

-CLASSIFIED PERSONNEL-**Classified Personnel****DEFINITION**

Classified personnel are all those employees who hold positions not requiring teacher certification.¹

SUBSTITUTE EMPLOYEES

~~Solely for purposes of the County Employees Retirement System, substitute employees shall serve a probationary period not to exceed twelve (12) months during which they shall not participate in CERS.¶~~

Classified Hourly Substitute Employees are subject to retirement contributions if employee~~they~~ works enough hours to average, pursuant to the processes of KY Public Pensions Authority.

REFERENCES:

¹KRS 161.011 (1)
KRS 78.510
KRS 78.615
702 KAR 001:035

RELATED POLICY:

03.273

Adopted/Amended: 7/27/2015

Order #: K.3

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

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

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

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

QUALIFICATIONS

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

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

ELIGIBILITY

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

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

CRIMINAL BACKGROUND CHECK AND TESTING

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

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

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

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

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

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

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

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

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

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

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

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

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

REPORT TO SUPERINTENDENT

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

Hiring

HIRING OF RETIRED PERSONNEL

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

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

JOB REGISTER

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

VACANCIES POSTED

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

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

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

APPLICATIONS

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

RELATIONSHIPS

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

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

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

A relative of the Superintendent shall not be employed except as provided by [KRS 160.380](#).

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

Exception to the above is substitute personnel.

Hiring

JOB DESCRIPTION

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

AFFIRMATIVE ACTION PLAN

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

EMPLOYEES SEEKING A JOB CHANGE

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

REFERENCES:

¹[KRS 160.380](#)

²[KRS 161.605](#); [702 KAR 001:150](#)

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

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

45 C.F.R. § 1302.90

KRS Chapter 13B

[KRS 17.160](#); [KRS 17.165](#); [KRS 17.500](#) to [KRS 17.580](#)

[KRS 156.106](#); [KRS 160.345](#); [KRS 160.390](#); [KRS 161.042](#); [KRS 161.611](#)

[KRS 161.750](#); [KRS 335B.020](#); [KRS 405.435](#)

[KRS 439.3401](#)

KRS Chapter 510

[016 KAR 009:080](#); [702 KAR 003:320](#); [704 KAR 007:130](#)

[OAG 18-017](#); [OAG 73-333](#); [OAG 91-10](#); [OAG 91-149](#); [OAG 91-206](#)

[OAG 92-1](#); [OAG 92-59](#); [OAG 92-78](#); [OAG 92-131](#); [OAG 97-6](#)

[Records Retention Schedule, Public School District](#)

RELATED POLICIES:

01.11; 02.4244; 03.132

Adopted/Amended: 7/28/2025

Order #:

- CERTIFIED PERSONNEL -**Termination/Nonrenewal/Separation by Employee**

Termination and nonrenewal of contracts shall be the responsibility of 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. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

CODE OF ETHICS

Employees who violate provisions of the Professional Code of Ethics for Kentucky School Certified Personnel may be subject to disciplinary action, up to and including termination.

TERMINATION

No contract shall be terminated except upon notification to the employee by the Superintendent. Prior to notification of the Board, the Superintendent shall furnish the teacher with a written statement specifying in detail the charge against the teacher.¹

Termination of contracts of certified personnel shall be made in compliance with ~~the requirements of~~ [KRS 161.790](#) and [KRS 160.380](#).

ALTERNATIVES TO TERMINATION

As an alternative to termination, the Superintendent, upon notifying the Board and providing written notification to the teacher, may impose sanctions in accordance with [KRS 161.790](#) and shall notify the Board of the action taken at its next regular meeting.

NONRENEWAL

Nonrenewal of limited contracts of certified personnel shall be made in compliance with the requirements of [KRS 161.750](#).

SEPARATION BY EMPLOYEE

Certified employees seeking to resign or terminate contracts in force shall do so in compliance with [KRS 161.780](#).

A certified employee who voluntarily leaves the District shall complete an exit survey that includes, but is not limited to the position vacated, the employee's years of service in the position and in the District, if the employee is taking a similar position in another district, and the reason(s) provided for leaving the District. This information shall be reported to the Kentucky Department of Education (KDE) by the District in a system developed by KDE without providing personally identifiable information.

REPORTING

The Superintendent shall comply with the reporting requirements of [KRS 161.120](#).

Termination/Nonrenewal/Separation by Employee

REFERENCES:

¹KRS 161.790
KRS 160.145; 160.380; KRS 160.382
KRS 161.120; KRS 161.750; KRS 161.780
OAG 83-362; OAG 92-135
016 KAR 001:020 (Code of Ethics); 701 KAR 005:090
Consolidated Omnibus Budget Reconciliation Act

RELATED POLICY:

03.172; 08.2324

Adopted/Amended: 6/26/2023
Order #:

- CLASSIFIED PERSONNEL -**Discipline, Suspension and Dismissal of Classified Employees****DISCIPLINARY OPTIONS**

Classified employees may be subject to the following actions, to include, but not be limited to:

1. Verbal warning or reprimand by Superintendent/designee
2. Written warning or reprimand by Superintendent/designee
3. Probation imposed by Superintendent/designee
4. Reassignment (temporary or permanent) by Superintendent
5. Suspension without pay by Superintendent
6. Nonrenewal of contract by Superintendent
7. Dismissal (termination of contract) by Superintendent

This listing does not require that the options be invoked in progressive order. Any option may be invoked based on the severity of the disciplinary issue and all applicable facts and circumstances.

Classified employees may be terminated or suspended with or without pay only 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. No personnel actions shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

An employee may be suspended from duty without pay for the remainder of the work day by the immediate supervisor when drugs, alcohol, and/or the safety of students or staff are involved.

An employee shall be placed on administrative leave with pay only when the Superintendent determines there is a justifiable need to protect the safety of students and staff or to prevent significant disruption of the workplace and/or educational process. The period of administrative leave with pay shall not exceed the time needed to determine whether the employee is to return to active service or face disciplinary action. However, placement on administrative leave with pay shall not exceed twenty (20) working days. If circumstances arise that require an investigation or other proceedings that may extend beyond twenty (20) days, the Superintendent may lengthen the period of leave.

