

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:

KENTUCKY SCHOOL FOR THE BLIND/KENTUCKY SCHOOL FOR THE DEAF (KSB/KSD)

Kentucky School for the Blind (KSB) serves students who are blind and visually impaired from local education agencies (LEAs) throughout the state. Kentucky School for the Deaf (KSD) serves students who are Deaf or Hard of Hearing from LEAs throughout the state. KSB and KSD work in partnership with the LEAs across the state to provide quality educational services to students. KSB and KSD are state agency schools that are managed and controlled by the Kentucky Board of Education (KBE). Students are enrolled at KSB or KSD when admissions and release committees (ARCs) determine a student's least restrictive environment to receive a free appropriate public education to be KSB or KSD.

LOCAL EDUCATION AGENCY (LEA)

A public Board of Education or other public authority legally constituted within the State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for a combination of school districts or counties that is recognized in the State as an administrative agency for its public elementary schools or secondary schools.

POLICIES

An expression of the will of the Kentucky Board of Education. Board policies cover the general management and governance of school operations and functions. Within the parameters of the Kentucky Board of Education's legal authority, violations of policy may provide grounds for administrative response or action as related to students, 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 Kentucky Board of Education, its members, employees, officers, or volunteers.

ADMINISTRATIVE REGULATIONS

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

PRINCIPAL/HEAD TEACHER

In this manual the term principal refers to principal or head teacher as appropriate and includes any other employee to whom the principal or head teacher may delegate responsibility for a specific task.

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 Commissioner of Education, for whom certification is required as a basis for employment.

PARENT OR GUARDIAN

Parent, as used in the policy manual, means custodial parent, legal guardian, or other person authorized by law to act as a parent as the context requires.

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

Definitions

CHILDREN AND YOUTH WITH DISABILITIES

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

SCHOOL NUTRITION PROGRAM

Use of the term "food service" shall also refer to the KSB and KSD School Nutrition Program.

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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 161.1590.

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.

REFERENCES:

KRS 158.144

KRS 160.1590

KRS 167.015

KRS 369.102; KRS 405.028

102 KAR 1:036

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

702 KAR 1:035; 702 KAR 6:010; 702 KAR 6:020; 702 KAR 6:040

702 KAR 6:075; 702 KAR 6:090

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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;
 - 3. Directly by a local Board of Education.¹

¹ By the Kentucky Board of Education or Kentucky Department of Education for such purpose.

ASSIGNMENT

The Board shall ensure, for each campus, 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. KSB/KSD, operate school buildings and campuses, and are managed and controlled by the Kentucky Board of Education. A contract directly with the school or with KDE would be covered by (b)(1).

BOARD MAY AUTHORIZE POLICE DEPARTMENT

KRS 158.471 provides that the Board is authorized to establish a police department for each campus, appoint police officers and other employees, prescribe distinctive uniforms for the police officers at each campus, 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 Commissioner/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.

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

Each SRO shall be armed with a firearm.²

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COMMISSIONER/DESIGNEE TO REPORT

No later than November 1 of each year, the Commissioner/Designee shall report to the Center for School Safety the number and placement of SROs at KSB/KSD. The report shall include the source of funding and method of employment for each position.

GUARDIANS

Beginning with the 2026-2027 school year, the Board, if unable to meet the requirement for each campus, 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 on each campus. 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.

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Beginning with the 2026-2027 school year, the Board that has met the requirement for each campus, 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 on each campus.²

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REFERENCES:

¹KRS 158.441

²KRS 158.4414

³KRS 158.471

KRS 15.380 to KRS 15.404; KRS 15.520

KRS 167.015

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

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****COMMISSIONER/DESIGNEE'S RESPONSIBILITIES**

All appointments, promotions, and transfers of certified personnel for positions authorized by the Commissioner/Designee shall be made by the Commissioner/Designee.

When a vacancy occurs, the Kentucky Department of Education 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 KSB/KSD, the Commissioner/Designee may document a waiver of the fifteen (15) day advance notice requirement.

EFFECTIVE DATE

Personnel actions shall not be effective until the employee receives written notice of such action from the Commissioner/Designee. Certified employees may be appointed by the Commissioner/Designee for any school year at any time after February 1 next preceding the beginning of the school year.

QUALIFICATIONS

The Commissioner/Designee shall employ only individuals who are certified for the positions they will hold and who possess qualifications established by law, regulation and Board policy. blished 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 KSB/KSD 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."

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Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

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 Commissioner/Designee 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.

The form for requesting a CA/N check is available on the Cabinet for Health and Family Services website.

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

REPORT TO COMMISSIONER

An employee shall report to the Commissioner/Designee 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 Commissioner/Designee shall maintain in the school human resources office a job register listing all current job openings at KSB/KSD. The register shall describe the duties and qualifications for each opening, and school employment policies shall be attached to the register. The job register shall be open to public inspection during school office business hours.

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<https://kog.chfs.ky.gov/home/...>

Hiring

VACANCIES POSTED

Under procedures developed by the Kentucky Department of Education, a listing of all KSB/KSD job openings shall be posted in the school human resources office on a timely basis and shall refer interested persons to the statewide job posting system as described above for additional information. Postings of vacancies may be made with other agencies, as appropriate.

When a vacancy for a teaching position occurs at KSB/KSD, membership in a protected class will not be considered as a factor for or against any candidate in making a hiring decision for each available position.

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REVIEW OF APPLICATIONS

Under procedures developed by the Kentucky Department of Education, each application shall be reviewed and each applicant so notified upon initial application. Applications for candidates not employed shall be retained for two (2) years.

RELATIONSHIPS

The Commissioner/Designee shall not employ a relative of a member of the Kentucky Board of Education (KBE).

A relative of a member of the KBE 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 KSB/KSD;
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 Commissioner shall not be employed except as provided by KRS 160.380.

CONTRACT

Except for noncontracted substitute teachers, all certified personnel shall enter into written contracts with the Kentucky Department of Education.

JOB DESCRIPTION

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

INTENT

Under procedures developed by the Commissioner/Designee, 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 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.

Hiring**EMPLOYEES SEEKING A JOB CHANGE**

Other than the routine transmission of administrative and personnel files, KDE employees assigned to KSB/KSD 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 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

16 KAR 9:080; 702 KAR 3:320; 704 KAR 7:130

Records Retention Schedule, Public School District

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

-CERTIFIED PERSONNEL-

Contract

CONTRACT

All certified employees not employed pursuant to KRS 18A 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

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

KRS 18A

16 KAR 4:040

RELATED POLICY:

03.121

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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**

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the KSB/KSD, 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 KSB/KSD training that includes information on the physical and emotional development of students of the age with which they will be working, the KSB/KSD'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

NUMBER OF HOURS

Full-time certified employees shall be entitled to seventy five (75) hours of sick leave with pay each school year. Employees shall be credited with said sick leave at the beginning of each school year.

