

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

STUDENTS

09.421

Care of School and Personal Property**PUPILS RESPONSIBLE**

Pupils shall be held responsible for damage to school property.

SCHOOL PROPERTY

Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or removes school property shall be subject to disciplinary action and liability for the cost of restoring the property.

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

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

~~In addition, when they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves damage to school property. For the purposes of determining when to make this report, damage to school property shall refer to instances involving:~~

- ~~• Intentional harm, and~~
- ~~• Damage beyond minor loss or breakage, excluding normal wear and tear.~~

PERSONAL PROPERTY OF SCHOOL PERSONNEL

Any pupil, organization, or group of pupils who steals or willfully or wantonly destroys, defaces, or damages the personal property of school personnel on school property, off school property, or at school-sponsored activities shall be subject to suspension or expulsion from school.²

STUDENTS' PROPERTY

Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or steals the personal property of students shall be subject to disciplinary action.

PARENTS LIABLE

Parents shall be liable for property damage caused by their minor children.¹

REFERENCES:

¹KRS 157.140 (Textbooks); KRS 405.025 (Willful Damage)

²KRS 158.150

~~KRS 158.154; KRS 158.155;~~ KRS 160.290

704 KAR 3:455

RELATED POLICY:

~~09.2211;~~ 09.438

LEGAL: HB 208 AMENDS KRS 158.165 PROHIBITING STUDENT USE OF A PERSONAL TELECOMMUNICATION DEVICE DURING INSTRUCTIONAL TIME WITH SPECIFIC EXCEPTIONS AND AMENDS KRS 156.675 INCLUDING SOCIAL MEDIA IN PROHIBITED MATERIAL TO BE MADE INACCESSIBLE THROUGH SCHOOL TECHNOLOGY. THIS BILL CONTAINS AN EMERGENCY CLAUSE MAKING IT ALREADY IN EFFECT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.4261

Telecommunication Devices

DEFINITION OF PERSONAL TELECOMMUNICATIONS DEVICE

A device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, including but not limited to a paging device or a cellular telephone.¹

Telecommunication device does not include any device a student is authorized to use pursuant to the Individuals with Disabilities Education Act, the Americans with Disabilities Act, or the Rehabilitation Act of 1973.

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POSSESSION AND USE

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess and use personal telecommunications devices as defined by law¹ and other related electronic devices, provided they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:

a. Poses a threat to academic integrity, such as cheating;

a.b. Accesses social media unless authorized to do so by a teacher for an instructional purpose;

b.c. Violates confidentiality or privacy rights of another individual. This includes, but is not limited to, taking photographs, video, or audio recordings of others without the permission of the Principal/designee and the affected individual(s). An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena;

e.d. Is profane, indecent, or obscene;

d.e. Constitutes or promotes illegal activity or activity in violation of school rules; or

e.f. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

These restrictions shall not be interpreted to prohibit material protected under the state or federal constitutions where such material does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

- ~~1. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day and during the student's lunch break. School Councils may modify this restriction to meet educational or instructional needs and with Board approval.~~

Telecommunication Devices**POSSESSION AND USE (CONTINUED)**

2. When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.
3. Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.
4. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
5. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

NOTICE OF POLICY

Notice of this policy and penalties for violating it shall be published annually in the District's Code of Acceptable Behavior and Discipline.

REFERENCES:

¹KRS 158.165

KRS 156.675

KRS 525.080

20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)

42 U.S.C. § 12101 Americans with Disabilities Act

29 U.S.C. § 701 Rehabilitation Act of 1973

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RELATED POLICIES:

08.2323; 09.426; 09.436; 09.438

LEGAL: SB 73 CREATES NEW SECTIONS OF KRS 158 AND KRS 531 CREATING THE CRIME OF SEXUAL
EXTORTION AND ADDING REQUIREMENTS FOR SCHOOL BOARDS AND SCHOOL PERSONNEL
REGARDING NOTIFICATION AND EDUCATION EFFORTS.
FINANCIAL IMPLICATIONS: COST ASSOCIATED WITH NOTICE AND POSTER REQUIREMENTS

