

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

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

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.0

Definitions

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

POLICIES

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

ADMINISTRATIVE PROCEDURES

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

ADMINISTRATIVE REGULATIONS

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

FULL-TIME, PART-TIME STATUS

Employment status shall be determined in compliance with statute and.¹ Full-time/part-time status for classified employees is established by Policy 03.2332.

BOARD

Unless prohibited by state/federal law or regulation, whenever "Board" or "Board of Education" is referred to in policy or procedure, that reference shall not prohibit the Board from delegating responsibility for policy implementation to the Superintendent. However, ultimate oversight for evaluation of implementation of the policy and for the control of District policy remains with the Board.

SUPERINTENDENT

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

IAK SUPPORT SERVICES

References in this manual to "Central Office" refer to "It's About Kids" Support Services.

TEACHER

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

Definitions**HUSBAND AND WIFE**

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

PARENT OR GUARDIAN

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

GENDER

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

CHILDREN AND YOUTH WITH DISABILITIES

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

CALENDAR DAY

Each day appearing on a standard calendar.

SCHOOL NUTRITION PROGRAM

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

STUDENT ATTENDANCE DAY

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

SIGNATURE

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

HEALTH PROVIDER

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

CHARTER SCHOOL

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

CHARTER SCHOOL AUTHORIZER

A local board of education as defined in KRS 160.1590.

KENTUCKY PUBLIC PENSIONS AUTHORITY

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

Definitions

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:

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

KRS 78.510 – KRS 78.852

KRS 158.144; KRS 160.1590

KRS 160.290; KRS 160.340; KRS 160.345;

KRS 369.102; KRS 405.028

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

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

702 KAR 6:075; 702 KAR 6:090

RELATED POLICY:

03.2332

LEGAL: SB 207 CREATES A NEW SECTION OF KRS 156 REVISING THE PROCESS FOR DISTRICTS TO SUBMIT A WAIVER REQUEST AND REPEALS KRS 156.108 AND KRS 160.107.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: COST OF PRINTING REQUIRED DISPLAY AND UPDATING WEBSITE

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.11

General Powers and Duties of the Board

ESTABLISHMENT OF SCHOOLS

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

CHARTER SCHOOLS

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

REQUEST FOR WAIVERS AND EXEMPTIONS

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

COMPREHENSIVE SUPPORT AND IMPROVEMENT

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

SCHOOL FUNDS AND PROPERTY

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

ADMINISTRATION

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

TEACHER CERTIFICATION

When the Board establishes positions, teacher certification shall be required only for those positions for which the Educational Professional Standards Board (EPSB) requires such certification.

MANAGEMENT

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

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

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

INSURANCE

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

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

FREE SUPPLIES

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

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

REPORTS

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

LEVY OF TAX RATES

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

POWER TO BORROW MONEY

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

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

Any proposed contracts for more than \$40,000 shall be submitted to the Board for approval and shall be accompanied by figures showing the estimated cost of the project to the District. Subject to the Model Procurement Code (KRS Chapter 45), the Board may require bids for consulting services to be sought. The Superintendent or designee is authorized to approve contracts not exceeding \$40,000, provided there is an appropriate allocation in the Board-adopted budget.

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

Consultants who serve the District shall exercise no authority over District employees, but will act only as advisor in accordance with their contract.

APPLICATIONS FOR GRANTS

Schools, employees, and school-related groups who are applying for grants on behalf of the District or District schools shall send a copy of the completed application to the Superintendent/designee for approval or disapproval. Except as provided by law, such applications shall not be submitted until the Superintendent gives his/her approval.

DISPLAY OF NATIONAL MOTTO

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

DISPLAY OF NOTICE REGARDING EMPLOYMENT OF MINORS

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

General Powers and Duties of the Board

REFERENCES:

- ¹KRS 160.290
- ²KRS 160.300
- ³KRS 160.310
- ⁴KRS 160.160
- ⁵KRS 160.330
- ⁶KRS 160.340
- ⁷KRS 160.470
- ⁸KRS 160.540
- ⁹KRS 160.345
- ¹⁰KRS 160.280
- ¹¹~~KRS 156.108; KRS 160.107~~; KRS 160.346; 701 KAR 5:140
- ¹²KRS 18A.205; KRS 18A.210
- ¹³702 KAR 3:330
- ¹⁴~~KRS 158.195~~
- ¹⁵~~KRS 156.161~~
- KRS Chapter 45
- KRS 116.200; KRS 156.072; KRS 156.160; ~~KRS 158.195~~
- KRS 160.1590; KRS 160.1592; KRS 160.1593; KRS 160.1594; KRS 160.1595
- KRS 160.1599; KRS 161.158; KRS 162.010; ~~KRS 339.210 to KRS 330.450~~; KRS 416.560
- OAG 91-10; OAG 91-122; OAG 95-10
- 702 KAR 3:220; 702 KAR 4:160

RELATED POLICIES:

- 01.41; 01.5; 01.7
- 03.124; 03.224; 04.31; 04.92

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111

District Improvement Planning

The Board shall develop plans on an ongoing basis that will provide direction for the District including a purpose and direction for continuous improvement that commits to high expectations for learning as well as shared values and beliefs about teaching and learning.

The Superintendent/Designee with input from all stakeholders shall develop, review, and revise annually a Comprehensive District Improvement Plan (CDIP) which shall include, but not be restricted to, an analysis of student achievement data, statements of the District's goals and objectives, and activities and strategies to meet the goals and objectives. The plan structure shall include the components set forth in 703 KAR 5:225, the Every Student Succeeds Act of 2015 (ESSA), and KRS 158.649. The structure of the CDIP shall include completion of the Continuous Improvement Diagnostic between August 1 and October 1 of each school year and completion of the needs assessment between October 1 and November 1 of each school year.

PLANNING CYCLE

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

PLAN REQUIREMENTS

The District seeking Commissioner approval of the nontraditional instruction (NTI) plan shall annually incorporate it within the CDIP. The District shall submit the NTI plan to the Department by May 1 for implementation at the beginning of the upcoming school term.

TRAUMA-INFORMED APPROACH PLAN

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

BOARD APPROVAL

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

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

Additionally, the Board shall update a District Strategic Plan on a four (4)-year cycle and regularly monitor progress on the existing plan. As part of the strategic planning process, the District shall engage in a systematic, inclusive and comprehensive process to review, revise and communicate a system-wide purpose for student success.

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

District Improvement Planning**BOARD APPROVAL (CONTINUED)**

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

IMPLEMENTATION

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

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

DISTRICT REPORT CARDS

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

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

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

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

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

SUMMATIVE ASSESSMENT RESULTS

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

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

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

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

District Improvement Planning

REFERENCES:

KRS 156.500
KRS 158.070; KRS 158.4416; KRS 158.6453; KRS 158.649
KRS 160.290; KRS 160.340; KRS 160.345; KRS 160.463
701 KAR 5:150; 703 KAR 5:140; 703 KAR 5:225; 703 KAR 5:280; 704 KAR 3:395
2024 Budget Bill
P. L. 114-95, (Every Student Succeeds Act of 2015)

RELATED POLICIES:

02.44; 02.441; 02.442; 04.1; 09.21

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

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.5

School Board Policies**TOPICS**

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

1. Transportation of pupils;
2. Discipline and conduct of pupils;
3. Limitations or restrictions on use of school facilities;
4. Conduct of meeting of the Board; including policies on the calling of executive sessions;
5. Personnel policies that apply to certified employees, including duties, fringe benefits, salary schedules, non-classroom duties, professional development, teacher-student ratio, hiring, assignment, transfer, dismissal, suspension, reinstatement, promotion and demotion;
6. Employment and evaluation of the Superintendent of schools;
7. Identification and statement of District goals and objectives and establishment of criteria to determine District progress;
8. Evaluation of certified employees;
9. Selection of textbooks and instructional materials;
10. Expenditure and accounting for school funds, including all special funds; and
11. Policies dealing with school-based decision making.¹

INTENTION

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

UPDATING

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

ENACTMENT OF POLICY

Except when indicated by an emergency situation, the Board will not enact or revise policy in the same meeting that it is initially introduced.

Written proposals to adopt new policies or to modify existing policies will ordinarily appear on two (2) successive Board meeting agenda. The first time will be for information and public discussion at a regularly scheduled meeting. If, during the first discussion of the policy or revision, there is a general sense that the Board is ready to consider adoption, at least in principle, such proposals will be placed on the agenda of a subsequently scheduled meeting for final action. Additional readings shall not be required if the Board amends the policy proposal under consideration at either the first or second reading.

School Board Policies**DISSEMINATION OF POLICY**

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

MAINTENANCE OF POLICY MANUALS

All copies of the official policy manual shall be kept current through a system developed and implemented by the Superintendent.

POLICIES ARE BINDING

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

Exception: Policy exemptions may apply to a participating school or program of innovation as specified in the District's application for district school or program of innovation status as approved by the Kentucky Board of Education.³

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

WAIVER AND SUSPENSION OF POLICIES

The Board may, by majority vote, waive or suspend Board policy at any regular or special meeting when the Board determines there are unusual circumstances or such action is in the best interests of the schools of the District. The effective date and duration of such waiver shall be determined in each instance when a waiver or suspension occurs.

Requests for waiver of Board policy from individuals, groups, or SBDM councils shall be submitted to the Superintendent ten (10) days prior to the Board meeting. The Superintendent shall then present the request to the Board, along with a recommendation to approve or deny the request.

REFERENCES:

¹KRS 160.340

²KRS 160.290

³~~KRS 156.108~~ KRS 156.161

KRS 160.107

KRS 160.345

RELATED POLICIES:

01.0, 01.11; 01.6, 01.61

LEGAL: SB 68 AMENDS KRS 160.345 CLARIFYING INVOLUNTARY TRANSFER DURING A TEACHER REPRESENTATIVE'S SBDM TERM OF OFFICE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED
RECOMMENDED: THE FORM FOR THE CA/N CHECK IS LOCATED ON THE CABINET FOR HEALTH AND FAMILY SERVICES WEBSITE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.421

Election of School Council Members

COUNCIL ELECTIONS

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

GUIDELINES

The following are guidelines to reflect the Board's recommended process for electing teacher and parent members to the school council:

Election of Teacher Members

Recommended:

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

Written notice of the meeting to elect teacher council members shall be given by the Principal to all faculty members assigned to the school at least five (5) school days in advance of the meeting.

Teachers may nominate themselves or another teacher. A written ballot containing the names of all qualified teachers nominated shall be prepared and kept on file with other council records. The teachers attending the meeting shall choose a chairperson to chair the meeting to elect teacher members to the council. For the purpose of electing teacher council members, a Principal or Assistant Principal may not vote or serve as a teacher council member. Voting shall be by the method selected by the teachers.

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

The teacher(s) chosen by the faculty shall count the ballots and announce the results at the conclusion of the meeting.

Required by Law:

Kentucky law requires that teacher candidates be employees of the District and currently assigned to the school where they are elected as council member. Election shall be by majority vote of all teachers assigned to the school. Individual council positions will be filled as majority votes occur. Voting shall continue until all teacher members are elected.

Kentucky law prohibits teachers elected to a council from being involuntarily transferred during the teacher representative's~~their~~ term of office.

Election of Parent Members

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

Required by Law:

The president of the parent-teacher organization shall organize and oversee the election of parent council members.

Election of School Council Members**Election of Parent Members (continued)**

Kentucky law requires that parent council members be a parent, stepparent, or foster parent of a student to be enrolled in the school during the parent's term of council service. Parent shall also mean a person who has legal custody of a student pursuant to a court order and with whom the student resides. Parent council member shall not be an employee of the school in which that parent serves, nor shall the parent representative be an employee or relative of an employee in the District administrative offices. A parent representative shall not be a local Board member or Board member's spouse. Relative shall mean father, mother, brother, sister, wife, son, and daughter.

A parent council member shall submit to a state and national fingerprint-supported criminal history background as required by KRS 160.380. In addition, the parent council member shall provide a clear CA/N check. A parent member may serve prior to the receipt of the criminal history background check and CA/N check, but shall be removed from the council on receipt by the District of a report documenting a record of abuse or neglect, or a sex crime or criminal offense against a victim who is a minor as defined in KRS 17.500 or as a violent offender as defined in KRS 17.165 and no further procedures shall be required.

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

SCHOOLS WITHOUT PARENT TEACHER ORGANIZATION

If the school does not have a parent teacher organization, the parents shall form a group of parents to set the date and time for an election of parent council members and shall provide notice of this meeting to parents.

MINORITY REPRESENTATIVES

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

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

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

Election of School Council Members**TERMS**

Terms of school council members shall be for one (1) year. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. Annual elections for the following year's terms shall be held on a date set by the school council.

Term limitations shall not apply for a minority teacher member who is the only minority on faculty.

COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS

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

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

CONFLICT OF INTEREST

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

REMOVAL OF COUNCIL MEMBERS

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

VACANCIES

Council vacancies shall be filled at a special called election, for which councils are encouraged to follow the recommended guidelines set forth in this policy. A vacancy is created when a teacher is no longer assigned to the school, a parent no longer has a child enrolled in the school, a member of the council has been removed pursuant to statutory requirements, or a member resigns.

Any parent or teacher representative elected to fill a vacancy shall serve only the remaining term of the council position he or she has been elected to fill.

REFERENCES:

KRS 17.165; KRS 17.500; KRS 156.132
KRS 160.345; KRS 160.347; KRS 160.380
701 KAR 5:100
OAG 91-148; OAG 91-192; OAG 91-206
OAG 92-88; OAG 93-49; OAG 94-41

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4241

School Council Policies (SBDM)**PURPOSE**

The council shall adopt policies, which shall provide an environment that enhances student achievement and help the school meet goals established by law and those established in School/District Improvement Plans.

COMPLIANCE WITH BOARD POLICY

In the development and application of school policies as permitted by statute, schools operating under SBDM shall comply with those policies that fall within the authority of the Board, including but not limited to those prohibiting discrimination based on age, race, sex, genetic information on personnel, color, religion, national origin, political affiliation, or disability. In addition, the District does not discriminate on the basis of sexual orientation or gender identity.

ADOPTION OF POLICY

Prior to implementation of a policy by the council, it shall be forwarded by the Principal to the Superintendent/designee for review. The areas for review are:

1. Compliance with policy that falls within the authority of the Board and the law;
2. Concerns for health and safety;
3. Concerns for liability;
4. Financial resources available;
5. Contractual obligations to personnel and other providers of goods and services; and
6. The authority delegated to the council by the Board within the statutes.

Comments shall be returned to the Principal within thirty (30) work days, unless an unforeseen circumstance delays the response. If an unforeseen circumstance arises, the Superintendent/designee shall advise the Principal in writing of the reasons for the delay and the date that the policy will be returned to the Principal.

The Principal shall discuss the policy at the next council meeting, in light of the comments shared. Any amendments made to the policies shall be sent to the Superintendent/designee in accordance with this policy. When there are no subsequent concerns, written notification shall be given to the Principal.

REQUIRED POLICY

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

- Curriculum responsibilities under KRS 158.6453;
- Assignment of all instructional and non-instructional staff time;
- Assignment of students to classes and programs within the school;

School Council Policies (SBDM)**REQUIRED POLICY (CONTINUED)**

- Placement of students from the household of an active duty service member or civilian military employee transferring into the District before or during the school year shall be based initially on enrollment in courses offered at the sending school and/or educational assessments conducted at that school. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advanced Placement, Cambridge Advanced International, vocational, technical, and career pathways courses. Initial placement does not preclude the District/school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of students in the course(s).
- ~~Every~~~~Each~~ ~~secondary~~ school-based decision making council shall establish a policy that is consistent with the District plan adopted by the Board in accordance with KRS 158.6453 on the recruitment and assignment of students to ~~advanced coursework options~~ ~~Advanced Placement (AP)~~, ~~International Baccalaureate (IB)~~, ~~Cambridge Advanced International~~, ~~dual enrollment~~, and ~~dual credit courses~~ that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum. The policy shall require that the school notify all students, parents, and guardians of the:
 - a. Long-term benefits of student participation in advanced coursework; and
 - b. Advanced coursework opportunities available at the school.
- Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar and transportation requirements established by the Board;
- Determination of the use of school space during the school day related to improving classroom teaching and learning;
- Planning and resolution of issues regarding instructional practices;
- Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor and Principal;
- Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation and supervision;

In selecting extracurricular activities, councils shall consider student safety, liability exposure for the District and potential program costs. A checklist will be provided for the council's use in considering these factors. Following council determination, the checklist shall be forwarded to the Superintendent's designee as directed.
- Adoption of a school emergency plan and implementation of safety practices required by KRS 158.162;
- Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;

School Council Policies (SBDM)**REQUIRED POLICY (CONTINUED)**

- Procedures to assist the council with consultation in the selection of the Principal by the Superintendent, and the selection of personnel by the Principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.
- Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)

The Superintendent/designee shall provide assistance in identifying strategies and options to promote daily moderate to vigorous physical activity for students, which may include those that increase strength and flexibility, speed heart rate and breathing and stress activities such as stretching, walking, running, jumping rope, dancing, and competitive endeavors that involve all students.

