

LEGAL: SB 2 AMENDS KRS 158.162 TO REQUIRE A COPY OF THE DATA CREATED THROUGH THE SCHOOL MAPPING DATA PROGRAM AS PART OF EACH SCHOOL'S EMERGENCY PLAN AND ALLOWING FOR THE USE OF SECONDARY LOCKING MECHANISMS ON CLASSROOM DOORS, NOTWITHSTANDING ANY PROVISIONS OF THE KENTUCKY BUILDING CODE PROMULGATED PURSUANT TO KRS CHAPTER 198B TO THE CONTRARY.

FINANCIAL IMPLICATIONS: COST OF CREATING THE SCHOOL MAPPING DATA

LEGAL: HB 169 AMENDS KRS 158.162 TO REQUIRE THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY SCHOOL BUILDING AND SUBMIT AN ANNUAL REPORT TO KDE ON THE NUMBER AND LOCATION OF EACH AED IN EVERY SCHOOL BUILDING, THE NAME, SCHOOL, AND TRAINING DATE OF EACH DISTRICT EMPLOYEE AND INTERSCHOLASTIC ATHLETIC COACH IN THE DISTRICT TRAINED IN THE USE OF AEDS; AND THE PROGRESS MADE TOWARDS HAVING AN AED AT ALL SCHOOL-SANCTIONED ATHLETIC PRACTICES AND COMPETITIONS.

FINANCIAL IMPLICATIONS: COST OF PURCHASING AEDS AND TIME SPENT ON TRAINING AND REPORTING

LEGAL: HB 446 AMENDS KRS 158.148 REVISING TWO-WAY COMMUNICATION SYSTEM BY REMOVING THE WORD "EXISTING" IN FRONT OF EMERGENCY.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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.

SCHOOL MAPPING DATA

"School mapping data" means mapping information provided in an electronic or a digital format to assist first responders in responding to emergencies at schools. A participating district or campus shall not be required to adopt new school mapping data if, as of July 1, 2024, the District or campus previously implemented school mapping data with capabilities that meet the requirements of the Center for School Safety.

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Safety**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;
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 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;
7. Maintain the District's copies of the school mapping data created through the School Mapping Data Program to be made available to appropriate public safety agencies, but which shall be excluded from the application of KRS 61.870 to 61.884; and
8. 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.

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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.

Safety**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.

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 copy of the data created through the School Mapping Data Program or, if the school mapping data is unavailable, 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;

Safety

SCHOOL EMERGENCY PLANNING (CONTINUED)

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;
 - 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;
 - Allowing for the use of secondary locking mechanisms on classroom doors, notwithstanding any provisions of the Kentucky Building Code promulgated pursuant to KRS Chapter 198B to the contrary;
 - 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 school building and, as funds become available, at school-sanctioned 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;

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Safety**SCHOOL EMERGENCY PLANNING (CONTINUED)**

- d) Ensure that all interscholastic athletic coaches maintain a cardiopulmonary resuscitation certification recognized by a national accrediting body on heart health; and
- e) No later than November 1 of each school year, submit an annual report to the Kentucky Department of Education on:
 - i. The number and location of each portable AED in every school building;
 - ii. The name, school, and training date of each District employee and interscholastic athletic coach in the District trained in the use of a portable AED; and
 - iii. The progress made towards having a portable AED at all school-sanctioned athletic practices and competitions; 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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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

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 emergency. The process may include, but is not limited to, use of intercoms, telephones, and two-way radios.

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SCHOOL FACILITIES

05.4
(CONTINUED)

Safety

REFERENCES:

¹KRS 158.4412

²KRS 158.1621

KRS Chapter 198B

KRS 61.870 to KRS 61.884

KRS 158.110

KRS 158.148; KRS 158.162; KRS 158.164; KRS 158.4410; ~~KRS 158.4433~~; 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

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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: HB 446 AMENDS KRS 158.110 TO REQUIRE DEVELOPMENT OF A DISTRICT TRANSPORTATION SERVICES POLICY BASED ON THE STATEWIDE TRANSPORTATION SERVICES POLICY GUIDELINES INCLUDING DRIVER RIGHTS AND THE STANDARD FOR STUDENT BEHAVIOR, REPORTING, AND PROTECTION FROM RETALIATION ON SCHOOL-SPONSORED TRANSPORTATION. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

TRANSPORTATION

06.22

Bus Drivers' Rights and Responsibilities

All bus drivers shall meet the qualifications of and be in compliance with the responsibilities noted in Kentucky Administrative Regulations.¹

WALKTHROUGH AT END OF RUN

Bus drivers shall conduct a walkthrough of their buses at the end of each run to ensure that all students have disembarked at their designated stops.