STUDENTS

09.4221

Sexual Extortion

DEFINITION

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A person is guilty of sexual extortion when he or she communicates, through any means, a threat to:

- (a) Injure the property or reputation of another person or commit violence against another person with the intent to coerce that person to:
 - 1. Engage in sexual conduct; or
 - 2. Produce, provide, or distribute any matter depicting that person engaging in sexual conduct or in a state of nudity or seminudity; or
- (b) Distribute any matter depicting another person engaged in sexual conduct or in a state of nudity or seminudity with the intent to coerce that person to:
 - 1. Engage in sexual conduct;
 - 2. Produce, provide, or distribute any matter depicting that person engaging in sexual conduct or in a state of nudity or seminudity;
 - 3. Provide the payment of money, property, services, or any other thing of value to the perpetrator; or
 - 4. Do any act or refrain from doing any act against his or her will.

Sexual extortion is a Class A misdemeanor unless:

- (a) The victim, as a result of the commission of the offense:
 - 1. Engages in sexual conduct;
 - 2. Produces, provides, or distributes any matter depicting himself or herself engaging in sexual conduct or in a state of nudity or seminudity;
 - 3. Provides the payment of money, property, services, or any other thing of value to the offender;
 - 4. Does any act or refrains from doing any act against his or her will; or
 - 5. Suffers serious physical injury;

In which case it is a Class D felony; or

- (b) 1. The person:
 - a. Was previously convicted of any sexual offense under KRS Chapter 510 or a sex crime as defined in KRS 17.500;
 - b. Occupied a position of special trust or a position of authority as those terms are defined in KRS 532.045 in relation to the victim;
 - c. Used or threatened the use of a deadly weapon or dangerous instrument against the victim during the commission of the offense; or
 - d. Is an adult and the victim is a minor, and there is greater than a four (4) year difference in age between them; or

Sexual Extortion

DEFINITION (CONTINUED)

2. The offense was committed during the course of a kidnapping as described in KRS 509.040;

In which case the person shall be charged one (1) level higher than the level otherwise specified in this subsection.

If the victim attempts suicide resulting in serious physical injury or dies by suicide within ninety (90) days of the commission of the offense as a proximate result of the trauma the victim experience during or following the commission of the offense, the person may be prosecuted for homicide under KRS Chapter 507 or assault under KRS Chapter 508.

This section does not apply to:

- (a) Images involving voluntary nudity or sexual conduct in public, commercial settings, or in a place where a person does not have a reasonable expectation of privacy;
- (b) Disclosures made in the public interest, including the reporting of unlawful conduct, or lawful and common practices of law enforcement, criminal reporting, corrections, legal proceedings, or medical treatment;
- (c) Disclosures of materials that constitute a matter of public concern; or
- (d) When acting in its capacity as a provider of those services, a:
 - 1. Broadband internet access service provider;
 - 2. Telecommunications service provider, an interconnected VoIP service provider, or a mobile service providers as defined in 47 U.S.C. sec. 153;
 - 3. Commercial mobile service providers as defined in 47 U.S.C. sec. 332; or
 - 4. Cable operator as defined in 47 U.S.C. sect. 522; or
- (e) An interactive computer service, as defined in 47 U.S.C. sec. 230, related to content provided by a user of the interactive computer service.¹

STUDENT AND PARENT NOTIFICATION

The Superintendent shall require the Principal of each school to provide written notice of the "Definition" section of this policy to students in grades four (4) and above in an age-appropriate manner and to parents or guardians of all students within ten (10) days of the first instructional day of each school year.²

SIGNAGE

By August 1, 2025, the Board shall require each school with instructional spaces for students in grades six (6) through twelve (12) to display, in a prominent location in each school building, a legible printed sign in English and Spanish at least eight and one-half (8.5) inches by eleven (11) inches in size that shall contain:

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Sexual Extortion

SIGNAGE (CONTINUED)

- a) An age-appropriate description of sexual extortion consistent with the "Definition" section of this policy;
- b) Contact information for state or local law enforcement for reporting or seeking assistance relating to sexual extortion;
- c) Contact information for federal law enforcement for reporting or seeking assistance relating to sexual extortion;
- d) Contact information for a national suicide prevention hotline; and
- e) The Uniform Resource Locator (URL), a Quick Response (QR) code, or similar resource to identify the website address for informational and support resources regarding sexual extortion provided by the National Center for Missing and Exploited Children or any federally funded successor entity.³

The Kentucky Department of Education shall publish recommendations for information to be included consistent with district signage requirements.

REFERENCES:

¹KRS 531.125

²KRS 158.157

³KRS 158.158

KRS 17.500

KRS Chapter 507; KRS Chapter 508; KRS 509.040; KRS Chapter 510; KRS 532.045

47 U.S.C. sec. 153; 47 U.S.C. sec. 230; 47 U.S.C. sec. 332; 47 U.S.C. sec. 522

RELATED POLICIES:

08.2323

09.2211; 09.4; 09.42; 09.422; 09.425; 09.4261; 09.42811; 09.428111

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LEGAL: HB 15 AMENDS KRS 159.051 ALLOWING PERSONS WHO ARE AT LEAST FIFTEEN (15) YEARS OF AGE TO APPLY FOR A MOTOR VEHICLE INSTRUCTION PERMIT. THIS BILL CONTAINS AN EMERGENCY CLAUSE MAKING IT ALREADY IN EFFECT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.4294

Driver's License Revocation

The Principal/designee shall notify the Superintendent of Sstudents who are fifteen (15) years of age but less than eighteen (18) years of age~~sixteen (16) or seventeen (17) years old~~ who become academically deficient or drop out of school as defined in KRS 159.051~~deficient in attendance~~. The Superintendent/designee shall be reported, within ten (10) days after receiving notification, send the required student information to the Transportation Cabinet for driver's license, permit or driving privilege revocation.¹ ~~Schools shall make reports to the Transportation Cabinet following the end of the first and second semesters. High schools shall make reports following summer school if a student who was academically non-compliant becomes academically compliant as the result of their summer school attendance.~~

ACADEMIC AND ATTENDANCE DEFICIENCIES

Academic and attendance deficiencies for students fifteen (15) years of age but less than eighteen (18) years of age ~~sixteen (16) or seventeen (17)~~ enrolled in regular, alternative, parttime, and special education programs shall be defined as follows:

1. They shall be deemed academically deficient if they have not received passing grades in at least four (4) courses, or the equivalent of four (4) courses, taken in the preceding semester.

Courses Per Semester	Academic Deficiency	Courses Students Need to Pass
4		3
5		4
6		4
7		5
8		6

2. They shall be deemed deficient in attendance when they accumulate nine (9) unexcused absences for the preceding semester. Suspensions shall be considered unexcused absences.

REINSTATEMENT OF DRIVING PRIVILEGE

Students whose driving permits are revoked, but later meet the statutory standards for reinstatement, must then apply to the designated administrator at the student's school to have their standing confirmed. The District shall make the required report to the appropriate agency. A student may reapply as early as the end of the semester during which he/she successfully completes the attendance and academic requirements. This means the student must be in compliance (good standing) for a full semester before regaining driving privileges.

REFERENCES:

¹KRS 159.051; KRS 186.470
601 KAR 13:070; OAG 77419

RELATED POLICIES:

08.221, 09.123

LEGAL: KRS 158.200 PREVIOUSLY PERMITTED DISTRICTS TO PROVIDE FOR MORAL INSTRUCTION FOR STUDENTS. SB 19 AMENDS KRS 158.200 TO REVISE THE PROCESS FOR DISTRICTS THAT PERMIT MORAL INSTRUCTION.