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

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

All leave shall be used in half day increments of three and three-fourths (3.75) hours.

ACCUMULATION

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

DEFINITION

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

FAMILY ILLNESS/MOURNING

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

TRANSFER OF SICK LEAVE

Teachers coming to the KSB/KSD from a Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the KSB/KSD.

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SICK LEAVE DONATION PROGRAM

Under procedures developed by the Kentucky Department of Education, certified employees who have accrued more than one hundred twelve and one-half (112.5) hours of sick leave may request to transfer sick leave hours to another employee who is authorized to receive the donation. The number of hours donated shall not reduce the employee's sick leave balance to less than one hundred twelve and one-half (112.5) hours.

Certified employees are eligible to receive donated hours if they meet the criteria established in statute.

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

PERSONNEL

03.1232
(CONTINUED)

Sick Leave

STATEMENT

Upon return to work a certified employee claiming sick leave must file a personal statement or a certificate of a physician stating that the employee was ill or that the employee was absent for the purpose of attending to a member of the immediate family who was ill.¹

REPORTING

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

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

These reports shall include requirements set forth in KRS 161.155.

REFERENCES:

¹KRS 161.155; KRS 161.152; OAG 79-148
OAG 93-39
Family & Medical Leave Act of 1993
Young v. Bd. Of Educ. Of Graves County, 661 S.W. 2d 787 (Ky. App., 1983)

RELATED POLICIES:

03.12322; 03.1233; 03.124; 03.175 (Retirement Compensation)

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LEGAL: SB 9 AMENDS KRS 161.155 REQUIRING DISTRICTS, ON OR BEFORE JULY 1, 2030, TO ESTABLISH A POLICY THAT PROVIDES UP TO THIRTY (30) PAID MATERNITY LEAVE DAYS TO EACH TEACHER OR EMPLOYEE WHO GIVES BIRTH. THE BILL INCLUDED AN EMERGENCY CLAUSE MAKING IT ALREADY EFFECTIVE.
FINANCIAL IMPLICATIONS: TEACHER DAILY WAGE FOR MATERNITY LEAVE

PERSONNEL

03.1233

- CERTIFIED PERSONNEL -**Parental Leave Options****PAID MATERNITY LEAVE (KRS 161.155)**

The KDE shall provide up to thirty (30) paid maternity leave days for a teacher or employee who gives birth to a child. The maternity leave days shall be used without deduction of salary and shall be used prior to the teacher or employee using any other leave. Any maternity leave days unused by the teacher or employee shall not transfer into sick leave or be converted to any other leave type and shall expire upon return to work. This shall not limit the KDE's authority to establish additional paid maternity benefits or to provide paid parental leave benefits.

PAID SICK LEAVE

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to utilize paid sick leave benefits as provided in Board Policy 03.1232.

An illness of the newborn shall entitle the employee to utilize paid sick leave benefits as provided in Board Policy 03.1232.

UNPAID LEAVE (KRS 161.770)

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed the remainder of the school year in which the birth or placement occurred. Thereafter, leave may be extended in increments of no more than one (1) year.

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

Employees taking a maternity leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

FMLA

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

REQUEST FOR MEDICAL INFORMATION

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

REFERENCES:

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

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PERSONNEL

03.1233

[Parental Leave Options](#)

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RELATED POLICIES:

03.123; 03.1232; 03.12322

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

PERSONNEL

03.1721

- CERTIFIED PERSONNEL -**Conflict of Interests**

Employees are subject to and shall comply with the Executive Branch Code of Ethics set forth at KRS Chapter 11A and Title 9 of the Kentucky Administrative Regulations. It is the public policy of the Commonwealth that a public servant work for the benefit of the people of the Commonwealth. The Executive Branch Code of Ethics recognizes that public office is a public trust where government is based upon the consent of its citizens. Those citizens are entitled to have complete confidence in the integrity of their government. Thus, the following provision provide general statements of required behavior for executive branch employees:

- Employees must be independent and impartial;
- Decisions and policies must not be made outside established processes of government;
- Employees should not use public office to obtain private benefits;
- Employees' actions should promote public confidence in the integrity of government;
- Employees should not engage or be involved in any activity which has the potential to become a conflict of interest with their state employment.

For guidance, employees should visit the Executive Branch Ethics Commission's website at: <http://ethics.ky.gov/>.

Unless prior arrangements are made with the Commissioner/Designee, any device, publication or any other item to be copyrighted/developed during the employee's paid time shall be KSB/KSD property.

Employees shall not profit monetarily through use of confidential information gained in the course of or by reason of their position of employment with the KSB/KSD.

Restrictions on Instructional Materials

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

References:

¹KRS 156.460

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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.

Formatted: ksba normal**NOTICE**

Persons retiring should give the Commissioner/Designee notice as far in advance as possible but not less than two (2) weeks prior to retirement.

RESPONSIBILITY

Retirement benefits shall be solely a matter of contract between the employee and the TRS, and shall not be the responsibility of the KSB/KSD except that the KSB/KSD shall deduct and send to the TRS in the manner prescribed, those amounts required under law.

Deleted: eachers'**Deleted:** etirement**Deleted:** ystem**Deleted:** eachers'**Deleted:** etirement**Deleted:** ystem**UNUSED SICK DAYS**

The KSB/KSD may compensate certified employees only upon initial retirement, or their estate, for each unused sick day at a rate not to exceed 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 or KSB/KSD 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 TRS 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 KSB/KSD shall provide compensation for unused sick leave days in accordance with KRS 161.623 or KRS 161.155 when the employee provides proof s/he qualifies as an annuitant who will receive a retirement or disability allowance from the TRS. Upon death of an employee in active contributing status who was eligible to retire by reason of service, the KSB/KSD shall compensate the estate of the employee in accordance with this Policy.

Deleted: eachers'**Deleted:** etirement**Deleted:** ystem**UNUSED SICK DAYS AND ACTUARIAL COSTS****Formatted:** ksba normal

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.

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Retirement

UNUSED SICK DAYS AND ACTUARIAL COSTS (CONTINUED)

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

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 161.623
KRS 161.633; KRS 161.635
OAG 81-1; OAG 83-191; OAG 97-28
29 U.S.C. 631

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 Principal shall recommend for approval by the Kentucky Department of Education a personnel evaluation system, for all certified employees, which is in compliance with and which shall be implemented consistent with applicable statute and regulation. The 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 certified evaluation plan for certified personnel assigned to the KSB/KSD 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 who have not attained continuing service status. Summative evaluations shall occur at least once every five (5) 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.