Employees placed on administrative leave with pay with pay shall remain available for immediate recall to active service.

The Superintendent shall see that documentation to support the grounds for administrative leave with pay is provided to the employee and retained on file in the District.

CAUSES FOR ACTION

Any classified employee may be subject to appropriate disciplinary or job action for one (1) or more of the following reasons:

1. Dishonesty, neglect of duty, incompetence, inefficiency or insubordination.

Discipline, Suspension and Dismissal of Classified Employees**CAUSES FOR ACTION (CONTINUED)**

2. Reporting to work under the influence of, or illegal use of, or possession of alcohol or controlled substances while on duty, as set out in Policy 03.23251.
3. Unsatisfactory evaluation of any factor on the employee's performance evaluation report.
4. Repeated unexcused absence, tardiness, absence without notification or abuse of, or misrepresentation concerning, sick leave.
5. Job abandonment: An employee who fails, refuses, or is unable to return to work after the exhaustion of any authorized leave may be terminated unless the employee is granted additional leave by the Board.
6. Violation of or refusal to obey local policies or state regulations adopted by the Kentucky Board of Education or by the Board.
7. Failure to notify the Superintendent if the classified 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.
8. Violation of or refusal to obey administrative procedures or directives from the Superintendent or a supervisor.
9. Refusal to comply with safety directives.
10. Falsifying information supplied to the District including information on application forms, absence reports, or any other information.
11. Violation of local policy, state, or federal statutes or regulations that apply to assigned duties.
12. Conviction of a violent crime or a sex crime as defined in [KRS 17.165](#).
13. Immorality or other unprofessional conduct.
14. Violation of a provision of his/her classified contract.
15. Loss of licensure or certification required for the position; failure to provide cooperation or consents necessary to serve or continue serving in positions requiring licensure; or being disqualified from serving in a licensed position based on information obtained by the District from the Federal Motor Carrier Safety Administration (FMCSA) drug and alcohol electronic "Clearinghouse" or otherwise.
16. Failure to maintain the confidentiality of information about students or staff obtained in the course of employment, unless disclosure serves a legitimate job-related purpose or is required by law.
17. Engaging in any sexually related behavior with a student with or without consent, including, but not limited to, behavior such as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape, threats of physical harm; and sexual assault.

Discipline, Suspension and Dismissal of Classified Employees**CAUSES FOR ACTION (CONTINUED)**

18. Physical or mental disability, consistent with applicable laws protecting employees with disabilities.¹
19. Has an administrative finding of child abuse or neglect in records maintained by the Cabinet for Health and Family Services.

DUE PROCESS PROVISIONS (SUSPENSION WITHOUT PAY/TERMINATION)

The employee shall be given notification of the specific charges against him/her by his/her supervisor and an opportunity to deny the charges.

The Superintendent shall develop procedures to implement due process provisions.

OTHER DISCIPLINARY ACTIONS

When charges result in disciplinary actions other than termination or suspension without pay and employees wish to contest the charges, they may submit a written response, which shall be placed in their file along with the written charges.

REFERENCES:

¹Americans with Disabilities Act
42 U.S.C. § 12111 et seq.
49 C.F.R. § 382.701; 49 C.F.R. § 382.703
KRS Chapter 344
[KRS 160.145](#); [KRS 160.380](#); [KRS 160.390](#); [KRS 161.011](#)
[OAG 92-135](#), [OAG 96-3](#); [OAG 05-006](#)
Consolidated Omnibus Budget Reconciliation Act

RELATED POLICIES:

03.212; 03.23251; 03.26; 03.271; 03.2711
06.221; 07.162; 08.2324; 09.14; 09.42811

Adopted/Amended: 7/27/2020
Order #:

- CERTIFIED PERSONNEL -**Suspension****SUSPENSION WITHOUT PAY PENDING TERMINATION ACTION**

The Superintendent may suspend a certified employee without pay pending final action to terminate the contract if the character of the charges warrants such action. If a tribunal hearing is requested and the decision of the tribunal is against termination of the contract **and does not impose a suspension without pay**, the suspended teacher shall be paid full salary for the period of such suspension, except that the Board may appeal the tribunal's decision to the circuit court.

SUSPENSION WITHOUT PAY

The Superintendent may suspend a teacher without pay as a disciplinary measure in accordance with [KRS 161.790](#).

BOARD NOTIFICATION

The Superintendent, at the first meeting following the suspension without pay, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent.

TEMPORARY ADMINISTRATIVE LEAVE WITH PAY PENDING INVESTIGATION

An employee shall be placed on administrative leave with pay only when the Superintendent determines there is a justifiable need for an investigation of alleged employee actions necessary to protect the safety of students and staff or to prevent significant disruption of the workplace and/or educational process. The period of leave with pay shall not exceed the time needed to determine whether the employee is to return to active service or face disciplinary action. ~~However, placement on administrative leave shall not exceed twenty (20) working days. If circumstance arise that require an investigation or other proceedings that may extend beyond twenty (20) days, the Superintendent may lengthen the period of leave.~~

Employees placed on administrative leave with pay shall remain available for immediate recall to active service.

REFERENCES:

[KRS 160.390](#)

[KRS 161.790](#)

[701 KAR 005:090](#)

[OAG 92-135](#), [OAG 96-3](#)

938 S.W.2d 880 (Ky. 1996)

RELATED POLICIES:

03.1234, 03.172, 03.174

Adopted/Amended: 7/23/2012

Order #: K.24

- CERTIFIED PERSONNEL -**Parental Leave Options for Childbirth or Adoption****PAID MATERNITY LEAVE ([KRS 161.155](#))**

The District shall provide up to thirty (30) paid maternity leave days for an employee who gives birth to a child with less than six (6) months of continuous employment with the District. The maternity leave days shall be used without deduction of salary and shall be used prior to the employee using any other leave. Any maternity leave days unused by the employee shall not transfer into sick leave or be converted to any other leave type and shall expire upon return to work. This shall not limit the District's authority to establish additional paid maternity benefits or to provide paid parental leave benefits.