THIS POLICY IS ONLY RECOMMENDED FOR A DISTRICT THAT DOES PROVIDE FOR MORAL INSTRUCTION.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

Moral Instruction

TIME AND PLACE

The District shall allow pupils to be excused for up to one (1) hour on no more than one (1) day each week, which shall include time attributed to travel to and from, to attend the District approved request for a moral instruction offering upon receiving the consent of the pupil's parent/guardian. Moral instruction shall not take place on school property.

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MORAL INSTRUCTION ATTENDANCE

Pupil participation shall be voluntary and free from coercion by school personnel. The District shall not discriminate against a pupil for his or her participation or nonparticipation in a moral instruction offering.

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COST

Moral instruction shall be given without expense to the Board.

MORAL INSTRUCTION REQUEST

An individual, organization, entity, or any combination thereof seeking to provide a moral instruction offering for pupils shall submit a written, signed request to the Board regarding the proposed instruction offering in accordance with KRS 158.200.

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Upon receipt of a request the Board may make arrangements with the person seeking to provide the moral instruction as the Board deems necessary.

CRIMINAL BACKGROUND CHECKS

Upon approval of request, the Superintendent shall require each individual identified in the request to submit to a national and state criminal history background check by the Department of Kentucky State Police and the Federal Bureau of Investigation and have a clear CA/N check, provided by the individual. The individuals, or the organization or entity through which the moral instruction offering will be provided, shall be responsible for all costs associated with obtaining the criminal history and CA/N checks.

The Board shall require that any individual identified in the request be barred from providing transportation or participating in moral instruction offering upon receipt by the District of a report documenting a record of the following by the individual:

1. Child abuse or neglect;
2. A sex crime or criminal offense against a victim who is a minor, as defined in KRS 17.500;
or
3. A violent crime as defined in KRS 17.165.

The prohibition will continue until the Board receives an updated record for that individual that does not contain a disqualifying item.

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Moral Instruction

ATTENDANCE

Students who attend a moral instruction offering at the time specified and for the period fixed shall be:

- a. credited with the time of attendance as if he or she had been in actual attendance in school, and the time shall be calculated as part of the actual school work required in KRS 158.060. Students shall not be penalized for any school work missed during the specified time; and
- b. included in calculating the average daily attendance as if the pupil was in actual attendance in school.

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PUPILS NOT TAKING MORAL INSTRUCTION

A pupil who does not participate in a moral instruction offering shall remain in school during the time when the instruction is being given, and shall take noncredit enrichment courses or participate in educational activities not required in the regular curriculum, and that time shall be included as part of the actual school work required in KRS 158.060.

Students of different grade levels may be placed into combined classrooms in accordance with maximum class size allotments. These courses or activities shall be supervised by certified school personnel.

QUARTERLY REPORTS

The Board shall submit the following information quarterly to the Kentucky Department of Education:

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1. The name of each applicant that submitted a request to provide a moral instruction offering;
2. The date of the application;
3. The Board's approval or denial of the application; and
4. If the request was denied, the reason for the denial.

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REFERENCES:

KRS 158.200

KRS 17.500; KRS 17.165

KRS 157.360; KRS 158.060; KRS 160.380

RELATED POLICY

09.122

Moral Instruction

SURVEY OF STUDENTS

The Board may provide for moral instruction of pupils subject to its jurisdiction by authorizing a complete survey of the students and by obtaining the consent of parent or guardian.¹

TIME AND PLACE

For those pupils who want moral instruction, the Board shall set one (1) day each week for at least one (1) hour to be excused and attend their respective places of worship or some other suitable place.²

MORAL INSTRUCTION CREDIT

The Board may make arrangements with persons in charge of moral instruction. Students shall be credited with time spent as if they had been in actual attendance in school.³

PUPILS NOT TAKING MORAL INSTRUCTION

Students not taking moral instruction shall remain in school but shall not receive any educational advantage.⁴

COST

Moral education shall be given without expense to any Board beyond the cost of the original survey.⁵

