



FLOYD COUNTY BOARD OF EDUCATION
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Linda C. Gearheart, Vice-Chair - District 1
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Consent Agenda Item (Action Item): Second reading of the 2025 Annual Policy Update for Policy #48 and Procedure Update (#29),

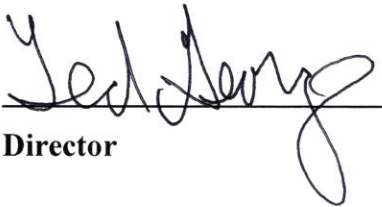
Applicable State or Regulations: Board Policy 01.11 General Powers and Duties of the Board.

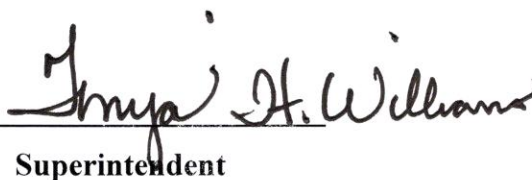
History/Background: The Kentucky School Boards Association (KSBA) provides Floyd County Schools with model policies, recommended revisions, and customized policy updates as part of its annual service agreement. The 2025 Annual Policy Update (Update #48) and, where applicable, the corresponding Procedure Update (#29), include proposed changes that align with newly enacted legal and regulatory requirements.

Fiscal/Budgetary Impact: None unless noted in the individual policy

Recommended Action: Approve second reading as presented.

Contact Person(s): Ted George, Assistant Superintendent


Director


Superintendent

Date: October 10, 2025

School and Community Nutrition Program**PROGRAM FUNDS**

Because the District receives federal, state, and local funds to finance the school and community nutrition program, it is imperative that funds be properly safeguarded, that accurate records be kept, and that reports be made as required. In order to achieve this, the following procedures will be implemented:

1. All funds received as payment for meals (school nutrition program breakfast and/or lunch) and federal and state reimbursements shall be used only for food, labor, equipment, and supplies for the operation/improvement of the school nutrition program.
2. School nutrition program funds may not be used for:
 - a. The purchase of land.
 - b. The purchase or construction of buildings.
3. All schools shall make the required reports as required by the USDA and the Kentucky Department of Education.
4. A copy of all reports, financial records, and applications for free- and/or reduced-price meals shall be kept through the current fiscal year and the three (3) years that follow or through the completion of any unresolved audit issues, whichever is longer.

It is recommended by KDE that if the school/District is operating under the Community Eligibility Provision, copies of Household Income Forms (HIF) be kept following the retention schedule above.
5. All meals receiving federal reimbursement are priced as a complete unit.
6. The school nutrition program is operated on a nonprofit basis. Actual cash balances shall be maintained in accordance with state/federal regulation, as appropriate.

FOOD SERVICE/SCHOOL NUTRITION PROGRAM DIRECTOR REPORT

~~Each year, the District/area Food Service/School Nutrition Program Director shall assess the school nutrition program and issue a written report to parents, the Board, and school-based decision-making councils by a date specified by the Superintendent/designee. The annual report shall include requirements specified by state and federal regulations.~~

REFERENCES:

702 KAR 6:090
7 C.F.R. 245.6

EXPLANATION: REVISIONS TO 704 KAR 3:305 AMEND THE PERFORMANCE-BASED AND STANDARDS-
BASED CREDIT REQUIREMENTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1131 AP.1

Performance-Based Credit

The District ~~may~~ award standards-based, performance-based credits ~~toward~~ high school subjects to be applied toward graduation. Credit shall be awarded for:

- Standards-based course work that constitutes satisfactory demonstration of learning in any high school course ~~approved for performance-based credit~~, consistent with ~~704 KAR 3:305~~ Kentucky Administrative Regulation;
- Standards-based course work that constitutes satisfactory demonstration of learning in a course for which the student failed to earn credit when the course was taken previously;
- Standards-based portfolios, ~~projects, senior year~~ or capstone ~~projects~~;
- Standards-based online or other technology mediated courses;
- Standards-based dual credit or other equivalency courses; ~~or~~
- Standards-based internship, cooperative learning experience, or other supervised experience in the school and the community.

~~Students requesting performance-based credit to apply toward graduation shall make application to the Principal/designee.~~

COURSE DESCRIPTION AND ASSESSMENT

Performance-based course descriptions shall be developed by teachers in areas for which they are certified and reflect needs indicated in the student's Individual Learning Plan (ILP). The content standards of performance-based courses shall be documented to align with the Kentucky Summative Assessment, Kentucky Academic Standards, and Kentucky Academic Expectations.

WORK-BASED LEARNING

Work-based learning experiences provided by the District shall be conducted consistent with provisions of the Kentucky Department of Education's Work-Based Learning Manual. Prior to a student being assigned to a work-based learning experience, a Work-Based Learning Agreement/Plan shall be completed for the student. Site supervisors are considered volunteers subject to Policy 03.6.

COUNCIL RESPONSIBILITY

Performance-based credits will only be accepted by the Board if previously approved by the high school SBDM Council. It is also the responsibility of the high school SBDM Council to determine the appropriateness of content and courses for performance-based credit. The council shall determine what information must be submitted. Required information may include, but is not limited to the following:

- A description of the proposed course;
- Proposed assessment method(s) (e.g., performance tasks, open-response questions, descriptions of expected products);
- How proficiency will be determined;
- Sample papers, projects or other products that would represent work deserving of credit;
- Proposed check points to track progress.

CURRICULUM AND INSTRUCTION

08.1131 AP.1
(CONTINUED)

Performance-Based Credit

COUNCIL RESPONSIBILITY (CONTINUED)

The Council may determine whether the teacher must request additional authorization when a previously approved course must be revised (description, assessment, proficiency determination, checkpoints, etc.).

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 AP.1

Notice of Moment of Silence or Reflection

Dear Parent/Guardian,

A moment of silence or reflection is required in all schools and notification of such is required by KRS 158.175.

The moment of silence or reflection shall occur at the commencement of the first class of each day with the following guidelines included in the statute and Policy 08.1351:

1. The moment of silence or reflection shall be at least one (1) minute but not exceed two (2) minutes in duration;
2. Students are to 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;
3. 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.

Parents are encouraged to review these guidelines and to provide guidance to your student(s) regarding the moment of silence or reflection.

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EXPLANATION: HB 208 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

CURRICULUM AND INSTRUCTION

08.2323 AP.1

Access to Electronic Media**ELECTRONIC MAIL/INTERNET**

The District offers students, staff, and members of the community access to the District's computer network for electronic mail and Internet. Because access to the Internet may expose users to items that are illegal, defamatory, inaccurate, or offensive, we require all students under the age of eighteen (18) to submit a completed Parent Permission/User Agreement Form to the Principal/designee prior to access/use. All other users will be required to complete and submit a User Agreement Form.

Except in cases involving students who are at least eighteen (18) years of age and have no legal guardian, parents/guardians may request that the school/District:

- Provide access so that the parent may examine the contents of their child(ren)'s email files;
- Terminate their child(ren)'s individual email account and/or Internet access; and
- Provide alternative activities for their child(ren) that do not require Internet access.

In addition, parents wanting to challenge information accessed via the District's technology resources should refer to Policy 08.2322/Review of Instructional Materials and any related procedures.

GENERAL STANDARDS FOR USERS

Standards for users shall be included in the District's handbooks or other documents, which shall include specific guidelines for student, staff, and community member access to and use of electronic resources.

Access is a privilege—not a right. Users are responsible for good behavior on school computer networks. Independent access to network service is given to individuals who agree to act in a responsible manner. Users are required to comply with District standards and to honor the access/usage agreements they have signed. Beyond clarification of user standards, the District is not responsible for restricting, monitoring, or controlling the communications of individuals utilizing the network independently.

The network is provided for users to conduct research and to communicate with others. Within reason, freedom of speech and access to information will be honored. During school hours, teachers of younger children will guide their students to appropriate materials. Outside of school, families bear the same responsibility for such guidance as they exercise with information sources such as television, telephones, movies, radio, and other media that may carry/broadcast information.

NO PRIVACY GUARANTEE

The Superintendent/designee has the right to access information stored in any user directory, on the current user screen, or in electronic mail. S/he may review files and communications to maintain system integrity and insure that individuals are using the system responsibly. Users should not expect files stored on District servers or on District provided or sponsored technology services, to be private.

Access to Electronic Media**RULES AND REGULATIONS**

Violations of the Acceptable Use Policy include, but are not limited to, the following:

- Violating State and Federal legal requirements addressing student and employee rights to privacy, including unauthorized disclosure, use and dissemination of personal information.
- Sending or displaying offensive messages or pictures, including those that involve:
 - Profanity or obscenity; or
 - Harassing or intimidating communications.
- Damaging computer systems, computer networks, or school/District websites.
- Violating copyright laws, including illegal copying of commercial software and/or other protected material.
- Using another user's password, "hacking" or gaining unauthorized access to computers or computer systems, or attempting to gain such unauthorized access.
- Trespassing in another user's folder, work, or files.
- Intentionally wasting limited resources, including downloading of freeware or shareware programs.
- Using the network for commercial purposes, financial gain or any illegal activity.
- Accessing social media by a student unless authorized to do so by a teacher for an instructional purpose.
- Using technology resources to bully, threaten or attack a staff member or student or to access and/or set up unauthorized blogs and online journals, including, but not limited to MySpace.com, Facebook.com or Xanga.com.

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Additional rules and regulations may be found in District handbooks and/or other documents. Violations of these rules and regulations may result in loss of access/usage as well as other disciplinary or legal action.

RELATED POLICIES AND PROCEDURES:

08.2322
09.14

LEGAL: SB 181 PERMITS A PARENT TO SUBMIT WRITTEN CONSENT FOR A DESIGNATED SCHOOL DISTRICT EMPLOYEE OR VOLUNTEER TO COMMUNICATE ELECTRONICALLY WITH A STUDENT OUTSIDE OF THE TRACEABLE COMMUNICATION SYSTEM. EXCLUDES COMMUNICATIONS BETWEEN A PARENT THAT IS A SCHOOL DISTRICT EMPLOYEE OR VOLUNTEER AND HIS OR HER OWN CHILDREN.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.2324 AP.2

Consent for Outside Traceable Communications

A parent may 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.

A completed form for each designated District employee or volunteer shall be filed in the administrative office of the student's school prior to any outside electronic communication being sent and may be revoked by a parent at any time.

Name of Student: _____

I hereby consent to authorize the following to communicate with my child outside of the traceable communication system.

Name of employee/volunteer: _____

Reason(s) for the communication: _____

Is Parent to be included on all communications? ☐ Yes ☐ No

Expiration Date for this form's consent: _____

My consent does not authorize a District employee or volunteer to engage in inappropriate or sexual electronic communication with my student or be used as a basis of a defense for a District employee or volunteer that engages in inappropriate or sexual electronic communication.

Signature of Parent _____ Date _____

Any electronic communication with a student outside of the traceable communication system shall comply with all terms of this written consent.

Signature of Employee or Volunteer _____ Date _____

For administrative office use only:

Received by _____ Date _____

THIS DOCUMENT CONTAINS INSTRUCTIONS FOR CREATING YOUR DISTRICT PROCEDURE.
EXPLANATION: 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: ADDITIONAL SEEK FUNDING FOR ONLINE, VIRTUAL STUDENTS

STUDENTS

09.1224 AP.1

Online, Virtual, and Remote Learning

Procedures shall include at a minimum:

- a. The purpose of the program, including the ways the program supports the District's postsecondary readiness goals for students;
- b. Student eligibility criteria;
- c. The process for enrolling students in the program, including procedures to ensure voluntary placement;
- d. Procedures for transitioning students out of the program;
- e. Procedures for the regular, periodic monitoring of the program by the District;
- f. Procedures for the development and implementation of student Individual Learning Plans;
and

Implementation of an application and on-boarding process to ensure students and families understand the expectations for students in a full-time enrolled online, virtual, and remote learning program and a determination of candidacy.

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EXPLANATION: 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 AP.1

Guidelines for Dispensing Student Medication**STUDENT SELF-MEDICATION**

Students may be authorized to carry on their person and independently take their own medication as prescribed by their health care practitioner, provided the parent/guardian has written approval on file with school personnel. Such approval shall assure school personnel that the child has been properly instructed in self-administering the medication.

ALL OTHER MEDICATIONS

1. The first dose of any new medication should be given at home when possible. Medication that must be given at school should be brought to school by the parent/guardian whenever possible. Medication that is brought to school must be in the original container with the student's name on the outside and given to the Principal's designated health services personnel immediately upon arrival. The medication should be counted, and the number of pills received should be noted on the Medication Administration Record. Health services personnel shall meet with the parent/guardian to discuss the student's medication needs, prior to the student taking medications at school or school related events.
2. ~~Prescribed oral medications in pill or tablet form shall be counted and the number recorded on the Medication Administration Record.~~
- 3.2 The Principal shall designate two (2) trained school personnel to witness students taking medications.
- 4.3 Except for emergency medications (including, but not limited to FDA approved seizure rescue medications and injectable epinephrine devices) approved for students to carry for self-medication purposes all medications shall be kept locked in an area designated by the Principal accessible only to the responsible authorized school personnel. Medications requiring refrigeration shall be stored in a separate refrigerator in a supervised area.
- 5.4 Any use of opioid antagonist shall comply with KRS 217.186.
- 6.5 School personnel who administer medication shall arrange for the child to take the medication at the proper time.
- 7.6 Unless otherwise approved to self-medicate, students are to be supervised by an authorized individual when taking medication. The person witnessing the taking of medication must keep a written record.

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CONTROLLED/SCHEDULED MEDICATIONS

"Controlled/scheduled medications" are medications that are potentially addictive and are regulated under the Controlled/Scheduled Substance Act of 1970. The following are the procedures related to the administration and storage of controlled/scheduled medications:

- Kept under double lock and key
- Kept separate from other medications
- Signed out each time a dose is administered
- Trained staff shall count and record the number of remaining pills on the student's medication record each time a dose is administered.

Guidelines for Dispensing Student Medication**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.

Prescription medications shall be taken only as prescribed on the physician/health care provider's written authorization. Parents/guardians shall bring to school the prescription medications in amounts needed during school hours for two (2) week or longer increments unless otherwise approved by the Principal or designee. Schools shall accept only a month's supply of medication for any student.

Parents/guardians shall bring all prescription medication, original or refill, 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 presented, sold, or dispensed by a practitioner or other persons authorized under this chapter, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same."

Changes in the dosage and/or times of taking medication must be received in the form of a written order from the physician/health care provider, and the parent/guardian must bring to school a new prescription bottle from the pharmacy indicating the change.

