

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 PROCEDURES

Statements of the Superintendent and/or District administration. Procedures are administrative instruments to implement Board policy and other legal mandates.

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

Individual districts should consider the implications of these parameters for their personnel policies. In general, certified employees who work five six-hour days per week during the school term shall be regarded as full-time, whether they serve 9 1/4 months or some amount of extended employment short of 12 months. Classified employees whose work is inherently associated with the school term (e.g. cafeteria employees, bus drivers) shall also be regarded as full-time even though their employment is less than twelve months in duration.

SUPERINTENDENT

It should be inferred that policies that charge the Superintendent with preparing and/or implementing provisions of procedures, plans or programs for Board review shall also embrace any other employee to whom the Superintendent may delegate such charges.

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 this manual, means parent, legal guardian, or other person authorized by law to act as a parent as the context requires.

Definitions**MASCULINE GENDER**

Unless otherwise noted, all gender references include both male and female.

CHILDREN AND YOUTH WITH DISABILITIES

In compliance with federal law and unless otherwise indicated, use of the terms "handicapped/exceptional/special education" 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.

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HEALTH PROVIDER

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

CHARTER SCHOOL

Use of the term "charter school" means a public charter school.

CHARTER SCHOOL AUTHORIZER

A local board of education 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).

RELATED POLICIES

The listing of related policies at the bottom of a document is a generic list and may include some policy numbers that this manual does not contain.

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.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.0
(CONTINUED)

Definitions

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: 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

LEGAL: SB 120 AMENDS KRS 158.195 REQUIRING BOARDS TO DISPLAY A PRINTED ABSTRACT OF A LIST OF THE LIMITED OR PROHIBITED OCCUPATIONS FOR MINORS, AND A NOTICE OF WORKING HOURS PER DAY FOR EACH DAY OF THE WEEK IN A PROMINENT LOCATION IN ALL SCHOOLS THAT CONTAIN INSTRUCTIONAL SPACE FOR STUDENTS IN GRADES SIX (6) THROUGH TWELVE (12). THE SAME INFORMATION SHALL ALSO BE POSTED ON A DISTRICT OR SCHOOL'S WEBSITE.

FINANCIAL IMPLICATIONS: COST OF PRINTING REQUIRED DISPLAY AND UPDATING WEBSITE

LEGAL: HB 298 AMENDS KRS 160.346 REVISING THE PROCESS FOR COMPREHENSIVE SUPPORT AND IMPROVEMENT (CSI) SCHOOLS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.11

General Powers and Duties of the Board**ESTABLISHMENT OF SCHOOLS**

The Board has general control and management of the public schools in its district. The Board may establish schools and provide for courses and other services it deems necessary for the promotion of education and the general health and welfare of pupils, consistent with the administrative regulations of the Kentucky Board of Education.¹

CHARTER SCHOOLS

KRS 160.1590 provides for charter school authorization, application, evaluation of applications and contracts with a charter school Board of Directors. Pursuant to this statute and Kentucky Board of Education regulations, the Board may serve as an authorizer for charter schools in the District.

REQUEST FOR WAIVER AND EXEMPTIONS

The Board may authorize the Superintendent to request, on behalf of the District, a waiver of state regulations and/or ~~reporting requirements established by a~~ Kentucky Revised Statute requiring paperwork to be submitted to the Kentucky Board of Education or the Department of Education as permitted by statute.¹³

When approved as a ~~School or program~~ District of Innovation by the Kentucky Board of Education, the District is to be granted waivers and exemptions from selected Kentucky Administrative Regulations, Kentucky Revised Statutes, and, ~~for a school of innovation,~~ may be granted waivers of certain Board policies ~~this may include. A school may decide whether it voluntarily chooses to be designated as a school of innovation and, thus, be included in the District's application and plan. However, the Board may require~~ a school identified for comprehensive support and improvement under KRS 160.346 ~~to participate in the District's plan of innovation.~~¹¹

COMPREHENSIVE SUPPORT AND IMPROVEMENT

The Superintendent and Principal of a school identified for comprehensive support and improvement shall collaborate with the Kentucky Department of Education to create a turnaround training and support team. The Board shall approve the turnaround team.

SCHOOL FUNDS AND PROPERTY

The Board has control and management of all school funds and public school property and may use its funds and property to promote public education.¹

ADMINISTRATION

The Board shall exercise generally all powers prescribed by law in the administration of the public school system, appoint the Superintendent of schools, establish job classifications, and fix the compensation of employees.¹

MANAGEMENT

The Board may set goals for the District and shall make and adopt, and may amend or repeal policies for its meetings and proceedings for the management of the schools and school property of the district, for the transaction of its business and for the qualifications and duties of employees and the conduct of pupils.

General Powers and Duties of the Board**SUBPOENA**

The Board may, in any investigation or proceeding before it, concerning a matter that may be a proper subject of inquiry by it, summon witnesses by subpoena, enforce their attendance, and require that they testify under properly administered oath.²

INSURANCE

The Board may set aside funds to provide for liability and indemnity insurance against the negligence of the drivers or operators of school buses, other motor vehicles, and mobile equipment owned or operated by the Board.³ The Board may expend funds necessary for liability insurance premiums and for the defense of any civil action brought against an individual Board member in an official or individual capacity, or both, on account of an act made in the scope and course of the performance of legal duties as a Board member.⁴ The Board shall make available liability insurance coverage for the protection of all members of school councils from liability arising in the course of pursuing their duties as members of the councils.⁹ In accordance with 702 KAR 3:330, the District shall provide Certified Employee Liability Insurance in an amount not less than one (1) million dollars for the protection of the employee from liability arising in the course and scope of pursuing the duties of his or her employment.¹³

As long as they pay the full cost of premiums required, Board members may choose to participate in any group life insurance¹² or any group medical or dental insurance provided by the District for employees.¹⁰

FREE SUPPLIES

The Board may furnish necessary school supplies free of charge to indigent children in its school district, or to such other children as it deems advisable, under such rules and regulations as it may adopt.

The Superintendent shall recommend and the Board shall approve a process to waive fees for students who qualify for free and reduced priced lunches. All students who qualify shall be informed in writing of the fee waiver provisions. Mandatory waiver of fees for qualifying students shall be accomplished in compliance with applicable statutory and regulatory requirements.⁵

REPORTS

The Board shall, on forms prepared by the Commissioner of Education and approved by the Kentucky Board of Education, prepare and submit to the Kentucky Board of Education reports on all phases of its school service. It may prepare and publish for the information of the public a report on the progress of its schools.⁶

LEVY OF TAX RATES

As part of the budgetary process, the Board shall levy tax rates in compliance with statutory and regulatory requirements.⁷

POWER TO BORROW MONEY

The Board may borrow money on the credit of the Board and issue negotiable notes in anticipation of revenues from school taxes and state revenue for the fiscal year in which the money is borrowed, and may pledge the anticipated revenues for the payment of principal and interest on the loan.⁸

General Powers and Duties of the Board**CONTRACTS**

The Board may contract for consulting services to provide specialized advice or assistance to the school system concerning educational, management, or administrative matters.⁴

APPLICATIONS FOR GRANTS

Schools, employees, and school-related groups who are applying for grants on behalf of the District or District schools shall send a copy of the completed application to the Superintendent/designee, who shall approve or deny the grant application. When the grant is awarded, the Superintendent/designee will prepare a grant summary for submission to the Board of Education for award acceptance.

DISPLAY OF NATIONAL MOTTO

The Board shall require each elementary and secondary school to display the national motto, "In God We Trust," in a prominent location which means a school entryway, cafeteria, or common area where students are likely to see an item on display^{it}. Per KRS 158.195, the display may take the form of, but is not limited to, a plaque or student artwork.¹⁴

DISPLAY OF NOTICE REGARDING EMPLOYMENT OF MINORS

The Board shall require each school that contains instructional space for students in grades six (6) through twelve (12) to conspicuously display in a prominent location, in both English and Spanish, a printed abstract of KRS 339.210 to 339.450, a list of the limited or prohibited occupations for minors, and a notice stating the working hours per day for each day of the week permissible for minors to work. The same information or display shall also be posted on the District's or school's website.¹⁴

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General Powers and Duties of the Board

REFERENCES:

- ¹KRS 160.290
²KRS 160.300
³KRS 160.310
⁴KRS 160.160
⁵KRS 160.330; 702 KAR 3:220
⁶KRS 160.340
⁷KRS 160.470
⁸KRS 160.540
⁹KRS 160.345; KRS 162.010
¹⁰KRS 160.280; KRS 161.158; KRS 156.160
¹¹~~KRS 156.108; KRS 160.107~~; KRS 160.346; 701 KAR 5:140
¹²KRS 18A.205; KRS 18A.210
¹³702 KAR 3:330
¹⁴[KRS 158.195](#)
¹⁵[KRS 156.161](#)
KRS 116.200; KRS 156.072; KRS 156.160; ~~KRS 158.195~~
KRS 160.1590; KRS 160.1592; KRS 160.1593; KRS 160.1594; KRS 160.1595
KRS 160.1599; KRS 161.158; KRS 162.010; [KRS 339.210 to KRS 330.450](#); KRS 416.560
702 KAR 4:160
OAG 91-10; OAG 91-122

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RELATED POLICIES:

01.41; 01.5; 01.7
03.124; 03.224; 04.92

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**PLANNING COMMITTEE**

A District planning committee, representative of the community and the school district, shall be appointed by the Superintendent and approved by the Board to develop, review, and revise annually a Comprehensive District Improvement Plan (CDIP).

Selection of committee members shall reflect reasonable minority representation and encourage active minority participation.¹

PLANNING CYCLE

The District's planning cycle shall follow a process of continuous improvement as data becomes available. The structure of the CDIP shall include completion of a narrative summary of the current state of the school 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 is to 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 is to 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 must be complete by May 1 of each school year.

PLAN REQUIREMENTS

The District seeking Commissioner approval of the nontraditional instruction (NTI) plan shall annually incorporate it within the CDIP. The District shall submit the NTI 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;
- To eliminate achievement gaps among groups of students; and
- To develop District strategies and services to address deficiencies and/or sustain or strengthen current efforts.

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

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. Upon agreement of the council, or the Principal if there is not a council, and the Superintendent, the Board shall establish an annual target for each school for reducing identified gaps in achievement.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.

District Planning**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).

BOARD REVIEW

The plan shall be completed between November 1 and January 1 of each school year and presented to the Board for approval.

The Superintendent shall present annually the CDIP to the Board for review and approval. 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 CDIP permanently and, consistent with the District's planning cycle, post the current CDIP on the District's web site.

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

SCHOOL PLANS

The CDIP 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 publicized 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 with 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.

District Planning

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.

The District shall display on the internet landing page a web link to the detailed results of the District's performance on the most recent Summative Assessment.

REFERENCES:

¹KRS 156.500

²KRS 158.649

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

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 meeting of the Board; including policies on the calling of executive sessions;
5. Personnel policies that apply to 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;
6. Employment and evaluation of the Superintendent of schools;
7. Identification and statement of District goals and objectives and establishment of criteria to determine District progress;
8. Evaluation of certified 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

UPDATING

Such policies shall be kept up-to-date by filing annual amendments thereto by August 15 and shall be public records.¹

ENACTMENT OF POLICY

Except when indicated by an emergency situation, the Board will not enact or revise policy in the same meeting that it is initially introduced. Additional readings shall not be required if the Board amends the policy proposal under consideration at either the first or second reading.