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

BOARD RECOMMENDED POLICIES

- In order to enhance the learning environment and school climate, the Board recommends each council develop a multicultural education policy to be implemented by the Principal through the SBDM/School Improvement Council.
- The Board recommends each council also develop a parent/family/community involvement policy/process that demonstrates the school's role in:
 1. Establishing an environment open and friendly to parents, families, and community members;
 2. Increasing parent/family/community participation;
 3. Improving two-way communication between school and home and school and community;
 4. Assuring minority participation; and
 5. Developing parent/family/community outreach programs.
- In addition, the Board recommends that councils adopt grading policies that require reports be sent home regularly. The Board also encourages specific written explanations/descriptions of student performance beyond computer-generated statements. As appropriate, descriptions should reflect progress on learning goals articulated in the student's Individual Learning Plans. The Principal shall report to the Superintendent/designee the council's schedule for issuing grade reports and a copy of the related council policy.

School Council Policies (SBDM)**WAIVER OF STATE REGULATIONS**

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

SCHOOLS OF INNOVATION

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

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

REFERENCES:

KRS 156.161; KRS 156.072; ~~KRS 156.108~~; ~~KRS 156.160~~; KRS 156.730
KRS 156.735; KRS 157.360
KRS 158.162; KRS 158.197; KRS 158.645; KRS 158.6451; KRS 158.6453
~~KRS 160.107~~; KRS 160.345; KRS 160.348
OAG 93-55; OAG 94-29; 701 KAR 5:140; 702 KAR 7:140; 704 KAR 3:510
Board of Educ. of Boone County v. Bushee, Ky., 889 S.W. 2d 809 (1994)
U. S. Dept. of Agriculture's Dietary Guidelines for Americans

RELATED POLICIES:

01.11; 02.422; 02.4231; 03.112; 08.1122; 08.221

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

ADMINISTRATION

02.4242

School Budget and Purchasing**BOARD ALLOCATIONS**

Through the budgeting process, the Board shall appropriate to each school an amount of funds equal to or greater than the formula prescribed in 702 KAR 3:246: School Council Allocation Formula.

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

The Board shall allocate Section 7 funds according to the options provided in 702 KAR 3:246. Notice of the Section 7 allocation shall be provided in accordance with that regulation. Funding for supplemental District-wide itinerant and categorical positions shall be provided as approved by the Board. Additional funds to support special, alternative, and magnet programs and schools may be provided as determined by the Board.

SCHOOL RESPONSIBILITY

Priorities requiring funding beyond the allocations made to councils through Sections 4, 5, and 6 of 702 KAR 3:246 shall be submitted to the appropriate School Director. The school shall, in expending allocated funds, comply with all state and Board budgeting, purchasing and reporting laws, regulations, policies, procedures, audits, and Accounting Procedures for School Activity Funds published by the Kentucky Department of Education.

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

To ensure that funds are spent on student programs and services in a timely manner, all 702 KAR 3:246 Section 6 funds managed by the school, but not expended by the end of the fiscal year, that are over fifteen percent (15%) of the previous year's allocation shall revert to the District general fund. Within thirty (30) days of receipt of Section 6 carry forward funds, the council shall include with its request a description of how the carry forward funds will be spent to improve student achievement. All funds allocated/provided through Sections 4, 5, 7, 8, and 9 shall be expended during the fiscal year or revert to the District general fund unless an exception is specified at the time the funds are allocated or is subsequently approved by the Board.

BOARD APPROPRIATION

The Superintendent shall determine which curriculum, textbooks, instructional materials, and student support services shall be provided in the school after consulting with the Board, the Principal, and the school council and after a reasonable review and response period for stakeholders in accordance with applicable state laws, regulations, and Board policy.

PURCHASING

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

School Budget and Purchasing**EXPENDITURE OF FUNDS**

In schools where SBDM has been implemented, the school council shall determine the expenditure of funds allocated to the school. In a school not operating under SBDM, the school improvement council shall make recommendations to the Principal concerning expenditure of these funds.

REFERENCES:

702 KAR 3:246; School Council Allocation Formula
704 KAR 3:510; [KRS 156.445](#); KRS 160.345
OAG 91-10; OAG 91-206; OAG 92-59

RELATED POLICIES:

04.1; 04.312; [08.1](#)

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

PERSONNEL

03.11

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

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

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

The Superintendent shall make all appointments, promotions, and transfers of certified personnel for positions authorized by the Board and, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent. Certified employees may be appointed by the Superintendent for any school year at any time after February 1 next preceding the beginning of the school year.

QUALIFICATIONS

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

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

ELIGIBILITY

In determining the eligibility of a particular candidate for appointment to a position, the priority of the Superintendent shall be to employ that person, who by reasons of preparation, experience and ability to work effectively with students, other staff members, and citizens of the school community, will render the highest possible level of service.

Employees who are terminated and/or non-renewed for cause by the District, or who resigned and are not eligible for a position, shall not be considered for any future employment by the District.

CRIMINAL BACKGROUND CHECK AND TESTING

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

The District shall not employ or permit the assignment of, the following individuals:

1. Those who have been convicted of violent offenses or sex crimes as defined by KRS 17.165;
2. Those who have been convicted of other crimes which bear a reasonable relationship to the position for which the individual is applying, or to which the individual may transfer within the District at a later time as determined by the Superintendent; or

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

3. Those who materially misrepresent their criminal history, credentials, or any other fact when applying for a position in the District.

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

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

Employment shall be contingent on receipt of records documenting that the individual has not been convicted of an offense that would classify a person as a violent offender under KRS 439.3401, a sex crime defined by KRS 17.500 or a misdemeanor offense under KRS Chapter 510, is required to register as a sex offender, or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have an administrative finding of child abuse or neglect in records maintained by the Cabinet.

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

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

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

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

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

REPORT TO SUPERINTENDENT

An employee shall report to the Superintendent if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal.

Hiring**HIRING OF RETIRED PERSONNEL**

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

Persons who have previously retired from the District and who subsequently are rehired shall be credited with a maximum of twelve (12) sick leave days at the outset of their new period of employment.

JOB REGISTER

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

VACANCIES POSTED

Under procedures developed by the Superintendent, a listing of all District job openings shall be posted at District Office and on the District web site on a timely basis and shall refer interested persons to the District Office job register for additional information.

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

APPLICATIONS

Under procedures developed by the Superintendent, each application shall be reviewed and each applicant so notified upon initial application. Applications shall be kept on file for two (2) years. All applications for positions shall be made utilizing or electronic forms furnished by the Department of Human Resources.

RELATIONSHIPS

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

A relative may be employed as a substitute for a certified or classified employee if the relative is not:

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

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

The Superintendent shall not employ a relative of any employee to work under the direct or indirect supervision of that employee. "Relative" means father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, (including subcategories of in-law, half and step relatives).

Exception to the above is substitute personnel.

Hiring**JOB DESCRIPTION**

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

AFFIRMATIVE ACTION PLAN

All employment practices shall be in keeping with the Board approved Affirmative Action Plan.

EMPLOYEES SEEKING A JOB CHANGE

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

REFERENCES:

¹KRS 160.380

²KRS 161.605; 702 KAR 1:150

³P. L. 114-95, (Every Student Succeeds Act of 2015)

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

45 C.F.R. § 1302.90

KRS Chapter 13B

KRS 17.160; KRS 17.165; KRS 17.500 to KRS 17.580

KRS 156.106; KRS 160.345; KRS 160.390; KRS 161.042; KRS 161.611

KRS 161.750; KRS 335B.020; KRS 405.435

KRS 439.3401

KRS Chapter 510

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

OAG 18-017; OAG 73-333; OAG 91-10; OAG 91-149; OAG 91-206

OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6

Records Retention Schedule, Public School District

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

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

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

VOCATIONAL

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

TENURE STATUS

Certified employees shall earn tenure when the following criteria has been met:

1. The employee:
 - Holds a standard or college certificate as defined in KRS 161.720 or meets the certification standards for vocational education teachers established by the Education Professional Standards Board; and
 - Is reemployed by the Superintendent after teaching four (4) consecutive years in the District, or after teaching four (4) years which shall fall within a period not to exceed six (6) years in the District, the year of present employment included; and
 - Worked a minimum of 140 days within each of those school years at a minimum of six (6) hours per day.
2. The employee has worked and earned tenure in another Kentucky district will regain tenure when:
 - There is no break-in-service between leaving another Kentucky district and being hired by the District; and
 - Serves a one (1) year probationary year with the District; and
 - Is rehired for the following school year.

Employees not eligible for tenure include retirees and employees who hold non-traditional certificates (adjunct, emergency).

REFERENCES:

¹KRS 161.730

²KRS 161.220

³KRS 157.360

⁴[KRS 158.060](#)

KRS 161.720 - tenure definitions; KRS 161.740 - years required

16 KAR 4:040

PERSONNEL

03.114
(CONTINUED)

-CERTIFIED PERSONNEL-

Contract

RELATED POLICIES:

03.115; 03.121

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

PERSONNEL

03.1161

- CERTIFIED PERSONNEL -**Paraprofessionals in Athletics****TRAINING**

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

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

EMPLOYMENT

The Superintendent shall give preference to the hiring or assignment of certified personnel over nonteaching personnel for high school coaching positions. When unable to staff fully the high school athletic program with qualified personnel, the Superintendent may employ paraprofessionals in accordance with state law and regulations and by-laws of the Kentucky High School Athletic Association.

REFERENCES:

¹KRS 161.185

²702 KAR 7:065

³KRS 158.162

Kentucky High School Athletic Association (KHSAA)

KRS 156.070; KRS 160.445

KRS 161.044; KRS 161.180

RELATED POLICIES:

03.2141; 09.221; 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

- CERTIFIED PERSONNEL -**Sick Leave****NUMBER OF DAYS**

Full-time certified employees shall be entitled to ten (10) days of sick leave with pay each school year.

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

Employees who are hired after the beginning of their work calendar will be given prorated days based on the month hired.

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

RETIRED PERSONNEL

Except for cases involving disability retirement, persons who have previously retired from the District and who subsequently are rehired shall be credited with a maximum of ten (10) sick leave days at the outset of their new period of employment. Sick leave earned prior to retirement shall not carry over to subsequent employment with the District.

ACCUMULATION

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

DEFINITION

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

FAMILY ILLNESS/MOURNING

Sick leave may also be taken for the purpose of attending to a member of the immediate family who is ill 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 District from another Kentucky school district or from the Kentucky Department of Education shall transfer accumulated sick leave to the District.

SICK LEAVE DONATION PROGRAM

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

Employees are eligible to receive donated days if they meet the criteria established in statute.

Any sick leave not used by the recipient shall be returned on a proportionate/pro-rated basis to the donor(s) who donated days to that specific person.

Sick Leave**SICK LEAVE DONATION PROGRAM (CONTINUED)****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

ABSENCES ON OPENING DAY OF SCHOOL

Accumulated days of sick leave shall be granted to a teacher, if prior to the opening day of the school year, an affidavit or a certificate of a physician is presented to the Board, stating that the employee is unable to assume his duties on the opening day of the school year, but will be able to assume his duties within a period of time that the Board determines to be reasonable.²

REPORTING

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

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

These reports shall include requirements set forth in KRS 161.155.

REFERENCES:

¹KRS 161.155

KRS 161.152; OAG 79-148; OAG 93-39

Family & Medical Leave Act of 1993

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

RELATED POLICIES:

03.12321 (Sick Leave Bank)

03.12322; 03.1233; 03.1236

03.124; 03.175 (Retirement Compensation)

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 for Childbirth or Adoption****PAID MATERNITY LEAVE (KRS 161.155)**

The District shall provide up to thirty (30) paid maternity leave days for a teacher or an 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 District's authority to establish additional paid maternity benefits or to provide paid parental leave benefits.

DISTRICT PAID PARENTAL LEAVE

~~Childbirth and recovery therefrom, or a~~Adoption, shall entitle the employee to up to thirty-five (305) paid contract days of Parental Leave immediately following the qualifying event. . An employee may use sick leave days, beyond the thirty-five (305) days provided by the Board when the need is verified by a signed physician's statement.

UNPAID EXTENDED LEAVE

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 semester in which the birth or placement occurred. Thereafter, leave may be extended in increments of one (1) semester, not to exceed two (2) consecutive school years.

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

Employees taking a maternity leave will be entitled on return to a similar position for which they are qualified, if available. Placement in the same position or the same building 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 for 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 Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

Parental Leave Optionsfor Childbirth or Adoption

REFERENCES:

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

RELATED POLICIES:

03.123; 03.1232; 03.12322

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****PECUNIARY INTEREST PROHIBITED**

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

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

Unless prior arrangements are made with the Board, any device, publication or any other item developed during the employee's paid time shall be District property, including but not limited to copyrighted items.

Fayette County Public School (FCPS) employees are the stewards of taxpayer dollars and as such, shall maintain the integrity of the procurement process. FCPS funds shall be used for the support of the public schools of Fayette County, and for no other purpose.

All business dealings shall be conducted at an arm's length. If a FCPS employee serves on the Board of an entity or organization that does business with the FCPS, is employed by an entity or organization that does business with the FCPS, or maintains a financial interest in an entity or organization that does business with the FCPS, that employee shall recuse himself or herself from any and all negotiations or business dealings with the entity or organization on behalf of the FCPS.

FCPS employees who serve on the Board of an entity or organization should not use their FCPS employment to influence or promote use of FCPS resources to further the interests of the entity or organization.

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 District.

RESTRICTIONS ON INSTRUCTIONAL MATERIALS

A superintendent, teacher, or other official or employee of any institution supported wholly or in part by public funds shall not act, directly or indirectly, as agent for any person whose instructional materials are identified on the state-approved list.³

EXCEPTION

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

Conflict of Interests**GRATUITIES AND KICKBACKS**

Employees are prohibited from soliciting, demanding, accepting or agreeing to accept from another person gratuities, kickbacks, or offers of employment in connection with the following: any decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or purchase standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling or other determination, claim or controversy, or other particular matter, pertaining to any contract or subcontract and any solicitation or proposal therefor.²

REFERENCES:

¹KRS 156.480, OAG 77-228, OAG 71-474

²KRS 45A.455 (2)

³[KRS 156.460](#)

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

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

PERSONNEL

03.175

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

Retirement means retirement as determined by Teachers' Retirement System (TRS) guidelines.

NOTICE

Persons retiring shall give the Superintendent notice as far in advance as possible, and such notice shall be in compliance with KRS 161.780.

RESPONSIBILITY

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

UNUSED SICK DAYS

The Board shall compensate certified employees only upon initial retirement from the District, or their estate, for each unused sick day at the rate of 30% of the daily salary. If employee is contracted for less than 1.0 FTE (full time equivalency), the sick days will be paid at employee's current FTE% (full time equivalency) at time of retirement. This calculation is based on the employee's last annual salary. For personnel who begin employment with a local school district on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under KRS 161.155 shall not exceed 300 days. For personnel who become members of the Teachers' Retirement System on or after January 1, 2022, payment for unused sick leave days shall not be incorporated into the annual compensation used to calculate the retirement allowance in the foundational benefit but may be deposited into the member's supplemental benefit component.¹

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

UNUSED SICK DAYS AND ACTUARIAL COSTS

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

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

Retirement

UNUSED SICK DAYS AND ACTUARIAL COSTS (CONTINUED)

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

ESCROW ACCOUNT

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

REFERENCES:

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

RELATED POLICY:

03.1232

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

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

PURPOSE

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

FREQUENCY OF SUMMATIVE EVALUATIONS

~~At a minimum, s~~Summative evaluations shall occur annually for certified employees below the level of superintendent who have not attained continuing service status. Summative evaluations shall occur at least once every ~~five~~three (53) 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 on a upon a case-by-case analysis of the performance.

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 given a copy 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.

A copy of all current employees' summative evaluations shall be maintained by the employee's immediate supervisor and shall be a part of the official personnel record.² Copies of formative evaluations shall be kept on file by the evaluator for a period of five (5) years.

APPEAL PANEL

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

Evaluation**ELECTION**

The certified employees shall elect sixteen (16) members to serve on the Certified Evaluation Appeals Panel. Two (2) members and two (2) alternates elected by the elementary school certified staff of the District; two (2) members and two (2) alternates elected by the middle school certified staff of the District; two (2) members and two (2) alternates elected by the high school certified staff of the District and two (2) members and two (2) alternates elected by the certified administrative staff of the District. Alternates are to serve in the event an elected member cannot serve. The Board shall appoint one (1) certified employee and one (1) alternate certified employee to the panel.

