

Public Participation in Open Meetings**PUBLIC ATTENDANCE**

The public and the news media are permitted to attend all open meetings of the Board. No person may be required to identify himself in order to attend any such meeting.¹

EXCEPTION

The chairman may impose conditions upon attendance at a given meeting only if such conditions are required for the maintenance of order.¹

PUBLIC COMMENT PERIOD

Each regular meeting shall include a public comment period of at least fifteen (15) minutes. Any Board rules and policies regarding conduct during school board meetings shall apply during the public comment period.²

Persons wishing to address the Board must first be recognized by the chairman.

SPEAKERS

The chairman may require the name and address of the speaker. The chairman may rule on the relevance of the topic to the Board's agenda. The chairman may also establish time limits for speakers as may be required to maintain order and to ensure the expedient conduct of the Board's business.

REFERENCE:

¹[KRS 61.840](#)

²[KRS 160.270](#)

Ison v. Madison Local School District BoE, 3 F.4th 887, (6th Cir., 2021)

RELATED POLICIES:

01.42; 01.45; 10.2

Adopted/Amended: 6/24/2024

Order #:

OLDHAM COUNTY BOARD OF EDUCATION

CONCERN

Consider Monthly Public Expression

DISCUSSION

1020.06 Public Participation in Open Meetings

1. PUBLIC ATTENDANCE

The public and the news media are permitted to attend all open meetings of the Board. No person may be required to give identification in order to attend any such meeting.¹

2. EXCEPTION

The chairperson may impose conditions upon attendance at a given meeting only if such conditions are required for the maintenance of order.¹

The Board as a whole shall have the final decision as to the appropriateness of all rulings.

3. PUBLIC COMMENT PERIOD

Each regular meeting shall include a public comment period of at least fifteen (15) minutes. Any Board rules and policies regarding conduct during school board meetings shall apply during the public comment period.²

Individuals or groups should contact the Office of the Superintendent prior to the next scheduled meeting in order to be considered for inclusion on the agenda.

Persons wishing to address the Board must first be recognized by the chairperson. Persons who wish to address an agenda item should seek recognition at the time the Board considers that particular item.

Persons who wish to address the Board on a non-agenda concern are asked to seek recognition from the Chairperson at the "Presentation" item on the agenda.

4. SPEAKERS

The chairperson may require the name and address of the speaker. The chairperson may rule on the relevance of the topic to the Board's agenda. The chairperson may also establish time limits for speakers as may be required to maintain order and to ensure the expedient conduct of the Board's business.

The Board as a whole shall have the final decision as to the appropriateness of all rulings.

5. NON-AGENDA ISSUES

The Board will not take official action on non-agenda issues introduced by the public in the meeting at which they are first introduced.

RECOMMENDATION

Conduct public expression.

Organizational Meetings

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

The first meeting in January shall be an organizational meeting for the purpose of electing a chairman and vice-chairman.

TERM OF OFFICE FOR CHAIRMAN AND VICE-CHAIRMAN

The Chairman and Vice-Chairman shall serve one (1)-year terms beginning immediately following their election.

REFERENCE:

[KRS 160.160](#)

Adopted/Amended: 6/24/2024

Order #:

School Board Policies

DISSEMINATION

Distribution of the Policy Manual makes it readily accessible to staff, students, Board members and the public. When feasible school Board policy will be disseminated during staff/student meetings.

Each site administrator shall notify employees and/or students under his/her supervision, either orally or in writing, when the Board makes a policy change that applies to them. In addition, the Superintendent shall designate an employee or committee to review related documents such as, but not limited to, the student code of conduct and employee/student handbooks to assure consistency with Board policies that are new or that have been revised.

MAINTENANCE

The Superintendent’s designee shall maintain a list of numbered hard copies of the Policy Manual and shall distribute manuals and revised policies accordingly.

The Policy Manual will be kept current by periodic revision. It shall be the responsibility of the Superintendent’s designee to see that copies of new and revised policies as approved by the Board are placed in proper sequence in the manuals. This shall be accomplished using one (1) of the following methods:

- The Superintendent/designee shall direct that all Policy Manuals be returned to the Central Office where updated pages will be inserted and outdated pages removed before the manual is returned to the designated holder.
- Following Board adoption of policy changes, the Superintendent/designee shall forward to each holder of a manual one (1) set of new/revised pages. The holder of a manual may be requested to return the discarded pages to confirm that the manual has been updated.
- Other (specify): _____

The Update Checklist in each manual shall be marked accordingly when the changes resulting from the KSBA annual policy update have been inserted.

DISTRIBUTION

The Policy Manual was adopted by the Board of Education on _____ order number _____.

Review/Revised:6/24/2024

Records Management

RECORDS OFFICER

The Superintendent shall designate a Records Officer who shall inventory, analyze and schedule disposition of District records, as well as maintain a destruction record, noting the authorization for said destruction and the amount of records to be destroyed. Each year, the Records Officer shall provide a copy of this record to the Board (Superintendent) and to the Director of the Division of Archives and Records.¹

An inventory of all public records kept by the District shall be taken, these records to include those made or received by the District in connection with the transaction of school business. Records shall refer to those documents specified in [KRS 171.410](#) and in the Records Retention Schedule, Public School District.

SUPERINTENDENT'S RESPONSIBILITIES

Pursuant to statutory requirements, the Superintendent shall establish procedures to safeguard against the unlawful destruction, removal or loss of records.² The Superintendent shall notify the Department of Libraries and Archives of any actual, impending or threatened unlawful disposition of records and shall initiate action through the Attorney General for recovery of such records.³

RETENTION AND DISPOSAL OF RECORDS

The District shall follow the Records Retention Schedule, Public School District in its management of school records. If a record in question is not listed in this schedule, a written request for disposal of records must be submitted by the Superintendent to the Division of Archives and Records and the request must be approved in writing by the State Librarian.⁴

For record and archival purposes, the Superintendent shall place on permanent file one (1) copy of each Board policy that is rescinded or amended in any manner.

When there is a question whether a particular record or group of records should be destroyed, the state archives and records commission shall have exclusive authority to make this decision.⁵

LITIGATION

After consultation with the Board Attorney as deemed appropriate, the Superintendent should direct that records relevant to pending or threatened litigation, administrative proceedings, or investigations shall not be destroyed even if the retention period for such records has passed.

INFORMATION SECURITY BREACH

Information security breaches shall be handled in accordance with [KRS 61.931](#), [KRS 61.932](#), and [KRS 61.933](#) including, but not limited to, investigations and notifications.

Within seventy-two (72) hours of the discovery or notification of a security breach, the District shall notify the Commissioner of the Kentucky State Police, the Auditor of Public Accounts, the Attorney General, and the Education Commissioner.

The District shall acknowledge to the Board in a public meeting prior to August 31 of each year, that the District has reviewed the Data Security and Breach Notification Best Practice Guide and implemented best practices that meet the needs of personal information reasonable security in the District.

Records Management**RETENTION OF RECORDINGS**

School officials shall retain any digital, video, or audio recording according to the following:

- Retain for a minimum period of one (1) week a master copy of any digital, video, or audio recordings of school activities without editing, altering, or destroying any portion of the recordings, although secondary copies of the master copy may be edited; and
- Retain for a minimum of one (1) month in an appropriate format, a master copy of any digital, video, or audio recordings of activities that include, or allegedly include, injury to students or school employees without editing, altering, or destroying any portion of the recordings.⁶

If an incident is being investigated, retain recordings until investigation and legal activity are completed.

REFERENCES:

¹[725 KAR 001:010](#)

²[KRS 171.710](#)

³[KRS 171.720](#)

⁴[725 KAR 001:030](#); [KRS 171.420](#); [KRS 171.570](#)

⁵[KRS 171.670](#); [KRS 171.410](#); [KRS 171.660](#); [725 KAR 001:020](#)

⁶[KRS 160.705](#)

[KRS 61.931](#); [KRS 61.932](#); [KRS 61.933](#)

[725 KAR 001:025](#); [702 KAR 001:170](#)

[Records Retention Schedule, Public School District](#)

[Data Security and Breach Notification Best Practice Guide](#)

RELATED POLICIES:

01.5; 04.41; 04.81

Adopted/Amended: 6/24/2024

Order #:

Board Member Expense Reimbursement**PER DIEM**

Board members shall receive a per diem of one-hundred-fifty dollars (\$150) for each day a regular or special Board meeting is attended or for each day a training session required by law is attended, not to exceed \$6,000 per calendar year per member.

