

LEGAL: KRS CHAPTER 369 CONTAINS THE DEFINITION OF SIGNATURE INCLUDING TYPE TO BE ACCEPTED BY GOVERNMENT AGENCIES INCLUDING SCHOOL BOARDS. ELECTRONIC SIGNATURES ARE NOT REQUIRED BUT MAY BE ACCEPTED.

FINANCIAL IMPLICATIONS: COSTS ASSOCIATED WITH PROGRAMS, SOFTWARE, OR DEVICES THAT PERMIT ELECTRONIC SIGNATURES.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.0

Definitions

The following expressions are defined with respect to their intended meanings in the context of this manual:

POLICIES

An expression of the will of the elected Board of Education or the school council. Although other statutes may have Board policy implications, the general scope of Board policies is defined by KRS 160.290 and KRS 160.340. The scope of council policies is defined by KRS 160.345. Board policies cover the general management and governance of school district operations and functions. Within the parameters of the District's legal authority, violations of policy may provide grounds for administrative response or action as relates to students, District employees, parents, and members of the community, but such policies are not intended to heighten standards of care, establish grounds for liability or create rules for immunities enjoyed by defendants in civil judicial actions against the Board, its members, District employees, officers, or volunteers.

ADMINISTRATIVE REGULATIONS

References such as "State Board regulations", "state regulations", and "administrative regulations" shall mean Kentucky Administrative Regulations (KAR) promulgated by the Kentucky Board of Education.

FULL-TIME/PART-TIME STATUS

Employment status shall be determined in compliance with statute and regulation and shall be defined in the employee's contract.¹

SUPERINTENDENT

Policies that charge the Superintendent with preparing and/or implementing provisions of procedures, plans or programs for Board review also direct any other employee to whom the Superintendent may delegate such charges.

PRINCIPAL

The Principal (or designated administrator) shall be the chief administrator of the school, acting with the approval of the Superintendent.

TEACHER

Except for referenced statutes which specify a different definition for the purposes of those statutes, in this manual the term teacher shall refer to any person, other than the Superintendent, for whom certification is required as a basis for employment.

HUSBAND AND WIFE

The term husband and wife, as used in the policy manual, shall be deemed to include a spouse in a legally recognized marriage unless the context otherwise requires.

PARENT OR GUARDIAN

Parent, as used in the policy manual, means parent or legal guardian.

GENDER

Unless otherwise noted, gender references in this manual include all genders.

Definitions

CHILDREN AND YOUTH WITH DISABILITIES

In compliance with federal law and unless otherwise indicated, use of the terms “special education” or “exceptional” shall refer to children and youth with disabilities.

SCHOOL NUTRITION PROGRAM

Use of the term "food service" shall also refer to the District’s School Nutrition Program.

STUDENT ATTENDANCE DAY

Unless otherwise noted, use of the term “instructional day” shall have the same meaning as “student attendance day.”

SIGNATURE

“Signature” means the act of signing one’s name to something. "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. An electronic signature will have the same effect as hand written signature.

HEALTH PROVIDER

Unless otherwise noted, the terms “health care provider” and “health care practitioner” have the same meaning.

STUDENT SUPPORT AND BEHAVIOR INTERVENTION HANDBOOK

The Student Support and Behavior Intervention Handbook, as used in the policy manual, means the code of acceptable behavior and discipline required under KRS 158.148.

CHARTER SCHOOL

Use of the term “charter school” means a public charter school as defined in KRS 160.1590.

CHARTER SCHOOL AUTHORIZER

A local board of education or other authorizer as defined in KRS 160.1590.

KENTUCKY PUBLIC PENSIONS AUTHORITY

Use of the terms Kentucky Retirement System (KRS) or County Employees’ Retirement System (CERS) includes the Kentucky Public Pensions Authority (KPPA).

DATING RELATIONSHIP

A dating relationship is defined as a relationship between individuals who have a relationship of a romantic or intimate nature. It does not include a casual acquaintanceship or ordinary fraternization in a business or social context. The following factors may be considered by the Superintendent or designee in addition to any other relevant factors in determining whether the relationship is of a romantic or intimate nature:

- (a) Declarations of romantic interest;
- (b) The relationship is characterized by the expectation of affection;
- (c) Attendance at social outings together as a couple;

Definitions**DATING RELATIONSHIP (CONTINUED)**

- (d) The frequency and type of interaction between the persons, including whether the persons have been involved together over time and on a continuous basis during the course of the relationship;
- (e) The length and recency of the relationship; and
- (f) Other indications of a substantial connection that would lead a reasonable person to understand that a dating relationship exists.

REFERENCES

Legal references listed in this manual, such as state and federal statutes and regulations, Kentucky Attorney General Opinions, and court cases are provided as a tool for additional research and are not intended to be viewed as a complete listing of legal resources applicable to a particular topic.

BOARD

Board, as used in this policy manual, means the Board of Education of Jefferson County, Kentucky.

DISTRICT

District, as used in this policy manual, means the Jefferson County Public School District.

REFERENCES:

¹KRS 157.320; 102 KAR 1:036; 702 KAR 1:035

KRS 78.510 – KRS 78.852

KRS 158.144; KRS 160.1590

KRS 160.290; KRS 160.340; KRS 160.345;

KRS 369.102; KRS 405.028

701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040

702 KAR 6:010; 702 KAR 6:020; 702 KAR 6:040

702 KAR 6:075; 702 KAR 6:090

LEGAL: HB 48 AMENDS KRS 158.4416 REMOVING THE REQUIREMENT THAT THE TRAUMA-INFORMED APPROACH PLAN BE INCLUDED IN THE COMPREHENSIVE DISTRICT IMPROVEMENT PLAN.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111

District Planning

The Board shall establish long-range, District-wide educational goals and objectives to guide the administration's development of annual objectives and budget priorities. The District-wide goals and objectives shall be based on a three to five (3-5)-year cycle, but shall be reviewed for revision every year.

DISTRICT IMPROVEMENT PLAN

The Superintendent shall develop, review, and revise annually a Comprehensive District Improvement Plan (CDIP) which shall include, but not be restricted to, statements of the District's goals and objectives, the annual school budget, current educational issues, and evaluation information relative to the major needs of the District and significant changes proposed for the coming year.

PLANNING

The Superintendent shall present to the Board for review and approval the form and function of the District planning process, including format and timelines.

PLANNING CYCLE

The District's planning cycle shall follow a process of continuous improvement as data becomes available. Thus, procedures should be in place allowing for regular review of progress relative to the Plan and District Goals. The structure of the CDIP shall include completion of a narrative summary of the current state of the District between August 1 and October 1 of each school year and completion of the needs assessment between October 1 and November 1 of each school year. A process for development of the CDIP shall be completed between November 1 and January 1 of each school year, and a District level plan for providing an equitable education to English Learners shall be completed by May 1 of each school year and other components required by state statutes or regulations. Unless otherwise noted, all additional components of the CDIP shall be complete by May 1 of each school year.

PLAN REQUIREMENTS

The District shall submit the NTI plan (Continuation of Learning plan) to the Department by May 1 for implementation at the beginning of the upcoming school term. The primary purposes of the CDIP shall be:

- To improve student achievement on state and federal mandated testing/accountability instruments and improve student learning outcomes on other success skills needed to be transition ready;
- To eliminate achievement gaps; and
- To develop District strategies and services to address deficiencies and/or sustain or strengthen current efforts.

The plan structure shall include the components set out in 703 KAR 5:225, the Every Student Succeeds Act of 2015 (ESSA), and KRS 158.649.

The plan shall be updated on an annual basis, provide assistance in reducing physical, mental health, and academic barriers to learning, and address student equity.

District Planning**PLAN REQUIREMENTS (CONTINUED)**

Planning activities shall draw on information from a variety of sources that shall include an opportunity for parents and other citizens of the community to have input into the plan.

As part of the District planning process, the Board shall review District academic performance on the state assessments for various groups of students in compliance with legal requirements.¹

By November 1 each year, the Board shall oversee an annual review of student performance in the District and the reporting of key student performance data to ensure compliance with state and federal law and accurate reporting to the Board.²

If the Board determines that a school has not met its target to reduce the identified gap in student achievement for a group of students, the Board shall require the council, or the Principal if no council exists, to submit its revisions to the school improvement plan describing the use of the professional development funds and funds allocated for continuing education to reduce the school's achievement gap for review and approval by the Superintendent. The plan shall address how the school will meet the academic needs of the students in the various gap groups.

BUDGET IMPLICATIONS

A presentation shall be made by staff members on the plan for the fiscal year under consideration, which shall include priorities, objectives, program plans, and budget implications.

TRAUMA-INFORMED APPROACH PLAN

The trauma-informed approach plan shall be reviewed and updated annually, ~~incorporated into the annual CDIP required by 703 KAR 5:225,~~ and submitted to the Kentucky Department of Education (KDE).

PUBLIC REVIEW

The plan shall have public review prior to presentation to the Board for final adoption. Opportunity for public and school staff review shall be provided for a period of at least two (2) weeks and shall be advertised in the newspaper of the largest circulation in the District, or as an alternative, posted on the District web site for electronic review and feedback.

BOARD APPROVAL

The plan shall be completed between November 1 and January 1 of each school year and presented to the Board for approval annually. If revisions are needed, the District planning committee shall forward proposed revisions to the Superintendent. Revisions must reflect the requirements of State and Federal Law. All recommendations for revisions require approval by the Board.

The Superintendent shall submit required assurances to the KDE no later than September 30 of each year.

IMPLEMENTATION

The District shall maintain a copy of each plan permanently and, consistent with the District's planning cycle, post the current plan on the District's web site.

The plan shall serve as a resource for Board decision making.

District Planning**SCHOOL PLANS**

The District plan shall be broad enough to allow each school to develop its own plan, within the goals and objectives of the District.

DISTRICT REPORT CARDS

The District shall post the District report card on its website, as required by ESSA. District report cards shall be widely accessible to the public, in an understandable and uniform format, and when possible, written in a language that parents can understand.

As outlined in KRS 160.463, a copy of the report card is to be published by one of the following methods:

- a. In the newspaper of the largest general circulation in the county;
- b. Electronically on a website of the District; or
- c. By printed copy at a prearranged site at the main branch of the public library within the District.

If b or c above is selected, the Superintendent shall cause notification to be published in the newspaper of the largest circulation in the county that includes the electronic address of the website or the address of the library where the report card can be viewed by the public.

The District shall send a District report card to parents containing information about performance as outlined in KRS 158.6453 and 703 KAR 5:140, and information on electronic access to a summary of the results for the District shall be published in the newspaper with the largest circulation in the county.

SUMMATIVE ASSESSMENT RESULTS

The District shall prominently display, in not less than 16-point type, on the District's internet landing page, the District's percentage of students scoring the following:

- Proficient and Distinguished in Reading; and
- Proficient and Distinguished in Mathematics.

The information above will also be displayed at the top of each page of the District's website in a banner format.

To provide context and more complete information regarding the state summative assessment results, the District shall also display on the internet landing page a web link to the KDE District Report Card which provides demographic information regarding the District's student body and detailed results of the school's performance on the most recent Kentucky Summative Assessment.

District Planning

REFERENCES:

¹KRS 158.649

²KRS 160.370

KRS 156.500; KRS 158.070; KRS 158.4416; KRS 158.6453

KRS 160.290; KRS 160.340; KRS 160.345; KRS 160.463

701 KAR 5:150; 703 KAR 5:140; 703 KAR 5:225; 703 KAR 5:280; 704 KAR 3:395

2024 Budget Bill

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

RELATED POLICIES:

02.44; 02.441; 02.442; 04.1; 09.21

LEGAL: SB 207 CREATES A NEW SECTION OF KRS CHAPTER 156 REVISING THE PROCESS FOR DISTRICTS TO SUBMIT A WAIVER REQUEST AND REPEALS KRS 156.108 AND KRS 160.107.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.5

School Board Policies**BOARD POLICY DEVELOPMENT**

The legal responsibility for policymaking belongs to the Board. The Superintendent, as executive officer of the Board, shall see that policies are executed as provided by law. As in all matters, the Board's rules and regulations shall conform to law and the rules and regulations of the Kentucky Board of Education.

The Board shall be the legislative body which determines all questions of general policy to be employed in the governance of the public schools.

The formulation and adoption of written policies shall constitute the basic method by which the Board exercises its leadership in the operation of the District. All policies developed for adoption shall be reviewed by the General Counsel to the Board. The study and evaluation of reports concerning the execution of its written policies shall constitute the basic method by which the Board exercises its control over the operation of the District.

The formal adoption of policies shall be recorded in the minutes of the Board. The Board shall adopt only those policies which it believes to be sound and workable. Only those written statements so adopted and so recorded shall be regarded as official Board policy. They shall be set by the Board to clarify relationships with employees; to regulate and give positive direction to employees; and to aid in the evaluation of school services.

To the extent practicable, District employees to be affected by a decision shall have the opportunity to participate or have input into decision making. Appropriate areas for broad participation by District employees shall include, but not be limited to, policy development, development of administrative procedures, budget planning, curriculum development, and textbook and materials selection.

TOPICS

The Board shall file in the Board's office its policies including, but not limited to, the following matters:

1. Transportation of pupils;
2. Discipline and conduct of pupils;
3. Limitations or restrictions on use of school facilities;
4. Conduct of meetings of the Board; including policies on the calling of executive sessions;
5. Personnel policies that apply to:
 - a. Certified employees including duties, fringe benefits, salary schedules, non-classroom duties, professional development, teacher-student ratio, hiring, assignment, transfer, dismissal, suspension, reinstatement, promotion, and demotion; and
 - b. Classified employees addressing terms and conditions of employment; identification and documentation of fringe benefits, employee rights, and procedures for the reduction or laying off of employees; and discipline guidelines and procedures that satisfy due process requirements.³

School Board Policies**TOPICS (CONTINUED)**

6. Employment and evaluation of the Superintendent;
7. Identification and statement of District goals and objectives and establishment of criteria to determine District progress;
8. Evaluation of certified and classified employees;
9. Selection of textbooks and instructional materials;
10. Expenditure and accounting for school funds, including all special funds; and
11. Policies dealing with school-based decision making.¹

INTENTION

It is intended that these policies shall cover matters within the authority and discretion of the Board and not matters otherwise required by law or regulation.¹

REVIEW AND UPDATING

Written policies shall be reviewed regularly and shall be used consistently by the Board as a basis for its actions. Such policies shall be kept up-to-date by filing annual amendments thereto by August 15 and shall be public records.