TERMS

All terms of panel members and alternates shall be for two (2) years and run from January 1 to December 31. Members may be reappointed or reelected for one (1) additional term.

CHAIRPERSON

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

APPEAL TO PANEL

Any certified employee who believes that he or she was not fairly evaluated on the summative evaluation may appeal to the panel within 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) working days in advance of the hearing to review documents that are to be presented to the District evaluation appeals panel, and may have representation of their choosing.

APPEAL FORM

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

CONFLICTS OF INTEREST

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

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

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

BURDEN OF PROOF

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

Evaluation**REVISIONS TO PREVIOUSLY APPROVED DISTRICT EVALUATION PLAN**

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

REFERENCES:

¹KRS 156.557; 704 KAR 3:370
703 KAR 5:225

OAG 92-135, Thompson v. Board of Educ., Ky., 838 S.W.2d 390 (1992)

RELATED POLICIES:

²02.14; 03.15; 03.16

LEGAL: HB 48 AMENDS KRS 156.095 REQUIRING DISTRICTS TO IMPLEMENT A FOUR (4) YEAR RECURRING PROFESSIONAL DEVELOPMENT TRAINING SCHEDULE THAT INCLUDES ALL REQUIRED PROFESSIONAL DEVELOPMENT TRAININGS, AND THAT ALL CERTIFIED SCHOOL EMPLOYEES COMPLETE DESIGNATED TRAININGS WITHIN TWELVE (12) MONTHS OF INITIAL HIRE AND AT LEAST ONCE EVERY FOUR (4) YEARS THEREAFTER. THE KENTUCKY DEPARTMENT OF EDUCATION SHALL CREATE THE TRAINING SCHEDULE BY AUGUST 1, 2025.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.19

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

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

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

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

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

The program shall be based on the Board-approved Comprehensive District Improvement Plan and District Strategic Plan for the District, which is designed;

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

These plans shall reflect individual needs of schools and be aligned with the Comprehensive School/District Improvement Plan, ESSA requirements, and teacher growth plans. ~~School-wide programs may also include classified staff and parent members of school councils and committees.~~

Professional Development

PROGRAM TO BE PROVIDED (CONTINUED)

District staff may recommend areas of focus to the Superintendent for professional development in the District based upon the District's Improvement and Strategic Plans, legal mandates, and local needs assessments. The Superintendent shall determine that the focus areas properly address the mission and goals of the District and meet existing legal requirements before recommending them to the Board for approval.

The Superintendent and Board may require any or all schools, or any or all classifications of personnel, to participate in training established by the District in one (1) or more of the approved areas of focus.

ACTIVE SHOOTER SITUATIONS

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

SCHOOL RESPONSIBILITIES

Each school shall coordinate professional development with the PD coordinator and, when appropriate, with other schools to maximize training opportunities.

The District Professional Development Coordinator shall review all individual school PD plans to determine that they meet current state and local mandates and directives, and address the identified focus areas approved by the Board.

DOCUMENTATION

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

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

REFERENCES:

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

PERSONNEL

03.19
(CONTINUED)

Professional Development

RELATED POLICIES:

03.1911; 09.22

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

PERSONNEL

03.21

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

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

ELIGIBILITY

In determining the eligibility of a particular candidate for appointment to a classified position, the sole concern of the Superintendent shall be to employ that person who, by reasons of preparation, experience and ability to work effectively, will render the highest possible level of service.

Employees who are terminated and/or non-renewed for cause by the District, or who resigned and are not eligible for a position, shall not be considered for any future employment by the District.

EFFECTIVE DATE

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

CRIMINAL BACKGROUND CHECK AND TESTING

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

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

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

Employment shall be contingent on receipt of records documenting that the individual has not been convicted of an offense that would classify a person as a violent offender under KRS 439.3401, a sex crime defined by KRS 17.500 or a misdemeanor offense under KRS Chapter 510, is required to register as a sex offender, or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have an administrative finding of child abuse or neglect in records maintained by the Cabinet.

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

1. Not appealed through an administrative hearing conducted in accordance with KRS Chapter 13B;

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

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

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

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

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

REPORT TO SUPERINTENDENT

An employee shall report to the Superintendent if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal.

HIRING OF RETIRED PERSONNEL

Except for cases involving disability retirement, persons who have previously retired from the District and who subsequently are rehired shall be considered first-year employees for the purposes of sick leave. (See Policy 03.2232.) Classified retirees are eligible to be hired in a permanent position working four (4) hours or more each day. Classified retirees may work as substitutes up to seventy (70) days per school year. Exemptions may be granted by the Senior Director of Administrative Services.

EDUCATIONAL REQUIREMENTS

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

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

JOB REGISTER

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

Hiring**VACANCIES POSTED**

Under procedures developed by the Superintendent, a listing of all District job openings shall be available in the Department of Human Resources/Central Office and on the District web site.

APPLICATION

All applications for positions shall be made utilizing written or electronic forms furnished by the Department of Human Resources.

Intentional misrepresentation shall be sufficient grounds to refuse to hire or to terminate, if the employee has been hired prior to discovery of falsification.

REVIEW OF APPLICATIONS

Under procedures developed by the Superintendent, each application shall be reviewed and each applicant so notified. Completed applications for candidates not employed shall be retained for two (2) years.

RELATIONSHIPS

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

A relative may be employed as a substitute for a certified or classified employee if the relative is not:

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

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

The Superintendent shall not employ a relative of any employee to work under the direct or indirect supervision of that employee. "Relative" means father, mother, brother, sister, spouse, son, daughter, aunt, uncle, son-in-law, and daughter-in-law (including subcategories of in-law, half and step relatives).

Exception to the above is substitute personnel.

EMERGENCY HIRING

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

JOB DESCRIPTION

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

AFFIRMATIVE ACTION PLAN

All employment practices shall be in keeping with the Board approved Affirmative Action Plan.

Hiring**CONTRACT**

All regular full-time and part-time employees shall receive a contract.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT FOR TEMPORARY EMPLOYEES

Temporary employees shall be notified in writing by April 30 of each year as to whether they have reasonable assurance of continued employment for the following year.

EMPLOYEES SEEKING A JOB CHANGE

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

REFERENCES:

¹KRS 160.380

²702 KAR 5:080

³KRS 161.011; Kentucky Local District Classification Plan; 13 KAR 3:030

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

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

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

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

KRS Chapter 13B

KRS 17.160; KRS 17.165; KRS 17.500 to KRS 17.580

KRS 156.070; KRS 160.345; KRS 160.390

KRS 335B.020; KRS 405.435

KRS 439.3401

KRS Chapter 510

OAG 18-017; OAG 91-10; OAG 91-149; OAG 91-206; OAG 92-1; OAG 92-59

OAG 92-78; OAG 92-131; OAG 97-6; 702 KAR 3:320

Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

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

PERSONNEL

03.2141

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

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

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

EMPLOYMENT

The Superintendent shall give preference to the hiring or assignment of certified personnel over nonteaching personnel for high school coaching positions. When unable to staff fully the athletic program in any sport or sport activity with qualified personnel, the Superintendent may employ paraprofessionals in accordance with state law, regulation and by-laws of the Kentucky High School Athletic Association.

REFERENCES:

¹KRS 161.185

²702 KAR 7:065

³KRS 158.162

Kentucky High School Athletic Association (KHSAA)

KRS 156.070; KRS 160.445

KRS 161.180

RELATED POLICIES:

03.1161; 09.221; 09.311

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

03.2233

- CLASSIFIED PERSONNEL -**Parental Leave for Childbirth or Adoption****PAID MATERNITY LEAVE (KRS 161.155)**

The District shall provide up to thirty (30) paid maternity leave days for a ~~teacher-orn~~ 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 District's authority to establish additional paid maternity benefits or to provide paid parental leave benefits.

DISTRICT PAID PARENTAL LEAVE

Childbirth and recovery therefrom, or adoption, shall entitle the employee to up to thirty-five (35) paid contract days of Parental Leave immediately following the qualifying event. An employee may use sick leave days, beyond the thirty-five (35) days provided by the Board when the need is verified by a signed physician's statement.

UNPAID-~~EXTENDED~~ LEAVE

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 semester in which the birth or placement occurs. Thereafter, leave may be extended in increments of one (1) semester, not to exceed two (2) consecutive school years.¹

Employees on maternity leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.223. Failure to do so will render the position vacant.

Employees taking a maternity leave will be entitled on return to a similar position for which they are qualified, if available. Placement in the same position or the same building 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.

REFERENCES:

¹KRS 161.770

KRS 161.155

Family & Medical Leave Act of 1993

RELATED POLICIES:

03.223; 03.2232; 03.22322

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

PERSONNEL

03.2721

- CLASSIFIED PERSONNEL -**Conflict of Interests****PECUNIARY INTEREST PROHIBITED**

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

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

Unless prior arrangements are made with the Board, any device, publication or any other item developed during the employee's paid time shall be District property, including but not limited to copyrighted items.

Fayette County Public School (FCPS) employees are the stewards of taxpayer dollars and as such, shall maintain the integrity of the procurement process. FCPS funds shall be used for the support of the public schools of Fayette County, and for no other purpose.

All business dealings shall be conducted at an arm's length. If a FCPS employee serves on the Board of an entity or organization that does business with the FCPS, is employed by an entity or organization that does business with the FCPS, or maintains a financial interest in an entity or organization that does business with the FCPS, that employee shall recuse himself or herself from any and all negotiations or business dealings with the entity or organization on behalf of the FCPS.

FCPS employees who serve on the Board of an entity or organization should not use their FCPS employment to influence or promote use of FCPS resources to further the interests of the entity or organization.

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

RESTRICTIONS ON INSTRUCTIONAL MATERIALS

A superintendent, teacher, or other official or employee of any institution supported wholly or in part by public funds shall not act, directly or indirectly, as agent for any person whose instructional materials are identified on the state-approved list.³

EXCEPTION

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

Conflict of Interests**GRATUITIES AND KICKBACKS**

Employees are prohibited from soliciting, demanding, accepting or agreeing to accept from another person gratuities, kickbacks, or offers of employment in connection with the following: any decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or purchase standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling or other determination, claim or controversy, or other particular matter, pertaining to any contract or subcontract and any solicitation or proposal therefor²

REFERENCES:

¹KRS 156.480, OAG 77-228, OAG 71-474

²KRS 45A.455 (2)

³[KRS 156.460](#)

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

PERSONNEL

03.29

- CLASSIFIED PERSONNEL -**Staff Development**

At the direction of the Superintendent, the designated administrator mayshall develop and implement the Board-approved program of continuing staff development/training for all classified employees.

The Superintendent may require all classified employees to 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.

ACTIVE SHOOTER SITUATIONS

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

REFERENCES:

KRS 156.095; KRS 158.070
P. L. 114-95, (Every Student Succeeds Act of 2015)
34 C.F.R. 200.58

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

PERSONNEL

03.4

Substitute Teachers

QUALIFICATIONS

All substitute teachers shall meet background records check requirements (including a letter from the Cabinet for Health and Family Services provided by the individual documenting that the individual does not have an administrative finding of child abuse or neglect in records maintained by the Cabinet) and medical examination requirements as specified in policies 03.11 and 03.111. In addition, substitutes serving in a position on a long-term/extended basis (more than twenty (20) days) must meet all certification requirements established by the Education Professional Standards Board.

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

SUBSTITUTE LIST

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

RETIRED TEACHERS

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

HOURS OF DUTY

Substitute teachers shall observe the same hours of duty as the regular teacher.

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

SUBSTITUTE SALARY AND PAYMENT SCHEDULE

Substitutes shall be paid on a per diem basis according to the salary schedule approved by the Board. The salary schedule may reflect adjustments for long-term/continuous assignment substitutes.

Payment shall be made on the next scheduled paydate for substitutes.

EMPLOYMENT NOTIFICATION

Substitute teachers on the District's substitute list shall be notified in writing by April 30 of each year as to whether they have reasonable assurance of continued employment for the following school year.

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

REFERENCES:

KRS 17.160; KRS 17.165; KRS 156.106; KRS 156.492
KRS 160.380; KRS 161.605; KRS 161.611
16 KAR 2:030; 16 KAR 2:120; 102 KAR 1:030
702 KAR 1:035; 702 KAR 3:075
OAG 69-296

PERSONNEL

03.4
(CONTINUED)

Substitute Teachers

RELATED POLICIES:

03.11; 03.111; 03.121

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

PERSONNEL

03.6

Volunteers

DEFINITION

Volunteers are persons who do not receive compensation for assisting in school or District programs. Volunteers are encouraged to use their time and effort to support school and District programs. The Superintendent shall develop procedures that encourage volunteers to assist in school and/or District programs and to facilitate effective communication with persons who volunteer.

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

REQUIREMENTS

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

Volunteers who assist in the District on a scheduled or continuing basis shall be provided with the same liability insurance coverage as a District employee and shall be given written or verbal details of responsibilities and expectations.

RECORDS CHECK

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

Pursuant to KRS 160.380, the Superintendent/designee also may require volunteers to submit to a state and national criminal (fingerprint) history background check and to provide a clear CA/N check. With prior approval of the Superintendent/designee, the background checks will be conducted at District expense. Otherwise, except as stated previously, the volunteer must pay for the background checks.

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

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

ORIENTATION

The Superintendent/designee shall develop orientation materials to be provided to all volunteers who have contact with students on a regularly scheduled or continuing basis. These materials shall include, but not be limited to, pertinent policies and safety and emergency procedures.

Volunteers

REFERENCES:

¹KRS 161.148
KRS 160.380
KRS 161.044

RELATED POLICIES:

| 03.5; 08.113; 08.1131; 08.2324

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

FISCAL MANAGEMENT

04.1

Budget Planning and Adoption**PLANNING**

The Superintendent shall establish procedures to provide for community and professional input in the development of recommendations to be considered for the District budget. These procedures shall include a process to identify and prioritize recommendations for establishing District goals and financial priorities.

PREPARATION OF BUDGETS

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

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

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

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

The Superintendent shall have the responsibility to assure that procedures are established for budget control and reporting throughout the District.

NEW/ADDITIONAL BUDGET ALLOCATIONS

No new discretionary programs or new/additional budget allocations shall be made without prior written documentation, for presentation to the Superintendent/designee/Board of the following information:

1. Statement of measurable goal(s)/objective(s) relative to improved District operations, including direct indicators of student academic performance;
2. Description of how the goal(s)/objective(s) will be measured and tracked over time;
3. Implementation and accountability check timelines;
4. Responsibility for the program; and
5. Impact on staffing, facilities, and other District programs.

BUDGET TRANSFERS

Once a Working Budget has been approved by the Board in September, budget transfers within the general fund, in excess of \$100,000 between function codes shall be reported monthly to the Board for informational purposes. The reporting period shall be from October 1st through June 30th of each year, with the first report being provided to the Board in November for the month of October. In addition, any budgetary transfers between funds, regardless of the dollar amount, shall be reported to the Board during this same period.

Budget Planning and Adoption**BUDGET DEFICIT PROHIBITED**

The Superintendent shall not recommend and a Board member shall not knowingly vote for an expenditure in excess of the revenue and income of any year as shown by the approved budget.

TIMELINE

On or before January 31, the Board shall formally and publicly examine a detailed estimate of revenues and proposed expenditures by line item for the following fiscal year. On or before May 30, the Board shall adopt a tentative working budget which includes a minimum reserve of two percent (2%) of the total budget. When permitted by the Kentucky executive branch budget, the District may adopt, and the Kentucky Board of Education may approve, a working budget that includes a minimum reserve less than two percent (2%) of the total budget.

Within thirty (30) days of receipt of the District's certified property assessment data and maximum permissible tax rates from the Department of Education, the District upon authorization by the Board shall levy tax rates for the District and forward them to the Kentucky Board of Education for approval or disapproval. The Fayette County Board of Education shall adopt a close estimate or working budget for the District by September 30.

PUBLICATION

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

REFERENCES:

KRS 156.160; KRS 157.330; KRS 157.350; KRS 157.360
KRS 157.440; KRS 160.370; KRS 160.390
KRS 160.460; KRS 160.470; KRS 160.530; KRS 160.550
KRS 424.145; KRS 424.250
702 KAR 3:100; 702 KAR 3:110; 702 KAR 3:246; OAG 67-510

RELATED POLICIES:

01.11; 02.4242; 02.4331; 04.91; 08.5

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

FISCAL MANAGEMENT

04.32

Model Procurement Code Purchasing**AUTHORITY**

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

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

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

1. The supplies and/or equipment meet the specifications of contracts awarded by the Division of Purchases, a federal agency (GSA), a cooperative agency, or a District bid;
2. The supplies and/or equipment are available for purchase at a lower price;
3. The purchase does not exceed \$2,500⁴ & ⁹; and
4. The District's finance or purchasing officer has certified compliance with the first and second requirements.