DISSEMINATION OF POLICY

The Superintendent shall develop and implement a system whereby each employee or student shall have access to Board policies. In addition, each new Board member shall be provided with a copy of the Board policy manual and/or access to the District's online manual.

All Board policies shall be reasonably accessible to all District personnel and to the public at large.

School Board Policies**MAINTENANCE OF POLICY MANUALS**

All copies of the official policy manual shall be numbered, housed in specified locations, and kept current through a system developed and implemented by the Superintendent.

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.³

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

REFERENCES:

¹KRS 160.340

²KRS 160.290

³~~KRS 156.108~~KRS 156.161

~~KRS 160.107~~

~~KRS 160.345~~

RELATED POLICIES:

01.0

01.11

01.6

01.61

LEGAL: SB 68 AMENDS KRS 158.4414 EXTENDING THE TIMEFRAME FOR DISTRICTS TO HAVE A
SCHOOL RESOURCE OFFICER ON EACH CAMPUS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.31

School Resource Officers (SROs)**DEFINITION**

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

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

ASSIGNMENT

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

BOARD MAY AUTHORIZE POLICE DEPARTMENT

KRS 158.471 provides that the Board is authorized to establish a police department for the District, appoint police officers and other employees, prescribe distinctive uniforms for the police officers of the District, and designate and operate emergency vehicles. Police officers appointed shall take an appropriate oath of office in the form and manner consistent with the constitution of Kentucky. Police officers shall be granted with the protections provided in KRS 15.520 and shall be certified in accordance with KRS 15.380.³

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

TRAINING REQUIREMENTS

SROs with active SRO certification shall successfully complete forty (40) hours of annual in-service training that has been certified or recognized by the Kentucky Law Enforcement Council for SROs. Any SRO who fails to successfully complete training requirements within the specified time periods, including approved extensions, shall lose his/her SRO certification and shall no longer serve in the capacity of an SRO in a school.

School Resource Officers (SROs)**FIREARM REQUIREMENT**

Each SRO shall be armed with a firearm, notwithstanding any provision of local board policy, local school council policy, or memorandum of agreement.²

SUPERINTENDENT TO REPORT

No later than November 1 of each year, the Superintendent shall report to the Center for School Safety the number and placement of SROs in the District. The report shall include the source of funding and method of employment for each position.

GUARDIANS

Beginning with the ~~2026-2027~~~~2025-2026~~ school year, the Board, if unable to meet the requirement for each campus in the District, that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus, may in consultation with and approval by the State School Security Marshal, employ one (1) or more Guardians to provide safety and security measures for schools within the District. The use of Guardians shall not be used to replace the certified SRO, but only to provide safety and security resources until a certified SRO is available.

Beginning with the ~~2026-2027~~~~2025-2026~~ school year, the Board that has met the requirement for each campus in the District, that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus, may employ one (1) or more Guardians to provide additional school safety and security measures within the District.²

REFERENCES:

¹KRS 158.441

²KRS 158.4414

³KRS 158.471

KRS 15.380 to KRS 15.404; KRS 15.520

KRS 61.902; KRS 70.290

KRS 158.4415; KRS 158.4431

KRS 158.471; KRS 158.473; KRS 158.475; KRS 158.477; KRS 158.479; KRS 158.481

RELATED POLICIES:

02.311; 05.48; 09.4361

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

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 under KRS 158.6455 may apply to the Kentucky Board of Education for exemption from SBDM. Any school that requests such exemption shall inform the Superintendent and the Board. 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.

Any District-operated school not defined as a "school" by KRS 160.345 (1)(b) is not eligible to operate under School Based Decision Making.

PETITION

Faculty members of a school who do not wish to remain under SBDM shall present a written petition to the Principal signed by a minimum of twenty-five percent (25%) of the faculty members, indicating their desire for a vote on the matter.

Under guidelines established by its membership, the parent/teacher organization of the school or, if none exists, the largest organization of parents 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 and senior Education Association building representative 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

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

MEETINGS

The Principal and senior Education Association building representative shall chair the meeting at which the vote is taken by the faculty. Faculty members must be present to vote. There will be signature verification for voting rights. 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 openly 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 formed for this purpose.

Exemption**MEETINGS (CONTINUED)**

An affirmative vote of the majority of the faculty and a majority of at least twenty-five (25) voting parents 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.

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

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. Organization of elections to select teacher and parent representatives for the school council shall be conducted in accordance with Board Policy 02.421.

~~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 207 CREATES A NEW SECTION OF KRS 156 AND AMENDS KRS 157.360 REVISING THE PROCESS FOR DISTRICTS AND SBDMS TO SUBMIT A WAIVER REQUEST AND REPEALS KRS 156.108 AND KRS 160.107.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 190 AMENDS KRS 158.6453 RELATED TO ADVANCED COURSEWORK.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4241

School Council Policies (SBDM)**ADOPTION OF POLICY**

The school council shall have the responsibility to set school policy that shall be consistent with District Board Policy and which shall provide an environment to enhance the students' achievement and help the school meet the goals established by KRS 158.645 and KRS 158.6451 and goals established by the Board to be implemented by the Principal in each of the following areas of responsibility:

1. Curriculum responsibilities under KRS 158.6453;
Because it supports content-based student service learning initiatives, the Board encourages and supports each council's efforts to include student service learning as part of the school's curriculum and instruction policies and to take full advantage of available technical assistance and training efforts.
2. Assignment of all instructional and non-instructional staff time;
3. Assignment of students to classes and programs within the school;
 - Placement of students from the household of an active duty service member or civilian military employee transferring into the District before or during the school year shall be based initially on enrollment in courses offered at the sending school and/or educational assessments conducted at that school. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advanced Placement, Cambridge Advanced International, vocational, technical, and career pathways courses. Initial placement does not preclude the District/school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of students in the course(s).
 - ~~Every~~~~Each~~~~secondary~~ school-based decision making council shall establish a policy that is consistent with the District plan adopted by the Board in accordance with KRS 158.6453 on the recruitment and assignment of students to advanced coursework options—Advanced Placement (AP), International Baccalaureate (IB), Cambridge Advanced International, dual enrollment, and dual credit courses that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum. The policy shall require that the school notify all students, parents, and guardians of the:
 - a. Long-term benefits of student participation in advanced coursework; and
 - b. Advanced coursework opportunities available at the school.
4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar and transportation requirements established by the Board;
5. Determination of the use of school space during the school day related to improving classroom teaching and learning;
6. Planning and resolution of issues regarding instructional practices;
7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor and Principal;
As reflected in the District Code of Acceptable Behavior and Discipline, loss of physical activity periods shall not be used as a disciplinary consequence.

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School Council Policies (SBDM)**ADOPTION OF POLICY (CONTINUED)**

8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation and supervision;
The school shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.
9. Adoption of a school emergency plan and implementation of safety practices required by KRS 158.162;
10. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;
11. Commitment to a parent involvement process that provides for:
 - a. Establishing an open, parent-friendly environment;
 - b. Increasing parental participation;
 - c. Improving two-way communication between school and home, including what their child will be expected to learn; and
 - d. Developing parental outreach programs.
12. Procedures to assist the council with consultation in the selection of the Principal by the Superintendent, and the selection of personnel by the Principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.
13. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)
The Superintendent/designee shall provide assistance in identifying strategies and options to promote daily moderate to vigorous physical activity for students, which may include those that increase strength and flexibility, speed, heart rate and breathing and stress activities such as stretching, walking, running, jumping rope, dancing, and competitive endeavors that involve all students.

As an alternative to adopting separate policies, school councils may adopt Board policy or standards established by the Board as council policy in the above areas, or they may delegate responsibility for developing a policy to the Principal.

No policy shall be adopted by a council at the meeting at which the policy is introduced.

School Council Policies (SBDM)**REVIEW OF POLICIES**

The Superintendent shall be provided a copy of council policies which will be reviewed for possible conflicts with state and federal laws or contractual obligations, liability and/or health and safety questions, and budgetary issues.

The review process is not intended to interfere with a council's authority to adopt and implement legally and operationally permissible policies. Therefore, it is the Board's intent that information resulting from the review process be shared with the council in a timely manner.

CONSISTENT WITH BOARD POLICY

In the development and application of school policies as permitted by statute, schools operating under SBDM shall be consistent with those policies that fall within the authority of the Board including, but not limited to, those prohibiting discrimination based on age, race, sex, color, religion, national origin, political affiliation, or handicap.

WAIVER OF STATE REGULATIONS

~~Any waiver from state laws and regulations must comply with KRS 156.161, KRS 157.360, and Policy 01.11. School councils who decide to request a waiver of state regulations and/or reporting requirements established by a Kentucky Revised Statute requiring paperwork to be submitted to the Kentucky Board of Education or the Department of Education shall submit the supporting information to the Superintendent as required by law. The Superintendent shall then forward the request to the Kentucky Board of Education.~~

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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.~~

~~The school council shall vote and be responsible for conducting a vote to determine if the school shall be an applicant as a School of Innovation in the District's application for District of Innovation status and to approve the school's plan of innovation before it is submitted to the District. The vote shall be taken by secret ballot among eligible employees as defined in KRS 160.107. At least seventy percent (70%) of those casting votes in the affirmative shall be required before the school requests to be included in the District's plan and to approve the school's plan of innovation.~~

REFERENCES:

~~KRS 156.161; KRS 156.072; KRS 156.108; KRS 156.160; KRS 156.730~~

~~KRS 156.735; KRS 157.360~~

~~KRS 158.162; KRS 158.197; KRS 158.645; KRS 158.6451; KRS 158.6453~~

~~KRS 160.107; KRS 160.345; KRS 160.348~~

~~OAG 93-55; OAG 94-29; 701 KAR 5:140; 702 KAR 7:140; 704 KAR 3:510~~

~~Board of Educ. of Boone County v. Bushee, Ky., 889 S.W. 2d 809 (1994)~~

~~U. S. Dept. of Agriculture's Dietary Guidelines for Americans~~

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ADMINISTRATION

02.4241
(CONTINUED)

School Council Policies (SBDM)

RELATED POLICIES:

| 01.11; 02.422; 02.4231; 03.112; 08.1; [08.1122](#)
09.126 (re requirements/exceptions for students from military families)

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**

When a vacancy occurs, the Superintendent shall submit the job posting to the statewide job posting system fifteen (15) days before the position is to be filled.

When a vacancy needs to be filled in less than fifteen (15) days to prevent disruption of necessary instructional or support services of the school 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.

Certified employees may be appointed by the Superintendent for any school year at any time after February 1 next preceding the beginning of the school year.

QUALIFICATIONS

The Superintendent shall employ only individuals who are certified for the positions they will hold and who possess qualifications established by Board policy, except in the case where no individual applies who is properly certified and/or who meets qualifications set by Board policy.

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

All teachers shall meet applicable certification or licensure requirements as defined by state and federal regulation.³

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

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 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, is required to register as a sex offender, or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall also be contingent on receipt of a letter from the Cabinet 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.

Hiring**CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)**

“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

Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender.

[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/.~~](https://kog.chfs.ky.gov/home/)

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Criminal records checks on persons employed in Head Start programs shall be conducted in conformity with 45 C.F.R. § 1302.90.

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.

JOB REGISTER

The Superintendent or the Superintendent's designee shall maintain in the Central Office a job register listing all current job openings in the District. The register shall describe the duties and qualifications for each opening, and District employment policies shall be attached to the register. The job register shall be open to public inspection during Central Office business hours.

VACANCIES POSTED

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted in the Central Office and in each school building on a timely basis and shall refer interested persons to the Central Office job register for additional information.