DISCIPLINARY ACTION

Bus drivers who fail to observe/perform their responsibilities shall be subject to appropriate disciplinary action.

DRIVER RIGHTS

Per KRS 158.110, a driver:

1. May refuse to provide further transportation upon written report to Superintendent/designee;
2. May be heard at any disciplinary hearing against a student relating, at least in part, to misconduct that occurred during the operator's transportation of the student:
 - a. A driver's recommendation shall be considered as a factor for interim or final determination of disciplinary action; and
 - b. A driver is permitted, to the extent permitted by law, to receive written notice from the Superintendent/designee of the investigation, disciplinary action imposed, and reasoning in response to reported misconduct; and
3. Shall be provided the opportunity to be heard and to make a recommendation regarding future transportation of the student during any disciplinary hearing relating, at least in part, to misconduct by the student's parent or guardian and the impact upon a student's transportation privileges.

REFERENCES:

¹702 KAR 5:080; 702 KAR 5:150

KRS 158.110

KRS 189.370; KRS 189.375; KRS 189.380; KRS 189.450; KRS 189.540; KRS 189.550
KRS 281A.170 to KRS 281A.175; KRS 281A.205

RELATED POLICY:

09.2261

LEGAL: HB 447 ALLOWS DISTRICTS TO UTILIZE VEHICLES OWNED, LEASED, OR CONTRACTED BY THE DISTRICT THAT WERE DESIGNED AND BUILT BY THE MANUFACTURER FOR PASSENGER TRANSPORTATION OF NINE (9) OR FEWER PASSENGERS, INCLUDING THE DRIVER, FOR TRANSPORTING STUDENTS TO AND FROM SCHOOL AND APPROVED SCHOOL ACTIVITIES UNDER AN ALTERNATIVE TRANSPORTATION PLAN APPROVED BY THE KENTUCKY DEPARTMENT OF EDUCATION AND SETS REQUIREMENTS FOR DRIVERS OF NON-SCHOOL BUS PASSENGER VEHICLES.

FINANCIAL IMPLICATIONS: LESS COST USING A VAN THAN A TRADITIONAL SCHOOL BUS

TRANSPORTATION

06.31

Bus Scheduling and Routing

RESPONSIBILITY FOR

The Superintendent or designee shall be responsible for scheduling and routing all buses in keeping with applicable statutes and regulations. This shall include a system of notifying parents, pupils, and drivers of bus schedules and routes and, for those schools serving breakfast, arranging bus schedules so that buses arrive in sufficient time to provide breakfast prior to the student attendance day. If the District participates in the Federal School Breakfast Program, the Superintendent may also authorize up to fifteen (15) minutes of the student attendance day to provide the opportunity for children to eat breakfast during instructional time.¹

Buses shall be routed only on roads which are safe for bus travel.

REGULAR ROUTE VEHICLES

~~School buses shall be clearly marked as transporting students and shall undergo a safety inspection no less than once every thirty (30) days. Except in cases of emergencies or for the transportation of students with disabilities, only school buses as defined by applicable statute and administrative regulation shall be used for transporting students to and from school along regular bus routes.~~

Districts may also use vehicles owned, leased, or contracted by the District that were designed and built by the manufacturer for passenger transportation of nine (9) or fewer passengers, including the driver, for transporting students to and from school and approved school activities under an alternative transportation plan approved by the Kentucky Department of Education.²

REFERENCES:

¹KRS 158.070

²-KRS 156.153

KRS 158.110 702 KAR 5:030

RELATED POLICY:

08.31

LEGAL: HB 446 AMENDS KRS 158.110 TO REQUIRE DEVELOPMENT OF A DISTRICT TRANSPORTATION SERVICES POLICY BASED ON THE STATEWIDE TRANSPORTATION SERVICES POLICY GUIDELINES INCLUDING THE STANDARD FOR STUDENT BEHAVIOR, REPORTING, AND PROTECTION FROM RETALIATION ON SCHOOL-SPONSORED TRANSPORTATION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

TRANSPORTATION

06.33

Regular Bus Stops

DISCHARGE OF PUPILS

The bus driver shall discharge pupils at their regularly scheduled stops only, except with written authorization from the Principal/designee to discharge a pupil at another location.¹ Preschool students shall be transported in accordance with applicable regulations.²

The Principal/designee shall have a written authorization from a child's parents before permitting discharge at a location other than the regular stop.