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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 KSB/KSD 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 KSB/KSD. Two (2) alternates shall also be elected by and from the certified employees, to serve in the event an elected member cannot serve. The Commissioner/Designee 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 one (1) year 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 Commissioner/Designee.

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 five (5) 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 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 KSB/KSD evaluation committee. The form shall state that evaluation records may be presented to and reviewed by the panel.

CONFLICTS OF INTERESTS

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 Commissioner/Designee, 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 Commissioner/Designee.

REVISIONS TO PREVIOUSLY APPROVED 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 certified evaluation plan is made by the local certified evaluation committee, the revised certified evaluation plan shall be reviewed and approved by the Kentucky Department of Education. If the Kentucky Department of Education 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 Principal shall submit proposed revisions to the evaluation plan to the Kentucky Department of Education for its review to ensure compliance with applicable statute and regulation.

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:

²03.15; 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 KSB/KSD shall implement the PD training schedule created by the KDE.

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 KSB/KSD shall be made public, and the KSB/KSD PD plan shall be posted to the KSB/KSD web site.

The program shall be designed;

1. to help achieve student capacities established by KRS 158.645 and goals established by KRS 158.6451;
2. to support the KSB/KSD'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, ESSA requirements, and teacher growth plans.

Deleted: The KSB/KSD 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 Principal or designee and in conjunction with each school, the Principal or designee shall facilitate the development and implementation of this program for all certified employees.

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Professional Development**SCHOOL RESPONSIBILITIES**

Each school shall plan professional development with the Principal/designee and, when appropriate, with other schools to maximize training opportunities. In addition, each school's PD plan shall be submitted to the Commissioner/Designee for review and comment.

DOCUMENTATION

The KSB/KSD 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 KSB/KSD 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

Deleted: 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 KSB/KSD 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, KSB/KSD shall provide materials on how to respond to an active shooter situation.¶

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 Kentucky Board of Education shall provide a school nutrition program in compliance with applicable state and federal statutes and regulations. It is the intent of the Kentucky Board of Education that school nutrition services be a self-supporting program.

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MEALS

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

MEAL CHARGES

All parents shall be provided the written meal charge policy at the beginning of each school year or upon enrollment in the KSB/KSD 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.

When a student accumulates more than three (3) meal charges, the Principal/designee shall initiate the established collection process to include notification of parents and appropriate follow-up. If parents have not contacted the Cafeteria Manager or submitted the amount indicated within ten (10) working days from the date of the final notice, the debt will be considered delinquent and may be directed to the KDE Office of Legal Services.

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Food Service funds may be used to collect delinquent meal charges.

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

FOOD SERVICE/SCHOOL NUTRITION DIRECTOR

The KSB/KSD shall appoint/select a Food Service/School Nutrition Director to oversee and manage the school nutrition service program.

DISCRIMINATION COMPLAINTS

KSB/KSD does not discriminate on the basis of race, color, national origin, sex, age, or disability in its school nutrition program.

In compliance with state and federal requirements, the Principal/designee shall develop a process to address complaints of alleged discrimination in the delivery of benefits or services in the KSB/KSD's school nutrition program, whether received in written or verbal form. KSB/KSD personnel shall assist parents/guardians and students wishing to file a complaint.

SPECIAL DIETARY NEEDS

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

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 school for students transferring in mid-year.

Food/School Nutrition Services

REFERENCES:

KRS 156.160; KRS 156.502
KRS 158.852; 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; FNS Instruction 113
Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act
P.L. 111-296

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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;
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 life;
4. Understanding of our constitutional republic, the three (3) branches of government, and how government impacts citizens, the community, the state, and the nation;
5. Sufficient self-knowledge and knowledge of the student's own mental and physical wellness;
6. Sufficient grounding in the arts to enable each student to appreciate the student's own cultural and historical heritage;
7. Sufficient preparation to choose and pursue the student's life's work intelligently;
8. Skills to enable each student to compete competitively with students in other states.

STUDENTS WITH DISABILITIES

The KSB/KSD shall operate programs for students with disabilities in accordance with the legal obligations contained in the KSB/KSD's policy and procedures manual relating to such programs.

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 3:305; 704 KAR 3:440
Kentucky Academic Standards

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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.

PLAN

By December 1, 2025, KSB/KSD, 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 KSB/KSD 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

Each school shall establish a policy that is consistent with the 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: HB 342 AMENDS KRS 158.1411 REVISING THE FINANCIAL LITERACY COURSE GRADUATION REQUIREMENT.

FINANCIAL IMPLICATIONS: COST ASSOCIATED WITH COURSE INSTRUCTION OR DEVELOPMENT

LEGAL: HB 535 (2023) REQUIRES THE BOARD, BEGINNING WITH THE 2025-2026 SCHOOL YEAR, TO CHOOSE A CIVIC LITERACY COURSE OR A CIVICS EXAM AS PART OF THE STATE REQUIREMENTS FOR A REGULAR HIGH SCHOOL DIPLOMA.

FINANCIAL IMPLICATIONS: COST ASSOCIATED WITH COURSE INSTRUCTION OR DEVELOPMENT AND ADMINISTRATION OF AN EXAM

LEGAL: 704 KAR 3:303 HAS BEEN REPEALED, 703 KAR 4:060 HAS EXPIRED, AND 704 KAR 3:306 HAS BEEN RECODIFIED.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: REVISIONS TO 704 KAR 3:305 AMEND THE GRADUATION REQUIREMENTS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.113

Graduation Requirements

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic Standards, students must complete a minimum of twenty-two (22) credits and all other state and local requirements in order to graduate from high school.

Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR Chapter 8. Additional standards-based learning experiences shall align to the student's individual learning plan and shall consist of standards-based content.

Each student shall be required to earn the following ten (10) foundational credits:

- (a) English/language arts – two (2) credits (English I and II);
- (b) Social studies – two (2) credits;
- (c) Mathematics – two (2) credits (Algebra I and Geometry);
- (d) Science – two (2) credits that shall incorporate lab-based scientific investigation experiences;
- (e) Health – one-half (1/2) credit;
- (f) Physical education – one-half (1/2) credit; and
- (g) Visual and performing arts – one (1) credit.

