "take over" a user's screen. These packages are designed for problem diagnosis, to troubleshoot network problems, and to support help desk activities. Although they are not designed to scan network activity for inappropriate use, the district may decide to use them for that purpose **on an as needed basis**. Regardless, if the user is informed that such scanning is feasible that fact alone may deter inappropriate use.

- With implementation of web filtering services, schools should familiarize parents, students, faculty, and staff with the information contained in web filter logs. The fact that these logs contain detailed information about Internet access, which can be traced to the individual user usually, serves as a powerful deterrent.

Education Process

- All students will have access to the I-SAFE Gold Curriculum for a comprehensive approach to online safety. K-12 students will be exposed to a variety of topics including digital literacy, cyber citizenship, identity protection/reputation, cell phones/texting, cyber security and predator identification. All students will learn online safety, security and responsibility.
- The curriculum will be implemented through a tiered approach. The School Technology Coordinator will receive comprehensive training on the implementation and management of the I-SAFE Gold Curriculum. The STC and School Leadership will then design an implementation model that best suits the needs of the school and ensures that all students receive training in all features of this program.
- Assessment and reporting features of the ISAFE program will be conducted at the school level from which school and district administrators can monitor the implementation of the program.
- Implementation of this program is a mandate of the FCC Child Internet Protection Act (CIPA), Senate Bill 230, and Schools and Libraries E-RATE discount grant as well as other state and local policies. I-SAFE reports will track educators' usage of the curriculum in their classrooms and will provide valuable documentation for compliance audits.

VIDEO, AUDIO, AND MEDIA PRESENTATIONS

On occasion, it may be necessary for school administration to provide video/audio presentations containing visual representations and/or sound recordings of student/staff for public viewing. The means may include News Media, Public Television, New Letters, Radio, Training Videos, School Internet Web Pages, **Social Media**, and other related school and or district projects to be used for instruction, research, and school administration.

By signing the agreement and/or parent permission form, the student or staff member has agreed to allow identification and or publication of their name, photographic or video image and/or voice for purposes of recognition, celebration, and or other school/district related events.

TELECOMMUNICATION DEVICES

PERSONAL TELECOMMUNICATION DEVICES

A personal telecommunications device is defined as a device that emits an audible signal, vibrates, displays a message, takes a picture, causes a disruption of the learning environment, or otherwise summons or delivers a communication to the possessor, including but not limited to a cellular telephone, mp3 player, IPAD, or IPOD, or Tablet PC.

Acceptable use for any personal telecommunications device shall be for instructional purposes only with the approval and supervision of school staff. Otherwise, students shall keep personal telecommunications devices

out of sight and shall not activate nor use such devices either during the instructional day or while attending or participating in school-related activities held during the instructional day.

For these purposes, the instructional day shall be defined as the first bell of the day through the last bell of the day. The Board does acknowledge the authority of the school council to alter this definition to better serve the needs of individual schools.

Students shall not use personal telecommunication devices and other related electronic devices, in a manner that disrupts the educational process, including, but not limited to, use that:

- Poses a threat to academic integrity, such as cheating,
- Violates confidentiality or privacy rights of another individual,
- Is profane, indecent, or obscene,
- Constitutes or promotes illegal activity or activity in violation of school rules, or violates the District's Acceptable Use Policy or Student Code of Conduct
- Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

Device contents, while generally private, may be searched under certain circumstances including, but not limited to, reasonable suspicion of threat of safety, violation of confidentiality, or privacy rights of another individual, and may result in a report being made to law enforcement.

Upon violation of this policy, students are subject to discipline as outlined in the Student Handbook and Code of Conduct. Floyd County Schools shall not be responsible for the loss, damage, or theft of any personal telecommunications device

Any form of VPN (Virtual Private Network) found to be in use on a personal telecommunication device in the effort to bypass the district's web filtering service can result in that device being banned or "blacklisted" from accessing the district's network and internet service without prior notice.

TELEPHONE AND OTHER VOICE SYSTEMS

Floyd County Schools, in compliance with KERA, has installed Voice Systems (Telephones) in all schools. Every classroom is equipped with a handset and voice port connected to the school voice system. The district also has issued cellular phones to appropriate staff

- The school, classroom, and cellular telephones are designed to aid and support the educational instructional process and should not be used for personal, public, private or commercial purposes. To protect the instructional process, students and staff, no telephone calls from outside the school shall go directly into the classroom.
- All SBDM will adopt policies and develop specific procedures on how the school will address telephone calls or messages (Voice mail, secretary messages, etc.) to and from the classroom including student/staff use of cell phone and text messaging during school hours of operation.
- All SBDM will adopt policies and develop specific procedures for student use of voice (telephone) systems and cell phone use and text messaging.

PREPARATION OF EDUCATORS

Teachers and others whose duties include classroom management and/or student supervision should be provided with guidance on detecting, deterring, and documenting inappropriate use, on safe-guarding personal privacy, and on dealing with unsolicited online contact as a school safety issue.

RESPONSIBILITY OF USE

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care.

Individuals bringing privately or personally owned computers/software/peripherals into the Floyd County School System, it shall be the responsibility of the owner for its transportation to and from and for its security while on school property.

Floyd County School System will not be liable for damages, loss, theft, or vandalism of such equipment.

DETERRENTS

To manage the student or staff member, who is determined or occasionally tempted to violate acceptable use policies, certain deterrents can be put in place:

Certain network management software packages allow the systems administrator to view or intervene and "take over" a user's screen. These packages are designed for problem diagnosis, to troubleshoot network problems, and to support help desk activities. Although they are not designed to scan network activity for inappropriate use, the district may decide to use them for that purpose on an occasional basis. Regardless, if the user is informed that such scanning is feasible that fact alone may deter inappropriate use. With implementation of web filtering services, schools should familiarize parents, students, faculty, and staff with the information contained in web filter logs. The fact that these logs contain detailed information about Internet access, which can be traced to the individual user usually, serves as a powerful deterrent.