The Fayette County Public School System (FCPS) supports the participation of Minority, Women, and Veterans' Business Enterprises (MBE/WBE/VBE) in the bidding process. District leadership shall annually track and report the inclusion and participation of minority-, women-, and veteran-owned businesses from all procurement contracts, projects and awards relative to the District's annual spend. District leadership shall present data to the Board on the participation of minority, women, and veteran-owned businesses on at least an annual basis.

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

PURCHASING FROM MINORITY, WOMEN AND VETERAN BUSINESS ENTERPRISES

The Board supports the purchase of goods; construction, renovation and repair services; and other services from minority, women, and veteran-owned businesses by the District.

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

Model Procurement Code Purchasing**PURCHASING FROM MINORITY, WOMEN AND VETERAN BUSINESS ENTERPRISES (CONTINUED)**

This policy and related procedures shall establish expectations of good faith efforts by prospective vendors for minority, women, and veteran-owned business participation and include mechanisms to document and measure those efforts. However, nothing about the terms of this policy, nor any related procedure or form, shall be construed to mean the District will not comply with applicable provisions of procurement law, including but not necessarily limited to applicable provisions of KRS Chapter 45A, nor shall it be construed to mean the District will award contracts to bidders, contractors, and subcontractors who are not qualified, willing, and able to perform a given contract or project.

The District shall establish procedures for its use, to assist District staff responsible for bidding and purchase processes in meeting good faith effort requirements.

ADMINISTRATION

District leadership shall incorporate procedures established under this policy as part of their financial and management responsibilities over District procurement processes. District leadership shall be responsible for supporting effective implementation of this policy. District leadership may also encourage, track, and report the inclusion and participation of potentially underrepresented businesses not addressed in this policy.

DEFINITIONS

As used in this policy:

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

Goods means supplies, materials, and equipment.

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

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

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

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

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

SUPPORT FOR VENDOR UTILIZATION

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

Model Procurement Code Purchasing**M/W/VBE GOALS AND GOOD FAITH EFFORT****For Construction, Renovation, and Repair Services Projects**

The District is committed to inclusive practices and supports equitable opportunities for minority, women, and veteran-owned businesses to participate in construction contracting opportunities. The District shall utilize relevant and objective data acquired from its own studies and/or other governmental entities to determine the availability of M/W/VBEs in its geographic area and shall make efforts to ensure its participation goals reasonably reflect that availability. The District shall establish objective evaluation criteria that encourages prime contractors to work with minority, women, and veteran-owned subcontractors or suppliers they have not previously worked with. Such criteria may include but not necessarily be limited to (1) awarding evaluation points for working with such subcontractors or suppliers; or (2) requiring prime contractors to either identify and use at least one such subcontractor or supplier or submit documented good faith efforts to identify and use at least one such subcontractor or supplier for the project at issue.

PURCHASE OF GOODS AND OTHER SERVICES

District staff shall make good faith efforts to utilize minority, women, and veteran-owned business vendors in accordance with documentation requirements set forth in District purchasing procedures. At a minimum, when feasible, District staff responsible for soliciting three price quotes for non-bid items shall make a good faith effort to include at least one minority, woman, or veteran-owned business vendor per quote, provided that in no case shall the District award contracts to bidders, contractors, and subcontractors who are not qualified, willing, and able to perform a given contract or project.

OTHER EFFORTS

The District, pursuant to established procedures, may use other efforts to increase minority, women, and veteran-owned business participation including but not limited to reserving certain small prime contracts for minority, women, and veteran-owned businesses, using invoice tracking software or systems to help ensure minority, women, and veteran-owned businesses are being used where required, sponsoring lender fairs, and establishing mentoring programs for minority, women, and veteran--owned businesses interested in doing business with the District.

DOCUMENTATION, REPORTING, AND EVALUATION

District leadership shall establish procedures for the collection, maintenance, and tracking of records at the District, department and school level relating to implementation of this policy to include, but not be limited to:

1. Documentation of compliance with the good faith effort requirements; and
2. Statistics regarding the utilization of MBEs, WBEs, and VBEs by District Departments and Schools.

District leadership shall:

1. Submit annual written reports to the Board regarding the implementation of this policy; and

Model Procurement Code Purchasing**DOCUMENTATION, REPORTING, AND EVALUATION (CONTINUED)**

2. Conduct annual formal evaluations of the effectiveness of the minority, women, and veteran-owned business program.

PUBLIC-PRIVATE PARTNERSHIPS

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

FEDERAL AWARDS/CONFLICT OF INTEREST

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.⁸

The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. In determining whether an activity constitutes an impermissible acceptance of a gratuity or item of monetary value, the definition of "gratuity" (covering anything of more than fifty dollars [\$50] value) set forth in KRS 45A.445 shall apply. Violation of these standards may result in disciplinary action including, but not limited, to suspension, dismissal, or removal.

ETHICAL STANDARDS

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

PREFERENCE FOR RESIDENT BIDDERS

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

PRICE REDUCTIONS

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

SMALL PURCHASES

District small purchase procedures may be used for any contract in which the aggregate amount does not exceed \$40,000.00.⁵

Model Procurement Code Purchasing**ADVERTISEMENT OF BIDS**

Adequate public notice of invitations for bids shall be provided through posting via the District's web-based procurement portal and on the Internet or publication in the legal section of the local newspaper.⁶

WAIVER STIPULATION

The Board shall reserve the right to waive defects and informalities in proposals, to reject or accept any proposal, and to award by item, combination of items or lot.

RECORDING OF BIDS

All bids meeting Board specifications shall be recorded in Board minutes. In the event the lowest bid is not accepted, the Board shall record in the minutes the reason for the rejection.⁷

BACKGROUND CHECKS

The Superintendent shall require an adult who is permitted access to school grounds on a regularly scheduled and continuing basis pursuant to a written agreement for the purpose of providing services directly to a student or students as part of a school-sponsored program or activity to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and to provide a clear CA/N check in keeping with KRS 160.380.¹⁰

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

REFERENCES:

¹KRS 45A.343

²KRS 45A.345; KRS 160.290; KRS 45A.380

³KRS 160.303; 200 KAR 5:400; KRS 45A.494

⁴KRS 156.076

⁵KRS 45A.385

⁶KRS 45A.365

⁷702 KAR 3:135

⁸2 C.F.R. 200.318

⁹KRS 45A.360

¹⁰KRS 160.380

KRS 45A.352; KRS 45A.365; KRS 45A.370

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

KRS 45A.460; KRS 45A.620

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

200 KAR 5:355

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

Kentucky Educational Technology Systems (KETS)

Model Procurement Code Purchasing

RELATED POLICIES:

05.6; 06.4; 07.13

LEGAL: 702 KAR 4:090 HAS BEEN AMENDED REVISING THE DISPOSAL OF PROPERTY PROCESS FOR DISTRICTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.8

Disposal of School Property

BIDS OR AUCTION

The Superintendent shall advise the Board when certain properties are no longer needed for public school purposes. Upon receiving this report, the Board may, at such time as it deems proper and after compliance with applicable state¹ or federal regulations, authorize the disposal of school properties through closed sealed bids, public auction, or sale for at least the fair market value established by certified appraisal. The Board reserves the right to reject any and all bids.

DISPOSITION PROCESS OF REAL PROPERTY

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

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

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

- ~~(a) By public auction;~~
- ~~(b) By accepting sealed bids; or~~
- ~~(c) By setting a minimum acceptable price, which is at least the fair market value of the property.~~

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

CONFLICT OF INTEREST

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

Disposal of School Property**REFURBISHED SURPLUS TECHNOLOGY**

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

First priority shall be given to eligible students in the free or reduced lunch program, and they or their parent/guardian must request the property in writing.

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

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

REFERENCES:

¹KRS 160.290

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

704 KAR 3:455

OAG 76-291; OAG 91-85

34 CFR 80.32

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

SUPPORT SERVICES

07.1

Food/School Nutrition Services

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

MEALS

The School Nutrition Program shall serve nutritious meals that meet or exceed the state and federal regulations.

MEAL CHARGES

Upon selecting a reimbursable meal, paying students must pay for a meal via cash, check, MySchoolBucks, or prepaid meal account. Students may charge the first reimbursable meal if funds are not available. Second meals, a la cartes and single items, cannot be charged; must be paid for in advance or at the time of purchase. Available payment systems and meal prices are posted on the District website.

When a student accumulates meal charges, parents/households are notified regarding the meal debt throughout the year.

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

Adults must pay for meals/ala carte items in advance via a meal account or at the time of purchase. Adult meals or a la carte items may not be charged.

FOOD SERVICE/SCHOOL NUTRITION DIRECTOR

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

ANNUAL REPORT

ANNUAL REPORT/PUBLIC FORUM

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

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

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

By January 31 of each year, the Board will receive a health and wellness report related to school nutrition and physical activity which will be posted to the district website for public review.

DISCRIMINATION COMPLAINTS

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race,

color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Food/School Nutrition Services**DISCRIMINATION COMPLAINTS (CONTINUED)**

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. **fax:**
(833) 256-1665 or (202) 690-7442; or
3. **email:**
Program.Intake@usda.gov

This institution is an equal opportunity provider.

District personnel shall assist parents/guardians and students wishing to file a complaint consistent with Board Policy 09.13 Equal Educational Opportunities.

REFERENCES:

KRS 156.160
KRS 158.852; ~~KRS 158.856~~; KRS 160.290
702 KAR 6:010; 702 KAR 6:050
702 KAR 6:075; 702 KAR 6:090
7 C.F.R. part 15b; 7 C.F.R. §210.23; 7 C.F.R. §210.31; FNS Instruction 113
Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act
P.L. 111-296

RELATED POLICY:

07.16

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

(Includes Multicultural Education Policy)

The curriculum in each school shall be designed so that all students achieve the 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.

District high schools are required to maintain AdvancEd accreditation, and middle and elementary schools are encouraged to pursue and maintain such accreditation.

CAPACITIES

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

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

SUPERINTENDENT RESPONSIBILITY

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

In any school administered under the provisions of KRS 160.345, the Superintendent shall determine which curriculum, textbooks, instructional materials, and student support services shall be provided in the school after consulting with the Board, the Principal, and the school council and after a reasonable review and response period for stakeholders. All council policies shall be designed to meet student academic achievement expectations and goals established by statute, regulation and Board policy.

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

Curriculum**MULTICULTURAL EDUCATION**

The Fayette County Public Schools is committed to reducing any barriers to student learning and well-being based on race or cultural heritage. Multicultural education is based on the principles that pluralism is a reality of our society and that equality is a basic ideal of democracy and a requirement of the U. S. Constitution. Therefore, all school employees and students of the Fayette County Public Schools must demonstrate an understanding of, appreciation for, and sensitivity to the various cultural perspectives within our community.

ACCOUNTABILITY

The success of the integration of multicultural curriculum and activities and multiculturally sensitive instructional practices will be measured through the reduction of differences in student performance by race, English proficiency, and socioeconomic status (SES) and increases in scores across all student populations related to academic expectations dealing with cultural diversity (e.g. Academic Expectation 2.17), as measured by state-mandated assessments and progress reports.

All schools and personnel in the Fayette County Public School District must commit to ensuring that a multicultural approach is used in all programs and practices of the District. In support of this commitment, the Board shall review the equity component in the District and School Improvement Plans. In addition, the Equity Council shall have the opportunity to review and comment on the equity component prior to finalization of these plans.

DISTRICT COMMITMENT

The District shall demonstrate this commitment by developing measurable goals and action plans which emphasize multiculturalism and which are designed to maximize students' potential, regardless of race or cultural heritage.

It shall demonstrate its commitment to multiculturalism by identifying and providing professional development activities which support multiculturalism goals of the District and schools.

It shall demonstrate its commitment by supporting the development of multicultural curriculum at the school and District level.

It shall demonstrate its commitment by assisting schools in identifying instructional materials, textbooks, and technical and human resources which support a multicultural perspective.

It shall demonstrate its commitment by ensuring representation of minorities on committees, task forces, and other leadership and decision-making groups named at the District level.

It shall demonstrate its commitment by establishing a plan which results in the successful recruitment of minority teacher candidates and employment of minority administrators and other District-level staff.

SCHOOL COMMITMENT

The Board encourages schools to demonstrate their commitment to multiculturalism by developing a multicultural education policy to be implemented by the Principal through the SBDM/School Improvement Council.

Curriculum

SCHOOL COMMITMENT (CONTINUED)

This policy should define how the School Improvement Plan (SIP) will address multiculturalism through the development of measurable goals and action plans which are designed to maximize students' potential, regardless of race or cultural heritage; annual Professional Development Plans which provide training to support multiculturalism goals of the schools and increase staff competence in teaching students of diverse cultures; curriculum design aligned with state and local standards which integrates multicultural concepts, skills, and perspectives throughout; selection of instructional materials and textbooks that reflect the contributions to society made by the diverse ethnic populations of the world; and incorporation of technical and human resources which ensure that instruction on all disciplines is accurate, comprehensive, non-biased, and inclusive.

ADDITIONAL SBDM POLICIES

Other school council policies should be written to reflect a commitment to multiculturalism. For example, the school consultation policies related to filling staff vacancies should define the schools' commitment to successful recruitment, employment, and retention of minorities in staff and administrative positions. Policies related to the establishment of committees, task forces, and other leadership and decision-making bodies may require representation and participation of minorities which reflects, at minimum, the student body served.

RELIGIOUS HOLIDAYS AND BELIEFS

The United States Constitution, as interpreted by the Supreme Court, calls for the separation of church and state. Accordingly, as an entity of the state, the Board established the following policy provisions:

- Teachers are encouraged to teach about religious holidays as a natural extension of discussion on ethnic issues, history, or culture. Activities associated with religious holidays will naturally emerge from the curriculum. However, the teaching or observance of any one religion to the exclusion of others is prohibited.
- As long as a balanced and objective approach is followed, religious music, art, literature, or dramatic pieces may be included in the curriculum of, or any program engaged in by, the school. Religious music, art, literature, or dramatic pieces shall not be dominant in the curriculum or any program engaged in by the school.
- Activities associated with religious holidays will naturally emerge from the curriculum. Teachers shall not require and shall not prohibit students from expressing their religious beliefs or positions, or request students to express their religious beliefs or positions during the school day or at any time when teachers are in the presence of students on school business.
- The use of religious symbols, such as a cross, menorah, crescent, Star of David, creche, symbols of Native American religions, or other symbols that are part of a religious holiday, are permitted as a teaching aide or resource to the instructional process, provided such symbols are displayed only as an example of the cultural and historical heritage of the holiday and are not displayed after their use for that purpose has ended.

Curriculum**RELIGIOUS HOLIDAYS AND BELIEFS (CONTINUED)**

- Diversity of religion should be a consideration in the selection of instructional and media materials.
- Music, art, literature, and drama having religious themes or bases may be part of school-sponsored activities and programs if presented in an objective manner, and as a traditional part of the cultural and historical heritage of a particular holiday.
- Inclusion of information about religious holidays in school programs is to be for the purpose of increasing cultural and ethnic understanding of the tradition associated with these holidays and their historical significance.
- Schools shall not organize ceremonies that involve students in observing religious holidays.
- Teachers and administrators shall not attempt to influence a student toward or away from any particular religious belief or religion at any time they are in the presence of students on school business.

REFERENCES:

KRS 156.160; KRS 156.162; KRS 156.412; KRS 156.445
KRS 158.075; KRS 158.183; KRS 158.188
KRS 158.301; KRS 158.302; KRS 158.305
KRS 158.645; KRS 158.6451; KRS 158.6453; KRS 160.345
704 KAR 3:303; 704 KAR 3:305; 704 KAR 3:440
Kentucky Academic Standards

RELATED POLICIES:

Section 02.4 (All Policies), 08.3

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

CURRICULUM AND INSTRUCTION

08.1122

Advanced Coursework

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

DISTRICT PLAN

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

The plan shall:

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

SCHOOL POLICY

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

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

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, ~~including demonstrated performance-based competency in technology~~, and all other state and local requirements in order to graduate from high school in the District.

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.⁵

Graduation Requirements

CIVICS ~~EXAM~~ REQUIREMENT

~~Students wishing to receive a regular diploma must pass a civics test made up of one hundred (100) questions selected from the civics test administered to persons seeking to become naturalized citizens and prepared or approved by the Board. A minimum score of sixty percent (60%) is required to pass the test and students may take the test as many times as needed to pass. Students that have passed a similar test within the previous five (5) years shall be exempt from this civics test. This shall be subject to the requirements and accommodations of a student's individualized education program (IEP) or a Section 504 Plan.⁴~~

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 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.

either:

A one-half (1/2) credit course in civic literacy meeting statutory curriculum and standards requirements; or

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 Board shall determine which option shall be required for graduates of the District.