IN-DISTRICT EXPENSES

Members shall be reimbursed for actual and necessary expenses incurred within the District while attending to Board business, not to exceed \$6,000 per calendar year per member.

Actual mileage shall be reimbursed at the same rate as that for employees of the District.

Meals incurred inside the District shall not be reimbursed, except for banquets that members attend representing the District.

DEDUCTIONS

At the request of a Board member, deductions from per diem and expense reimbursement may be made for, but not be limited to, membership dues that provide a reasonable business benefit, health insurance purchases, scholarship funds, and contributions to a political action committee.

OUT-OF-DISTRICT TRAVEL

Members of the Board shall be reimbursed for actual and necessary expenditures incurred outside the District. Board members shall obtain Board approval prior to incurring out-of-district expenses. Reimbursement shall be at the same rates and allowable time frames as that for employees of the District and be documented by receipts. Advancements for anticipated expenses shall not be made.

Expenses for personal entertainment shall not be reimbursed.

Expenses not in compliance with this policy shall not be reimbursed or paid by the Board.

CREDIT CARDS

Board members shall not be issued District credit cards.

SPOUSE'S TRAVEL

All travel expenses of spouses shall be paid by the Board member at the time the expense is incurred. There shall be no reimbursement of such expenditures.

REFERENCES:

[KRS 160.280](#); [KRS 161.158](#)
[OAG 76-329](#); [OAG 80-395](#); [OAG 85-53](#); [OAG 92-136](#)

RELATED POLICIES:

01.4; 03.125; 03.225

Adopted/Amended: 6/24/2024

Order #:

School Resource Officers (SROs)

DEFINITION

"School Resource Officer" SRO means an officer whose primary job function is to work with youth at a school site who has specialized training to work with youth at a school site and is:

- (a)
 1. A sworn law enforcement officer certified under [KRS 15.380](#) to [KRS 15.404](#); or
 2. A special law enforcement officer appointed pursuant to [KRS 61.902](#) and certified under [KRS 15.380](#) to [KRS 15.404](#); or
 3. A police officer appointed as a certified SRO; and
- (b) Employed:
 1. Through a contract between a local law enforcement agency and a school district;
 2. Through a contract as secondary employment for an officer, as defined in [KRS 16.010](#), between the Department of Kentucky State Police and a school district; or
 3. Directly by a local Board of Education.¹

PURPOSE

The purpose of the SRO program is to: promote and foster a safe environment in schools, at school-sponsored events, and on school transportation; provide a law enforcement presence on school property and at school-sponsored events; enhance educational programs relating to safety and positive behaviors; and provide a liaison to community and law enforcement agencies. The purpose of the program is not to enforce or administer matters of school discipline and student conduct which are the responsibility of other District or school personnel.

ROLES AND EXPECTATIONS

- An SRO will have such training, certification, and commission as is required by provisions of KRS Chapters 15, 61, and 158. Per [KRS 158.4414](#), an SRO who fails to successfully and timely complete SRO training requirements shall lose his/her SRO certification and shall no longer serve in the capacity of an SRO in a school. An SRO is also expected to obtain training on the use of physical restraint and seclusion as required of all school personnel except additional training applicable to “core team” school personnel designated to respond to dangerous behavior.²
- An SRO is vested with law enforcement jurisdiction and authority as described in [KRS 61.902](#) to [KRS 61.930](#) and other applicable law, including, but not limited to, investigating and responding to possible criminal offenses and to health or safety threats to students or school personnel.
- As authorized under the Family Educational Rights and Privacy Act (“FERPA”), SROs are designated as the District’s “law enforcement unit” possessing the law enforcement authority and exercising safety and security functions described in state law and referenced above. Records created and maintained by an SRO for a law enforcement purpose do not constitute education records under FERPA.³ District staff other than law enforcement personnel are not responsible for the creation of law enforcement records and are expected to observe restrictions on access to such records. An SRO is expected to provide guidance and insight to District officials and staff on such restrictions.

School Resource Officers (SROs)

NATURE OF EMPLOYMENT

An SRO who is directly employed by the District is a classified employee. An SRO is therefore generally covered by District classified employee policies, including, but not limited to, policies regarding terms and conditions of employment; fringe benefits; employee discipline; and reductions in force.⁴ However, as applied to an SRO, such general District classified employee policies may be subject to the terms of his/her contract with the District; his/her job description; and his/her authority to carry out certain law enforcement functions as permitted by law, including, but not limited to, statutory provisions permitting officers to carry and use weapons.⁵

ASSIGNMENT

The Board shall ensure, for each campus in the District, that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus. If sufficient funds and qualified personnel are not available for this purpose for every campus, the Board shall fulfill the requirements on a per campus basis, as approved in writing by the State School Security Marshal, until a certified SRO is assigned to and working on-site full-time on each campus in the District.

BOARD MAY AUTHORIZE POLICE DEPARTMENT

[KRS 158.471](#) provides that the Board is authorized to establish a police department for the District, appoint police officers and other employees, prescribe distinctive uniforms for the police officers of the District, and designate and operate emergency vehicles. Police officers appointed shall take an appropriate oath of office in the form and manner consistent with the constitution of Kentucky. Police officers shall be granted with the protections provided in [KRS 15.520](#) and shall be certified in accordance with [KRS 15.380](#).⁷

If the Board establishes a police department, the Superintendent/designee shall develop standard operating procedures governing the department.

TRAINING REQUIREMENTS

SROs with active SRO certification 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. Any SRO who fails to successfully complete training requirements within the specified time periods, including approved extensions, shall lose his/her SRO certification and shall no longer serve in the capacity of an SRO in a school.

FIREARM REQUIREMENT

Each SRO shall be armed with a firearm, notwithstanding any provision of local board policy, local school council policy, or memorandum of agreement.⁶

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 SROs in the District. The report shall include the source of funding and method of employment for each position.

School Resource Officers (SROs)**GUARDIANS**

Beginning with the 2025-2026 school year, the Board, if unable to meet the requirement for each campus in the District, that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus, may in consultation with and approval by the State School Security Marshal, employ one (1) or more Guardians to provide safety and security measures for schools within the District. The use of Guardians shall not be used to replace the certified SRO, but only to provide safety and security resources until a certified SRO is available.

Beginning with the 2025-2026 school year, the Board that has met the requirement for each campus in the District, that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus, may employ one (1) or more Guardians to provide additional school safety and security measures within the District.⁶

REFERENCES:¹[KRS 158.441](#)²[704 KAR 007:160](#)³20 U.S.C. 1232(g)(a)(4)(ii); 34 C.F.R. § 99.8⁴[KRS 161.011](#)⁵[KRS 61.902](#) – [KRS 61.930](#); [KRS 527.020](#); [KRS 527.070](#); [KRS 70.290](#)⁶[KRS 158.4414](#)⁷[KRS 158.471](#)[KRS 15.380](#) to [KRS 15.404](#); [KRS 15.520](#)[KRS 158.4415](#); [KRS 158.4431](#)[KRS 158.471](#); [KRS 158.473](#); [KRS 158.475](#); [KRS 158.477](#); [KRS 158.479](#); [KRS 158.481](#)**RELATED POLICIES:**

02.311; 05.48; 09.14; 09.2211; 09.227; 09.422; 09.425; 09.4361

Adopted/Amended: 6/24/2024

Order #:

School Resource Officers (SROs)

DEFINITION

"School Resource Officer" SRO means an officer whose primary job function is to work with youth at a school site who has specialized training to work with youth at a school site and is:

- (a)
 1. A sworn law enforcement officer certified under KRS 15.380 to KRS 15.404; or
 2. A special law enforcement officer appointed pursuant to KRS 61.902 and certified under KRS 15.380 to KRS 15.404; or
 3. A police officer appointed as a certified SRO; and
- (b) Employed:
 1. Through a contract between a local law enforcement agency and a school district;
 2. Through a contract as secondary employment for an officer, as defined in KRS 16.010, between the Department of Kentucky State Police and a school district; or
 3. Directly by a local Board of Education.¹

PURPOSE

~~The purpose of the SRO program is to: promote and foster a safe environment in schools, at school-sponsored events, and on school transportation; provide a law enforcement presence on school property and at school-sponsored events; enhance educational programs relating to safety and positive behaviors; and provide a liaison to community and law enforcement agencies. The purpose of the program is not to enforce or administer matters of school discipline and student conduct which are the responsibility of other District or school personnel.~~

ROLES AND EXPECTATIONS

- ~~• An SRO will have such training, certification, and commission as is required by provisions of KRS Chapters 15, 61, and 158. Per KRS 158.4414, an SRO who fails to successfully and timely complete SRO training requirements shall lose his/her SRO certification and shall no longer serve in the capacity of an SRO in a school. An SRO is also expected to obtain training on the use of physical restraint and seclusion as required of all school personnel except additional training applicable to "core team" school personnel designated to respond to dangerous behavior.²~~
- ~~• An SRO is vested with law enforcement jurisdiction and authority as described in KRS 61.902 to KRS 61.930 and other applicable law, including, but not limited to, investigating and responding to possible criminal offenses and to health or safety threats to students or school personnel.~~
- ~~• As authorized under the Family Educational Rights and Privacy Act ("FERPA"), SROs are designated as the District's "law enforcement unit" possessing the law enforcement authority and exercising safety and security functions described in state law and referenced above. Records created and maintained by an SRO for a law enforcement purpose do not constitute education records under FERPA.³ District staff other than law enforcement personnel are not responsible for the creation of law enforcement records and are expected to observe restrictions on access to such records. An SRO is expected to provide guidance and insight to District officials and staff on such restrictions.~~

School Resource Officers (SROs)

~~NATURE OF EMPLOYMENT~~

~~An SRO who is directly employed by the District is a classified employee. An SRO is therefore generally covered by District classified employee policies, including, but not limited to, policies regarding terms and conditions of employment; fringe benefits; employee discipline; and reductions in force.⁴ However, as applied to an SRO, such general District classified employee policies may be subject to the terms of his/her contract with the District; his/her job description; and his/her authority to carry out certain law enforcement functions as permitted by law, including, but not limited to, statutory provisions permitting officers to carry and use weapons.⁵~~

ASSIGNMENT

The Board shall ensure, for each campus in the District, that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus. If sufficient funds and qualified personnel are not available for this purpose for every campus, the Board shall fulfill the requirements on a per campus basis, as approved in writing by the State School Security Marshal, until a certified SRO is assigned to and working on-site full-time on each campus in the District.

BOARD MAY AUTHORIZE POLICE DEPARTMENT

KRS 158.471 provides that the Board is authorized to establish a police department for the District, appoint police officers and other employees, prescribe distinctive uniforms for the police officers of the District, and designate and operate emergency vehicles. Police officers appointed shall take an appropriate oath of office in the form and manner consistent with the constitution of Kentucky. Police officers shall be granted with the protections provided in KRS 15.520 and shall be certified in accordance with KRS 15.380.⁷

If the Board establishes a police department, the Superintendent/designee shall develop standard operating procedures governing the department.

TRAINING REQUIREMENTS

SROs with active SRO certification 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. Any SRO who fails to successfully complete training requirements within the specified time periods, including approved extensions, shall lose his/her SRO certification and shall no longer serve in the capacity of an SRO in a school.

FIREARM REQUIREMENT

Each SRO shall be armed with a firearm, notwithstanding any provision of local board policy, local school council policy, or memorandum of agreement.⁶

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 SROs in the District. The report shall include the source of funding and method of employment for each position.

School Resource Officers (SROs)**GUARDIANS**

Beginning with the 2025-2026 school year, the Board, if unable to meet the requirement for each campus in the District, that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus, may in consultation with and approval by the State School Security Marshal, employ one (1) or more Guardians to provide safety and security measures for schools within the District. The use of Guardians shall not be used to replace the certified SRO, but only to provide safety and security resources until a certified SRO is available.

Beginning with the 2025-2026 school year, the Board that has met the requirement for each campus in the District, that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus, may employ one (1) or more Guardians to provide additional school safety and security measures within the District.⁶

REFERENCES:¹KRS 158.441²KRS 158.4414³KRS 158.471KRS 15.380 to KRS 15.404; KRS 15.520KRS 61.902; KRS 70.290KRS 158.4415; KRS 158.4431KRS 158.471; KRS 158.473; KRS 158.475; KRS 158.477; KRS 158.479; KRS 158.481~~¹KRS 158.441~~~~²704 KAR 7:160~~~~³20 U.S.C. 1232(g)(a)(4)(ii); 34 C.F.R. § 99.8~~~~⁴KRS 161.011~~~~⁵KRS 61.902; KRS 61.930; KRS 527.020; KRS 527.070; KRS 70.290~~~~⁶KRS 158.4414~~~~⁷KRS 158.471~~~~KRS 15.380 to KRS 15.404; KRS 15.520~~~~KRS 158.4415; KRS 158.4431~~~~KRS 158.471; KRS 158.473; KRS 158.475; KRS 158.477; KRS 158.479; KRS 158.481~~**RELATED POLICIES:**

02.311; 05.48; 09.14; 09.2211; 09.227; 09.422; 09.425; 09.4361

Course of Study

DEVELOPMENT

The Superintendent shall develop and disseminate to the schools a course of study for primary school through twelfth grade that will include minimum statutory and regulatory requirements¹ and additional requirements as specified by the Board.

ASSESSMENT OF STUDENT WORK / NONDISCRIMINATION

Consistent with District policies addressing assessment of student progress and grading as well as council and school policies relating to the determination of curriculum and assignments, instructional staff are expected to issue grades or assessments of student assignments, including in the classroom, based on responsiveness to the assigned task(s), accuracy, and quality of work, utilizing sound pedagogical judgment and providing modifications for students with disabilities as required by law, free from discrimination or penalty based on constitutionally protected expressions of religious or political views in otherwise responsive student submissions.

IMPLEMENTATION

Each teacher shall implement the course of study prescribed for the assigned grade and subject area.²

SBDM SCHOOLS

In schools operating under SBDM, the Superintendent shall determine which curriculum, textbooks, instructional materials, and student support services shall be provided in the school after consulting with the Board, the Principal, and the school council.

SYLLABUS

Teachers at all levels (preschool through adult education) shall develop a syllabus for each course, grade/level or subject (single and/or interdisciplinary area) they teach to communicate to students and parents the following information:

1. Prerequisites for the course
2. Topics to be covered
3. Order of material to be covered
4. Resources to be used
5. Planned testing points
6. Performance standards and expectations

Each year teachers shall distribute a current syllabus to their students and the students' parents/guardians as directed by the Superintendent/designee.

The Principal/designee shall make pertinent student achievement data available to each teacher and, in keeping with policies set by the council, monitor the process of reviewing and updating syllabi in response to such data.

Course of Study

REFERENCES:

¹[704 KAR 003:303](#)

²[KRS 161.170](#)

[KRS 156.160](#)

[KRS 158.100](#); [KRS 158.183](#); [KRS 158.645](#); [KRS 158.6451](#)

[KRS 160.345](#)

[702 KAR 007:125](#); [704 KAR 003:305](#)

Adopted/Amended: 6/24/2024

Order #:

Controversial Issues**JUDGMENT**

Teachers are expected to exercise reasonable and prudent judgment in the selection and use of materials and discussion of issues in their classrooms.

ISSUES

The study of controversial issues shall be objective and scholarly. Issues discussed shall be appropriate for and within the range of knowledge, understanding, age, and maturity of students and shall be current, relevant, and significant to the instructional program.

MATERIALS

All classroom materials shall be current, relevant, and significant to the instructional program. Materials shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students.