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

Each application shall be reviewed and each applicant so notified upon initial application. The application shall be kept on file for two (2) years and remain active for two (2) years.

INTERVIEW OF CANDIDATES

A personal interview with a District administrator shall be required before any individual is recommended for employment. Whenever possible, Principals shall interview prospective personnel.

Hiring**RELATIONSHIPS**

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

A relative 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.¹

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

JOB DESCRIPTIONS

All employees shall receive a copy of their job description and responsibilities.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

Each year all full-time and part-time certified employees shall be notified in writing by the last day of school if they have reasonable assurance of continued employment for the following school year.

Certified 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, District employees are 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 such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law and such school employee, contractor, or agent does not meet the exceptions outlined in 20 U.S.C. § 7926.

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

PERSONNEL

03.11
(CONTINUED)

Hiring

RELATED POLICIES:

01.11; 02.4244; 03.132

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

PERSONNEL

03.114

-CERTIFIED PERSONNEL-

Contract

CONTRACT

All certified employees (Superintendent excepted) shall receive either a limited or a continuing contract.¹

Contracts for certified personnel shall not exceed two hundred sixty-one (261) days per fiscal year.²

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

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VOCATIONAL

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

REFERENCES:

¹KRS 161.730

²KRS 161.220

³KRS 157.360

⁴KRS 158.060

16 KAR 4:040

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RELATED POLICY:

03.121

LEGAL: 702 KAR 7:065 CLARIFIES THAT THE CARDIOPULMONARY RESUSCITATION COURSE PROVIDER MUST BE APPROVED BY KHSAA AND BE BASED UPON INDUSTRY STANDARDS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1161

- CERTIFIED PERSONNEL -**Coaches and Assistant Coaches and Sponsors**

District Administrators, Principals, and Assistant Principals, shall not serve as head or assistant coaches or sponsors of extracurricular activities, including interscholastic athletic teams.

TRAINING

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a cardiopulmonary resuscitation (CPR) course that includes the use of an automated external defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency [that is approved by the KHSAA and be based upon industry standards](#). Initial certification shall use in-person instruction with certification updated as required by the approving agency.² All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.³

Nonfaculty coaches and nonfaculty assistants shall complete District training that includes information on the physical and emotional development of students of the age with which they will be working, the District's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.¹

REFERENCES:

¹KRS 161.185

²702 KAR 7:065

³KRS 158.162

KRS 156.070

KRS 160.445

KRS 161.180

RELATED POLICIES:

03.2141; 09.311

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

PERSONNEL

03.1232

- CERTIFIED PERSONNEL -

Sick Leave

All teachers or other certified employees who work nine and one-quarter (9 ¼) months shall be entitled to ten (10) days of sick leave with pay each school year.

Certified employees who work ten and one-quarter (10 ¼) months are entitled to eleven (11) days of sick leave with pay each school year.

Certified employees who work eleven (11) or twelve (12) months shall be entitled to eleven (11) or twelve (12) days, respectively, with pay each school year.

Persons employed for less than a full year contract shall receive a prorata part of the authorized sick leave days calculated to the nearest one-half (1/2) day.

Persons employed on a full year contract but scheduled for less than a full work day shall receive the authorized sick leave days equivalent to their normal working day.

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 of residence of said relative and any other blood relative who resides in the employee's home.

TRANSFER OF SICK LEAVE

Teachers coming to the District from another Kentucky school district shall transfer accumulated sick leave to the District.

SICK LEAVE DONATION PROGRAM

Under procedures developed by the Superintendent, certified employees who have accrued more than fifteen (15) days of sick leave may request to transfer sick leave days to another employee who is authorized to receive the donation. The number of days donated shall not reduce the employee's sick leave balance to less than fifteen (15) days.

Certified employees are eligible to receive donated days if they meet the criteria established in procedures set forth in statute.

Any sick leave not used shall be returned on a proportionate/pro-rated basis to employees who donated days.

Sick Leave**STATEMENT**

Employees utilizing sick leave must enter a personal statement or a certificate of a physician stating that the employee was ill or that the employee was absent to attend a member of the immediate family who was ill in the Districts electronic absence management system.¹

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.

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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.

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REFERENCES:

- ¹KRS 161.155
- 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; 03.175 (Retirement Compensation)

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.

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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 at the time of initial retirement, or their estate, for each unused sick day at the rate of 30% of the daily salary. This calculation is based on the employee's last annual salary. For personnel who begin employment with a local school district on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under KRS 161.155 shall not exceed 300 days. For personnel who become members 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

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The District shall provide compensation for unused sick leave days when the employee provides proof s/he qualifies as an annuitant who will receive a retirement or disability allowance from the ~~Teachers' Retirement System~~. Upon death of an employee in active contributing status who was eligible to retire by reason of service, the District shall compensate the estate of the employee.

UNUSED SICK DAYS AND ACTUARIAL COSTS

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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.
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.

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Retirement**ESCROW ACCOUNT**

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

UNUSED VACATION DAYS

Twelve (12) month certified employees shall be paid for unused vacation days up to a maximum of thirty (30) days upon retirement. Employees shall be compensated at the rate of their daily salary for the last year of employment.

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

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RELATED POLICY:[03.1232](#)

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LEGAL: HB 48 AMENDS KRS 156.557 INCREASING THE TIME PERIOD BETWEEN MANDATORY SUMMATIVE EVALUATIONS FOR TENURED STAFF AND PROVIDING THAT ADDITIONAL SUMMATIVE EVALUATIONS MAY BE PERFORMED AT THE DISCRETION OF THE INDIVIDUAL'S IMMEDIATE SUPERVISOR.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.18

- CERTIFIED PERSONNEL -**Evaluation****DEVELOPMENT OF SYSTEM**

The Superintendent shall recommend for approval by the Board and the Kentucky Department of Education a personnel evaluation system, developed by an evaluation committee, for all certified employees below the level of District Superintendent, which is in compliance with and which shall be implemented consistent with applicable statute and regulation. The District's certified evaluation plan shall be aligned with the Kentucky Framework for Personnel Evaluation.¹

PURPOSE

The purpose of the personnel evaluation system shall be to: support and improve performance of all certified school personnel and to inform individual personnel decisions. The District certified evaluation plan for certified personnel assigned to the District level for purposes of evaluation shall be specific to the evaluatee's job category.

FREQUENCY OF SUMMATIVE EVALUATIONS

At a minimum, summative evaluations shall occur annually for certified employees below the level of superintendent who have not attained continuing service status. Summative evaluations shall occur at least once every ~~five (5)~~ ~~three (3)~~ years for a teacher or other professional who has attained continuing service status, as well as principals, assistant principals, and other certified administrators. Additional summative evaluations may be performed at the discretion of the immediate supervisor of a teacher or other professional based upon a case-by-case analysis of the professional criteria set forth in KRS 156.557 but shall not be imposed as a uniform requirement across the system.

REPORTING

Results of evaluations shall not be included in the accountability system under KRS 158.6455.

NOTIFICATION

The evaluation criteria and evaluation process to be used shall be explained to and discussed with certified school personnel no later than the end of the evaluatee's first thirty (30) calendar days of the school year as provided in regulation.

CONFIDENTIALITY

Evaluation data on individual classroom teachers shall not be disclosed under the Kentucky Open Records Act.

REVIEW

All employees shall be afforded an opportunity for a review of their evaluations. All written evaluations shall be discussed with the evaluatee, and he/she shall have the opportunity to submit a written response to be included in the certified employee's personnel record. Both the evaluator and evaluatee shall sign and date the evaluation instrument.

All evaluations shall be maintained in the employee's personnel file.²

APPEAL PANEL

The District shall establish a panel to hear appeals from summative evaluations as required by law.¹

Evaluation**ELECTION**

Two (2) members of the panel shall be elected by and from the certified employees of the District. Two (2) alternates shall also be elected by and from the certified employees to serve in the event an elected member cannot serve. The Board shall appoint one (1) certified employee and one (1) alternate certified employee to the panel.

TERMS

All terms of panel members and alternates shall be for two (2) years and run from July 1 to June 30. Members may be reappointed or reelected.

CHAIRPERSON

The chairperson of the panel shall be the certified employee appointed by the Board.

APPEAL TO PANEL

Any certified employee who believes that he or she was not fairly evaluated on the summative evaluation may appeal to the panel within ten (10) working days of the receipt of the summative evaluation. Both the evaluator and the evaluatee shall be given the opportunity, at least five (5) days in advance of the hearing to review documents that are to be presented to the District evaluation appeals panel, and may have representation of their choosing.

APPEAL FORM

The appeal shall be signed and in writing on a form prescribed by the District evaluation committee. The form shall state that evaluation records may be presented to and reviewed by the panel.

CONFLICT OF INTEREST

No panel member shall serve on any appeal panel considering an appeal for which s/he was the evaluator.

Whenever a panel member or a panel member's immediate family appeals to the panel, the member shall not serve for that appeal. Immediate family shall include father, mother, brother, sister, spouse, son, daughter, uncle, aunt, nephew, niece, grandparent, and corresponding in-laws.

A panel member shall not hear an appeal filed by his/her immediate supervisor.

BURDEN OF PROOF

The certified employee appealing to the panel has the burden of proof. The evaluator may respond to any statements made by the employee and may present written records which support the summative evaluation.

HEARING

The panel shall hold necessary hearings. The evaluation committee shall develop necessary procedures for conducting the hearings.

Evaluation**PANEL DECISION**

The panel shall deliver its decision to the District Superintendent, who shall take whatever action is appropriate or necessary as permitted by law. The panel's written decision shall be issued within fifteen (15) working days from the date an appeal is filed. No extension of that deadline shall be granted without written approval of the Superintendent.

REVISIONS TO PREVIOUSLY APPROVED DISTRICT EVALUATION PLAN

If a revision adding or removing a source of evidence or changing a decision rule or calculation in the summative rating formula in the District's certified evaluation plan is made by the local certified evaluation committee, the revised certified evaluation plan shall be reviewed and approved by the Board. If the Board determines that changes do not meet the requirements of KRS 156.557, the certified evaluation plan shall be returned to the certified evaluation committee for revision. The Superintendent shall submit proposed revisions to the evaluation plan to the Board for its review to ensure compliance with applicable statute and regulation. Upon adoption, all revisions to the plan shall be submitted to the Kentucky Department of Education for approval.

REFERENCES:

¹KRS 156.557; 704 KAR 3:370
703 KAR 5:225
OAG 92-135; Thompson v. Board of Educ., Ky., 838 S.W.2d 390 (1992)

RELATED POLICIES:

²02.14; 03.15; 03.16

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. THE KENTUCKY DEPARTMENT OF EDUCATION SHALL CREATE THE TRAINING SCHEDULE BY AUGUST 1, 2025.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.19

- CERTIFIED PERSONNEL -**Professional Development****PROGRAM TO BE PROVIDED**

The Kentucky Department of Education (KDE) shall establish, direct and maintain a statewide program of professional development (PD) to improve instruction in the schools. The KDE shall create a four (4) year recurring PD training schedule that includes all PD for certified staff. The District shall implement the PD training schedule created by the KDE. ~~The Board shall provide a high quality, personalized, and evidence-based professional development (PD) program that meets the goals established in KRS 158.6451, the Every Student Succeeds Act (ESSA), and in the local needs assessment. At the direction of the Superintendent or designee and in conjunction with each school, the PD coordinator shall facilitate the development and implementation of this program for all certified employees. Programs may also include classified staff and parent members of school councils and committees.~~

All certified employees shall complete at least one (1) hour of each of the following trainings within twelve (12) months of initial hire and at least once every four (4) years thereafter:

- a. How to respond to an active shooter situation training prepared by the Department of Criminal Justice Training in collaboration with the Kentucky Department of Education, the Kentucky Law Enforcement Council, and the Center for School Safety;
- b. Child abuse and neglect prevention, recognition, and reporting training from the list of trainings approved by the KDE;
- c. Suicide prevention training:
 1. 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.
Postvention means a series of planned supports and interventions with persons affected by a suicide for the purpose of facilitating the grieving or adjustment process, stabilizing the environment, reducing the risk of negative behaviors, and limiting the risk of further suicides through contagion; and
- d. Self-study review of seizure disorder materials.