ENACTMENT OF POLICY

Policies shall be submitted to the Board for first reading prior to approval by the Board. For good cause, and upon a majority vote of the Board approving a motion to do so, the Board may enact or revise a policy in the same meeting that it is initially introduced.

DISSEMINATION AND IMPLEMENTATION OF POLICY

The Superintendent shall monitor the implementation of Board policies and administrative procedures and shall establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Board and the procedures needed to put the policies into effect. It shall be the responsibility of each administrator to inform all employees supervised as to the location of Board policies and procedures.

All employees shall be responsible for complying with all Board policies and administrative procedures, the Kentucky Revised Statutes, regulations of the Kentucky Board of Education, contractual agreements, and oral directives of their supervisors which apply to their scope of employment.

In the absence of a policy relating to the efficient operation of the District, the Superintendent shall be responsible for the development, publication, and dissemination of administrative rules, regulations, directives, and procedures until such time as a policy is adopted by the Board.

School Board Policies**POLICIES ARE BINDING**

All policies of the Board are binding on employees of the District, schools, students, and on the Board itself.² Employees and students who fail to comply with Board policies may be subject to disciplinary action.

Exception: Policy exemptions may apply to a participating school or program of innovation as specified in the District's application for district school or program of innovation status as approved by the Kentucky Board of Education.⁴

Exception: In the areas specified by KRS 160.345, councils may adopt school policies that differ from Board policy, to the extent permitted by law.

REFERENCES:

¹KRS 160.340

²KRS 160.290

³KRS 161.011

⁴~~KRS 156.108~~ KRS 156.161

~~KRS 160.107~~

KRS 160.345

RELATED POLICIES:

01.0; 01.11; 01.6; 01.61

LEGAL: SB 207 CREATES A NEW SECTION OF KRS 156 REVISING THE PROCESS FOR DISTRICTS TO
SUBMIT A WAIVER REQUEST AND REPEALS KRS 156.108 AND KRS 160.107.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.413

Exemption (SBDM)

On or after January 1 and prior to March 1 of each calendar year, a school required to implement school-based decision making pursuant to KRS 160.345 may seek an SBDM exemption by submitting a written request to the Commissioner for consideration by the Kentucky Board of Education (KBE). Any school performing above its threshold level requirement as determined by the Kentucky Department of Education pursuant to KRS 158.6455 may apply to the Kentucky Board of Education for exemption from school-based decision making (SBDM). Implementation of an approved school-based decision making exemption shall begin on July 1 unless otherwise specified in the written request submitted to and approved by the KBE. An SBDM exemption approved by the KBE shall be valid for one (1) school year; however, a school may annually re-apply for an SBDM exemption if it meets the requirements set forth in KRS 160.345.

PETITION

Faculty members of a school who no longer wish to remain under SBDM shall present a written petition to the Principal signed by twenty-five percent (25%) or more of the faculty members, indicating their desire for a vote whether to apply for an exemption.

Under guidelines established by its membership, the parent/teacher organization of the school or, if none exists, the largest organization of parents/guardians formed for this purpose may also submit a petition to the Principal, calling for a vote on whether to apply for an exemption.

SCHEDULING

On receiving a petition, the Principal shall set the date, time, and place of a faculty meeting for the purpose of voting on whether to apply for an exemption. This meeting shall be held not less than five (5) and not more than ten (10) school days from the Principal's receipt of the petition.

NOTICE

Notice of the meeting shall be provided to all faculty members assigned to the school at least five (5) days in advance of the meeting.

MEETINGS

The Principal shall chair the meeting at which the vote is taken by the faculty. Voting shall be by secret ballot. Ballots shall offer faculty members the opportunity to vote for or against applying for an exemption. The Principal and at least two (2) teachers chosen by the faculty shall count the ballots and announce the results at the conclusion of the meeting.

The parent vote on applying for an exemption shall be conducted by the parent/teacher organization of the school or, if none exists, the largest organization of parents/guardians formed for this purpose.

An affirmative vote of the majority of the faculty and a majority of at least twenty-five (25) voting parents/guardians of students enrolled in the school shall be required to apply for an exemption from SBDM. The Principal shall forward results of the faculty and parent elections to the Superintendent and the Board. The Superintendent shall submit the results of the elections on behalf of the school to the Kentucky Board of Education to apply for an exemption from SBDM.

A vote to apply for an exemption shall be held not more than once every sixty (60) calendar days.

Exemption (SBDM)**VOTE TO RETURN**

An exemption, once granted by the Kentucky Board of Education, shall continue unless the school fails to meet threshold requirements or votes to return to SBDM.

A vote to enter into SBDM shall be held no more than once every sixty (60) calendar days. Faculty members of a school who wish to re-enter School Based Decision Making (SBDM) shall present a written petition to the Principal, signed by a minimum of twenty-five (25%) percent of the faculty members, indicating their desire for a vote on the matter.

The Principal shall chair the meeting at which the vote is taken. Voting shall be by secret ballot. Ballots shall offer faculty members the opportunity to vote for or against re-entering SBDM. The Principal and at least two (2) teachers chosen by the faculty shall count the ballots and announce the results at the conclusion of the meeting.

If two-thirds (2/3) of the faculty vote to re-enter SBDM, the school will do so. The Principal shall forward results of the vote to the Superintendent and the Board. The Superintendent shall submit the results to the Kentucky Board of Education. Organization of elections to select teacher and parent representatives for the school council shall be conducted in accordance with Board Policy 02.421.

The Superintendent shall develop procedures, as necessary, for the exemption from school-based decision making.

SCHOOLS OF INNOVATION

~~In a designated school of innovation participating in a district of innovation application and plan, the council may request a waiver from KRS 160.345 or specific provisions within that statute by conducting a vote as set out in KRS 160.107.~~

REFERENCES:

~~KRS 156.108;~~ KRS 158.6455
~~KRS 160.107;~~ KRS 160.345
701 KAR 5:100
OAG 94-51

RELATED POLICIES:

02.421
02.4241

LEGAL: SB 68 AMENDS KRS 160.345 CLARIFYING INVOLUNTARY TRANSFER DURING A TEACHER REPRESENTATIVE'S SBDM TERM OF OFFICE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

RECOMMENDED: THE FORM FOR THE CA/N CHECK IS LOCATED ON THE CABINET FOR HEALTH AND FAMILY SERVICES WEBSITE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.421

Election of School Council Members (SBDM)

COUNCIL ELECTIONS

Council elections may allow voting to occur over multiple days and via electronic means.

ELECTION OF TEACHER MEMBERS

Teachers assigned to a school shall organize the election to select teacher council members. Teachers may request the Principal to provide administrative assistance in preparing for the election.

Teachers may nominate themselves or another teacher. A written ballot containing the names of all qualified teachers nominated shall be prepared and kept on file with other council records. Teacher members must be employees of the District and currently assigned to the school where they are elected as council member. A Principal or Assistant Principal may not vote in a teacher council member election or serve as a teacher council member. Election shall be by majority vote of all teachers assigned to the school.

Itinerant teachers may vote at all schools to which they are assigned and may serve on the council of any of those schools.

Teachers elected to a council shall not be involuntarily transferred during the teacher representative's term of office, unless otherwise permitted under another Board policy that allows imposition of an involuntary transfer to another location due to alleged misconduct.

ELECTION OF PARENT MEMBERS

As used in this policy, "Parent" means:

1. A parent, stepparent, or foster parent of a student; or
2. A person who has legal custody of a student pursuant to a court order and with whom the student resides.

Parents of students assigned to a school shall organize the election to select parent council members. They may request the Principal to provide administrative assistance required to conduct the election.

The president of the parent-teacher organization shall organize and oversee the election of parent council members. If the school does not have a parent-teacher organization, then the parent member shall be elected by the largest organization of parents formed for this purpose.

A parent council member shall be a parent of a student enrolled in the school during the parent council member's term of council service. A parent council member shall not be an employee or the relative of an employee of the school in which that member serves, nor shall the parent council member be an employee or a relative of an employee in the District administrative offices. A parent council representative shall not be a Board member or Board member's spouse. Relative shall mean father, mother, brother, sister, husband, wife, son, and daughter.

Election of School Council Members (SBDM)**ELECTION OF PARENT MEMBERS (CONTINUED)**

A parent council member shall submit to a state and national fingerprint-supported criminal history background as required by KRS 160.380. In addition, the parent council member shall provide a clear CA/N check, defined in KRS 160.380 as “a letter from the Cabinet for Health and Family Services indicating that there are no administrative findings of child abuse or neglect relating to a specific individual.” A parent member may serve prior to the receipt of the criminal history background check and CA/N check, but shall be removed from the council on receipt by the District of a report documenting a record of abuse or neglect, or a sex crime or criminal offense against a victim who is a minor as defined in KRS 17.500 or as a violent offender as defined in KRS 17.165 and no further procedures shall be required.

The form for requesting a CA/N check is available on the Cabinet for Health and Family Services website. The program and user instructions are on the Kentucky Online Gateway (KOG): <https://kog.chfs.ky.gov/home/>.

MINORITY REPRESENTATIVES

As used in this policy, “minority” has the same meaning as in KRS 160.345.

If a council formed under the elections described above does not have a minority member, and the school has eight percent (8%) or greater enrollment of minority students, the Principal shall be responsible for carrying out the following:

1. The Principal shall organize a special election no sooner than ten (10) and no later than twenty (20) calendar days following the elections described above to elect a minority parent to the council by ballot. The Principal shall notify all parents of the date, time, and location of the election. The notice shall call for nominations of minority parents for the ballot. The election shall be conducted using the same procedures as the election of the two (2) other parent members of the council.
2. The Principal shall call a meeting of all teachers in the building within seven (7) days following the initial election of parent and teacher council members. The teachers shall elect one (1) minority teacher to serve as a teacher member on the council.

If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. Procedures for election of the teacher representative shall be the same as the procedures for election of the other three (3) teacher members of the council.

TERMS

Terms of school council members shall be for one (1) year and shall begin on July 1 and end on June 30 of the following year. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. Term limitations shall not apply for a minority teacher member who is the only minority on faculty. Annual elections for the following year's terms should be held no later than the preceding May, but the specific date shall be set by the council.

Election of School Council Members (SBDM)**COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS**

When a new school is opened or schools are consolidated, these guidelines shall be followed:

- If a school is scheduled for closing, no council elections for the upcoming school year shall be held.
- Council members of a school being consolidated with another school may not carry over a term of office to the newly consolidated school's council, but may stand for election if otherwise qualified.
- Following the opening of a new or consolidated school, elections shall be held to form a council.

CONFLICT OF INTEREST

Council members shall not have a conflict of interest pursuant to KRS Chapter 45A, except the salary paid to District employees.

REMOVAL OF COUNCIL MEMBERS

On recommendation of the Commissioner of Education and pursuant to statutory requirements, the Board may remove a council member for cause by a vote of four-fifths (4/5) of the Board's membership.

VACANCIES

Council vacancies shall be filled at a special called election and shall follow the guidelines set forth in this policy.

REFERENCES:

KRS 17.165; KRS 17.500; KRS 156.132
KRS 160.345; KRS 160.347; KRS 160.380
OAG 91-148; OAG 91-192; OAG 91-206
OAG 92-88; OAG 93-49; OAG 94-41

RECOMMENDED: THE FORM FOR THE CA/N CHECK IS LOCATED ON THE CABINET FOR HEALTH AND
FAMILY SERVICES WEBSITE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.11

- CERTIFIED PERSONNEL -**Hiring****SUPERINTENDENT'S RESPONSIBILITIES**

All appointments, promotions, and transfers of certified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following such actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes.

The Superintendent shall determine, pursuant to state law, when vacancies exist and shall post such staff vacancies as necessary to recruit applicants for positions.

When a vacancy occurs, the Superintendent shall submit the job posting electronically to the statewide job posting system fifteen (15) days before the position is to be filled. Each job posting for a vacancy shall include the District's policy against discrimination in employment and must include an opening and closing date for each position posted.

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

EFFECTIVE DATE

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

QUALIFICATIONS

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

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

PRE-EMPLOYMENT INQUIRIES

Pre-employment inquiries may include, but are not limited to, requests for licensure/certification, conviction and criminal history records, references, job attendance data, traffic/accident records, and physical examinations, where applicable. Information obtained from pre-employment inquiries concerning an applicant's conviction and criminal history record, toxicology screens, results of job-related competency/skills assessments and other pre-employment inquiry information shall be confidential to the extent permitted by law, but shall be considered in determining employment status.

CRIMINAL BACKGROUND CHECK AND TESTING

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

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

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

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

Employment shall be contingent on receipt of records documenting that the individual:

1. Has not been convicted of an offense that would classify a person as a violent offender under KRS 439.3401, a sex crime defined by KRS 17.500, or a misdemeanor offense under KRS Chapter 510;
2. Is not required to register as a sex, offender; or
3. Has not been convicted of an offense, including a drug offense, determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job.

Employment shall terminate on receipt of a criminal history background check documenting a conviction for an offense listed above, unless the offense is a misdemeanor drug offense over five (5) years ago or a non-support felony offense. An employee shall immediately notify his/her/their supervisor if the employee is arrested for or charged with one of the offenses listed above. The supervisor shall immediately notify employee relations.

Employment shall also be contingent on receipt of a clear CA/N check, defined in KRS 160.380 as "a letter from the Cabinet for Health & Family Services indicating that there are no substantiated findings of child abuse or neglect relating to a specific individual." Employment shall terminate upon receipt of a letter from the Cabinet documenting an administrative finding of child abuse or neglect.

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

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

The form for requesting a CA/N check is available on the Cabinet for Health and Family Services website. The program and user instructions are on the Kentucky Online Gateway (KOG): <https://kog.chfs.ky.gov/home/>.

Hiring

REPORT TO SUPERINTENDENT

An employee shall report to the Superintendent if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal. Any failure to report this finding shall result in the employee being subject to dismissal or termination.

VACANCIES POSTED

A job register listing vacancies to be filled shall be posted on the District's website.