DISTRICT PAID PARENTAL LEAVE

Childbirth or recovery therefrom, or adoption, ~~Adoption~~ shall entitle the employee to up to thirty-five (35) paid contract days of Parental Leave immediately following the qualifying event. An employee may use sick leave days, beyond the thirty-five (35) days provided by the Board when the need is verified by a signed physician's statement. This applies to both parents when they are employed six (6) months or more with the District (continuous employment).

UNPAID EXTENDED LEAVE

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed the remainder of the semester in which the birth or placement occurred. Thereafter, leave may be extended in increments of one (1) semester, not to exceed two (2) consecutive school years.

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

Employees taking a maternity leave will be entitled on return to a similar position for which they are qualified, if available. Placement in the same position or the same building cannot be guaranteed.

FMLA

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

REQUEST FOR MEDICAL INFORMATION

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

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.

PERSONNEL

03.1233
(CONTINUED)

Parental Leave Options for Childbirth or Adoption

REFERENCES:

[KRS 161.155](#); [KRS 161.770](#)
[OAG 80-151](#); [OAG 84-43](#); [OAG 86-66](#)
Family and Medical Leave Act of 1993

RELATED POLICIES:

03.123; 03.1232; 03.12322

Adopted/Amended: 7/28/2025
Order #:

- CERTIFIED PERSONNEL -**Workers' Compensation Payments****COORDINATION WITH SICK LEAVE**

Employees shall not be required to use sick leave in connection with a work related injury. However, employees claiming workers' compensation income benefits who have sick leave available may choose to use sick leave in order to maintain the equivalent of full salary for the days they are unable to work. Employees shall not be entitled to payment in excess of one hundred percent (100%) of contracted salary.

The school district shall coordinate among the income and benefits from worker's compensation, temporary disability retirement, and district payroll and benefits so that there is no loss of income or benefits to an employee for work time lost because of an assault/physical injury by a student while performing assigned duties for a period of up to one (1) year after the assault/physical injury as indicated by the medical provider.

EMPLOYEE ELECTION

In order to maintain full salary, employees may voluntarily elect to use sick leave to which they are entitled. To coordinate benefits in connection with the employee's election to use sick leave¹, the employee shall pay to the District a sum equal to workers' compensation income benefits received for the same period that the employee uses sick leave. The employee may make such payment by endorsing the workers' compensation benefits check to the District or by paying the District by personal check or cash. The employee's sick leave balance shall then be reinstated to the extent of such payment.

REFERENCES:

¹[KRS 161.155, KRS 342.730](#)

RELATED POLICIES:

03.1232

03.12322

Adopted/Amended: 07/25/2011

Order #: K.25

- CERTIFIED PERSONNEL -**Promotion****NOTIFICATION OF BOARD**

The promotion of certified personnel 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 Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent/~~Designee~~.

The promotion of personnel shall be based on qualifications, success in past assignments, and potential for success in the new position and shall be consistent with the Board ~~policies. adopted-~~
~~Affirmative Action Plan.~~

The Superintendent shall not promote a personal relative or the relative of a Board member who continues employment in the District under provisions of KRS 160.380.

REFERENCES:

KRS 160.380

OAG 76-360

OAG 91-149

OAG 92-1

RELATED POLICY:

02.4244

Adopted/Amended: 09/10/1990

Order #: IV.A

- CERTIFIED PERSONNEL -**Demotion**

In accordance with statutory provisions, the demotion of certified personnel 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 Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent/**Designee**.

REFERENCES:[KRS 161.760](#)[KRS 161.765](#)[KRS 161.164](#)[OAG 76-360](#)[OAG 91-149](#)[OAG 92-1](#)[OAG 92-135](#)

Adopted/Amended: 11/09/1992

Order #: IV.A.1

- CLASSIFIED PERSONNEL -**Leaves of Absence****APPROVAL**

Authorization of leave and time taken off from one's job shall be in accordance with specific leave policy.

ACCOUNTABILITY

All absences shall be accounted for under an appropriate leave policy. Absence from work that is not based on appropriate leave for which the employee is qualified may lead to disciplinary consequences, up to and including termination of employment.

EXTENDED LEAVE WITHOUT PAY (15 DAYS OR MORE)

In addition to other leaves covered in this section, classified employees may be granted special leave of absence with loss of pay for a period not to exceed one (1) fiscal year. Such leaves may include educational leaves and employees on loan to educational or governmental entities. Extensions of a leave of absence may not exceed one (1) fiscal year. Requests must be submitted in writing to the Superintendent for approval by the Board.

DAYS WITHOUT PAY (LESS THAN 15 DAYS)

Classified employees may be granted no more than fifteen (15) consecutive days without pay away from their assigned duties unless the days would fall under any other appropriate Board leave policy. Supervisors may approve such days without pay, provided all appropriate, available leave has been used by the employee. Requests for days without pay shall be submitted in writing before the absence begins and directed to the employee's next immediate supervisor. Upon the supervisor's approval, the request shall be forwarded to the Superintendent or designee to be placed on the Board agenda for approval.

Failure to obtain prior approval may be grounds for disciplinary action that may include termination, unless the absence was the result of an emergency, as determined by the Superintendent.

OUTSIDE EMPLOYMENT

Employees on leave of absence without pay shall not accept other employment during the period of leave of absence, with the exception of employees on educational leave.

NOTIFICATION

Employees on extended leave through the end of a school/fiscal year shall notify the Superintendent in writing by February 28 of their intent to return to the school system the following school year. Employees intending to return at any time other than the beginning of the school year shall provide such notification at least sixty (60) calendar days prior to the date of return. Failure to provide required notification will render the position vacant.

Leaves of Absence**NOTIFICATION (CONTINUED)**

Employees who fail to notify the Superintendent by February 28 cannot be guaranteed employment for the following school year. If an employee on leave has not contacted the Superintendent by February 28, the Superintendent is authorized to fill the position for the following school year. When an employee in the final year of leave fails to contact the Superintendent by February 28, to either request an extension of leave or to provide a date of return, the Superintendent may determine whether personnel action is required.