EXCEPTION

The driver may discharge a pupil for disciplinary reasons in accordance with [Policyies 06.34 and 09.2261](#) of this manual and with 702 KAR 5:080.¹

REFERENCES:

¹702 KAR 5:080

²702 KAR 5:150

KRS 158.110

KRS 189.370

KRS 189.375

KRS 189.540

RELATED POLICIES:

[06.34; 09.2261](#)

LEGAL: HB 446 AMENDS KRS 158.110 TO REQUIRE DEVELOPMENT OF A DISTRICT TRANSPORTATION SERVICES POLICY BASED ON THE STATEWIDE TRANSPORTATION SERVICES POLICY GUIDELINES INCLUDING DRIVER RIGHTS AND THE STANDARD FOR STUDENT BEHAVIOR, REPORTING, AND PROTECTION FROM RETALIATION ON SCHOOL-SPONSORED TRANSPORTATION. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

TRANSPORTATION

06.34

Conduct on Bus

PRINCIPAL AUTHORITY

Consistent with the District Code of Acceptable Behavior and Discipline, the Principal/designee has authority to discipline pupils who ride school buses.

REPORTING OF VIOLATIONS

Bus drivers shall promptly report any violation of District policy or school rules to the Principal. Drivers may file a written or electronic complaint or report of student misconduct (06.34 AP.2) including a recommendation to revoke transportation privileges. Drivers may be heard at any disciplinary hearing relating, at least in part, to misconduct that occurred during the operator's transportation of the student.

DISCHARGE OF PUPILS FROM BUS

Drivers are in charge of their buses, and their first responsibility shall be to the safe transportation of their passengers. In the event that one or more pupils are behaving in a threatening or violent manner or in such a way as to endanger the safety of other pupils on the bus, the driver shall stop the bus and contact the bus garage or Superintendent's designee to send someone to pick up the student or, if the behavior warrants, the driver shall call law enforcement. If calls for assistance are unsuccessful, the driver is authorized to order the offending student from the bus if the student is in the sixth (6th) grade or above. In the event a pupil is discharged for disciplinary reasons, the driver shall remain at that location with the discharged student until someone in authority arrives to assume responsibility of the student. The driver shall immediately notify the transportation office of the situation and ask them to notify law enforcement, the Principal of the school where the pupil attends, and the student's parent or legal guardian. Drivers shall only discharge students in compliance with Policy 09.2261.

WITHHOLDING OF RIDING PRIVILEGES

The Principal or Superintendent's designee is authorized to withhold busriding privileges up to a maximum of ten (10) school days per occurrence in the case of habitual or serious conduct violations. The Principal shall notify the parents in cases where busriding privileges have been withheld. Drivers may, upon filing a written report to the Superintendent/designee, refuse future transportation to students in violation of the Code of Acceptable Behavior and Discipline until an interim or final determination of disciplinary action has been made.

The Superintendent or the Superintendent's designee may withhold busriding privileges up to the remainder of the school year.

RESTITUTION OF DAMAGES

The parents or guardians may be held responsible for restitution of any damages, beyond normal usage, inflicted by their child.

STUDENTS WITH SPECIAL NEEDS

Students with special needs who exhibit inappropriate conduct shall be managed in accordance with their Individual Education Plan (IEP) and/or 504 Plan and the legal obligations and standards adopted by the Board.²

TRANSPORTATION

06.34
(CONTINUED)

Conduct on Bus

REFERENCES:

¹KRS 158.150; 702 KAR 5:030; 702 KAR 5:080

²20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA); Section 504 of Rehabilitation Act of 1973

KRS 158.110; KRS 160.705; 702 KAR 5:100

RELATED POLICIES:

06.22; 09.226; 09.2261; 09.425; 09.434; 09.438

RELATED PROCEDURE:

06.34 AP.2

RECOMMENDED: THE 2023 LEGISLATIVE OVERSIGHT AND INVESTIGATIONS COMMITTEE MADE RECOMMENDATIONS INDICATING THAT KDE SHOULD REVISE MODEL POLICY 08.23 TO INCLUDE THE FULL PROCESS FOR THE "HARMFUL TO MINORS" COMPLAINT RESOLUTION PROCESS OUTLINED IN KRS 158.192, BY INCLUDING THE PROVISION THAT PARENTS CAN REQUEST THAT THEIR CHILD NOT HAVE ACCESS TO A MATERIAL RETAINED FOLLOWING APPEAL TO LOCAL SCHOOL BOARDS. KSBA, IN COLLABORATION WITH KDE, HAS REVISED THIS POLICY.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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.