NONPRESCRIPTION MEDICATIONS

Nonprescription (over the counter) medications may be accepted on an individual basis as provided by the parent or legal guardian when prescribed by a physician and when a completed authorization form for the student to take the medication is on file. The parent/guardian must bring to school the medication in its original container, dated upon receipt, with a two (2) week or longer supply, and with the physician/health care provider's order attached to the container.

With approval of the Health Care Coordinator and the Principal, nonprescription medications for periods of fewer than two (2) weeks' duration may be accepted on an individual basis. The parent/guardian shall complete an authorization form for the student to take the medication and shall bring the medication in its original container to school, date the container upon receipt, and attach to the container the physician/health care provider's order, if applicable. OTC medication shall not be administered beyond its expiration date.

DOCUMENTATION OF ADMINISTRATION

Two (2) designated school personnel shall witness students taking medication. All medication taken must be immediately documented on a medication log. Records must contain signature(s) of person(s) /witnessing the taking of medication and dosage taken and kept on file in the student's cumulative folder. Documentation should be complete reflecting beginning and ending dates and notations of missed doses and absences. Subject to confidentiality requirements in Policy 09.14 and accompanying procedures, medication recording sheets shall be filed in the student's cumulative folder when completed or when the medication is changed/discontinued.

Guidelines for Dispensing Student Medication**MEDICATION REFUSAL**

If a child refuses to take medication or is uncooperative, documentation shall be made, the parent/guardian and school nurse (if appropriate) will be contacted and medication may be omitted. If necessary, a conference may be scheduled with the parent/guardian to resolve the conflict.

MEDICATION ERROR

If an error in taking medication is recognized, initiate the following steps:

1. Keep the student in the first aid location. If the student has already returned to class when the error is recognized, have the student accompanied to the first aid location.
2. Assess the student's status and document.
3. Identify the incorrect dose/type of medication taken by the student.
4. Immediately notify the school administrator and school nurse, if appropriate, who shall notify the student's parent/guardian of the error.
5. Notify the student's physician/health care provider.
6. If unable to contact the physician/health care provider, contact the Poison Control Center for instructions.
7. Carefully record all circumstances and actions taken, including instructions from the Poison Control Center or physician/health care provider, and the student's status.
8. Complete a "Medication Administration Incident Report" form.

DISPOSAL OF MEDICATION

Two (2) weeks before the closing of school, parents/guardians of students with prescribed medication at school will be notified in writing (*see* attached form letter) to come to the school on student closing day to collect their child's excess medication. If not collected by the end of the student closing day, the excess medication will be properly disposed of by school personnel.

TRANSFER OF MEDICATION FROM SCHOOL TO SCHOOL

Parents/guardians are responsible for transporting medication from school to transferring school.

REFERENCES:

KRS 158.834; KRS 158.836; 158.838

KRS 217.86

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)

Controlled/Scheduled Substance Act of 1970

RELATED POLICY:

09.2241

RELATED PROCEDURES:

09.2241 AP.21; 09.2241 AP.22

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STUDENTS

09.2241 AP.1
(CONTINUED)

Guidelines for Dispensing Student Medication



Floyd County Schools

442 KY Rt. 550
Eastern, KY 41622

Telephone: (606) 886-2354
FAX: (606) 886-8862
www.floyd.kyschools.us

Collection of Excess Medication

Date: _____

Dear Parent/Guardian,

The school term will soon end. Your child _____
Child's Name

has or will have excess prescription medication at school.

Please come to school on closing day, _____,
Closing Day (date of)

to pick up the excess prescription medication.

If you do not collect the excess medication by the above date, school personnel will properly dispose of it. If you have questions, please call the school at

_____.

Sincerely,

Principal/Designee's Name

The Floyd County Board of Education does not discriminate on the basis of race, color, national origin, age, religion, sex, genetic information, or disability in employment, educational programs, or activities.

Disposal of School Property**REAL PROPERTY**

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

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

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

FURNITURE, EQUIPMENT, VEHICLES

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

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

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

FISCAL MANAGEMENT

04.8 AP.1

PERSONNEL

03.19 AP.23
(CONTINUED)

District Training Requirements

THIS IS NOT AN EXHAUSTIVE LIST - CONSULT OSHA/ADA AND BOARD POLICIES FOR OTHER TRAINING REQUIREMENTS.
For training provided in person, participants should sign in at the end of the meeting to document their attendance. The sign-in sheet shall be maintained in paper or electronic format as required by the Kentucky *Records Retention/Public School District Schedule*.

PERSONNEL

03.19 AP.23
(CONTINUED)

District Training Requirements

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
Personnel training on restraint and seclusion and positive behavioral supports.	704 KAR 7:160	09.2212		✓	✓	
Personnel training child abuse and neglect prevention, recognition, and reporting.	KRS 156.095	09.227	✓		✓	
Age appropriate training for students during the first month of school on behaviors prohibited/required reporting of harassment/discrimination.	34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Guidance	09.42811			✓	
Training to build capacity of staff and administrators to deliver high-quality services and programming in the District's Alternative Education Program.	704 KAR 19:002	09.4341			✓	
Student discipline code.	KRS 158.148; KRS 158.156; KRS 158.444; KRS 525.070; KRS 525.080	09.438		✓		
Intervention and response training on responding to instances of incivility.		10.21		✓		
Training for Supervisors of Student Teachers.	16 KAR 5:040				✓	
Career Tech – If funds available, High School teachers to receive training regarding embedding reading, math, and science in career tech courses.	KRS 158.818				✓	
Committee for Mathematics Achievement – training for teachers based on available funds.	KRS 158.842		✓			
KDE to provide or facilitate statewide training for teachers and administrators regarding content standards, integrating performance assessments, communication, and higher order thinking.	KRS 158.6453 (SB 1)		✓			
Grants regarding training for state-funded community education directors.	KRS 160.156				✓	
Local Board to develop and implement orientation program for adjunct instructors.	KRS 161.046				✓	
KDE shall provide technical assistance and training for multi-tiered system of supports upon District request.	KRS 158.305				✓	

PERSONNEL

03.19 AP.23
(CONTINUED)**District Training Requirements**

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED		DATE COMPLETED
			CERTIFIED	ALL DESIGNATED	
Teachers of gifted/talented students required training on identifying and working with gifted/talented students. All other personnel working with gifted students shall be prepared through appropriate professional development to address the individual needs, interests, and abilities of the students.	704 KAR 3:285	08.132	✓	✓	
KDE to provide training to address the characteristics and instructional needs of students at risk of school failure and most likely to drop out of school.	KRS 156.095	08.141	✓	✓	
Student training on appropriate online behavior on social networking sites and cyberbullying awareness and response.	47 U.S.C. 254/Children's Internet Protection Act; 47 C.F.R. 54.520	08.2323		✓	
Confidentiality of student record information.	34 C.F.R. 300.623	09.14		✓	
Student suicide prevention training: Provide two (2) suicide prevention awareness lessons each school year.	KRS 156.095; KRS 158.070	09.22		✓	
Staff training for student suicide prevention training: Minimum of one (1) hour each school year. (Employees with job duties requiring direct contact with students in grades four (4) through twelve (12)).					
Anonymous reporting tool: Develop and provide a comprehensive training and awareness program on the use of the chosen anonymous reporting tool for students, parents, and community members.	KRS 158.4451	09.22	✓		
At least one (1) hour of self-study review of seizure disorder materials required for all principals, guidance counselors, and teachers by July 1, 2019, and for all principals, guidance counselors, and teachers hired after July 1, 2019.	KRS 158.070	09.22		✓	
Training for school personnel authorized to give medication	KRS 158.838 KRS 156.502 702 KAR 1:160	09.22 09.224 09.2241		✓	
Training on employee reports of criminal activity	KRS 158.148; KRS 158.155; KRS 158.156; KRS 620.030	09.2211	✓		

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PERSONNEL

03.19 AP.23
(CONTINUED)**District Training Requirements**

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED			DATE COMPLETED
			CERTIFIED	ALL	DESIGNATED	
Title IX Sexual Harassment	34 C.F.R. § 106.45	03.1621/03.2621/09.428111		✓		
Teacher professional development/learning	KRS 156.095	03.19	✓			
Active Shooter Situation training each year by November 1	KRS 156.095	03.19/03.29	✓		✓	
Student suicide prevention training for certified employees	KRS 156.095	03.19	✓			
Self-study review of seizure disorder materials	KRS 156.095	03.19	✓		✓	
Child abuse and neglect prevention, recognition, and reporting	KRS 156.095	03.19	✓		✓	
Instructional leader training	KRS 156.101	03.1912			✓	
The Superintendent may develop and implement a program for continuing training for selected classified personnel.		03.29			✓	
Training of the instructional teachers' aide with the certified employee to whom s/he is assigned.	KRS 161.044	03.5			✓	
Orientation materials for volunteers	KRS 161.048	03.6			✓	
Integrated Pest Management (7a) Certification.	302 KAR 29:060	05.11			✓	
Training for designated personnel on use and management of equipment.		05.4			✓	
Automated external defibrillators (AEDs), training on use of such.	KRS 158.162	03.1161/03.2241			✓	
School Safety Coordinator (SSC) training program developed by the Kentucky Center for School Safety (KCSS)	KRS 311.667	05.4/09.311/09.224			✓	
School Principal training on procedures for completion of the required school security risk assessment.	KRS 158.4412	05.4			✓	
Fire drill procedure system.	KRS 158.162	05.41		✓		
Lockdown drill procedure system.	KRS 158.162	05.411		✓		
Severe Weather/Tornado drill procedure system.	KRS 158.164					
	KRS 158.162	05.42		✓		
Earthquake drill procedure system.	KRS 158.163					
	KRS 158.162	05.47		✓		
	KRS 158.163					
First Aid and Cardiopulmonary Resuscitation (CPR) Training.	702 KAR 5:080	06.221			✓	
Annual in-service school bus driver training	702 KAR 5:030	06.23			✓	
Designated training for School Nutrition Program Directors and food service personnel.	KRS 158.852	07.1			✓	
	7 C.F.R. §210.31	07.16				

PERSONNEL

03.19 AP.23

District Training Requirements

SCHOOL YEAR:

This form may be used to track completion of local and state employee training requirements that apply across the District and maintain a record for the information of the Superintendent and Board.

TOPIC	LEGAL CITATION	RELATED POLICY	EMPLOYEES OR OTHERS AS DESIGNATED		DATE COMPLETED
			CERTIFIED	ALL DESIGNATED	
District planning committee members.		01.111		✓	
Board member training hours.	KRS 160.180; 702 KAR 1:115; 701 KAR 8:020	01.83		✓	
Superintendent training program to be completed within two (2) years of taking office.	KRS 160.350	02.12		✓	
Certified Evaluation Training.	KRS 156.557; 704 KAR 3:370	02.14/03.18	✓	✓	
Supervisors shall receive appropriate training to equip them to meet the standards of Personnel Management.		02.3		✓	
All School Resource Officers (SROs) shall successfully complete forty (40) hours of annual in service training that has been certified or recognized by the Kentucky Law Enforcement Council for SROs.	KRS 158.4414	02.31		✓	
Council member training hours.	KRS 160.345	02.431		✓	
Employees authorized to use Criminal History Record Information (CHRI) will complete Security Awareness Training via Criminal Justice Information Services (CJIS)	KRS 160.380	03.11 AP.2521		✓	
Initial/follow-up training for coaches of interscholastic athletic activities or sports.	KRS 160.445; KRS 161.166; KRS 161.185; 702 KAR 7:065	03.1161 03.2141 09.311		✓	
Asbestos Containing Building Material (ACBM), Lockout/Tagout and personal protective equipment (PPE) training for designated employees.	40 C.F.R. Part 763 401 KAR 58.010 803 KAR 2:308 OSHA 29 C.F.R. 1910.132 29 C.F.R. 1910.147 29 C.F.R. 1910.1200	03.14/03.24		✓	
Bloodborne pathogens.	OSHA 29 C.F.R. 1910.1030	03.14/03.24		✓	
Behaviors prohibited/required reporting of harassment/discrimination.	34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Guidance	03.162/03.262		✓	

EXPLANATION: 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. SOME PROFESSIONAL DEVELOPMENT REQUIREMENTS ARE BEING RELOCATED INTO OTHER POLICY AREAS.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.19 AP.23

Professional Development**PROFESSIONAL DEVELOPMENT PROGRAM (CONTINUED)**

5. A process for evaluating impact on student learning and improving professional learning, using evaluation results.

Professional development activities shall be in accordance with federal guidelines and Kentucky State Regulation.

CERTIFIED STAFF RESPONSIBILITIES

In addition to job-embedded professional learning included in the Professional Development Plan, it is the responsibility of each full-time certified staff member to complete the twenty-four (24) hours of professional development required in the District calendar. Part-time employees shall complete the appropriate portion of the twenty-four (24) hours.

NEW TEACHER ORIENTATION

Prior to the opening of school all teachers new to the District shall be required to attend an orientation session to acquaint new personnel with Board policies, administrative procedures, Central Office staff and the Principal(s) to whom they are assigned. The Superintendent/designee will be responsible for the program and all arrangements.

The Education Professional Standards Board (EPSB) shall provide a report to the Legislative Research Commission that includes identification of districts that have not implemented an induction program for teachers in their first year of teaching that is aligned with the standards and guidance for districts developed by the EPSB.

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REQUIREMENT MUST BE FULFILLED

Professional development is ongoing. However the twenty-four (24) hours required by statute must be fulfilled by June 30 of each year. If it is not, repayment for the appropriate hours will be deducted from the individual's paycheck.

It is the responsibility of the individual to provide appropriate documentation for all completed professional development. Internal offerings are documented by sign-in sheets. For activities outside the District, it is the responsibility of the individual to obtain the appropriate form prior to attendance, have it completed and return it to the PDC. Registration costs, meals and mileage are the responsibility of the individual unless supplemental funds are provided by another source.

RELATED PROCEDURES:

03.125 AP.21
03.19 AP.21

PERSONNEL

03.19 AP.1

- CERTIFIED PERSONNEL -

Professional Development

DEFINITIONS

Professional development is defined as professional learning that is an individual and collective responsibility, that fosters shared accountability among the entire education workforce for student achievement, and:

1. Aligns with Kentucky Academic Standards in 704 KAR Chapter 8, educator effectiveness standards, individual professional growth goals, and school, district, and state goals for student achievement;
2. Focuses on content and pedagogy, as specified in certification requirements, and other related job-specific performance standards and expectations;
3. Occurs among educators who share responsibility for student growth;
4. Is facilitated by school and district leaders, including curriculum specialists, principals, instructional coaches, competent and qualified third-party facilitators, mentors, teachers or teacher leaders;
5. Focuses on individual improvement, school improvement, and plan implementation; and
6. Is on-going.