NOT DISRUPTIVE

Neither issues nor materials that have a potentially disruptive effect on the educational process shall be discussed or chosen.

CONFERENCE WITH PRINCIPAL

Teachers who suspect that materials or a given issue may be inconsistent with this policy shall confer with the Principal prior to the classroom use of the materials or discussion of the issue. If the Principal is in doubt, he shall confer with the Superintendent.

REFERENCES:

[KRS 158.183](#)

RELATED POLICIES:

08.2322

08.234

Adopted/Amended: 6/24/2024

Order #:

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;
- 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](#).

Human Sexuality**CURRICULUM REQUIREMENTS (CONTINUED)**

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

Adopted/Amended: 6/24/2024
Order #:

Guidance and Mental Health Service Providers

Guidance and counseling services shall be provided for students. Counselors may perform mental health services and provide implementation and training on trauma-informed practices as addressed in law.¹

SERVICES

Services provided by the guidance program shall consist of educational counseling; career and personal counseling; testing, and other services requested by students, parents, or staff.

INDIVIDUAL LEARNING PLANS

In keeping with Kentucky Administrative Regulation, the District shall implement an advising and guidance process to support development and implementation of an Individual Learning Plan (ILP) for each student that includes career development and awareness. The ILP shall specifically address the content as provided in the Kentucky Academic Standards for career studies.

CONFIDENTIAL MATERIAL

All records and counseling information shall be kept in confidence as provided by applicable law.²

SUPERINTENDENT TO REPORT

No later than November 1, 2022, and each subsequent year, the Superintendent shall report to the Kentucky Department of Education the number of school-based mental health service providers, the position held, placement in the District, certification of licensure held, the source of funding for each position, a summary of the job duties and work undertaken by each school-based mental health service provider, and the approximate percent of time devoted to each duty over the course of the year.

REFERENCES:

¹[KRS 158.4416](#)

²KRE 506 (Kentucky Rules of Evidence); [KRS 158.154](#); [KRS 158.155](#); [KRS 158.156](#)
[KRS 61.878](#); [KRS 620.030](#)
[704 KAR 003:303](#); [704 KAR 003:305](#); 704 KAR Chapter 8

RELATED POLICIES:

08.113; 09.14

Adopted/Amended: 6/24/2024
Order #:

Lesson Plans

PREPARATION

Each school shall develop standards for preparation and review of written lesson plans.

AVAILABILITY

Lesson plans shall be available for use by substitute teachers and other personnel.

REFERENCE:

[KRS 160.345](#)

Adopted/Amended: 6/24/2024

Order #:

Access to Electronic Media

(Acceptable Use Policy)

The Board supports reasonable access to various information formats for students, employees and the community and believes 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.

SAFETY PROCEDURES AND GUIDELINES

The Superintendent shall develop and implement appropriate procedures to provide guidance for access to electronic media. Guidelines shall address teacher supervision of student computer use, ethical use of electronic media (including, but not limited to, the Internet, e-mail, and other District technological resources), and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit utilization of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data.

Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Internet safety measures, which shall apply to all District-owned devices with Internet access or personal devices that are permitted to access the District's network, shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet and World Wide Web;
- Safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
- Preventing unauthorized access, including "hacking" and other unlawful activities by minors online;
- Unauthorized disclosure, use and dissemination of personal information regarding minors; and
- Restricting minors' access to materials harmful to them.

A technology protection measure may be disabled by the Board's designee during use by an adult to enable access for bona fide research or other lawful purpose.

The District shall provide reasonable public notice of, and at least one (1) public hearing or meeting to address and communicate its initial Internet safety measures.

Specific expectations for appropriate Internet use shall be reflected in the District's code of acceptable behavior and discipline including appropriate orientation for staff and students.

PERMISSION/AGREEMENT FORM

A written parental request shall be required prior to the student being granted independent access to electronic media involving District technological resources.

Access to Electronic Media

(Acceptable Use Policy)

PERMISSION/AGREEMENT FORM (CONTINUED)

The required permission/agreement form, which shall specify acceptable uses, rules of on-line behavior, access privileges, and penalties for policy/procedural violations, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Superintendent with a written request.

EMPLOYEE USE

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. (Authorization is not required each time the electronic media is accessed in performance of one's duties.) Each employee is responsible for the security of his/her own password.

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

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 blogs and other 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.

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 and activity sponsors to utilize a social networking site for instructional, administrative or other work-related communication purposes, they shall comply with the following:

1. They shall request prior permission from the Superintendent/designee.
2. If permission is granted, staff members will set up the site following any District guidelines developed by the Superintendent's designee.
3. Guidelines may specify whether access to the site must be given to school/District technology staff.
4. 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 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.

Access to Electronic Media

(Acceptable Use Policy)

EMPLOYEE USE (CONTINUED)

5. Once the site has been created, the sponsoring staff member is responsible for the following:
 - a. Monitoring and managing the site to promote safe and acceptable use; and
 - b. Observing confidentiality restrictions concerning release of student information under state and federal law.

Staff members are discouraged from creating personal social networking sites to which they invite students to be friends. Employees taking such action do so at their own risk.

All employees shall be subject to disciplinary action if their conduct relating to use of technology or online resources violates this policy or other applicable policy, statutory or regulatory provisions governing employee conduct. The Professional Code of Ethics for Kentucky School Certified Personnel requires certified staff to protect the health, safety, and emotional well-being of students and confidentiality of student information. Conduct in violation of this Code, including, but not limited to, such conduct relating to the use of technology or online resources, must be reported to Education Professional Standards Board (EPSB) as required by law and may form the basis for disciplinary action up to and including termination.

COMMUNITY USE

On recommendation of the Superintendent/designee, the Board shall determine when and which computer equipment, software, and information access systems will be available to the community.

Upon request to the Principal/designee, community members may have access to the Internet and other electronic information sources and programs available through the District's technology system, provided they attend any required training and abide by the rules of usage established by the Superintendent/designee.

DISREGARD OF RULES

Individuals who refuse to sign required acceptable use documents or who violate District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, or other computing and telecommunications technologies.

Employees and students shall be subject to disciplinary action, up to and including termination (employees) and expulsion (students) for violating this policy and acceptable use rules and regulations established by the school or District.

RESPONSIBILITY FOR DAMAGES

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care. Students or staff members who deface a District web site or otherwise make unauthorized changes to a web site shall be subject to disciplinary action, up to and including expulsion and termination, as appropriate.

Access to Electronic Media

(Acceptable Use Policy)

RESPONDING TO CONCERNS

School officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

AUDIT OF USE

Users with network access shall not utilize District resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system.

The Superintendent/designee shall establish a process to determine whether the District's education technology is being used for purposes prohibited by law or for accessing sexually explicit materials. The process shall include, but not be limited to:

1. Utilizing technology that meets requirements of Kentucky Administrative Regulations and that blocks or filters internet access for both minors and adults to certain visual depictions that are obscene, child pornography, or, with respect to computers with Internet access by minors, harmful to minors;
2. Maintaining and securing a usage log; and
3. Monitoring online activities of minors.

RETENTION OF RECORDS FOR E-RATE PARTICIPANTS

Following initial adoption, this policy and documentation of implementation shall be retained for at least ten (10) years after the last day of service in a particular funding year.

REFERENCES:

[KRS 156.675](#); [KRS 365.732](#); [KRS 365.734](#)
[701 KAR 005:120](#)
[16 KAR 1:020 KAR 001:020 \(Code of Ethics\)](#) (Code of Ethics)
 47 U.S.C. 254/Children's Internet Protection Act; 47 C.F.R. 54.520
 Kentucky Education Technology System (KETS)
 47 C.F.R. 54.516
 15-ORD-190

RELATED POLICIES:

03.13214/03.23214
 03.1325/03.2325
 03.17/03.27
 08.1353; 08.2322
 09.14; 09.421; 09.422; 09.425; 09.426; 09.4261
 10.5

Adopted/Amended: 6/24/2024

Order #:

Access to Electronic Media

ELECTRONIC MAIL/INTERNET

The District offers students, staff, and members of the community access to the District's computer network for electronic mail and Internet. Because access to the Internet may expose users to items that are illegal, defamatory, inaccurate, or offensive, we require all students under the age of eighteen (18) to submit a completed Parent Permission/User Agreement Form to the Principal/designee prior to access/use. All other users will be required to complete and submit a User Agreement Form.