A parent or guardian may request in writing to the school, after final disposition is determined by the Board, that the school shall ensure his or her student does not have access to the material, program, or event that the parent or guardian believes to be harmful to minors but was allowed to remain or be eligible for future participation.

The school shall ensure that the student whose parent or guardian has made a request does not have access to the material or is not allowed to participate in the program or event that the parent or guardian believes to be harmful to minors.

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.

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.

“Harmful to Minors” Complaint Resolution Process

REFERENCES:

KRS 158.192

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

RELATED POLICIES:

03.16; 03.162; 03.1621; 03.26; 03.262; 03.2621

08.2322; 09.4281; 09.42811; 09.428111; 10.2

LEGAL: HB 471 AMENDS KRS 159.075 TO ALLOW THE USE OF MILITARY ORDERS AS PROOF OF RESIDENCY FOR ENROLLMENT OR COURSE REGISTRATION IN A SCHOOL AND PROHIBIT IN-PERSON ENROLLMENT OR COURSE REGISTRATION WHEN PREVENTED DUE TO OFFICIAL MILITARY DUTIES.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.126

Students of Military Families

The following are key provisions that apply to students from military families that are based on the compact agreed upon by states belonging to the Interstate Commission on Educational Opportunity for Military Children:

ENROLLMENT

A child of a military family may pre-enroll or participate in pre-admission in the District if the parent or guardian of the child:

- a) Is transferred to or is pending transfer to a military installation or to a reserve component within the state while on active military duty pursuant to an official military order.
- b) Is returning to the state after within one (1) year of being separated from the military with an honorable discharge, discharge under honorable conditions, or a general discharge under honorable conditions.

The District shall accept an application for enrollment and course registration by electronic means for the child, including enrollment in a specific school or program within the District.

The District shall not require the parent or guardian of a child to appear in person for enrollment or course registration, including enrollment in a specific school or program within the District, when the parent/guardian is prevented from doing so due to official military duties.

The parent or guardian of a child of a military family shall provide proof of residence to the District within ten (10) days after the arrival date provided on official documentation. The parent or guardian may use, as proof of residence, **military orders, or** the address of:

1. A temporary on-post billeting facility;
2. A purchased or leased home or apartment;
3. Any federal government housing or off-post military housing, including off-post military housing that may be provided through a public-private venture; or
4. A home under contract to be built.

Until actual attendance or enrollment in the District, the child of a military family shall not:

1. Count for the purposes of average daily attendance; or
2. Be included in the state assessment and system.

To accommodate for temporary housing, if a child utilizes this section to enroll in the District, but the residence identified above has not yet become available, then the District shall allow the child to enroll and begin attending the District regardless of the child's temporary residence and subsequently be included in the District's calculation of average daily attendance under KRS 157.320, for a period of up to one (1) year from the parent's or guardian's reporting for duty date or separation date before being considered a resident of another District.¹

Students of Military Families

ENROLLMENT (CONTINUED)

Students from a household of an active duty service member who are moving into the District shall be enrolled and appropriately placed as quickly as possible based on information provided in the student's unofficial records pending validation by the official record that the District shall request from the sending school.

Special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent. A transitioning child of a military family who is placed in the care of a non-custodial parent or other person standing in loco parentis and living in a jurisdiction other than that of the custodial parent may continue to attend the school in which s/he was enrolled while residing with the custodial parent.

TUITION

Tuition shall not be charged for a transitioning child of a military family who is placed in the care of a non-custodial parent or other person standing in loco parentis and living in the jurisdiction other than that of the custodial parent.

IMMUNIZATION REQUIREMENTS

Students from military families shall have thirty (30) days from the date of enrollment to obtain required immunizations or additional time as may be determined by the Interstate Commission Compact rules.

PLACEMENT

Kindergarten and first grade students from a household of an active duty service member moving into the District from an accredited school in another state shall be allowed to continue placement at their current grade level, regardless of age.

Decisions about placement of students from military families in educational programs shall be based on current educational assessments conducted at the sending school or participation/placement in like programs in the sending state. Such programs include, but are not limited to the following programs:

1. Gifted and talented; and
2. English as a second language (ESL).

This shall not preclude the District/school from performing subsequent evaluations to ensure appropriate placement of a student.

SPECIAL EDUCATION SERVICES

The District shall initially provide comparable services to a student with disabilities based on his or her current Individualized Education Program (IEP).