If the Board requires completion of the civics test, the Board shall prepare or approve the test as described. The Board shall disseminate the test and it be administered by each high school in the District. By September 1, 2026, and each year thereafter, the District 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 Board 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.⁴

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 Superintendent, after consultation with the Board, the school-based decision-making council, 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.

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 ~~be focused~~focus on career exploration and related postsecondary education and training needs.

ADDITIONAL REQUIREMENTS OF THE BOARD

In addition to the content requirements established by the Kentucky Academic Standards, and the credits required by the minimum requirements for high school graduation in 704 KAR 3:305, the Board may impose other requirements for graduation from high school. However, the Board shall not adopt any graduation requirements that include achieving a minimum score on a statewide assessment.

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

~~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	Four (4) Credits total (English I and II plus two (2) credits aligned to the student's ILP)
Social Studies	Three (3) Credits total — (Two (2) plus one (1) credit aligned to the student's ILP)
Mathematics	Four (4) Credits total (Algebra I and Geometry plus two (2) credits aligned to the student's ILP)
Science	Three (3) Credits total — (Two (2) credits incorporating lab-based scientific investigation experiences plus one (1) credit aligned to the student's ILP)
Health	One-half (1/2) Credit
P.E.	One-half (1/2) Credit
Visual and Performing Arts	One (1) Credit or a standards-based specialized arts course based on the student's ILP
Academic and Career Interest Standards-based Learning Experiences	Six (6) Credits total (Two (2) plus four (4) standards-based credits in an academic or career interest based on the student's ILP)
Technology	Demonstrated performance-based competency
Financial Literacy	One (1) or more courses or programs that meet the financial literacy requirements pursuant to KRS 158.1411.

Graduation Requirements

OTHER PROVISIONS

In keeping with statutory requirements, the District 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 in the District 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.²

The Board, Superintendent, Principal, or teacher may award special recognition to students.

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

Consistent with the District's graduation practices for all students, an alternative high school diploma shall be awarded to students with disabilities in compliance with applicable legal requirements. In addition, former students may submit to the Superintendent a request that the District provide them with an alternative high school diploma to replace the certificate of attainment they received at time of graduation from the District.³

A student who is at least seventeen (17) years of age and who is a state agency child, as defined in KRS 158.135, shall be eligible to seek attainment of a High School Equivalency Diploma.

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

DIPLOMAS FOR VETERANS

In keeping with statute and regulation, the Board shall award an authentic high school diploma to an honorably discharged veteran who was enrolled in, but did not complete, high school prior to being inducted into the United States Armed Forces during World War II, the Korean conflict, or the Vietnam War.¹

REFERENCES:

¹KRS 40.010; KRS 158.140; 704 KAR 7:140

²KRS 158.622

³KRS 156.160; 20 U.S.C. § 1414

⁴KRS 158.141

⁵[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
13 KAR 2:020; 702 KAR 7:125; ~~703 KAR 4:060~~

~~704 KAR 3:303~~; 704 KAR 3:305; ~~704 KAR 3:306~~; 704 KAR 3:535; 704 KAR 7:090

704 KAR Chapter 8

OAG 78-348; OAG 82-386

~~[Kentucky Academic Standards](#)~~

Graduation Requirements

RELATED POLICIES:

| 08.1122; 08.1131; 08.11311; 08.14; 08.14; 08.22; 08.222; 08.4

RELATED PROCEDURE:

09.12 AP.25

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 (and middle school students per paragraph 1 below) may also earn academic credit to be applied toward graduation requirements by completing online courses offered through agencies approved by the Board. Credit from an online course may be earned only in the following circumstances:

1. The course is not offered at the high school, and the Principal, with agreement from the student's teachers and parents/guardians, determines the student requires a differentiated or accelerated learning environment. This may include middle school students.
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 extended homebound instruction.
4. Unless otherwise approved by the Principal/designee, students taking such courses must be enrolled in the District and take the courses during the regular school day at the school site. The District, in cases of students who are expelled or homebound, may grant exceptions.

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

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

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

The District receives Average Daily Attendance funds from the Kentucky Department of Education for the online portion of the school day. The Kentucky Department of Education waives the physical seat-time requirement as needed for students.

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

EVENING CREDIT CLASSES

Evening courses offered for high school credit at Fayette County Public Schools may also be counted toward graduation under this policy. Evening courses attempted for initial credit may be taken with Principal/designee approval. Evening courses may be taken for make-up credit as needed, subject to the approval of the Principal or Principal's designee. The official record of the final grade must be received by the school before a diploma may be issued to the student.

EXCEPTION

Unless an exception is made by the District, any student who transfers to the District after the junior year (11th grade) must earn the last (2 units) required for graduation while in residence as a regular enrollee.

DUAL-CREDIT SCHOLARSHIP PROGRAM

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

PERFORMANCE-BASED CREDITS

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

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

Alternative Credit Options**PERFORMANCE-BASED CREDITS (CONTINUED)**

It is the responsibility of each high school SBDM Council (with District staff support) to develop performance descriptors and assessments for proposed performance-based courses. (For schools/programs without SBDM Councils the Superintendent or designee shall assume this responsibility.) The Director of High Schools, or designee, shall develop and implement a process for District review of SBDM Council-approved performance-based course descriptors, and the Board will only accept performance-based credits for courses approved by both the high school SBDM Council and Director of High Schools.

REFERENCES:

KRS 157.320

KRS 158.622

KRS 164.786

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

RELATED POLICIES:

08.1122; 08.113; 08.11311; 08.2323; 09.1221; 09.1224; 09.3; 09.435

LEGAL: REVISIONS TO 704 KAR 3:305 AMEND THE EARLY GRADUATION PROGRAM.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.11311

Early Graduation Program

Students who meet all applicable legal requirements shall be eligible for the Early Graduation Program (EGP) in relation to receipt of a graduation diploma and an Early Graduation Certificate. Students wishing to participate in the EGP shall notify the secondary school Principal by submitting the Early Graduation Program Letter of Intent Form, available on the Kentucky Department of Education (KDE) website, in writing at the beginning of grade nine (9) or as soon as the intent is known to the student, but no later than the first thirty (30) school days of the academic year in which the student intends to graduate.

A student shall not be prohibited from completing the EGP if the student meets all requirements. Students who enroll in the EGP and meet all applicable legal requirements shall receive a high school diploma, and an Early Graduation Scholarship Certificate, and scholarship award.

A Letter of Intent to Apply shall be entered into the student information system by October 15 of the year the student intends to graduate.

~~A student shall complete all requirements applicable to the academic year in which the student intends to graduate as established in administrative regulation by the Kentucky Board of Education.~~

A student who has indicated an intent to complete the EGP may participate in the state administration of the college entrance exam prior to the junior year, if needed.

~~For students wishing to participate in the EGP and earn an Early Graduation Certificate and scholarship the Superintendent/designee~~ The District shall provide each high school with a policy established by the Board for students wishing to participate in the EGP. The policy shall include provide:

- a. Criteria for supporting the development and monitoring of the student's ILP;
- b. Goal planning related to the demonstration attainment of established District of the capacities listed in KRS 158.645 and the essential workplace ethics characteristics listed in KRS 158.1413(1) programs;
- c. Completion of a professional resume; and
- d. Completion of one (1) postsecondary admissions application that may be used at a Kentucky public two (2) year community and technical college, or a Kentucky four (4) year public or non-profit independent institution accredited by the Southern Association of Colleges and Schools.

Each EGP participant, with the support of the comprehensive school counselor/designee, shall:

- a. Submit the Early Graduation Program Student Letter of Intent Form, signed by the student's parents, to the Principal as soon as the intent is known to the student, but no later than the first thirty (30) school days of the academic year in which the student intends to graduate;
- ~~a.b.~~ Identify all EGP requirements and develop a strategy within the ILP for meeting those requirements, ~~including the District's established workplace ethics program;~~ and
- ~~b.c.~~ Complete an entrance interview with the Principal/designee to discuss postsecondary goals and career aspirations.

Early Graduation Program**EARLY GRADUATION PROGRAM (EGP) (CONTINUED)**

- d. Meet the college readiness benchmarks established by the Council on Postsecondary Education in 13 KAR 2:020 for placement in credit-bearing courses without the need for remediation;
- e. Earn the ten (10) foundational credits listed in 704 KAR 3:305;
- f. Successfully complete one (1) or more courses or programs that meet the financial literacy requirement and Kentucky Academic Standards;
- g. Successfully meet the civics requirement; and
- h. Successfully complete the EGP performance-based project, portfolio, or capstone.

~~By July 1, 2024, e~~Each high school shall ~~develop~~determine performance descriptors and evaluation procedures for an EGP performance-based project, portfolio, or capstone ~~required for students who intend to complete the EGP beginning with the 2024-2025 academic year.~~

Performance descriptors and evaluation procedures developed by the high school shall be designed to provide an opportunity for the students an opportunity to demonstrate attainment of the following the critical knowledge, skills, and capacities required for post-secondary and career success and shall include:

- a. Demonstration of capacities listed in KRS 158.645 and the essential workplace ethics characteristics listed in KRS 158.1413(1)~~Attainment of essential workplace ethics program components;~~
- b. Demonstration of an ability to apply the academic standards as a lifelong learner and contributing member of society;
- c. Demonstration of written and verbal communication skills needed for post-secondary and career success; and
- d. Demonstration of an ability to think critically, synthesize information, and draw conclusions.

~~By July 1, 2024, the performance-based project, portfolio, or capstone shall be required for completion of the EGP.~~

Each high school shall maintain and make readily available to the KDE~~Kentucky Department of Education~~ the EGP participant's performance-based project, portfolio, or capstone for a minimum of five (5) years.

Any student seeking to graduate early who receives services deemed essential by the District shall engage in meaningful consultation with a school-based mental health services provider on the creation of a continuity of services plan prior to graduation.

The District shall ensure the creation of a continuity of services plan for all students identified as a homeless child, a migratory child, or youth engaged in foster care. A transition plan shall be completed for children aging out of foster care.

Early Graduation Program**AWARDING GRADUATION CREDIT**

The District shall award credit toward high school graduation based on:

- a. A standards-based Carnegie unit credit that shall consist of at least 120 hours of instructional time in one (1) subject; or
- b. A performance-based credit based on the Kentucky Academic Standards established in 704 KAR Chapter 8.

A District that awards performance-based credit shall adopt a policy that awards performance-based credit toward high school graduation for satisfactory demonstration of learning based on rigorous performance standards aligned to 704 KAR Chapter 8. The school shall establish performance descriptor and evaluation procedures to determine if the content and performance standards have been met.

Performance-based credit criteria are contained in 704 KAR 3:305.

REFERENCES:

KRS 158.1413; KRS 158.142; KRS 158.645
704 KAR 3:305; 704 KAR Chapter 8

RELATED POLICIES:

08.1122; 08.113; 08.1131

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 greater than five (5) consecutive school days. For a student admitted to an inpatient facility, the student may receive home/hospital instruction effective on the date of admittance.

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

ELIGIBILITY

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

STATEMENT REQUIRED

Before granting an exemption for homebound instruction, a signed statement as required by law must be submitted verifying the condition of the child that prevents or renders inadvisable attendance at school or application of study for an extended time of five (5) or more consecutive school days. Eligibility for home/hospital instruction shall cease for students placed by the review committee if the student works, plays sports, or participates in extracurricular activities. For students with a 504 plan, eligibility for home/hospital instruction shall not cease if the student works, plays sports, or participates in extracurricular activities if participation is consistent with the student's 504 plan.

EXTENDED PLACEMENT

Students exempted from school attendance more than six (6) months shall provide two (2) signed statements of support from health personnel, as permitted by law and Kentucky Administrative Regulation.

An exemption shall be reviewed annually. At any time based on changes in the student's condition, the home/hospital review committee appointed in keeping with the requirements of Kentucky Administrative Regulations shall review the student's placement in home/hospital instruction.¹

In accordance with medical documentation, the home/hospital review committee shall develop a plan and timeline for returning the student to regular classroom instruction, or documentation verifying why a return to the regular school setting is not feasible. More frequent evaluations may be made if deemed necessary.

Home/Hospital Instruction**EXTENDED PLACEMENT (CONTINUED)**

A high school student placed on home/hospital instruction may carry all appropriate credits during the first semester of placement.¹ Classes that require laboratory facilities shall not be taught during home/hospital instruction.¹ Except for students with an Individual Education Plan (IEP) or a 504 plan, the number of credits to be carried during all subsequent semesters of placement shall be determined on a case-by-case basis by the review committee, based on the following criteria:

1. The student's ability to work independently during extended periods without direct assistance.
2. The student's capacity to complete assignments within a reasonable time frame.
3. The likelihood that the student will be able to complete course criteria required for graduation, as required by the Kentucky Academic Standards.
4. When considering the student's condition, should s/he take a full or reduced course load?¹ If a reduced course load is appropriate, the committee shall determine the number of courses to be taken.

Exemptions of students based on these provisions shall be reviewed annually, and the required evidence shall be updated accordingly.

STUDENTS WITH DISABILITIES

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

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

REFERENCES:

KRS 157.360; KRS 158.033; KRS 159.030

702 KAR 7:150

~~704 KAR 3:303~~

704 KAR Chapter 8

707 KAR 1:320; 707 KAR 1:350

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

Section 504 of the Rehabilitation Act of 1973

34 C.F.R. 104.35

RELATED POLICIES:

09.122; 09.123

EXPLANATION: SB 19 AMENDS KRS 158.175 REQUIRING LOCAL BOARDS TO ESTABLISH A POLICY AND PROCEDURE STATING THERE SHALL BE A MOMENT OF SILENCE OR REFLECTION AND INCLUDES SPECIFIC GUIDELINES FOR IMPLEMENTATION.

FINANCIAL IMPLICATIONS: COST ASSOCIATED WITH THE REQUIRED NOTIFICATION

CURRICULUM AND INSTRUCTION

08.1351

Pledge of Allegiance & Moment of Silence or Reflection

PLEDGE OF ALLEGIANCE~~STUDENT'S OPPORTUNITY TO PARTICIPATE~~

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

No student shall be required to participate in the Pledge against his wishes or the wishes of his parent(s).²

MOMENT OF SILENCE OR REFLECTION

~~The~~**A** moment of silence or reflection shall occur at the commencement of the first class of each day and shall be implemented with the following guidelines¹:

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

REFERENCES:

¹KRS 158.175~~(2)~~

²OAG 80-456

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

CURRICULUM AND INSTRUCTION

08.13531

Human Sexuality

Per KRS 158.1415, if a school council or, if none exists, the Principal adopts a curriculum for human sexuality or sexually transmitted diseases, instruction shall include but not be limited to the following content:

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

CURRICULUM REQUIREMENTS

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

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

Human Sexuality**CURRICULUM REQUIREMENTS (CONTINUED)**

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

- ~~6.a)~~ Inform the parents of the provisions of the course or curriculum;
- ~~7.b)~~ Provide the date the course, curriculum, or program is scheduled to begin;
- ~~8.c)~~ Detail the process for a parent to review the materials;
- ~~9.d)~~ Explain the process for a parent to provide written consent for the student's participation in the course, curriculum, or program; and
- ~~10.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;
- ~~11.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
- ~~12.c)~~ Responding to a question from a student during class regarding human sexuality as it relates to a topic of instruction from a curriculum approved pursuant to KRS 160.345.

REFERENCES:

KRS 158.1415; KRS 160.345

RELATED POLICIES:

08.1; 08.23; 08.2322; 08.2324

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

CURRICULUM AND INSTRUCTION

08.22

Student Progress

TRANSFERS

Any promotions or credits earned in attendance in any approved public school are valid in any other public school.¹

In case a student 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 student has demonstrated that s/he is not suited for the work in the grade or course to which s/he has been promoted.¹

Students who transfer from a non-accredited school shall be required to take tests from the previous grade to determine grade placement or course credit.²

HIGH SCHOOL GRADUATION

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

VOCATIONAL CERTIFICATE

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

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.³

PROCEDURES

School councils shall develop procedures defining criteria for student progress through the school program.

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

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

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

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

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

Student Progress**PROCEDURES (CONTINUED)**

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.

Parents shall be notified when their child is performing below expectations and/or achieving below expected outcomes.

REFERENCES:

¹KRS 158.140

²704 KAR 3:307; OAG 82-473

³P. L. 105-17

KRS 158.031; KRS 158.645; KRS 158.6451; KRS 158.6453

KRS 158.860; KRS 160.1592; KRS 160.345

RELATED POLICIES:

02.441; ~~08.113~~; ~~08.222~~; ~~08.5~~; 09.121

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

CURRICULUM AND INSTRUCTION

08.232

Instructional Resources Materials**DEFINITION**

Instructional resource means any print, nonprint, or electronic medium of instruction designed to assist students.