Each student shall be required to earn the following twelve (12) personalized credits:

- (a) Two (2) additional English/language arts credits;
- (b) Two (2) additional mathematics credits;
- (c) One (1) additional science credit;
- (d) One (1) additional social studies credit; and
- (e) Academic and career interest standards-based learning experiences – six (6) credits including four (4) standards-based learning experiences.

Each student shall complete the following additional requirements:

- (a) Successfully demonstrate performance-based technology;
- (b) Successfully meet the civics requirement; and
- (c) Successfully complete one (1) or more courses or programs that meet the financial literacy requirements.

ADVANCED COURSEWORK

Students that successfully complete high school advanced coursework shall receive credit toward graduation in accordance with state law.³

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Graduation Requirements

CIVICS REQUIREMENT

Beginning with the entering ninth grade class of the 2025-2026 school year, and each year thereafter, graduation requirements for each student in every public high school in Kentucky graduating with a regular diploma shall include successful completion of either:

- a) A one-half (1/2) credit course in civic literacy meeting statutory curriculum and standards requirements; or
- b) A civics test composed of one hundred (100) questions drawn from those that are set forth within the civics test administered by the United States Citizenship and Immigration Services to persons seeking to become naturalized citizens.

The Kentucky Board of Education (KBE) shall determine which option shall be required for graduates of the KSB/KSD.

If the KBE requires completion of the civics test, the KBE shall prepare or approve the test as described. The Commissioner/designee shall disseminate the test and it be administered by each high school. By September 1, 2026, and each year thereafter, the KSB/KSD requiring a civics test for graduation shall submit annual testing data to the Kentucky Department of Education.

A minimum score of seventy percent (70%) is required to pass the test and students may take the test as many times as needed to pass without the use of instructional aids during testing including but not limited to textbooks and internet browser searching. A student shall not receive a regular high school diploma until the student successfully completes the test. Students that have passed a similar test within the previous five (5) years may provide the KBE with evidence of successful completion and shall not be required to take the test. The test requirement shall be subject to the requirements and accommodations of a student's individualized education program (IEP) or a Section 504 Plan.²

FINANCIAL LITERACY REQUIREMENT

For students entering grade nine (9) on or after July 1, 2025, successful completion of one (1) credit course in financial literacy. The course shall align to the student's individual learning plan and comply with KRS 158.1411.

The Commissioner/designee, after consultation with the KBE, and the Principal of each high school, shall determine curricula for course offerings that are aligned with the financial literacy academic standards.

The financial literacy course requirement shall be accepted as an elective course requirement for high school graduation.

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Graduation Requirements**INDIVIDUAL LEARNING PLAN (ILP)**

The development of the Individual Learning Plan (ILP) for each student shall be established within the first ninety (90) days of the sixth (6th) grade year and shall focus on career exploration and related postsecondary education and training needs. The ILP is not a substitute for the statement of transition service needs for students with disabilities.

In addition to the content requirements established by the Kentucky Academic Standards, the KBE may impose other credit requirements for graduation from high school. However, the KBE shall not adopt any graduation requirements that include achieving a minimum score on a statewide assessment.

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Deleted: FOR STUDENTS ENTERING GRADE NINE (9) ON OR AFTER THE FIRST DAY OF THE 2020-2021 ACADEMIC YEAR¶
Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR 3:303 and 704 KAR Chapter 8. The required credits and demonstrated competencies shall include the following minimum requirements:¶
English/Language Arts
Credits shall include content standards as provided by the Kentucky Academic Standards established in 704 KAR 3:303 and 704 KAR Chapter 8. The required credits and demonstrated competencies shall include the following minimum requirements:¶
English/Language Arts

Graduation Requirements**OTHER PROVISIONS**

The high school student handbook shall include complete details concerning specific graduation requirements.

In keeping with statutory requirements, the KSB/KSD shall accept for credit toward graduation and completion of high school course requirements an advanced placement or a high school equivalent course taken by a student in grades 5, 6, 7, or 8 if that student attains performance levels expected of high school students as determined by achieving a score of "3" or higher on a College Board Advanced Placement examination or a grade of "B" or better in a high school equivalent.¹

The KSB/KSD may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

The Commissioner/designee, Principal, or teacher may award special recognition to students.

If the severity of an exceptional student's disability precludes a course of study that meets the established high school graduation requirements leading to receipt of a high school diploma, as determined by the student's admissions and release committee (ARC), an alternative course of study shall be offered in compliance with applicable legal requirements. Students who complete this course of study shall receive an alternative high school diploma, which shall not be a regular high school diploma as defined in 20 U.S.C. §7801(43).

In addition, former students may submit to the Principal a request that the KSB/KSD provide them with an alternative high school diploma to replace the certificate of attainment they received at the time of graduation.

The Commissioner/Designee may substitute an integrated, applied, interdisciplinary, occupational, technical, or higher-level course for a required course if the alternative course provides rigorous content.

REFERENCES:

¹KRS 158.622

²KRS 158.141

³~~KRS 160.348; KRS 158.622~~

KRS 156.027; KRS 158.135

KRS 158.1411; KRS 158.1413; KRS 158.142; KRS 158.143; KRS 158.183; KRS 158.281

KRS 158.302; KRS 158.645; KRS 158.6451; ~~KRS 158.6453~~; KRS 158.860; KRS 156.160

13 KAR 2:020; 702 KAR 7:125,

~~704 KAR 3:305; 704 KAR 3:535; 704 KAR 7:090~~

704 KAR Chapter 8

OAG 78-348; OAG 82-386

20 U.S.C. § 1414

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RELATED POLICIES:

~~08.1122~~; 08.1131; 08.11311; 08.14; 08.22; 08.222

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

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 Kentucky Board of Education. 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 KSB/KSD and take the courses during the regular school day at the school site.

The KSB/KSD shall recognize only those online courses that meet the [Kentucky Digital Learning Guidelines](#).

Deleted: National Standards for Quality Online Courses, Teaching and Programs

As determined by school 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 Principal/designee for conformance with [Kentucky Academic Standards](#) and KSB/KSD 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 KSB/KSD for students enrolled full-time, [including those who are on shortened school days or weeks](#), from funds that have been allocated to the school. The Principal shall determine, within the budget, whether additional funding shall be granted, based on supporting data provided by the Principal. The KSB/KSD 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

DUAL-CREDIT SCHOLARSHIP PROGRAM

KSB/KSD may offer the opportunity for students to earn dual-credits through the Kentucky Dual-Credit Scholarship Program and follow 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.

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PERFORMANCE-BASED CREDITS

Students may earn credit toward high school graduation through the District’s performance-based credit system. The system shall include:

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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 content standards established in 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 school content and performance standards.