Except in cases involving students who are at least eighteen (18) years of age and have no legal guardian, parents/guardians may request that the school/District:

- Provide access so that the parent may examine the contents of their child(ren)'s email files;
- Terminate their child(ren)'s individual email account and/or Internet access; and
- Provide alternative activities for their child(ren) that do not require Internet access.

In addition, parents wanting to challenge information accessed via the District's technology resources should refer to Policy 08.2322/Review of Instructional Materials and any related procedures.

GENERAL STANDARDS FOR USERS

Standards for users shall be included in the District's handbooks or other documents, which shall include specific guidelines for student, staff, and community member access to and use of electronic resources.

Access is a privilege—not a right. Users are responsible for good behavior on school computer networks. Independent access to network service is given to individuals who agree to act in a responsible manner. Users are required to comply with District standards and to honor the access/usage agreements they have signed. Beyond clarification of user standards, the District is not responsible for restricting, monitoring, or controlling the communications of individuals utilizing the network independently.

The network is provided for users to conduct research and to communicate with others. Within reason, freedom of speech and access to information will be honored. During school hours, teachers of younger children will guide their students to appropriate materials. Outside of school, families bear the same responsibility for such guidance as they exercise with information sources such as television, telephones, movies, radio, and other media that may carry/broadcast information.

NO PRIVACY GUARANTEE

The Superintendent/designee has the right to access information stored in any user directory, on the current user screen, or in electronic mail. S/he may review files and communications to maintain system integrity and insure that individuals are using the system responsibly. Users should not expect files stored on District servers or on District provided or sponsored technology services, to be private.

Access to Electronic Media**RULES AND REGULATIONS**

Violations of the Acceptable Use Policy include, but are not limited to, the following:

1. Violating State and Federal legal requirements addressing student and employee rights to privacy, including unauthorized disclosure, use and dissemination of personal information.
2. Sending or displaying offensive messages or pictures, including those that involve:
 - Profanity or obscenity; or
 - Harassing or intimidating communications.
3. Damaging computer systems, computer networks, or school/District websites.
4. Violating copyright laws, including illegal copying of commercial software and/or other protected material.
5. Using another user's password, "hacking" or gaining unauthorized access to computers or computer systems, or attempting to gain such unauthorized access.
6. Trespassing in another user's folder, work, or files.
7. Intentionally wasting limited resources, including downloading of freeware or shareware programs.
8. Using the network for commercial purposes, financial gain or any illegal activity.
9. Using technology resources to bully, threaten or attack a staff member or student or to access and/or set up unauthorized blogs and online journals, including, but not limited to MySpace.com, Facebook.com or Xanga.com.

Additional rules and regulations may be found in District handbooks and/or other documents. Violations of these rules and regulations may result in loss of access/usage as well as other disciplinary or legal action.

RELATED POLICIES AND PROCEDURES:

08.2322

09.14

Review/Revised:6/24/2024

Access to Public Records

PUBLIC INFORMATION

In accordance with the Kentucky Open Records Law, it shall be the policy of the Board to make accessible to the public those public records identified in [KRS 61.872](#) as available for public inspection. Inspection may be made during the regular office hours of the custodian of the records and/or under the conditions and restrictions specified in [KRS 61.872](#). Citizens may, upon proper application and as specified in [KRS 61.872](#) – [KRS 61.884](#), make abstracts, memoranda, and obtain copies of records which are available to the public. Fees shall be charged to cover the cost of making copies and postage, if any; such fees will not exceed the actual copying and mailing costs. Staff costs shall not be included in the fee. Inspection of records shall be made under the supervision of the custodian of the records or the custodian's designee, and copies shall be made only by properly authorized District employees.

OFFICE OF EDUCATIONAL ACCOUNTABILITY

The Office of Educational Accountability shall have access to all public records and information on oath as provided in [KRS 7.110](#). The Office shall also have access to otherwise confidential records, meetings, and hearings regarding District personnel matters, including files maintained in electronic format. The Office shall not disclose any information contained in or derived from the records, meetings, and hearings that would enable the discovery of the specific identification of any individual.

EXCEPTIONS

Records protected by [KRS 61.878](#) shall not be made available to the public, except under court order as provided by [KRS 61.878](#), [KRS 61.880](#), and [KRS 61.882](#).

The Board will not release information from educational records except in conformity with the provisions of the Family Educational Rights and Privacy Act, as amended.

REFERENCES:

[KRS 7.110](#); [KRS 7.410](#); [KRS 61.870](#)
[KRS 61.872](#); [KRS 61.874](#); [KRS 61.876](#)
[KRS 61.878](#); [KRS 61.880](#); [KRS 61.882](#), [KRS 61.884](#)
 Art. 6252-17A, Sec. 14(e), V.A.T.S.
[OAG 76-375](#); [OAG 80-207](#); [OAG 85-109](#); [OAG 89-90](#)
 96-ORD-159
 Kentucky Family Educational Rights and Privacy Act
 Kentucky Education Technology System (KETS)

RELATED POLICIES:

01.6; 03.15; 03.25; 09.14

Adopted/Amended: 6/24/2024

Order #:

OLDHAM COUNTY BOARD OF EDUCATION POLICY

BEHAVIOR VIOLATIONS AND CONSEQUENCES CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

9068

*References: KRS 158.150; KRS 158.153; KRS 158.154; KRS 161.190; 20 USC§1400; 707 KAR 1:280-1:380
Relates to: 9068.01AR; 9068.02AR; 9085.01AR; 9085.02AR*

1. In accordance with OCBE Policy 9028, teachers, instructional personnel and administrators are responsible for administering the Code of Acceptable Behavior. Principals and/or their designees investigate disciplinary reports and will make final determination of whether particular conduct constitutes a behavior violation. The principal's decision concerning imposition of in-school discipline or parent conference shall be final.
2. School administrators, teachers or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom or the district transportation system pending any further disciplinary action that may occur.
3. School administrators or teachers may utilize more severe punishment consequences than the first consequences noted if the conduct is a repeated violation or if the conduct is sufficiently severe.
4. The principal or designee will hold a parent/guardian conference to discuss disciplinary measures pertaining to drugs and/or alcohol and may refer violators under this policy to the Department of Pupil Personnel, which will determine if a referral should be made to the district Student Services Specialist for a substance abuse assessment and substance abuse education. The DPP may file a report with the Court-Designated Worker (CDW).
5. The principal shall submit all information and evidence to local law enforcement as required by law.
6. Students with disabilities or those students being considered in the formal referral process for special education services shall be disciplined in accordance with this Code and applicable state and federal law governing the education of students with disabilities.
7. Disciplinary decisions are to be made at the school level. A student or parent may appeal the decision of a teacher or school administrator to the principal in accordance with the school's SBDM policy on discipline.
8. In cases involving suspension or referral to an alternative school, or suspension or removal from an athletic team or extracurricular activity, a student or parent may appeal to the superintendent only if there has been a violation of Board or SBDM policy or due process by the school administrator. Appeals to the Superintendent must be made in writing within three (3) days of the adverse action by the school and must include the basis for the alleged violation of due process or Board or SBDM policy.
9. Expulsions shall be governed by Board Policies 9030, 9033 and 9034.

*Principals are required by law to notify the police of these violations.

Reportable violations include: Misdemeanors involving weapons or drugs, or felonies that occur on or within 1000 feet of school property or at a school event.

†These violations may not be used alone as a basis for referral to the alternative school.