SURVEY

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

ALLOCATION METHOD

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

FINANCIAL REPORT

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

Councils shall not obligate the District for instructional resource purchases that exceed allocations.

Each school may carry forward to the next fiscal year any part of the instructional materials resource allocation distributed to the school that has not been spent or committed in the current fiscal year. However, funds shall not be carried forward for more than two (2) school years.

INSTRUCTIONAL MATERIALS RESOURCE FUND

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

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

The annual plan shall be approved by the school council in SBDM schools.

FEES

The Board shall establish instructional materials resource fees annually.

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

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

RESPONSIBILITY

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

Instructional Resources Materials**SECTARIAN TEXTS**

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

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

REFERENCES:

¹KRS 158.108

²KRS 160.330; 702 KAR 3:220

³KRS 158.190

KRS 156.162

KRS 156.433

KRS 156.549

KRS 157.110; KRS 158.188

702 KAR 3:246

704 KAR 3:455

RELATED POLICIES:

02.4242

04.32

09.15

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 Technology Resources

(Acceptable/Responsible Use Policy)

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

SAFETY PROCEDURES AND GUIDELINES

The Superintendent shall develop and implement appropriate procedures to provide guidance for access to electronic media 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 District technological resources), and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit utilization of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data.

Guidelines and procedures should encourage details on how the District 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 Districts and schools to fully understand digital access beyond the campus. With such District implemented resources, the guidelines for acceptable and responsible use shall still apply, regardless of the time, place, and means of utilization.

The District 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 District-owned devices with Internet access, District-managed systems and accounts, and personal devices that are permitted to access the District'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 District shall provide reasonable public notice of, and at least one (1) public hearing or meeting to address and communicate its initial Internet safety measures.

Access to Electronic Media

(Acceptable/Responsible Use Policy)

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

PERMISSION/AGREEMENT FORM

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 District 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 District technological resources. This document shall be kept on file as a legal, binding document.

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 Superintendent with a written request.

EMPLOYEE USE

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

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

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

In accordance with KRS 160.145, the Board shall designate a traceable communication system to be the exclusive means for District 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 District employee or volunteer, unless authorized, shall not communicate electronically with a student:

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 District employee or volunteer.

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 Board approved traceable electronic communications systems, including social media platforms and other digital communication sites, if the District 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 use or create personal social networking accounts ~~to~~ with which they communicate directly with or invite students to be friends.

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

If the subject of the report is the Principal, the employee or volunteer shall immediately notify the Superintendent.

If the subject of the report is the Superintendent, the employee or volunteer shall immediately notify the Commissioner of Education and the Chair of the local Board.

Upon receipt of a report alleging that a District employee or volunteer participated in unauthorized electronic communication, the Commissioner of Education, a Principal, or the Superintendent shall immediately:

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 District volunteer, the school or District shall investigate the underlying allegations and, if substantiated, the volunteer shall be prohibited from future school and District volunteer opportunities.

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

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

- ~~— If the subject of the report is a staff member, notify the Principal.~~
- ~~— If the subject is the Principal, notify the Superintendent.~~
- ~~— If the subject is the Superintendent, notify the Commissioner of Education and the Chair of the local Board.~~

Access to Electronic Media

(Acceptable/Responsible Use Policy)

COMMUNITY USE

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

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

DIGITAL CITIZENSHIP AND RESPONSIBLE USE

All District technology users shall demonstrate safe, savvy, and social digital citizenship skills by practicing respectful, responsible, and ethical use of technology. The District 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 District shall support efforts to instill digital citizenship skills in students to foster a responsible, safe, and empowered digital learning environment. District-provided technology resources shall be used in a manner that upholds the integrity, security, and privacy of district 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 District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, or other computing and telecommunications technologies.

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

RESPONSIBILITY FOR DAMAGES

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

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 District 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 district 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 District resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system.

The Superintendent/designee shall establish a process to determine whether the District's education technology is being used for purposes prohibited by law or for accessing 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 District-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.

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

Food/School Nutrition Services

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

MEALS

The School Nutrition Program shall serve nutritious meals that meet or exceed the state and federal regulations.

MEAL CHARGES

Upon selecting a reimbursable meal, paying students must pay for a meal via cash, check, MySchoolBucks, or prepaid meal account. Students may charge the first reimbursable meal if funds are not available. Second meals, a la cartes and single items, cannot be charged; must be paid for in advance or at the time of purchase. Available payment systems and meal prices are posted on the District website.

When a student accumulates meal charges, parents/households are notified regarding the meal debt throughout the year.

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

Adults must pay for meals/ala carte items in advance via a meal account or at the time of purchase. Adult meals or a la carte items may not be charged.

FOOD SERVICE/SCHOOL NUTRITION DIRECTOR

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

ANNUAL REPORT

ANNUAL REPORT/PUBLIC FORUM

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

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

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

By January 31 of each year, the Board will receive a health and wellness report related to school nutrition and physical activity which will be posted to the district website for public review.

DISCRIMINATION COMPLAINTS

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race,

color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Access to Electronic Media

(Acceptable/Responsible Use Policy)

COMMUNITY USE

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

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

DIGITAL CITIZENSHIP AND RESPONSIBLE USE

All District technology users shall demonstrate safe, savvy, and social digital citizenship skills by practicing respectful, responsible, and ethical use of technology. The District 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 District shall support efforts to instill digital citizenship skills in students to foster a responsible, safe, and empowered digital learning environment. District-provided technology resources shall be used in a manner that upholds the integrity, security, and privacy of district 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 District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, or other computing and telecommunications technologies.

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

RESPONSIBILITY FOR DAMAGES

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

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 District 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 district 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 District resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system.

The Superintendent/designee shall establish a process to determine whether the District's education technology is being used for purposes prohibited by law or for accessing 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 District-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.

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

Access to Technology Resources

(Acceptable Use Policy)

The Board supports reasonable access to various online and electronic resources for students, employees and the community and believes it is incumbent upon users to utilize these resources in an appropriate and responsible manner as required by this policy and related procedures, which apply to all parties who use District technology.

SAFETY PROCEDURES AND GUIDELINES

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

Education is the most effective way to ensure appropriate use of the Internet and other electronic resources. Accordingly, all students and staff will successfully complete an age appropriate digital citizenship program each year.

Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and through digital messaging as well as cyberbullying awareness and response.

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

- Controlling access by minors to inappropriate or harmful material on the Internet;
- Safety and security of users when they are using District provided or sponsored electronic mail, and other forms of electronic communications;
- Preventing unauthorized access, including "hacking" and other unlawful activities online;
- Unauthorized disclosure, use and dissemination of personal information; and
- Restricting access to materials or websites that may pose a threat to the District owned network and/or devices.

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

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

Specific expectations for appropriate Internet use shall be reflected in the District's Acceptable Use Policy for staff and students.

Access to Technology Resources

(Acceptable Use Policy)

PERMISSION/AGREEMENT FORM

~~Written permission from a parent/guardian shall be required prior to the student being granted independent and comprehensive access to District technology resources.~~

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

EMPLOYEE USE

~~Employees are encouraged to use electronic mail and other District technology resources to promote student learning and to communicate with the students, families, and the community. If these resources are used, they shall be used for purposes directly related to work-related activities.~~

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

~~District employees and activity sponsors may set up websites and other social media accounts using District resources and following District guidelines to promote communications with students, families, and the community concerning school-related activities and for the purpose of supplementing classroom instruction.~~

~~Technology resources offering instructional benefits may be used for the purpose of supplementing classroom instruction and to promote communications with students and parents concerning school-related activities.~~

~~In order for District employees and activity sponsors to utilize a social media site for instructional, administrative or other work-related communication purposes, they shall comply with the following:~~

- ~~1. Staff members will set up the site following any District guidelines developed by the Superintendent's designee.~~
- ~~2. Guidelines may specify whether access to the site must be given to school/District technology staff.~~
- ~~3. If written parental consent is not otherwise granted through AUP forms provided by the District, staff shall notify parents of the site and obtain written permission for students to become "friends" prior to the students being granted access. This permission shall be kept on file at the school as determined by the Principal.~~
- ~~4. Once the site has been created, the sponsoring staff member is responsible for the following:~~
 - ~~1. Monitoring and managing the site to promote safe and acceptable use; and~~
 - ~~2. Observing confidentiality restrictions concerning release of student information under state and federal law.~~

Access to Technology Resources

(Acceptable Use Policy)

EMPLOYEE USE (CONTINUED)

Staff members are discouraged from doing the following:

1. Creating personal social networking sites to which they invite students to follow, be friends or interact; or
2. Engaging in personal non-instructional interactions with students via technology or electronic resources.

Employees taking such actions do so at their own risk.

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

COMMUNITY USE

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

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

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 technology or electronic resources.

AUDIT OF USE

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

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

1. Utilizing technology that meets requirements of Kentucky Administrative Regulations and that blocks or filters Internet access for both minors and adults to certain visual depictions that are obscene, child pornography, or, with respect to computers with Internet access by minors, harmful to minors;

Access to Technology Resources

(Acceptable Use Policy)

AUDIT OF USE (CONTINUED)

2. — Maintaining and securing a usage log; and
3. — Monitoring online activities of all users.

PENALTIES

Violations of this policy or refusal to sign required acceptable use documents may result in loss of access to school or District on-line communications. Additional penalties may be imposed against staff, including possible termination of employment. Additional penalties may be imposed against students according to the Student Code of Conduct. Teachers and other staff who supervise students shall report violations to the Principal.

RESPONSIBILITY FOR DAMAGES

Students or staff members who deface a District web site or otherwise make unauthorized changes to a website or other online technology resources or systems used by the District shall be subject to disciplinary action, up to and including expulsion and termination, as appropriate.

RETENTION OF RECORDS FOR E-RATE PARTICIPANTS

Following initial adoption, this policy and documentation of implementation shall be retained according to USAC and E Rate guidelines.

REFERENCES:

KRS 61.931; KRS 61.932; KRS 61.933
KRS 156.675; 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:

01.61
02.4241
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

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

The Board shall designate a traceable communication system to be the exclusive means for District 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.

A District employee or volunteer, unless authorized, shall not communicate electronically with a student:

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 District employee or volunteer.

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.

District Employee or Volunteer

"District 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.

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 District 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.

Traceable Communications

CONSENT TO AUTHORIZE

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

REPORTING

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

If the subject of the report is the Principal, the employee or volunteer shall immediately notify the Superintendent.

If the subject of the report is the Superintendent, the employee or volunteer shall immediately notify the Commissioner of Education and the Chair of the local Board.

Upon receipt of a report alleging that a District employee or volunteer participated in unauthorized electronic communication, the Commissioner of Education, a Principal, or the Superintendent shall immediately:

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 District volunteer, the school or District shall investigate the underlying allegations and, if substantiated, the volunteer shall be prohibited from future school and District volunteer opportunities.

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

REFERENCES:

KRS 156.132

KRS 160.145

KRS 161.011; KRS 161.120; KRS 161.790

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: HB 684 AMENDS KRS 158.070 ESTABLISHING THAT SCHOOL DISTRICTS ARE NOT REQUIRED TO CLOSE IF SCHOOL BUILDINGS ARE USED AS VOTING PLACES.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.3

School Calendar

CALENDAR COMMITTEE

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

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

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

DEVELOPMENT OF CALENDAR

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

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

The meetings may be regular or special.

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

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

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

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

1. Opening and closing dates of the school term,
2. Beginning and ending dates of each school month,
3. Days on which students are scheduled to receive instruction at school within designated start and dismissal times (student attendance days) and the length of each student attendance day in accordance with KRS 158.060,
4. A minimum school term of not less than one hundred eight-five (185) days composed of student attendance days, teacher professional days, and holidays,
5. A student instructional year of at least one thousand sixty-two (1062) hours of instructional time on not less than one-hundred seventy (170) student attendance days,
6. Instructional time required for kindergarten per KRS 157.320 (provided no less than the equivalent of one-half (1/2) day, five (5) days a week for a full school year for each kindergarten pupil),
7. Any instructional time to be banked to make up for full days that may be missed due to an emergency,
8. Days in addition to the student instructional year for the make-up of instructional time missed due to emergency equal to the greatest number of days missed system-wide over the preceding five (5) school years, and
9. Days on which schools shall be dismissed.

ADDITIONAL REQUIREMENTS

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

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

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

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

School Calendar**CALENDAR OPTIONS**

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

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

AMENDING THE CALENDAR

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

EMERGENCY WAIVERS

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

REFERENCES:

1KRS 157.350; KRS 158.070; KRS 161.500
KRS 2.190; KRS 61.823; KRS 118.035
KRS 157.320; KRS 157.360
KRS 158.060; KRS 158.6453
702 KAR 7:130; 702 KAR 7:140

RELATED POLICIES:

01.42; 08.31

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

STUDENTS

09.122

Attendance Requirements

COMPULSORY ATTENDANCE

All children in the District between the ages of six (6), as of August 1, and eighteen (18), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned.¹

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

STUDENTS OLDER THAN EIGHTEEN

Students who have not graduated and are between the ages of eighteen (18) and twenty (20) when school opens may continue in school until graduation or until they are (twenty-one) 21 years of age, whichever occurs first. Students between the ages of eighteen (18) and twenty (20) that have withdrawn from the District without graduating and then wish to return may be permitted to re-enroll with assignment to a school to be determined by the High School Director.

EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school;
2. A pupil who is enrolled in a private or parochial school;
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten- nursery school;
4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study;
5. A pupil who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children;
6. A pupil who is enrolled and in regular attendance in a state supported program for exceptional children; or²
7. A student who has been expelled or who is under suspension from school.
8. A student enrolled in a District-operated alternative education program who attains a High School Equivalency Diploma.⁸

STATEMENT REQUIRED

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

Attendance Requirements

EXCEPTIONS TO PRESENCE AT SCHOOL

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

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,² or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.³
3. Students may participate in cocurricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when cocurricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.⁴
4. Students enrolled and participating in a full-time, online, virtual and remote learning program, or participating in an off-site virtual high school class or block may be counted in attendance in keeping with statute and regulation.^{4 & 9}
5. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.⁴
6. Students who attend ~~aelasses for~~ moral instruction offering at the time specified and for the period fixed shall be:
 - (a) credited with the time of attendance spent as if he of she they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required in KRS 158.060 by law. Students shall not be penalized for any school work missed during the specified ~~moral instruction time~~; and
 - (b) Included in calculating the average daily attendance as if the pupil was in actual attendance in school.⁵
7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.⁶
8. 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&7}
9. 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
10. Students participating in any of the page programs of the General Assembly.³

Attendance Requirements

REFERENCES:

- ¹KRS 159.010; OAG 85-55
²KRS 159.030
³KRS 159.035
⁴702 KAR 7:125
⁵~~KRS 158.240~~KRS 158.200
⁶KRS 158.070
⁷704 KAR 3:305
⁸KRS 158.143
⁹KRS 158.150
KRS 158.030; KRS 159.020; KRS 159.180; KRS 159.990
704 KAR 3:535; 704 KAR 5:060
OAG 79-68; OAG 79-539; OAG 87-40; OAG 97-26

RELATED POLICIES:

08.131, 08.1312; 08.135; 09.111, 09.121; 09.123, 09.36

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

FINANCIAL IMPLICATIONS: ANY COST ASSOCIATED WITH PROVIDING VIRTUAL PROGRAMS

STUDENTS

09.1222

Nonresident Students

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

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

VIRTUAL PROGRAMS

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

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

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

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

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

REFERENCES:

¹KRS 158.120
KRS 157.350

RELATED POLICIES:

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

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

STUDENTS

09.1224

Online, Virtual, and Remote Learning

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

The District shall ensure that:

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

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

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

ENROLLMENT

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

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

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

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

ATTENDANCE

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

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

Online, Virtual, and Remote Learning

ATTENDANCE (CONTINUED)

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

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

GRADUATION REQUIREMENTS

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

STATE ASSESSMENTS

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

EXTRACURRICULAR ACTIVITIES

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

INSTRUCTIONAL SUPPORT AND MATERIALS

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

PERSONNEL

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

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

CLASS SIZE

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

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

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

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

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

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

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

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

REFERENCES:

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

RELATED POLICIES:

08.113; 08.1131; 08.222; 09.1222; 09.123; 09.3

THIS CONTAINS INSTRUCTIONS FOR CREATING A DISTRICT POLICY THAT MEETS THE REQUIREMENTS OF 7 C.F.R. 210.31.

REFER TO KDE'S "A GUIDE TO WELLNESS POLICIES IN KENTUCKY" FOR GUIDANCE IN CREATING OR UPDATING THE POLICY. THE GUIDE CAN BE FOUND AT WWW.EDUCATION.KY.GOV.