The District shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing Section 504 (Title II) Plan*, to provide the student with equal access to education. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

* In Kentucky, a student Title II Plan is the same as a Section 504 Plan.

Students of Military Families

DEPLOYMENT-RELATED ABSENCES

Students whose parent or legal guardian is an active member of the uniformed services, as defined by this compact, and has been called to active duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the Superintendent to visit with their parent or legal guardian relative to such leave or deployment.

EXTRACURRICULAR PARTICIPATION

The District shall facilitate the opportunity for transitioning children of military families to participate in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

GRADUATION REQUIREMENTS

The District shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another school district or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the District shall provide alternative means of acquiring required coursework so that graduation may occur on time. Otherwise, the District shall ensure receipt of a diploma from the sending school district if the student completed graduation requirements of that district.

Exit exam scores from sending schools shall be accepted in accordance with the Interstate Commission Compact.

CHILDREN OF CIVILIAN MILITARY EMPLOYEES

Children of civilian military employees shall be afforded the same rights as children of military families under KRS 156.730 if the parents are required to move to perform their job responsibilities resulting in the students having to change schools.

REFERENCES:

'KRS 159.075
KRS 156.730; KRS 156.735; KRS 157.320; KRS 158.020
20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)
Section 504 of the Rehabilitation Act; District 504 procedures
Americans with Disabilities Act

RELATED POLICIES:

02.4241; 08.113; 08.131; 08.132; 08.13452; 08.222
09.12; 09.121; 09.123; 09.124; 09.211; 09.3; 09.313

LEGAL: SB 11 AMENDS KRS 610.345 TO REQUIRE NOTICE TO SCHOOLS PRIOR TO FILING OF A PUBLIC OFFENSE PETITION AGAINST A CHILD IN CERTAIN CASES AND ALLOWS THE SUPERINTENDENT TO DESIGNATE AN EMPLOYEE OF THE DISTRICT TO RECEIVE NOTICES AND CARRY OUT THE SUPERINTENDENT'S RESPONSIBILITIES.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.14

Student Records

Data and information about students shall be gathered to provide a sound basis for educational decisions and to enable preparation of necessary reports.

PROCEDURE TO BE ESTABLISHED

The Superintendent shall establish procedures to promote effective notification of parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) and to ensure District compliance with applicable state and federal student record requirements.

DISCLOSURE OF RECORDS

Student records shall be made available for inspection and review to the parent/guardian(s) of a student or to an eligible student on request. Legal separation or divorce alone does not terminate a parent's record access rights. Eligible students are those 18 years of age or older or those duly enrolled in a postsecondary school program. In general, FERPA rights pass to the eligible student upon either of those events. Parents may be provided access to the educational records of an eligible student 18 years old or older if the student is dependent under federal tax laws.¹

Upon written request, parents, guardians, or eligible students may be provided copies of their educational records, including those maintained in electronic format, when necessary to reasonably permit inspection. Such copies shall be provided in a manner that protects the confidentiality of other students. A reasonable fee may be charged for copies of student records.

District personnel must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the District discloses personally identifiable information from education records.

In addition, considering the totality of the circumstances, the District may disclose information from education records to appropriate parties, including parents of eligible students, whose knowledge of the information is necessary to protect the health or safety of a student or another individual, if there is an actual, impending, or imminent articulable and significant threat to the health or safety of a student or other individual. In such instances, the basis for a decision that a health or safety emergency existed shall be recorded in the student's education records.

Authorized District personnel also may disclose personally identifiable information to the following without written parental consent:

- Officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer;
- Authorized representatives of a Kentucky state child welfare agency if such agency presents to the District an official court order placing the student whose records are requested under the care and protection of said agency. The state welfare agency representative receiving such records must be authorized to access the child's case plan.

Student Records

DISCLOSURE OF RECORDS (CONTINUED)

- School officials (such as teachers, instructional aides, administrators, including health or medical staff and law enforcement unit personnel) and other service providers (such as contractors, consultants, and volunteers used by the District to perform institutional services and functions) having a legitimate educational interest in the information.

District and school officials/staff may only access student record information in which they have a legitimate educational interest.

Contractors, consultants, volunteers, and other parties to whom the District has outsourced services or functions may access student records provided they are:

- Under the District's direct control with respect to the use and maintenance of education records; and
- Prohibited from disclosing the information to any other party without the prior written consent of the parent/eligible student, or as otherwise authorized by law.