Vacancies may also be posted and advertised outside the District. All central office administrative positions and all principal positions shall be advertised nationally.

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

REVIEW OF APPLICATIONS

Under procedures developed by the Superintendent, each application shall be reviewed. Applications for candidates not employed shall be retained for two (2) years.

References are required on applicants for all positions and will be carefully reviewed as part of the employment decision.

RELATIONSHIPS

All applications shall require a response concerning the relationship as defined in KRS 160.180 and KRS 160.380 of each applicant to the Superintendent, any Principal of the District, any other District employees, or a Board member. The hiring of a relative of the Superintendent, a Board member or principal of the District is subject to the restrictions provided in KRS 160.180 and KRS 160.380.

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

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

A relative of the Superintendent or any principal of the District who is otherwise ineligible for employment may be employed as a substitute for a certified or classified employee if the relative is not:

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

No employee may use his/her/their employment status to influence the employment in the District of a relative which is defined for the purposes of this paragraph of this policy as the employee's father, mother, brother, sister, husband, wife, son, and daughter.

Hiring**RELATIONSHIPS (CONTINUED)**

No employee shall be assigned to a school, office, work group or other unit if the assignment would cause a relative of the employee to be a supervisor of the employee.

For purposes of this paragraph of this policy, a relative is defined as the employee's father, mother, brother, sister, husband, wife, son, and daughter; and a supervisor is defined as a person who has authority to oversee and direct work assignments, assign tasks, schedule hours of work, evaluate work performance, or recommend the hiring, discipline, or termination of an employee. For purposes of this paragraph of this policy, the Principal and each assistant principal of a school shall be considered to be the supervisor of each employee in the school building. This paragraph of this policy shall apply even if the status of relative results from a marriage after an initial assignment, or if the supervision authority results from a promotion, reorganization, or other administrative action after an initial assignment. It is the responsibility of the employees having the relationship to notify the Human Resources Division as soon as an assignment or employment status covered by this paragraph of this policy exists or may exist. Any failure to give such notice shall result in disciplinary action. The Superintendent/designee shall develop procedures to implement this paragraph of this policy for all personnel assignments and shall make a final determination as to the appropriate action to implement this paragraph of this policy.

A relative that is ineligible for employment under this may be employed as a substitute for a certified or classified employee if the relative is not:

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

Exception to the above is substitute personnel.

CONTRACT

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

JOB DESCRIPTION

Each employee shall receive a copy of his/her/their job description and responsibilities.

INTENT

Under procedures developed by the Superintendent/designee, an employee may be requested to indicate his/her/their availability for employment for the next school year.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

Each year each full-time and part-time certified employee shall be notified in writing by the last day of the school year whether the employee has reasonable assurance of continued employment for the following school year.

Hiring**REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT (CONTINUED)**

A certified employee assigned extra duties such as coaching shall be notified in writing by the last day of that assigned duty if the employee has reasonable assurance of continued employment in that or a similar capacity for the following school year.

EMPLOYEES SEEKING A JOB CHANGE

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

JOB SHARING

A District employee may be permitted to participate in a job-sharing program in accordance with procedures established by the Superintendent/designee. However, initial probationary, temporary, seasonal and substitute employees and student workers are not eligible for the job-sharing program.

EXCHANGE OF TEACHERS

The Superintendent may approve the exchange of teachers with other countries, states, and programs outside the District. All arrangements for such exchanges shall adhere to state laws and regulations.

REFERENCES:

¹KRS 160.380
²KRS 161.605; 702 KAR 1:150
³P. L. 114-95, (Every Student Succeeds Act of 2015)
20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)
45 C.F.R. § 1302.90
KRS Chapter 13B
KRS 17.160; KRS 17.165; KRS 17.500 to KRS 17.580
KRS 156.106; KRS 160.345; KRS 160.390
KRS 161.042; KRS 161.611; KRS 161.750; KRS 335B.020; KRS 405.435
KRS 439.3401
KRS Chapter 510
16 KAR 9:080; 702 KAR 3:320; 704 KAR 7:130
OAG 18-017; OAG 73-333; OAG 91-10; OAG 91-149; OAG 91-206
OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6
Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.132

RECOMMENDED: THE FORM FOR THE CA/N CHECK IS LOCATED ON THE CABINET FOR HEALTH AND
FAMILY SERVICES WEBSITE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.21

- CLASSIFIED PERSONNEL -**Hiring****SUPERINTENDENT'S RESPONSIBILITIES**

All appointments, promotions, and transfers of classified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following such actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes.

The Superintendent shall determine, pursuant to state law, when vacancies exist and shall post such staff vacancies as necessary to recruit applicants for positions.

EFFECTIVE DATE

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

PRE-EMPLOYMENT INQUIRIES

Pre-employment inquiries may include, but are not limited to, requests for licensure/certification, conviction and criminal history records, references, job attendance data, traffic/accident records, and physical examinations. Information obtained from pre-employment inquiries concerning an applicant's conviction and criminal history record, toxicology screens, results of job-related competency/skills assessments and other pre-employment inquiry information shall be confidential to the extent permitted by law, but shall be considered in determining employment status.

CRIMINAL BACKGROUND CHECK AND TESTING

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

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

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

Employment shall be contingent on receipt of records documenting that the individual:

1. Has not been convicted of an offense that would classify a person as a violent offender under KRS 439.3401, a sex crime defined by KRS 17.500, or a misdemeanor offense under KRS Chapter 510;
2. Is not required to register as a sex, offender; or
3. Has not been convicted of an offense, including a drug offence, determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job.

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

Employment shall terminate on receipt of a criminal history background check documenting a conviction for an offense listed above, unless the offense is a misdemeanor drug offense over five (5) years ago or a non-support felony offense. An employee shall immediately notify his/her/their supervisor if the employee is arrested for or charged with one of the offenses listed above. The supervisor shall immediately notify employee relations.

Employment shall also be contingent on receipt of a clear CA/N check, defined in KRS 160.380 as “a letter from the Cabinet for Health & Family Services indicating that there are no administrative findings of child abuse or neglect relating to a specific individual.” Employment shall terminate upon receipt of a letter from the Cabinet documenting an administrative finding of child abuse or neglect.

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

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

The form for requesting a CA/N check is available on the Cabinet for Health and Family Services website. The program and user instructions are on the Kentucky Online Gateway (KOG): <https://kog.chfs.ky.gov/home/>.

REPORT TO SUPERINTENDENT

An employee shall report to the Superintendent if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal. Any failure to report this finding shall result in the employee being subject to dismissal or termination.

EDUCATIONAL REQUIREMENTS

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

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

VACANCIES POSTED

A job register listing vacancies to be filled shall be posted on the District’s website.

Vacancies may also be posted and advertised outside the District.

Hiring**VACANCIES POSTED (CONTINUED)**

The Superintendent shall implement procedures for emergency hiring of staff to prevent disruption of necessary instructional or support services.

REVIEW OF APPLICATIONS

Under procedures developed by the Superintendent, each application shall be reviewed. Applications for candidates not employed shall be retained for two (2) years.

References shall be required on applicants for all positions and will be carefully reviewed as part of the employment decision.

RELATIONSHIPS

All applications shall require a response concerning the relationship as defined in KRS 160.180 and KRS 160.380 of each applicant to the Superintendent, other District employees or a Board member. The hiring of a relative of the Superintendent, a Board member or a principal of the District is subject to the restrictions provided in KRS 160.180 and KRS 160.380.

A relative of the Superintendent shall not be employed except as provided by KRS 160.380.¹

The Superintendent shall not employ a relative of a Board member. No employee may use his/her/their employment status to influence the employment in the Jefferson County School District of a relative which is defined for the purposes of this paragraph of this policy as the employee's father, mother, brother, sister, husband, wife, son, and daughter.

No employee shall be assigned to a school, office, or unit if the assignment would cause a relative of the employee to be a supervisor of the employee.

For purposes of this paragraph of this policy, a relative is defined as the employee's father, mother, brother, sister, husband, wife, son, and daughter; and a supervisor is defined as a person who has authority to oversee and direct work assignments, assign tasks, schedule hours of work, evaluate work performance, or recommend the hiring, discipline, or termination of an employee. This paragraph of this policy shall apply even if the status of relative results from a marriage after an initial assignment, or if the supervision authority results from a promotion, reorganization or other administrative action after an initial assignment. It is the responsibility of the employees having the relationship to notify the Human Resources Division as soon as an assignment or employment status covered by this paragraph of this policy exists or may exist. Any failure to give such notice shall result in disciplinary action. The Superintendent/designee shall develop procedures to implement this paragraph of this policy for all personnel assignments and shall make a final determination as to the appropriate action to implement this paragraph of this policy.

A relative that is ineligible for employment under this may be employed as a substitute for a certified or classified employee if the relative is not:

5. A regular full-time or part-time employee of the district;
6. Accruing continuing contract status or any other right to continuous employment;
7. Receiving fringe benefits other than those provided other substitutes; or
8. Receiving preference in employment or assignment over other substitutes.

Hiring

EMERGENCY HIRING

The Superintendent/designee shall implement procedures for emergency hiring of staff to prevent disruption of necessary instructional or support services.

JOB DESCRIPTION

Each employee shall receive a copy of his/her/their job description and responsibilities.

CONTRACT

The District shall enter into written contracts with all full-time and part-time classified staff.

JOB SHARING

A District employee may be permitted to participate in a job sharing program in accordance with procedures established by the Superintendent. However, initial probationary, temporary, seasonal and substitute employees and student workers are not eligible for the job sharing program.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

Each year, each full-time and part-time classified employee, including substitutes, shall be notified in writing by the last day of the school year whether the employee has reasonable assurance of continued employment for the following school year.

Classified employees assigned extra duties such as coaching shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.

EMPLOYEES SEEKING A JOB CHANGE

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

REFERENCES:

¹KRS 160.380

²702 KAR 5:080

³KRS 161.011

⁴P.L. 114-95, (Every Student Succeeds Act of 2015)

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

34 C.F.R. § 200.58; 45 C.F.R. § 1302.90

49 C.F.R. § 382.701; 49 C.F.R. § 382.703

KRS Chapter 13B

KRS 17.160; KRS 17.165; KRS 17.500 to KRS 17.580

KRS 156.070; KRS 160.345; KRS 160.390

KRS 335B.020; KRS 405.435

KRS 439.3401

KRS Chapter 510

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

Hiring

REFERENCES (CONTINUED):

OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6
Kentucky Local District Classification Plan; 13 KAR 3:030; 702 KAR 3:320
Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

RECOMMENDED: THE FORM FOR THE CA/N CHECK IS LOCATED ON THE CABINET FOR HEALTH AND
FAMILY SERVICES WEBSITE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.4

Substitute Teachers

The District may use substitute teachers in accordance with state law and Kentucky Administrative Regulations. Substitute teachers shall have the same authority as the teacher while engaged for services in the place of the regularly assigned teacher.

QUALIFICATIONS

All substitute teachers shall meet background records check requirements (including a letter from the Cabinet for Health and Family Services provided by the individual documenting that the individual does not have an administrative finding of child abuse or neglect in records maintained by the Cabinet) and medical examination requirements as specified in policies 03.11 and 03.111. In addition, substitutes serving in a position on a long-term/extended basis must meet all certification requirements established by the Education Professional Standards Board.

The form for requesting a CA/N check is available on the Cabinet for Health and Family Services website. The program and user instructions are on the Kentucky Online Gateway (KOG): <https://kog.chfs.ky.gov/home/>.

PARENT/GUARDIAN NOTIFICATION

A school shall provide timely notice to the parent or guardian of a student if the student has been assigned to a class taught by a teacher for four (4) or more weeks who does not meet applicable Kentucky certification requirements at the grade level and subject area in which the teacher is assigned, as required under Board Policy 03.112.

SUBSTITUTE LIST

The Superintendent or designee shall maintain a list of qualified substitute teachers. The Superintendent or designee shall engage substitutes from this list.

RETIRED TEACHERS

Retired teachers and administrators may be reemployed as a part-time, temporary, or substitute teacher in accordance with applicable state law, Kentucky Administrative Regulations and requirements of the Teachers' Retirement System.

TEACHERS ON LEAVE

Teachers on leave of absence may not substitute teach in the District, except for those who qualify for educational/professional or child rearing/adoption leave.

Paid leaves of absence and other benefits reserved for full-time regular employees are not applicable to part-time classified, temporary, seasonal and substitute employees.

LENGTH OF DUTY

Substitute teachers shall observe the same hours of duty as the regular teacher. The substitute will continue to report for duty until relieved by the Superintendent or designee.

Substitute teachers shall follow daily lesson plans as outlined by the regular teacher and leave a written record of the work completed during their length of duty.

Substitute Teachers**SUBSTITUTE SALARY AND PAYMENT SCHEDULE**

Substitutes shall be paid on a per diem basis according to the salary schedule approved by the Board. The salary schedule may reflect adjustments for long-term/continuous assignment substitutes. Seniority and rights to reassignment and/or re-employment shall not accrue as a result of service in any part-time classified, temporary, seasonal or substitute staff assignment.

Payment shall be made on the next scheduled pay date for substitutes.

EMPLOYMENT NOTIFICATION

References are required which will be reviewed as part of the decision to employ or re-employ. References will include former and current supervisors.

Each year, substitute teachers on the District's substitute list shall be notified in writing by the last day of school if they have reasonable assurance of continued employment for the following school year.

Nonrenewal of substitute teachers on limited contracts shall be made in compliance with the requirements of KRS 161.750.

REFERENCES:

KRS 17.160; KRS 17.165; KRS 156.106; KRS 156.492
KRS 160.380
KRS 161.1221; KRS 161.605; KRS 161.611; KRS 161.750
16 KAR 2:030; 16 KAR 2:120; 102 KAR 1:030;
702 KAR 1:035; 702 KAR 3:075; OAG 69-296
P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.11; 03.111; 03.112; 03.121

RECOMMENDED: THE FORM FOR THE CA/N CHECK IS LOCATED ON THE CABINET FOR HEALTH AND
FAMILY SERVICES WEBSITE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.6

Volunteers

DEFINITION

Volunteers are defined as adults who assist teachers, administrators, or other staff in public school classrooms, schools, or District programs and who do not receive compensation for their assistance. Volunteers are encouraged to use their time and effort to support school and District programs. The Superintendent shall develop procedures that encourage volunteers to assist in school and/or District programs and to facilitate effective communication with persons who volunteer.