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REFERENCES:

[KRS 157.320](#)

KRS 158.622

KRS 164.786

704 KAR 3:305; 704 KAR Chapter 8

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Deleted: 704 KAR 3:303;

RELATED POLICIES:

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

LEGAL: HB 132 AMENDS KRS 158.033 INCLUDING THAT HOME OR HOSPITAL INSTRUCTION FOR
INPATIENT FACILITY IS EFFECTIVE THE DAY OF ADMITTANCE.
FINANCIAL IMPLICATIONS: INCREASE IN ADA
LEGAL: 704 KAR 3:303 HAS BEEN REPEALED.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1312

Home/Hospital Instruction

PURPOSE

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

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

ELIGIBILITY

Determination of a student’s eligibility and provision of services for home/hospital instruction shall be made in compliance with applicable statutes and regulations. In accordance with [KRS 159.030\(2\)](#) any student who is excused from attendance more than six months shall provide documentation to the KSB/KSD certifying that the student is unable to safely attend school and is unlikely to improve within one (1) year. Any exemption under this section shall be reviewed annually.

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

For students with disabilities, the ARC shall determine placement in home/hospital instruction not the home/hospital review committee.

A student’s 504 Team may facilitate submission of an application to the review committee.

KSB/KSD STUDENTS

Based on documentation of student need, including medical or mental health evaluation information, a KSB/KSD student may be placed in the home/hospital instructional program in the student’s district of residence/referring district. The ARC Chair shall provide written notice of eligibility and documentation to the Principal of KSB/KSD for purposes of placing the student on home/hospital instruction in the student’s district of residence/referring district.

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

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Home/Hospital Instruction

REFERENCES:

KRS 157.360; KRS 158.033; KRS 159.030

702 KAR 7:150

704 KAR Chapter 8

707 KAR 1:320; 707 KAR 1:350

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

Section 504 of the Rehabilitation Act of 1973

34 C.F.R. 104.35

RELATED POLICIES:

09.122; 09.123

Deleted: 704 KAR 3:303¶

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 a curriculum is adopted 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 school 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) The school Principal shall 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 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 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;
- 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
- 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](#)

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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, s/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, s/he may not be assigned to a lower grade or course until the pupil has demonstrated that s/he is not suited for the work in the grade or course to which s/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 KSB/KSD requirements, the student shall receive a diploma indicating graduation from high school.

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 KSB/KSD 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.

Placement decisions for students eligible for special education and related services shall be determined by the Admissions and Release Committee (ARC) in accordance with administrative regulations promulgated by the Kentucky Board of Education.

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

Promotion and Retention

PROMOTION/RETENTION (CONTINUED)

The procedures mandated by federal and state law for students with disabilities shall be followed.

REFERENCES:

KRS 158.031; KRS 158.140; KRS 158.645; KRS 158.6451; KRS 158.6453
KRS 158.860; KRS 160.1592; KRS 160.345
OAG 82-473
P. L. 105-17

RELATED POLICIES:

02.441; 08.113; 08.222; 08.5; 09.121

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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 MaterialsDeleted: Resources**SURVEY**

KSB/KSD shall survey teachers to determine their needs for instructional materials. The results of the survey shall be used to establish priorities for purchase.

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ALLOCATION METHOD

Within budgetary limits, KSB/KSD shall establish an equitable method of allocating funds to purchase instructional materials.

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INSTRUCTIONAL MATERIALS FUND

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Schools with any grade from P-8 may purchase instructional materials using State funds in accordance with 704 KAR 3:455.

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Each school allocated instructional materials funds shall complete an annual plan to identify purchases following guidelines of the Kentucky Board of Education.

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All plans shall be approved by the Kentucky Board of Education as to sufficiency of funding to support the requested purchases.

FEES

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

Instructional 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 materials.¹

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

RESPONSIBILITY

Students or parents shall compensate the KSB/KSD for instructional materials that are lost, damaged, or destroyed while in the student's possession.

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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.

Instructional [Materials](#)

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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

THIS POLICY CONTAINS KDE OFFICE OF EDUCATION TECHNOLOGY RECOMMENDED LANGUAGE
LEGAL: HB 208 AMENDS KRS 156.675 INCLUDING SOCIAL MEDIA IN PROHIBITED MATERIAL TO BE MADE INACCESSIBLE THROUGH SCHOOL TECHNOLOGY UNLESS AUTHORIZED BY A TEACHER FOR INSTRUCTIONAL PURPOSES. THIS BILL CONTAINS AN EMERGENCY CLAUSE MAKING IT ALREADY IN EFFECT.

LEGAL: SB 181 CREATES A NEW SECTION OF KRS 160 DIRECTING EACH BOARD TO DESIGNATE ONE OR MORE PROGRAMS OR APPLICATIONS AS A TRACEABLE COMMUNICATION SYSTEM THAT SHALL BE THE EXCLUSIVE MEANS FOR SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS TO COMMUNICATE ELECTRONICALLY WITH STUDENTS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.2323

Access to Electronic Media

(Acceptable/Responsible Use Policy)

The Kentucky Board of Education supports reasonable access to various information formats for students, employees and the community and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner as required by this policy and related procedures, which apply to all parties who use KSB/KSD technology.

SAFETY PROCEDURES AND GUIDELINES

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

Guidelines and procedures should encourage details on how the KSB/KSD implements and facilitates digital learning tools and portable/mobile technologies to foster ubiquitous access for staff and students, emphasizing always-on, everywhere digital opportunity and empowering KSB/KSD and schools to fully understand digital access beyond the campus. With such KSB/KSD implemented resources, the guidelines for acceptable and responsible use shall still apply, regardless of the time, place, and means of utilization.

The KSB/KSD shall support teacher efforts in taking ownership of digital citizenship skills and educating their students in the same skills to foster a responsible, safe, secure, and empowered digital learning environment. Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Internet safety measures, which shall apply to all KSB/KSD-owned devices with Internet access, KSB/KSD-managed systems and accounts, and personal devices that are permitted to access the KSB/KSD's network, shall be implemented that effectively address the following, regardless of the time, place, and means of utilization:

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

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

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

Access to Electronic Media

(Acceptable/Responsible Use Policy)

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

PERMISSION/AGREEMENT FORM

All applicable procedures and guidelines resulting from this AUP/RUP shall be readily available and for use by students, parents/guardians, faculty, staff and other to whom access is granted. A written parental or legal guardian request shall be required to opt-out of or rescind access to electronic media involving KSB/KSD technological resources. Or if applicable procedures require, a written parental request may be required to prior to the student being granted independent access to electronic media involving KSB/KSD technological resources. This document shall be kept on file as a legal, binding document.