DISCLOSURE TO REPRESENTATIVES FOR FEDERAL OR STATE PROGRAM PURPOSES

Personally identifiable student information may be released to those other than employees who are designated by the Superintendent in connection with audit, evaluation, enforcement, or compliance activities regarding Federal or State programs. Such designation must be executed in writing with the authorized representative and specify information as required by 34 C.F.R. Part 99.35.

DUTY TO REPORT

If it is determined that the District cannot comply with any part of FERPA or its implementing regulations due to a conflict with state or local law, the District must notify the Family Policy Compliance Office (FPCO) within forty-five (45) days of the determination and provide the text and citation of the conflicting law.

STUDENT DIRECTORY INFORMATION

The Superintendent or the Superintendent's designee is authorized to release Board approved directory information.

Approved "directory information" shall be: student names and addresses, telephone numbers, date and place of birth, major field of study, participation in officially recognized activities and sports, photograph/picture, grade level, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, and most recent educational institution attended by student.

Any eligible student, parent, or guardian who does not wish to have directory information released shall notify the Superintendent in writing within thirty (30) calendar days after receiving notification of FERPA rights.

Information about the living situation of a student designated as homeless is not to be treated as directory information and is not to be disclosed unless prior written consent is given or unless the information meets one of FERPA's exceptions to required consent. The living situation is not considered directory information.

The District allows for disclosure of directory information only to specific parties for specific purposes. Such limitations are specified in the student directory information notification.

Student Records

STUDENT DIRECTORY INFORMATION (CONTINUED)

Unless the parent/guardian or student who has reached age 18 requests in writing that the District not release such information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters and institutions of higher education upon their request.

SURVEYS OF PROTECTED INFORMATION

The District shall provide direct notice to parents/guardian to obtain prior written consent for their minor child(ren) to participate in any protected information survey, analysis, or evaluation, if the survey is funded in whole or in part by a program of the U.S. Department of Education.

Parents/eligible students also shall be notified of and given opportunity to opt their child(ren) out of participation in the following activities:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Parents/eligible students may inspect, upon written request and prior to administration or use, materials or instruments used for the collection, disclosure, or use of protected information.

PPRA requirements do not apply to evaluations administered to students in accordance with the Individuals with Disabilities Education Act (IDEA).

STUDENTS WITH DISABILITIES

The District's special education policy and procedures manual shall include information concerning records of students with disabilities.

RECORDS RELEASE TO JUVENILE JUSTICE SYSTEM

Once a complaint is filed with a court-designated worker alleging that a child has committed a status offense or public offense, schools shall provide all records specifically requested in writing, and pertaining to that child to any agency that is listed as part of Kentucky's juvenile justice system in KRS 17.125 if the purpose of the release is to provide the juvenile justice system with the ability to effectively serve, prior to adjudication, the needs of the student whose records are sought. The authorities to which the data are released shall certify that any educational records obtained pursuant to this section shall only be released to persons authorized by statute and shall not be released to any other person without the written consent of the parent of the child. The request, certification, and a record of the release shall be maintained in the student's file.

Student Records

JUVENILE COURT RECORDS

Records or information received on youthful or violent offenders shall not be disclosed except as permitted by law. When such information is received, the Superintendent shall notify the Principal of the school in which the child is enrolled. The Superintendent may designate an employee of the District to receive notices and carry out the Superintendent's responsibilities. The Superintendent/designee shall provide the clerk and the court-designated worker with notice of any designation and the name and contact information for the Superintendent's designee. The Principal shall then release the information as permitted by law. Only the Superintendent/designee and school administrative, transportation, and counseling personnel or teachers or other school employees with whom the student may come in contact, shall be privy to this information, which shall be kept in a locked file when not in use and opened only with permission of the administrator. Notification in writing of the nature of offenses committed by the student and any probation requirements shall not become a part of the child's student record. If the petition is dismissed or informally adjusted, the clerk shall notify the Superintendent or the Principal of the disposition, and all records of the incident or notification created in the District or the school shall be destroyed and shall not be included in the child's school records. For purposes of destruction, education records created by the school shall not be destroyed. The District or school may request a statement of facts from the county attorney in a juvenile case.²

RECORDS OF MISSING CHILDREN

Upon notification by the Commissioner of Education of a child's disappearance, the District in which the child is currently or was previously enrolled shall flag the record of such child in a manner that whenever a copy of or information regarding the child's record is requested, the District shall be alerted to the fact that the record is that of a missing child. Instead of forwarding the records of a child who has been reported as missing to the agency, institution, or individual making the request, the District shall notify the Justice Cabinet.