LEAVE FOLLOWING ASSAULT

The District shall provide leave with pay for employees assaulted while performing their assigned duties when the assault results in injuries that qualify the employee for workers' compensation benefits. The period of leave shall not exceed one (1) calendar year following the assault. During that period, the employee shall not experience loss of income or benefits, including sick leave, under the terms and conditions set forth in [KRS 161.155](#).

PLACEMENT UPON RETURN

Employees taking leave will be entitled on return to a similar position for which they are qualified, if available. Placement in the same position or the same building cannot be guaranteed.

EMPLOYEES NOT ELIGIBLE

Nothing contained in any of the leave policies in this section shall be construed as extending leave benefits to personnel employed on a per diem or per hour basis for extra or occasional work.

FMLA

Eligible employees may apply for leave under the provisions of the Family and Medical Leave Act of 1993.

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 01-9](#)
Family and Medical Leave Act of 1993

RELATED POLICIES:

03.2232, 03.22322, 03.2233, 03.2234, 03.224

Adopted/Amended: 07/25/2011
Order #: K.25

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

The District shall provide up to thirty (30) paid maternity leave days for an employee who gives birth to a child with less than six (6) months of continuous employment with the District. The maternity leave days shall be used without deduction of salary and shall be used prior to the employee using any other leave. Any maternity leave days unused by the employee shall not transfer into sick leave or be converted to any other leave type and shall expire upon return to work. This shall not limit the District's authority to establish additional paid maternity benefits or to provide paid parental leave benefits.

DISTRICT PAID PARENTAL LEAVE

Childbirth and recovery therefrom, or adoption, shall entitle the employee to up to thirty-five (35) paid contract days of Parental Leave immediately following the qualifying event. An employee may use sick leave days, beyond the thirty-five (35) days provided by the Board when the need is verified by a signed physician's statement. This applies to both parents when the employee has six (6) months or more of continuous employment with the District.

UNPAID LEAVE

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed the remainder of the semester in which the birth or placement occurs. Thereafter, leave may be extended in increments of one (1) semester, not to exceed two (2) consecutive school years.¹

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

Employees taking a maternity leave will be entitled on return to a similar position for which they are qualified, if available. Placement in the same position or the same building cannot be guaranteed.

FMLA

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

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:

¹[KRS 161.770](#)
[KRS 161.155](#)

Family & Medical Leave Act of 1993

RELATED POLICIES:

03.223; 03.2232; 03.22322

Adopted/Amended: 7/28/2025
Order #:

- CLASSIFIED PERSONNEL -**Transfer**

The transfer of classified personnel shall be made by the Superintendent who, at the first meeting following the transfer, shall notify the Board of same. Such notification shall be recorded in the Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent/**Designee**.

TRANSFER OF EMPLOYEES CHARGED WITH A FELONY

Notwithstanding any other policy provision, the Superintendent may transfer an employee charged with a felony offense as permitted under [KRS 160.380](#).

REFERENCES:[KRS 160.380](#)[KRS 160.390](#)[OAG 92-135](#)[OAG 92-1](#)

Adopted/Amended: 03/26/2007

Order #: K.15

- CLASSIFIED PERSONNEL -**Promotion**

The promotion of classified personnel 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. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent/~~Designee~~.

The Superintendent shall not promote a personal relative or the relative of a Board member who continues employment in the District under the provisions of [KRS 160.380](#)

The promotion of personnel shall be based on qualifications, success in past assignments, and potential for success in the new position and shall be consistent with the Board ~~policies adopted~~
~~Affirmative Action Plan~~.

REFERENCE:

[KRS 160.380](#)

[OAG 92-1](#)

Adopted/Amended: 09/10/1990

Order #: IV.A

- CLASSIFIED PERSONNEL -**Demotion**

The demotion of classified personnel 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 Board minutes. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the Superintendent/**Designee**.

REFERENCES:[KRS 161.164](#)[OAG 92-1](#)[OAG 92-135](#)

Adopted/Amended: 09/10/1990

Order #: IV.A

Insurance

LIMITS

The Superintendent shall recommend to the Board, after consulting with the proper officials within the Department of Education, the appropriate limits of liability insurance for all Board-owned vehicles.

REFERENCES:

[KRS 160.310](#)
[702 KAR 005:130](#)

Adopted/Amended: 08/15/1988

Order #: V.A.

School Term**CALENDAR YEAR**

The school term shall include the minimum number of instructional days required by law, and four (4) days, **at minimum**, shall be used for professional development and collegial planning activities for the professional staff as directed by statute, regulations, and policy.

Four (4) days of the student instructional year shall be used for holidays. Additional days permitted by statute and authorized by the Board in the school calendar may be used for professional development and planning activities for the professional staff.

If schools are scheduled to operate during days designated for statewide professional meetings, the District shall permit employees who are delegates to attend in keeping with statutory requirements.¹

REFERENCES:

¹[KRS 158.070](#)

[KRS 2.110](#); [KRS 156.095](#)

[702 KAR 007:125](#); [702 KAR 007:140](#); [704 KAR 003:035](#)

[OAG 97-25](#)

Adopted/Amended: 8/25/2014

Order #: 37

Summer School

The Board may provide a summer school program upon the finding of sufficient need and pupil demand. The summer program shall comply with all applicable laws, regulations of the Kentucky Board of Education and Board policies.

The ~~Department of Student Achievement Support~~ Office of School Leadership and Learning shall recommend for Board approval the plans for a summer school program by May 1.

REFERENCE:

[704 KAR 010:022](#)

Adopted/Amended: 08/28/2006

Order #: K.17

Student Wellness

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

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

- To the maximum extent practicable, schools will participate in available federal school meal programs.
- Schools will provide and promote nutrition education and physical education to foster lifelong habits of healthy eating and physical activity and will establish linkages between health education, school meal programs, and related community services.
- All schools containing grades K-5 or any combination thereof, shall develop and implement an individual wellness policy per [KRS 160.345](#) and Board Policy 02.4241. Additionally, all other schools/programs (6-12) in the District shall develop and implement an individual wellness policy.