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The required permission/agreement materials, which shall specify acceptable uses, rules of online behavior, access privileges, and penalties for policy/procedural violations, must be acknowledged by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. In order to opt-out, modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Commissioner/designee with a written request.

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EMPLOYEE USE

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

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

Technology-based materials, activities and communication tools shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students with whom they are used.

In accordance with KRS 160.145, the KSB/KSD shall designate a traceable communication system to be the exclusive means for KSB/KSD employees and volunteers to communicate electronically with students. The Principal of each school shall provide parents written or electronic notification within the first ten (10) days of the school year of each electronic school notification and communication program designated within the traceable communication system. The notification shall include instructions for parents to access and review communications sent through each electronic school notification and communication program. See policy 08.2324 for complete details and guidelines.

Access to Electronic Media

(Acceptable/Responsible Use Policy)

EMPLOYEE USE (CONTINUED)

A KSB/KSD employee or volunteer shall not communicate electronically with a student:

1. Outside of the traceable communication system designated by the Kentucky Board of Education; or
2. Through an unauthorized electronic communication program or application.

This shall not restrict any electronic communications between a student and his or her family member who is a KSB/KSD employee or volunteer, or between a student and a teacher or volunteer for whom the parent has provided written consent for electronic communication.

Networking, communication systems, and other options offering the ability to communicate directly with students may be used for the purpose of supplementing classroom instruction and to promote communications with students and parents concerning school-related activities in accordance with Policy 08.2324.

Students may only be invited or granted access to the school's traceable electronic communications systems, including social media platforms and other digital communication sites, if the KSB/KSD has verified that the system meets acceptable data privacy standards and includes appropriate protections for student information. Furthermore, the students must meet the platform's minimum age requirements before being granted access or invited to access.

Staff members shall not have connections with students through personal social networking accounts.

EMPLOYEE CONDUCT AND REPORTING REQUIREMENTS FOR TECHNOLOGY USE

All employees and volunteers are subject to disciplinary action if their conduct relating to the use of technology or online resources violates this policy or any other applicable statutory, regulatory or policy provisions governing employee conduct. This includes, but is not limited to, unauthorized electronic communications.

The Professional Code of Ethics for Kentucky School Certified Personnel requires certified staff to protect the health, safety, and emotional well-being of students and the confidentiality of student information. Any conduct in violation of this Code – particularly involving technology or online resources - must be reported to the Education Professional Standards Board (EPSB) as required by law and may result in disciplinary action up to and including termination.

REPORTING PROCEDURES – POLICY 08.2324

A KSB/KSD employee or volunteer who receives a report alleging that another KSB/KSD employee or volunteer has engaged in unauthorized electronic communication must immediately notify the appropriate authority:

1. If the subject of the report is a staff member, notify the Principal.
2. If the subject is the Principal, notify the Commissioner/designee.
3. If the subject is the Commissioner/designee, notify the Chair of the Kentucky Board of Education.

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Access to Electronic Media

(Acceptable/Responsible Use Policy)

COMMUNITY USE

On recommendation of the Commissioner/designee, the Kentucky Board of Education shall determine when and which KSB/KSD technology resources (including internet access, computer equipment, software, and information access systems) may be available to the community.

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

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DIGITAL CITIZENSHIP AND RESPONSIBLE USE

All KSB/KSD technology users shall demonstrate safe, savvy, and social digital citizenship skills by practicing respectful, responsible, and ethical use of technology. The KSB/KSD will ensure comprehensive instruction on digital citizenship, focusing on the nine (9) elements of digital citizenship: Digital Access; Digital Commerce; Digital Communication & Collaboration; Digital Fluency; Digital Etiquette; Digital Law; Digital Rights and Responsibilities; Digital Health and Welfare; and Digital Security & Privacy, as well as cyberbullying awareness and response strategies, are provided. All digital citizenship instruction shall align with the Kentucky Academic Standards for Technology and be reviewed regularly to reflect current best practices and emerging technologies. The KSB/KSD shall support efforts to instill digital citizenship skills in students to foster a responsible, safe, and empowered digital learning environment. KSB/KSD-provided technology resources shall be used in a manner that upholds the integrity, security, and privacy of KSB/KSD systems and supports educational goals regardless of the time, place, and means of utilization.

DISREGARD OF RULES

Individuals who opt-out of required responsible use documents or who violate KSB/KSD rules governing the use of KSB/KSD technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, or other computing and telecommunications technologies.

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

RESPONSIBILITY FOR DAMAGES

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

RESPONDING TO CONCERNS

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

Access to Electronic Media

(Acceptable/Responsible Use Policy)

EMERGING TECHNOLOGIES

The KSB/KSD shall establish and maintain procedures that address the safe, secure and responsible uses of emerging technologies, including, but not limited to, artificial intelligence (AI) and AI-enhanced or generative AI features. These procedures shall be reviewed and updated regularly to ensure alignment with current technological advancements, fostering a proactive approach while emphasizing safeguards for student safety, data privacy, and ethical practices. Such procedures will support innovative strategies while addressing potential risks and maintaining the confidence of KSB/KSD stakeholders. Additionally, procedures will address the responsible use of these emerging technologies, including appropriate and inappropriate uses of AI (e.g., for inspiration vs. cheating, plagiarism).

AUDIT OF USE

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

The Principal/designee shall establish a process to determine whether the KSB/KSD's education technology is being used for purposes prohibited by law or for accessing social media (unless authorized by a teacher for instructional purposes) and sexually explicit materials. The process shall include, but not be limited to:

1. Utilizing technology that meets the requirements of Kentucky Administrative Regulations and that blocks or filters internet access for both minors and adults to certain visual depictions that are obscene, child pornography, or, with respect to computers with Internet access by minors, harmful to minors. For instructional purposes, age/grade-level appropriateness and meets traceable/inspectable guidelines set forth in this and related policies;
2. Utilizing the latest available filtering technology to ensure that social media is not made available to students, unless authorized by a teacher for instructional purposes;
3. Maintaining and securing a usage log; and
4. Monitoring online activities of both minors and adults using KSB/KSD-owned or managed systems, regardless of the time, place, and means of utilization.

RETENTION OF RECORDS FOR E-RATE PARTICIPANTS

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

The procedures mandated by federal and state law for students with disabilities shall be followed.