Professional development program means a sustained, coherent, relevant, and useful professional learning process that is measurable by indicators and provides professional learning and ongoing support to transfer that learning to practice.

Every Student Succeeds Act of 2015 (ESSA) defines professional development as activities that are an integral part of school and local educational agency strategies for providing educators with the knowledge and skills necessary to enable students to succeed in a well-rounded education and to meet the challenging State academic standards; and that are sustained (not stand-alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused.

PROFESSIONAL DEVELOPMENT PROGRAM

The school and District, under the direction of the Professional Development Coordinator (PDC), shall develop and implement plans of continuing professional development. The plans shall include, but not be limited to, the following components:

1. A clear statement of the school or District mission;
2. Evidence of representation of all persons affected by the Professional Development plan;
3. A needs assessment analysis;
4. PD objectives that are focused on the school or District mission, derived from needs assessment, and that specify changes in educator practice needed to improve student achievement; and

LEGAL: HB 48 AMENDS KRS 161.031 REQUIRING A REPORT FROM EPSB IDENTIFYING SCHOOL DISTRICTS THAT DO NOT IMPLEMENT AN INDUCTION PROGRAM FOR NEW TEACHERS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.19 AP.1

PERSONNEL

03.123 AP.2
(CONTINUED)

Leave Request Form and Statement

A personal statement is required for the use of personal leave, the use of emergency leave, and the use of sick leave for the purpose of mourning a member of the employee's immediate family.* Either a personal statement or a certificate of a physician supporting the need for sick leave is required for the use of sick leave if the employee was absent due to his/her own personal illness or for the purpose of attending to an immediate family member* who was ill. If an employee who requests to use sick leave for his/her own personal illness or to attend to an immediate family member* who is ill does not submit a supporting physician's certificate, s/he must submit a supporting personal statement. Requirements for use of sick leave following childbirth and adoption are stated in Policies 03.1233/03.2233.

LEAVE STATEMENT

(KRS 161.152, KRS 161.154, KRS 161.155)

I am submitting this request for the use of leave for the following purpose(s) (check applicable boxes); that the facts supporting the request for leave as indicated below are true and correct; and that to the best of my knowledge, information, and belief, I am qualified for the leave requested pursuant to applicable state statute and Board policy.

- ☐ - Sick leave based on personal illness Date(s): _____
- ☐ - Sick leave to attend to an immediate family member* who was ill Date(s): _____
- ☐ - Sick leave to mourn the death of an immediate family member* Date(s): _____
- ☐ - Personal leave in compliance with and subject to qualifications set forth in Policy 03.1231/03.2231. This leave is personal in nature. Date(s): _____
- ☐ - Emergency leave in compliance with and subject to conditions set forth in Policy 03.1236/03.2236
- ☐ Bereavement ☐ Disasters ☐ Court /Legal
- ☐ Other, specify: _____

Employee's Signature

Date

Employee's Name (Print or Type)

*Immediate family member 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.

PERSONNEL

03.123 AP.2

Leave Request Form and Statement

NAME: _____	LOCATION: _____
DATE SUBMITTED: _____	

☐ **PERSONAL LEAVE:** REQUESTED UNDER THE TERMS OF POLICIES 03.1231/03.2231. (SEE NEXT PAGE FOR REQUIRED STATEMENT)

DATE(S) OF PERSONAL LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

☐ **SICK LEAVE:** REQUESTED UNDER THE TERMS OF POLICIES 03.1232/03.2232. (SEE NEXT PAGE FOR STATEMENT THAT MAY BE REQUIRED)

DATE(S) OF SICK LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

CHECK ONE: ☐ EMPLOYEE'S ILLNESS ☐ ILLNESS OF FAMILY MEMBER* ☐ MOURNING

IS SICK LEAVE BEING USED FOR EMERGENCY LEAVE PURPOSES, PURSUANT TO POLICY? ☐ YES ☐ NO

☐ **MATERNITY/ADOPTION/CHILDREARING LEAVE:** REQUESTED UNDER THE TERMS OF POLICIES 03.1233/03.2233.

ESTIMATED DATE(S) OF LEAVE _____ TO _____ SUBSTITUTE NEEDED ☐

☐ PAID MATERNITY LEAVE /NUMBER OF MATERNITY LEAVE DAYS _____

☐ PAID SICK LEAVE /NUMBER OF SICK LEAVE DAYS _____ ☐ UNPAID MATERNITY LEAVE

☐ PAID BIRTH-OR-ADOPTION LEAVE (NOT TO EXCEED 30 DAYS) /NUMBER OF SICK LEAVE DAYS _____

☐ UNPAID CHILDREARING LEAVE _____

☐ **JURY LEAVE:** REQUESTED UNDER THE TERMS OF POLICIES 03.1237/03.2237.

DATE(S) OF JURY LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

☐ EMPLOYEE WILL SIGN OVER COURT-ISSUED JURY PAY CHECK TO DISTRICT.

☐ EMPLOYEE WILL REIMBURSE DISTRICT FOR ANY JURY PAY RECEIVED.

☐ **MILITARY/DISASTER SERVICES LEAVE:** REQUESTED UNDER THE TERMS OF POLICIES 03.1238/03.2238.

DATE(S) OF LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

☐ **EMERGENCY LEAVE:** REQUESTED UNDER THE TERMS OF POLICIES 03.1236/03.2236. (SEE NEXT PAGE FOR REQUIRED STATEMENT)

DATE(S) OF EMERGENCY LEAVE: _____ TOTAL DAYS: _____ SUBSTITUTE NEEDED ☐

☐ BEREAVEMENT ☐ DISASTERS ☐ COURT/LEGAL ☐ OTHER, SPECIFY: _____

IS SICK LEAVE BEING USED FOR EMERGENCY LEAVE PURPOSES, PURSUANT TO POLICY? ☐ YES ☐ NO

I understand that if I have provided information that is not true, I may be subject to disciplinary action.

Employee's Signature

Date

Superintendent/designee's Signature Approving Leave as Requested

Date

EXPLANATION: 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

03.123 AP2

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 regulation and shall be defined in the employee's contract.¹

SUPERINTENDENT

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

TEACHER

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

PRINCIPAL/HEAD TEACHER

In those schools without a Principal, the duties of the Principal as prescribed by this manual are assumed by the person designated as head teacher by the Board.

GENDER

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

HUSBAND AND WIFE

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

PARENT OR GUARDIAN

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

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.0
(CONTINUED)

Definitions

CHILDREN AND YOUTH WITH DISABILITIES

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

SCHOOL NUTRITION PROGRAM

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

STUDENT ATTENDANCE DAY

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

SIGNATURE

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

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HEALTH PROVIDER

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

CHARTER SCHOOL

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

CHARTER SCHOOL AUTHORIZER

A local board of education as defined in KRS 160.1590.

KENTUCKY PUBLIC PENSIONS AUTHORITY

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

RELATED POLICIES

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

REFERENCES

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

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.0
(CONTINUED)

Definitions

REFERENCES:

¹KRS 157.320; 102 KAR 1:036; 702 KAR 1:035
KRS 78.510 – KRS 78.852
KRS 158.144; KRS 160.1590
KRS 160.290; KRS 160.340; KRS 160.345;
KRS 369.102; KRS 405.028
701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040
702 KAR 6:010; 702 KAR 6:020; 702 KAR 6:040
702 KAR 6:075; 702 KAR 6:090

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: COST OF PRINTING REQUIRED DISPLAY AND UPDATING WEBSITE

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.11

General Powers and Duties of the Board

ESTABLISHMENT OF SCHOOLS

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

CHARTER SCHOOLS

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

REQUEST FOR WAIVERS AND EXEMPTIONS

The Board may authorize the Superintendent to request, on behalf of the District, a waiver of state regulations and/or ~~reporting requirements established by~~ a Kentucky Revised Statute requiring paperwork to be submitted to the Kentucky Board of Education or the Department of Education as permitted by statute.¹⁵

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

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 FUNDS

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**CONTRACT WITH CONSULTANTS**

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

Any proposed contracts with consultants shall be submitted to the Board for approval and shall be accompanied by figures showing the estimated cost of the consulting project to the District. Where appropriate, the Board may require bids for consulting services to be sought.

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, who shall present the application to the Board with a recommendation for approval or disapproval. Except as provided by law, such applications shall not be submitted until the Board gives its 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.¹⁴ Per KRS 158.195, the display may take the form of, but is not limited to, a plaque or student artwork.¹⁴

DISPLAY OF NOTICE REGARDING EMPLOYMENT OF MINORS

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

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General Powers and Duties of the Board

REFERENCES:

¹KRS 160.290

²KRS 160.300

³KRS 160.310

⁴KRS 160.160

⁵KRS 160.330

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 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; 04.92

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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

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District Planning**PLANNING COMMITTEE**

A District planning committee, representative of the community and the school district, shall be appointed by the Superintendent and approved by the Board to develop, review, and revise annually a Comprehensive District Improvement Plan (CDIP) as stated herein. The committee shall include teachers, Principals, council members, other school leaders, paraprofessionals, Central Office administrators, administrators, Board member(s), classified staff, parents, community representatives, and high school students.

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

IMPROVEMENT PLANNING

The Board may designate the length of time for completing implementation of the Comprehensive District Improvement Plan, which earmarks state and federal categorical funds to address priority needs, goals and objectives in the District. By February 1 each School/District Comprehensive Improvement Planning Committee shall review the school and District action plans and update components related to current achievement gap targets, as necessary. Revisions shall be forwarded to the District level committee to review for implications concerning the District plan.

PLANNING CYCLE

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

PLAN REQUIREMENTS

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

- To improve student achievement on state and federally mandated testing/accountability instruments;
- To eliminate achievement gaps among groups of students; and
- To develop District strategies and services to address deficiencies and/or sustain or strengthen current efforts.

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

District Planning**PLAN REQUIREMENTS (CONTINUED)**

The plan shall be updated as scheduled by the Board of Education and the Superintendent. The plan shall address, but not be limited to, the Standards and Indicators for School Improvement, Core Content for Assessment and the Kentucky Academic Standards. Strategies and Activities should be Best Practices, Research Based, strategies proving successful in other districts or strategies that are proving successful in our District that should be continued. The District Plan shall provide assistance in reducing physical, mental health, and academic barriers to learning, and address student equity.

The Superintendent shall present to the Board for review and approval the form and function of the District planning process, including format and timelines. All schools will turn in a mid-year and year-end report regarding the implementation and impact of strategies from the CSIP in December and May to the Plan Coordinator. The District will turn in a mid-year and year-end report regarding the implementation and impact of strategies from the plan in January and June to the Plan Coordinators. The Superintendent's report concerning CDIP/CSIP to the Board shall be written and submitted in February and July each year and include all school and District data.

As part of the District planning process, the Board shall review District academic performance on the state assessments for various groups of students in compliance with legal requirements. Upon agreement of the council and the Superintendent, the Board shall review annual targets in the Comprehensive School Improvement Plan and the Comprehensive District Improvement Plan specifically for reducing identified gaps in achievement.²

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

TRAUMA-INFORMED APPROACH PLAN

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

PUBLIC REVIEW

The plan shall have public review prior to presentation to the Board for approval. If revisions are needed, the District planning committee shall forward proposed revisions to the Superintendent. Revisions must reflect requirements of Every Student Succeeds Act of 2015 and KRS 158.649. All recommendations for revisions require approval by the Board.

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.

District Planning

IMPLEMENTATION

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

The District Plan (CDIP) shall serve as a resource for Board decision making. The Superintendent shall develop methods of implementing the District Plan.

SCHOOL PLANS

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

DISTRICT REPORT CARDS

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

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

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

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

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

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.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.111
(CONTINUED)

District Planning

REFERENCES:

¹KRS 156.500

²KRS 158.649

KRS 158.070; KRS 158.4416; KRS 158.6453

KRS 160.290; KRS 160.340; KRS 160.345; KRS 160.463

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

2024 Budget Bill

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

RELATED POLICIES:

02.44; 02.441; 02.442; 04.1

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.5

School Board Policies

TOPICS

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

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

INTENTION

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

UPDATING

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

ENACTMENT OF POLICY

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

DISSEMINATION OF POLICY

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

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

School Board Policies

MAINTENANCE OF POLICY MANUALS

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

POLICIES ARE BINDING

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

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

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

REFERENCES:

¹KRS 160.340

²KRS 160.290

³~~KRS 156.408~~ KRS 156.161

~~KRS 160.107~~

KRS 160.345

RELATED POLICIES:

01.0

01.11

01.6

01.61

School Resource Officers (SROs)**DEFINITION**

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

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

ASSIGNMENT

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

BOARD MAY AUTHORIZE POLICE DEPARTMENT

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

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

TRAINING REQUIREMENTS

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

The SRO shall be easily identified in the school setting by wearing uniforms while on duty.

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

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

SUPERINTENDENT TO REPORT

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

GUARDIANS

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

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

REFERENCES:

¹KRS 158.441

²KRS 158.4414

³KRS 158.471

KRS 15.380 to KRS 15.404; KRS 15.520

KRS 61.902; KRS 70.290

KRS 158.4415; KRS 158.4431

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

RELATED POLICIES:

02.311; 05.48; 09.4361

Exemption (SBDM)

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

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

PETITION

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

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

SCHEDULING

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

NOTICE

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

MEETINGS

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

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

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

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

Exemption (SBDM)**VOTE TO RETURN**

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

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

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

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

SCHOOLS OF INNOVATION

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

REFERENCES:

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

RELATED POLICIES:

02.421
02.4241

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

ADMINISTRATION

02.421

Election of School Council Members (SBDM)**COUNCIL ELECTIONS**

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

ELECTION OF TEACHER MEMBERS

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

Teachers may nominate themselves or another teacher. A written ballot containing the names of all qualified teachers nominated shall be prepared and kept on file with other council records. The teachers attending the meeting shall choose a chairperson to chair the meeting to elect teacher members to the council. Balloting will continue until three (3) teachers are elected. Teacher members must be employees of the District and currently assigned to the school where they are elected as council member. For the purpose of electing teacher council members, a Principal or Assistant Principal, may not vote or serve as a teacher council member. Election shall be by majority vote of all teachers assigned to the school.

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

Teachers elected to a council shall not be involuntarily transferred during ~~the teacher representative's~~ term of office.

ELECTION OF PARENT MEMBERS

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

The president of the parent-teacher organization shall organize and oversee the election of parent council members. If the school does not have a parent-teacher organization, then parents shall set the date and time for parents to elect parent council members and shall provide notice of the election to parents.