The PD program for the District and each school shall be incorporated into the Comprehensive School/District Improvement Plan. Prior to the implementation of the program, the school PD plan shall be made public, and the District PD plan shall be posted to the District web site as part of the improvement plan.

The program shall be based on a Board-approved PD plan for the District, which is designed;

1. to help achieve student capacities established by KRS 158.645 and goals established by KRS 158.6451;
2. to support the District's mission, goals and assessed needs; and
3. to increase teachers' understanding of curriculum content and methods of instruction appropriate for each content area based on individual school plans.

The PD plan shall reflect individual needs of schools and be aligned with the Comprehensive School/District Improvement Plan, ESSA requirements, and teacher growth plans. Programs may also include classified staff and parent members of school councils and committees.

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Professional Development**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.~~

SCHOOL RESPONSIBILITIES

Each school shall plan professional development with the PD coordinator and, when appropriate, with other schools to maximize training opportunities. In addition, each school's PD plan shall be submitted to the Board for review as part of their Comprehensive School Improvement Plan.

DOCUMENTATION

The school/District PD plan shall include the method for evaluating impact on student learning and using evaluation results to improve professional learning.

Documentation of completed professional development, including a written evaluation, shall be required. Unless an employee is granted leave under an appropriate Board policy, failure to complete and document the required hours of professional development during the academic year shall result in a reduction in salary and may be reflected in the employee's evaluation.

REFERENCES:

KRS 156.095; KRS 156.492; KRS 156.553
KRS 158.070; KRS 158.645; KRS 158.6451
KRS 160.345
704 KAR 3:035; 704 KAR 3:325
P. L. 114-95 (Every Student Succeeds Act of 2015)

RELATED POLICIES:

03.1911; 09.22

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 the actions, shall notify the Board of same.

EFFECTIVE DATE

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

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 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, is required to register as a sex offender, or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall also be contingent on receipt of a letter from the Cabinet 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.

"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

Probationary employment shall terminate on receipt of a criminal history background check documenting a conviction for a felony sex crime or as a violent offender.

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

~~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/>.~~

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Criminal records checks on persons employed in Head Start programs shall be conducted in conformity with 45 C.F.R. § 1302.90.

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.

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 High School Equivalency Diploma 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. Employees shall hold the qualifications for the position as established by the Commissioner of Education.³

Existing and new paraprofessionals who provide instructional service or support in programs supported by Title I funds shall satisfy educational requirements specified by federal law.⁴

QUALIFICATIONS

The Superintendent shall employ only individuals who possess qualifications established by law, regulation, and Board policy except in the case where no individual applies who meets established qualifications.

JOB REGISTER

The Superintendent or the Superintendent's designee shall maintain in the Central Office a job register listing all current job openings in the District. The register shall describe the duties and qualifications for each opening, and District employment policies shall be attached to the register. The job register shall be open to public inspection during Central Office business hours.

VACANCIES POSTED

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted in the Central Office and in each school building on a timely basis and shall refer interested persons to the Central Office job register for additional information. Postings of vacancies may be made with other agencies, as appropriate.

REVIEW OF APPLICATIONS

Under procedures developed by the Superintendent, each application shall be reviewed and each applicant so notified. Applications shall be kept on file for two (2) years and remain active for two (2) years.

Hiring

RELATIONSHIPS

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

A relative 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.¹

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

EMERGENCY HIRING

During emergency situations, job openings may be filled without listing in the job register or posting in District buildings.

JOB DESCRIPTION

All employees shall receive a copy of their job description and responsibilities.

CONTRACT

All regular full-time and part-time classified personnel shall enter into annual written contracts with the District.

INTENT

Under procedures developed by the Superintendent, employees may be requested to indicate their availability for employment for the next school year.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

Each year, all full-time and part-time classified employees, including substitutes, shall be notified in writing by the last day of school if they have 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, District employees are 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 such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law and such school employee, contractor, or agent does not meet the exceptions outlined in 20 U.S.C. § 7926.

PERSONNEL

03.21
(CONTINUED)

Hiring

REFERENCES:

¹KRS 160.380

²702 KAR 5:080

³KRS 161.011

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

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

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

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

Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

LEGAL: 702 KAR 7:065 CLARIFIES THAT THE CARDIOPULMONARY RESUSCITATION COURSE PROVIDER MUST BE APPROVED BY KHSAA AND BE BASED UPON INDUSTRY STANDARDS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.2141

- CLASSIFIED PERSONNEL –**Nonteaching Coaches and Assistant Coaches**

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the District, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a cardiopulmonary resuscitation (CPR) course that includes the use of an automated external defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency [that is approved by the KHSAA and be based upon industry standards](#). Initial certification shall use in-person instruction with certification updated as required by the approving agency.² All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.³

Nonfaculty coaches and nonfaculty assistants shall complete District training that includes information on the physical and emotional development of students of the age with which they will be working, the District's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow-up training shall be provided annually.¹

REFERENCES:

¹KRS 161.185

²702 KAR 7:065

³KRS 158.162

KRS 156.070

KRS 160.445

KRS 161.180

RELATED POLICIES:

03.1161

09.311

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****PECUNIARY INTEREST PROHIBITED**

No administrator or other employee of the District with decision-making authority over the financial position of the school or school District shall have any pecuniary interest, either directly or indirectly, in an amount exceeding twenty-five dollars (\$25.00) per year, at the time of or after appointment, in supplying any goods, services, property or merchandise for which school funds are expended. Nor shall any such person receive directly or indirectly any gift, reward, or promise of reward for goods, services, property, or merchandise of any kind for which school funds are expended.¹

No administrator or other employee shall solicit for personal financial gain from students, parents and other staff during the school day or during school events.

Unless prior arrangements are made with the Board, any device, publication or any other item to be copyrighted developed during the employee's paid time shall be District property.

Employees shall not profit monetarily through the use of confidential information gained in the course of or by reason of their 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

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EXCEPTION

This policy shall not prohibit the Board from approving non-contracted personal services for the benefit of the District.

REFERENCES:

¹KRS 156.480

²KRS 156.460

KRS 45A.455

OAG 77-228

OAG 71-474

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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 Development**

The Superintendent ~~may~~^{shall} develop and implement a program for continuing training for selected classified personnel.

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

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

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/.~~](https://kog.chfs.ky.gov/home/)

SUBSTITUTE LIST

The Superintendent or designee shall maintain a list of qualified substitute teachers. The Superintendent or designee shall engage substitutes from this list. Refusal of assignment as a substitute shall be documented, along with any reason provided.

RETIRED TEACHERS

Retired teachers may be reemployed as a part-time, temporary or substitute teacher in keeping with requirements of the Teacher's Retirement System.

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 shall not work more than one-hundred-twenty-nine (129) service hours per month unless pre-approved by the Superintendent based on certification needed for longer term assignments.

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.

EMPLOYMENT NOTIFICATION

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 shall be made in compliance with the requirements of KRS 161.750.

PERSONNEL

03.4
(CONTINUED)

Substitute Teachers

REFERENCES:

KRS 17.160; KRS 17.165; KRS 156.106; KRS 156.492
KRS 160.380; KRS 161.605; KRS 161.611
16 KAR 2:030; 16 KAR 2:120; 102 KAR 1:030; 702 KAR 1:035; 702 KAR 3:075
P. L. 111-148 (Affordable Care Act)
OAG 69-296

RELATED POLICIES:

03.11; 03.111; 03.121

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

PLANNING

The Superintendent shall establish procedures to provide for annual community, parent, school and, where appropriate, student input in the development of recommendations to be considered for the District budget. These procedures shall include a needs assessment process to identify, confirm, reassess and/or prioritize recommendations regarding District goals for future financial emphasis. The plan shall provide for reviewing the achievement of established goals and academic expectations of the District.

PREPARATION OF BUDGETS

As part of the annual budget process, the Board shall determine priorities to guide the Superintendent in developing draft budgets for the next fiscal year. Prior to the Board setting budget priorities, the Superintendent shall provide the Board with the estimated amounts that will be received from available sources, including tax rate(s) necessary to generate such amounts. In setting budget priorities, the Board shall consider the following:

1. Results of the current needs assessment, recommendations resulting from that process, and current District/school improvement and/or long-range plans.
2. Revenue projections for the coming year.

After receiving the Board's budget priorities, the Superintendent shall prepare for Board consideration and action proposed District budgets for all active MUNIS fund accounts. Budgets shall address the educational needs of the District as reflected by priorities established by the Board and shall show the amount of money needed and source of funds for the upcoming school year.

Each year, school councils shall review the budgets for all categorical programs and provide comments to the Board prior to the adoption of the budgets.

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. On or before May 30, the Board shall adopt a tentative working budget, which includes a minimum reserve of two percent (2%) of the total budget.

Within thirty (30) days of receipt of property assessment data, the Board shall levy tax rates for the District and forward them to the Kentucky Board of Education for approval or disapproval. By September 30, the Board shall adopt a close estimate or working budget for the District.

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.

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

FISCAL MANAGEMENT

04.1

Budget Planning and Adoption

RELATED POLICIES:

01.11; 02.4242; 02.4331; 04.91

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

04.32

Model Procurement Code Purchasing**AUTHORITY**

Purchasing procedures shall conform to the Model Procurement Code, KRS 45A.345 - KRS 45A.460.¹ All contracts or purchases shall be awarded by competitive sealed bidding or competitive negotiation, both of which may include the use of a reverse auction, except as otherwise provided by law.²

All purchases of Kentucky Education Technology System (KETS) components shall adhere to KETS architectural standards and procedures.

The District may purchase supplies and/or equipment outside an established price contract of the federal government (GSA), the State Division of Purchases, a cooperative agency bid approved by the Board, or a District bid if:

1. The supplies and/or equipment meet the specifications of contracts awarded by the Division of Purchases, a federal agency (GSA), a cooperative agency, or a District bid;
2. The supplies and/or equipment are available for purchase at a lower price;
3. The purchase does not exceed \$2,500⁴ & ⁸; and
4. The District's finance or purchasing officer has certified compliance with the first and second requirements.

Prior to purchase of education technology components defined in the master technology plan, the Department of Education must certify that the items to be purchased meet or exceed the specifications of components of the original equipment of manufacturers currently holding Kentucky price contracts.⁴

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.⁷

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, the definition of "gratuity" (covering anything of more than fifty dollars [\$50] value) set forth in KRS 45A.445 shall apply. Violation of these standards may result in disciplinary action including, but not limited, to suspension, dismissal, or removal.

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.