OLDHAM COUNTY BOARD OF EDUCATION POLICY

**BEHAVIOR VIOLATIONS AND CONSEQUENCES
CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE**

9068

*References: KRS 158.150; KRS 158.153; KRS. 158.154; KRS 161.190; 20 USC§1400; 707 KAR 1:280-1:380
Relates to: 9068.01AR; 9068.02AR; 9085.01AR; 9085.02AR*

References: KRS 158.150; KRS 158.153; KRS. 158.154; KRS 161.190; 20 USC§1400; 707 KAR 1:280-1:380 Relates to: Board Policies 9028, 9030, 9033, 9080 Relates to: 9068.01AR; 9068.02AR; 9085.01AR; 9085.02AR <u>DESCRIPTION OF BEHAVIOR VIOLATION</u> <u>LAW VIOLATIONS</u>	In-school Discipline Examples: See handbook.	Parent/Guardian Conference	Short-Term Suspension (1-3days)	Long-Term Suspension (4 to 10 days)	Referral to Alternative Program	Initiate Expulsion Procedures
1 st Degree Assault *				●	●	●
2 nd Degree Assault *			●	●	●	●
3 rd Degree Assault * (Assault on Police Officer/Teacher)			●	●	●	●
4 th Degree Assault * (Simple Assault)	●	●	●			
Abuse of a Teacher *	●	●	●			
Alcohol Distribution *			●	●	●	●
Alcohol Possession *			●	●	●	●
Alcohol Use *			●	●	●	●
Arson*			●	●	●	●
Burglary *			●	●	●	●
Criminal Abuse *			●	●	●	●
Destruction of Property *			■	■	■	■
Disorderly Conduct *			●	●	●	●
Drug Distribution *			●	●	●	●
Drug Possession *			●	●	●	●
Drug Use *			●	●	●	●
Embezzlement			●	●	●	●
Forgery †	●	●	●			
Fraud	●	●	●			
Gambling †	●	●	●			
Harassing Communication *			●	●	●	●
Harassment *	●	●	●	●	●	●
Homicide *				●	●	●
Kidnapping *				■	■	■
Loitering	●	●	●			
Menacing *			●	●	●	●
Motor Vehicle Theft *			●	●	●	●
Possession of Stolen Property	●	●	●			
Rape *				●	●	●
Robbery/Theft *	●	●	●	●	●	●
Sexual Assault *			●	●	●	●
Sexual Offense (non-touch) *			●	●	●	●
Stalking *			●	●	●	●
Terroristic – Bomb *			●	●	●	●
Terroristic Threat *			●	●	●	●
Terroristic – Chemical/Biological/Nuclear *				●	●	●
Trespassing	●	●	●	●		
Vandalism *	●	●	●	●		
Wanton Endangerment *			●	●	●	●
Weapon Possession *			●	●	●	●
Weapon Distribution *			●	●	●	●
Weapon Use *			●	●	●	●

OLDHAM COUNTY BOARD OF EDUCATION POLICY

**BEHAVIOR VIOLATIONS AND CONSEQUENCES
CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE**

9068

*References: KRS 158.150; KRS 158.153; KRS. 158.154; KRS 161.190; 20 USC§1400; 707 KAR 1:280-1:380
Relates to: 9068.01AR; 9068.02AR; 9085.01AR; 9085.02AR*

References: KRS 158.150; KRS 158.153; KRS. 158.154; KRS 161.190; 20 USC§1400; 707 KAR 1:280-1:380 Relates to: Board Policies 9028, 9030, 9033, 9080 Relates to: 9068.01AR; 9068.02AR; 9085.01AR; 9085.02AR <u>DESCRIPTION OF BEHAVIOR VIOLATION</u> <u>LAW VIOLATIONS</u>	In-school Discipline Examples: See handbook.	Parent/Guardian Conference	Short-Term Suspension (1-3days)	Long-Term Suspension (4 to 10 days)	Referral to Alternative Program	Initiate Expulsion Procedures
Academic Cheating/Plagiarism †	•	•	•			
Bullying	•	•	•	•	•	•
Dangerous Instrument	•	•	•			
Disrespectful Behavior †	•	•	•			
Disruptive Behavior †	•	•	•			
Dress Code Incident †	•	•	•			
Failure to attend detention †	•	•	•			
Fighting – Student to Other (Physical Aggression)	•	•	•	•	•	•
Fighting – Student to Staff (Physical Aggression)	•	•	•	•	•	•
Fighting – Student to Student (Physical Aggression)	•	•	•	•	•	•
Insubordination †	•	•	•			
Leaving Campus †	•	•	•			
No State Violation						
Profanity/Vulgarity/Pornography †	•	•	•			
Self-Endangerment	•	•	•	•	•	•
Skippping Class †	•	•	•			
Skippping School †	•	•	•			
Tardy to Class †	•	•	•			
Threatening Another Student	•	•	•	•	•	•
Threatening Staff	•	•	•	•	•	•
Tobacco Distribution	•	•	•			
Tobacco Possession	•	•	•			
Tobacco Use	•	•	•			
Violation of District Acceptable Use Policy	•	•	•			

POLICY AND PROCEDURE MANUAL
of the
OLDHAM COUNTY
BOARD OF EDUCATION
Crestwood, Kentucky

As required by law, the District does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), genetic information, disability, age, or limitations related to pregnancy, childbirth, or related medical conditions in its programs and activities and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

THIS MANUAL IS THE PROPERTY OF THE OLDHAM COUNTY BOARD OF EDUCATION.

Policy Manual No. _____

Location: _____

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.

REGISTRANTS

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

A registrant is defined as:

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

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

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

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

- To pick up or drop off their child each day.
- To pick up the child who is injured or ill.

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

- To confer with school staff concerning academic, disciplinary or placement issues involving the student, including matters required by federal or state law.
- To attend a school activity, including athletic practices and competition, in which the student is a participant.
- To vote when the school has been designated as a polling place.

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

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

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

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

CONDUCT/PROHIBITION ON RECORDING

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

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

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

Visitors to the Schools**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
- Use of power driven mobility devices
- Event ticket sales accommodation
- Use of service animals
- Companion seating at events

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.

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

Visitors to the Schools

REFERENCES:

¹[KRS 158.149](#)

²[KRS 438.050](#)

³[KRS 511.070](#); [KRS 511.080](#); [OAG 90-11](#)

[KRS 17.545](#); [KRS 17.500](#); [KRS 17.510](#)

[KRS 160.380](#); [KRS 211.394](#), [KRS 211.395](#); [KRS 258.500](#); [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

Adopted/Amended: 6/24/2024

Order #:

Legal Status of the Board

CORPORATE POWERS

1. The school district is under the management and control of the Board of Education consisting of five (5) members.
2. The Board is a body politic and corporate with perpetual succession.
3. The Board shall be known as the “Board of Education of Fulton County, Kentucky.”
4. The Board may sue and be sued; make contracts; expend funds necessary for liability insurance premiums and for the defense of any civil action brought against an individual Board member in his official or individual capacity, or both, on account of an act made in the scope and course of his performance of legal duties as a Board member; purchase, receive, hold, and sell property; issue its bonds to build and construct improvements; and do all things necessary to accomplish the purposes for which it is created.¹

STUDENT REPRESENTATIVES

ELIGIBILITY

Candidates must be a Fulton County High School junior or senior in good standing. Nominations for candidates will be made by the student council from members of that student organization.

ELECTION

During the first year of implementation the student representative on the Board of Education will be elected by the majority vote of the entire student body before the September meeting of the Board of Education. The process of election will be posted for the student body in August, 2009. Every year thereafter, the student representative on the Board of Education will be elected by majority vote through an annual election held prior to the August Board meeting.

TERM

The student representative will serve a one-year term beginning with the September, 2009 meeting and thereafter the term will begin with the August meeting.

UNEXPIRED TERM

If a Student Board Representative vacancy on the Board shall occur, it will be filled by the Superintendent. The member so chosen shall hold office until the term expires.

IRREGULAR ATTENDANCE

A Student Board Representative failing to attend (2) meetings, unless excused by the Board for reason satisfactory to it, shall be removed as Student Representative of the Board of Education.

POWERS, DUTIES AND RESPONSIBILITIES

The student will be a non-voting representative on the Board of Education. He/she will attend meetings of the Board of Education but will not participate in closed sessions. The Student Board Representative will advocate the priorities of the students in the Fulton County Schools.