Disciplinary Actions and Other Consequences

All users and all parents will be informed of the consequences of violating appropriate use policies. Consequences will be conveyed via Code of Conduct user agreement and during initial training. Generally the consequences will be one or more of the following:

- Loss of Access
- Disciplinary Action (Code of Conduct)
- Legal Action

NOTICE OF POLICY

Notice of this policy, along with the disciplinary penalties for violation, shall be published annually in the district's Student Handbook and Code of Conduct and presented publicly via means of Floyd County Board Meeting.

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.¹

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

IF FAMILIES MOVE

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 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.

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.²

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STUDENTS

09.11
(CONTINUED)

School Attendance Areas

REFERENCES:

¹KRS 159.070

²P. 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)

OAG 80-394

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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.¹

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

EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

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

STATEMENT REQUIRED

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

EXCEPTIONS TO PRESENCE AT SCHOOL

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

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,² or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.³

Attendance Requirements**EXCEPTIONS TO PRESENCE AT SCHOOL (CONTINUED)**

3. Students may participate in co-curricular 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 co-curricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.⁴
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.~~^{4 & 9}
5. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.⁴
6. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.⁵
7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.⁶
8. The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, and that falls within one (1) or more of the categories of standards-based course work. A pupil may be counted in attendance for performance-based credit for a class or block for the year or semester in which the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in accordance with local policies.^{4 & 7}
9. Students attending basic training required by a branch of the United States Armed Forces shall be considered present for all purposes for up to ten (10) days.³
10. Students participating in any of the page programs of the General Assembly.³

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Kentucky Administration Regulation

STUDENTS

09.122
(CONTINUED)

Attendance Requirements

REFERENCES:

- ¹KRS 159.010; OAG 85-55
- ²KRS 159.030
- ³KRS 159.035
- ⁴702 KAR 7:125
- ⁵KRS 158.240
- ⁶KRS 158.070
- ⁷704 KAR 3:305
- ⁸KRS 158.143
- ⁹~~KRS 158.150~~
- KRS 158.030; KRS 159.020; KRS 159.180; KRS 159.990
- ~~704 KAR 3:535~~; 704 KAR 5:060
- OAG 79-68; OAG 79-539; OAG 87-40; OAG 97-26

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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

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STUDENTS

09.224

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Emergency Medical Treatment

FIRST AID TO BE PROVIDED

First aid shall be provided to all pupils in case of an accident or sudden illness until the services of a health care professional become available.

FIRST-AID ROOM

A first-aid 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 each 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 cardiopulmonary resuscitation for infants and children.

OPIOID ANTAGONIST

District schools may maintain an opioid antagonist for administration to any individual who may experience a life-threatening opioid overdose while on Board-owned property or attending a District event. An opioid antagonist for such instances shall be administered following the protocols developed by the Kentucky Department of Public Health.

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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.²

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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.

INFORMATION NEEDED

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

STUDENTS

09.224
(CONTINUED)

Emergency Medical Treatment

EMERGENCY CARE PROCEDURES

Schools shall have emergency care procedures comporting with regulation¹ 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:

¹702 KAR 1:160

²[KRS 158.162](#)

KRS 156.160; KRS 156.502

KRS 158.836; KRS 158.838

[KRS 217.186](#)

Kentucky Department of Education Health Services Reference Guide (HSRG)

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RELATED POLICIES:

[05.4](#); 09.21; 09.22; 09.2241

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 neglected¹, 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, or County Attorney in accordance with KRS 620.030.²

After making that oral report, the employee shall then immediately notify the Principal of the suspected abuse. If the Principal is suspected of child abuse, the employee shall notify the Superintendent/designee.

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 Attorney or the Cabinet for Health and Family Services or its designated representative within forty-eight (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.

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Child Abuse**INTERVIEWS**

If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent³ and shall provide the Cabinet access to a child subject to an investigation or assessment without parental consent.⁴

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 the Cabinet's receipt of the court order of 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.

STUDENTS

09.227
(CONTINUED)

Child Abuse

REFERENCES:

¹KRS 600.020

²KRS 620.030; KRS 620.040

³OAG 85-134; OAG 92-138

⁴KRS 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 77-407; OAG 77-506; OAG 80-50; OAG 85-134

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

Student Activities

TO BE ENCOURAGED

Student activities of an educational nature shall be encouraged and maintained, based upon the needs and interests of pupils.

In schools operating under SBDM, the council shall determine selection of extracurricular activities, as well as academic qualifications, attendance requirements, evaluation procedures, and supervision for these programs.

LIMITATIONS

Students who have been suspended or expelled will not be allowed to participate in extracurricular activities during the period of the suspension or expulsion.

INDIVIDUAL STUDENT ELIGIBILITY/DISTRICT-WIDE EVENTS

The following eligibility requirements apply to all District-level extracurricular activities, including, but not limited to, athletic, dance team, cheerleading, and academic team events.

Students who are members of District teams or local private school teams shall be eligible for participation in District-level extracurricular events, if the school provides documented evidence that students meet the required standards for District-wide events. Elementary and middle school students attending a District school that utilizes a grading scale must have attained a minimum of a cumulative 2.0 grade point (GPA) in the subject areas taken during the grading period, which shall be checked Friday or Monday at the Principal's choice and shall run from Monday to Monday during the season.

Participants' grades earned during the grading period prior to the beginning of the extracurricular event, if applicable, shall be furnished to and checked by the Principal or activity sponsor/coach at the school they represent for documented evidence that the school verifies the students meet the required standards. If a team is not duly qualified, it shall not be allowed to participate in any District event.