Model Procurement Code Purchasing**PREFERENCE FOR RESIDENT BIDDERS**

For all contracts funded in whole or in part by the District, the Board shall apply the reciprocal preference for resident bidders required by law. Geographical preferences relating to school nutrition service purchases may be utilized only as permitted by applicable federal law.³

EXEMPTIONS

Federal regulatory requirements do not provide a bidding exception for purchase of perishables using school nutrition service funds. Such purchases must follow applicable federal regulations.⁷

PRICE REDUCTIONS

Price reductions may be accepted on supplies and/or equipment being offered by the vendor with whom a price agreement has been made if the supplies and/or equipment meet all terms and conditions specified in the price agreement except for price and if the price reduction is offered to all participants in the price agreement. Price reductions may be accepted even if the reduced price requires the purchase of a specified quantity of units different from the quantity stated in the original price agreement.

SMALL PURCHASES

At the discretion of the District's purchasing agent, small purchase procedures may be used for any contract in which the aggregate amount does not exceed \$40,000.00. At the next meeting of the Board, the purchasing agent shall report results of formal bids taken for small purchases.⁵

A small purchase is a purchase of goods or services by the District which alone or in the aggregate of like goods and services are less than \$40,000.00 per fiscal year. Procurements shall not be parceled, split, divided or artificially purchased over a period of time to meet the dollar limitations for use of these procedures.

The Superintendent, or designee as specified in Board minutes, shall serve as purchasing agent for the Board.

DESIGNATION OF OFFICERS AUTHORIZED TO RECEIVE BIDS

All invitations to bid or bid instructions and all advertisements for bids shall state that the bids shall be submitted to the Assistant Superintendent or designee in charge of purchasing or to the Board Secretary. All bids shall be submitted in an envelope plainly marked on the lower left-hand corner identifying it as a "BID" and indicating the type of bid that it is.

BACKGROUND CHECKS

The Superintendent shall 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 in keeping with KRS 160.380.⁶

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/>.

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Model Procurement Code Purchasing

REFERENCES:

¹KRS 45A.343
²KRS 45A.345; KRS 160.290; KRS 45A.380
³KRS 160.303; 200 KAR 5:400; KRS 45A.494
⁴KRS 156.076
⁵KRS 45A.385
⁶KRS 160.380
⁷2 C.F.R. 200.318
⁸KRS 45A.360
KRS 45A.352; KRS 45A.365; KRS 45A.370
KRS 45A.420; KRS 45A.445; KRS 45A.455; KRS 45A.460; KRS 45A.620
KRS 65.027; KRS 65.028; KRS 160.151; 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:

05.6; 06.4; 07.13

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

The Superintendent shall advise the Board when certain properties are no longer needed for public school purposes. Upon receiving this report, 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

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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.

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 designate the staff member(s) who shall review requests and make recommendations for approval of the Superintendent/designee. The District shall document to whom the technology is distributed.

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

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 CHARGES

Households shall be provided the written meal charge policy at the beginning of each school year or upon enrollment in the District for students transferring in mid-year. In addition, parents 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 school nutrition employees involved in policy enforcement, via District website link and paper copy available upon request.

Food Service cashiers will allow each student, to eat breakfast and lunch which may result in meal charges. When meal charges reach \$5.00, the cafeteria manager shall initiate the established collection process to include notification of households and appropriate follow-up weekly.

Unpaid meal charges of \$50.00 are considered delinquent debt and may be directed to the Board Attorney. The unpaid meal charge debt will be considered collectible if efforts are being made to collect it. The debt will remain on accounting documents until it is either collected or it is determined to be uncollectable. Uncollectable debts will be considered bad debt when student has graduated from high school or is no longer enrolled in the District. The bad debt list will be submitted to the District Finance Officer prior to June 30th of each year for reimbursement back to Food Services.

Students will not be permitted to charge a la carte items, nor shall adults be permitted to charge meals or a la carte items.

SPECIAL DIETARY NEEDS

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

The District Food Service Program will adhere to USDA requirements for accommodating students with special dietary needs.

All parents 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 SERVICE/SCHOOL NUTRITION PROGRAM DIRECTOR

The District (or food service area to which the District belongs) shall appoint/select a Food Service/School Nutrition Program Director to oversee and manage the school nutrition service program. All Food Service/School Nutrition Program Directors shall meet minimum educational requirements and annual training requirements in accordance with federal and state law.

Food/School Nutrition Services**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 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

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 parents/guardians and students wishing to file a complaint.

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
USDA Guidance for Accommodating Children with Special Dietary Needs
P.L. 111-296

LEGAL: SB 68 AMENDS KRS 158.645 REVISING THE REQUIRED LEARNING CAPACITIES OF STUDENTS AND AMENDS KRS 158.6451 REVISING THE ACADEMIC ACHIEVEMENT EXPECTATIONS.

LEGAL: SB 68 AMENDS KRS 158.645 REVISING THE REQUIRED LEARNING CAPACITIES OF STUDENTS AND AMENDS KRS 158.6451 REVISING THE ACADEMIC ACHIEVEMENT EXPECTATIONS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: SB 207 AMENDS KRS 156 CREATING A NEW SECTION, KRS 156.412 WHICH ESTABLISHES AN INSTRUCTIONAL MATERIALS DEPOSITORY AND REVISES THE PROCESS FOR PURCHASING INSTRUCTIONAL MATERIALS, EFFECTIVE JULY 1, 2026.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: 704 KAR 3:303 HAS BEEN REPEALED.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1

Curriculum

The curriculum in each school shall be designed to achieve the student capacities established by KRS 158.645 and the school goals established by KRS 158.6451. The curriculum shall comply with all applicable state and federal statutes and regulations.

CAPACITIES

The curriculum shall allow and assist all students to acquire the following capacities:

1. Literacy, including communication skills necessary to function in a complex and changing world-civilization;
2. Knowledge to make wise economic, social, career, and political choices;
3. Core values and qualities of good character to make moral and ethical decisions throughout his or her life;
4. Understanding of our constitutional republic, the three (3) branches of government, and how government impacts citizens, governmental processes as they affect the community, the state, and the nation;
5. Sufficient self-knowledge and knowledge of the student's own his/her mental and physical wellness;
6. Sufficient grounding in the arts to enable each student to appreciate the student's own his/her cultural and historical heritage;
7. Sufficient preparation to choose and pursue the student's his/her life's work intelligently;
8. Skills to enable each student him/her to compete competitively favorably with students in other states.

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SUPERINTENDENT RESPONSIBILITY

The council of each school operating under School Based Decision Making shall adopt school policy to be implemented by the Principal in each of the areas specified in policy 02.4241.

In any school administered under the provisions of KRS 160.345, 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. All council policies shall be designed to meet student academic achievement expectations and goals established by statute, regulation and Board policy.

Effective July 1, 2026, the Superintendent shall use the instructional materials depository to report the District's selection of instructional materials to the Kentucky Department of Education (KDE), unless the District purchases approved alternate instructional materials under KRS 156.412. The Superintendent shall submit a notification to the KDE if the District plans to adopt instructional materials or a program as a core comprehensive resource for reading and writing, mathematics, science, or social studies that is not on the state-approved list by submitting evidence per KRS 156.445.

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STUDENTS WITH DISABILITIES

The Board shall operate programs for students with disabilities in accordance with the legal obligations contained in the District's procedures manual relating to such programs.

Curriculum

REFERENCES:

| KRS 156.160; KRS 156.162; [KRS 156.412](#); [KRS 156.445](#)
KRS 158.075; KRS 158.183; KRS 158.188
KRS 158.301; KRS 158.302; KRS 158.305
KRS 158.645; KRS 158.6451; KRS 158.6453; KRS 160.345
| ~~704 KAR 3:303~~; 704 KAR 3:305; 704 KAR 3:440
[Kentucky Academic Standards](#)

RELATED POLICIES:

Section 02.4 (All Policies)

LEGAL: HB 190 AMENDS KRS 158.6453 DEFINING ADVANCED COURSEWORK OFFERING FOR STUDENTS IN GRADES FOUR (4) THROUGH TWELVE (12), REQUIRING A DISTRICT PLAN, A SCHOOL POLICY, AND ESTABLISHING REPORTING REQUIREMENTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1122

Advanced Coursework

Advanced coursework means educational programs or opportunities designed to challenge students with more rigorous content beyond the standard curriculum, including but not limited to Advanced Placement, International Baccalaureate, and honors courses.

DISTRICT PLAN

By December 1, 2025, the District shall adopt a plan establishing policies on the promotion of advanced coursework or accelerated learning in language arts, mathematics, social studies, and science by grade level for students in grades four (4) through twelve (12).

The plan shall:

1. Be published on the District website;
2. Describe the strategies and approach to advanced coursework or accelerated learning options by grade level for language arts, mathematics, social studies, and science; and
3. Require that the service delivery options for students identified as gifted and talented in language arts, mathematics, social studies, and science include the following for each grade level and subject area:
 - a. Accelerated learning or advanced coursework; and
 - b. At least one (1) of the following service delivery options:
 - i. Collaborate teaching and consultation services;
 - ii. Special counseling services;
 - iii. Differentiated study experiences for individuals and cluster groups in the regular classroom;
 - iv. Distance learning;
 - v. Enrichment services that are not extracurricular during the school day;
 - vi. Independent study;
 - vii. Mentorships;
 - viii. Resource services delivered in a pull-out classroom or other appropriate instructional setting;
 - ix. Seminars;
 - x. Travel study options; or
 - xi. Special schools or self-contained classrooms for students in grades four (4) through twelve (12) only.

SCHOOL POLICY

Every school shall establish a policy that is consistent with the District plan adopted by the Board in accordance with KRS 158.6453 on the recruitment and assignment of students to advanced coursework options that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum. The policy shall require that the school notify all students, parents and guardians of the:

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Advanced Coursework

SCHOOL POLICY (CONTINUED)

- a. Long-term benefits of student participation in advanced coursework; and
- b. Advanced coursework opportunities available at the school.

When practicable the school shall offer advanced coursework in mathematics, reading, science, and English language arts for students in grades four (4) through twelve (12).

REFERENCE:

KRS 158.6453

RELATED POLICIES:

02.4241; 08.113; 08.1131; 08.11311; 08.132

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LEGAL: REVISIONS TO 704 KAR 3:305 AMEND THE PERFORMANCE-BASED AND STANDARDS-BASED CREDIT REQUIREMENTS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: 704 KAR 3:303 HAS BEEN REPEALED.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1131

Alternative Credit Options

In addition to regular classroom-based instruction, students may earn credit through the following means.

ONLINE COURSES

High school students may also earn academic credit to be applied toward graduation requirements by completing online courses offered through agencies approved by the Board. Credit from an online course may be earned only in the following circumstances:

1. The course is not offered at the high school;
2. Although the course is offered at the high school, the student will not be able to take it due to an unavoidable scheduling conflict that would keep the student from meeting graduation requirements;
3. The course will serve as a supplement to extend homebound instruction;
4. The student has been expelled from the regular school setting, but educational services are to be continued; or
5. The Principal, with agreement from the student's teachers and parents/guardians, determines the student requires a differentiated or accelerated learning environment.
6. Unless otherwise approved by the Principal/designee, students taking such courses must be enrolled in the District and take the courses during the regular school day at the school site.

The District shall recognize only those online courses that meet the international standards for online teachers, courses, and programs that have been adopted by the Kentucky Department of Education.

As determined by school/council policy, students applying for permission to take an online course shall complete prerequisites and provide teacher/counselor recommendations to confirm the student possesses the maturity level needed to function effectively in an online learning environment. Online courses may be subject to review by the Superintendent/designee for conformance with Kentucky Academic Standards and District graduation requirements. In addition, the express approval of the Principal/designee shall be obtained before a student enrolls in an online course. The school must receive an official record of the final grade before credit toward graduation will be recognized.