A parent council member shall 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. A parent council member shall not be an employee or the relative of an employee of the school in which that parent serves, nor shall the parent representative be an employee or a 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, husband, wife, son, and daughter.

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

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

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

MINORITY REPRESENTATIVES

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

TERMS

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

COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS

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

- If a school is scheduled for closing, there is no need to hold council elections for the upcoming school year.

Election of School Council Members (SBDM)

COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS (CONTINUED)

- Council members of a school being consolidated with another school may not carry over a term of office to the newly consolidated school's council but may stand for election if otherwise qualified.
- Following the opening of a new or consolidated school, elections shall be held to form a council.

CONFLICT OF INTEREST

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

REMOVAL OF COUNCIL MEMBERS

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

VACANCIES

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

REFERENCES:

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

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.4241

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

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

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

As reflected in the District Code of Acceptable Behavior and Discipline, loss of physical activity periods shall not be used as a disciplinary consequence.

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

8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;

The school shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

9. Adoption of a school emergency plan and implementation of safety practices required by KRS 158.162;
10. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;

11. Commitment to a parent involvement process that provides for:

- a. Establishing an open, parent-friendly environment;
- b. Increasing parental participation;
- c. Improving two-way communication between school and home, including what their child will be expected to learn; and
- d. Developing parental outreach programs.

12. Procedures to assist the council with consultation in the selection of the Principal by the Superintendent, and the selection of personnel by the Principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.

13. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)

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

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

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

Before final adoption of a council policy, it shall be reviewed by the Superintendent who may request that the proposed policy be reviewed by the Board Attorney. Any concerns shall be shared with the council within ten (10) working days of the Superintendent's and/or designee's receipt of the draft policy. If there are concerns, the Superintendent shall provide a copy of the council policy to the Board for review, along with any concerns s/he and the Board Attorney may have noted, such as possible conflicts with state and federal laws or contractual obligations, liability and/or health and safety questions, and budgetary issues.

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

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, color, religion, national origin, political affiliation, or disability.

WAIVER OF STATE REGULATIONS

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

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SCHOOLS OF INNOVATION

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

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

REFERENCES:

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

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ADMINISTRATION

02.4241
(CONTINUED)

School Council Policies (SBDM)

RELATED POLICIES:

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

School Budget and Purchasing (SBDM)**BOARD ALLOCATIONS**

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

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. Based on the needs assessment conducted by the school, the council shall forward to the Board a list of those priorities no later than January 1 each year.

SCHOOL RESPONSIBILITY

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

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

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

BOARD APPROPRIATION

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

PURCHASING

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

SUPERINTENDENT'S RESPONSIBILITY

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

ADMINISTRATION

02.4242
(CONTINUED)

School Budget and Purchasing (SBDM)

EXPENDITURE OF FUNDS

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

REFERENCES:

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

RELATED POLICIES:

04.1; [08.1](#)

- CERTIFIED PERSONNEL -

Hiring

SUPERINTENDENT'S RESPONSIBILITIES

All appointments, promotions, and transfers of certified personnel for positions authorized by the Board shall be made by the Superintendent who, at the first meeting following the actions, shall notify the Board of same. Such notification shall be recorded in the Board minutes and, if a school-based position is to be filled, shall be submitted with a certified statement reflecting the school's entitlement, current staffing, the reason(s) why the position was vacant, and the financial impact of the employment.

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

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

EFFECTIVE DATE

Personnel actions shall not be effective until the employee receives written notice of such action 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 law, regulation and Board policy, except in the case where no individual applies who is properly certified and/or who meets established qualifications set by Board policy.

A "qualified applicant" is an individual who:

1. Holds proper certification for the position sought;
2. Has no actions pending or sanctions applied against his/her administrative and/or teaching certificate;
3. Is not currently under contractual agreement with another board of education and said agreement cannot be terminated without violating KRS 161.780(1); and
4. Has not been formally placed at another school within this District no later than thirty (30) days before the first student attendance day of the school year unless released from placement by the Superintendent pursuant to Policy 03.1311 (Transfer).

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

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

Hiring**CRIMINAL BACKGROUND CHECK AND TESTING**

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

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

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

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

"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.

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Hiring**JOB REGISTER**

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

VACANCIES POSTED

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

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

REVIEW OF APPLICATIONS

The Superintendent shall release all applications to the Department Lead for District level positions. The Lead shall select no fewer than five (5) applicants for District positions, unless there were fewer than five (5) applicants.

The Superintendent shall appoint members of an Interview Committee. The Interview Committee, which may include the Superintendent, shall be composed of at least three (3) members, one (1) of whom shall be a building Principal. All applicant interviews shall be arranged through the Office of Human Resources.

Applications for candidates not employed shall be retained for two (2) years.

To be considered an applicant for a position, the person must have the following information on file in the District Office of Human Resources:

1. Completed application form;
2. Copy of valid Kentucky teaching certificate or Intern Statement of Eligibility, if required;
3. Official transcript of all college work and/or a copy of the person's high school diploma or High School Equivalency Diploma; and
4. Three (3) letters of recommendation on the required form.

RELEASE OF APPLICATIONS

Only complete applications shall be released to schools or to the Department Lead.

RELATIONSHIPS

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

Hiring

RELATIONSHIPS (CONTINUED)

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.

CONTRACT

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

JOB DESCRIPTION

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

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 439.340I

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; 03.1311; 03.132

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

The Board shall not create, nor shall it enter into, any relationship which is or could be characterized as special or exclusive in nature with any group or organization.

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

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VOCATIONAL

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

REFERENCES:

¹KRS 161.730

²KRS 161.220

³KRS 157.360

⁴KRS 158.060

16 KAR 4:040

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RELATED POLICY:

03.121

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

PERSONNEL

03.1161

- CERTIFIED PERSONNEL -**Athletic Directors, 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 or American Heart Association, or other bona fide accrediting agency that is approved by the KHSAA and be based upon industry standards. Certification shall require use in-person instruction with certification updated as required by the approving agency.³ All interscholastic athletic coaches shall maintain a CPR certification through the American Red Cross or American Heart Association.⁴

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.²

SELECTION OF ATHLETIC DIRECTORS, HEAD COACHES AND ASSISTANT COACHES

The Principal shall select the athletic director, where appropriate, and coach for each sport and the Superintendent shall complete the hiring action. However, under KRS 156.070 and related regulations, non-teaching personnel may be selected to serve as coaches.

REQUIREMENTS**Athletic Director**

- Full time certified employee for high schools.
- Full-time certified or classified employee for K-8 programs.
- Member of the school faculty where serving.

Head Coach and Assistant Coach – All High School Sports

- Employee of the District. Employment may be either full-time or part-time and either certified or classified.
- Successful completion of KHSAA coaching requirements.
- If not certified, successful completion of Floyd County Schools Volunteer Training is required. Certification is for two (2) years.
- If not a full time employee, an annual criminal records check under KRS 160.380 and KRS 161.185¹ shall be required.

Head Coach and Assistant Coach – All Middle and Elementary School Sports

- Successful completion of Floyd County Schools coaching seminar.
- Current CPR/First Aid Certification.

PERSONNEL

03.1161
(CONTINUED)

Coaches and Assistant Coaches

SELECTION OF ATHLETIC DIRECTORS, HEAD COACHES AND ASSISTANT COACHES (CONTINUED)

- If not certified, successful completion of Floyd County Schools Volunteer Training is required. Certification is for two (2) years.
- If not a full-time employee, an annual criminal records check shall be required.
- Successful completion of the KHSAA Sports Safety Course

*Cheerleading and dance are considered sports by the Floyd County Schools and are subject to these requirements.

REFERENCES:

¹KRS 160.380

²KRS 161.185

³702 KAR 7:065

⁴KRS 158.162

Kentucky High School Athletic Association (KHSAA)

KRS 156.070; KRS 160.445; KRS 161.044; KRS 161.180

OAG 73-206; OAG 76-555

RELATED POLICIES:

03.2141; 03.5; 09.221; 09.31; 09.311

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

PERSONNEL

03.1232

PERSONNEL

03.1232

- CERTIFIED PERSONNEL -

Sick Leave

NUMBER OF DAYS

Full-time certified employees with up to 219 contract days shall be entitled to eleven (11) days of sick leave with pay annually.

Full-time certified employees with 220 to 239 contract days shall be entitled to twelve (12) days of sick leave with pay annually.

Full-time certified employees with 240 contract days shall be entitled to thirteen (13) days of sick leave with pay annually.

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

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

ACCUMULATION

Sick leave days not taken during the school year in which they were granted shall accumulate without limitation to the credit of the certified employee to whom they were granted. Each certified employee shall be given, on or before September 1 of each school year, a statement of accumulated and current sick leave days.

DEFINITION

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

FAMILY ILLNESS/MOURNING

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

TRANSFER OF SICK LEAVE

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

RESTORATION OF SICK LEAVE

A certified employee who is non-renewed during the spring semester and regains employment with the District during the fall semester of the following year and meets the requirements for gaining a year of experience for salary purposes as described in KRS 157.320 (1) (10) shall have any remaining unused sick leave from the preceding year restored to his/her respective accruals.

Sick Leave

SICK LEAVE DONATION PROGRAM

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

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

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

STATEMENT

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

REPORTING

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

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

These reports shall include requirements set forth in KRS 161.155.

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REFERENCES:

KRS 161.155
KRS 161.152
KRS 157.320
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:

03.124; 03.12322; 03.1233

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 -**ParentalMaternity Leave Options****PAID MATERNITY LEAVE (KRS 161.155)**

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

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PAID SICK LEAVE

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

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

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement.

UNPAID MATERNITY LEAVE (KRS 161.770)

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

Employees on maternity leave shall notify the 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 comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

FMLA

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

PERSONNEL

03.1233
(CONTINUED)

- CERTIFIED PERSONNEL -

Parental Maternity Leave Options

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.

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 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 to be copyrighted/developed during the employee's paid time shall be District property.

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

RESTRICTIONS ON INSTRUCTIONAL MATERIALS

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

Formatted: Normal, Justified, Space After: 6 pt**Formatted:** ksba normal, Superscript**Formatted:** ksba normal, Font: Not Bold**EXCEPTION**

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

REFERENCES:

¹KRS 156.480

²KRS 156.460

KRS 45A.455

OAG 77-228

OAG 71-474

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

PERSONNEL

03.175

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

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

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NOTICE

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

RESPONSIBILITY

Retirement benefits shall be solely a matter of contract between the employee and the ~~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, or their estate, for each unused sick day at the rate of 30% of the daily salary. This calculation is based on the employee's last annual salary. For personnel who begin employment with a local school district on or after July 1, 2008, unused sick leave days to be recognized in calculating reimbursement under KRS 161.155 shall not exceed 300 days. For personnel who become members of the ~~Teachers' Retirement System~~ on or after January 1, 2022, payment for unused sick leave days shall not be incorporated into the annual compensation used to calculate the retirement allowance in the foundational benefit but may be deposited into the member's supplemental benefit component.¹

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

UNUSED SICK DAYS AND ACTUARIAL COSTS

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

1. The state shall pay actuarial costs for the compensation attributable to the actual unused sick leave accrued as of June 30, 2025, plus annual adjustments to the sick leave balance of each fiscal year thereafter, based upon the sick leave accrued or used by the teacher or employee, not exceed thirteen (13) additional days per year. Unused sick leave payable by the state shall not include any annual leave described in KRS 161.540(1)(f) or the cost of unused sick days for employees retiring from agencies listed in KRS 161.220 (4)(d) and (f).
2. The last employer who is compensating the unused sick day shall pay the actuarial costs of compensation for unused sick leave days not paid by the state (as described above). Upon the teacher's or employee's retirement, the TRS shall bill the last employer for the cost of the unused sick days, and the employer shall pay the costs within fifteen (15) days after receiving notification of the cost from the system.
3. The actuarial costs of the unused sick days shall be the amount payable for unused sick days after the fixed statutory employee and employer contributions have been paid as provided in KRS 161.540 and 161.550(1) and that is necessary to fund the benefit.

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PERSONNEL

03.175
(CONTINUED)

Retirement

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

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

PERSONNEL

03.18

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

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

PURPOSE

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

FREQUENCY OF SUMMATIVE EVALUATIONS

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

REPORTING

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

NOTIFICATION

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

CONFIDENTIALITY

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

REVIEW

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

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

APPEAL PANEL

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

PERSONNEL

03.18
(CONTINUED)

Evaluation

ELECTION

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

TERMS

All terms of panel members and alternates shall be for a period not to exceed three (3) years. Term of office shall be from July 1 to June 30. Members may be reappointed or reelected.

CHAIRPERSON

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

APPEAL TO PANEL

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

APPEAL FORM

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

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.

HEARING

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

PERSONNEL

03.18
(CONTINUED)

Evaluation

PANEL DECISION

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

REVISIONS TO PREVIOUSLY APPROVED DISTRICT EVALUATION PLAN

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

REFERENCES:

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

RELATED POLICIES:

²02.14; 03.15; 03.16

LEGAL: HB 48 AMENDS KRS 156.095 REQUIRING DISTRICTS TO IMPLEMENT A FOUR (4) YEAR RECURRING PROFESSIONAL DEVELOPMENT TRAINING SCHEDULE THAT INCLUDES ALL REQUIRED PROFESSIONAL DEVELOPMENT TRAININGS, AND THAT ALL CERTIFIED SCHOOL EMPLOYEES COMPLETE DESIGNATED TRAININGS WITHIN TWELVE (12) MONTHS OF INITIAL HIRE AND AT LEAST ONCE EVERY FOUR (4) YEARS THEREAFTER. THE KENTUCKY DEPARTMENT OF EDUCATION SHALL CREATE THE TRAINING SCHEDULE BY AUGUST 1, 2025.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.19

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

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

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

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

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

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

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

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

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Professional Development**ACTIVE SHOOTER SITUATIONS**

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

SCHOOL RESPONSIBILITIES

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

DOCUMENTATION

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

Documentation of completed professional development, including a written evaluation, shall be required. Unless an employee is granted leave under an appropriate Board policy, failure to complete and document the required hours of professional development by April 15 of each year shall result in a reduction in salary and may be reflected in the employee's evaluation.

REFERENCES:

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

RELATED POLICIES:

03.1911; 09.22

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 and, if a school-based position is to be filled, shall be submitted with a certified statement reflecting the school's entitlement, current staffing, the reason(s) why the position was vacant, and the financial impact of the employment.

EFFECTIVE DATE

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

HIRING OF RETIRED PERSONS

The Superintendent may rehire at full pay classified personnel (62 years of age or older) who have retired from the District and are receiving Social Security and County retirement benefits.