TEAM ELIGIBILITY/DISTRICT-WIDE EVENTS

District teams or local private school teams shall be eligible for participation in District-level extracurricular activities as listed above. Such teams shall be required to observe the following:

1. Abide by the policies of the Board and all rules and regulations of the school they represent;
2. Pay their share of the cost of the program, including cost of required insurance, unless the private school indemnifies and saves harmless the Board from any injury, loss, or damage; and
3. Provide their share of workers to plan and carry out the events.

CONTROL

All school-sponsored student activities shall be under the direction of the Principal, a teacher, or a teachers' aide as approved by the Principal, except that a non-faculty coach or non-faculty assistant may accompany student on athletic trips as provided in statute.¹

Deleted: Students who wish to participate in the Floyd County Conference(s), both private and public school students, may participate as individual members of a team if a school in which they are enrolled does not have a team.

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STUDENTS

09.3
(CONTINUED)

Student Activities

CONTROL (CONTINUED)

The Principal will suspend a student's eligibility to participate in extracurricular and co-curricular activities, pending investigation of any allegation that the student is in violation of either the District behavior standards or the school council's criteria for participation.²

STUDENTS WITH DISABILITIES

Students with disabilities shall have an equal opportunity to participate in nonacademic and extracurricular services and activities, including, but not limited to, extracurricular athletics, intramural athletics, and clubs.

NOTE: The District may require a level of skill or ability of a student in order for that student to participate in a selective or competitive program or activity, so long as the selection or competition criteria are not discriminatory.

REFERENCES:

¹[KRS 161.185](#)

²[KRS 158.153](#)

[KRS 158.183](#); [KRS 161.180](#); [KRS 620.146](#)

[702 KAR 007:125](#); [702 KAR 007:140](#); [OAG 57-40812](#)

Section 504 of the Rehabilitation Act of 1973

RELATED POLICIES:

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

09.23; 09.312; 09.3131

09.3211; 09.36; 09.438

Adopted/Amended: 7/22/2013

Order #: 17881

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.

At every football or basketball contest between two (2) county teams, the Principal or the Principal's designee from each school shall be present.

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.¹

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)** course that includes the use of an **automated 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.⁴ **All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.**⁵

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.³

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.¹

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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.

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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 participate in subsequent practices or athletic competitions until written clearance is provided.

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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.

SAFETY AND SECURITY

The Principal of each school shall meet with the Division of Safety and Security personnel at the beginning of each school year to develop procedures to promote the safety and control of spectators and participants before, during, and after athletic contests. The host school is responsible for providing safety and security for athletic contests.

Facilities used for practices and athletic competitions should be checked daily for safety and health hazards.

MEDICAL EXAMINATION

Each student seeking eligibility to participate in any school athletic activity must pass an annual medical examination performed and signed by a medical practitioner as required by law.²

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.¹

REFERENCES:

¹KRS 160.445

²KRS 156.070

³KRS 161.185

⁴702 KAR 7:065

⁵[KRS 158.162](#)

RELATED POLICIES:

03.1161

03.2141

Eligibility (Athletics)

Determination of athletic eligibility shall be made in compliance with applicable administrative regulations and Kentucky High School Athletic Association (KHSAA) requirements, 2

District standards for playing up from middle school (grades seven and eight [7 & 8]) to high school in sports other than football and soccer may include, but are not limited to, considerations related to safety, physical readiness, use of school space after the school day, transportation, funding, the student's disciplinary status and record, any substance testing restrictions, equitable opportunities for participation, and harmonizing any conflicting school-based decision making (SBDM) requirements. SBDM Council policies apply to the selection of sports activities, and student participation based on academic qualifications and attendance requirements, program evaluation, and supervision.¹

To be eligible to try out and participate at the high school level, middle school students must meet all applicable KHSAA, District, and SBDM requirements. The Superintendent/Designee in cooperation with principals, SBDM councils, coaches, and athletic directors, as deemed appropriate, may develop guidelines for Board approval addressing playing up standards.

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

CHARTER SCHOOL STUDENTS

A student enrolled in a public charter school that offers any interscholastic athletic activity shall be ineligible to participate in interscholastic activities at any other school. Subject to applicable law, regulations, and bylaws (e.g. KHSAA, Title IX) and the terms of the charter contract, students who are enrolled in a charter school that does not offer any interscholastic athletic activities shall be eligible to participate in such activities at the District school of that student's residence.

REFERENCES:

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

RELATED POLICIES:

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

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Deleted: 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.

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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.¹ 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, "bullying" is defined as 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.

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;
- (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

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Bullying/Hazing**HAZING DEFINED (CONTINUED)**

(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.

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PROGRAM TO ADDRESS

Each school, with assistance from the Superintendent/designee, shall implement a comprehensive program with the following goals to address bullying and hazing:

1. To send a clear message to students, staff, parents, and community members that such behavior will not be tolerated.
2. To train staff and students in taking pro-active steps to prevent such behaviors from occurring.
3. To implement procedures for immediate intervention, investigation, and confrontation to students engaged in prohibited behavior.
4. To initiate efforts to change the prohibited behavior of students through education on acceptable behavior, discussions, counseling, and appropriate negative consequences.
5. To foster a productive partnership with parents and community members in order to help maintain a safe and civil environment.
6. To help develop peer support networks, social skills, and confidence for all students.
7. To recognize and praise positive, supportive behaviors of students toward one another on a regular basis.

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.

The District Code shall specify that reports of alleged instances of bullying or hazing shall be made to the Principal/ designee. 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.

As directed by the Superintendent/designee, each Principal shall report on a periodic basis the number of bullying/hazing incidents and progress made toward reducing reoccurrence.

(CONTINUED)

Bullying/Hazing

REPORTS (CONTINUED)

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.