RECOMMENDED: KSBA AND KDE COLLABORATED TO MINIMIZE CONFUSION BY DISTRICT STAFF AND MITIGATE THE RISK OF FEDERAL NON-COMPLIANCE AND RELATED DISTRICT FINDINGS FOR STUDENT WELFARE AND WELLNESS.

FINANCIAL IMPLICATIONS :IMPLEMENTING WELLNESS PLANS

LEGAL: SB 68 REPEALS KRS 158.856 REMOVING THE REPORTING REQUIREMENTS RELATING TO PHYSICAL ACTIVITY AND AMENDS KRS 157.065 REMOVING THE REPORTING REQUIREMENTS RELATING TO PARTICIPATION IN THE BREAKFAST PROGRAMS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.2

Student Wellness

The health and safety of pupils ~~shall be~~ is a priority consideration in all Board decisions.

The Board is committed to providing school environments that promote and protect student health, well-being, and ability to learn by supporting healthy eating and physical activity. To this end, the Board supports school efforts to implement the following:

- To the maximum extent practicable, schools will participate in available federal school meal programs.
- Schools will provide and promote nutrition education and physical education to foster lifelong habits of healthy eating and physical activity and will establish linkages between health education, school meal programs, and related community services.
- All schools containing grades K-5 or any combination thereof, shall develop and implement an individual wellness policy that includes moderate to vigorous physical activity each day and encourages healthy choices consistent with KRS 160.345 and Board Policy 02.4241, and per KRS 160.345 and Board Policy 02.4241 the Center for Disease Control and Prevention Whole Student Whole School Whole Community model. Additionally, all other schools/programs (6-12) in the District shall develop and implement an individual wellness policy. Individual school wellness policies shall be monitored by the school's wellness committee.
- The policy may permit physical activity to be considered part of the instructional day (not to exceed thirty (30) minutes per day or 150 minutes per week and also in compliance with the school calendar regulation, 702 KAR 7:140 and Board Policy 08.1346. In classroom activity can also be considered.

DISTRICT WELLNESS LEADERSHIP COMMITTEE

The Superintendent/designee ~~will~~ shall direct District officials (~~"wellness leadership group"~~) to monitor compliance with this and related policies through a District Wellness Committee comprised of internal and external stakeholders. At the school level, the Principal/designee will monitor compliance with those policies in their school and will report on the school's compliance as directed by the Superintendent/designee.

The wellness leadership group shall work to encourage and support all students to be physically active on a regular basis as provided by school/council policy. Each school shall review and consider evidence-based strategies to set measurable goals in providing nutrition education and engaging in nutrition promotion to positively influence lifelong eating behaviors.

Suggested language may include goals related to activities and opportunities:

- offered at each grade level as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;
- offered as not only part of health education classes, but also classroom instruction in subjects, such as math, science, language arts, social sciences, and elective subjects;
- that include enjoyable, developmentally appropriate, and culturally relevant participatory activities, such as contests, promotions, taste testing events, and farm to school events and agricultural education;

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- that promote fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods, and health-enhancing nutrition practices;
- that emphasizes caloric balance between food intake and energy expenditure (physical activity/exercise);
- that link with school meal programs, foods sold in schools, and nutrition-related community services; and
- that teach media literacy with an emphasis on marketing practices that relate to a healthy lifestyle; and includes training for teachers and other staff.

Student Wellness**PHYSICAL ACTIVITY**

Each school council of a school containing grades K-5 or any combination thereof, or if there is no school council, the Principal, shall develop and implement a wellness policy that includes moderate to vigorous physical activity each day and encourages healthy choices among students consistent with [KRS 160.345](#) and Board Policy 02.4241.

DISTRICT WELLNESS PLAN/PUBLIC AND STAFF INPUT

The District shall actively seek to engage ~~students, parents, physical and/or health education teachers, school food service professionals, school health professionals, school board members, school administrators, and other interested community members~~ internal and external stakeholders in developing, implementing, monitoring, and reviewing this Policy and in providing input on the District Wellness Plan.

The District ~~shall~~ will permit community participation in the student wellness process by:

- Making a nutrition and physical activity report to be prepared by the School Nutrition Director and District Health Services Coordinator available to the public on the District website no later than sixty (60) days prior to the public forum covered in [KRS 158.856 \(702 KAR 006:090\)](#).
- Discussing the findings of the nutrition report and physical activity report and seeking public comments during a publicly advertised special Board meeting or at the next regularly scheduled Board meeting following the release of the nutrition and physical activity reports.
- Holding an advertised public forum by January 31 of each year, to present a plan to improve the school nutrition and physical activities in the District in accordance with [KRS 158.856](#).

The Superintendent/~~Designee~~ shall submit the wellness plan that includes a summary of the findings and recommendations of the nutrition and physical activity report as required by May 1 of each year to the Kentucky Department of Education (KDE).

The Wellness Plan submitted to KDE shall include within the findings and recommendations the following:

1. Extent to which the District is in compliance with this Policy;
2. A comparison of how the District measures up to model wellness policies provided by recognized state and national authorities; and
3. A description of the measurable progress made towards reaching goals of the District wellness policy and addressing any gaps identified in the wellness report for the previous year.

Student Wellness**RECORDKEEPING**

The District and each school in the District shall maintain the following records:

- A copy of the written wellness policy or plan;
- Documentation on how the policy and assessments are made available to the public;
- The most recent assessment of implementation of the policy;
- Documentation of efforts to review and update the policy, including who was involved in the process and how stakeholders were made aware of their ability to participate; and
- Documentation demonstrating compliance with annual public notification requirements and annual reporting to the KDE.

STANDARDS AND NUTRITION GUIDELINES FOR ALL FOODS AND BEVERAGES

Foods and beverages sold during the school day shall be done in accordance with state and federal regulations and Board policies 07.111 and 07.12.

STANDARDS FOR ALL FOODS AND BEVERAGES SOLD TO STUDENTS

Foods and beverages sold or served at school shall be consistent with the state and federal regulations for school meal nutrition standards. Nutrition guidelines for all foods and beverages served or sold on campus shall be maintained by the Superintendent/designee and made available on request. The Superintendent shall designate an individual or individuals to monitor compliance of beverages and food sold ala carte with state and federal guidelines.

Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate student food allergies and the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.

STANDARDS FOR ALL FOODS AND BEVERAGES PROVIDED BUT NOT SOLD TO STUDENTS

- Rewards given to students should be other than food/beverage items. When food/beverage items are used as rewards, such items shall comply with nutritional guidelines set out in 7 C.F.R 210.11 and [702 KAR 006:090](#).
- Foods and beverages provided in school, but not made available for sale, shall meet standards outlined in the schools' individual wellness policy or plan (if applicable) and will not conflict with District Policy.

FOOD AND BEVERAGE MARKETING

All marketing on the school campus during the school day shall be of only those foods and beverages that meet the nutrition standards of the Smart Snack in School Nutrition Standards (7 C.F.R 210.11 and [702 KAR 006:090](#)).

STUDENTS

09.2
(CONTINUED)

Student Wellness

FOOD AND BEVERAGE MARKETING (CONTINUED)

Food and beverage not sold by the school cafeteria shall comply with USDA National School Breakfast/Lunch Regulations. Nothing can be sold from 12:00 a.m. until thirty (30) minutes after the last lunch period; thirty (30) minutes after the last lunch period until after the regular school day ends only Smart Snack Compliant items may be sold; thirty (30) minutes after the end of the regular school day anything may be sold without restriction.

REFERENCES:

[KRS 158.850](#); [KRS 158.854](#)

[KRS 160.290](#); [KRS 160.345](#)

[702 KAR 006:090](#)

P. L. 111-296

7 C.F.R. Part 210

7 C.F.R. Part 220

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

Fayette County Public School District's Wellness Plan on Nutrition and Physical Activity

RELATED POLICIES:

02.4241; 07.1; 07.111; 07.12; 08.1346

Adopted/Amended: 6/24/2024DATE

Order #:

LEGAL: HB 48 AMENDS KRS 156.095 REQUIRING DISTRICTS TO IMPLEMENT A FOUR (4) YEAR RECURRING PROFESSIONAL DEVELOPMENT TRAINING SCHEDULE THAT INCLUDES ALL REQUIRED PROFESSIONAL DEVELOPMENT TRAININGS, AND THAT ALL CERTIFIED SCHOOL EMPLOYEES COMPLETE DESIGNATED TRAININGS WITHIN TWELVE (12) MONTHS OF INITIAL HIRE AND AT LEAST ONCE EVERY FOUR (4) YEARS THEREAFTER. MOVING PROFESSIONAL DEVELOPMENT REQUIREMENTS TO POLICY 03.19.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.22

Student Health and Safety

PRIORITY

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

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

HEALTH SERVICES TO BE PROVIDED

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

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

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

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

SAFETY PROCEDURES

All pupils shall receive annual instruction in school bus safety.

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

ANONYMOUS REPORTING TOOL

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

The District may use the Kentucky Office of Homeland Security's anonymous reporting tool or provide an alternative anonymous reporting tool that meets the same requirements and shall develop and provide a comprehensive training and awareness program on the use of the chosen anonymous reporting tool.⁴⁵

Student Health and Safety

STUDENT IDENTIFICATION BADGES

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

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

ANIMALS IN THE CLASSROOM

When there is a specific and appropriate educational purpose, the Principal may authorize the housing of animals or insects in classrooms. However, the health and safety of students and staff shall be a priority consideration when considering such requests. When a request is granted, teachers shall adhere to guidelines set out in administrative procedures. No other animals will be permitted in any District building except as required under the Americans with Disabilities Act or as approved by the District Crisis Response Team

SUICIDE PREVENTION STAFF TRAINING

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

SUICIDE PREVENTION STUDENT LESSONS

Each public school shall provide two (2) high-quality, evidence-based suicide prevention awareness lessons each school year, the first by September 15 and the second by January 15, either in person, by live streaming, or via a video recording to students in grades six (6) through twelve (12). The school shall provide an opportunity for any student absent on the day the high-quality, evidence-based suicide prevention awareness lesson was initially presented to receive the lesson at a later time. The information may be obtained from the Cabinet for Health and Family Services or from a commercially developed suicide prevention training program.²

SEIZURE DISORDER MATERIALS

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

Student Health and Safety

REFERENCES:

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

²~~KRS 158.039~~~~KRS 156.095~~

³~~KRS 158.070~~

⁴³KRS 158.038

⁵⁴KRS 158.4451

KRS 156.160; KRS 158.836; KRS 158.838

702 KAR 5:030

Americans with Disabilities Act

RELATED POLICY:

09.2241

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

STUDENTS

09.2211

Employee Reports of Criminal Activity

To promote the safety and well-being of students, the District requires employees to make reports required by state law in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

KRS 158.154

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

KRS 158.155

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

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

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

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

Employee Reports of Criminal Activity**KRS 158.156**

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

KRS 209A.100

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

KRS 209A.110

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

KRS 620.030

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

REFERENCES:

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

RELATED POLICIES:

03.13251; 03.23251; 03.13253; 03.23253
05.48
09.227; 09.422; 09.423; 09.425; 09.426; 09.438

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

STUDENTS

09.2241

Student Medication

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

AUTHORITY TO DISPENSE

School personnel selected by the Principal and who have completed training required by law, shall dispense medication to pupils only if the medication has been prescribed or ordered by a health care practitioner or dentist. Antiseptic and appropriate other emergency medications shall be maintained in the first-aid kit.

PARENT PERMISSION

Pupils may take medicine which is brought from home once a completed authorization form from the parent/guardian is on file,¹ provided the conditions required by administrative procedures are met.

STORAGE

Except for emergency medications (including, but not limited to, FDA approved seizure rescue medication and injectable epinephrine devices) and medications approved for students to carry for self-medication purposes, all medications dispensed to pupils by authorized school personnel shall be kept in the school in a safe, secure place designated by the Principal. In addition, authorized school personnel shall document on approved forms the dispensing of medications to pupils.

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."

Student Medication

PRESCRIPTION MEDICATIONS (CONTINUED)

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.

SELF-ADMINISTRATION

~~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~~ For out of state field trips in which delegation of medication administration is not allowed, a student may self-administer medication with staff supervision. A completed parent/guardian self-administration authorization signed by parent/guardian and health care practitioner is required. Students may self-administer sunscreen only with parent authorization.

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

~~In accordance with KRS 158.836, s~~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, the District shall notify students in writing of this prohibition and that violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion.

Student Medication

REFERENCES:

¹OAG 73-768

²KRS 158.834; KRS 158.838

³KRS 158.836

KRS 156.502; 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

RELATED POLICIES:

09.22; 09.224; 09.423

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

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.227

Child Abuse

REPORT REQUIRED

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected¹, or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make an oral or written report, including but not limited to electronic submission, to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's or County Attorney in accordance with KRS 620.030.²

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

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

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

WRITTEN REPORT

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

WRITTEN RECORDS

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

INTERVIEWS

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

Child Abuse

AGENCY CUSTODY

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

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

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

~~REQUIRED TRAINING~~

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

OTHER

Staff shall be trained with the guidance included in Policies 03.19 and 03.29 herein.

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

REFERENCES:

¹KRS 600.020

²KRS 620.030; KRS 620.040

³OAG 85-134; OAG 92-138

⁴KRS 620.072

KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580

KRS 156.095; KRS 158.041; KRS 199.990; KRS 209.020

KRS 508.125

KRS 620.050; KRS 620.146

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

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

STUDENTS

09.227
(CONTINUED)

Child Abuse

RELATED POLICIES:

03.19; 09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

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

STUDENTS

09.313

Eligibility (Athletics)

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

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

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

PARTICIPATION BY ATTENDANCE AREAS

Unless excepted by administrative procedures, students are to participate in athletics at the school serving the attendance area of their parents' residence.

Any student in grades six through twelve (6-12) who attends a school other than his/her assigned school shall be ineligible for all interscholastic sports for one (1) calendar year following enrollment. If for any reason other than an exception granted pursuant to administrative procedure, the student does not serve the one (1) calendar year of ineligibility upon enrollment, then upon discovery by the coach, assistant coach, or District administrator, the student's improper participation shall immediately be reported to the District Athletic Director. The District athletic director shall report to the Director of Middle Schools for a middle school student and/or to the Director of High Schools for a high school student and facts and circumstances shall be reviewed. The student shall be notified that he/she is ineligible for participation in any interscholastic sport at any school within the District for a period of one (1) calendar year from the date of discovery of the student's ineligibility. In addition, all games in which the ineligible student played shall be subject to forfeiture.

Any student requesting a transfer back to his/her school-of-residence and who has represented the out-of-District school will be ineligible for one (1) calendar year from date of transfer.

WAIVER FOR ATHLETIC ELIGIBILITY

Requests for a waiver of ineligibility for all interscholastic sports for the calendar year following approval should be made to either the Director of High Schools if a high school athletic sport is in question or to the Director of Middle Schools if a middle school athletic sport is in question. Decisions will be made by the Director to whom the request is submitted. Appeals of the School Director's decision may be made to the Superintendent, whose decision will be final.

Eligibility (Athletics)**ELIGIBILITY GUIDELINES**

Students who have previously participated in secondary athletics at one District school and have transferred to another District school shall have athletic eligibility determined according to the following guidelines:

(1) REDISTRICTING

Students in grades seven through twelve (7-12) whose area assignment is changed by the Board due to redistricting shall be eligible for participation in all sports at the new schools without any period of ineligibility. If required, the Board will apply to the Commissioner of the KHSAA for a waiver of the ineligibility period for such pupils who are redistricted.

Such students shall be ineligible to participate at their former schools unless they are seniors who qualify under guideline number three (3) below or who have been granted a waiver in conjunction with a change in area assignment.

(2) CHANGE OF SCHOOLS FOR OTHER REASONS

After enrolling in grades seven through twelve (7-12), students who represent a secondary school and who then change schools within the District for reasons other than redistricting by the Board, shall be ineligible for participation in all sports for the following one (1) calendar year after enrollment. If for any reason other than an exception granted pursuant to administrative procedure, the student does not serve the one (1) calendar year of ineligibility upon enrollment, then upon discovery by the coach, assistant coach, or District administrator, the student's improper participation shall immediately be reported to the District Athletic Director. The District Athletic Director shall report to the Director of Middle Schools for a middle school student or to the Director of High Schools for a high school student and facts and circumstances shall be reviewed. The student shall be notified that he/she is ineligible for participation in any interscholastic sport at any school within the District for a period of one (1) calendar year from the date of discovery of the student's ineligibility. In addition, all games in which the ineligible student played shall be subject to forfeiture.