Provided online courses are part of the student's regular school day coursework and within budgetary parameters, the tuition fee and other costs for an online course shall be borne by the District for students enrolled full-time, from funds that have been allocated to the school. The Superintendent shall determine, within the budget adopted by the Board, whether additional funding shall be granted, based on supporting data provided by the Principal. The Board shall pay the fee for expelled students who are permitted to take online courses in alternative settings.

Through its policies and/or supervision plan, the school shall be responsible for providing appropriate supervision and monitoring of students taking online courses.

Alternative Credit Options

COLLEGE CREDIT/DUAL CREDIT

High school students may earn units of academic credit to be applied toward graduation requirements by completing dual credit courses from an approved college or university through attendance on the college/university campus, through admission to an approved residence program, or through attendance of an approved college course taught at the high school by approved staff.

Students will receive high school credit for each course consisting of three (3) or more college credit hours except for students attending the Academy of Math and Science at Western Kentucky University. The Principal, along with the guidance counselor shall determine the number of high school credits earned in such cases. Grades will be calculated in weighted form for class rank and GPA, applying the same weight as an Advance Placement course. Failure to complete the course shall be recorded according to school policy. Students shall be responsible for all related costs and transportation.

DUAL-CREDIT SCHOLARSHIP PROGRAM

The District may offer the opportunity for students to earn dual-credits through the Kentucky Dual-Credit Scholarship Program and follows the guidelines outlined in the “*Kentucky Council on Postsecondary Education and Kentucky Department of Education Dual Credit Policy for Kentucky Public and Participating Postsecondary Institutions and Secondary Schools*,” located on the Kentucky Department of Education website.

PERFORMANCE-BASED CREDITS

~~In addition to Carnegie units, s~~Students may earn credit toward high school graduation through the District’s ~~standards-based, performance-based credit system, that complies with requirements of Kentucky Administrative Regulation. Procedures for developing and amending the system~~ The system shall include address the following:

1. Procedures for developing and amending a performance-based credit system;
2. Conditions under which each high school may grant performance-based credits and the related performance descriptors and assessments;
3. Objective grading and reporting procedures;
4. Alignment to Ccontent standards established in ~~704 KAR 3:303 and~~ 704 KAR Chapter 8;
5. The extent to which state-provided assessments will be used;
6. The ability for students to demonstrate proficiency and earn credit for learning acquired outside of school or in prior learning; and
7. Criteria to ensure that internships, cooperative learning experiences, and other learning in the school and community are:
 - Designed to further student progress towards the Individual Learning Plan;
 - Supervised by qualified instructors; and
 - Aligned with State and District content and performance standards.

Alternative Credit Options

REFERENCES:

[KRS 157.320](#)

KRS 158.622

KRS 164.786

~~704 KAR 3:303~~; 704 KAR 3:305; 704 KAR Chapter 8

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RELATED POLICIES:

[08.1122](#); 08.113; 08.11311; 08.2323; 09.1221; [09.1224](#); 09.3; 09.435

EXPLANATION: SB 19 AMENDS KRS 158.175 REQUIRING LOCAL BOARDS TO ESTABLISH A POLICY AND PROCEDURE STATING THERE SHALL BE A MOMENT OF SILENCE OR REFLECTION AND INCLUDES SPECIFIC GUIDELINES FOR IMPLEMENTATION.
FINANCIAL IMPLICATIONS: COST ASSOCIATED WITH THE REQUIRED NOTIFICATION

CURRICULUM AND INSTRUCTION

08.1351

Pledge of Allegiance & Moment of Silence or Reflection**PLEDGE OF ALLEGIANCE** ~~STUDENT'S OPPORTUNITY TO PARTICIPATE~~

Each student shall be afforded the opportunity to begin each school day with the Pledge of Allegiance to the Flag of the United States.¹

No student shall be required to participate in the Pledge against the student's or the parents' wishes.²

MOMENT OF SILENCE OR REFLECTION

The moment of silence or reflection shall occur at the commencement of the first class of each day and shall be implemented with the following guidelines:

- It shall be of at least one (1) minute but not to exceed two (2) minutes in duration;
- Students remain seated and silent and make no distracting display so that each student may, in the exercise of his or her individual choice, meditate, pray, or engage in any other silent activity which does not interfere with, distract from, or impede other students' exercise of individual choice;
- District personnel shall not provide instruction to any student regarding the nature of any reflection that a student may engage in during the moment of silence or reflection; and
- Notification shall be sent to parents/guardians providing information on the policy and encouraging them to provide guidance to their pupils regarding the moment of silence or reflection.

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REFERENCES:

¹KRS 158.175(2)

²OAG 80-456

LEGAL: SB 181 AMENDS KRS 161.120 PROVIDING AGE-APPROPRIATE INSTRUCTION ON CHILD SEXUAL ABUSE THROUGH CURRICULUM OR PROGRAMS AND REMOVES "WRITTEN" FROM REQUIRED NOTIFICATIONS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.13531

Human Sexuality

Per KRS 158.1415, if the District adopts a curriculum for human sexuality or sexually transmitted diseases, instruction shall include but not be limited to the following content:

- a) Abstinence from sexual activity is the desirable goal for all school-age children;
- b) Abstinence from sexual activity is the only certain way to avoid unintended pregnancy, sexually transmitted diseases, and other associated health problems;
- c) The best way to avoid sexually transmitted diseases and other associated health problems is to establish a permanent mutually faithful monogamous relationship;
- d) A school policy to respect parental rights by ensuring that:
 - 1. Children in grade five (5) and below do not receive any instruction through curriculum or programs on human sexuality or sexually transmitted diseases; or
 - 2. Any child, regardless of grade level, enrolled in the district does not receive any instruction or presentation that has a goal or purpose of students studying or exploring gender identity, gender expression, or sexual orientation; and
- e) A school policy to notify a parent in advance and obtain the parent's written consent before the parent's child in grade six (6) or above receives any instruction through curriculum or programs on human sexuality or sexually transmitted diseases.

CURRICULUM REQUIREMENTS

Any course, curriculum, or program offered by a public school on the subject of human sexuality provided by school personnel or by third parties authorized by the school shall:

- a) Provide an alternative course, curriculum, or program without any penalty to the student's grade or standing for students whose parents have not provided written consent as required by law;
- b) Be subject to an inspection by parents of participating students that allows parents to review the following materials:
 - 1) Curriculum;
 - 2) Instructional materials;
 - 3) Lesson plans;
 - 4) Assessments or tests;
 - 5) Surveys or questionnaires;
 - 6) Assignments; and
 - 7) Instructional activities;
- c) Be developmentally appropriate; and
- d) Be limited to a curriculum that has been subject to the reasonable review and response by stakeholders in conformity with KRS 160.345.

Human Sexuality**CURRICULUM REQUIREMENTS (CONTINUED)**

A public school offering any course, curriculum, or program on the subject of human sexuality shall provide ~~written~~ notification to the parents of a student at least two (2) weeks prior to the student's planned participation in the course, curriculum, or program. The ~~written~~ notification shall:

- a) Inform the parents of the provisions of the course or curriculum;
- b) Provide the date the course, curriculum, or program is scheduled to begin;
- c) Detail the process for a parent to review the materials;
- d) Explain the process for a parent to provide written consent for the student's participation in the course, curriculum, or program; and
- e) Provide the contact information for the teacher or instructor of the course, curriculum, or program and a school administrator designated with oversight.

This shall not prohibit school personnel from:

- a) Discussing human sexuality, including the sexuality of any historic person, group, or public figure, where the discussion provides necessary context in relation to a topic of instruction from a curriculum approved pursuant to KRS 160.345;
- ~~a)~~ b) Providing age-appropriate instruction on child sexual abuse through curriculum or programs in accordance with the standards set forth by the National Children's Alliance and approved by the Children's Advocacy Centers of Kentucky, regardless of grade level;
or
- ~~b)~~ c) Responding to a question from a student during class regarding human sexuality as it relates to a topic of instruction from a curriculum approved pursuant to KRS 160.345.

REFERENCES:

KRS 158.1415; KRS 160.345

RELATED POLICIES:

08.1; 08.23; 08.2322; [08.2324](#)

LEGAL: HB 240 REVISES KRS 158.305 REQUIRING AT THE BEGINNING OF THE 2025-2026 SCHOOL YEAR, A STUDENT REMAIN IN KINDERGARTEN FOR AN ADDITIONAL YEAR IF THEY DID NOT MAKE ADEQUATE PROGRESS IN KINDERGARTEN. PROHIBITS A SCHOOL FROM REQUIRING A STUDENT WHO TURNS SEVEN BY AUGUST 1 TO REMAIN IN KINDERGARTEN. A SCHOOL MUST REEVALUATE THE READING IMPROVEMENT PLAN OF ANY STUDENT REMAINING IN KINDERGARTEN AND ALLOW A STUDENT PROVIDED AN ADDITIONAL YEAR IN KINDERGARTEN TO ADVANCE THROUGH THE PRIMARY PROGRAM WHEN IT IS DETERMINED TO BE IN THE STUDENT'S BEST INTEREST.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.22

Promotion and Retention

CERTIFICATE AND TRANSFERS

When a pupil in any public school completes the prescribed program of studies of the eighth grade, he is entitled to a certificate of completion signed by the teacher. The certificate shall entitle the pupil to admission into any public high school. Any promotions or credits earned in attendance in any approved public school are valid in any other public school. In case a pupil transfers from the school of one district to the school of another district, he may not be assigned to a lower grade or course until the pupil has demonstrated that he is not suited for the work in the grade or course to which he has been promoted.¹

A student who has completed the requirements established by the State Department of Education for a vocational program shall receive a vocational certificate of completion specifying the areas of competence.¹

DIPLOMAS

Upon successful completion of all state and Board requirements, the student shall receive a diploma indicating graduation from high school.¹

PROMOTION/RETENTION

Each school shall determine criteria for student progress through the school's program. The criteria shall reflect mastery of state-required capacities and be aligned with the Kentucky Summative Assessment.

A student may advance through the primary program without regard to age if the District determines that s/he has acquired the academic and social skills taught in kindergarten and that advancement would be in his/her best educational interest. Successful completion of the primary program, as determined by methods set out in Kentucky Administrative Regulations, shall be a prerequisite for a child's entrance into the fourth grade.

Beginning with the 2025-2026 school year, a kindergarten student who had a reading improvement plan in place for the school year may remain in kindergarten for an additional school year if the school makes a determination based on the criteria set forth in KRS 158.305.

A first-grade student who had a reading improvement plan in place for the school year shall remain in first grade for an additional year if the school makes a determination based on the criteria set forth in KRS 158.305.

A student who remains in kindergarten based on the criteria set forth in KRS 158.305 shall not subsequently be required to remain in first grade, and a student shall not be required to remain in first grade for more than one (1) additional year.

The school shall reevaluate and make necessary changes to the reading improvement plan of any student remaining in kindergarten or first grade and shall continue to provide all programs and services required by KRS 158.305 during the additional year of kindergarten or first grade.

A student provided an additional year of kindergarten or first grade may advance through the primary school program when it is determined by the school to be in the best educational interest of the student.

No student may be retained without prior consultation with the parents and approval of the Principal.