NOTIFICATION

Within forty-eight (48) hours of receiving a serious allegation of bullying, District personnel shall attempt to notify parents by phone or registered mail of both student victims and students who have been accused of bullying.

PROHIBITION

Bullying is prohibited at all times on school property and off school grounds during school-sponsored activities or on school transportation. School staff shall provide for a prompt and equitable resolution of complaints concerning bullying. This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods and interferes with the ability of other students to take advantage of the educational opportunities offered. The provisions of this policy shall not be interpreted as applying to speech otherwise protected under the state or federal constitutions where the speech does not otherwise materially or substantially disrupt the education process, as defined by policy 09.426, or where it does not violate provisions of this policy.

DISCIPLINARY ACTION

Students who engage in bullying of an employee or another student on the basis of any of the areas mentioned above shall be subject to disciplinary action, up to and including, but not limited to, suspension and expulsion.

GUIDELINES

Students who believe they have been a victim of an act of bullying or who have observed incidents involving other students that they believe to be an act of bullying shall report it. In each school building, the Principal/designee is the person responsible for receiving reports of bullying. The Principal/designee then shall provide the following:

1. Investigation of allegations of bullying to commence as soon as circumstances allow, but not later than twenty-four (24) hours of the original written complaint. A written report of all findings of the investigation shall be completed within ten (10) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency. The Principal/designee may take interim measures to protect complainants during the investigation.
2. A process to identify and implement, within three (3) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the bullying. If corrective action is not required, an explanation shall be included in the report.

Bullying/Hazing**GUIDELINES CONTINUED)**

3. A process to be developed and implemented to communicate requirements of this policy to all students, which may include, but not be limited to, the following:
 - Written notice provided in publications such as handbooks, codes, and/or pamphlets.
 - Such other measures as determined by the School Principal/designee.

CONFIDENTIALITY

District employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of both victim and the person accused of violations.

APPEAL

Upon the completion of the investigation and correction of the conditions leading to the bullying, any party may appeal in writing any part of the findings and corrective actions to the Superintendent. (Reference the appeal process in the Floyd County Schools Student Handbook & Code of Conduct.)

RETALIATION PROHIBITED

No one shall retaliate against an employee or student because s/he files a written grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of bullying of an individual or because s/he has opposed language or conduct that violates this policy. Upon the resolution of allegations, the Superintendent shall take steps to protect employees and students against retaliation.

FALSE COMPLAINTS

Deliberately false or malicious complaints of bullying may result in disciplinary action taken against the complainant.

REFERENCES:

¹KRS 158.150

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)

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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

STUDENTS

Any student who threatens, physically assaults, batters or abuses another student shall be subject to appropriate disciplinary action, including suspension or expulsion.¹

EDUCATIONAL PERSONNEL

Any student who threatens, physically assaults, batters or physically or verbally abuses educational personnel on or off school property (and the incident is likely to substantially disrupt the educational process) shall be subject to appropriate disciplinary action¹ up to and including expulsion from school and/or legal action.

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 534.030.²

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.

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 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.

A written report of violent acts is to be submitted to the Superintendent or designee.

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Assault and Threats of Violence**REMOVAL OF STUDENTS (CONTINUED)**

~~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.

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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.

NOTIFICATIONS

As soon as the Superintendent/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

Any District employee assigned to work directly on a continuing basis with, a student who has 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 prior to the assignment.

The Board does recognize in rare and limited cases, legitimate acts of self defense do occur and in those instances, the student who is acting to defend his or her person from an unprovoked attack should not be automatically considered in violation of this Policy.

REFERENCES:

¹KRS 158.150
²KRS158.1559
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 student 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 school-related 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.

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STUDENTS

09.426
(CONTINUED)

Disrupting the Educational Process

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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

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Due Process

RIGHT TO DUE PROCESS

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

1. The student shall be given oral or written notice of the charge(s) against him or her,
2. If the student 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 student shall be given an opportunity to present his or her own version of the facts relating to the charge(s).

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, procedures mandated by federal and state law shall be followed.²

REFERENCES:

¹KRS 158.150

²P. 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

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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 Superintendent or Principal may suspend a student up to a maximum of ten (10) days per incident.

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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.

PRIOR DUE PROCESS REQUIRED

A student shall not be suspended until due process procedures have been provided as described in KRS 158.150 (09.431)¹, 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.

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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.

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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 shall report any suspension in writing¹ immediately to the Superintendent. A written report from the Principal or the Superintendent shall be sent immediately to the parent of the student being suspended and shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

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STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.²

REFERENCES:

¹KRS 158.150

²20 U.S.C. Sections § 1400 et seq; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592(1988)

OAG 77-419; OAG 77-427; OAG 77-547

OAG 78-392; OAG 78-673

707 KAR 1:340

Goss v. Lopez, 419 US 565 (1975)

RELATED POLICIES:

09.425; 09.426; 09.43; 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.¹

PURPOSE

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

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

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.⁴

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 Alternative Education Program is not limited in scope or design and is aligned to the academic program of the District.
- 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.²

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ELIGIBILITY CRITERIA

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

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

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

- The need for a different educational environment for the student that will reflect an instructional delivery style best provided in an alternative setting.
- The student has contributed to substantial and on-going disruption of the educational process.
- 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.³

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 nine through twelve (9-12) 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 guardians, 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.

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Alternative Education**EXCEPTIONS:**

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

EXTRACURRICULAR PARTICIPATION

Students assigned to alternative schools or programs shall be eligible to access extracurricular activities including, but not limited to sports activities, as allowed under applicable Board policy, code of conduct, SBDM policy, KHSAA rules or other alternative program standards adopted by the District.

CONTINUING SUPPORT

Opportunities shall be provided for students to continue regular school work as appropriate under the supervision of Alternative Education Program staff. Students participating in an alternative program shall continue to be able to access tutoring, 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.