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/>.~~

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

REPORT TO SUPERINTENDENT

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

EDUCATIONAL REQUIREMENTS

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

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.

VACANCIES POSTED

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

REVIEW OF APPLICATIONS

Applications for candidates not employed shall be retained for two (2) years.

Hiring**REVIEW OF APPLICATIONS (CONTINUED)**

Only complete applications shall be released to school and Department Leads. The Superintendent shall release all applications to the District Lead. The Lead will select no fewer than five (5) qualified applicants to interview. The Interview Committee, which may include the Superintendent, shall be composed of at least three (3) members, one (1) of whom shall be a building Principal. All applicant interviews shall be arranged through the Office of Human Resources.

To be considered an applicant for a position, the person must have the following information on file in the Office of Human Resources:

1. Completed application form;
2. Current license, if required, by position;
3. Official transcript of all college work and/or a copy of the person's high school diploma or High School Equivalency Diploma; and
4. Three (3) letters of recommendation on the required form.

HIRING RELATIONSHIPS

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

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

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

EMERGENCY HIRING

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

JOB DESCRIPTION

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

CONTRACT

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

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT FOR SUBSTITUTE CLASSIFIED EMPLOYEES

Substitute classified 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.

Hiring

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, KRS 160.345, KRS 160.390
³KRS 161.011
⁴P. L. 114-95, (Every Student Succeeds Act of 2015)
20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)
34 C.F.R. § 200.58; 45 C.F.R. § 1302.90
49 C.F.R. § 382.701; 49 C.F.R. § 382.703
KRS Chapter 13B
KRS 17.160, KRS 17.165; KRS 17.500 to KRS 17.580
KRS 156.070; KRS 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
13 KAR 3:030; 702 KAR 3:320
Kentucky Local District Classification Plan
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 the American Red Cross or American Heart Association.³

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

REFERENCES:

¹KRS 161.185

²702 KAR 7:065

³KRS 158.162

Kentucky High School Athletic Association (KHSAA)

KRS 156.070; KRS 160.445

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

Maternity Leave

PAID MATERNITY LEAVE (KRS 161.155)

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

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PAID SICK LEAVE

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.2232.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.2232.

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement.

UNPAID MATERNITY LEAVE (KRS 161.770)

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

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 comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

FMLA

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

REFERENCES:

KRS 161.155; KRS 161.770

Family & Medical Leave Act of 1993

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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

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 to be copyrighted/developed during the employee's paid time shall be District property.

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

RESTRICTIONS ON INSTRUCTIONAL MATERIALS

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

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EXCEPTION

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

REFERENCES:

KRS 156.480

²KRS 156.460

KRS 45A.455

OAG 77-228

OAG 71-474

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PERSONNEL

03.29

- CLASSIFIED PERSONNEL -

Staff Development

The Superintendent may develop and implement a program for continuing training for selected classified personnel.

ACTIVE SHOOTER SITUATIONS

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

REFERENCES:

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

Substitute Teachers**QUALIFICATIONS**

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

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

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 Teachers' Retirement System.

LENGTH OF DUTY

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

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

SUBSTITUTE 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 payday 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

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 district shall develop procedures that encourage volunteers to assist in school and/or district programs and to facilitate effective communication with persons who volunteer.

RECRUITMENT

Recruitment goals shall include but not be limited to:

1. Establishing an open, community-friendly environment
2. Creating an awareness of the need for community participation
3. Improving communication between the school and the community
4. Developing orientation materials to be provided to all volunteers who have contact with students on a regularly scheduled or continuing basis

Persons interested in participating in the volunteer program should contact the principal/designee.

SUPERVISION

All volunteers shall provide assistance only under the direction and supervision of a member of the professional administrative and/or teaching staff.¹ Volunteers who assist in the district on a scheduled and/or continuing basis shall be provided with the same liability insurance as a district employee and shall be provided with a written task description detailing responsibilities and expectations as well as specific qualifications that may be required.

RECORDS CHECK

The District shall conduct, at District expense, a state criminal records check, good for one year, on all volunteers who have contact with students on a regularly scheduled and/or continuing basis, or who have supervisory responsibility for children on 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. 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/>.

Volunteers**WORK-BASED SITE SUPERVISORS**

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

BASIS FOR DISQUALIFICATION

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

1. All sex-related offense convictions
2. All offense convictions against minors
3. All felony offense convictions against persons or property
4. All drug-related offense convictions
5. All deadly weapon-related offense convictions
6. All misdemeanors, other than routine traffic violations, within three (3) years from date of check

All volunteers must have undergone the criminal records check and an Ethics and Confidentiality Orientation before they begin to serve. The Principal and/or school council shall determine the need for the volunteer/ volunteers. The volunteers may be placed according to the determined need.

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.

ACCOUNTABILITY

Schools shall keep a record of each volunteer's assignment, the hours he/she has volunteered, and the effectiveness of the services provided.

REFERENCES:

¹KRS 161.148
KRS 160.380
KRS 161.044

RELATED POLICIES:

03.5
08.113; 08.1131, [08.2324](#)

Budget Planning and Adoption**PLANNING**

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

PREPARATION OF BUDGETS

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

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

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

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

TIMELINE

On or before January 31, the Board shall formally and publicly examine a detailed estimate of revenues and proposed expenditures by line item for the following fiscal year. On or before May 30, the Board shall adopt a tentative working budget, which includes a minimum reserve of two percent (2%) of the total budget. 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 property assessment data, the Board shall levy tax rates for the District and forward them to the Kentucky Board of Education for approval or disapproval. By September 30, the Board shall adopt a close estimate or working budget for the District.

PUBLICATION

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

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FISCAL MANAGEMENT

04.1
(CONTINUED)

Budget Planning and Adoption

REFERENCES:

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

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RELATED POLICIES:

01.11; 02.4242; 02.4331; 04.91

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 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 &⁵; and
4. The District's finance or purchasing officer has certified compliance with the first and second requirements.

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

PUBLIC-PRIVATE PARTNERSHIPS

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

FEDERAL AWARDS/CONFLICT OF INTEREST

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.⁷

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

Model Procurement Code Purchasing**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

EXEMPTIONS

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

PRICE REDUCTIONS

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

SMALL PURCHASES

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

The following employees are authorized to approve small purchases up to \$1,500: Director of Transportation, Director of Buildings and Grounds, and Principals (school activity funds only).

BACKGROUND CHECKS

The Superintendent shall require an adult who is permitted access to school grounds on a regularly scheduled and continuing basis pursuant to a written agreement for the purpose of providing services directly to a student or students as part of a school-sponsored program or activity to submit, at no expense to the District, to a national and state criminal history background check by the Kentucky State Police and the Federal Bureau of Investigation and to provide a clear CA/N check in keeping with KRS 160.380.⁶

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

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FISCAL MANAGEMENT

04.32
(CONTINUED)

Model Procurement Code Purchasing

REFERENCES:

¹KRS 45A.343
²KRS 45A.345; KRS 160.290; KRS 45A.380
³KRS 160.303; 200 KAR 5:400; KRS 45A.494
⁴KRS 156.076
⁵KRS 45A.385
⁶KRS 160.380
⁷2 C.F.R. 200.318
⁸KRS 45A.360
KRS 45A.352; KRS 45A.365; KRS 45A.370
KRS 45A.420; KRS 45A.445; KRS 45A.455; KRS 45A.460; KRS 45A.620
KRS 65.027; KRS 65.028; KRS 160.151; KRS 164A.575; KRS 176.080
200 KAR 5:355
OAG 79-501; OAG 82-170; OAG 82-407
Kentucky Educational Technology Systems (KETS)

RELATED POLICIES:

05.6; 06.4; 07.13

Disposal of School Property

BIDS OR AUCTION

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

DISPOSITION PROCESS OF REAL PROPERTY

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

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

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

(a) By public auction;

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(b) By accepting sealed bids; or

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

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~~Dependent upon the method of disposal above, t~~he 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

FISCAL MANAGEMENT

04.8
(CONTINUED)

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

Food/School Nutrition Services

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

BREAKFAST AND LUNCH

Schools may serve a complete breakfast, hot or cold as defined by federal regulations. The noon meal shall be a complete lunch, hot or cold, as defined by federal regulations; and servings shall be of such size as to provide at least one-third (1/3) to one-half (1/2) of the daily nutritional requirements.

FOOD SERVICE/SCHOOL NUTRITION PROGRAM DIRECTOR

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

~~ANNUAL REPORT/PUBLIC FORUM~~

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

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

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

DISCRIMINATION COMPLAINTS

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

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

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

District personnel shall assist parents/guardians and students wishing to file a complaint.

SPECIAL DIETARY NEEDS

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

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

Food/School Nutrition Services

MEAL CHARGES

All parents shall be provided the written meal charge policy at the beginning of each school year or upon enrollment in the District for students transferring in mid-year. In addition, parents shall be advised of the available payment systems and meal prices.

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

Charges are permitted in emergency situations when parents forget to provide or students forget to bring money for breakfast or lunch. Students may charge meals up to five (5) days. After the third (3) meal charge, a letter from the District Office of Food Service with notification to the school Principal, shall be mailed to the home address of the student's parent/guardian noting the status of the meal charges. Within five (5) school days of a fifth charge, the parent/guardian shall be informed in writing that they must pay all delinquent charges or furnish their child's meal. If parents have not contacted the Cafeteria Manager or submitted the amount indicated within ten (10) working days from the date of the final notice, the debt will be considered delinquent and may be directed to the Board Attorney.

A la carte items shall not be charged. Students may resume charging meals on an emergency basis once the previous meal charges have been paid. Meal charges shall not transfer to another school and all students must have a zero balance at the end of each school year. Should additional or other arrangements be needed, the parent/guardian of the student shall contact the Food Service Program Director, who may make a referral to the Family Resource Center.

If the situation is a result of the economic condition of the household or changes in that condition, FRC/YSC staff shall make available to the household an application for free/reduced price meals and provide any needed assistance in completing the application. Meal service to children in these situations shall not be interrupted. Food service will be reimbursed from the general fund if required by state and/or federal standards for the cost of the meals while applications are being processed.

Adults shall not be permitted to charge meals or a la carte items.

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

PRE-PAY OPTION

The District School Food Service Program employs a computerized point of sale system at each school that allows each student to have a unique account number. All students have the option to pre-pay meals for as many days as the parent/guardian chooses. The parent/guardian may opt to disallow the purchase of extra items and only meals will be subtracted from the pre-payment amount in the student's account.

DEPOSIT OF FOOD SERVICE FUNDS

The Superintendent shall develop procedures regulating the safekeeping and deposit of school food service funds.

SUPPORT SERVICES

07.1
(CONTINUED)

Food/School Nutrition Services

REFERENCES:

KRS 156.160; KRS 158.852; ~~KRS 158.856~~; KRS 160.290
702 KAR 6:010; 702 KAR 6:020; 702 KAR 6:040; 702 KAR 6:050
702 KAR 6:060; 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

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

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: 704 KAR 3:303 HAS BEEN REPEALED.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1

Curriculum

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

CAPACITIES

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

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

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HIGH SCHOOL MASTER SCHEDULES/STUDENT PRE-REGISTRATION

By January 31 of each year high schools shall conduct student pre-registration and submit pre-registration figures for each course offering to the Superintendent/designee no later than February 15.

From the January student pre-registration figures, by the end of February, high schools shall submit draft master schedules for the up-coming academic year to the Superintendent/designee.

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.

Curriculum**SUPERINTENDENT RESPONSIBILITY (CONTINUED)**

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

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STUDENTS WITH DISABILITIES

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

REFERENCES:

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

RELATED POLICIES:

Section 02.4 (All Policies)

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

CURRICULUM AND INSTRUCTION

08.1122

Advanced Coursework

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

DISTRICT PLAN

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

The plan shall:

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

SCHOOL POLICY

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

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Advanced Coursework**SCHOOL POLICY (CONTINUED)**

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

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

REFERENCE:

KRS 158.6453

RELATED POLICIES:

02.4241; 08.1113; 08.1131; 08.11311; 08.132

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LEGAL: HB 342 AMENDS KRS 158.1411 REVISING THE FINANCIAL LITERACY COURSE GRADUATION REQUIREMENT.

FINANCIAL IMPLICATIONS: COST ASSOCIATED WITH COURSE INSTRUCTION OR DEVELOPMENT

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

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

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.113

Graduation Requirements

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic Standards, students must complete a minimum of twenty-two (22) credits, ~~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~~

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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 either:

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

The 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.

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

The development of the Individual Learning Plan (ILP) for each student shall be established within the first ninety (90) days of the sixth (6th) grade year and shall ~~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**SENIOR RECORD REVIEW**

By the end of the first semester, each senior's record shall be reviewed to determine eligibility for graduation. Written notification of ineligibility for graduation shall be provided by the Principal to both the student and parent.

TRANSITIONAL CLASS REQUIREMENTS

All students that have not met the Council for Post-Secondary Education's college readiness requirements in math based on the ACT scores during their junior year or by other approved assessments, will be required to take transitional math courses, as determined by the placement assessments, during their senior year.

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 may grant different diplomas to those students who complete credits above the minimum number as established by the Kentucky Board of Education. In addition, the Board may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

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

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.

GRADUATION CEREMONIES

Students shall have completed the necessary requirements to earn a diploma before they may participate in the graduation exercises.

The Superintendent or the Principal, with the written approval of the Superintendent, may deny any senior the privilege of participating in any or all of the graduation activities if the senior's conduct is such that it will discredit the graduating class or school.

Graduation exercises at individual secondary schools shall be held no earlier than the evening of the last day of school in the school term.

Graduation Requirements

TRANSCRIPTS

Each graduating senior is entitled to three (3) free copies of his/her transcript.

DIPLOMAS FOR VETERANS

In keeping with statute and regulation, the Board shall award an authentic high school diploma to an honorably discharged veteran who 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](#)

RELATED POLICIES:

[08.1122](#); 08.1131; 08.11311; 08.14; 08.22; 08.222; 08.4

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

RELATED PROCEDURE:

09.12 AP.25

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: 704 KAR 3:303 HAS BEEN REPEALED.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1131

Alternative Credit Options

In addition to regular classroom-based instruction, students may earn credit by attending course(s) away from their high school of attendance to obtain certain courses required for graduation and/or to take advantage of postsecondary class/credit opportunities verified by the institution, the high school of attendance, and the District.

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.

Online courses may be subject to review by the Superintendent/designee for conformance with Kentucky Academic Standards and District graduation requirements.

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 C~~content 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.