REFERENCES:

¹KRS 158.200; KRS 158.210

²KRS 158.220

³KRS 158.230; KRS 158.240

⁴KRS 158.250

⁵KRS 158.260; OAG 75-643

Hardship Graduation*Needs to
be added***HARDSHIP REQUESTS**

Students who experience extreme health or economic hardship may apply for assistance with graduation requirements for hardship reasons during their fourth year of high school. In the case of extreme hardship, the District may provide alternative methods for the student to complete District graduation requirements which may allow for early graduation. Methods may include but are not limited to, regular classroom instruction, alternative classroom instruction, online courses, performance-based opportunities, college programs, consideration of waiver of District requirements that exceed state minimums (the District cannot waive state minimums), or credit recovery.

Upon completion of the early graduation requirements referenced above, the graduating student shall no longer be permitted to participate in school or District events in the capacity as a student, including, but not limited to, extracurricular activities, clubs, sports, dances, prom, and graduation activities. However, when extraordinary cause is shown, the Superintendent, in his/her sole discretion, may permit participation in an event by the student on a case-by-case basis.

REFERENCE:

704 KAR 003:305

RELATED POLICY:

08.113

Adopted/Amended: 3/25/2019

Order #: 2019-95

Community Use of School Facilities

WHO MAY USE

Principals, following guidelines established by the Board, may grant the use of school facilities to responsible and organized groups for purposes that provide demonstrable benefit to the schools or to the community as a whole. School facilities shall not be used for personal or commercial activities. Use of school facilities shall not be granted when such use interferes with educational purposes.

The Board may authorize the use of school property by public members of the community during non-school hours for the purpose of recreation, sport, academic, literary, artistic, or community uses as defined in KRS Chapter 162 pursuant to this and other policies adopted by the Board and related procedures established by the Superintendent.¹

AVAILABILITY

The Board shall determine when and which facilities will be available to the community and establish reasonable fees for their rental. The Board, after considering all factors and best interests of the District, in its discretion, may accept or reject applications for use of District facilities

Any organization that is not an approved student organization, faculty group, school-related parent group, or county youth recreation program desiring to rent school facilities for continuous use shall apply annually. Applications for such use must be made to the Board a minimum of three (3) months prior to usage. This one (1)-year period applies to the use of all school district properties, regardless of whether the same building is rented or not. Further, "continuous" use is defined as renting the facility for a period of at least once a month (or twelve (12) times) per calendar year.

Unless special arrangements are made ~~with the Principal~~, all use of facilities by outside groups shall be canceled when schools are closed due to inclement weather or other emergency conditions.

SPECIAL/EMERGENCY USE

Special/emergency use of facilities may be approved by the Superintendent/designee with explanation made to the Board at its next regular meeting.

APPLICATION AND CONTRACT

The Board shall adopt an official application form and an official rental contract, both of which shall detail the conditions of usage. Persons authorized to represent officially the renting organization must sign the application and contract in advance of the rental.

Applications must be submitted ~~to the Principal~~ via the online platform or in person at the Bullitt County Public Schools Facilities Department, who will approve and schedule use of facilities. Approval of a request to use District facilities does not signify District sponsorship, endorsement or approval of an organization or activity.

Groups holding regular meetings throughout the year need file only one application at the beginning of each fiscal year. However, special events of such groups must be covered by separate applications whenever they occur.

LIABILITY

The Board shall require a renting organization to assume all liability for injury to individuals by reason of the lease of Board property and that the organization indemnify and save harmless the Board from any loss or damage thereby.

Community Use of School Facilities

INSURANCE

The community group shall provide a certificate of liability insurance naming the Board as additional insured under the policy for the activity. The insurance policy needs to list BCPS as additional insured on all casualty policies on a primary/noncontributory basis. This can be added as an "Other Insurance Condition" that supersedes any provision to the contrary. A Primary and Noncontributory endorsement states that the group's insurance is primary and will not seek contribution from any other insurance available to an ~~additions~~-additional insured under the provided policy.