STUDENTS

09.4341
(CONTINUED)

Alternative Education

REFERENCES:

- ¹KRS 160.380
- ²704 KAR 19:002
- ³KRS 158.143
- ⁴[KRS 158.150](#)
- [KRS Chapter 159](#)
- 707 KAR 1:320
- Student Discipline Guidelines*, Kentucky Department of Education
- OAG 77-419

RELATED POLICIES:

- 08.131; 08.141
- 09.123; 09.14; 09.426; [09.431](#); [09.435](#)

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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 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.¹

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;
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

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.¹ The special education and disciplinary records of IDEA eligible students shall be sent to the Board for review before the decision is made to expel.³

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Expulsion

HEARING AND RECORDS REQUIRED (CONTINUED)

~~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.~~

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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.¹~~

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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.)^{1&3}

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.²

REFERENCES:

¹KRS 158.150

²KRS 158.155

³20 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 78-673

RELATED POLICIES:

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

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LEGAL: SB 80 AMENDS KRS 17.545 TO DEFINE AND INCLUDE LOITERING AND MOBILE BUSINESSES AS PART OF RESTRICTIONS FOR REGISTRANTS ON AND WITHIN 1,000 FEET OF SCHOOL GROUNDS. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

COMMUNITY RELATIONS

10.5

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 as well as declare their purposes for visiting.

To provide a safe and secure learning environment, visitors shall abide by the following:

1. ALL VISITORS must enter through designated doors identified by the schools.
2. Visitors shall immediately report to the Main Office.
3. Visitors shall sign in and state the purpose of the visit and receive a visitor's pass on approval from the Principal. (ALL VISITORS MUST WEAR A VISITOR'S PASS IN A VISIBLE AREA.)
4. Visits to classroom must be scheduled in advance unless authorized by the Principal/designee.
5. Students are not permitted to bring guests or visitors to school without permission from the Principal.
6. Visits should be related to the need(s) of the child.

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.

Visitors to the Schools**REGISTRANTS (CONTINUED)**

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.
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.

OTHER RESTRICTIONS

Guests or visitors of students are not allowed at school without permission from the Principal. In addition, no salespersons or peddlers shall come onto school property without prior approval of the Superintendent/designee.

Visitors shall not enter classrooms unless they have the prior consent of the Principal/designee.

Visitors to the Schools

CONDUCT/PROHIBITION ON RECORDING

All visitors to the schools shall 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.

ATTIRE

Visitors shall observe the community standards of acceptable dress and, before entering the schools, wear attire that neither disrupts the educational process nor poses a health or safety threat to themselves or the students/staff.

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.¹

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 law², 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.³

ACCOMMODATION

Visitors with disabilities shall be accommodated as required by law. Individuals requesting accommodation shall contact the District ADA/504 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

Visitors to the Schools

ACCOMMODATION

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.

REFERENCES:

- ¹KRS 438.345
- ²KRS 438.050
- ³KRS 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

Home/Hospital Instruction

PURPOSE

Home/hospital instruction provides educational services to students who cannot attend school for extended periods due to temporary or recurring conditions, including fractures, surgical recuperation, or physical, health, or mental conditions. An "extended period" refers to an absence for more than five (5) consecutive school days.

For purposes of KRS 157.360, a student who receives home/hospital instruction for a minimum of two (2) instructional sessions per week, with a minimum of one (1) hour of instruction per session, by a certified teacher provided by the Board, shall equal the student attending five (5) days in school. An instructional session may be delivered in person, electronically, or through other means established in regulation. A parent/guardian or responsible adult must be present in the home/hospital room during the time the home/hospital teacher is present or is otherwise delivering instruction.

ELIGIBILITY

Determination of a student's eligibility and provision of services for home/hospital instruction shall be made in compliance with applicable statutes and regulations. In accordance with KRS 159.030(2), the Board shall require evidence for students exempted from school attendance more than six (6) months. An exemption shall be reviewed annually.

At any time based on changes in the student's condition, the home/hospital review committee may schedule a review of the student's continued eligibility for home/hospital instruction. Eligibility for home/hospital instruction shall cease for students placed by the review committee if the student works, plays sports, or participates in extracurricular activities. For students with a 504 plan, eligibility for home/hospital instruction shall not cease if the student works, plays sports, or participates in extracurricular activities if participation is consistent with the student's 504 plan.

The Admissions and Release Committee (ARC) shall determine placement in home/hospital instruction for a student with disabilities. The 504 Team for a student may facilitate submission of an application to the review committee.

PROGRAMS FOR HOME/HOSPITAL INSTRUCTION

Students applying for home/hospital instruction shall supply satisfactory evidence of need, verified by a signed statement as required by law, that the student's condition prevents or renders inadvisable attendance at school. Some conditions that warrant home/hospital instruction are: fractures; surgical recuperation; other physical, health, or mental conditions; and certain communicable diseases, etc.

Deleted: by a licensed physician, advanced registered nurse practitioner, psychologist or psychiatrist, or public health official

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

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

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

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

SECONDARY STUDENTS

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

1. The student's ability to work independently during extended periods without direct assistance.
2. The student's capacity to complete assignments within a reasonable time frame.
3. The likelihood that the student will be able to complete course criteria required for graduation, as required by the Kentucky Academic Standards.
4. When considering the student's condition, should s/he take a full or reduced course load? If a reduced course load is appropriate, the committee shall determine the number of courses the student may take.

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

STUDENTS WITH DISABILITIES

Based on documentation of student need, including medical or mental health evaluation information, a student with disabilities may be placed in the home/hospital instructional program if his/her individual education plan (IEP) specifies such placement is the least restrictive environment for providing services. The ARC Chair shall provide written notice of eligibility and documentation to the District Director of Pupil Personnel for purposes of program enrollment.