Teacher education students or students enrolled in an educational institution and who participate in observations and educational activities under direct supervision of a local school teacher or administrator in a public school shall not be considered volunteers.

Classified hourly employees shall not be permitted to volunteer for duties related to their primary job.

SUPERVISION OF VOLUNTEERS

All volunteers shall provide assistance only under the direction and supervision of a member of the professional administrative and teaching staff.¹

Volunteers who assist in the District on a scheduled and/or continuing basis shall be provided with the same liability insurance coverage as a District employee and shall be provided with a written task description detailing responsibilities and expectations, as well as specific qualifications that may be required.

RECORDS CHECK

The District shall conduct, at District expense, a state criminal records check on all volunteers who have contact with students on a regularly scheduled and/or continuing basis, or who have supervisory responsibility for children at a school site or on school-sponsored trips.

Pursuant to KRS 160.380, the Superintendent/designee also may require volunteers to submit to a state and national criminal (fingerprint) history background check and to provide a clear CA/N check, defined in KRS 160.380 as “a letter from the Cabinet for Health and Family Services indicating that there are no administrative findings of child abuse or neglect relating to a specific individual.” With prior approval of the Superintendent/designee, the background checks will be conducted at District expense.

The required criminal records check shall be repeated every five (5) years for continuing volunteers.

No volunteer shall be utilized to supervise students, or deemed to have the authority to supervise students, unless the volunteer has been designated to supervise students by the Principal and approved by the Superintendent/designee, and the volunteer has undergone the required records check.

The form for requesting a CA/N check is available on the Cabinet for Health and Family Services website. The program and user instructions are on the Kentucky Online Gateway (KOG): <https://kog.chfs.ky.gov/home/>.

Volunteers

BASIS FOR DISQUALIFICATION

The Superintendent/designee shall have the authority to disqualify any individual from participating in school and/or District programs as a volunteer.

Applicants with the following convictions shall not be authorized to volunteer:

1. Any conviction for sex-related offenses;
2. Any conviction for offenses against minors;
3. Any conviction for felony offenses except as provided in number 5 below;
4. Any conviction for deadly weapon-related offenses;
5. Any conviction for felony drug-related offenses within the past seven (7) years;
6. Any conviction for misdemeanor drug-related offenses within the past five (5) years;
7. Any conviction for violent, abusive, threatening or harassment related offenses;
8. Other convictions determined by the Superintendent/designee to bear a reasonable relationship to the ability of the applicant to serve as a volunteer.

Volunteers shall immediately notify the school Principal or the Volunteer Talent Center if they are convicted of or plead guilty to one of the criminal offenses listed above.

WORK-BASED SITE SUPERVISORS

Work-based learning site supervisors are considered volunteers. Pursuant to KRS 160.380 and KRS 161.148, prior to being assigned to supervise a student for more than one (1) day in a work-based learning experience, the site supervisor shall have undergone a state criminal background check either as required by their employer at the time of employment or within the past twelve (12) months, whichever is the more recent.

TRANSPORTATION OF STUDENTS

Volunteers who transport students shall annually complete a Volunteer Auto Insurance Affidavit and shall provide the Superintendent/designee with a copy of their driving record from the Kentucky Department of Transportation. Any traffic citation received during the year or any loss of the volunteer's auto liability insurance shall be reported to the Superintendent/designee prior to transporting students.

ORIENTATION

The Superintendent/designee shall develop orientation materials and procedures to be provided to all volunteers in the District. These materials shall include, but not be limited to, pertinent policies and safety and emergency procedures.

REFERENCES:

¹KRS 161.148
KRS 160.380; KRS 161.044

RELATED POLICIES:

03.5; 08.113; 08.1131; [08.2324](#)

RECOMMENDED: THE FORM FOR THE CA/N CHECK IS LOCATED ON THE CABINET FOR HEALTH AND
FAMILY SERVICES WEBSITE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

I04.32

Model Procurement Code Purchasing

AUTHORITY

The Kentucky Model Procurement Code contains specific provisions in KRS 45A.345 to 45A.460 that may be adopted by local public agencies, including local boards of education. The Board has adopted the local public agency provisions of the Code. [KRS 45A.343](#) provides that no other statutes governing purchasing shall apply to the local public agency upon adoption of these provisions. The Board has adopted procurement regulations, not inconsistent with the local public agency provisions, as permitted by [KRS 45A.360](#). The Superintendent shall develop procedures for the implementation of the local public agency provisions of the Code and the Board's procurement regulations.

GENERAL PURCHASING REQUIREMENTS

All contracts and purchases shall comply with the local public agency provisions of the Code and the Board's procurement regulations. All contracts and purchases shall be made through competitive sealed bidding¹ or competitive negotiation, both of which may include the use of a reverse auction, unless the purchase or contract satisfies the requirements for noncompetitive negotiation or small purchases.

SMALL PURCHASES

District small purchase procedures may be used for any contract in which the aggregate amount does not exceed [forty thousand dollars \(\\$40,000.00\)](#).⁴

SUPERINTENDENT TO APPROVE CONTRACTS

The Board shall authorize the Superintendent to approve contracts, in accordance with small purchase procedures adopted by the Board, for any contract for which a determination is made that the aggregate amount of the contract does not exceed twenty thousand dollars (\$20,000) and require the Superintendent to provide a quarterly report to the Board on any purchases made under this provision.⁵

IDENTIFYING FORMER BUSINESS NAMES

All contractors submitting bids on any District construction project over twenty thousand dollars (\$20,000) shall submit a list identifying all former business names under which the contractor had operated in the past five (5) years.

TRAINING AND APPRENTICESHIP PROGRAMS

The Board supports the development and use of training and apprenticeship programs by bidders and their subcontractors to improve the skills of their employees and the quality of workmanship on District construction projects.

The District shall develop and implement purchasing procedures, in accordance with the Kentucky Model Procurement Code (KRS 45A.345 to 45A.460); KRS Chapters 136, 139, 141, 337, 338, 341, and 342; related administrative regulations; and other pertinent state and federal laws, that actively promote increasing training and apprenticeship programs. The Superintendent will develop procedures that, to the extent permitted by law, recognize a contractor's participation in an apprenticeship or training program applicable to the craft to be performed on a project to be one of the criteria considered.

Model Procurement Code Purchasing**PURCHASING FROM MINORITY, WOMEN, AND VETERAN-OWNED ENTERPRISES**

The Board supports the purchase of goods; construction, renovation, and repair services; and other services from minority, women, and veteran business enterprises (M/W/VBE) by the District.

The District shall develop and implement purchasing procedures, in accordance with the Kentucky Model Procurement Code (KRS 45A.345 to 45A.460); KRS Chapters 136, 139, 141, 337, 338, 341, and 342; related administrative regulations; and other pertinent state and federal laws, that actively promote increasing opportunities for M/W/VBE to become vendors providing goods and services to the District.

This policy and related procedures shall establish expectations of good faith efforts by prospective vendors for M/W/VBE participation and include mechanisms to document and measure those efforts.

LEADERSHIP

District leadership shall take an active role to ensure effective implementation of this policy. The Superintendent, Chief Operations Officer, Chief Financial Officer, and Chief Equity Officer shall:

1. Review the results of the performance of the District's implementation of this policy with internal management personnel on a periodic basis;
2. Articulate in written and verbal communication, internally and externally, the District's interest in achieving the goal of increasing opportunities for M/W/VBE participation with District procurement;
3. Issue periodic reports to the Board and to other internal and external stakeholders; and
4. Engage in other leadership activities contributing to increasing the utilization and meeting of M/W/VBE goals of this policy.

ADMINISTRATION

The Purchasing Department and Facility Planning Department shall incorporate procedures established under this policy as part of their financial and management responsibilities over District procurement processes. The Chief Equity Officer/designee shall be responsible for supporting effective implementation of this policy.

DEFINITIONS

As used in this policy:

Construction, renovation, and repair services means the erection, construction, alteration, or repair of District facilities.

Goods means supplies, materials, and equipment.

Other services means services procured by District that are not construction, renovation, and repair services.

Model Procurement Code Purchasing**DEFINITIONS (CONTINUED)**

Minority Business Enterprise (MBE) means a business that is certified as being at least fifty-one percent (51%) controlled by one (1) or more racial/ethnic minority persons of either sex. A racial/ethnic minority person shall be described as follows: Black or African American, Asian, American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander, Hispanic or Latino.

Woman Business Enterprise (WBE) means a business that is certified as being at least fifty-one percent (51%) controlled by one or more non-minority women.

Veteran Business Enterprise (VBE) means a small business that is certified as being at least fifty-one percent (51%) controlled by one (1) or more veterans, and that has one or more veterans managing day-to-day operations and also making long-term decisions.

M/WBE means a minority and women business enterprise.

M/W/VBE means a minority, women, and veteran-business enterprise.

CERTIFICATION OF M/W/VBE

M/W/VBE are certified and classified by a variety of entities. The District shall accept M/W/VBE certification from any bona fide certifying entity, including, but not limited to Louisville Metro Government, the Kentucky Finance and Administration Cabinet, Tri-State Minority Supplier Development Council, and the National Women's Business Enterprise Council. Additionally, District staff may classify businesses that are not certified by the above entities if a business demonstrates that it meets the certifying entities' definition of an M/W/VBE.

SUPPORT FOR M/W/VBE VENDOR UTILIZATION

The District shall maintain a master database of MBE, WBE, and VBE vendors, and establish procedures for its use, to assist District staff responsible for bidding and purchase process in meeting good faith effort requirements.

The District shall establish an ongoing outreach effort to M/W/VBE vendors, including, but not limited to providing information and guidance regarding doing business with the District, assisting vendors with the District's e-procurement system. The District shall establish and maintain partnerships with existing management and technical assistance providers to assist M/W/VBE in securing and meeting performance expectation for District contracts.

M/W/VBE GOALS AND GOOD FAITH EFFORT

For Construction, Renovation, and Repair Services Projects, the District's goals are as follows:

1. Fifteen percent (15%) MBE participation;
2. Ten percent (10%) WBE participation; and
3. VBE participation at a rate established by the Chief Equity Officer and the Chief Financial Officer based on research of best practices of peer school districts and other governmental entities.

Model Procurement Code Purchasing**M/W/VBE GOALS AND GOOD FAITH EFFORT (CONTINUED)**

Bidders who utilize subcontractors shall make good faith efforts to meet the District's M/W/VBE goals for subcontractors used for each project on which they bid. Bidders who do not meet the goals shall submit documentation of their good faith efforts in soliciting pricing, as set forth in the District's procedures for bidders. Award of contract shall be conditional upon the bidder's satisfaction of these requirements.

PURCHASE OF GOODS AND OTHER SERVICES

District staff shall make good faith efforts to utilize M/W/VBE vendors in accordance with standards and documentation requirements set forth in District purchasing procedures. At a minimum, District staff responsible for soliciting three price quotes for non-bid items shall make a good faith effort to include at least one M/W/VBE vendor per bid, identified utilizing the master database maintained by the Chief Equity Officer/designee and other means.

DETERMINATION OF ANNUAL GOALS

Each year, the Chief Equity officer/designee shall establish a goal-setting work group to set aspirational goals for M/W/VBE utilization the next fiscal year in the following categories:

1. Construction;
2. Architecture and Engineering;
3. Professional Services;
4. Goods; and
5. Other Services.

DOCUMENTATION, REPORTING, AND EVALUATION

The Chief Equity Officer/designee shall establish procedures for the collection, maintenance, and tracking of records at the District, division, department, and school level relating to implementation of this policy to include, but not be limited to:

1. Documentation of compliance with the good faith effort requirements including periodic site visits; and
2. Statistics regarding the utilization of M/W/VBE by District Divisions, Departments, and Schools.

The Chief Equity Officer shall:

1. Submit quarterly written reports to the Board regarding the implementation of this policy; and
2. Conduct periodic formal evaluations of the effectiveness of the M/W/VBE program.

ETHICAL STANDARDS

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

Model Procurement Code Purchasing**REPORTING AND CONSEQUENCES OF STATUTORY VIOLATIONS BY CONTRACTORS**

In accordance with KRS 45A.343, the District shall establish procedures to require a contractor and all subcontractors performing work under a contract to:

1. Reveal any final determination of a violation within the previous five (5) year period pursuant to KRS Chapters 136, 139, 141, 337, 338, 341, and 342, relating to corporate, sales, use, and income taxes; wages and hours, OSHA violations; unemployment compensation; and workers' compensation; and
2. Be in continuous compliance with the provisions of KRS Chapters 136, 139, 141, 337, 338, 341, and 342 for the duration of the contract.

A contractor's failure to reveal a final determination of a violation or to comply with these statutes for the duration of the contract shall be grounds for:

1. Cancellation of the contract; and
2. Disqualification of the contractor from eligibility for future contracts for a period of two (2) years.

BIDDER'S STATEMENT ON STAFFING CAPABILITIES

The District shall establish procedures requiring a signed assurance from a bidder that labor under its direction as a self-performing contractor, or skilled labor provided by any subcontractor, will be paid as employees with appropriate withholdings and benefits.

PROCEDURES SETTING FORTH ADDITIONAL REQUIREMENTS FOR BIDDERS

The Chief Financial Officer shall establish procedures for the following:

1. A written plan for employee drug testing that covers all employees of the bidder who will perform work on a District project **if drug testing is required by state or federal law** project;
2. Receipt of the name and management experience of each bidder's project managers and superintendents that the bidder intends to assign to work on a District project;
3. Proof of any professional or trade license required by state law for any trade or specialty area required for a project being bid;
4. Disclosure of any suspension or revocation of a professional or trade license of the bidding company or person employed by the bidding company;
5. Evidence that the bidder has a bond issued by a surety authorized to do business in Kentucky, as required by administrative regulations promulgated by the Kentucky Board of Education;
6. Post-bid submissions from a bidder within seventy-two (72) hours after bids are due disclosing the name, address, and type of work of each first-tier subcontractor, including individuals serving independent contractors; and
7. Receipt of a written assurance from a bidder that payroll documents indicating proper tax withholding for it and all subcontractors under the bidder shall be available for inspection upon request by Superintendent/designee.

