

Comment: This is correcting a codification issue. The new language relating to opioid antagonists was adopted by the Board in February 2023, but due to an error, the online policy manual was not immediately updated. The 2023 KSBA Annual Policy Update included unrelated amendments to this policy, using the unamended policy as the base document. So, when the Board approved the amendments from the 2023 KSBA Policy Update on August 15, 2023, the opioid antagonist language was lost. This amendment codifies both 2023 amendments to the policy.

09.224

DRAFT 8/24/23

STUDENTS

09.224

Emergency Medical Treatment

FIRST-AID ROOM

A first-aid area with appropriate equipment, supplies and provisions for a 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 (CPR) for infants and children.

In accordance with state law, every school shall have personnel trained each school year to administer emergency medication to students for seizures, diabetes, life threatening allergic reactions and asthma as prescribed by the student's health care practitioner and in accordance with District school health protocols.

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.³

STOCK EPINEPHRINE

As encouraged in KRS 158.836, each school shall stock epinephrine, so that trained staff may administer epinephrine to any student believed to be having a life-threatening allergic or anaphylactic reaction.¹

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

STOCK ALBUTEROL

Each school may also stock albuterol, so that trained staff may administer albuterol to any student having an asthma exacerbation or respiratory symptoms associated with a life-threatening allergic or anaphylactic reaction.

OPIOID ANTAGONIST

The District may maintain an opioid antagonist in schools for administration to an individual who may experience a life-threatening, opioid overdose. An opioid antagonist for such instances shall

Emergency Medical Treatment**OPIOID ANTAGONIST (CONTINUED)**

be administered following the protocols developed by the Kentucky Department of Public Health. These protocols shall be stored along with the opioid antagonist for ease of reference.

The District Health Services Department shall be responsible for coordinating the purchase, distribution, maintenance, and replacement of an opioid antagonist in all schools, and the training of school personnel in its use.

EMERGENCY CARE PROCEDURES

The District shall have emergency care procedures for implementation in schools that conform to Kentucky administrative regulation² and may utilize the Kentucky Department of Education's Health Services Reference Guide (HSRG) as a resource.

INFORMATION NEEDED

A number at which a parent/guardian can be reached and the name of the student's health care provider shall be maintained at each school for each of its students.² A parent/guardian shall be notified in the event of an accident involving the parent/guardian's student.

REFERENCES:

¹KRS 158.836

²702 KAR 1:160

³KRS 158.162

KRS 156.160; KRS 156.502; KRS 158.838

Kentucky Department of Education Health Services Reference Guide (HSRG)

RELATED POLICIES:

05.4;09.21; 09.22; 09.2241

Comment: The Board’s SB 150 resolution stated, “FURTHERMORE, the District shall allow students to dress in a way that matches their gender identity which includes not having to conform to stereotypical notions of masculinity and femininity.” This policy change incorporates that direction from the Board.

STUDENTS

09.427

Student Dress Code

A student ~~Students~~ may choose his/her/their manner of dress and ~~otherwise arrange their~~ personal appearance subject to the school’s dress code. However, the wearing of any item that materially or significantly disrupts the educational process or threatens the health or safety of other students or staff members is prohibited. If a school/council chooses to adopt a dress code, it shall be consistent with Board standards set out in the District’s Student Support and Behavior Intervention Handbook and the Student Bill of Rights.

Board Policy 09.13 requires that all students be afforded equal educational opportunities. Board Policy 03.131 sets forth the District’s commitment to racial educational equity. In accordance with those policies, a school dress code:

1. Shall not include prohibitions of specific hair textures or hairstyles traditionally associated with a student’s race or ethnicity; ~~and~~
2. Shall not include prohibitions of appropriate attire or hair style, including length of hair, that discriminate against a student ~~students~~ on the basis of sex, sexual orientation, gender identity, or gender expression; and
3. Shall allow a student to dress in a manner in accordance with his/her/their gender identity, notwithstanding traditional gender norms of masculinity and femininity.

REFERENCES:

Tinker v. Des Moines Independent School District, 393 U.S. 502 (1969)

Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)

[KRS 158.183](#)

[KRS 160.345](#)

[OAG 73-233](#)

[OAG 73-284](#)

RELATED POLICIES:

09.13; 09.131; 09.426

Adopted/Amended: 6/8/2021

Order #: 2021-95

Comment: New text regarding metal detectors on page 2 is KSBA sample language. Highlighted text in that section reflects JCPS recommended changes from KSBA sample language.

STUDENTS

09.436

Search and Seizure

REASONABLE SUSPICION

No ~~student's pupil's~~ outer clothing, pockets, or personal effects (e.g., handbags, backpacks, etc.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the ~~student pupil~~ has violated or is violating either the provisions of the Student Support and Behavior Intervention Handbook or the law.¹ Search of a ~~student's pupil's~~ person shall be conducted only with the express authority of the Principal/designee.

AUTHORIZED PERSONNEL

Searches of a ~~student's pupil's~~ person or personal effects shall only be conducted by a certified employee directly responsible for the conduct of the ~~student pupil~~ or the Principal/certified designee of the school which the student attends. However, when an immediate threat to the health or safety of others occurs off site with no certified employee reasonably available, a non-certified person (e.g., bus driver or coach/sponsor) that is responsible for the student is authorized to conduct the search of a student or personal effects. Examples of immediate threats would include reasonable suspicion of the presence of illegal drugs or a weapon.