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Promotion and Retention

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.²

REFERENCES:

¹KRS 158.140

²P. L. 105-17

KRS 158.031; KRS 158.645; KRS 158.6451; KRS 158.6453

KRS 158.860; KRS 160.1592; KRS 160.345

OAG 82-473

RELATED POLICIES:

| [02.441](#); 08.113; 08.222; 08.5; 09.121

LEGAL: SB 207 AMENDS KRS 156.433 USING INSTRUCTIONAL "MATERIALS" INSTEAD OF
INSTRUCTIONAL "RESOURCES", EFFECTIVE JULY 1, 2026.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.232

Instructional ~~Resources~~ Materials**SURVEY**

Schools not having SBDM school councils shall survey teachers to determine their needs for instructional ~~resources~~ materials. The results of the survey shall be used to establish priorities purchase.

ALLOCATION METHOD

Within budgetary limits, schools or school councils shall establish an equitable method of allocating funds to purchase instructional ~~resources~~ materials.

FINANCIAL REPORT

A financial report on allocations to and expenditures for instructional ~~resources~~ materials shall be prepared annually by the Board and shall be a public record.

Each school may carry forward to the next fiscal year any part of the instructional ~~materials~~ ~~resource~~ allocation distributed to the school that has not been spent or committed in the current fiscal year.

FEES

If the Board authorizes charging rental fees for students in grades nine through twelve (9-12), the Board shall establish those fees annually.

Instructional ~~resources~~ materials shall be made available to all students. No student shall be denied full participation in any educational program due to an inability to pay for, or rent, all necessary instructional ~~resources~~ materials.¹

Fee waivers shall be provided as required by applicable statutes and regulations.²

RESPONSIBILITY

Students or parents shall compensate the District for instructional ~~resources~~ materials that are lost, damaged, or destroyed while in the student's possession.

SECTARIAN TEXTS

No book or other publication of a sectarian, infidel, or immoral character or one that reflects on any religious denomination shall be used or distributed in any school.³

This does not prevent a teacher, consistent with his or her assigned duties, from using or distributing books or other publications that reflect any religious denomination to teach the secular study of religion as permitted by the Constitutions of the United States of America or the Commonwealth of Kentucky.

REFERENCES:

¹KRS 158.108

²KRS 160.330; 702 KAR 3:220

³KRS 158.190

KRS 156.162; KRS 156.433; KRS 156.439; KRS 157.110; KRS 158.188
702 KAR 3:246; 704 KAR 3:455

RELATED POLICIES:

02.4242, 04.32, 09.15

LEGAL: HB 684 AMENDS KRS 158.070 ESTABLISHING THAT 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**

The Board, upon recommendation of the Superintendent, shall annually appoint a District Calendar Committee to review, develop, and recommend school calendar options.

The District Calendar Committee shall consist of at least the following:

1. One (1) District Principal;
2. One (1) District office administrator other than the Superintendent;
3. One (1) local Board member;
4. Two (2) parents of students attending a school in the District;
5. One (1) District elementary teacher;
6. One (1) District middle or high teacher;
7. Two (2) District classified employees; and
8. 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 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:

¹KRS 157.350; KRS 158.070; KRS 161.500
KRS 2.190; KRS 61.823; KRS 117.065; KRS 118.035
KRS 157.320; KRS 157.360
KRS 158.060; KRS 158.6453
702 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**

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 parental or guardian's written request 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 student who is enrolled in a private or parochial school;
3. A student who is less than seven (7) years old and in regular attendance in a private kindergarten school;
4. A student whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study;
5. A student who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children;
6. A student 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

EXCEPTIONS TO PRESENCE AT SCHOOL

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

1. Students shall be counted in attendance when they are 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

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

3. Students participating in an educational enhancement opportunity (EEO) shall be counted as being in attendance during the instructional school day, provided the Principal has given prior approval. Students shall be granted up to ten (10) school days to pursue an EEO determined by the Principal to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language and the arts. Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within state or District testing periods shall not be granted. The Principal's determination may be appealed to the Superintendent/designee whose decision may be appealed to the Board under its grievance policy and procedures. Students participating in educational enhancement opportunities under this section shall have the opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation due to non-presence at school.
4. Students may participate in cocurricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when cocurricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.⁴
5. Students 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}
6. Students participating in standards-based, performance-based credit that is awarded in accordance with Kentucky Administration Regulation and that falls within one (1) or more of the categories of standards-based course work outlined in Kentucky Administration Regulation, 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 local policies required by 704 KAR 3:305.^{4 & 7}
7. Students 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.⁴
8. Students who attend ~~a~~classes for moral instruction ~~offering~~ at the time specified and for the period fixed shall be:
 - (a) credited with the time ~~of attendance spent~~ as if ~~he of she they~~ 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 by law~~. Students shall not be penalized for any school work missed during the specified ~~moral instruction time~~; and
 - (a)(b) Included in calculating the average daily attendance as if the pupil was in actual attendance in school.⁵

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

9. Students 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. Students shall be expected to complete any assignments missed on the date or dates of the competition.⁶
10. Students 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
11. Students participating in any of the page programs of the General Assembly.³

REFERENCES:¹KRS 159.010; OAG 85-55²KRS 159.030³KRS 159.035⁴702 KAR 7:125⁵~~KRS 158.240~~ [KRS 158.200](#)⁶KRS 158.070⁷704 KAR 3:305⁸KRS 158.143⁹KRS 158.150

KRS 158.220; 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:08.113; 08.131; 08.1312; [08.135](#)

09.111; 09.121; 09.123; 09.36; 09.42811

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LEGAL: HB 241 AMENDS KRS 158.120 RELATING ENROLLMENT OF NONRESIDENT STUDENTS IN VIRTUAL PROGRAMS. THIS BILL CONTAINS AN EMERGENCY CLAUSE MAKING IT ALREADY IN EFFECT.

FINANCIAL IMPLICATIONS: ANY COST ASSOCIATED WITH PROVIDING VIRTUAL PROGRAMS

STUDENTS

09.1222

Nonresident Students

The District shall allow nonresident students to enroll in the District pursuant to existing Admissions and Attendance Policy 09.12 and related procedures.

Upon allowing nonresident pupil enrollment, the policy shall allow nonresident children to be eligible to enroll in any public school located within the District. The policy shall not discriminate between nonresident pupils, but may recognize enrollment capacity, as determined by the District. The nonresident pupil policy and any subsequent changes adopted by the Board shall be filed with the Kentucky Department of Education ([KDE](#)) no later than thirty (30) days following their adoption.¹

VIRTUAL PROGRAMS

The District shall report, in the student information system, the nonresident pupils enrolled in the District's virtual programs. The enrollment capacity of nonresident pupils in the District's virtual programs shall be determined by the KDE and published by July 1 of each year.

Virtual program enrollment caps established by the KDE shall not apply to any of the following nonresident pupils:

1. A sibling of a pupil already enrolled into the same virtual program;
2. A pupil who is a dependent of a member of the Armed Forces of the United States; or
3. A pupil with a medical condition for which enrolling into the virtual program may be beneficial to the pupil, which shall be evidenced in a written statement signed by the pupil's physician.

All documentation related to these exceptions to the nonresident enrollment cap shall be maintained by the District as a part of the pupil's official record.

The District shall not enroll nonresident pupils in the program after June 30, 2028, without explicit permission from the General Assembly.

REFERENCES:

- ¹KRS 158.120
KRS 157.350

RELATED POLICIES:

09.12; [09.1224](#); 09.313; 09.42811

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LEGAL: HB 241 AMENDS KRS 158.120 RELATED TO VIRTUAL PROGRAMS. THIS BILL LEGAL: HB 241 AMENDS KRS 158.120 RELATED TO VIRTUAL PROGRAMS. THIS BILL CONTAINS AN EMERGENCY CLAUSE MAKING IT ALREADY IN EFFECT. 704 KAR 3:535 AUTHORIZES AND ESTABLISHES MINIMUM REQUIREMENTS FOR THE OPERATION OF FULL-TIME ENROLLED ONLINE, VIRTUAL, AND REMOTE LEARNING PROGRAMS FOR GRADES KINDERGARTEN THROUGH GRADE TWELVE (K-12). FINANCIAL IMPLICATIONS: ANY COST ASSOCIATED WITH PROVIDING VIRTUAL PROGRAMS

STUDENTS

09.1224

Online, Virtual, and Remote Learning

A Virtual Program means a program offered by the District in which all courses in the program are virtual, do not include regular in-person instruction, and are designed as an alternative to traditional in-person programs.

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The District shall ensure that:

- a. All of the education services and requirements as a physical school to fully support the academic, social, emotional, and mental health needs of the learner are provided;
- b. The program meets the requirements set forth in 704 KAR 3:305;
- c. The program is aligned to the academic and curricular requirements of the District; and
- d. A student shall be eligible to participate in one (1) or more types of programs to address student learning needs, which shall include credit acceleration, credit accumulation, and an innovative path to graduation.

The Board shall adopt and annually review, policies and procedures for the operation of each full-time enrolled online, virtual, and remote learning program of the District. The District shall use the statewide financial management system and chart of accounts to track costs and expenditures associated with the program.

The program shall be subject to all applicable requirements of 703 KAR 5:225 and Kentucky's Consolidated State Plan.

ENROLLMENT

Students with determined appropriate digital access and support beyond the school campus shall be candidates for enrollment. The District shall ensure all students enrolled have appropriate digital access to fully participate in and access the program.

Enrollment shall be voluntary and shall meet any eligibility requirements established by the Board.

Voluntary placement of a child with a disability shall be made through the 504 Committee or Admissions and Release Committee (ARC) pursuant to 707 KAR 1:320. The ARC shall document the placement in the conference summary.

The District shall utilize the student information system to enter data regarding each student. Data collected shall include demographic, programmatic, or other data fields required by the Kentucky Department of Education.

ATTENDANCE

Students enrolled in this program shall be counted in attendance and attendance shall be collected as outlined in 704 KAR 3:535.

Students shall be subject to the compulsory attendance laws set forth in KRS 159.150 and KRS 159.180, and Board policy. The Superintendent shall develop and implement procedures to address student absences, which shall include at a minimum:

Online, Virtual, and Remote Learning

ATTENDANCE (CONTINUED)

- a. The attendance status of students with an internet outage;
- b. The process to return students to in-person instruction for truancy violations, and
- c. The process for actions it shall take pursuant to KRS Chapter 159 for truant students.

The District shall document each student enrolled in the program as non-transported in the state student information system for transportation funding purposes.

GRADUATION REQUIREMENTS

In addition to the content requirements established by the Kentucky Academic Standards, and the credits required by the minimum requirements for high school graduation in 704 KAR 3:305, the Board may impose other requirements for graduation from high school.

STATE ASSESSMENTS

Students shall participate in the state-required assessments and be included in the state accountability system. However, the Board shall not adopt any graduation requirements that include achieving a minimum score on a statewide assessment.

EXTRACURRICULAR ACTIVITIES

Students shall be eligible to access extracurricular activities and programs as allowed by Board and School Council policies and by 702 KAR 7:065.

INSTRUCTIONAL SUPPORT AND MATERIALS

Students shall have access to instructional and support resources and services available to other students in the District, which shall include instructional materials, tutoring, intervention, and counseling services, in furtherance of each student's educational program as determined by the Individual Learning Plan.

PERSONNEL

Teachers and administrators shall be subject to the teacher certification requirements established in KRS 161.020 and shall comply with the classified and certified assignment restrictions established in KRS 160.380. The District shall ensure a system of high-quality professional learning on the high-quality instructional resources and on evidence-based instructional practices for virtual learning.