Model Procurement Code Purchasing**PUBLIC-PRIVATE PARTNERSHIPS**

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

FEDERAL AWARDS/CONFLICT OF INTEREST

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.³

The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. In determining whether an activity constitutes an impermissible acceptance of a gratuity or item of monetary value, “gratuity” means a payment, loan, subscription, advance, deposit of money, services, or anything of more than twenty-five dollars (\$25.00) in value, present or promised, unless consideration of substantially equal or greater value is received. Violation of these standards may result in disciplinary action including, but not limited, to suspension, dismissal, or removal.

RECIPROCAL PREFERENCE FOR RESIDENT BIDDERS

A public purpose is served by providing a preference to Kentucky residents in contracts by the Board. To the extent permitted by law, the Chief Finance Officer shall adopt procedures for all contracts funded or controlled by the Board to implement a preference for a Kentucky resident bidder against a non-resident bidder that is equal to the preference given or required by the state of the non-resident bidder. Geographical preferences relating to school nutrition service purchases may be utilized only as permitted by applicable federal law.²

USE OF NON-RESIDENT SUBCONTRACTORS

A bidder that is awarded a contract for a construction, renovation, or repair services project that utilizes subcontractors shall make an effort to subcontract with resident businesses of the Commonwealth. Bidders that utilize subcontractors based outside of Kentucky shall submit documentation of their efforts to solicit pricing from subcontractors based in the Commonwealth.

EXEMPTIONS

Federal regulatory requirements do not provide a bidding exception for purchase of perishables using school nutrition service funds. Such purchase must follow applicable federal regulations.³

Model Procurement Code Purchasing**BACKGROUND CHECKS**

The Superintendent may require an adult who is permitted access to school grounds on a regularly scheduled and continuing basis pursuant to a written agreement for the purpose of providing services directly to a student or students as part of a school-sponsored program or activity to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and to provide a clear CA/N check, defined in KRS 160.380 as “a letter from the Cabinet for Health & Family Services indicating that there are no substantiated findings of child abuse or neglect relating to a specific individual.”⁶

The form for requesting a CA/N check is available on the Cabinet for Health and Family Services website. The program and user instructions are on the Kentucky Online Gateway (KOG): <https://kog.chfs.ky.gov/home/>.

OPEN RECORDS

All information submitted by a bidder or a subcontractor pursuant to a bid specification are public records subject to review pursuant to the Open Records Act as set forth in KRS 61.870 to KRS 61.884.

REFERENCES:

¹Includes the State Bid List

²KRS 160.303; 200 KAR 5:400; KRS 45A.494

³2 C.F.R. 200.318

⁴KRS 45A.385;

⁵KRS 160.370

⁶KRS 160.380

KRS 156.076; KRS 160.290

KRS 45A.070; KRS 45A.343; KRS 45A.345; KRS 45A.352; KRS 45A.360; KRS 45A.370

KRS 45A.380; KRS 45A.420; KRS 45A.445; KRS 45A.455

KRS 45A.460; KRS 45A.620

KRS 65.027; KRS 65.028KRS 160.151; KRS 162.070; KRS 164A.575; KRS 176.080

200 KAR 5:355

OAG 79-501; OAG 82-170; OAG 82-407

Kentucky Educational Technology Systems (KETS)

RELATED POLICIES:

05.1; 06.4; 07.13

LEGAL: SB 207 AMENDS KRS 156.445 REGARDING THE PURCHASE OF INSTRUCTIONAL MATERIALS,
EFFECTIVE JULY 1, 2026.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4242

School Budget and Purchasing (SBDM)

BOARD ALLOCATIONS

The Board shall appropriate to each school an amount equal to or greater than that specified by the formula prescribed in 702 KAR 3:246. School councils shall be provided notice of allocations for the next budget year in accordance with the timelines required by Kentucky Administrative Regulation.¹

An amount for professional development shall be allocated as required by Kentucky Administrative Regulation.

SCHOOL RESPONSIBILITY

The school administration (SBDM council or the Principal with consultation from the participatory management committee) shall prepare a detailed budget using the basic allocation to purchase the necessary certified and classified positions, supplies and instructional materials, professional training, etc., to provide a sound program of instruction to all of the school's students.

School administration shall submit this budget to the Superintendent in accordance with the budgeting calendar approved by the Board.

Schools may request additional general fund monies from the Board. The Board shall consider such requests under the following conditions:

1. Each school shall have a budget and all expenditures shall be made in accordance with this budget. In addition, the school shall comply with all federal and state laws and regulations.
2. The ratio of teachers to students shall be flexible depending upon grade levels, course offerings, accrediting standards, other applicable state laws and regulations and provisions of negotiated agreements.

The school shall, in expending allocated funds, comply with all state and Board budgeting, purchasing and reporting laws, regulations, policies and procedures. Board purchasing procedures shall be followed in the expenditure of these funds. Expenditure of these funds, with the exception of personnel salaries, shall be accomplished only by completing a central office purchase order.

The Board allocation is the total financial resource available to that school in those budget categories for the fiscal year. The council may reassign these funds to alternate budget categories for purposes consistent with its responsibilities. The school shall not expend or commit to expend any funds in excess of those allocated to the school. Should this occur, the employee(s) responsible shall be subject to appropriate disciplinary action, and the Superintendent may require the school/council to present, for Board approval, a plan to reimburse the District for the amount spent in excess of the allocation.

All state allocated funds managed by the school but not expended by the end of the fiscal year, shall revert to the District general fund, unless the school council has received Board approval to escrow the funds to be used at a future date for an approved project.

BOARD APPROPRIATION

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 and after a reasonable review and response period for stakeholders in accordance with applicable state laws, regulations, and Board policy.

School Budget and Purchasing (SBDM)**PURCHASING**

In order to comply with state accounting and bidding requirements, all purchases of goods and services shall be made in conformity with Board policy.

SUPERINTENDENT'S RESPONSIBILITY

The Superintendent/designee shall prepare and provide the school a monthly statement of the current financial status of funds allocated to the school. This statement shall include the beginning unencumbered balance for each category of authorized expenditure, an itemized listing of purchase orders paid, an itemized listing of purchase orders authorized but not paid, and the end-of-the-month unencumbered balance of funds allocated.

EXPENDITURE OF FUNDS

In schools where SBDM has been implemented, the school council shall determine the expenditure of funds allocated to the school. In schools not operating under SBDM, the District administration shall determine the expenditure of these funds.

REFERENCES:

¹702 KAR 3:246; School Council Allocation Formula

704 KAR 3:510; [KRS 156.445](#); KRS 160.345

OAG 91-10; OAG 91-206; OAG 92-59

RELATED POLICIES:

02.4331

04.1; [08.1](#)

LEGAL: SB 48 AMENDS KRS 158.060 PROVIDING TEACHERS ACCESS TO A COPY OF HIS/HER
EMPLOYMENT CONTRACT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.114

-CERTIFIED PERSONNEL-**Contract****CONTRACT**

The District shall enter into written contracts, either limited or continuing, for the employment of certified personnel as required by law.¹ The duties to be performed ~~shall: are to commence on the~~

1. Commence on the:

a. ~~The~~ first day required by the ~~District Working Calendar or~~ school calendar adopted or amended by the District and approved by the Kentucky Department of Education for the school year, ~~as appropriate;~~ or

~~a.b. The the~~ first day of employment if the school year has begun;. Contracts for certified personnel shall not exceed two hundred sixty-two (262) days per fiscal year.²

2. Be performed for the number of days required by ~~the pertinent such~~ calendar;

3. Be performed to end no later than June 30 of the school year ~~in such school or schools.~~

~~Contracts for certified personnel shall not exceed two hundred sixty-two (262) days per fiscal year.²~~

Each teacher shall be provided access to a copy of his or her employment contract upon request.⁴

VOCATIONAL

Vocational agriculture teachers shall be allotted sufficient days of extended employment to provide for twelve (12) months instructional salary per year, as required by law.³

TENURE STATUS

Certified staff shall gain tenure as teachers in accordance with the provisions of [KRS 161.740](#), and tenure as administrators in accordance with the provisions of [KRS 161.765](#). Continuing service contracts, issuance of four (4) limited contracts in a six (6) year period, shall remain in effect until the teacher resigns or retires.

A teacher who begins employment in a District-level administrative position in the District that has administrative level-duties responsibilities that are not limited to one (1) school in the District shall not be issued a written continuing contract. However, if a teacher had a written continuing contract prior to becoming employed in a District-level administrative position and transfers to another position in the District that is not a District-level administrative position, then the teacher shall revert to continuing service contract status. If the teacher becomes employed in another District, the teacher shall revert to continuing service contract status subject to the provisions of [KRS 161.740](#) regarding probation and the time period for transferring a continuing service contract to another school District.⁴⁵

A teacher who had a written continuing contract prior to becoming employed in a District-level administrative position and whose contract as a District-level administrator is not renewed, shall revert to continuing service contract status and shall be assigned an appropriate position in accordance with District policies and procedures.

-CERTIFIED PERSONNEL-

Contract

REFERENCES:

¹[KRS 161.730](#)

²[KRS 161.220](#)

³[KRS 157.360](#)

⁴[KRS 158.060](#)

⁴⁵[KRS 161.740](#)

[KRS 161.765](#)

[016 KAR 004:040](#)

RELATED POLICY:

03.121

Adopted/Amended: 5/26/2020

Order #: 2020-67

LEGAL: SB 9 AMENDS KRS 161.155 REQUIRING THE DISTRICT TO MAKE SPECIFIED REPORTS CONCERNING SICK LEAVE TO THE TEACHERS' RETIREMENT SYSTEM. THE BILL INCLUDED AN EMERGENCY CLAUSE MAKING IT ALREADY IN EFFECT.
FINANCIAL IMPLICATIONS: COST IN PREPARING REPORTS

PERSONNEL

03.1232

- CERTIFIED PERSONNEL -**Sick Leave**

Sick leave shall be granted to an employee in accordance with the limits and restrictions set by law provided the employee has not exhausted the current and accumulated sick leave credit. Employees must be in active pay status or on an approved leave during their scheduled work year in order to utilize sick leave, unless the employee submits documentation to support a leave under Board Policies 03.12322 Family and Medical Leave or 03.1234 Medical Leave.

Temporary, seasonal and substitute employees and student workers shall be excluded from paid sick leave.

STATEMENT

Sick leave may be granted to an employee upon presentation of a personal statement or a certificate of a physician stating that the employee or member of employee's immediate family was ill on the day or days absent from duty and providing the employee has not exhausted the current and accumulated sick leave credit.¹

ACCUMULATION

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation to the credit of the certified employee to whom they were granted.

DEFINITION

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

FAMILY ILLNESS/MOURNING

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

TRANSFER OF SICK LEAVE

A certified employee coming to the District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to which the employee was entitled on the date of the transfer to the District.

A certified employee coming directly to the District from one of the Kentucky Regional Education Cooperatives recognized by the Kentucky Department of Education shall receive credit from the District for all sick leave accumulated on the last day of employment with the cooperative.

SICK LEAVE DONATION PROGRAM

A sick leave donation program shall be established as required by law. The Superintendent shall develop procedures to implement this program.

Sick Leave**SICK LEAVE BANKS**

Sick leave banks may be established as permitted by law.

REPORTING

For the fiscal year ending June 30, 2025, and each fiscal year thereafter, the District shall annually report to the TRS the sick leave balances for each teacher and employee who is a member of the TRS.

The District shall file with the TRS information regarding their sick leave policies and provisions that are applicable to members of the system.

These reports shall include requirements set forth in KRS 161.155.

REFERENCES:

¹KRS 161.155; KRS 161.152; OAG 79-148

OAG 93-39

Family & Medical Leave Act of 1993

Young v. Bd. Of Educ. Of Graves County, 661 S.W. 2d 787 (Ky. App., 1983)

RELATED POLICIES:

03.12322

03.1233

03.1234

03.124

03.175

LEGAL: SB 207 AMENDS KRS 156.460 REGARDING CONFLICT OF INTEREST AND THE PROCESS FOR PURCHASING INSTRUCTIONAL MATERIALS. THIS CHANGE ADDS EXISTING STATUTORY LANGUAGE BUT WITH THE NEW TERM, INSTRUCTIONAL MATERIALS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1721

- CERTIFIED PERSONNEL -**Conflict of Interests**

No employee of the District shall violate any of the standards of ethical conduct applicable to such employee, as stated in the Procurement Regulations issued by the Board.

No employee of the District with decision-making authority over the financial position of the District shall have any pecuniary interest, directly or indirectly, in an amount exceeding \$25.00 per year, in supplying to the District any books, stationery or other goods, services, property, or merchandise for which school funds are expended, except personal services that are in addition to those required by such employee's contract for employment. Nor shall any employee receive directly or indirectly any gift, reward, or promise of reward for such employee's influence in recommending or procuring the use by the District any goods, services, property, or merchandise of any kind for which school funds are expended.

No employee of the District with procurement authority shall participate in any proceeding or application, request for ruling or determination, claim or controversy, or other matter pertaining to any existing Board contract, or any solicitation or proposal for any proposed Board contract, if (1) he or she or any member of his or her immediate family has or will have a financial interest in such contract; (2) a business or organization in which he or she or any member of his or her immediate family has a financial interest in or will be a party to such contract; or (3) any other person, business or organization with whom he or she or any member of his or her immediate family is negotiating or has an arrangement concerning prospective employment is or will be a party to such contract.

No employee of the District shall solicit students, parents or other employees of the District during the school day or during an after school event, if such employee has a pecuniary interest, directly or indirectly, in the proceeds from such solicitation.

Unless a prior written agreement is made with the Board, any device, design, writing, composition, artwork or any other work that is developed by a District employee during such employee's paid time that may be the subject of a patent, copyright, trademark or trade secret shall be District property.

No District employee shall obtain a profit, directly or indirectly, from the use of confidential information gained in the course of or by reason of such employee's position of employment with the District.