Legal Status of the Board**NOTICE OF NONDISCRIMINATION**

As required by law, the District does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), genetic information, disability, age, or limitations related to pregnancy, childbirth, or related medical conditions in its programs and activities and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

Notice of the name, work address and telephone number of the Title IX Coordinator and the Section 504 Coordinator for the District shall be provided to employees, applicants for employment, students, parents/guardians, and other beneficiaries such as participants in activities offered to the public.

WEBSITE ACCESSIBILITY

The District is committed to ensuring accessibility of its website for students, employees, visitors, and members of the community with disabilities. All pages on the District's website shall conform to Level AA of the Web Content Accessibility Guidelines (WCAG) 2.0 developed by the World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI), or updated equivalents of these guidelines.

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 160.160
KRS 160.370
KRS Chapter 344
Americans with Disabilities Act
Section 504 of the Rehabilitation Act of 1973
Title VI of the Civil Rights Act of 1964
42 U.S.C. 200e, Civil Rights Act of 1964, Title VII
20 U.S.C. 1681, Education Amendments of 1972, Title IX
Genetic Information Nondiscrimination Act of 2008
20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)
Web Content Accessibility Guidelines
Bostock v. Clayton County, Georgia 140 S. Ct. 1731 (2020)

RELATED POLICIES:

03.113; 03.212; 03.162; 03.262
05.3; 09.13; 09.3211; 09.42811
10.5

Legal Status of the Board

CORPORATE POWERS

1. The school district is under the management and control of the Board of Education consisting of five (5) members.
2. The Board is a body politic and corporate with perpetual succession.
3. The Board shall be known as the “Board of Education of Shelby County, Kentucky.”
4. The Board may sue and be sued; make contracts; expend funds necessary for liability insurance premiums and for the defense of any civil action brought against an individual Board member in his official or individual capacity, or both, on account of an act made in the scope and course of his performance of legal duties as a Board member; purchase, receive, hold, and sell property; issue its bonds to build and construct improvements; and do all things necessary to accomplish the purposes for which it is created.¹

STUDENT BOARD REPRESENTATIVE

In order to ensure appropriate information and participation from students in the system, one (1) Student Board Representative shall be elected annually from each high school to sit as a non-voting member of the Board of Education. The Student Board Representative shall be entitled to attend and participate in Board meetings held in open session and may express opinions and advise the Board on all issues which come before it.

ELIGIBILITY

Student Board Representatives must be either juniors or seniors in good standing in the District.

SELECTION PROCESS

Prior to September 5 of each year, junior and senior class students shall be informed that members of these classes may be considered for the position of Student Board Representative and the responsibilities of the position shall be explained. Students and faculty may submit nominations on forms available at the guidance center through September 10.

A committee composed of a high school Principal/designee, a guidance counselor, and a teacher from each class shall select up to five (5) students from the nominations submitted to the guidance center. The selections shall be based on:

1. Academics
2. Attendance
3. Discipline record
4. Participation in school activities
5. Leadership

The students selected by the committee may campaign for the position. Campaigns shall comply with existing policies and procedures of the high school and shall include an opportunity for each candidate to broadcast a closed circuit video or make an intercom announcement to the junior and senior classes prior to September 30 of each year.

Legal Status of the Board

SELECTION PROCESS (CONTINUED)

The Student Board Representative shall be elected by juniors and seniors on or about September 30. The candidate receiving the most votes shall be installed as the Student Board Representative at a regular meeting of the Board in October.

TERM

A Student Board Representative shall serve until the commencement of the following school year. If an elected Student Board Representative is unable to complete the term, a replacement shall be appointed by the Principal to complete the term

REMOVAL

A Student Board Representative may be removed by majority vote of the members of the Board for failure to perform the duties of the office or for misconduct.

NOTICE OF NONDISCRIMINATION

As required by law, the District does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), genetic information, disability, age, or limitations related to pregnancy, childbirth, or related medical conditions in its programs and activities and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

Notice of the name, work address and telephone number of the Title IX Coordinator and the Section 504 Coordinator for the District shall be provided to employees, applicants for employment, students, parents/guardians, and other beneficiaries such as participants in activities offered to the public.

WEBSITE ACCESSIBILITY

The District is committed to ensuring accessibility of its website for students, employees, visitors, and members of the community with disabilities. All pages on the District's website shall conform to Level AA of the Web Content Accessibility Guidelines (WCAG) 2.0 developed by the World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI), or updated equivalents of these guidelines.

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.

Legal Status of the Board

REFERENCES:

¹KRS 160.160
KRS 160.370
KRS Chapter 344
Americans with Disabilities Act
Section 504 of the Rehabilitation Act of 1973
Title VI of the Civil Rights Act of 1964
42 U.S.C. 200e, Civil Rights Act of 1964, Title VII
20 U.S.C. 1681, Education Amendments of 1972, Title IX
Genetic Information Nondiscrimination Act of 2008
20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)
Web Content Accessibility Guidelines
Bostock v. Clayton County, Georgia 140 S. Ct. 1731 (2020)

RELATED POLICIES:

03.113; 03.212; 03.162; 03.262
05.3; 09.13; 09.3211; 09.42811; 10.5

- CLASSIFIED PERSONNEL -

Parental Leave Recovery from Childbirth

PAID ~~PARENTAL SICK~~ LEAVE

Eligible employees are entitled to take up to thirty (30) school days of paid parental leave for the purpose of recovering from child birth or caring for or bonding with the employee's child following birth or adoption, without having to use their sick, personal, emergency, vacation and/or non-contract days. This leave would start on the first day after the birth of the child and must be taken all at once.

Eligibility

Full-time personnel that have worked for the Board for more than six (6) months are eligible for paid parental leave under this policy.

Parental leave is granted for the sole purpose of recovering from childbirth or caring for or bonding with the child. As a result, surrogate mothers and sperm donors are not eligible for parental leave under this policy. Additionally, parental leave is not available for adoption of a stepchild by a stepparent or similar circumstance unless otherwise required by federal, state or local law.

~~Any employee who gives birth to a child will be entitled to six (6) weeks or thirty (30) school days of paid leave for self care and recovery, without having to use their sick, personal, emergency, vacation and/or non-contract days. If the employee is eligible per doctor's orders for Family Medical Leave, a portion of the leave would be included under this policy. If the employee does not qualify for Family Medical Leave, the District will cover the six (6) weeks or thirty (30) days of recovery.~~

~~This leave would start on the first day after the birth of the child.~~

NOTIFICATION AND DOCUMENTATION REQUIREMENTS

Eligible employees must provide advance written notice of their intent to take parental leave to the Superintendent/designee when the child's birth or adoption is foreseeable. When possible, employees must provide at least ninety (90) days' notice to provide sufficient time to review the needs of the District and secure adequate replacement. In addition, employees must provide all documentation requested by the Board to substantiate their need for parental leave. The Board reserves the right to deny any request for parental leave if an employee fails to timely submit the notification required by this policy or any other documentation requested by the Board.

Employees on paid parental leave shall notify the Superintendent/designee in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

AMOUNT AND DURATION OF PARENTAL LEAVE

Parental leave under this policy includes up to thirty (30) days of paid leave. For purposes of this policy, parental leave only counts on contracted workdays in which the employee is regularly scheduled to work. If a holiday or other non-instructional day (including but not limited to Fall Break, Spring Break and Summer break) occurs during an employee's parental leave, parental leave days will not be deducted on any non-instructional days on which the employee was not scheduled to work.

Parental Leave

AMOUNT AND DURATION OF PARENTAL LEAVE (CONTINUED)

Eligible employees are entitled to one parental leave under this policy once every fiscal year of active employment, regardless of the number of births or adoptions. This period starts on the first day an eligible employee begins parental leave. Employees may request parental leave for the birth or adoption of a child that occurs prior to the fiscal year of a previous parental leave but will not be permitted to take any paid parental leave days under this policy until the fiscal year period has run since the prior leave of absence. In the event thirty (30) contract days have not elapsed following the second anniversary of an eligible employees' prior parental leave, the eligible employee may take the balance of the initial thirty (30) parental leave days that are remaining following the second anniversary of the previous parental leave. Employees who have more than one (1) birth, adoption or placement in a fiscal year may be eligible for other leave pursuant to other Board policies or applicable state or federal law.