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Access to Electronic Media

(Acceptable/Responsible Use Policy)

REFERENCES:

KRS 156.675; KRS 160.145; KRS 365.732; KRS 365.734
701 KAR 5:120
16 KAR 1:020 (Code of Ethics)
47 U.S.C. 254/Children's Internet Protection Act; 47 C.F.R. 54.520
Kentucky Education Technology System (KETS)
47 C.F.R. 54.516
15-ORD-190

RELATED POLICIES:

03.13214/03.23214
03.1325/03.2325
03.17/03.27
08.1353; 08.2322; 08.2324
09.14; 09.421; 09.422; 09.425; 09.426; 09.4261
10.5

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Access to Electronic Media¶

(Acceptable Use Policy)¶

The Kentucky Board of Education supports reasonable access to various information formats for students, employees and the community and believes it is incumbent upon users to utilize this privilege in an appropriate and responsible manner as required by this policy and related procedures, which apply to all parties who use KSB/KSD technology.¶

SAFETY PROCEDURES AND GUIDELINES¶

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

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

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

Controlling access by minors to inappropriate matter on the Internet and World Wide Web;¶

Safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;¶

Preventing unauthorized access, including "hacking" and other unlawful activities by minors online;¶

Unauthorized disclosure, use and dissemination of personal information regarding minors; and¶

Restricting minors' access to materials harmful to them.¶

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

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

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

PERMISSION/AGREEMENT FORM¶

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

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

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LEGAL: SB 181 CREATES A NEW SECTION OF KRS 160 DIRECTING EACH BOARD TO DESIGNATE ONE OR MORE PROGRAMS OR APPLICATIONS AS A TRACEABLE COMMUNICATION SYSTEM THAT SHALL BE THE EXCLUSIVE MEANS FOR SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS TO COMMUNICATE ELECTRONICALLY WITH STUDENTS.
FINANCIAL IMPLICATIONS: COST OF ELECTRONIC COMMUNICATION PROGRAMS AND SYSTEMS

CURRICULUM AND INSTRUCTION

08.2324

Traceable Communications

Each school shall designate a traceable communication system to be approved by the Kentucky Board of Education, which shall be the exclusive means for KSB/KSD employees and volunteers to communicate electronically with students. The Principal of each school shall provide parents written or electronic notification within the first ten (10) days of the school year of each electronic school notification and communication program designated within the traceable communication system. The notification shall include instructions for parents to access and review communications sent through each electronic school notification and communication program.

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A KSB/KSD employee or volunteer, unless authorized, shall not communicate electronically with a student:

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1. Outside of the traceable communication system designated by the Board; or
2. Through an unauthorized electronic communication program or application.

This shall not restrict any electronic communications between a student and his or her family member who is a KSB/KSD employee or volunteer, or between a student and a teacher or volunteer for whom the parent has provided written consent for electronic communication.

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DEFINITIONS

Family

“Family member” means parent, brother, sister, son, daughter, aunt, uncle, or grandparent.

Parent

“Parent” means parent, legal guardian, or other person or agency responsible for a student.

KSB/KSD Employee or Volunteer

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“KSB/KSD employee or volunteer” means a school administrator, classified or certified employee volunteer, nonfaculty coach or assistant coach, student teacher, or sponsor of an extracurricular program or activity.

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Traceable Communication System

“Traceable communication system” means one (1) or more electronic school notification and communication programs or applications that:

- a. Are designated by a Board of Education;
- b. Trace all communications sent to or by a student; and
- c. Provide parents an opportunity to access and review those communications.

UNAUTHORIZED ELECTRONIC COMMUNICATION

“Unauthorized electronic communication” means an electronic communication with a student by a KSB/KSD employee or volunteer who is not the student's family member that occurs outside of a designated traceable communication system and without prior written parental consent; and includes any personal email account, text messaging, social media, or other electronic notification and communication programs outside of the traceable communication system.

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Traceable Communications

CONSENT TO AUTHORIZE

A parent may submit written consent to authorize a designated KSB/KSD employee or volunteer who is not a family member to communicate electronically with his or her child outside of the traceable communication system.

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REPORTING

A KSB/KSD employee or volunteer that receives a report alleging that another KSB/KSD employee or volunteer participated in unauthorized electronic communication shall immediately notify the Principal.

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If the subject of the report is the Principal, the employee or volunteer shall immediately notify the Commissioner/designee.

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If the subject of the report is the Commissioner/designee, the employee or volunteer shall immediately notify the Chair of the Kentucky Board of Education.

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Upon receipt of a report alleging that a KSB/KSD employee or volunteer participated in unauthorized electronic communication, the Principal, or Commissioner/designee shall immediately:

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1. Notify the parent of each student that is an alleged party to the unauthorized electronic communications; and
2. If the individual that is the subject of the report is a certified employee:
 - a. Notify the Education Professional Standards Board, which shall promptly investigate all allegations received under this subsection and proceed with appropriate disciplinary actions in accordance with KRS 160.145; and
 - b. Investigate the underlying allegations and proceed with appropriate disciplinary actions in accordance with KRS 161.790;
3. If the individual that is the subject of the report is a classified employee, investigate the underlying allegations and proceed with appropriate disciplinary actions in accordance with KRS 161.011(7); and
4. If the individual that is the subject of the report is a KSB/KSD volunteer, the school shall investigate the underlying allegations and, if substantiated, the volunteer shall be prohibited from future KSB/KSD volunteer opportunities.

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A Principal, who violates shall be subject to disciplinary action in accordance with KRS 161.120 and KRS 156.132.

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REFERENCES:

KRS 156.132

KRS 160.145

KRS 161.011; KRS 161.120; KRS 161.790

CURRICULUM AND INSTRUCTION

08.2324

(CONTINUED)

Traceable Communications

RELATED POLICIES:

03.1321; 3.13214; 03.1325; 03.162; 03.17

03.2321; 03.23214; 03.2325; 03.262; 03.2621; 03.27

03.6

08.13531; 08.2323

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 enrolled at KSB/KSD 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 remain enrolled 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.

STATEMENT REQUIRED

KSB/KSD in conjunction with the LEA, 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. 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.
3. 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.^{3 & 8}
4. 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.³
5. Students who attend a moral instruction offering at the time specified and for the period fixed shall be:

(a) credited with the time of attendance as if he of she had been in actual attendance in school, and the time shall be calculated as part of the actual school work required in KRS 158.060. Students shall not be penalized for any school work missed during the specified time; and

(b) Included in calculating the average daily attendance as if the pupil was in actual attendance in school.⁵

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

6. 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.⁵
7. The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, and that falls within one (1) or more of the categories of standards-based course work. A pupil may be counted in attendance for performance-based credit for a class or block for the year or semester in which the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in accordance with local policies.^{4 & 6}
8. 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
9. Students participating in any of the page programs of the General Assembly.³

REFERENCES:¹KRS 159.010; OAG 85-55²KRS 159.030³702 KAR 007:125⁴~~KRS 158.200~~⁵KRS 158.070⁶704 KAR 3:305⁷KRS 158.143⁸KRS 158.150

KRS 158.030; KRS 159.020; KRS 159.180; KRS 159.990

704 KAR 3:535; 704 KAR 5:060

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

RELATED POLICIES:08.131; 08.1312; ~~08.135~~

09.111; 09.121; 09.123; 09.36

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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 KSB/KSD.