REFERENCES:

~~KRS 157.320~~
KRS 158.622
KRS 164.786
~~704 KAR 3:303;~~ 704 KAR 3:305; 704 KAR Chapter 8

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CURRICULUM AND INSTRUCTION

08.1131
(CONTINUED)

Alternative Credit Options

RELATED POLICIES:

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

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, 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.

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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

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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 physical, health, or mental conditions. An "extended period" refers to an absence for more than five (5) consecutive school days. For a student admitted to an inpatient facility, the student may receive home/hospital instruction effective on the date of admittance.

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

ELIGIBILITY

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

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

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

PROGRAMS FOR HOME/HOSPITAL INSTRUCTION

Students applying for home/hospital instruction shall supply satisfactory evidence of need, verified by a signed statement as required by law that the student's condition prevents or renders inadvisable attendance at school. Some conditions that warrant home/hospital instruction are: fractures; surgical recuperation; other physical, health, or mental conditions; and certain communicable diseases, etc.

In cases where pregnant students need home/hospital services because the students are nearly full-term and subject to deliver or have already delivered their babies and need home/hospital services during recovery, services will be provided two (2) weeks prior to delivery and six (6) weeks after delivery. Medical complications may extend the amount of time needed in the program. In such cases, the application must describe what is abnormal about the pregnancy and the complication present that prevents school attendance.

Home/Hospital Instruction

PROGRAMS FOR HOME/HOSPITAL INSTRUCTION (CONTINUED)

While in home/hospital instruction, elementary students may be promoted or retained by the home/hospital teacher, based on the student's academic progress in all the basic skills areas.

The home/hospital teacher shall determine the final grade for each class exceeding twelve (12) weeks. The grade shall be determined by the student's academic progress evaluated by the home/hospital teacher. Students enrolled in home/hospital instruction for less than a twelve (12)-week period shall be assigned a final grade in each class by the student's school-based teacher.

SECONDARY STUDENTS

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

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

Only core courses will be offered through home/hospital instruction.

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.

CURRICULUM AND INSTRUCTION

08.1312
(CONTINUED)

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:

08.22
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

Pledge of Allegiance & Moment of Silence or Reflection

PLEDGE OF ALLEGIANCE STUDENT'S OPPORTUNITY TO PARTICIPATE

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

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

MOMENT OF SILENCE OR REFLECTION

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

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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:
 - 1. Children in grade five (5) and below do not receive any instruction through curriculum or programs on human sexuality or sexually transmitted diseases; or
 - 2. Any child, regardless of grade level, enrolled in the district does not receive any instruction or presentation that has a goal or purpose of students studying or exploring gender identity, gender expression, or sexual orientation; and
- e) A school policy to notify a parent in advance and obtain the parent's written consent before the parent's child in grade six (6) or above receives any instruction through curriculum or programs on human sexuality or sexually transmitted diseases.

CURRICULUM REQUIREMENTS

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

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

Human Sexuality**CURRICULUM REQUIREMENTS (CONTINUED)**

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

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

This shall not prohibit school personnel from:

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

REFERENCES:

KRS 158.1415; KRS 160.345

RELATED POLICIES:

08.1; 08.23; 08.2322, ~~08.2324~~

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

CURRICULUM AND INSTRUCTION

08.22

Promotion and Retention

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

TRANSFERS

In case a pupil transfers from the school of one district to the school of another district, s/he may not be assigned to a lower grade or course until the pupil has demonstrated that s/he is not suited for the work in the grade or course to which s/he has been promoted.¹

Pupils who transfer from a non-accredited school may 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 shall receive a vocational certificate of completion specifying the areas of competence.¹

STUDENT PROGRESS

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

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

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

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

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

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

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

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CURRICULUM AND INSTRUCTION

08.22

Promotion and Retention

STUDENT PROGRESS (CONTINUED)

Board-approved student handbook(s) shall contain complete details.

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

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

REFERENCES:

¹KRS 158.140

²704 KAR 3:307

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

OAG 82-473

RELATED POLICIES:

02.441; 08.113; 08.222; 08.5; 09.121

Instructional MaterialsResources**SURVEY**

Schools not having SBDM school councils shall survey teachers to determine their needs for instructional [materialsresources](#). 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 [materialsresources](#).

FINANCIAL REPORT

A financial report on allocations to and expenditures for instructional [materialsresources](#) shall be prepared annually by the Board and shall be a public record.

Each school may carry forward to the next fiscal year any part of the instructional [materialsresource](#) allocation distributed to the school that has not been spent or committed in the current fiscal year.

INSTRUCTIONAL [MATERIALSRESOURCE](#) FUND

Schools with any grade from P-8 may purchase instructional [materialsresources](#) using State funds in accordance with 704 KAR 3:455.

Each school allocated instructional [materialsresource](#) 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 Board and by the School Council in SBDM schools.

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

Any purchase exceeding the funds allocated shall be paid from other Council funds in SBDM schools.

FEES

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

Instructional [materialsresources](#) 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 [materialsresources](#).¹

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

RESPONSIBILITY

Students or parents shall compensate the District for instructional [materialsresources](#) that are lost, damaged, or destroyed while in the student's possession.

Instructional Materials Resources**SECTARIAN TEXTS**

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

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

REFERENCES:

¹KRS 158.108

²KRS 160.330; 702 KAR 3:220

³KRS 158.190

KRS 156.162

KRS 156.433

KRS 156.439

KRS 157.110

KRS 158.188

702 KAR 3:246

704 KAR 3:455

RELATED POLICIES:

02.4242

04.32

09.15

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

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

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.2323

Access to Electronic Media

(Acceptable **Responsible** Use Policy)

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

1. If the subject of the report is a staff member, notify the Principal.
2. If the subject is the Principal, notify the Superintendent.
3. If the subject is the Superintendent, notify the Commissioner of Education and the Chair of the local Board.

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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.

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Access to Electronic Media

(Acceptable/Responsible Use Policy)

REFERENCES:

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

RELATED POLICIES:

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

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Access to Electronic Media

Floyd County School District in compliance with the KETS Master Plan for Kentucky provides students and staff with electronic information and communication to enhance learning through electronic resources via means of Internet and E-mail. We believe 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.

PARENTAL CONSENT REQUIREMENTS

Regardless of the level, the student must sign a user's agreement and parental permission must be secured before Internet access can be provided. This policy acknowledges the fact that standards of behavior relating to morals and personal values are within the realm of the family. To the degree that a parent guides a child's exposure to television, videos, and music the parent should guide the child's exposure to the computer networks when giving permission for independent access or individualized study. The school cannot be held responsible if a student given parental permission for independent access intentionally accesses material, which his/her family considers objectionable. District and school acceptable use policies are intended to address "ethics," leaving issues relating to "morals" between the parent or guardian and child. Parents shall be notified in writing (via Code of Conduct) that the Internet and electronic mail may be used with students as part of the instructional process.

Parents shall be notified (via Code of Conduct) that students must sign a student Acceptable Use Policy agreement before direct access to Internet and electronic mail will be provided.

Written parental consent shall be required (AUP user agreement) before any student is given direct, hands-on access to the Internet or to electronic mail.

This AUP, once signed by the student/staff/administrator/parent, shall be kept on file as a legal, binding document, for the duration of their career at Floyd County Schools unless otherwise dictated by policy change.

PARENTAL CONSENT TO CHILD'S USE OF MICROSOFT ONLINE SERVICE

When your child provides information to Microsoft, the information is used to enable and customize Microsoft services and for the purposes described in the Microsoft Online Privacy Statement (available online at <https://privacy.microsoft.com/en-us/privacystatement>).

Some Microsoft online services within Office 365 allow people of all ages to share personal information with others and that the permission granted hereunder allows your child access to sign in and use these services. Giving or denying permission for your child to sign in and use Microsoft services will not affect his or her ability to use other websites.

Parents shall be notified in writing (via Code of Conduct) that students will be held accountable for violations of the student Acceptable Use Policy agreement and that disciplinary action may be taken.

Access to Electronic Media

PERSONALLY OWNED DEVICES

Any school personnel or student who brings a privately or personally owned computer, software, peripheral into the Floyd County School District may be allowed to connect their personally owned device to the District network and must adhere to all Floyd County Board of Education Policies and Procedures. This includes all aspects of this Acceptable Use Policy, and they must maintain equipment to a Kentucky Education Technology System Standard for Internet and email access. Such access will be monitored and will require students to login using their district credentials. However, families are responsible for all service and support of personal devices. The District is not responsible for any damage or loss incurred with the use of a personal device in the school setting. Students are expected to use devices for educational purposes and only with the consent of school staff.

TEACHER AND STAFF SUPERVISION OF STUDENT COMPUTER USE

1. Teachers/staff and others whose duties include classroom management and/or student supervision shall sign an Acceptable Use Agreement acknowledging responsibility for exercising reasonable supervision of student access to Internet and Electronic Mail.
1. Teachers/staff shall not direct or advise students accessing school computing and communications networks to use electronic mail systems other than the Kentucky Education Technology System standard email system.
4. Teachers/staff shall supervise all student computer use to ensure it is used for educational purposes and non-approved software, programs and resources are not utilized. This includes the restricted use of Virtual Private Networks (VPNs) or Anonymizers that permit access to the Internet via means of bypassing the District's Web Filtering service.
1. Teachers/staff will maintain daily log files that will provide student name, date, time in and time out for all student use of computers.
1. Teachers/staff shall supervise and proof all school-related material placed, posted, or published on school sites.
1. Teachers/staff shall not publish/post or direct/advise students to post or publish school-related information outside the school district except in cases where students name and/or work needs to be published to any online entity or other KDE-supported events and where written parental permission has been given.

EMPLOYEE USE

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

Employees are required to set up and utilize Multi-factor Authentication (MFA) in order to access District provided accounts and any application that uses District credentials for access. MFA not only protects the employees account but also will aid in protecting the data an employee's account has access to.

Access to Electronic Media

EMPLOYEE USE (CONTINUED)

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.

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

Networking, communication and other options 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 or District activity sponsors to set up websites, messaging apps or social networking accounts for instructional, administrative or other work-related communication purposes, they shall comply with the following:

- 1. They shall request prior permission from the Superintendent/designee.
- 1. If permission is granted, staff members will set up the site following any District guidelines developed by the Superintendent's designee.
- 1. Guidelines may specify whether access to the site must be given to school/District technology staff.
- 1. Follow all guidelines of the District's Internet Safety Standards.
- 1. 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.
- 1. Once created, the sponsoring staff member is responsible for the following:
 - 2. Monitoring and managing the site, application or account to promote safe and acceptable use, and observing confidentiality restrictions concerning release of student information under state and federal law.

District employees are discouraged from doing the following:

- 2. Creating personal social networking sites to which they invite students to be friends or engaging in personal interactions with students via posting on other networks. Employees taking such action do so at their own risk.

ELECTRONIC MAIL

Standards for use of email by students and staff communication:

- 1. Do not send or attach documents containing pornographic, obscene, or sexually explicit material.
- 1. Do not transmit obscene, abusive or sexually explicit language.
- 1. Do not transmit any illegal, alcohol, drug or drug related information.

Access to Electronic Media

ELECTRONIC MAIL (CONTINUED)

- 1. Do not use electronic mail for communications, which are not directly related to instruction, sanctioned school activities, or a person's job.
- 1. Do not use electronic mail, for instance, for private business or personal, non-work-related communications.
- 1. Do not access, copy or transmit another's messages and/or attachments without permission.
- 1. Do not use electronic mail to transmit any form of aggression (e.g. threats, anger, or harassment, bullying).
- 1. Do not send or forward any form of a chain letter.
- 1. Do not use electronic mail to transmit information or communicate with gangs, hate groups or groups with violent themes.
- 1. Do not use electronic mail to transmit any data relating to violent themes.

SPECIAL SAFETY CAUTIONS, WHICH ARE AGAIN ANALOGOUS TO COMMON PRACTICE

Students should not reveal their name and personal information to or establish relationships with "strangers" on the network, unless the communication has been coordinated by a parent or teacher. The school should not reveal a student's personal identity unless the parent has given written consent. The school should not transmit a student's work with personally identifiable information without parent consent.

Cyber-bullying as defined is harassing, threatening, or any other type of communication via means of internet or email, and telecommunications including cell phones that threatens a person or persons' character or personal safety. You should report any form of "cyber-bullying" to your teacher, principal, or supervisor as soon as possible.

With respect to the privacy rights of students, teachers, and staff, this policy states clearly that email is not guaranteed to be private. System administrators can, and may be required sporadically, to inspect email. This aspect of an acceptable use policy might be analogous to the Board's policy on school lockers; while generally private, lockers may be searched under certain circumstances.

LOCAL TECHNOLOGY RESOURCES

Standards for student, teacher, and staff use of local technology resources (hardware, software, and communications devices) and use of other school property and instructional materials in traditional formats:

- 1. Copyrights must be respected. Copyrighted software and other instructional materials must not be copied or transferred to another except as provided under the license agreement or copyright notice. Resources should not be used for private business or personal gain.
- 1. Authorship and/or publishers of information in electronic form must be appropriately acknowledged in writing and research (footnotes, bibliographies, etc.).
- 1. Vandalism or theft of resources (including data and files) will not be tolerated.
- 1. Passwords must not be exchanged, and other's passwords must not be used. The individual is responsible for the security of his/her own password.

Access to Electronic Media

THE NETWORK

The Floyd County Schools' network and computer resources are provided for instructional and educational purposes only. The following list items that will not be permitted or tolerated.

- 1. Accessing, displaying, possession, or transferring pornography, drug, or other illegal activities.
- 1. Carrying out activities deemed to be a security risk to the network (use of VPN's, hacking, denial of services, etc.).
- 1. Use of Non-KETS approved email or online chat service.
- 1. Displaying, sending or publishing obscene, threatening, or harassing messages or pictures.
- 1. Use of the network for private, criminal, or malicious intent.
- 1. Trespassing in others computer, network accounts, files, directories, or work.
- 1. Alterations, misuse, abuse, or damaging of computer or network equipment.
- 1. Loading of illegal, non-approved or non-licensed software, on board owned equipment including uploading and downloading from the Internet and unreliable sources.
- 1. Misuse or intentionally wasting resources via Internet or email.
- 1. Software installation without permission by proper school or District authorities including (Games or Freeware).
- 1. Employment of the network for private, profit, personal, or commercial gain.
- 1. Do not use the network to access, display, send, receive or communicate with gangs, hate groups or groups with violent themes or to participate in any form of "Cyberbullying".
- 1. Any activity deemed inappropriate by school or District authorities.
- 1. Only authorized personnel may post or publish school related information.
- 1. Unauthorized disclosure, use, and dissemination of personal information regarding minors.
- 1. Only school related files or information is to be placed, posted, or published on the Floyd County School network.
- 1. All school related information placed, posted, or published on the web shall be proofed and approved by authorized school personnel prior to posting/publishing.
- 1. School related information shall not be placed, posted, or published outside the Floyd County School District network without the permission of the Superintendent.
- 1. Students should not reveal their name and personal information to or establish relationships with "strangers" on the Internet, unless a parent or teacher has coordinated the communication.
- 1. The school should not reveal a student's personal identity or post a picture of the student or the student's work on the Internet with personally identifiable information unless the parent has given written consent.