RESTRICTIONS ON INSTRUCTIONAL MATERIALS

A superintendent, teacher, or other official or employee of any institution supported wholly or in part by public funds shall not act, directly or indirectly, as agent for any person whose instructional materials are identified on the state-approved list.¹

REFERENCES:

¹KRS 156.460

KRS 156.480

KRS 45A.455

OAG 77-228

OAG 71-474

LEGAL: SB 207 AMENDS KRS 156.460 REGARDING CONFLICT OF INTEREST AND THE PROCESS FOR PURCHASING INSTRUCTIONAL MATERIALS. THIS CHANGE ADDS EXISTING STATUTORY LANGUAGE BUT WITH THE NEW TERM, INSTRUCTIONAL MATERIALS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2721

- CLASSIFIED PERSONNEL -**Conflict of Interests**

No employee of the District shall violate any of the standards of ethical conduct applicable to such employee, as stated in the Procurement Regulations issued by the Board.

No employee of the District with decision-making authority over the financial position of the District shall have any pecuniary interest, directly or indirectly, in an amount exceeding \$25.00 per year, in supplying to the District any books, stationery or other goods, services, property, or merchandise for which school funds are expended, except personal services that are in addition to those required by such employee's contract for employment. Nor shall any employee receive directly or indirectly any gift, reward, or promise of reward for such employee's influence in recommending or procuring the use by the District any goods, services, property, or merchandise of any kind for which school funds are expended. No employee of the District with procurement authority shall participate in any proceeding or application, request for ruling or determination, claim or controversy, or other matter pertaining to any existing Board contract, or any solicitation or proposal for any proposed Board contract, if (1) he or she or any member of his or her immediate family has or will have a financial interest in such contract; (2) a business or organization in which he or she or any member of his or her immediate family has a financial interest in or will be a party to such contract; or (3) any other person, business or organization with whom he or she or any member of his or her immediate family is negotiating or has an arrangement concerning prospective employment is or will be a party to such contract.

No employee of the District shall solicit students, parents or other employees of the District during the school day or during an after school event, if such employee has a pecuniary interest, directly or indirectly, in the proceeds from such solicitation.

Unless a prior written agreement is made with the Board, any device, design, writing, composition, artwork or any other work that is developed by a District employee during such employee's paid time that may be the subject of a patent, copyright, trademark or trade secret shall be District property.

No District employee shall obtain a profit, directly or indirectly, from the use of confidential information gained in the course of or by reason of such employee's position of employment with the District.

RESTRICTIONS ON INSTRUCTIONAL MATERIALS

A superintendent, teacher, or other official or employee of any institution supported wholly or in part by public funds shall not act, directly or indirectly, as agent for any person whose instructional materials are identified on the state-approved list.²

REFERENCES:

¹KRS 156.480

²KRS 156.460

KRS 45A.455

OAG 77-228

OAG 71-474

LEGAL: SB 9 AMENDS KRS 161.155 REQUIRING DISTRICTS PAY TO TEACHER RETIREMENT SYSTEM (TRS) THE ACTUARIAL COSTS OF SICK LEAVE FOR FUTURE SICK LEAVE ACCRUALS IN EXCESS OF THIRTEEN (13) DAYS EACH YEAR. THE BILL INCLUDED AN EMERGENCY CLAUSE MAKING IT ALREADY IN EFFECT.

FINANCIAL IMPLICATIONS: ACTUARIAL COSTS FOR SICK LEAVE DAYS OVER THIRTEEN (13)

PERSONNEL

03.175

-CERTIFIED PERSONNEL-**Retirement****DEFINITION**

Retirement means retirement as determined by Teachers' Retirement System [\(TRS\)](#) guidelines.

NOTICE

An employee who is retiring should give the Superintendent notice as far in advance as possible, but not less than four (4) weeks prior to retirement.

RESPONSIBILITY

Retirement benefits shall be solely a matter of contract between the employee and the ~~Teachers' Retirement System~~ and shall not be the responsibility of the Board except that the Board shall deduct and send to the ~~Teachers' Retirement System~~ in the manner prescribed, those amounts required under law.

UNUSED SICK DAYS

The Board shall compensate certified employees only upon initial retirement from the District for each unused sick day at the rate of thirty percent (30%) of the daily salary. An employee hired before July 1, 2008, shall be compensated for all unused sick days. This calculation shall be based on the employee's last annual salary. For an employee who began employment on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under KRS 161.155 shall not exceed three hundred (300) days. For an employee who became a member of the ~~Teachers' Retirement System~~ on or after January 1, 2022, payment for unused sick leave days shall not be incorporated into the annual compensation used to calculate the retirement allowance in the foundational benefit but may be deposited into the member's supplemental benefit component.¹

The District shall provide compensation for unused sick leave days at the rate of thirty percent (30%) of the employee's daily rate when the employee provides proof he/she/they qualifies as an annuitant who will receive a retirement or disability allowance from the ~~Teachers' Retirement System~~.

UNUSED SICK DAYS AND ACTUARIAL COSTS

Actuarial costs to TRS for the inclusion of payment for unused sick leave days that are eligible for compensation shall be funded as follows:

1. The state shall pay actuarial costs for the compensation attributable to the actual unused sick leave accrued as of June 30, 2025, plus annual adjustments to the sick leave balance of each fiscal year thereafter, based upon the sick leave accrued or used by the teacher or employee, not exceed thirteen (13) additional days per year. Unused sick leave payable by the state shall not include any annual leave described in KRS 161.540(1)(f) or the cost of unused sick days for employees retiring from agencies listed in KRS 161.220 (4)(d) and (f).
2. The last employer who is compensating the unused sick day shall pay the actuarial costs of compensation for unused sick leave days not paid by the state (as described above). Upon the teacher's or employee's retirement, the TRS shall bill the last employer for the cost of the unused sick days, and the employer shall pay the costs within fifteen (15) days after receiving notification of the cost from the system.

Retirement**UNUSED SICK DAYS AND ACTUARIAL COSTS (CONTINUED)**

3. The actuarial costs of the unused sick days shall be the amount payable for unused sick days after the fixed statutory employee and employer contributions have been paid as provided in KRS 161.540 and 161.550(1) and that is necessary to fund the benefit.

ESCROW ACCOUNT

The Board shall create an escrow account to maintain the funds necessary to reimburse teachers or employees who qualify for the retirement benefit.

REFERENCES:

¹KRS 161.155
KRS 157.420; KRS 161.220
KRS 161.540; KRS 161.545
KRS 161.550; KRS 161.560; KRS 161.600
KRS 161.633; KRS 161.635
OAG 81-1; OAG 83-191; OAG 97-28
29 U.S.C. 631

RELATED POLICY:

03.1232

LEGAL: HB 48 AMENDS KRS 156.095 REMOVING THE REQUIREMENT FOR ACTIVE SHOOTER
SITUATION TRAINING FOR CLASSIFIED STAFF.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.29

- CLASSIFIED PERSONNEL -**Staff Meetings and Professional Development**

The Board expects all employees to participate in meetings or activities designed to increase their skills and competencies or to contribute to their professional growth. Accordingly, the District shall provide professional development opportunities for employees to develop their skills and to receive training necessary for the performance of duties.

STAFF ORIENTATION

The District shall provide orientation for all new and/or selected personnel at the beginning of the school year. The orientation shall provide information and activities to enhance effective job performance. Orientation may be held at other times as necessary.

ACTIVE SHOOTER SITUATIONS

~~By November 1, annually, a minimum of one (1) hour of training on how to respond to an active shooter situation shall be required for all District employees with job duties requiring direct contact with students. The training shall be provided either in person, by live streaming, or via a video recording prepared by the Kentucky Department of Criminal Justice Training in collaboration with the Kentucky Law Enforcement Council, the Kentucky Department of Education, and the Center for School Safety and may be included in the four (4) days of professional development under KRS 158.070. When a staff member subject to the training requirements of this subsection is initially hired after the training has been provided for the school year, the District shall provide materials on how to respond to an active shooter situation.~~

REFERENCES:

KRS 156.095; KRS 158.070

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

34 C.F.R. 200.58

LEGAL: SB 68 AMENDS KRS 424.250 ADDING PUBLICATION OF THE BUDGET TO INCLUDE THE DISTRICT'S WEBSITE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.1

Budget Planning and Adoption

ANNUAL OPERATING BUDGET

The annual operating budget of the District is a plan that defines the allocation of resources to support costs of the program of public education approved by the Board.

No later than the second board meeting in September, the Superintendent shall present for Board approval the planning/budgeting checklist/calendar for the next fiscal year. Members of the Board shall have an opportunity to review the recommended budget during its development.

The Superintendent shall present an educational plan outlining the programs necessary to achieve the broad objectives established by the Board. This plan shall lead to successful implementation of curriculum-based budgeting and shall describe each program, give the estimated cost, the time line for implementation, and the methods that will be used for evaluation.

Based upon this plan, the Superintendent shall have the annual budget prepared and presented to the Board for review and adoption. The preparation of the budget shall be delegated to the Financial Services Division under the supervision of the Chief Financial Officer, who will coordinate the compilation of the total budget in order to meet the objectives and policies of the Board within the limits of available resources.

Each year, school councils shall review the budgets for all categorical programs and, as appropriate, provide comments to the Board, through submissions to the Chief Financial Officer, prior to the adoption of the budgets.

The fiscal year shall begin on July 1 and end on June 30.

TIMELINE

On or before January 31, the Board shall formally and publicly examine a detailed estimate of revenues and proposed expenditures by line item for the following fiscal year. A budget known as the "Tentative Working Budget", must be approved by the Board on or before May 30, to include no less than a minimum reserve of two percent (2%) of the total budget.

The Superintendent shall submit a "Working Budget" for Board approval no later than the last board meeting in September. The Working Budget shall then be submitted to the Kentucky Board of Education by September 30.

BUDGET CONTROL RESPONSIBILITY

Budgeted funds will be expended to meet the Board's goals and objectives. Appropriate and adequate budget controls shall be devised and implemented and deviations promptly reported, together with plans for correction, to the appropriate cost center head.

Responsibility for control of the annual budget shall be delegated to the appropriate cabinet member and school principals with additional responsibility for controlling the total budget to the Chief Financial Officer.

PUBLICATION

At the same time that copies of the budget of the District are filed with the clerk of the tax levying authority for the District, as provided in KRS 160.470, the Board shall cause the budget to be advertised in a newspaper and on the district's website.

Budget Planning and Adoption

REFERENCES:

KRS 156.160; KRS 157.330; KRS 157.350; KRS 157.360
KRS 157.440; KRS 160.370; KRS 160.390
KRS 160.460; KRS 160.470; KRS 160.530; KRS 424.145; KRS 424.250
702 KAR 3:100; 702 KAR 3:110; 702 KAR 3:246; OAG 67-510

RELATED POLICIES:

01.11; 02.4242; 02.4331; 04.91

LEGAL: 702 KAR 4:090 HAS BEEN AMENDED REVISING THE DISPOSAL OF PROPERTY PROCESS FOR DISTRICTS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.8

Disposal of School Property

BIDS OR AUCTION

Upon receiving the report from the Superintendent, the Board may, at such time as it deems proper and after compliance with applicable state¹ or federal regulations, authorize the disposal of school properties through closed sealed bids, public auction, or sale for at least the fair market value established by certified appraisal. The Board reserves the right to reject any and all bids.

DISPOSITION ~~PROCESS OF REAL PROPERTY~~

~~Real School~~ property ~~proposed~~ for disposal shall be declared surplus to the educational ~~program~~ needs of the District ~~by the Board as determined by the effective District facility plan. Real Surplus~~ property ~~may include real property designated as a "Transitional Center" or not listed on the effective and property not included in the~~ District facility plan. The Board shall request approval from Request for approval to dispose of real property shall be submitted in writing to the Kentucky Department of Education (KDE) to dispose of real property by sale, lease, or easement and shall submit the request and required documentation electronically through the Facilities Planning and Construction System (FACPAC). All documentation required by 702 KAR 4:090 shall be reviewed by the Board's legal counsel, and if applicable, the District's insurance carrier and fiscal agent or bond counsel prior to being presented to the Board and submitted to the KDE.

Disposal of property purchased or improved using federal funds that is no longer needed for the originally authorized purpose shall comply with state and federal requirements.

The KDE shall review and provide the applicable contingent approval, final approval, closeout approval, or disapproval, to the District within thirty (30) business days of receipt of a completed documentation. The request shall identify the property by its address and last reported name and include a plan for resolving mortgage liens or other encumbrances. Upon receipt of written contingent approval from the Department, the District may start the disposal process using one of the following methods that secures the fair market value for the property and ensures that the District retains no residual interest as owner or lender:

~~(a) By public auction;~~

~~(b) By accepting sealed bids; or~~

~~(c) By setting a minimum acceptable price, which is at least the fair market value of the property.~~

~~Dependent upon the method of disposal above, t~~The District shall follow the requirements specified in 702 KAR 4:090 for property disposal.

CONFLICT OF INTEREST

If the Board uses a third party to dispose of or lease property, the third party shall not have any financial interest in the transaction or adjacent property beyond a standard commission approved by the Board. If the third party has any financial interest in the transaction or adjacent property beyond a standard commission, the third party shall publicly disclose his or her conflict of interest to the Board and ~~shall be documented in the conflict shall be spread on~~ the Board's meeting minutes. The Board shall provide the minutes of any such meeting to the ~~KDE Department~~ when requesting approval.²

Disposal of School Property**REFURBISHED SURPLUS TECHNOLOGY**

If the District receives a written determination that surplus technology does not meet Kentucky Education Technology System standards, it may choose to distribute the refurbished surplus property to eligible low-income students.

First priority shall be given to eligible students in the free or reduced lunch program, and they or their parent/guardian must request the property in writing. The District shall document to whom the technology is distributed.

Efforts will be made to involve local businesses and organizations to participate in refurbishing efforts with career and technical programs and student organizations.

The Superintendent shall develop and implement procedures to carry out this policy.