WELLNESS LEADERSHIP

The Superintendent/designee will direct District officials (~~“wellness leadership group”~~ **District Wellness Committee**) to monitor compliance with this and related policies. At the school level, the Principal/designee will monitor compliance with those policies in their school and will report on the school's compliance as directed by the Superintendent/designee.

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

~~Suggested language may include goals related to activities and opportunities~~ **Goals to include:**

- ~~offered at each grade level as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;~~ **Clearly specified goals for nutrition promotion.**
- **Specified goals for nutrition education**
- **Specified goals for physical activity**
- **Guidelines for food and beverage marketing on school grounds**
- **Nutrition guidelines that promote student health through other school-based activities**
- **District informs and updates the public on the content and implementation of the wellness policy.**
- **District utilizes the WellSAT to assess the wellness policy at least every other year**
- **The District makes the WellSAT assessment available to the public, and provides data comparing the WellSAT with the policy, as well as any progress made in attaining the goals set out.**
- ~~offered as not only part of health education classes, but also classroom instruction in subjects, such as math, science, language arts, social sciences, and elective subjects;~~

- ~~that include enjoyable, developmentally appropriate, and culturally relevant participatory activities, such as contests, promotions, taste testing events, and farm to school events and agricultural education;~~^{¶¶}
- ~~that promote fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods, and health-enhancing nutrition practices;~~^{¶¶}
- ~~that emphasizes caloric balance between food intake and energy expenditure (physical activity/exercise);~~^{¶¶}
- ~~that link with school meal programs, foods sold in schools, and nutrition-related community services; and~~^{¶¶}
- ~~that teach media literacy with an emphasis on marketing practices that relate to a healthy lifestyle, and includes training for teachers and other staff.~~^{¶¶}

Student Wellness

PHYSICAL ACTIVITY

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

DISTRICT WELLNESS PLAN/PUBLIC AND STAFF INPUT

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

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

- Making a nutrition and physical activity report to be prepared by the School Nutrition Director and District Health Services Coordinator available to the public on the District website ~~no later than sixty (60) days prior to the public forum covered in KRS 158.856 (702 KAR 006.090).~~ by December 1 of each school year, as well as reporting findings to the Board in January of each school year.
- ~~Discussing the findings of the nutrition report and physical activity report and seeking public comments during a publicly advertised special Board meeting or at the next regularly scheduled Board meeting following the release of the nutrition and physical activity reports.~~
- ~~Holding an advertised public forum by January 31 of each year, to present a plan to improve the school nutrition and physical activities in the District in accordance with KRS 158.856.~~

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

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

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

Student Wellness**RECORDKEEPING**

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

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

STANDARDS AND NUTRITION GUIDELINES FOR ALL FOODS AND BEVERAGES

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

STANDARDS FOR ALL FOODS AND BEVERAGES SOLD TO STUDENTS

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

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

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

- ~~When possible, r~~ewards given to students ~~shall~~ should be other than food/beverage items. When food/beverage items are used as rewards, such items shall comply with nutritional guidelines set out in 7 C.F.R 210.11 and [702 KAR 006:090](#).
- Foods and beverages provided in school, but not made available for sale, shall meet standards outlined in the schools' individual wellness policy or plan (if applicable) and will not conflict with District Policy.

FOOD AND BEVERAGE MARKETING

All marketing on the school campus during the school day shall be of only those foods and beverages that meet the nutrition standards of the Smart Snack in School Nutrition Standards (7 C.F.R 210.11 and [702 KAR 006:090](#)).

Student Wellness**FOOD AND BEVERAGE MARKETING (CONTINUED)**

Food and beverage not sold by the school cafeteria shall comply with USDA National School Breakfast/Lunch Regulations. Nothing can be sold from 12:00 a.m. until thirty (30) minutes after the last lunch period; thirty (30) minutes after the last lunch period until after the regular school day ends only Smart Snack Compliant items may be sold; thirty (30) minutes after the end of the regular school day anything may be sold without restriction.

REFERENCES:

[KRS 158.850](#); [KRS 158.854](#)

[KRS 160.290](#); [KRS 160.345](#)

[702 KAR 006:090](#)

P. L. 111-296

7 C.F.R. Part 210

7 C.F.R. Part 220

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

Fayette County Public School District's Wellness Plan on Nutrition and Physical Activity

RELATED POLICIES:

02.4241; 07.1; 07.111; 07.12; 08.1346

Adopted/Amended: 2/10/2020
Order #:

Health Requirements and Services

LEGAL REQUIREMENTS

The Board shall adopt a program for continuous health supervision for all pupils, including screening tests related to growth and development, vision, and hearing.

All pupils shall undergo preventive health care examinations as required by Kentucky Administrative Regulation.²

HEALTH AND SAFETY

The Superintendent shall develop procedures to ensure District compliance with all health and safety governance requirements.

The protocols and guidelines for health procedures performed by health professionals and school personnel shall be accessible to school personnel.¹ Policies and related procedures for these policies in the 09.2 section of this Manual, as referenced in the Kentucky Department of Education's *Health Services Reference Guide*, are incorporated herein.

HEALTH RECORD

Each school shall initiate a cumulative health record for each pupil entering school. Such record shall be maintained throughout the pupil's attendance on forms prescribed by the Kentucky Administrative Regulation or maintained electronically in the student information system.

FOLLOW-UP AND REFERRAL

Referral and appropriate follow-up of an abnormality noted by screening or teacher observation shall be recorded on school health records.

EMERGENCY CARE

Schools shall have emergency care procedures.