COURT ORDER/SUBPOENA

Prior to complying with a lawfully issued court order or subpoena requiring disclosure of personally identifiable student information, school authorities shall make a documented effort to notify the parent or eligible student. In compliance with FERPA, notice to the parent is not required when a court order directs that disclosure be made without notification of the student or parent, or when the order is issued in the context of a dependency, neglect, or abuse proceeding in which the parent is a party. If the District receives such orders, the matter(s) may be referred to local counsel for advice.

Student Records

REFERENCES:

¹Section 152 of the Internal Revenue Code of 1986
²KRS 158.153; KRS 610.320; KRS 610.340; KRS 610.345; [KRS 635.010](#)
KRS 7.110; KRS 15A.067; KRS 17.125; KRS 158.032; KRS 159.160; KRS 159.250
KRS 160.990; KRS 161.200; KRS 161.210
KRS 365.732; KRS 365.734; KRS 600.070
702 KAR 1:140; 702 KAR 3:220; 20 U.S.C. 1232g et seq., 34 C.F.R. 99.1 99.67
20 U.S.C. 1232h (Protection of Pupil Rights Amendment); 34 C.F.R. 98
OAG 8033; OAG 85130; OAG 85140; OAG 862; OAG 9335
Kentucky Family Educational Rights and Privacy Act (KRS 160.700, KRS 160.705
KRS 160.710; KRS 160.715; KRS 160.720; KRS 160.725; KRS 160.730)
20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)
Kentucky Education Technology System (KETS)
P. L. 114-95, (Every Student Succeeds Act of 2015)
42 U.S.C. 11431 et seq. (McKinney-Vento Act)

RELATED POLICIES:

09.111; 09.12311; 09.43

LEGAL: SB 2 CREATES AMENDS KRS 158.4451 TO REQUIRE DISTRICTS TO PROVIDE AN ANONYMOUS REPORTING TOOL THAT ALLOWS STUDENTS, PARENTS, AND COMMUNITY MEMBERS TO ANONYMOUSLY SUPPLY INFORMATION CONCERNING UNSAFE, POTENTIALLY HARMFUL, DANGEROUS, VIOLENT, OR CRIMINAL ACTIVITIES, OR THE THREAT OF THESE ACTIVITIES, TO APPROPRIATE PUBLIC SAFETY AGENCIES AND SCHOOL OFFICIALS.

FINANCIAL IMPLICATIONS: COST OF OBTAINING ANONYMOUS REPORTING TOOL AND PROVIDING TRAINING ON THE USE OF SUCH

LEGAL: SB 2 ALSO AMENDS KRS 156.095 AND THE REQUIREMENTS FOR EVIDENCE-BASED SUICIDE PREVENTION TRAINING FOR BOTH STUDENTS AND STAFF.

FINANCIAL IMPLICATIONS: TIME SPENT ON AND COST OF PROVIDING TRAINING

STUDENTS

09.22

Student Health and Safety

PRIORITY

Student health, welfare and safety shall receive priority consideration by the Board.

Rules and regulations on health and safety promulgated by the Kentucky Board of Education under Kentucky statute and by local and state boards of health relating to student safety and sanitary conditions shall be implemented in each school.

HEALTH SERVICES TO BE PROVIDED

In keeping with applicable legal requirements, only licensed medical professionals or school employees who have been appropriately trained and authorized to do so shall provide health services to students.

Employees to whom health service responsibilities have been delegated must be approved in writing by the delegating physician or nurse. The approval form shall state the employee consents to perform the health service when the employee does not have the administration of health services in his/her contract or job description as a job responsibility, possesses sufficient training and skills, and has demonstrated competency to safely and effectively perform the health service. The approval form shall be maintained as required by law. Delegation of health service responsibilities shall be valid only for the current school year.¹

If the delegation involves administration of medication, the District will maintain proof that the employee has completed the required training provided by the Kentucky Department of Education (KDE) or as allowed under KRS 158.838.

Employees to whom health service responsibilities have been delegated shall notify their immediate supervisor by April 15 of each year if they are not willing to perform the service(s) during the next school year.

SAFETY PROCEDURES

All pupils shall receive annual instruction in school bus safety.

The Superintendent shall develop procedures designed to promote the safety of all students. Said procedures shall specify specific responsibilities for line positions having responsibility for student supervision.

ANONYMOUS REPORTING TOOL

The District shall provide an anonymous reporting tool that allows students, parents, and community members to anonymously supply information concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials.