WITNESS/PERSONAL SEARCHES

When a pat-down search of a ~~student's pupil's~~ person is conducted, the employee conducting the search shall be the same sex as the ~~student pupil~~; and a witness of the same sex as the ~~student pupil~~ shall be present during the search. A ~~student pupil~~ who identifies as transgender or non-binary shall be permitted to decide the sex of the employee who will conduct the pat-down search and the witness. In addition, no search of a ~~student pupil~~ shall be conducted in the presence of ~~another student/other students~~.

These restrictions shall not apply to situations involving an imminent threat to students or staff where immediate action is required to prevent harm to health and safety.

STRIP SEARCHES

The strip search of a student is prohibited~~No strip searches of students shall be permitted.~~

FAILURE TO COOPERATE

A student~~Students~~ who ~~fails fail~~ to cooperate with a school ~~employee authorities~~ when requested to shall be subject to other disciplinary action in accordance with the Student Support and Behavior Intervention Handbook.

REGULAR INSPECTION

School property, such as lockers, desks, and network systems, technology resources and accounts owned or supplied by the District are jointly held by the school and the ~~student pupil~~. A school administrator has~~School administrators have~~ the right to conduct general inspection of all such property and resources on a regular basis. During these inspections, items which are school property, such as overdue library books, may be collected. A student~~Students~~ should not expect privacy for items and information left in such locations. A single desk, locker or a technology resource/account may be searched if reasonable grounds exist to believe that it contains evidence of a violation of the law or the Student Support and Behavior Intervention Handbook.

Search and Seizure

ILLEGAL ITEMS

An illegal item ~~Illegal items~~ (e.g., weapons, drugs, etc.) or other item items in the possession of a student pupil that is are reasonably determined by a school administrator to be a threat to the safety and security of the student pupil or others, may be seized by a school administrator.

USE OF WEAPONS METAL DETECTORS

A school administrator/designee ~~School administrators or designees~~ trained in the equipment's use is are authorized to use stationary or mobile weapons detectors ~~metal detectors~~. A weapons detector ~~Metal detectors~~ may be used in the following circumstances:

1. To search an individual student or his/her/their personal belongings when there is reasonable suspicion to believe the specific student is concealing a weapon; or
2. To search all students or their personal belongings upon entering the premises.

~~— To search students or their personal belongings on a random basis, provided adequate procedures are adopted and followed to ensure a random selection process.~~

Administrative procedures ~~Procedures~~ setting guidelines for the use of weapons ~~metal~~ detectors shall be developed and presented to the Board for review and ~~-All procedures for the use of metal detectors~~ shall conform to applicable legal standards.

Students and parents/guardians shall be notified that weapons ~~metal~~ detectors may be used and the circumstances and procedures for their use.

OTHER DISRUPTIVE ITEMS

Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the pupil's possession by a staff member. Such items may be returned to the student pupil by the staff member or through the principal's office.

DISPOSITION OF ITEMS

All items which have been seized shall be turned over to the proper authorities or returned to the true owner.

REFERENCES:

¹New Jersey vs. T.L.O., 105 S.Ct. 733 (1985)

KRS 161.180; KRS 531.335

Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (2009)

RELATED POLICIES:

08.2323; 09.4261

Adopted/Amended: 6/8/2021
Order #: 2021-95

Comment: New text regarding metal detectors on page 2 is KSBA sample language
Highlighted text reflects JCPS recommended changes from KSBA sample language

SAMPLE PROCEDURE LANGUAGE 01/26/23

STUDENTS

09.436 AP.1

Search and Seizure Process/Weapons Metal Detectors

Consistent with the provisions in policy 09.436, a school administrator ~~administrators~~ may authorize the use of weapons ~~metal~~ detectors for weapons searches as follows:

- Search all students or their personal belongings entering the premises;
- ~~Search students on a random basis, provided a non-discriminatory, random selection process is used; or~~
- Search an individual student when there is reasonable suspicion to believe the student is concealing a weapon.

A school administrator ~~School administrators~~ shall use the following procedures when conducting a weapons ~~detector~~ search ~~metal~~ detector searches of students in school or on school property:

- The school administrator ~~School administrators~~ shall be trained in the use of the ~~weapons~~ ~~metal~~ detector equipment to be used.;
- A search ~~Searches~~ shall be reasonable in scope and duration, shall not be excessively intrusive, and shall be conducted in a uniform manner;
- ~~Prior to the beginning of the search, students will be asked to remove all metal objects from their pockets;~~
- If a weapons ~~metal~~ detector is activated during the initial search of a student, the search may be repeated;
- If the student continues to activate the device, a pat-down search may be conducted;
- Any search of a student's person as the result of the activation of the detector ~~will be limited to a search for weapons~~ and will be conducted in private by a person of the same sex as the student, except that a student who identifies as transgender or non-binary shall be permitted to decide the sex of the employee who will conduct the pat-down search ~~and will be limited to a search for weapons~~. In addition, no search of a student shall be conducted in the presence of another student.
- A witness, who is preferably of the same sex as the student, shall be present when a personal search is conducted, except that a student who identifies as transgender or non-binary shall be permitted to decide the sex of the witness;
- A search ~~All searches~~ shall terminate after the item that activated the device has been located, ~~however any other illegal items located during the search may be confiscated;~~ and
- Students and parents shall be notified that weapons ~~metal~~ detectors may be used in schools and on school property, the reason for their use, and the circumstances under which they will be used.