REFERENCES:

¹[KRS 156.501](#)

²[702 KAR 001:160](#)

[KRS 158.297](#); [KRS 159.150](#)

Health Services Reference Guide

RELATED POLICIES:

08.1213, 08.131, 08.222, 09.2 (entire section), 09.211, 09.224

Adopted/Amended: 7/23/2012

Order #: K.24

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 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.⁴

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.³

ANIMALS IN THE CLASSROOM

When there is a specific and appropriate educational purpose, the Principal may authorize the housing of animals or insects in classrooms. However, the health and safety of students and staff shall be a priority consideration when considering such requests. When a request is granted, teachers shall adhere to guidelines set out in administrative procedures. No other animals will be permitted in any District building except as required under the Americans with Disabilities Act or as approved by the District Crisis Response Team

SUICIDE PREVENTION STUDENT LESSONS

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

REFERENCES:

¹[KRS 156.501; KRS 156.502; 702 KAR 001:160](#)

²[KRS 158.039](#)

³[KRS 158.038](#)

⁴[KRS 158.4451](#)

[KRS 156.160; KRS 158.836; KRS 158.838](#)

[702 KAR 005:030](#)

Americans with Disabilities Act

RELATED POLICY:

09.2241

Adopted/Amended: 7/28/2025

Order #:

Student Organizations

SECRET ORGANIZATIONS

The Board does not support or sponsor the establishment or operation of any secret or socially exclusive societies, fraternities, or sororities under District auspices.

~~School groups' affiliation with state and national organizations must be approved by the Board.~~

School groups' affiliation with state and national organizations must be approved by the School-Based Decision Making Council (SBDM) or if no SBDM exists, the Principal and Chief School Leadership Officer.

All school sponsored student organizations shall be under the direction of a faculty advisor.

STUDENT GOVERNMENT

The development of a student government organization is encouraged and shall be at the discretion of each school.

REFERENCES:

KRS 158.183

KRS 161.185

RELATED POLICIES:

03.13241; 03.23241

09.321

09.3211

09.36

Adopted/Amended: 3/4/1996

Order #: V.A

Contagious Diseases and Parasites

NOTIFICATION

A parent, legal guardian, or other person or agency responsible for a student shall notify the student's school Principal if the student has any medical condition which is defined by the Cabinet for Health and Family Services in administrative regulation as threatening the safety of the student or others in the school. The notification shall be given as soon as the medical condition becomes known and upon each subsequent enrollment by the student in a school.¹

The Principal or designee shall notify the student's teachers in writing of the nature of the medical condition.

INFECTION CONTROL

If any student is known or suspected to have or be infected with a communicable disease or condition for which a reasonable probability for transmission exists in a school setting, the Superintendent may order the student excluded from school. The time period the student is excluded from school shall be in accordance with generally accepted medical standards which the Superintendent shall obtain from consultation with the student's physician, the local health officer¹, or the Kentucky Department for Public Health.

~~In cases of lice, the school nurse shall determine when the child is to return to class.~~[¶]

EPIDEMICS

In the event of a dangerous epidemic as determined by the Kentucky Department for Public Health, the Board may close the schools.¹

SCHOOL TO REPORT

Local school authorities shall report immediately all known or suspected cases of communicable disease to the local health department. Diseases to be reported shall not include those considered confidential, such as HIV/AIDS, as set forth in Kentucky Administrative Regulation.²

MEDICAL CONFIDENTIALITY

Unless otherwise permitted by law, signed parental consent designating personnel to be informed of a student's medical condition shall be on file prior to informing identified District personnel.

The Superintendent shall identify which employees are to have access to student medical information. This determination shall be made on a need-to-know basis.

CLEANUP PROCEDURES

The Superintendent shall develop procedures to promote adequate and proper cleanup details and measures to aid in the prevention of infection and communicability of contagious diseases.

REFERENCES:

¹[KRS 158.160](#)

²[702 KAR 001:160](#)

[902 KAR 002:020](#); [KRS 214.181](#); [KRS 214.625](#)

Kentucky Department for Public Health; Centers for Disease Control and Prevention

[KRS 214.185](#)

Adopted/Amended: 2/10/2003

Order #: II.A

Supervision of Students

SUPERVISION

Students will be under the supervision of a qualified adult employee, as defined by statute or regulation.

STRICT ACCOUNTING

Each teacher and administrator shall hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school-sponsored trips and activities.¹

A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips. Persons designated to accompany students shall be at least twenty-one (21) years old.

A nonfaculty coach or a nonfaculty assistant may accompany students on athletic trips as provided in statute.¹

PROHIBITION

Students are not to be used for custodial work, unless it is part of an "alternative to suspension" program established by the Board or the SBDM Council.

CLOSED HIGH SCHOOL CAMPUSES

All high school campuses in the District are closed. Therefore, except for situations approved by the Principal, once high school students are on campus, they are to remain there until they are dismissed, and once dismissed, they are not to return during the school day.

ACCESS TO SCHOOL PROPERTY DURING THE SCHOOL DAY

Unless they are authorized visitors, only those students who are enrolled in the District and on property for an official school purpose, such as receiving instruction or participating in a school sponsored extra-curricular activity, shall be permitted on the property during the school day. If a student who is officially absent or on home/hospital instruction wishes to come onto property during the school day, the student shall first go to the Principal/designee, seek permission to be on the property, and check in. Permission may be granted for the student to be on school property if the purpose relates to educational needs of the student that cannot be accomplished outside of school hours, and the student remains on the property only for the time needed to accomplish that purpose. This requirement is necessary to address supervision and safety concerns of students who come on property during the school day.

REFERENCES:

¹[KRS 161.180](#)
[KRS 161.185](#); [KRS 17.545](#)
[702 KAR 005:030](#)

RELATED POLICIES:

09.36; 10.5

Adopted/Amended: 07/25/2011
Order #: K.25

STUDENTS 09.211 Preventive Student Health Care Examination/Immunizations

All pupils shall undergo preventive student health care, dental, and vision examinations as required by Kentucky Administrative Regulation, which shall be reported on the state forms or an electronic medical record that includes all of the data equivalent to that on the appropriate forms required by state regulation.^{1&4}

Evidence of a vision examination and a dental examination shall be submitted to the school no later than January 1 of the first year that a student is enrolled in the District.

IMMUNIZATIONS

The immunization certificate form required by [702 KAR 001:160](#) shall be on file within two (2) weeks of a student's enrollment in school.^{1, 2 & 3}

A current immunization certificate shall be required for home-schooled students prior to attending one (1) or more in-school classes or participating in sports or other school-sponsored extra-curricular activities.