Access to Electronic Media

THE NETWORK (CONTINUED)

1. Schools are encouraged to create and maintain a school web site; however only school and related educational information shall be displayed on school or Floyd County School Communication networks.

SOCIAL, WEB AND COLLABORATIVE CONTENT

The District recognizes that Internet-based resources that can enhance educational activities are growing in number each day. The District may provide access to web sites or tools that support communication and collaboration with others in addition to general productivity. Students are reminded to communicate appropriate and safely via these resources and that communication may be monitored. Use of any website outside of the District control is subject to their use and may require specific permission in addition to the AUP.

INTERNET SAFETY STANDARDS

Internet safety standards addresses all of the following issues:

1. Access by minors to inappropriate matter on the Internet.
1. Internet access through the school is to be used for instruction, research, and school administration. School access is not to be used for private business or personal, non-work-related communications.
1. The Internet is accessed through assigned user id and password only. Access is not permitted through the use of anonymous proxy sites or sites that permit access to restricted sites via means of a VPN service.
1. The safety and security of minors when using email, chat, and other forms of direct electronic communications.
1. Unauthorized access including "hacking" and other unlawful activities by minors online.

RESTRICTED ACCESS TO MATERIALS HARMFUL TO MINORS

Measures designed to restrict minors' access to materials harmful to minors. To manage the student or staff member, who is determined to occasionally be tempted to violate acceptable use policies, certain deterrents can be put in place:

1. Certain network management software packages allow the systems administrator to view or intervene and "take over" a user's screen. These packages are designed for problem diagnosis, to troubleshoot network problems, and to support help desk activities. Although they are not designed to scan network activity for inappropriate use, the District may decide to use them for that purpose on an as needed basis. Regardless, if the user is informed that such scanning is feasible that fact alone may deter inappropriate use.
1. With implementation of web filtering services, schools should familiarize parents, students, faculty, and staff with the information contained in web filter logs. The fact that these logs contain detailed information about each Internet access, which can be traced to the individual user usually, serves as a powerful deterrent.

Access to Electronic Media

EDUCATION PROCESS

- 1. All students will have access to the I-SAFE Gold Curriculum for a comprehensive approach to online safety. K-12 students will be exposed to a variety of topics including digital literacy, cyber citizenship, identity protection/reputation, cell phones/texting, cyber security and predator identification. All students will learn online safety, security and responsibility.
- 1. The curriculum will be implemented through a tiered approach. The School Technology Coordinator will receive comprehensive training on the implementation and management of the I-SAFE Gold Curriculum. The STC and School Leadership will then design an implementation model that best suits the needs of the school and ensures that all students receive training in all features of this program.
- 1. Assessment and reporting features of the I-SAFE program will be conducted at the school level from which school and District administrators can monitor the implementation of the program.
- 1. Implementation of this program is a mandate of the FCC Child Internet Protection Act (CIPA), Senate Bill 230, and Schools and Libraries E-RATE discount grant as well as other state and local policies. I-SAFE reports will track educators' usage of the curriculum in their classrooms and will provide valuable documentation for compliance audits.

VIDEO, AUDIO, AND MEDIA PRESENTATIONS

On occasion, it may be necessary for school administration to provide video/audio presentation containing visual representations and/or sound recordings of student/staff for public viewing. The means may include news media, public television, newsletters, radio, training videos, school internet web pages, social media, and other related school and/or District projects to be used for instruction, research, and school administration.

By signing the agreement and/or parent permission form, the student or staff member has agreed to allow identification and or publication of their name, photographic or video image and/or voice for purposes of recognition, celebration, and other school or District related events.

TELECOMMUNICATION DEVICES

A personal telecommunications device is defined as a device that emits an audible signal, vibrates, displays a message, takes a picture, causes a disruption of the learning environment, or otherwise summons or delivers a communication to the possessor, including but not limited to a cellular telephone, mp3 player, iPad or iPod, or tablet PC.

Acceptable use for any personal telecommunications device shall be for instructional purposes only with the approval and supervision of school staff. Otherwise, students shall keep personal telecommunications devices out of sight and shall not activate nor use such devices either during the instructional day or while attending or participating in school-related activities held during the instructional day.

For these purposes, the instructional day shall be defined as the first bell of the day through the last bell of the day. The Board does acknowledge the authority of the school council to alter this definition to better serve the needs of individual schools.

Access to Electronic Media

TELECOMMUNICATION DEVICES (CONTINUED)

Students shall not use personal telecommunication devices and other related electronic devices, in a manner that disrupt the educational process, including, but not limited to, use that:

- 1. Poses a threat to academic integrity, such as cheating;
- 1. Violates confidentiality or privacy rights of another individual;
- 1. Is profane, indecent, or obscene;
- 1. Constitutes or promotes illegal activity or activity in violation of school rules, or violates the District's Acceptable Use Policy or Student Code of Conduct;
- 1. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

Device contents, while generally private, may be searched under certain circumstances including, but not limited to, reasonable suspicion of threat of safety, violation of confidentiality, or privacy rights of another individual, and may result in a report being made to law enforcement.

Upon violation of this policy, students are subject to discipline as outlined in the Student Handbook and Code of Conduct. Floyd County Schools shall not be responsible for the loss, damage, or theft of any personal telecommunications device.

Any form of VPN (Virtual Private Network) found to be in use on a personal telecommunication device in the effort to bypass the District's web filtering service can result in that device being banned or "blacklisted" from accessing the District's network and Internet service without prior notice.

TELEPHONE AND OTHER VOICE SYSTEMS

The District, in compliance with KERA, has installed Voice Systems (Telephones) in all schools. Every classroom is equipped with a handset and voice port connected to the school voice system. The District also has issued cellular phone to appropriate staff.

- 1. The school, classroom, and cellular telephones are designed to aid and support the educational/instructional process and should not be used for personal, public, private or commercial purposes. To protect the instructional process, student and staff, no telephone calls from outside the school shall go directly into the classroom.
- 1. All SBDM will adopt policies and develop specific procedures on how the school will address telephone calls or messages (voice mail, secretary messages, etc.) to and from the classroom including student/staff use of cell phone and text messaging during school hours of operation.
- 1. All SBDM will adopt policies and develop specific procedures for student use of voice (telephone) systems and cell phone use and text messaging.

PREPARATION OF EDUCATORS

Teachers and others whose duties include classroom management and/or student supervision should be provided with guidance on detecting, deterring, and documenting inappropriate use, on safeguarding personal privacy, and on dealing with unsolicited online contact as a school safety issue.

Access to Electronic Media

RESPONSIBILITY OF USE

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care.

Individuals bringing privately or personally owned computer software/peripherals into the Floyd County School System, it shall be the responsibility of the owner for its transportation to and from and for its security while on school property.

Floyd County School System will not be liable for damages, loss, theft, or vandalism of such equipment.

DETERRENTS

To manage the student or staff member, who is determined or occasionally tempted to violate acceptable use policies, certain deterrents can be put in place:

Certain network management software packages allow the systems administrator to view or intervene and "take over" a user's screen. These packages are designed for problem diagnosis, to troubleshoot network problems, and to support help desk activities. Although they are not designed to scan network activity for inappropriate use, the District may decide to use them for that purpose on an as needed basis. Regardless, if the user is informed that such scanning is feasible that fact alone may deter inappropriate use. With implementation of web filtering services, schools should familiarize parents, students, faculty, and staff with the information contained in web filter logs. The fact that these logs contain detailed information about each Internet access, which can be traced to the individual user usually, serves as a powerful deterrent.

DISCIPLINARY ACTIONS AND OTHER CONSEQUENCES

All users and all parents will be informed of the consequences of violating appropriate use policies. Consequences will be conveyed via Code of Conduct user agreement and during initial training. Generally, the consequences will be one or more of the following:

- 1. Loss of access
- 1. Disciplinary action (Code of Conduct)
- 1. Legal action

NOTICE OF POLICY

Notice of this policy, along with the disciplinary penalties for violation, shall be published annually in the District's Student Handbook and Code of Conduct and presented publicly via means of Floyd County Board meeting.

REFERENCES:

- KRS 156.675; KRS 265.722; KRS 265.734
- 701 KAR 5:120
- 16 KAR 1:020 (Code of Ethics)
- Public Law 110-385, Broadband Data Improvement Act/Protecting Children in the 21st Century Act, 47 U.S.C. § 254-Children's Internet Protection Act; 47 C.F.R. §4.520
- Kentucky Education Technology System (KETS)
- 15-ORD-190

CURRICULUM AND INSTRUCTION

08.2323

(CONTINUED)

Access to Electronic Media

RELATED POLICIES:

03.1325; 03.2325

03.47; 03.27

08.1353; 08.2322

09.14; 09.421; 09.422; 09.425; 09.426

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.

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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

CURRICULUM AND INSTRUCTION

08.2324

(CONTINUED)

Traceable Communications

RELATED POLICIES:

03.1321; 3.13214; 03.1325; 03.162; 03.17

03.2321; 03.23214; 03.2325; 03.262; 03.2621; 03.27

03.6

08.13531; 08.2323

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

CURRICULUM AND INSTRUCTION

08.3

School Calendar**CALENDAR COMMITTEE**

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

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

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

DEVELOPMENT OF CALENDAR

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

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

The meetings may be regular or special.

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

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

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

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

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

ADDITIONAL REQUIREMENTS

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

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

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

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

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

School Calendar**CALENDAR OPTIONS**

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

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

AMENDING THE CALENDAR

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

EMERGENCY WAIVERS

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

REFERENCES:

¹KRS 157.350; KRS 158.070; KRS 161.500
KRS 2.190; KRS 61.823; KRS 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

09.122

Attendance Requirements**COMPULSORY ATTENDANCE**

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

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

EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

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

STATEMENT REQUIRED

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

EXCEPTIONS TO PRESENCE AT SCHOOL

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

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,² or court-ordered instruction in another setting.
2. Participation of a 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

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

3. Students may participate in co-curricular 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 co-curricular 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 ~~delasses 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 158.06 ~~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

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STUDENTS

09.122
(CONTINUED)

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

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LEGAL: HB 241 AMENDS KRS 158.120 RELATING ENROLLMENT OF NONRESIDENT STUDENTS IN
VIRTUAL PROGRAMS. THIS BILL CONTAINS AN EMERGENCY CLAUSE MAKING IT ALREADY IN
EFFECT.
FINANCIAL IMPLICATIONS: ANY COST ASSOCIATED WITH PROVIDING VIRTUAL PROGRAMS

STUDENTS

09,1222

Nonresident Students

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.

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RESIDENCE DEFINED

Except for emancipated pupils, the legal residence of a pupil is determined by the physical address of the legal residence of the parent or guardian and not by the address at which the pupil is living.

BOARD APPROVAL

The District shall allow nonresident students to enroll in the District pursuant to existing Admissions and Attendance Policy 09.12, Tuition Policy 09.124, and related procedures.

CRITERIA

The Board may allow non-resident students to enroll in the District under the following conditions:

- A) When the student has not been expelled from the school in which he was last enrolled.
- B) When the student is not under suspension from the school in which he is or was enrolled.
- C) When the students does not have an unacceptable history of disciplinary problems.
- D) When class sizes will allow admission of the student; and
- E) When no District vehicles will be required to leave the District to pick up the student.

The Board may withdraw approval of the request for admission upon the discovery of any false or misleading information accompanying the request.

STUDENTS

09.1222
(CONTINUED)

Nonresident Students

PROBATION

At any time during the school year, a list of names of non-resident students who have failed to meet the criteria established for non-resident students is sent to the Director of Pupil Personnel. The criteria are based on satisfactory conduct, attendance, and grades. Non-resident students who have failed to meet any of these criteria will receive a letter from the Principal placing those students on probation. Acceptance for enrollment in subsequent years may be reviewed at the end of each school year.

REFERENCES:

KRS 158.120
KRS 157.350

RELATED POLICIES:

09.12; 09.1224; 09.124; 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.

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The District shall ensure that:

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

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

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

ENROLLMENT

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

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

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

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

ATTENDANCE

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

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

Online, Virtual, and Remote LearningATTENDANCE (CONTINUED)

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

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

GRADUATION REQUIREMENTS

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

STATE ASSESSMENTS

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

EXTRACURRICULAR ACTIVITIES

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

INSTRUCTIONAL SUPPORT AND MATERIALS

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

PERSONNEL

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

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

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CLASS SIZE

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

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

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

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

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

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

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

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

REFERENCES:

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

RELATED POLICIES:

08.113; 08.1131; **08.222**; 09.1222; 09.123; **09.1**

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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 Welfare and Wellness

DISTRICT WELLNESS POLICY PER 7 CFR 201.31

The Board shall develop and implement a district-wide "local school wellness policy" for all schools under its jurisdiction that participate in the National School Lunch Program and/or School Breakfast Program in compliance with 7 C.F.R. 210.31.

SCHOOL WELLNESS POLICY PER KRS 160.345

An individual school policy is also required by state regulations; however, it must align with District policy required by federal regulations and contained in Board Policy 09.2, if participating in a federal nutrition program.

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.
- 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 an individual school 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.
- The policy may permit physical activity to be considered part of the instructional day, (not to exceed thirty (30) minutes/day or 150 minutes/week) and also in compliance with the school calendar regulation, 702 KAR 7:140 and Board Policy 08.1346.

The Floyd County School District is committed to providing school environments that promote and protect children's health, well-being, ability to learn by supporting healthy eating and physical activity. It is the policy of the Floyd County School District that:

1. All students in grades PreK-12th will have opportunities, support, and encouragement to be physically active on a regular basis.
1. The District will engage students, parents, teacher, food service professionals, interested community partners in developing, implementing, monitoring, and reviewing the nutrition and physical activity policies.
1. Food and beverages sold and/or served at school will meet the nutritional recommendations of the United States Dietary Guidelines for Americans.
1. 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. This will include a clean, safe, and pleasant setting with an adequate time to eat.
1. All school in the District will participate in the federal school meal programs which includes the School Breakfast Program and the National School Lunch Program.
1. Schools will provide nutritional education and physical education to foster lifelong habits of healthy eating and physical activity so that students will understand the link between health education, school meal programs, and community related services to promote a healthier lifestyle.