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 at KSB/KSD.

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 or 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, KSB/KSD will maintain proof that the employee has completed the required training provided by the Kentucky Department of Education

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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 Health Nurse/Supervisor 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 KSB/KSD 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 KSB/KSD 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.⁴

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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 the KSB/KSD 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.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

REFERENCES:

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

² KRS 158.039,

³KRS 158.038

⁴KRS 158.4451

KRS 156.160

KRS 158.836; KRS 158.838

702 KAR 5:030

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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 KSB/KSD 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¶

Deleted: SEIZURE DISORDER MATERIALS¶

All staff employed by the Kentucky Department of Education and assigned to KSB/KSD shall, upon hiring, complete at least one (1) hour of self-study review of seizure disorder materials. 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¶

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STUDENTS

09.22
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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, KSB/KSD 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 158.155

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 school'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 school'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 school's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police.

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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 school building, bus, school campus, grounds, recreational area, or athletic field, in the charge of the Principal.

Employee Reports of Criminal Activity**KRS 158.156**

Any employee of KSB/KSD 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 Kentucky Board of Education 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 158.155; 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

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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.

LEGAL: REVISIONS TO 702 KAR 1:160 CLEAN UP LANGUAGE REGARDING TRAINING FOR ADMINISTRATION OF DIABETES MEDICATION. THEREFORE, THE QUALIFYING STATEMENT ABOUT ADMINISTRATION GUIDELINES MAY BE REMOVED.

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 must be trained in accordance with KRS 158.838, KRS 156.502 and 702 KAR 001:160.

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

PRESCRIPTION MEDICATIONS

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.

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.

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."

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.

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.

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Student Medication**SELF-ADMINISTRATION**

Student self-administration is allowed in certain situations with a written health care provider's authorization which permits a student to responsibly carry self-administered medication. The authorization form must be completed by the parent/guardian and health care provider and be on file in the student's school. The authorization must be renewed each school year and the health care provider shall include the following information:

- The student is capable of administering the prescribed medication;
- The name and purpose of the medication;
- The prescribed dosage of the medication;
- The times in which, or circumstances under which, the medication may be given; and
- The period of time for which the medication is prescribed.

The parent/guardian shall be notified if the student uses the medication inappropriately or more often than prescribed.

Provided the parent/guardian and health care practitioner files a completed authorization form each year as required by law, a student under treatment for asthma, diabetes, or at risk of having anaphylaxis shall be permitted to self-administer medication.²

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.³

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.

Students shall not share any prescription or over-the counter medication with another student. Each year, KSB/KSD 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.

Procedures mandated by federal and state law regarding students with disabilities shall be followed.

REFERENCES:

¹OAG 73-768

²KRS 158.834; KRS 158.838

³KRS 158.836

KRS 158.832; KRS 218A.210

702 KAR 1:160

Americans with Disabilities Act

Section 504 of the Rehabilitation Act of 1973

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)

OAG 77-530; OAG 83-115

Deleted: A student may be permitted to carry medication that has been prescribed or ordered by a health care practitioner to stay on or with the pupil due to a pressing medical need.⁴

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STUDENTS

09.2241
(CONTINUED)

Student Medication

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 Commissioner/designee.

Upon notification, the Principal or the Commissioner/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, KSB/KSD 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 KSB/KSD, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel action.

WRITTEN REPORT

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

WRITTEN RECORDS

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

INTERVIEWS

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

Child Abuse**AGENCY CUSTODY**

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

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

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

OTHER

Each school shall prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services, 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.

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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 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; 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.¹

Standards for playing up from middle school (grades seven and eight [7 & 8]) to high school in sports other than 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, and equitable opportunities for participation.

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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 and school requirements. The Commissioner/~~designee~~ in cooperation with principals, coaches, and athletic directors, as deemed appropriate, may develop guidelines for Kentucky Board of Education approval addressing playing up standards.

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CHARTER SCHOOL STUDENTS

A student enrolled in a public charter school that offers any interscholastic athletic activity shall be ineligible to participate in interscholastic activities at any other school. Subject to applicable law, regulations, and bylaws (e.g. KHSAA, Title IX) and the terms of the charter contract, students who are enrolled in a charter school that does not offer any interscholastic athletic activities shall be eligible to participate in such activities at the ~~school~~ of that student's residence.

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REFERENCES:

¹KRS 156.070
KRS 160.1592; KRS 160.345
702 KAR 7:065; OAG 15-022
Kentucky High School Athletic Association (KHSAA)

RELATED POLICIES:

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, damages or removes school property shall be subject to disciplinary action and liability for the cost of restoring the property.

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

Any school employee who receives information from a student or other person of conduct which is required to be reported shall report the conduct to KSB/School Resource Officer, and to either the local law enforcement agency or to the Kentucky State Police.

PERSONAL PROPERTY OF SCHOOL PERSONNEL

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

STUDENTS' PROPERTY

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

PARENTS LIABLE

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

REFERENCES:

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

²KRS 158.150

KRS 158.155; KRS 160.290

704 KAR 3:455

RELATED POLICY:

09.2211; 09.438

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

Deleted: KRS 158.154;

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 Commissioner/designee 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 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

Telecommunication Devices

DEFINITION OF PERSONAL TELECOMMUNICATIONS DEVICE

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

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

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POSSESSION AND USE

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess , personal telecommunications devices , 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 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;
- b. Accesses social media unless authorized to do so by a teacher for an instructional purpose;
- c. Violates confidentiality or privacy rights of another individual;
- d. Is profane, indecent, or obscene;
- e. Constitutes or promotes illegal activity or activity in violation of school rules; or
- f. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

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

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. KSB/KSD shall not be responsible for loss, theft, or destruction of devices brought onto school property.

Deleted: <#>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.¶

STUDENTS

09.4261
(CONTINUED)

Telecommunication Devices

POSSESSION AND USE

4. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
5. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the KSB/KSD's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

NOTICE OF POLICY

Notice of this policy and penalties for violating it shall be published annually in the KSB/KSD'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