The Admissions and Release Committee (ARC) or 504 Team shall determine on a case-by-case basis the type and extent of home/hospital services for a student, including the number of credits a student at the secondary level will be permitted to earn while on home/hospital instruction.

CURRICULUM AND INSTRUCTION

08.1312
(CONTINUED)

Home/Hospital Instruction

REFERENCES:

KRS 157.360; KRS 158.033; KRS 159.030
702 KAR 7:150; 704 KAR 3:303
707 KAR 1:320; 707 KAR 1:350
20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)
Section 504 of the Rehabilitation Act of 1973
34 C.F.R. 104.35

RELATED POLICIES:

08.22
09.122
09.123

EXPLANATION: THE UPDATED FBI CJIS SECURITY POLICY CHANGES THE TRAINING REQUIREMENTS FROM EVERY TWENTY-FOUR (24) MONTHS TO EVERY TWELVE (12) MONTHS
FINANCIAL IMPLICATIONS: MORE FREQUENT TRAINING

PERSONNEL

03.11 AP.2521

Criminal History Record Information

PURPOSE

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

AUTHORITY

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

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

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

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

AUTHORIZED PERSONNEL

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

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

TRAINING OF AUTHORIZED PERSONNEL

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

The District will ensure authorized users complete recertification of Security Awareness Training every ~~twenty-four~~ **twelve (12)** months.

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

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PERSONNEL

03.11 AP.2521
(CONTINUED)

Criminal History Record Information

FINGERPRINT CARD PROCESSING

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

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

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

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

COMMUNICATION

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

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

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

PHYSICAL SECURITY

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

PERSONNEL

03.11 AP.2521
(CONTINUED)

Criminal History Record Information

STORAGE AND RETENTION OF CHRI

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

During the fitness determination:

- CHRI will be stored in a locked drawer/container at the Central Office and only accessible to authorized personnel.
- CHRI will be stored in a separate file that cannot be released for any public records request and will not be archived in a publicly accessible location.
- CHRI results will be stored electronically the agency using proper security and encryption methods.
- If stored electronically, the District will ensure compliance of CJIS Security Policy for the Network Infrastructure to include the following:
 1. Network Configuration
 2. Personally Owned Information Systems
 3. Publicly Accessible Computers
 4. System Use Notification
 5. Identification/User ID
 6. Authentication
 7. Session Lock
 8. Event Logging
 9. Advance Authentication
 10. Encryption
 11. Dial-up Access
 12. Mobile Devices
 13. Personal Firewalls
 14. Bluetooth Access
 15. Wireless (802.11x) Access
 16. Boundary Protection
 17. Intrusion Detection Tools and Techniques
 18. Malicious Code Protection
 19. Spam and Spyware Protection
 20. Security Alerts and Advisories
 21. Patch Management
 22. Voice over Internet Protocol (VoIP)
 23. Partitioning and Virtualization
 24. Cloud Computing
- Per KRS 61.878, CHRI is not subject to disclosure under the Kentucky Open Records Act and will not be archived in a publicly accessible location.

PERSONNEL

03.11 AP.2521
(CONTINUED)

Criminal History Record Information

MEDIA TRANSPORT

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

DISPOSAL OF MEDIA CHRI

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

MISUSE OF CHRI

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

PERSONNEL

ALL NEW PROCEDURE 6/13/2023

03.123 AP.2

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Leave Request Form and Statement

NAME: _____	LOCATION: _____
DATE SUBMITTED: _____	

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

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

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

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

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

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

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

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

PAID MATERNITY LEAVE /NUMBER OF SICK LEAVE DAYS _____ UNPAID MATERNITY LEAVE

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

UNPAID CHILDREARING LEAVE _____

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

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

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

EMPLOYEE WILL REIMBURSE DISTRICT FOR ANY JURY PAY RECEIVED.

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

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

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

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

BEREAVEMENT DISASTERS COURT /LEGAL OTHER, SPECIFY: _____

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

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

Employee's Signature _____
Date

Superintendent/designee's Signature Approving Leave as Requested _____
Date

Leave Request Form and Statement

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

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

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

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

*Employee's Signature*_____
*Date****Employee's Name (Print or Type)***

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

PERSONNEL

ALL NEW PROCEDURE 6/13/2023

03.223 AP.2

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Leave Request Form and Statement

See Procedure 03.123 AP.2/Leave Request Form and Statement.

PERSONNEL

03.19 AP.23

District Training Requirements

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

SCHOOL YEAR:

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED		DATE COMPLETED
			CERTIFIED	DESIGNATED	
District planning committee members		01.111		✓	
Board member training hours	KRS 160.180; 702 KAR 1.115; 701 KAR 8.020	01.83		✓	
Superintendent training program to be completed within two (2) years of taking office.	KRS 160.350	02.12		✓	
Certified Evaluation Training	KRS 156.557; 704 KAR 3.370	02.14/03.18	✓	✓	
Supervisors shall receive appropriate training to equip them to meet the standards of Personnel Management.		02.3		✓	
All School Resource Officers (SROs) shall successfully complete forty (40) hours of annual in service training that has been certified or recognized by the Kentucky Law Enforcement Council for SROs.	KRS 158.4414	02.31		✓	
Council member training hours	KRS 160.345	02.431		✓	
Employees authorized to use Criminal History Record Information (CHRI) will complete Security Awareness Training via Criminal Justice Information Services (CJIS)	KRS 160.380	03.11 AP.2521		✓	
Initial/follow-up training for coaches of interscholastic athletic activities or sports.	KRS 160.445; KRS 161.166; KRS 161.185; 702 KAR 7.065	03.1161 03.2141 09.311		✓	
Asbestos Containing Building Material (ACBM) Lockout/Tagout and personal protective equipment (PPE) training for designated employees.	40 C.F.R. Part 763 401 KAR 58.010 803 KAR 2.308 OSHA 29 C.F.R. 1910.132 29 C.F.R. 1910.147 29 C.F.R. 1910.1200	03.14/03.24		✓	
Bloodborne pathogens.	OSHA 29 C.F.R. 1910.1030	03.14/03.24	✓		
Behaviors prohibited/required reporting of harassment/discrimination.	34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Guidance	03.162/03.262	✓		