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Student Welfare and Wellness**WELLNESS LEADERSHIP**

The superintendent/designee will direct District officials ("wellness leadership group") to ensure compliance with established District-wide nutrition and physical activity wellness policies. In each school, the Principal/designee will ensure compliance with those policies and will report on the school's compliance to the Superintendent/designee.

PHYSICAL ACTIVITY AND PHYSICAL EDUCATION

- 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.
- The policy may permit physical activity to be considered part of the instructional day, (not to exceed thirty (30) minutes/day or 150 minutes/week) and also in compliance with the school calendar regulation, 702 KAR 7:140 and Board Policy 8.1346.

SCHOOL HEALTH COUNCILS

The District and/or individual schools will create, strengthen, or work with existing school health councils to develop, implement, monitor, review, and revise as necessary school nutrition and physical activity policies. The councils will also serve as a resource to the schools for implementing these policies. The councils should include representatives from physical and/or health education teachers, students, parents, school administrators, school board members, health professional or other interested members of the public.

NUTRITIONAL QUALITY OF FOODS AND BEVERAGES SOLD AND SERVED ON CAMPUS

School Meals—Meals served through the National School Lunch Program and the School Breakfast Program should:

- 1. Be served in a clean and pleasant environment
- 1. Be appealing and attractive to students
- 1. Meet the nutritional requirements established by the local, state, and federal statutes and regulations.
- 1. Offer a variety of fruit and vegetables
- 1. Offer a variety of fat-free or low-fat milk
- 1. Offer whole grain products

School should offer taste tests of new products and conduct surveys in order to identify and select new healthful appealing choices. Schools should share nutritional information on menus, website, cafeteria menu boards, and other locations as deemed necessary.

Breakfast—To ensure that all children have breakfast, either at home or at school, in order to meet the nutritional needs and promote learning:

- 1. Operate the School Breakfast Program
- 1. To the extent possible, arrange bus schedules, breakfast schedules that encourage participation, which can include "grab-and-go" options as well as traditional style of serving line breakfast. Students and parents will be notified of the availability of the School Breakfast Program.
- 1. Schools will encourage parents to provide a healthy breakfast for their children through various means such as newsletters.

Free Meals—The Floyd County Schools will provide free meals (breakfast, lunch, after-school snack, preschool snack) to the maximum extent possible.

Summer Food Service—The Floyd County Schools will sponsor the Summer Food Service Program based on anticipated student participation levels.

Student Welfare and WellnessNUTRITIONAL QUALITY OF FOODS AND BEVERAGES SOLD AND SERVED ON CAMPUS (CONTINUED)Meal Times and Scheduling – School:

1. Will provide students an adequate amount of time to eat breakfast and lunch which ideally would be at least ten (10) minutes for breakfast and twenty (20) minutes for lunch after students receive their meal.
1. Should schedule meals at appropriate times.
1. Should avoid scheduling clubs, tutoring, organizational meetings or activities during mealtimes unless students can also eat during the activity.
1. Will provide students access to hand washing and/or hand sanitizing before they eat meals or snacks.

Qualifications of School Food Service Staff

Qualified nutrition professionals will administer the school meal programs. The district will provide continuing professional development for all nutritional professionals in the schools. The professional development program should include appropriate certification and/or training programs for the School Nutrition Director, School Nutrition Managers, and School Cafeteria Staff according to their level of responsibility and job requirements.

STANDARDS FOR ALL FOODS AND BEVERAGES PROVIDED BUT NOT SOLD TO STUDENTS

1. When possible, rewards given to students shall 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 6:090. Snacks served during the School Day should make a positive contribution to a student's diet and health, with an emphasis on serving fruit and vegetables or nutritionally healthful snacks. The district will disseminate a list of healthful snack items to teachers, parents, and school personnel.
1. Foods and beverages provided in school, but not made available for sale, shall meet standards outlined in the schools' individual wellness plan (if applicable) and will not conflict with District Policy.

Fundraising Activities

Schools should encourage fundraising activities that promote physical activity and a healthy lifestyle. Fundraising activities should follow state and federal guidelines for Smart Snacks or in accordance with 702 KAR 6:090 and only be available thirty (30) minutes after the last lunch period.

NUTRITION AND PHYSICAL ACTIVITY PROMOTIONNutrition Education and Promotion

Floyd County Schools aims to teach, encourage, promote, and support healthy eating by students. Schools should provide nutrition education and engage in nutrition promotion that:

1. Is offered K-8th as part of a systematic sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to make choices that will promote and protect their health.
1. Includes nutrition education as part of classroom subjects in not only health classes but in other subjects such as science, math, language arts, and social science classes.
1. Is developmentally appropriate, culturally relevant, enjoyable, and includes participatory activities such as contests, promotions, hands-on activities, taste testing, farm visits, and school gardens.
1. Will promote fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods, and healthy nutrition practices.

Student Welfare and Wellness**NUTRITION AND PHYSICAL ACTIVITY PROMOTION (CONTINUED)**

- 1. Will emphasize a healthy caloric intake which balances food intake and energy expenditure.
- 1. Will link school meal programs, ala carte food choices, with healthy nutritional choices.
- 1. Will teach media literacy with an emphasis on food marketing.
- 1. Will include training and resources for teachers and other staff.

Integrating Physical Activity into the Classroom Setting

For the students of the Floyd County Schools to receive the recommended amount of daily physical activity and for students to fully embrace regular physical activity as a personal behavior, students will need opportunities for physical activity beyond the regular physical education class. To meet that need:

- 1. Classroom health education will complement physical education by reinforcing the knowledge and skills needed to maintain a physically active lifestyle in order to decrease the amount of time spent on sedentary activities.
- 1. Will provide physical activity incorporated into other subject areas and lessons.
- 1. Will provide short activity breaks between lessons or classes as appropriate.
- 1. Will incorporate whole brain teaching with a focus on movement techniques.

Communication with Parents

The District/schools will support parent's efforts to provide a healthy diet and daily physical activity for their children. The District/school will offer healthy eating program and/or information for parents, provide nutrition information, and post nutrition tips on District and/or school websites. Schools should encourage parents to pack healthy snacks and/or lunches and to refrain from including beverages and foods that do not meet nutritional standards for individual foods and beverages. The District will provide parents a list of foods that meet healthy snack standards and will provide ideas for healthy celebration/parties, rewards, and fundraising activities.

The District/school will provide information about physical education and other school-based physical opportunities before, during, and after the school day and support parents' efforts to provide their children with opportunities to be physically active outside of the school. Such supports will include sharing information about physical activity and physical education through our website, newsletters, or other take-home materials, special events, or physical education homework.

Staff Wellness

The Floyd County School District highly values the health and well-being of every faculty and staff member and will encourage staff members to plan and implement activities that would support personal efforts to maintain a healthy lifestyle. Each school should establish and maintain a staff wellness committee composed of staff members as well as a member of the health care community and/or school nutrition staff. This committee could be a sub-committee of the school health council. The committee shall develop, promote, and oversee the plan to promote staff health and wellness. The plan shall be based on input from the school staff and should outline ways to encourage healthy eating, physical activity, and other elements of a healthy lifestyle among school staff. The staff wellness committee shall distribute the plan to the school health council annually.

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 6:090).

PHYSICAL ACTIVITY OPPORTUNITIES AND PHYSICAL EDUCATION

The Floyd County Schools will provide all students the opportunity to participate in physical activity up to but not to exceed thirty (30) minutes per day or one hundred fifty (150) minutes per week.

Student Welfare and Wellness**NUTRITION AND PHYSICAL ACTIVITY PROMOTION (CONTINUED)****Daily Physical Education**

All students in grades K-5th, including students with disabilities, special health care needs, and in alternative educational settings, should receive physical education for the entire school year. Student involvement in other activities involving physical activity should not be substituted for meeting the physical education requirement. Students should spend at least 50% of their physical education class time participating in moderate to vigorous physical activity.

Daily Recess

All elementary schools should have at least ten (10) minutes of daily recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity in an area with appropriate space and equipment.

Schools should discourage extended periods of inactivity. When activities, such as mandatory testing make it necessary for students to remain indoors for long periods of time, schools should give students periodic breaks during which they are encouraged to stand and be moderately active.

Physical Activity Opportunities Before and After School

All elementary, middle, and high schools should offer extracurricular physical activity programs. The schools, as appropriate, should offer interscholastic programs to meet the needs, interests, and abilities of all students, including boys, girls, students with disabilities, and students with special health care needs.

Physical Activity and Punishment

It is recommended that loss of physical activity periods should not be used as a disciplinary punishment or consequence.

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.

MONITORING AND POLICY REVIEW**Monitoring**

The superintendent/designee will ensure compliance with established District-wide nutrition and physical activity wellness policies. In each school, the Principal/designee will ensure compliance with those policies and will report on the school's compliance to the Superintendent/designee.

School food service staff, at the school or District level, will ensure compliance with nutrition policies with the school food service areas and will report on this matter to the Superintendent (or if done at the school level, to the Principal). In addition, the District will report on the most recent USDA school meal initiative review findings and any resulting changes.

The Superintendent/designee will develop a summary report on the District-wide compliance with the District's established nutrition and physical activity wellness policies based on the input from the schools within the District. The report will be provided to the Board and also distributed to all school health councils, parent/teacher organizations, Principals, and school health service personnel in the district.

Student Welfare and Wellness**MONITORING AND POLICY REVIEW (CONTINUED)****Policy Review**

Each school will review its existing nutrition and physical activity environment and policies using the School Health Index from the Centers for Disease Control and Prevention. The results will be compiled at the District level to identify, evaluate, and prioritize needs. The District and individual schools will, as necessary, revise the wellness policies and develop plans to facilitate their implementation.

REFERENCES:

KRS 158.850; KRS 158.854; KRS 158.856
KRS 160.290; KRS 160.345
702 KAR 6:090; [702 KAR 7:140](#)
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

RELATED POLICIES:

02.4241; 07.1; 07.111; 07.12; 08.1346

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

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Student Health and Safety**PRIORITY**

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

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

HEALTH SERVICES TO BE PROVIDED

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

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

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

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

SAFETY PROCEDURES

All pupils shall receive annual instruction in school bus safety.

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

ANONYMOUS REPORTING TOOL

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

The District may use the Kentucky Office of Homeland Security's anonymous reporting tool or provide an alternative anonymous reporting tool that meets the same requirements and shall develop and provide a comprehensive training and awareness program on the use of the chosen anonymous reporting tool.⁴⁵

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Student Health and Safety**STUDENT IDENTIFICATION BADGES**

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

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

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SUICIDE PREVENTION STATE TRAINING

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

SUICIDE PREVENTION STUDENT LESSONS

Each public school shall provide two (2) high-quality, evidence-based suicide prevention awareness lessons each school year, the first by September 15 and the second by January 15, either in person, by live streaming, or via a video recording to students in grades six (6) through twelve (12). The school shall provide an opportunity for any student absent on the day the high-quality, evidence-based suicide prevention awareness lesson was initially presented to receive the lesson at a later time. The information may be obtained from the Cabinet for Health and Family Services or from a commercially developed suicide prevention training program.²

SEIZURE DISORDER MATERIALS

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

REFERENCES:

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

²~~KRS 158.039~~ KRS 156.095

³~~KRS 158.070~~

⁴KRS 158.038

⁵KRS 158.4451

KRS 156.160

KRS 158.836; KRS 158.838

702 KAR 5:030

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.

STUDENTS

09.2211
(CONTINUED)

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.

Except for prescription medication that is delivered to school by the parents, internal medicine, including aspirin, shall not be provided by the school for the purpose of administering to pupils. Antiseptic and appropriate other emergency medications shall be maintained in the first-aid kit.

Once a completed authorization form from the parent/guardian is on file¹ and in accordance with the guidelines required by administrative procedures, pupils may take medicine which is brought from home and specifically ordered by the pupil's personal health care practitioner.

PRESCRIPTION MEDICATIONS

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

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

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

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

NONPRESCRIPTION MEDICATIONS

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

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Student Medication

SELF-ADMINISTRATION

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.

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, ~~as~~ 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.

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 (2023)

OAG 77-530; OAG 83-115

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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

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

Eligibility (Athletics)

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

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

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

The SBDM Councils shall establish eligibility requirements for participation in practices and competitions. High school requirements shall be no less rigorous than specified by KHSAA.

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

KRS 160.1592

702 KAR 7:065; OAG 15-022

Kentucky High School Athletic Association (KHSAA)

RELATED POLICIES:

02.4241

09.1222

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

09.423

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 ExtortionDEFINITION

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

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

Sexual extortion is a Class A misdemeanor unless:

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

In which case it is a Class D felony; or

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

Sexual Extortion

DEFINITION (CONTINUED)

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

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

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

This section does not apply to:

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

STUDENT AND PARENT NOTIFICATION

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

SIGNAGE

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

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Sexual Extortion**SIGNAGE (CONTINUED)**

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

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

REFERENCES:

¹KRS 531.125

²KRS 158.157

³KRS 158.158

KRS 17.500

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

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

RELATED POLICIES:

08.2323

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

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

STUDENTS

09.4261

Telecommunication Devices

DEFINITION OF PERSONAL TELECOMMUNICATION DEVICES

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.

Personal telecommunications device is defined as a device that emits an audible signal, vibrates, displays a message, takes a picture, causes a disruption of the learning environment, or otherwise summons or delivers a communication to the possessor, including but not limited to, a paging device, cellular telephone, MP3 player, hand held PC, or personal digital assistant.

POSSESSION AND USE

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess personal telecommunications devices and other related electronic devices. Students are prohibited from using a personal telecommunication device during instructional time, except during an emergency, if directed to do so by a teacher for an instructional purpose, or if authorized by a teacher.

Acceptable use for any personal telecommunications device will be strictly for instructional purposes with the approval of and under the supervision of school staff.

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.

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

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.

Otherwise, personal telecommunications devices shall be kept out of sight and shall not be used, turned on, nor activated by students during the school instructional day or school-related activities held during the instructional day. For this purpose, the instructional day is defined as the first bell of the day through the last bell of the day. However, SBDM Councils may set definitions to facilitate time appropriate needs. Device contents, while generally private, may be searched under certain circumstances including, but not limited to, reasonable suspicion of threat of safety, violation of confidentiality, or privacy rights of another individual.

Upon any violation of this policy, students are subject to discipline as outlined in the Student Code of Conduct. A violation also may result in a report being made to law enforcement.

Floyd County Schools will not be responsible for loss, damage, or theft of any personal telecommunications device.

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

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

STUDENTS

09.4294

Driver's License Revocation

The Principal/designee shall notify the Superintendent of S students 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