REFERENCES:

¹KRS 160.290

²702 KAR 4:090; KRS 160.335; KRS 45A.425

704 KAR 3:455

OAG 76-291; OAG 91-85

34 CFR 80.32

EXPLANATION: REVISIONS TO 702 KAR 4:090 AMEND THE DISPOSITION PROCESS FOR REAL PROPERTY.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.8 AP.1

Disposal of School Property

REAL PROPERTY

~~The Board shall follow the disposition process for real property as contained in 702 KAR 4:090.~~

~~School property that is no longer needed for school purposes will be disposed of as follows:~~

- ~~1. The latest Effective Facility Plan or amendment lists the property as surplus to educational need.~~
- ~~2. A request is made in writing to the Chief State School Officer to dispose of property.~~
- ~~3. Official approval is granted.~~
- ~~4. The property is appraised by qualified appraiser.~~
- ~~5. The Board now advertises the property for sale and disposes of it as directed by Policy 04.8.~~
- ~~6. The Board may accept or reject any or all bids.~~

FURNITURE, EQUIPMENT, VEHICLES

Furniture, equipment and vehicles will be disposed of as follows:

1. Designated personnel shall present in writing to the Superintendent a complete description of items no longer needed for school purposes.
2. The Superintendent shall advise the Board that certain furniture, equipment, and vehicles are no longer needed for public school purposes and are being deemed surplus.
3. Once the Board declares the property surplus, the Superintendent/designee shall advertise the property for sale as directed in Policy 04.8.
4. The Board may accept or reject any and all bids.

DISTRIBUTION OF SURPLUS TECHNOLOGY EQUIPMENT

Technology equipment that is determined to no longer meet the Kentucky Education Technology System standards established by the Kentucky Department of Education may be distributed to students as outlined in the District State-Mandated Fixed Assets Guidelines, which are available on the District website.

LEGAL: SB 68 REPEALS KRS 158.856 REMOVING THE REPORTING REQUIREMENTS RELATING TO PARTICIPATION IN NUTRITION PROGRAMS AND PHYSICAL ACTIVITY.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SUPPORT SERVICES

07.1

Food/School Nutrition Services

The Board shall provide a District-wide school nutrition program in compliance with applicable state and federal statutes and regulations.

It is the intent of the Board that school nutrition services be a self-supporting program.

MEALS

Lunchrooms shall serve meals that meet or exceed the requirements specified by state and federal regulations.

MEAL CHARGE POLICY

Every student's parent/guardian shall be provided the written meal charge policy at the beginning of each school year or upon enrollment in the District for a student transferring in mid-year. In addition, the parent/guardian shall be advised of the available payment systems and meal prices.

The written meal charge policy shall be distributed to all school level staff including each school nutrition employee involved in policy enforcement.

SCHOOL AND COMMUNITY NUTRITION SERVICES EXECUTIVE ADMINISTRATOR

The District shall appoint/select an Executive Administrator for School and Community Nutrition Services to oversee and manage the school nutrition service program. The Executive Administrator for School and Community Nutrition Services shall meet minimum educational requirements and annual training requirements in accordance with federal and state law.

ANNUAL REPORT/PUBLIC FORUM

~~Immediately following the release of the annual school nutrition report, the Board shall discuss the findings and seek public comment during a publicly advertised Board meeting.~~

~~By January 31 of each year, the Board shall hold an advertised public forum to present a plan to improve school nutrition and physical activities in the District.~~

~~The District shall compile a summary of findings and recommendations and submit the summary to the Kentucky Board of Education.~~

DISCRIMINATION COMPLAINTS

Consistent with federal regulations, the District does not discriminate on the basis of race, color, national origin, sex, age, or disability in its school nutrition program.

Anyone wishing to initiate a complaint concerning discrimination in the delivery of benefits or services in the District's school nutrition program should go to the link below or mail a written complaint to the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, or email, program.intake@usda.gov.

http://www.ascr.usda.gov/complaint_filing_cust.html

District personnel shall assist a parent/guardian or student wishing to file a complaint.

Additionally, consistent with Board Policies 01.1 and 09.13, the District shall not discriminate on the basis of religion, marital or parental status, political affiliations or beliefs, sexual orientation, gender identity, gender expression, or veteran status, genetic information, or limitations related to pregnancy, childbirth, or related medical conditions in its school nutrition program.

Food/School Nutrition Services**SPECIAL DIETARY NEEDS**

A student whose dietary needs qualify them for an adaptation under law shall be provided accommodations in keeping with local procedures.

Every student's parent/guardian shall be provided notice of how to request meal accommodations and how to submit a grievance related to a request for modifications based on a disability, at the beginning of each school year or upon enrollment in the District for students transferring in mid-year.

FOOD SANITATION PROGRAM

The School and Community Nutrition Services Unit shall organize and administer a sanitary program in each school location and retain a Retail Food Establishment permit as detailed by the Kentucky Cabinet for Health and Family Services, Division of Local Health for each location.

REFERENCES:

KRS 156.160

KRS 158.852; ~~KRS 158.856~~

KRS 160.290

702 KAR 6:010; 702 KAR 6:050

702 KAR 6:075; 702 KAR 6:090

7 C.F.R. part 15b; 7 C.F.R. §210.23; 7 C.F.R. §210.31; FNS Instruction 113

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

P.L. 111-296

RELATED POLICIES:

01.1; 09.13

EXPLANATION: SB 68 REPEALS KRS 158.856 REMOVING THE REPORTING REQUIREMENTS RELATING TO PARTICIPATION IN NUTRITION PROGRAMS AND PHYSICAL ACTIVITY.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SUPPORT SERVICES

07.1 AP.1

School and Community Nutrition Program**PROGRAM FUNDS**

The District receives federal, state, and local funds to finance the school and community nutrition program. Funds shall be properly safeguarded, accurate records be kept, and reports be submitted as required. In order to achieve this, the following procedures shall be implemented:

1. All funds received as payment for meals (school nutrition program breakfast and/or lunch a la carte) and federal and state reimbursements shall be used only for food, labor, equipment, and supplies for the operation/improvement of the school nutrition program.
2. School nutrition program funds may not be used for:
 - a. The purchase of land.
 - b. The purchase or construction of buildings.
3. All schools shall make the required reports as required by the U.S. Department of Agriculture and the Kentucky Department of Education.
4. In accordance with the Public School District Records Retention Schedule of the Kentucky Department of Libraries and Archives (KDLA):
 - a. A copy of all reports, financial records, and applications for free- and/or reduced-price meals shall be kept through the current fiscal year and the three (3) years that follow or through the completion of any unresolved audit issues, whichever is longer; and
 - b. A copy of all Educational Benefits Forms (EBF) collected in conjunction with participation in the Community Eligibility Provision shall be kept following the same retention schedule.
5. All meals receiving federal reimbursement shall be priced as a complete unit.
6. The school nutrition program shall be operated on a nonprofit basis. Actual cash balances shall be maintained in accordance with state/federal regulation, as appropriate.

FOOD SERVICE/SCHOOL NUTRITION PROGRAM REPORT

Each year, the Executive Administrator, School and Community Nutrition Services shall assess the school nutrition program and issue a written report to parents, the Board, and school-based decision making councils by a date specified by the Superintendent/designee. The annual report shall include requirements specified by state and federal regulations.

REFERENCES:

~~702 KAR 6:090~~

7 C.F.R. 245.6

KDLA Public School District Records Retention Schedule

AT SCHOOL DISTRICTS ARE NOT REQUIRED TO CLOSE IF SCHOOL BUILDINGS ARE USED AS VOTING PLACES.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.3

School Calendar

CALENDAR COMMITTEE

1. The Board, upon recommendation of the Superintendent, shall annually appoint a District Calendar Committee to review, develop, and recommend school calendar options.
2. The District Calendar Committee shall consist of at least the following:
3. One (1) District Principal;
4. One (1) District office administrator other than the Superintendent;
5. One (1) local Board member;
6. Two (2) parents of students attending a school in the District;
7. One (1) District elementary teacher;
8. One (1) District middle or high teacher;
9. Two (2) District classified employees; and
10. Two (2) community members from the local chamber of commerce, business community, or tourism commission

DEVELOPMENT OF CALENDAR

The District Calendar Committee, after seeking feedback from District employees, parents, and community members, shall recommend school calendar options to the Superintendent for presentation to the Board. The committee's recommendations shall comply with state laws and regulations and consider the economic impact of the school calendar on the community and the state.

In order to act on the school calendar, the Board must hold two (2) meetings: 1) one that includes hearing and discussing recommendations from the Superintendent and the calendar committee and 2) a subsequent meeting that includes adoption of the calendar.

The meetings may be regular or special.

In the case of special meetings, the requirements of KRS 61.823 and Board Policy 01.44 apply, including describing in the applicable special meeting notice(s) and agenda(s) consideration and discussion of the recommendations of the Superintendent and the calendar committee (regarding an initial special meeting dealing with the school calendar) or adoption of the school calendar (regarding a subsequent special meeting that includes adoption of the calendar).

In the case of an initial regular meeting that includes the required recommendations/discussion or a subsequent regular meeting that includes adoption of the school calendar, notice shall be given to media outlets that have requests on file to be notified of special meetings stating the date of the regular meeting and that one (1) of the items to be considered in the regular meeting will be the school calendar. The notice shall be sent at least twenty-four (24) hours before any such regular meeting. This additional and unique regular meeting notice requirement does not make any of the requirements or limitations relating to special meetings applicable to the regular meeting.

School Calendar**DEVELOPMENT OF CALENDAR (CONTINUED)**

On or before May 15, the Board, in a meeting subsequent to the meeting in which the Board heard the recommendations of the District Calendar Committee and the Superintendent, shall adopt a school calendar prior to each upcoming school year that establishes or includes:

1. Opening and closing dates of the school term,
2. Beginning and ending dates of each school month,
3. Days on which students are scheduled to receive instruction at school within designated start and dismissal times (student attendance days) and the length of each student attendance day in accordance with KRS 158.060,
4. A minimum school term of not less than one hundred eight-five (185) days composed of student attendance days, teacher professional days, and holidays,
5. A student instructional year of at least one thousand sixty-two (1062) hours of instructional time on not less than one-hundred seventy (170) student attendance days,
6. Instructional time required for kindergarten per KRS 157.320,
7. Any instructional time to be banked to make up for full days that may be missed due to an emergency,
8. Days in addition to the student instructional year for the make-up of instructional time missed due to emergency equal to the greatest number of days missed system-wide over the preceding five (5) school years, and
9. Days on which schools shall be dismissed.

ADDITIONAL REQUIREMENTS

A testing window in accordance with KRS 158.6453 to accommodate state-mandated assessments shall also be included.

The Board may schedule days for breaks in the calendar that shall not be counted as part of the minimum student instructional year.

Schools shall be closed on the Tuesday after the first Monday in November in Presidential election years.

If any school in the District is used as a ~~voting~~~~polling~~ place pursuant to KRS 117.065, the school District ~~may~~~~shall~~ be closed on the ~~days~~~~day~~ of the election, and those days may be used for professional development activities, professional meetings, or parent-teacher conferences. ~~All~~~~Subject to the requirement that~~ schools shall be closed on Presidential Election Day, ~~the District may be open on the day of an election if no school in the District is used as a polling place.~~ The county board of elections shall notify the District of the expected date, time and buildings to be used as voting places no later than December 1 prior to the election.

School Calendar**CALENDAR OPTIONS**

If the Board adopts a school calendar with the first student attendance day in the school term starting no earlier than the Monday closest to August 26, the adopted calendar may use a variable student instructional year. The District may set the length of individual student attendance days in a variable student instructional schedule, but no student attendance day shall contain more than seven (7) hours of instructional time unless the District submitted and received approval from the Commissioner of Education for an innovative alternative calendar.¹

A variable student instructional year means at least one thousand sixty-two (1,062) hours of instructional time delivered on the number of student attendance days adopted by the Board which shall be considered proportionally equivalent to one hundred and seventy (170) student attendance days and calendar days for the purposes of a student instructional year, employment contracts that are based on the school term, service credit under KRS 161.500, and funding under KRS 157.350.¹

AMENDING THE CALENDAR

The Board may amend the school calendar after it is adopted due to an emergency. The Board may lengthen or shorten any remaining student attendance days by thirty (30) minutes or more, as necessary provided it meets at minimum, a student instructional year, or a variable student instructional year, as defined in statute. No student attendance day may contain more than seven (7) hours of instructional time unless the District submits and receives approval from the Commissioner of Education for an innovative alternative calendar.

EMERGENCY WAIVERS

Emergency day waivers may be requested if the District has missed more than twenty (20) regular student attendance days and demonstrates that an extreme hardship will result if not granted the waiver. Board requests for District-wide emergency day waivers shall be submitted to the Commissioner.