Students who change schools because of a change in residence of their parents may participate in sports at the new schools, provided the Commissioner of the KHSAA waives the period of ineligibility or if such students are seniors who qualify under guideline number three (3) below.

Students who are to change schools because of a change in the residence of their parents and who are members of an athletic team whose season has started have the option of requesting out-of-district placement at the former school and, if permission is granted, are eligible to complete the remainder of the athletic season in that particular sport at the former school. That student, however, is ineligible for any additional sports at the former school.

Students who change schools because of a change in guardianship, regardless of the reason, shall be ineligible for participation in all sports for the following one (1) calendar year following enrollment, except for a change in schools brought about by the following:

- a. A change in guardianship between parents pursuant to a proper court order granting custody of a student to only one (1) of the parents; or

Eligibility (Athletics)**(2) CHANGE OF SCHOOLS FOR OTHER REASONS (CONTINUED)**

- b. A change in guardianship due to the death of a student's sole guardian.

However, the foregoing exceptions will not apply if there is evidence that the change in guardianship is the result of the recruitment of the student or there is evidence that the change in guardianship is for athletic advantage which is defined as, but not limited to the following:

- a. Seeking a superior athletic team;
- b. Seeking relief due to conflict with the philosophy or action of an administrator, teacher or coach relating to sports;
- c. Seeking a team consistent with a student's athletic abilities; or
- d. Seeking a means to nullify punitive action by the previous school.

If the student is subject to, but does not serve, the one (1) calendar year of ineligibility following the change of schools, then upon discovery of the student's improper participation in sports by the coach, assistant coach, or District administrator, the student's improper participation shall immediately be reported to the District Athletic Director. The District Athletic Director shall report to the Director of Middle Schools for a middle school student or to the Director of High Schools for a high school student and facts and circumstances shall be reviewed. The student shall be notified that he/she is ineligible for participation in any interscholastic sport at any school within the District for a period of one (1) calendar year from the date of discovery of the student's ineligibility. In addition, all games in which the ineligible student played shall be subject to forfeiture.

(3) WAIVER FOR SENIORS

When students in grade twelve (12) would be otherwise required to attend high schools different than the ones where they participated in sports the previous year, due to a change in residence of their parents, they may elect to continue to attend their former school during their senior year. Should they so elect, they or their parents shall furnish the students' transportation to and from school unless regular school bus service can be utilized without causing problems with routing and overcrowding.

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 District school of that student's residence.

REFERENCES:

¹KRS 160.345

²KRS 156.070

Kentucky High School Athletic Association (KHSAA) Handbook
702 KAR 7:065; OAG 15-022

Eligibility (Athletics)

RELATED POLICIES:

02.4241

09.1222

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

09.423

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

STUDENTS

09.421

Care of School and Personal Property

PUPILS RESPONSIBLE

Pupils shall be held responsible for damage to school property.

SCHOOL PROPERTY

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

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

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

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

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

PERSONAL PROPERTY OF SCHOOL PERSONNEL

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

STUDENTS' PROPERTY

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

PARENTS LIABLE

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

REFERENCES:

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

²KRS 158.150

~~KRS 158.154; KRS 158.155;~~ KRS 160.290
704 KAR 3:455

RELATED POLICY:

09.2211; 09.438

LEGAL: 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

Sexual Extortion

DEFINITION (CONTINUED)

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

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

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

This section does not apply to:

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

STUDENT AND PARENT NOTIFICATION

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

SIGNAGE

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

Sexual Extortion

SIGNAGE (CONTINUED)

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

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

REFERENCES:

¹KRS 531.125

²KRS 158.157

³KRS 158.158

KRS 17.500

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

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

RELATED POLICIES:

08.2323

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

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.

POSSESSION AND USE

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess and ~~and use~~ personal telecommunications devices ~~as defined by law¹~~ and other related electronic devices. Students are prohibited from using a personal telecommunication device during instructional time, except during an emergency, if directed to do so by a teacher for an instructional purpose, or if authorized by a teacher.

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

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

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

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

- ~~2. Devices shall be turned on and operated only with permission of school staff or in an emergency situation that involves imminent physical danger.~~
- ~~3.2.~~ 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.
- ~~4.3.~~ Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.
- ~~5.4.~~ Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
- ~~6.5.~~ Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

NOTICE OF POLICY

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

REFERENCES:

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

RELATED POLICIES:

08.2323; 09.426; 09.436; 09.438

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

STUDENTS

09.4294

Driver's License Revocation

The Principal/designee shall notify the Superintendent of Sstudents who are fifteen (15) years of age but less than eighteen (18) years of age~~sixteen (16) or seventeen (17) years old~~ who become academically deficient or drop out of school as defined in KRS 159.051~~deficient in attendance~~. The Superintendent/designee shall ~~be reported,~~ within ten (10) days after receiving notification, send the required student information to the Transportation Cabinet for driver's license, permit or driving privilege revocation.¹

ACADEMIC AND ATTENDANCE DEFICIENCIES

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

1. They shall be deemed academically deficient if they have not received passing grades in at least four (4) courses, or the equivalent of four (4) courses, taken in the preceding semester.
2. They shall be deemed deficient in attendance when they accumulate nine (9) unexcused absences for the preceding semester. Suspensions shall be considered unexcused absences.

REINSTATEMENT OF DRIVING PRIVILEGE

Students whose driving permits are revoked, but later meet the statutory standards for reinstatement, must then apply to the Director of Pupil Personnel to have their standing confirmed. The District shall make the required report to the appropriate agency.

REFERENCES:

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

RELATED POLICIES:

08.221
09.123

- CLASSIFIED PERSONNEL -

Evaluation

Each classified employee with less than four (4) years of continuous service shall be evaluated at least once each year by the Principal/immediate supervisor, as appropriate, and the evaluation shall be based upon a formal procedure approved by the Superintendent for that specific position or class of positions. Classified employees, other than classified administrators, with four (4) or more years of continuous service, shall be evaluated once every ~~fivethree~~ (5) years, unless the supervisor determines a need for additional evaluations. Classified administrators shall be evaluated ~~annually~~ every five (5) years. Additional summative evaluations may be performed at the discretion of the immediate supervisor based upon a case-by-case basis analysis of performance. The supervisor performing the evaluation shall share and discuss the evaluation report with the employee. The employee shall have the right to comment in writing on the evaluation report. The employee's written comments shall be attached to the evaluation report, and the report shall be filed with the Department of Human Resources.

Use of School Facilities and Equipment

AVAILABILITY

The Superintendent/designee(s) shall determine whether, which, and when District facilities, grounds, employees, and equipment are available. The Superintendent designee(s) include the Chief Operating Officer, Facilities Manager, or the Director of Maintenance.

The Superintendent/designee(s) and the school principal or designated faculty administrator must may approve the reasonable use of designated school facilities, grounds, and equipment by responsible non-school groups and individuals (herein after referred to as the "Applicant") during non-instructional time before or after the school day. Such use shall not conflict with scheduled school activities and shall comply with established procedures.

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

A request for use may be rejected when it involves any of the following:

1. A commercial, for-profit activity;
School facilities, grounds, and equipment **shall not be used** for commercial, for-profit activities, unless otherwise authorized by the Superintendent. designee.
2. Lack of availability of facilities, grounds, employees, or equipment on the dates and/or at the time(s) requested;
3. A KHSAA-sanctioned sport or cheerleading activity scheduled to occur during the KHSAA summer "dead period";
4. Failure by the Applicant to timely submit required documents, information, or usage fee payments;
5. Interference with the education of students;
6. Potential danger to the safety or preservation of District facilities, grounds, employees or equipment; or
7. Use that is not in the best interests of the District.

LIABILITY

The facility usage contract shall require that an applicant assume all liability for injury to individuals and damage to property by reason of the use of District facilities, grounds, and equipment. The contract shall additionally require that the Applicant indemnify and hold harmless the District from all loss or damage thereby. Supervision of participants shall be the sole responsibility of the Applicant.

RESTITUTION OF DAMAGES

The Applicant shall reimburse the District for any repair of damages to or replacement of District property lost, stolen, damaged or vandalized while under its care.

Use of School Facilities and Equipment**INSURANCE**

The Superintendent/designee(s) may require, as prerequisites to the approval of any facility usage application, the provision of a certificate of insurance demonstrating that the Applicant possesses adequate general liability insurance with a minimum of one (1) million dollar limit, and the provision of written verification that an endorsement has been added to the Applicant's general liability insurance policy naming the Board as an additional insured in connection with the Applicant's use of the District facility, grounds, and equipment.

APPLICATION AND CONTRACT

The Superintendent/designee(s) shall prepare for Board review and implement an official facility usage application form and an official facility usage contract detailing the terms and conditions of using District facilities, grounds, and equipment. As set out in administrative procedure, the application form shall require such information as may be needed to determine the availability of, and the eligibility of the Applicant to use, District facilities, grounds, and equipment and the costs to the Applicant of using the requested facilities, grounds, employees, and equipment. Both the application form and contract shall be signed by an individual authorized to represent the Applicant.

The Superintendent/designee(s) shall determine the due dates for submission of the application form, the contract, and any other information, documents, payments, or actions requested or required by the Superintendent/designee(s) or the contract.

Approval of a request to use District facilities does not signify District sponsorship, endorsement or approval of an organization or activity.

USE OF EQUIPMENT

The use of District facilities or grounds shall not include the use of District equipment unless such use is specifically approved by the Superintendent/designee(s). The Applicant shall assume full responsibility for any and all expenses resulting from the transfer, repair, or replacement of equipment necessitated by the Applicant's usage. In the event of transfer, repair, or replacement, the Superintendent/designee(s) shall immediately report the same to the Department of Financial Services and to the Applicant.

ESTABLISHMENT AND ASSESSMENT OF USAGE FEES

Prior to the beginning of each new fiscal year, the Superintendent/designee(s) shall prepare a schedule of usage fees designed to recover costs incurred by the District in connection with the use by non-school groups and individuals of District facilities, grounds, and equipment. Fees shall be adjusted each year based on documented cost increases to the District such as those listed below. All such adjustments shall be presented to the Board for its information.

In establishing the schedule of usage fees, the Superintendent/designee(s) may consider any relevant factors including, but not limited to, the following:

Use of School Facilities and Equipment**ESTABLISHMENT AND ASSESSMENT OF USAGE FEES (CONTINUED)**

1. Types of facilities, grounds, employees, and equipment available for use;
2. Utility costs;
3. Employee costs;
4. Cost of wear and tear on facilities, grounds, and equipment;
5. Availability of District employees during an activity;
6. Possible need for additional cleanup to be ready for District business the next business day;
7. Cost involved for students or adults who attend money-making activities, including expenditures for food and/or entertainment;
8. Whether an Applicant is a civic, charitable, government, non-profit, or religious group that provides demonstrable benefit to the schools or to the community as a whole; and
9. ~~fa~~ Admission charges will be made or donations solicited or accepted in connection with an activity; and whether the net proceeds will be used for civic, charitable, government, non-profit, or religious purposes.

FEE COLLECTION, EMPLOYEE PAYMENTS, AND REPORTING

Based on the Board fee schedule, the Superintendent/designee(s) shall determine procedures for assessing, collecting, and depositing usage fees; for paying District employees for work necessitated ~~using by the use of~~ District facilities, grounds, and equipment; and for reporting information relating to the facility usage process.

PRESENCE OF DISTRICT EMPLOYEES

The Superintendent/designee(s) shall determine which employees and the number of employees that will be required and/or permitted to be present during use of District facilities, grounds, and equipment.

In making a determination, the Superintendent/designee(s) may consider any relevant factors including, but not limited to, whether the proposed use requires or involves the following:

- An indoor or outdoor facility;
- A kitchen area;
- District equipment;
- Need for security; and
- Cleanup of the facility, grounds, or equipment to be ready for District use the next business day.

ADMISSION CHARGES AND DONATIONS

Admission charges may be made and donations may be solicited and accepted, as determined by the Superintendent/designee(s), in connection with activities conducted by schools and school-related groups. Admission charges shall not be made and donations shall not be solicited or accepted in connection with any other activity held at or on District facilities or grounds, unless the net proceeds from such admission charges or donations are used exclusively for civic, charitable, government, non-profit, or religious purposes.

Use of School Facilities and Equipment**DISAPPROVAL OF USE**

Disregard of the rules and regulations governing the use of District facilities, grounds, employees, or equipment may result in the Superintendent/designee(s) barring the offending Applicant from further use of District facilities, grounds, and/or equipment. Settlement, agreeable to the Superintendent/designee(s), shall be prerequisite to further use by the Applicant of District facilities, grounds, and equipment.

REFERENCES:

¹KRS 162.055
KRS 158.183; KRS 160.290; KRS 160.293; KRS 160.340
KRS 162.050; KRS 438.050
OAG 60-389; OAG 80-78; OAG 81-295
P. L. 114-95, (Every Student Succeeds Act of 2015)
20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)

RELATED POLICIES:

03.13212/03.23212, 03.1327/03.2327
05.31
09.4232
10.3, 10.4, 10.5

Expulsion

BOARD MAY EXPEL

The Board may expel or extend the expulsion of any student from the regular school setting for misconduct as defined by law. Provision of educational services will be required unless the Board determines, on the record and supported by clear and convincing evidence, that the expelled student posed a threat to the safety of other students or school staff and could not be placed in a state-funded agency program.¹

The Board shall require the expulsion from school for a period of at least twelve (12) months for a student who is determined by the Board:

1. Through clear and convincing evidence to have made threats that pose a danger to the well-being of students, faculty, or staff of the District;
2. To have brought a weapon to a school under its jurisdiction per Board Policy 05.48.

The Board may expel a student for longer than twelve (12) months.

Behavior that may be determined to pose a threat shall include, but not be limited to, the physical assault, battery, or abuse of others on or off school property (and the incident is likely to substantially disrupt the educational process); the threat of physical force; being under the influence of drugs or alcohol; the use, possession, sale, or transfer of drug or alcohol; the carrying, possessing, or transfer of weapons or dangerous instruments; and any other behavior that may endanger the safety of others.

The Superintendent shall present to the Board for its approval options for providing or ensuring that educational services are provided to expelled students.

If the Superintendent/designee determines the behavior in question is not required by law to go to the Board, the Superintendent/designee may refer the student for a hearing before the administrative disciplinary panel conducted by the School Chief and or Legal Office.

Furthermore, in lieu of expelling a student, or upon the expiration of a student's expulsion, the Superintendent/designee may place a student into an alternative program or setting if the Superintendent/designee determines placement of the student in his or her regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or school staff.

Except for extreme cases, a student shall be brought before the Board for expulsion only after reasonable efforts on the part of the school have failed. Such efforts shall include conferences involving the Principal or Associate Principal, teacher(s), parents and student, as well as the full use of guidance services and other appropriate social agencies.

HEARING AND RECORDS REQUIRED

Action to expel, extend the expulsion, or place in an alternative program or setting a student shall not be taken until the parent, guardian, or other person having legal custody or control of the student has had an opportunity for a hearing before the Board.¹ The special education and disciplinary records of IDEA eligible students shall be sent to the Board for review before the decision is made to expel.³ If applicable, a bus driver shall have the opportunity to be heard at any disciplinary hearing against a student relating, at least in part, to misconduct that occurred during the operator's transportation of the student or to misconduct by the student's parent or guardian.

Expulsion**HEARING AND RECORDS REQUIRED (CONTINUED)**

Within thirty (30) days prior to the end of a student's expulsion, the Board shall review the details of the expulsion and current factors and circumstances, including if ending the expulsion will substantially disrupt the education process or constitute a threat to the safety of students or school staff, to determine if the expulsion shall be extended for a period not to exceed twelve (12) months. The expulsion review process shall be used prior to the end of each expulsion period until the Board ends the expulsion or the student is no longer subject to compulsory attendance under KRS 159.010.

BOARD DECISION FINAL

The Board may establish an appeals committee and delegate authority to hear appeals to the committee. Otherwise, the Board's decision shall be final.¹

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, procedures mandated by federal and state law shall be followed. (Students with disabilities who are eligible for services under the law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed. Educational services must continue for IDEA eligible students who are expelled.)^{1&3}

TRANSFER OF RECORDS

Records transferred to another school must reflect the charges and final action of an expulsion hearing if the student was expelled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol or drugs. Records of a student facing an expulsion hearing on charges described above shall not be transferred until the expulsion hearing process is completed.²

REFERENCES:

¹KRS 158.150

²KRS 158.155

³20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA); 707 Chapter 1; Section 504 of the Rehabilitation Act of 1973, as amended

KRS 158.110, KRS 159.010

Honig v. Doe, 108 S.Ct. 592(1988); OAG 78-673

RELATED POLICIES:

05.48; 06.22; 06.34; 09.12; 09.226; 09.2261; 09.423; 09.425; 09.426; 09.43; 09.431; 09.434