Employees on parental leave shall be entitled upon return to a comparable position for which they are qualified. However, placement in the same position or the same school cannot be guaranteed.

For employees who qualify for FMLA, or any other leave related to birth or adoption, all leave shall run concurrently.

Any parental leave days that are not used by an eligible employee within the first thirty (30) contract days following the child's birth or adoption will be forfeited, without pay, and cannot be transferred into sick leave, personal leave, or any form of leave or compensation. Parental leave terminates upon separation of employment for any reason. No payout of approved but unused parental leave will occur upon separation of employment, regardless of the reason for such separation.

Parents who are both active employees of the District and eligible for parental leave may take parental leave.

NO DISCRIMINATION OR RETALIATION

No employee will be subject to any adverse employment action based upon the exercise of any rights under this policy or applicable law. The request for or use of parental leave will not negatively impact or cause any adverse employment actions.

FURTHER INFORMATION

The Board may terminate paid parental leave under this policy and take disciplinary action, up to and including termination, against an employee that takes parental leave for purposes other than those described in this policy.

The Board reserves the right to modify or terminate this policy, in whole or in part, in any manner determined by the Board.

Parental Leave

FMLA

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

EXTENDING BEYOND FAMILY AND MEDICAL LEAVE

Any employee who was eligible and/or granted up to twelve (12) weeks of paid or unpaid leave for one of the following reasons would be eligible for an extended paid leave (if have the accrued sick day / vacation days/ non-contract days) or unpaid leave:

1. Care for the employee's child after birth or placement for adoption or foster care.
2. To care for the employee's spouse, child or parent who has a serious health condition; or
3. Due to a serious health condition that makes the employee unable to perform the employee's job.

The amount of leave granted would depend on when the qualifying event occurred, and when leave was requested as follows:

1. Event and request happen on staff opening day through March 31st, employee would be eligible for leave during this period of time through the end of the current school year but would be expected to return to work at the start of the following school year.
2. Event and request happen April 1st and prior to staff opening day the following year, employees will be able to request leave for the remainder of the current school year and the entire following school year.

No employee will be able to request a leave of absence beyond the above-mentioned amount of time.

REFERENCE:

Family & Medical Leave Act of 1993

RELATED POLICIES:

03.22; 03.2232; 03.22322

- CERTIFIED PERSONNEL -

Parental Leave ~~Recovery from Childbirth~~

PAID ~~PARENTAL SICK~~ LEAVE

Eligible employees are entitled to take up to thirty (30) school days of paid parental leave for the purpose of recovering from child birth or caring for or bonding with the employee's child following birth or adoption, without having to use their sick, personal, emergency, vacation and/or non-contract days. This leave would start on the first day after the birth of the child and must be taken all at once.

Eligibility

Full-time personnel that have worked for the Board for more than six (6) months are eligible for paid parental leave under this policy.

Parental leave is granted for the sole purpose of recovering from childbirth or caring for or bonding with the child. As a result, surrogate mothers and sperm donors are not eligible for parental leave under this policy. Additionally, parental leave is not available for adoption of a stepchild by a stepparent or similar circumstance unless otherwise required by federal, state or local law.

~~Any employee who gives birth to a child will be entitled to six (6) weeks or thirty (30) school days of paid leave for self care and recovery, without having to use their sick, personal, emergency, vacation and/or non-contract days. If the employee is eligible per doctor's orders for Family Medical Leave, a portion of the leave would be included under this policy. If the employee does not qualify for Family Medical Leave, the District will cover the six (6) weeks or thirty (30) days of recovery.~~

~~This leave would start on the first day after the birth of the child.~~

NOTIFICATION AND DOCUMENTATION REQUIREMENTS

Eligible employees must provide advance written notice of their intent to take parental leave to the Superintendent/designee when the child's birth or adoption is foreseeable. When possible, employees must provide at least ninety (90) days' notice to provide sufficient time to review the needs of the District and secure adequate replacement. In addition, employees must provide all documentation requested by the Board to substantiate their need for parental leave. The Board reserves the right to deny any request for parental leave if an employee fails to timely submit the notification required by this policy or any other documentation requested by the Board.

Employees on paid parental leave shall notify the Superintendent/designee in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

AMOUNT AND DURATION OF PARENTAL LEAVE

Parental leave under this policy includes up to thirty (30) days of paid leave. For purposes of this policy, parental leave only counts on contracted workdays in which the employee is regularly scheduled to work. If a holiday or other non-instructional day (including but not limited to Fall Break, Spring Break and Summer break) occurs during an employee's parental leave, parental leave days will not be deducted on any non-instructional days on which the employee was not scheduled to work.

Parental Leave Recovery from Childbirth**AMOUNT AND DURATION OF PARENTAL LEAVE (CONTINUED)**

Eligible employees are entitled to one parental leave under this policy once every fiscal year of active employment, regardless of the number of births or adoptions. This period starts on the first day an eligible employee begins parental leave. Employees may request parental leave for the birth or adoption of a child that occurs prior to the fiscal year of a previous parental leave but will not be permitted to take any paid parental leave days under this policy until the fiscal year period has run since the prior leave of absence. In the event thirty (30) contract days have not elapsed following the second anniversary of an eligible employees' prior parental leave, the eligible employee may take the balance of the initial thirty (30) parental leave days that are remaining following the second anniversary of the previous parental leave. Employees who have more than one (1) birth, adoption or placement in a fiscal year may be eligible for other leave pursuant to other Board policies or applicable state or federal law.

Employees on parental leave shall be entitled upon return to a comparable position for which they are qualified. However, placement in the same position or the same school cannot be guaranteed.

For employees who qualify for FMLA, or any other leave related to birth or adoption, all leave shall run concurrently.

Any parental leave days that are not used by an eligible employee within the first thirty (30) contract days following the child's birth or adoption will be forfeited, without pay, and cannot be transferred into sick leave, personal leave, or any form of leave or compensation. Parental leave terminates upon separation of employment for any reason. No payout of approved but unused parental leave will occur upon separation of employment, regardless of the reason for such separation.

Parents who are both active employees of the District and eligible for parental leave may take parental leave.

NO DISCRIMINATION OR RETALIATION

No employee will be subject to any adverse employment action based upon the exercise of any rights under this policy or applicable law. The request for or use of parental leave will not negatively impact or cause any adverse employment actions.

FURTHER INFORMATION

The Board may terminate paid parental leave under this policy and take disciplinary action, up to and including termination, against an employee that takes parental leave for purposes other than those described in this policy.

The Board reserves the right to modify or terminate this policy, in whole or in part, in any manner determined by the Board.

Parental Leave-Recovery from Childbirth**FMLA**

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

EXTENDING BEYOND FAMILY AND MEDICAL LEAVE

Any employee who was eligible and/or granted up to twelve (12) weeks of paid or unpaid leave for one of the following reasons would be eligible for an extended paid leave (if have the accrued sick day / vacation days/ non-contract days) or unpaid leave:

1. Care for the employee's child after birth or placement for adoption or foster care.
2. To care for the employee's spouse, child or parent who has a serious health condition; or
3. Due to a serious health condition that makes the employee unable to perform the employee's job.

The amount of leave granted would depend on when the qualifying event occurred, and when leave was requested as follows:

1. Event and request happen on staff opening day through March 31st, employee would be eligible for leave during this period of time through the end of the current school year but would be expected to return to work at the start of the following school year.
2. Event and request happen April 1st and prior to staff opening day the following year, employees will be able to request leave for the remainder of the current school year and the entire following school year.

No employee will be able to request a leave of absence beyond the above-mentioned amount of time.

REQUEST FOR MEDICAL INFORMATION

Per KRS 161.770, the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

REFERENCES:

KRS 161.155; KRS 161.770
OAG 80-151; OAG 84-43; OAG 86-66
Family and Medical Leave Act of 1993

RELATED POLICIES:

03.123; 03.1232; 03.12322