Forms relating to exemptions from immunization requirements shall be available ~~at each school. Immunization certificates shall be kept current.~~^{1, 4}

The parent/guardian shall provide a current immunization certificate at enrollment in a day care center, kindergarten, seventh grade, eleventh grade, and for the 2018-2019 school year for twelfth grade; new enrollment at any grade; upon legal name change; and at a school required examination pursuant to [702 KAR 001:160](#).

REFERENCES:

¹[KRS 156.160](#); [702 KAR 001:160](#)

²[KRS 214.036](#); [KRS 214.034](#)

³[KRS 158.035](#)

⁴[902 KAR 002:060](#)

[902 KAR 002:090](#)

[OAG 82-131](#)

[Health Services Reference Guide](#), Kentucky Department of Education

P. L. 114-95, (Every Student Succeeds Act of 2015), 20 U.S.C. § 6301 et seq.

McKinney-Vento Act, 42 U.S.C. 11431 et seq.

RELATED POLICIES:

09.121

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

Adopted/Amended: 6/25/2018

Order #:

Use of Physical Restraint and Seclusion

Use of physical restraint or seclusion by school personnel is subject to [704 KAR 007:160](#). However, nothing in this policy prohibits the exercise of law enforcement duties by sworn law enforcement officers.

DEFINITIONS

- *Physical Restraint* means a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arms, legs, or head freely.
- *Seclusion* means the involuntary confinement of a student alone in a room or area from which the student is prevented from leaving, but does not mean classroom timeouts, supervised in-school detentions, or out-of-school suspensions.

PHYSICAL RESTRAINT

All School Personnel

Use of physical restraint by all school personnel is permitted when a student's behavior poses an imminent danger of physical harm to self or others in clearly unavoidable emergency circumstances. In such situations, staff who have not had core team training may physically restrain students, but shall summon core trained school personnel as soon as possible.

In all situations involving use of physical restraint (including restraint by core trained personnel):

- The student shall be monitored for physical and psychological well being for the duration of the restraint.
- Personnel shall use only the amount of force reasonably believed necessary to protect the student or others from imminent danger of physical harm.

Core Trained Personnel

School personnel who have undergone core team training may also use physical restraint after less restrictive behavioral interventions have been ineffective in stopping misbehavior as noted below:

1. In nonemergency circumstances when a student's behavior poses an imminent danger of physical harm to self or others;
2. As provided in [KRS 503.050](#) (including when personnel believe physical restraint is necessary to protect themselves against the use or imminent use of unlawful physical force);
3. As provided in [KRS 503.070](#) (including when personnel believe physical restraint is necessary to protect a third person against the use or imminent use of unlawful physical force);
4. To prevent property damage as provided in KRS Chapter 503 (including when personnel believe physical restraint is immediately necessary to prevent intentional or wanton property destruction, theft, or a felony involving the use of force); and
5. As provided in [KRS 503.110](#) (including when personnel believe physical restraint is necessary to maintain reasonable discipline in a school, class, or other group, and the force used is not designed to cause or known to create a substantial risk of causing death, serious physical injury, disfigurement, extreme pain, or extreme mental distress).

Use of Physical Restraint and Seclusion**SECLUSION**

Seclusion may be implemented only if: the student's behavior poses an imminent danger of physical harm to self or others; less restrictive interventions have been ineffective in stopping the imminent danger of physical harm; the student is monitored visually for the duration of the seclusion; and staff are appropriately trained to use seclusion.

PARAMETERS

The Board has established this policy and related procedures addressing use of physical restraint and seclusion that are designed to promote the safety of all students, school personnel, and visitors. As required by [704 KAR 007:160](#), school personnel and parents shall be made aware of how to access this policy and related procedures. Methods of notification may include, but are not limited to, publication in the District's local code of acceptable behavior and discipline and District employee handbooks.

TRAINING

Training of personnel on use of physical restraint and seclusion shall be provided as required by [704 KAR 007:160](#):

- All school personnel shall be trained annually to use an array of positive behavioral supports and interventions and as further required by [704 KAR 007:160](#).
- A core team of selected school personnel designated to respond to dangerous behavior and to implement physical restraint of students shall receive additional yearly training in the areas required by [704 KAR 007:160](#). (Exception: Core team members who are school resource officers or other sworn law enforcement officers are not required to undergo this training.)

REQUIRED PROCEDURES

The Superintendent/designee shall develop procedures to be followed during and after each use of physical restraint or seclusion to include the following:

1. Documentation of the event in the student information system;
2. Notice to parents; and
3. A process for the parent or emancipated youth to request a debriefing session.

NOTIFICATION REQUIREMENTS

The Principal of the school shall be notified as soon as possible when seclusion or physical restraint is used, but no later than the end of the school day on which it occurs.

Following each incident of physical restraint or seclusion of a student and if the student is not an emancipated youth, the parent of the student shall be notified of the incident either verbally or through electronic communication as soon as possible within twenty-four (24) hours of the incident. If the parent cannot be reached during that time frame, a written communication shall be mailed via U. S. mail.

If death, substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty results from use of physical restraint or seclusion, the Superintendent/designee shall notify the Kentucky Department of Education and local law enforcement within twenty-four (24) hours.

Use of Physical Restraint and Seclusion**DEBRIEFING SESSION**

If the parent or emancipated student requests a debriefing session following use or parental notification of the use of physical restraint or seclusion, individuals who are to participate shall be those specified by state regulation.

A requested debriefing session shall occur as soon as practicable, but no later than five (5) school days following receipt of the request from the parent or emancipated youth, unless a meeting is delayed by written mutual agreement of the parent/emancipated student and the school.

The debriefing session shall address elements specified by state regulation, and all documentation used during the session shall become part of the student's education record.

PARENT COMPLAINTS

Parents may submit a complaint regarding the physical restraint or seclusion of their child using the Board's grievance policy and procedures. On receipt of a complaint, the District and school shall investigate the circumstances surrounding the physical restraint or seclusion, make written findings, and, where appropriate, take corrective action.