Deleted: Council member training required for Principal selection.
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District Training Requirements

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED		DATE COMPLETED
			CERTIFIED	ALL DESIGNATED	
Title IX Sexual Harassment	34 C.F.R. § 106.45	03.1621/03.2621/09.428111	✓		
Teacher professional development/learning.	KRS 156.095	03.19	✓		
Active Shooter Situations.	KRS 156.095	03.1903.29		✓	
Instructional leader training.	KRS 156.101	03.1912		✓	
The Superintendent shall develop and implement a program for continuing training for selected classified personnel.		03.29		✓	
Training of the instructional teachers' aide with the certified employee to whom s/he is assigned.	KRS 161.044	03.5		✓	
Orientation materials for volunteers.	KRS 161.048	03.6		✓	
Integrated Pest Management (7a) Certification.	302 KAR 29:060	05.11		✓	
Training for designated personnel on use and management of equipment.		05.4		✓	
Automated external defibrillators (AEDs), training on use of such.	KRS 158.162 KRS 311.667	03.1161/03.2241 05.4/09.311/09.224		✓	
School Safety Coordinator (SSC) training program developed by the Kentucky Center for School Safety (KCSS)	KRS 158.4412	05.4		✓	
School Principal training on procedures for completion of the required school security risk assessment.					
Fire drill procedure system.	KRS 158.162	05.41	✓		
Lockdown drill procedure system.	KRS 158.162 KRS 158.164	05.411	✓		
Severe Weather/Tornado drill procedure system.	KRS 158.162 KRS 158.163	05.42	✓		
Earthquake drill procedure system.	KRS 158.162 KRS 158.163	05.47	✓		
First Aid and Cardiopulmonary Resuscitation (CPR) Training.	702 KAR 5:080	06.221		✓	
Annual in-service school bus driver training.	702 KAR 5:030	06.23		✓	
Designated training for School Nutrition Program Directors and food service personnel.	KRS 158.852 7 C.F.R. §210.31	07.1 07.16		✓	
Teachers of gifted/talented students required training on identifying and working with gifted/talented students. All other personnel working with gifted students shall be prepared through appropriate professional development to address the individual needs, interests, and abilities of the students.	704 KAR 3:285	08.132	✓		

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PERSONNEL

District Training Requirements

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED		DATE COMPLETED
			CERTIFIED	ALL DESIGNATED	
KDE to provide training to address the characteristics and instructional needs of students at risk of school failure and most likely to drop out of school.	KRS 156.095	08 141	✓	✓	
Student training on appropriate online behavior on social networking sites and cyberbullying awareness and response	47 U.S.C. 254/Children's Internet Protection Act, 47 C.F.R. 54.520	08 2323		✓	
Confidentiality of student record information.	34 C.F.R. 300.623	09 14	✓	✓	
Student suicide prevention training. Minimum of one (1) hour in-person, live stream, or via video recording every year including the recognition of signs and symptoms of possible mental illness. New hires during off year to receive suicide prevention materials to review. [Employees with job duties requiring direct contact with students in grades six (6) through twelve (12).]	KRS 156.095; KRS 158.070	09 22		✓	
At least one (1) hour of self-study review of seizure disorder materials required for all principals, guidance counselors, and teachers by July 1, 2019, and for all principals, guidance counselors, and teachers hired after July 1, 2019.	KRS 158.070	09 22		✓	
Training for school personnel authorized to give medication.	KRS 158.838 KRS 156.502 702 KAR 1:160	09 22 09 224 09 2241		✓	
Training on employee reports of criminal activity.	KRS 158.148; KRS 158.154; KRS 158.155; KRS 158.156; KRS 620.030	09 2211	✓	✓	
Personnel training on restraint and seclusion and positive behavioral supports.	704 KAR 7:160	09 2212	✓	✓	
Personnel training child abuse and neglect prevention, recognition, and reporting.	KRS 156.095	09 227	✓	✓	
Age appropriate training for students during the first month of school on behaviors prohibited/required reporting of harassment/discrimination.	34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Guidance	09.42811		✓	

PERSONNEL

03.19 AP.23
(CONTINUED)

District Training Requirements

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

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

EXPLANATION: HB 32 AMENDS KRS 161.011 TO PERMIT HIRING OF CLASSIFIED PERSONNEL WITHOUT A HIGH SCHOOL DIPLOMA IF OPPORTUNITY TO OBTAIN A HIGH SCHOOL EQUIVALENCY DIPLOMA IS PROVIDED BY THE DISTRICT AND PERMITS CERTAIN GOVERNMENT ISSUED CERTIFICATIONS OR LICENSES TO SUBSTITUTE.

FINANCIAL IMPLICATIONS: POTENTIAL COSTS ASSOCIATED WITH ADMINISTERING THE EQUIVALENCY PROGRAM.

EXPLANATION: HB 13 AMENDS KRS 281A.175 RELATED TO THE PHYSICAL EXAM REQUIREMENT FOR SCHOOL BUS DRIVERS. IT CHANGES THE REQUIRED PHYSICAL EXAM FROM EVERY YEAR TO EVERY TWO (2) YEARS.

FINANCIAL IMPLICATIONS: LESS FREQUENT EXAMS COULD BE A COST SAVINGS.