SUPERVISION

The renting organization shall be responsible for providing supervision, and if deemed necessary by the building administrator, security personnel when the size and nature of the event warrant. A responsible representative of the organization using the school facilities shall be accountable to the staff member supervising the activity, be present at all times, and be responsible for all activities of the persons present.

When used by an outside group, school facilities shall be supervised by the Principal or the Principal's designee, and the renting organization shall be responsible for the cost of wages and any applicable overtime wages.

FEES

The Board may require reimbursement for any and all expenses incurred, such as fuel and electricity; supervisory, custodial and cafeteria workers' salaries; and repair of damages to or replacement of school property.

Fees will be charged for facility use by government organizations and county recreation programs when the purpose of the use is fundraising.

Except for the cost of supervisory services, no fee shall be charged for facility use for activities that are sponsored by approved student organizations, faculty groups, schoolrelated parent groups, and county recreation programs where all participants are enrolled in Bullitt County Public Schools-

DISREGARD OF RULES

Disregard of the rules and regulations governing the use of school facilities shall result in the Principal's refusal to grant the offending group or organization further use of the facilities.

REFERENCES:

[KRS 162.055](#)

[KRS 158.183](#); [KRS 160.290](#); [KRS 160.293](#)

[KRS 160.340](#); [KRS 162.050](#)

[OAG 60389](#); [OAG 8078](#)

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

20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)

RELATED POLICIES:

05.31, 10.3

Adopted/Amended: 7/22/2024

Order #: 2024-123

Rental Application and Contract

CONDITIONS OF RENTAL

All rental of school facilities is subject to the following conditions:

1. An official application shall be made ~~to the Principal~~ via the online platform or in person at the Bullitt County Public Schools Facilities Department.
2. Rentals will be made only to responsible, organized, nonprofit groups, and responsible officers of that group must sign the application and the contract.
3. Activities shall not restrict admission or participation on the basis of race, color, national origin, sex, or handicap.
4. Conditions of that contract shall include:
 - a. Acceptance of responsibility by officials of the renting organization for any damage or loss resulting from the rental;
 - b. Agreement that renting organizations, and officers thereof, shall assume all liability for any personal injuries incurred during their use of the facilities and shall hold the Board harmless from any such claims against it;
 - c. Agreement to observe all fire and safety regulations;
 - d. Agreement that the use of any tobacco product, alternative nicotine product, or vapor product shall not occur on or in all property. Medication used for purposes of cessation that has been approved by the Food and Drug Administration is excluded from this prohibition. If a person utilizes said medication for cessation purposes, he/she shall take necessary steps to ensure that students do not have access.
 - e. Agreement that the use of alcoholic beverages is prohibited in school buildings or on school grounds;
 - f. Observance that no immoral or illegal activity shall be allowed on the premises;
 - g. The presence of school supervisory or custodial personnel designated by the Principal at all times. The hourly wage of the custodian(s) must be included in the contract along with the social security and retirement payments required by law. If the custodian is employed beyond the normal 40hour week that he works for the Board, overtime wages must be paid.
 - h. The presence of school food service personnel when kitchen facilities are used. The hourly wage of the food service worker(s) must be included in the contract along with the social security and retirement payments required by law. If the food service employee is employed beyond the normal 32hour week that s/he works for the Board, overtime wages must be paid.
 - i. Agreement that no alterations to the buildings or grounds be made without prior approval;
 - j. Agreement that no permanent signs, banners, pennants or similar items be placed in or on school buildings or grounds except by groups associated with the schools;