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Student Health and Safety

ANONYMOUS REPORTING TOOL (CONTINUED)

The District may use the Kentucky Office of Homeland Security’s anonymous reporting tool or provide an alternative anonymous reporting tool that meets the same requirements and shall develop and provide a comprehensive training and awareness program on the use of the chosen anonymous reporting tool.⁵

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STUDENT IDENTIFICATION BADGES

Any student identification badge issued to a student in grades six (6) through twelve (12) by a school in the District shall contain the contact information for:

- a) A national domestic violence hotline;
- b) A national sexual assault hotline; and
- c) A national suicide prevention hotline.⁴

SUICIDE PREVENTION STAFF TRAINING

All employees with job duties requiring direct contact with students in grades four (4) through twelve (12) shall each school year complete a minimum one (1) hour of high-quality evidence-based suicide prevention training, including risk factors, warning signs, protective factors, response procedures, referral, postvention, and the recognition of signs and symptoms of possible mental illness. The training shall be in-person, by live streaming, or via video recording and may be included in the four (4) days of professional development required by statute. The District shall provide suicide prevention materials for review by any employee subject to training hired during a year in which the in-person, live streaming, or video recording training is not required.^{2 & 3}

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SUICIDE PREVENTION STUDENT LESSONS

Each public school shall provide two (2) evidence-based suicide prevention awareness lessons each school year, the first by September 15 and the second by January 15, either in person, by live streaming, or via a video recording to students in grades six (6) through twelve (12). The school shall provide an opportunity for any student absent on the day the evidence-based suicide prevention awareness lesson was initially presented to receive the lesson at a later time. The information may be obtained from the Cabinet for Health and Family Services or a commercially developed suicide prevention training program.²

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SEIZURE DISORDER MATERIALS

All principals, guidance counselors, and teachers shall complete at least one (1) hour of self-study review of seizure disorder materials no later than July 1, 2019. This shall also be required for all principals, guidance counselors, and teachers hired after July 1, 2019.³

STUDENTS

09.22
(CONTINUED)

Student Health and Safety

REFERENCES:

¹KRS 156.501; KRS 156.502; 702 KAR 1:160

²KRS 156.095

³KRS 158.070

⁴KRS 158.038

⁵KRS 158.4451

KRS 156.160

KRS 158.836; KRS 158.838

702 KAR 5:030

RELATED POLICY:

09.2241

LEGAL: HB 5 AMENDS KRS 158.155 TO REQUIRE SCHOOL EMPLOYEES TO REPORT CERTAIN ENUMERATED CRIMES TO LAW ENFORCEMENT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.2211

Employee Reports of Criminal Activity

To promote the safety and well-being of students, the District requires employees to make reports required by state law in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

KRS 158.154

When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this section, "school property" means any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the Principal.

KRS 158.155

~~Any school employee who knows or has reasonable cause to believe that a person has made threats or plans of violence which are intended to target a school or students or who knows that a firearm is present on school property in violation of KRS 527.070 shall immediately cause a report to be made to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police.~~

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~~Any school employee shall immediately report to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police any act which the employee has a reasonable cause to believe has occurred on school property or at a school-sponsored or sanctioned event involving:~~

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- a. ~~Assault resulting in serious injury;~~
- b. ~~A sexual offense;~~
- c. ~~Kidnapping;~~
- d. ~~Assault with the use of a weapon;~~
- e. ~~Possession of a firearm or deadly weapon in violation of the law;~~
- f. ~~The use, possession, or sale of a controlled substance in violation of the law; or~~
- g. ~~Damage to property.~~

~~Any school employee who receives information from a student or other person of conduct which is required to be reported shall report the conduct to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police.~~

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Deleted: An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise, if:
The person knows or has reasonable cause to believe that conduct has occurred which constitutes:

Employee Reports of Criminal Activity**KRS 158.156**

Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim. The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The Principal shall file a written report with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight (48) hours of the original report.

KRS 209A.100

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.

KRS 209A.110

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

KRS 620.030

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused, or is a victim of human trafficking, or is a victim of female genital mutilation, shall immediately cause an oral or written report to be made to a local law enforcement agency or the Department of Kentucky State Police; the cabinet or its designated representative; the Commonwealth's Attorney or the County Attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.

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Carrying, possession, or use of a deadly weapon, or¶
Use, possession, or sale of controlled substances, or¶
Any felony offense under the laws of this Commonwealth, and¶
The conduct occurred on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.¶