PERSONNEL

03.221 AP.22

- CLASSIFIED PERSONNEL -

Personnel Documents

EMPLOYEE'S NAME _____ POSITION/WORK SITE _____

REQUIREMENTS

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

- HIGH SCHOOL DIPLOMA (or High School Equivalency Diploma FOR STAFF EMPLOYED AFTER 7/31/90.)** Licenses or credentials issued by a government entity that require specialized skill or training may also substitute for this requirement.
- APPLICATION** (including references, a list of states of former residence and dates of residency, and picture identification.)
- CERTIFICATION (i.e., CDL for bus drivers) OR LICENSURE, WHERE APPLICABLE**
- SIGNED CONTRACT (with letter of notification of employment)**
- VERIFICATION OF EXPERIENCE:** Verification from each school district or the Kentucky Department of Education for which there is experience. (This must be on file before salary can be received based on that experience). Central Office personnel will write for verification after the names of the school districts have been provided.
- HEALTH CERTIFICATION:** Each regular or substitute employee must have a medical examination, which shall include a tuberculin risk assessment, prior to initial employment and proof shall be filed with the Central Office. Individuals identified as being at high risk for TB shall be required to undergo a tuberculin skin test or a blood test for Mycobacterium tuberculosis (BAMT) as required by 702 KAR 1:160. This form is required every two (2) years for school bus drivers. Drug testing results are required each year. Health certification records shall also include results from Hepatitis B vaccinations, if the position so requires.
- MEMBERSHIP APPLICATION TO THE COUNTY EMPLOYEES' RETIREMENT SYSTEM:** Each regular full time classified employee must file a membership application with the County Employees' Retirement System if they are not already a member or if they have previously withdrawn their account.
- EMPLOYMENT ELIGIBILITY VERIFICATION (FORM I-9):** Employers are to verify an individual's eligibility for employment in the United States.

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Personnel Documents

REQUIREMENTS (CONTINUED)

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

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

EXPLANATION: HB 331 AMENDS KRS 158.162 TO REQUIRE EACH SCHOOL TO HAVE A WRITTEN CARDIAC EMERGENCY RESPONSE PLAN. IT ALSO REQUIRES 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

SCHOOL FACILITIES

05.4 AP.1

Use of Automated External Defibrillators (AEDs)

Each school's emergency plan shall include procedures to be followed in case of a medical emergency, a written cardiac emergency response plan, and a diagram that clearly identifies the location of each AED. Procedures for the use and training of AEDs shall be included in the emergency response plan.

EXPLANATION: HB 331 AMENDS KRS 158.162 TO REQUIRE EACH SCHOOL TO HAVE A WRITTEN CARDIAC EMERGENCY RESPONSE PLAN. IT ALSO REQUIRES 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

SCHOOL FACILITIES

\$05.4 AP.23

Compliance with Automated External Defibrillator (AED) Requirements

Name of Employee: _____ Date of Training: _____

Having completed the required AED training, I hereby confirm that I have read and understand the policies and procedures for use of AEDs for the District.

Should I have questions at any time while serving as an Expected AED User, I shall contact the designated AED contact for clarification. I agree to follow the terms and guidelines set forth in policy and procedures for this District.

Expected AED User's Signature Date

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Superintendent/designee's Signature Date

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EXPLANATION: HB 331 AMENDS KRS 158.162 TO REQUIRE EACH SCHOOL TO HAVE A WRITTEN CARDIAC EMERGENCY RESPONSE PLAN. IT ALSO REQUIRES 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

SCHOOL FACILITIES

\$05.4 AP.231

Automated External Defibrillator (AED) Reporting Form

Submit this form to Superintendent/designee within forty-eight (48) hours of AED use.

AED USER: _____

LOCATION OF AED USE: _____

NAME: _____ **DATE OF INCIDENT:** _____

Staff Member Student Parent/Visitor

Condition upon arrival (check all that apply)

- unconscious
- not breathing
- no pulse and/or shows signs of circulation such as normal breathing, coughing or movement

NUMBER OF DEFIBRILLATIONS: _____

Please describe the incident from the beginning of the emergency until its conclusion:

Were efforts terminated? Yes No If yes, please explain.

Signature of AED User

Date

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.

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

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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.

"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 _____

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 _____

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."

Per KRS 158.192, the Principal shall determine whether:

- 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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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 AP.21

Record of Removal

An employee who removes a student, or causes a student to be removed, from a classroom setting or District transportation system shall complete and submit this form to the Principal/designee as soon as practicable following the 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.~~

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Student's Name _____			
_____	_____	_____	_____
<i>Last Name</i>		<i>First Name</i>	<i>Middle Initial</i>
School _____	Grade (if known) _____	Date of Removal _____	
Classroom/District vehicle from which the student was removed: _____			
Site to which the student was removed: _____			
Employee who removed the student: _____			
Position: _____			

CAUSE(S) FOR REMOVAL

~~Disrupting the classroom environment and educational process or challenging the authority of a supervising adult.~~

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Threatening behavior, such as verbal or written statements or gestures by the student indicating intent to harm themselves, others or property.

Describe (Use additional sheet(s) if necessary):

Violent behavior, such as a physical attack by the student so as to intentionally inflict harm to himself/herself, others or property.

Describe (Use additional sheet(s) if necessary):

EXPLANATION: REVISIONS TO 704 KAR 19:002 REQUIRE THE DISTRICT TO DEVELOP PROCEDURES FOR MONITORING THE ALTERNATIVE EDUCATION PROGRAM.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.4341 AP.11

Alternative Education

MONITORING

The District shall provide for:

1. Regular, periodic monitoring of the alternative education program; and
2. Selecting, implementing, and monitoring the impact of professional learning designed to meet the needs of the teachers and students served by the alternative education program.

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