Rental Application and Contract**CONDITIONS OF RENTAL (CONTINUED)**

- k. Agreement that the renting party shall not sublease or reassign any portion of the building or item of equipment covered by the rental contract;
 - l. Agreement that school equipment shall not be a part of the rental contract unless specifically enumerated; and
 - m. Agreement to leave the facilities in as good a condition as before used.
5. When facilities are to be used for nonschool activities and/or activities not for the benefit of the school district, a certificate of general liability insurance naming the school board members, school employees, and school district as additional insureds shall be provided. Minimum single limit coverage \$1,000,000.00. The community group shall provide a certificate of liability insurance naming the Board as additional insured under the policy for the activity. The insurance policy needs to list BCPS as additional insured on all casualty policies on a primary/noncontributory basis. This can be added as an "Other Insurance Condition" that supersedes any provision to the contrary. A Primary and Noncontributory endorsement states that the group's insurance is primary and will not seek contribution from any other insurance available to an additional insured under the provided policy.

REFERENCES:

[KRS 158.149](#); [KRS 162.055](#); [KRS 438.050](#); [KRS 438.305](#)
[OAG 81295](#)

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

RELATED POLICIES:

03.1327; 03.2327; 06.221; 09.4232; 10.3; 10.5

Adopted/Amended: 8/26/2019

Order #: 2019-251

Telecommunication Devices

DEFINITIONS

Personal Telecommunication Device: A device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, including but not limited to a paging device, cellular telephone, smart watches, etc.¹

TELECOMMUNICATION DEVICE DOES NOT INCLUDE ANY DEVICE A STUDENT IS AUTHORIZED TO USE PURSUANT TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT, THE AMERICANS WITH DISABILITIES ACT, OR THE REHABILITATION ACT OF 1973.

Instructional Time: Any time during the school day when students are engaged in learning activities under the supervision of school staff, including but not limited to classroom instruction, labs, field trips, outdoor learning, etc.

Non-Instructional Time: Time outside of classroom instruction, including but not limited to lunch breaks, passing periods, and before/after school, unless otherwise specified by school staff.

PURPOSE

The purpose of this policy is to establish clear and consistent guidelines for telecommunications device use within the school district to:

- Foster a focused learning environment.
- Promote student well-being.
- Minimize distractions during instructional time.
- Teach and model responsible technology use.

POSSESSION AND USE

1. Personal telecommunication devices **may be brought to school, but must be turned off** and stored in a secured personal bag (backpack, purse, computer bag, etc.).
 - a. Instructional Time Use: Students are not permitted to use their telecommunication device(s) during instructional time.
 - b. Non-Instructional Time Use:
 - Elementary and Middle Schools: Telecommunication devices are not permitted at any time.
 - High Schools: Telecommunication devices are permitted during lunch, provided it does not disrupt the educational environment.
2. When students violate prohibitions of this policy, they shall be subject to disciplinary action in accordance with the Code of Student Behavior and Discipline, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation may also result in a report being made to law enforcement. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.
3. Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.
4. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.

5. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Student Behavior and Discipline.

RESPONSIBLE USE

During times when students shall be permitted to possess and use personal telecommunications devices as defined by law¹, board policy, and the Code of Student Behavior and Discipline, and other related electronic devices, they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:
 - a. Poses a threat to academic integrity, such as cheating;
 - b. Accesses social media unless authorized to do so by a teacher for an instructional purpose;
 - c. Violates confidentiality or privacy rights of another individual. This includes, but is not limited to, taking photographs, video, or audio recordings of others without the permission of the Principal/designee and the affected individual(s). An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena;
 - d. Is profane, indecent, or obscene;
 - e. Constitutes or promotes illegal activity or activity in violation of school rules; or
 - f. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

These restrictions shall not be interpreted to prohibit material protected under the state or federal constitutions where such material does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

NOTICE OF POLICY

Notice of this policy and penalties for violating it shall be published annually in the District's Code of Student Behavior and Discipline.

REFERENCES:

- ¹KRS 158.165
- KRS 156.675
- KRS 525.080
- 20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA)
- 42 U.S. C. § 12101 Americans with Disabilities Act
- 29 U.S.C. § 701 Rehabilitation Act of 1973

RELATED POLICIES:

08.2323; 09.426; 09.436; 09.438