REFERENCES:

KRS 157.350; KRS 158.070; KRS 161.500
KRS 2.190; KRS 118.035
KRS 157.320; KRS 157.360
KRS 158.6453
02 KAR 7:130; 702 KAR 7:140

RELATED POLICIES:

01.42; 08.31

LEGAL: KRS 158.200 PREVIOUSLY PERMITTED DISTRICTS PROVIDING FOR MORAL INSTRUCTION FOR STUDENTS. SB 19 AMENDS KRS 158.200 REVISING THE PROCESS FOR DISTRICTS THAT PERMIT MORAL INSTRUCTION AND REPEALS KRS 158.240.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.122

Attendance Requirements

COMPULSORY ATTENDANCE

Except as provided in KRS 159.030, each parent, guardian, or other person residing in the District and having custody or charge of any child subject to the compulsory attendance law shall send the child to a regular public day school for the full term that the public school of the District in which the child resides is in session, or to the public school that the Board makes provision for the child to attend. Every child actually residing in this District is subject to the laws relating to compulsory attendance and neither he/she/they nor the person in charge of him/her/them shall be excused from the operation of those laws or penalties under them on the grounds that the child's residence is seasonable or that the parent/guardian is a resident of another state. Once enrolled in school, a student shall be expected to be in daily attendance. All children in the District who have entered kindergarten or who are between the ages of six (6), as of August 1, and eighteen (18), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned.¹

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

EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school;
2. A pupil who is enrolled in a private or parochial school;
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten nursery school;
4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study;
5. A pupil who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children;
6. A pupil who is enrolled and in regular attendance in a state supported program for exceptional children;² or
7. A student enrolled in a District-operated alternative education program who attains a High School Equivalency Diploma.⁸

STATEMENT REQUIRED

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

Attendance Requirements**EXCEPTIONS TO PRESENCE AT SCHOOL**

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

1. A student shall be counted in attendance when the student is receiving home/hospital, institutional,² or court-ordered instruction in another setting.
2. Participation of a student in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.³
3. A student may participate in a cocurricular activity and be counted as being in attendance during the instructional school day, provided the Principal has given prior approval to the scheduling of the activity. Approval shall be granted only when cocurricular activity or trip is instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.⁴
4. A student enrolled and participating in a full-time, online, virtual and remote learning program, or participating in an off-site virtual high school class or block may be counted in attendance in keeping with statute and regulation.^{4 & 9}
5. A student enrolled in a District middle or high school may be counted in attendance in accordance with requirements set out in Kentucky Administrative Regulation.⁴
6. A student having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day in accordance with Board policy 09.1221.⁴
7. A student who attends classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if the student had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. A student shall not be penalized for any school work missed during the specified moral instruction time.⁵
8. A student participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. A student shall be expected to complete any assignments missed on the date or dates of the competition.⁶
9. A student is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, and that falls within one (1) or more of the categories of standards-based course work. A student may be counted in attendance for performance-based credit for a class or block for the year or semester in which the student initially enrolled in the class or block if the student demonstrates proficiency in accordance with Board policies.^{4 & 7}
10. A student attending basic training required by a branch of the United States Armed Forces shall be considered present for all purposes for up to ten (10) days.³

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

11. A student participating in any of the page programs of the General Assembly.³

REFERENCES:

¹KRS 159.010; OAG 85-55

²KRS 159.030

³KRS 159.035

⁴702 KAR 7:125

⁵~~KRS 158.240~~[KRS 158.200](#)

⁶KRS 158.070

⁷704 KAR 3:305

⁸KRS 158.143

⁹KRS 158.150

KRS 158.030; KRS 159.020; KRS 159.180; KRS 159.990

704 KAR 3:535; 704 KAR 5:060

OAG 79-68; OAG 79-539; OAG 87-40; OAG 97-26

RELATED POLICIES:

08.131; 08.1312; [08.135](#); 09.111; 09.121; 09.1221; 09.123; 09.36

LEGAL: HB 48 AMENDS KRS 156.095 REQUIRING DISTRICTS TO IMPLEMENT A FOUR (4) YEAR RECURRING PROFESSIONAL DEVELOPMENT TRAINING SCHEDULE THAT INCLUDES ALL REQUIRED PROFESSIONAL DEVELOPMENT TRAININGS, AND THAT ALL CERTIFIED SCHOOL EMPLOYEES COMPLETE DESIGNATED TRAININGS WITHIN TWELVE (12) MONTHS OF INITIAL HIRE AND AT LEAST ONCE EVERY FOUR (4) YEARS THEREAFTER. MOVING PROFESSIONAL DEVELOPMENT REQUIREMENTS TO POLICY 03.19.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.22

Student Health and Safety

PRIORITY

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

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

HEALTH SERVICES TO BE PROVIDED

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

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

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

PARENT/GUARDIAN NOTIFICATION OF HEALTH AND MENTAL HEALTH SERVICES

At the beginning of each school year, or upon a student's enrollment in a District school, the District shall provide notification to a student's parent/guardian listing each of the health services as defined in KRS 156.502 and mental health services as defined in KRS 158.4416 available at the student's school related to human sexuality, contraception, or family planning, and of the parent/guardian's right to withhold consent or decline any of those specific services.

A school shall notify a student's parent/guardian if:

1. The school changes the health services or mental health services related to human sexuality, contraception, or family planning that it provides, or
2. A school employee intends to make a referral for a student to receive health services or mental health services:
 - a. Provided by the District; or
 - b. Provided by an external health care provider or mental health care provider as defined in KRS 158.191.

A school shall obtain parent/guardian consent prior to making a referral for health services or mental health services for a student. Consent of a parent/guardian for a student to receive a health service or mental health service shall not waive the parent/guardian's right to access the student's educational or health records held by the District.⁵⁴

Student Health and Safety**PARENT/GUARDIAN RIGHT TO MAKE DECISIONS**

The Superintendent/designee shall establish procedures for appropriately trained and certified District employees to encourage students to discuss mental or physical health or life issues with their parent/guardian or through facilitating the discussion with their parents.⁵⁴

INFORMATION TO BE PROVIDED TO A PARENT/GUARDIAN

A District employee shall comply with the provisions of the federal Family Educational Rights and Privacy Act, related federal regulations, Board Policy 09.14, and Administrative Procedure 09.14 AP.1 which afford a parent/guardian or student who has reached age 18 the right to have access to the student's education record for inspection and review.⁶⁵

KRS 158.191(5)(a) states in part that, "a district or school shall not adopt policies or procedures with the intent of keeping any student information confidential from parents." A District or school employee is not required under those provisions to provide confidential information about a student to a parent/or guardian.⁵⁴

Nothing in this policy or KRS 158.191(5) shall prohibit the District or District personnel from withholding information from a parent if a reasonably prudent person would believe, based on previous conduct and history, that the disclosure would result in the child becoming a dependent child or an abused or neglected child as defined in KRS 600.020.

An employee who knows or has reasonable cause to believe that a child is dependent, abused, or neglected shall immediately make a report to a local law enforcement agency, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's Attorney, or the County Attorney, in accordance with Board Policy 09.227 and KRS 620.030.

The fact that district personnel withhold information from a parent under this policy shall not in itself constitute evidence of failure to report dependency, neglect, or abuse to the Cabinet for Health and Family Services under KRS 620.030.⁵⁴

DISTRICT RESPONSIBILITY FOR THE HEALTH AND SAFETY OF STUDENTS

Nothing in this policy shall:

1. Prohibit the District or the District's personnel from seeking or providing emergency medical or mental health services for a student as outlined in the District's policies; or
2. Remove the duty to report pursuant to KRS 620.030 if a District employee has reasonable cause to believe the child is a dependent child or an abused or neglected child due to the risk of physical or emotional injury identified in KRS 600.020(1)(a)² or as otherwise provided in that statute.⁵⁴

Student Health and Safety

SAFETY PROCEDURES

All students shall receive annual instruction in school bus safety.

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

ANONYMOUS REPORTING TOOL

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

The District may use the Kentucky Office of Homeland Security's anonymous reporting tool or provide an alternative anonymous reporting tool that meets the same requirements and shall develop and provide a comprehensive training and awareness program on the use of the chosen anonymous reporting tool.⁷⁶

STUDENT IDENTIFICATION BADGES

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

- a) A national domestic violence hotline;
- b) A national sexual assault hotline; and
- c) A national suicide prevention hotline.³⁴

SUICIDE PREVENTION STAFF TRAINING

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

SUICIDE PREVENTION STUDENT LESSONS

Each public school shall provide two (2) high-quality, evidence-based suicide prevention awareness lessons each school year, the first by September 15 and the second by January 15, either in person, by livestreaming, or via a video recording to students in grades four (4) through twelve (12). The school shall provide an opportunity for any student absent on the day the high-quality, evidence-based suicide prevention awareness lesson was initially presented to receive the lesson at a later time. The information may be obtained from the Cabinet for Health and Family Services or from a commercially developed suicide prevention training program.²

Student Health and Safety**SEIZURE DISORDER MATERIALS**

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

REFERENCES:

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

² ~~KRS 156.095~~ **KRS 158.039**

³~~KRS 158.070~~

⁴³KRS 158.038

⁵⁴~~KRS 158.191(5)(a)~~

⁶⁵**20 U.S.C. § 1232g; 34 CFR Part 99; Board Policy 09.14**

⁷⁶KRS 158.4451

KRS 156.160; KRS 158.838

702 KAR 5:030

RELATED POLICIES:

09.2241; **09.14**

LEGAL: HB 5 (2024) AMENDED KRS 158.155 AND REPEALED KRS 158.154. REPORTING REQUIREMENTS
STILL EXIST IN THIS AND OTHER POLICIES.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.2211

Employee Reports of Criminal Activity

To promote the safety and well-being of students, employees shall report criminal activity as required by state law.

KRS 620.030

A District employee who knows or has reasonable cause to believe that a child is dependent, neglected or abused, or is a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make a report to the appropriate state agency as required by KRS 620.030.

KRS 158.155

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

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

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

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

KRS 158.156

An employee who knows or has reasonable cause to believe that a student has been the victim of a felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation or at a school-sponsored event, shall immediately make a report to the victim's Principal as required by KRS 158.156. The Principal shall file a written report with the District which will provide the report to the Board and the appropriate law enforcement agency within forty-eight (48) hours of the original report. The Principal shall also notify the parents/guardians of the students involved.

Employee Reports of Criminal Activity**KRS 209A.100**

Upon the request of a victim, an employee shall report an act of domestic violence and abuse or dating violence and abuse to a law enforcement officer. The employee shall discuss the report with the victim prior to contacting a law enforcement officer.

KRS 209A.110

An employee shall report to a law enforcement officer when the employee has a belief that the death of a victim with whom the employee has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.

~~KRS 158.154~~

~~A principal who has a reasonable belief that an act has occurred on school property, on a school bus or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law or damage to the property shall immediately report the act to the appropriate law enforcement agency as required by KRS 158.154.~~

REFERENCES:

~~KRS 158.154~~; KRS 158.155; KRS 158.156
KRS 209A.100; KRS 209A.110
KRS 508.125
KRS 525.070; KRS 525.080
KRS 527.070; KRS 527.080;
KRS 620.030

RELATED POLICIES:

03.13251; 03.23251; 05.48
09.227; 09.422; 09.423; 09.425; 09.426; 09.438

LEGAL: HB 48 CREATES NEW SECTION OF KRS 158 REGARDING THE DISPLAY OF DESIGNATED HOTLINE INFORMATION

LEGAL: HB 48 AMENDS KRS 156.095 ESTABLISHING CHILD ABUSE TRAINING REQUIREMENTS FOR CERTIFIED PERSONNEL. THE TRAINING REQUIREMENTS CAN BE FOUND IN POLICY 03.19.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.227

Child Abuse

REPORT REQUIRED

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected¹ or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately:

1. Make an oral or written report, including but not limited to electronic submission, to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's or County Attorney in accordance with KRS 620.030;² or
2. Make a report through the online reporting system established by the Cabinet for Health and Family Services.

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

Upon notification, the Principal/designee or the Superintendent/designee shall facilitate the cooperation of the school with the investigation of the report. Any person who knowingly causes intimidation, retaliation, or obstruction in the investigation of the report shall be guilty of a Class A misdemeanor.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the District shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the District, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel action.

WRITTEN REPORT

The person reporting shall, if requested, in addition to the report required above, file with the local law enforcement agency or the Kentucky State Police or the Commonwealth's or County Attorney or the Cabinet for Health and Family Services or its designated representative within forty-eight (48) hours of the original report a written report containing specific information regarding the child, the child's parents or guardians, and the person allegedly responsible for the abuse or neglect.

WRITTEN RECORDS

Copies of reports kept by the District that are submitted to authorities in compliance with the child abuse law are educational records and subject to inspection by the parents of the alleged victim of child abuse. Whether the records are considered "internal records", and not maintained with the students' "permanent records", is immaterial if such records are directly related to students and are maintained by the school or ~~school~~-District.

INTERVIEWS

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

Child Abuse**AGENCY CUSTODY**

If, as a result of dependency, neglect, or abuse, a child has been placed in the custody of the Cabinet, the Principal, or any Assistant Principal of the school in which the child is enrolled, and the District's Director of Pupil Personnel shall be notified of the names of persons authorized to contact the child at school, in accordance with school visitation or communication policy, or remove the child from school grounds.

The notification shall be provided to the school by the Cabinet:

- a) By written notice via email or fax on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. Verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By email, fax, or hand delivery of a copy of the court order within ten (10) calendar days following the Cabinet's receipt of the court order of a change of custody or change in contact or removal authority.

REQUIRED TRAINING

~~All school administrators, certified personnel, office staff, instructional assistants, coaches, and extracurricular sponsors who are employed by the District shall complete Board selected training on child abuse and neglect prevention, recognition, and reporting, within ninety (90) days of being hired, and then every two (2) years thereafter.~~

OTHER

Each school shall prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services, and the National Human Trafficking Reporting Hotline number administered by the United States Department for Health and Human Services, and the Safe Haven Baby Boxes Crisis Line number administered by the Safe Haven Baby Boxes national organization or any equivalent successor entity.

REFERENCES:

¹KRS 600.020

²KRS 620.030; KRS 620.040

³OAG 85-134; OAG 92-138

⁴KRS 620.072

KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580

KRS 156.095; KRS 158.041; KRS 199.990; KRS 209.020

KRS 508.125

KRS 620.050; KRS 620.146

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

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights
Regulations Implementing Title IX

RELATED POLICIES:

09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

LEGAL: HB 132 AMENDS KRS 158.033 INCLUDING THAT HOME OR HOSPITAL INSTRUCTION FOR INPATIENT FACILITY IS EFFECTIVE THE DAY OF ADMITTANCE.

FINANCIAL IMPLICATIONS: INCREASE IN ADA

LEGAL: 704 KAR 3:303 HAS BEEN REPEALED.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1312

Home/Hospital Instruction

PURPOSE

The Board shall offer home/hospital instruction for pupils whose school attendance is interrupted by illness or accident and who expect to be confined to their homes or to a hospital or treatment center.

Home/hospital instruction provides educational services to students who cannot attend school for extended periods due to temporary or recurring conditions, including fractures, surgical recuperation, or other physical, health, or mental conditions. An “extended period” refers to an absence for more than five (5) consecutive school days. For a student admitted to an inpatient facility, the student may receive home/hospital instruction effective on the date of admittance.

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

ELIGIBILITY

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

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

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

SECONDARY STUDENTS

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

1. The student's ability to work independently during extended periods without direct assistance.
2. The student's capacity to complete assignments within a reasonable time frame.

Home/Hospital Instruction**SECONDARY STUDENTS (CONTINUED)**

3. The likelihood that the student will be able to complete course criteria required for graduation, as required by the Kentucky Academic Standards.
4. When considering the student's condition, should s/he take a full or reduced course load? (If a reduced course load is appropriate, the committee shall determine the number of courses the student may take.)

STUDENTS WITH DISABILITIES

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

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

REFERENCES:

KRS 157.360
KRS 158.033
KRS 159.030
702 KAR 7:150
~~704 KAR 3:303~~
704 KAR Chapter 8
707 KAR 1:320
707 KAR 1:350
20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)
Section 504 of the Rehabilitation Act of 1973
34 C.F.R. 104.35

RELATED POLICIES:

09.122
09.123