Except for schools with a school-based decision-making council that has voted to waive the requirement, kindergarten aides shall be provided for each twenty-four (24) full-time equivalent kindergarten students enrolled in the virtual program.

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CLASS SIZE

Maximum class size and exemptions shall meet the requirements as established in KRS 157.360 and 702 KAR 3:190.

Virtual program teachers shall not exceed the equivalent of three hundred (300) pupil hours per day.

Online, Virtual, and Remote Learning**CURRICULUM, CONTENT, AND INSTRUCTION**

Instruction shall be aligned to the grade-level expectations established in the Kentucky Academic Standards and grade-level appropriate assignments. District staff shall maintain evidence of systemic formative assessment processes in place to:

- a. Accurately measure student progress on grade-level standards; and
- b. Support student needing accelerated learning on grade-level standards within universal instruction as well as those who need more targeted intervention and supports.

The program shall implement synchronous learning strategies and digital platforms for two-way visual and verbal interactions. The program shall utilize a learning management system or other digital platforms that allows teachers to monitor student's progress, interactions, and engagement with the teacher, and other students online for the review of student work and completion of assignments through both synchronous and asynchronous interactions.

Students shall be assigned a schedule that aligns with the standard day of in-person students and KRS 158.070.

The program shall ensure attainment of the declarations and goals in KRS 158.6451 and students shall receive access to the essential workplace ethics programs, including characteristics critical to success in the workplace.

REFERENCES:

KRS 156.070; KRS 156.160
KRS 157.320; KRS 157.360
KRS 158.070; KRS 158.120; KRS 158.1413; KRS 158.4416; KRS 158.6451
KRS Chapter 159
KRS 159.150; KRS 159.180
KRS 160.345; KRS 160.380
KRS 161.020
702 KAR 3:190; 702 KAR 7:065; 703 KAR 5:225
704 KAR 3:305; 704 KAR 3:535; 707 KAR 1:320
29 U.S.C. §794
34 C.F.R. Part 104
Section 504 of the Rehabilitation Act of 1973

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RELATED POLICIES:

08.113; 08.1131; 08.222; 09.1222; 09.123; 09.3

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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 boards of health relating to student safety and sanitary conditions shall be implemented in each school.

HEALTH SERVICES TO BE PROVIDED

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

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

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

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

SAFETY PROCEDURES

All pupils shall receive annual instruction in school bus safety.

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

ANONYMOUS REPORTING TOOL

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

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.⁴⁵

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Student Health and Safety**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.^{2,4}

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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 live streaming, or via a video recording to students in grades six (6) through twelve (12). The school shall provide an opportunity for any student absent on the day the 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

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 158.039~~ ~~KRS 156.095~~

³~~KRS 158.070~~

⁴KRS 158.038

⁵KRS 158.4451

KRS 156.160

KRS 158.836; KRS 158.838

702 KAR 5:030

STUDENTS

09.22
(CONTINUED)

Student Health and Safety

RELATED POLICY:

09.2241

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, the District requires employees to make reports required by state law in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

KRS 158.154

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

KRS 158.155

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

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:

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

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

Employee Reports of Criminal Activity**KRS 158.156**

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

KRS 209A.100

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

KRS 209A.110

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

KRS 620.030

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

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; 03.13253; 03.23253
05.48
09.227; 09.422; 09.423; 09.425; 09.426; 09.438

RECOMMENDED: THE KENTUCKY DEPARTMENT OF EDUCATION MEDICATION ADMINISTRATION TRAINING MANUAL FOR NON-LICENSED SCHOOL PERSONNEL (2025) RECOMMENDS OVER THE COUNTER MEDICATIONS NOT BE ADMINISTERED IN THE SCHOOL SETTING WITHOUT BOTH A MEDICAL PRACTITIONER'S ORDER AND SIGNED PARENTAL CONSENT.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.2241

Student Medication

Non-licensed school personnel, who provide medication administration, including emergency medications and administration or assisting with the self-administration of insulin subcutaneously to students in a school setting ~~authorized to give medications~~ must be trained in accordance with KRS 158.838, KRS 156.502 and 702 KAR 1:160.

Internal medicine, including aspirin, shall not be provided by the school for the purpose of administering to pupils. Antiseptic and appropriate other emergency supplies shall be maintained in the first-aid room.

Pupils may take medicine which is brought from home once a completed authorization form from the parent/guardian is on file.

PRESCRIPTION MEDICATIONS

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Prescription medicine may be brought to school only as required by administrative procedures.

No more than one (1) week's supply shall be sent each time. It must be deposited with the Principal/designee for safekeeping immediately upon arrival at school; however, three (3) exceptions are to be allowed:

1. Asthma inhalers may be carried by an asthmatic student at any time provided the parent/legal guardian and health care practitioner files a completed authorization form each year as required by law. A student under treatment for asthma shall be permitted to self-administer medication.¹
2. In accordance with statute, students with diabetes mellitus shall be permitted to carry their blood glucose monitoring equipment and supplies, (which may include water, candy, and insulin based on their treatment modality), with them at all times and test blood glucose levels whenever necessary, provided the parent/guardian and health care practitioner file a completed authorization form each year.
3. In accordance with KRS 158.836, students with a documented life-threatening allergy or designated staff shall be permitted to carry an injectable epinephrine device in all school environments. The injectable epinephrine device shall be provided by the student's parent/guardian, and a written individual health care plan shall be in place for the student.²

Students with serious allergies or other serious health conditions may be permitted to self-administer medication as provided in an individualized education program, Section 504 Plan or Health Plan.

A school medication release form shall be completed by the parent/guardian when any prescribed medication, including prescription, herbal and dietary supplements, and non-prescription over-the-counter medications, which are essential for the student to remain in school, are brought to school. The specific instructions included with the medication and supplied by the family and health care practitioner on the medication release form, shall be followed during administration of the medication.

Students shall not share any prescription or over-the counter medication with another student. Each year, the District shall notify students in writing of this prohibition and that violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion.

Student Medication**PRESCRIPTION MEDICATIONS (CONTINUED)**

Parents/guardians and health care providers shall complete the required forms before any person administers prescription medication to a student or before a student self-medicates. Authorization forms are only valid for one school year or until treatment changes. A new authorization for medication administration must be completed if there is a change in medication, dosage, time and/or frequency, and a new prescription bottle (or medication label, if applicable) from the pharmacy indicating the prescription change should be provided.

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Prescription medications shall be administered only as prescribed on the physician/health care provider's written authorization. If there is a discrepancy between the information on the parent/guardian authorization form and the prescription label, then, either, a new authorization form must be completed by the parent/guardian, or a new prescription bottle or label issued by the dispensing pharmacy. Prescription medications shall be sent to school in one (1) week increments unless otherwise approved by the Principal or designee. Prescription medications shall not be given beyond the date specified on the authorization form or beyond the expiration date on the label. Parent/guardian shall have the ultimate responsibility to provide the school with an adequate supply of medication to enable the orders to be followed.

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All prescription medication, original or refill, should be sent to school in a pharmacy labeled container that includes the student's name, date dispensed, medication, dosage, strength, date of expiration, and directions for use including frequency, duration, and route of administration, prescriber's name, and pharmacy name, address, and phone number. Labels that have been altered in any way will not be accepted. Per KRS 218A.210, "A person to whom or for whose use any controlled substance has been prescribed, sold, or dispensed by a practitioner or other persons authorized under this chapter, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same."

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Changes in the dosage and/or times of administration must be received in the form of a written order from the physician/health care provider, OR a new prescription bottle from the pharmacy indicating the change and a note from the student's parent/guardian.

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NONPRESCRIPTION MEDICATIONS

Over the counter (OTC) medications should not be administered in a school setting without a medical practitioner's order as well as signed parental consent. OTC medications are permitted to be administered when part of standing order or protocols signed by a medical practitioner.

STUDENTS

09.2241
(CONTINUED)

Student Medication

REFERENCES:

¹KRS 158.834; KRS 158.838

²KRS 158.836

KRS 156.502; KRS 158.832; [KRS 218A.210](#)

702 KAR 1:160

OAG 73-768

OAG 77-530

OAG 83-115

Section 504 of the Rehabilitation Act of 1973

The American Disabilities Act

[Kentucky Board of Nursing Advisory Opinion Statement #16 Roles of Nurses in the Administration of Medication Via Various Routes \(2023\)](#)

[Kentucky Department of Education Medication Administration Training Manual for Non-Licensed School Personnel \(2025\)](#)

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

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RELATED POLICIES:

09.22; 09.224

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 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

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

Upon notification, the Principal 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.

DOCUMENTATION

Any person making a report in accordance with KRS 620.030 shall obtain written documentation of the completed report including the date, time, person report made to, organization receiving report and description of report content.

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

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.

Child Abuse**AGENCY CUSTODY (CONTINUED)**

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 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: SB 120 AMENDS KRS 156.070 ADDING BOYS OR COED LACROSSE TO SPORTS EXCLUDED
FROM DISTRICT STANDARDS FOR PLAYING UP IN GRADES 7 AND 8.
FINANCIAL IMPLICATIONS: ANY COST ASSOCIATED

STUDENTS

09.313

Eligibility (Athletics)

Determination of athletic eligibility shall be made in compliance with applicable administrative regulations and Kentucky High School Athletic Association (KHSAA) requirements.²

District standards for playing up from middle school (grades seven and eight [7 & 8]) to high school in sports other than ~~football and~~ soccer, football, and boys or coed lacrosse, but are not limited to, considerations related to safety, physical readiness, use of school space after the school day, transportation, funding, the student's disciplinary status and record, any substance testing restrictions, equitable opportunities for participation, and harmonizing any conflicting school-based decision making (SBDM) requirements. SBDM Council policies apply to the selection of sports activities, and student participation based on academic qualifications and attendance requirements, program evaluation, and supervision.^{1 & 2}

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To be eligible to try out and participate at the high school level, middle school students must meet all applicable KHSAA, District, and SBDM requirements. The Superintendent/Designee in cooperation with principals, SBDM councils, coaches, and athletic directors, as deemed appropriate, may develop guidelines for Board approval addressing playing up standards.

REFERENCES:

¹KRS 160.345

²KRS 156.070

KRS 160.1592

702 KAR 7:065; OAG 15-022

Kentucky High School Athletic Association (KHSAA)

RELATED POLICIES:

02.4241

09.1222

09.126 (re requirements/exceptions for students from military families)

09.423

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, 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.

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

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~~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:~~

~~5. Intentional harm; and~~

~~6. Damage beyond minor loss or breakage, excluding normal wear and tear.~~

Students who willfully deface or damage school property shall make provisions for restitution within two (2) weeks. Failure to do so may result in suspension and/or legal action.

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, 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)

¹KRS 405.025 (Willful Damage)

²KRS 158.150

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

704 KAR 3:455

RELATED POLICY:

09.2211; 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

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

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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 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

Communication 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, that are held 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. Students are prohibited from using a personal telecommunication device during instructional time, except during an emergency, if directed to do so by a teacher for an instructional purpose, or if authorized by a teacher.

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Students shall ~~provided they~~ observe the following conditions:

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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 pictures, 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, obscene, or threatening;

~~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, videos, pictures, 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.

2. ~~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.~~

Communication 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 communication or other electronic devices.
5. Students shall not utilize a communication 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.

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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: 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

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, part-time, 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.
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 Director of Pupil Personnel or designee to have their standing confirmed. The District shall make the required report to the appropriate agency.

REFERENCES:

¹KRS 159.051; KRS 186.470
601 KAR 13:070
OAG 77-419

RELATED POLICIES:

08.221
09.123