STATEMENTS FROM PHYSICIAN

The Superintendent/designee shall review and respond to any statement received from a student's licensed physician that the student is not to be subjected to physical restraint.

DOCUMENTATION

All incidents involving physical restraint or seclusion shall be documented by a written record of each use by the end of the next school day, and the documentation shall be maintained in the student's education record. In addition, each entry shall be informed by an interview with the student and include information required by [704 KAR 007:160](#).

Specified data related to incidents of physical restraint and seclusion shall be reported in the state student information system.

At the end of each school year, the Superintendent/designee shall review data on District use of physical restraint and seclusion to identify any recommendations to be made to the Board for policy and procedure revisions.

REFERENCES:

[704 KAR 007:160](#)

KRS Chapter 503: [KRS 503.050](#), [KRS 503.070](#), [KRS 503.080](#), [KRS 503.110](#)

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

Section 504 of Rehabilitation Act of 1973

RELATED POLICIES:

09.4281; 10.2

Adopted/Amended: 7/22/2013

Order #: K.2

Police Officers in the Schools

The Superintendent shall develop procedures providing for cooperation between officers of law enforcement agencies and Board employees, including the District Division of Law Enforcement.

REFERENCES:

[OAG 76-129](#)

[OAG 85-134](#), [OAG 92-138](#)

RELATED POLICIES:

02.31; 09.227

Adopted/Amended: 8/15/1988

Order #: V.A

Relationships with Community Organizations**COMMON GOALS**

Although the Board has primary responsibility for the management of the public schools, the Board recognizes that other community organizations and other governmental agencies share common goals with the schools. ~~In keeping with the District's community engagement vision statement to foster collaborative community partnerships,~~ It shall be the policy of the Board to work cooperatively with other community organizations in matters that promote the well-being of students and their families, employees, the school district and the community as a whole.

RESTRICTIONS

Requests for school groups to participate in the activities of civic groups or candidates for public office shall be submitted to the Office of ~~the~~ ^{of the} Superintendent. These requests shall be considered on the basis of the following:

1. Approving representation which is in the best interests of the District; and
2. Treating individuals and groups in a fair, equitable and non-discriminatory manner.

Such participation may be to honor the position of high public officers or visiting dignitaries, provided participation is in keeping with the District's mission, but may not be used to enhance the public relations of commercial institutions or to further the candidacy of an individual.

RELATED POLICIES:

02.4231
05.3
05.31

Adopted/Amended: 07/22/2013

Order #: K.2

Parent/Family Engagement

The Fayette County Public Schools (FCPS) ~~system~~ recognizes that ~~parent/family engagement involvement~~ is essential as we work to achieve our mission “to create a collaborative community that ensures all students achieve at high levels and graduate prepared to excel in a global society.” ~~Accordingly our vision for family engagement states, “All student will graduate from high school prepared for college and careers, ready to excel in a global society.”~~ In order to achieve this, we will foster collaborative family partnerships. FCPS envisions a Districtwide culture conducive to meaningful engagement of families and collaborative partnerships to support student learning, enrich educational experiences and prepare students to excel as successful citizens in a global society.

DEFINITIONS

FAMILY ENGAGEMENT IS A FULL, EQUAL, AND EQUITABLE PARTNERSHIP AMONG FAMILIES, EDUCATORS AND COMMUNITY PARTNERS TO PROMOTE CHILDREN’S LEARNING AND DEVELOPMENT FROM BIRTH THROUGH COLLEGE AND CAREER.

~~Parent or f~~Family consists of a biological, adoptive or foster parent; other adult(s) serving as a parent such as a close relative; legal or educational guardian; and/or a community or agency advocate.

DISTRICT RESPONSIBILITIES

The Superintendent and Board will initiate and ~~be accountable for upholding~~ the following family engagement expectations that address the responsibility throughout the district to create effective home and school partnerships that support student achievement and school improvement. ~~developing the following vital collaborative activities to address the schools’ responsibility in the above-stated process:~~

- ~~The FCPS system,~~ starting with ~~IAKSS district~~ staff and the Board, will create and maintain a responsive and welcoming atmosphere that values and respects ~~parents and~~ families and community partnerships.
- ~~The District FCPS,~~ starting with the Superintendent and Board, will support ~~parents and~~ families as advocates, ~~and partners,~~ ~~for lifelong learning,~~ and as decision-makers and active participants in schools ~~issues~~ and programs.
- FCPS will assist ~~parents,~~ families and ~~guardians~~ in ~~building capacity acquiring techniques to~~ supporting their students’ learning and will develop tools to help establish those areas where support is needed.
- ~~The District FCPS~~ will undertake purposeful initiatives to involve ~~families parents and family members, wherever appropriate, in a variety of instructional and support roles both within as well as outside of the schools. These shall include creating greater awareness, and promoting more effective operations, of the existing opportunities provided by law for parent/family engagement.~~ in engagement opportunities that are relational, linked to learning, asset-based, culturally responsive, collaborative and interactive. These conditions are evidence-based and essential to increasing student achievement.
- ~~The District, FCPS~~ will take the initiative in working with families to address issues related to educational inequity and in providing strong advocacy for the achievement of all students, regardless of their diverse backgrounds.

- In keeping with goals of the District Improvement Plan for academic achievement, FCPS ~~the District~~ will align all family engagement efforts with all Family Resource/Youth Service Center Coordinators, social workers, mental health specialists, counselors, and Title I staff in coordinating access to support services for children and their families.
- FCPS ~~The District~~ will engage with families and community partners in all schools and programs in supporting family engagement opportunities that enhance student success and academic achievement.

Parent/Family Engagement**DISTRICT RESPONSIBILITIES (CONTINUED)**

- ~~FCPS The Superintendent and Board, working with district IAKSS staff and school staff, will assist schools in identifying those areas of where professional learning development is essential necessary to in build capacity of helping teachers, administrators, and staff to working effectively with families. The Superintendent and Board will determine ways to provide that opportunity for professional learning development.~~
- The District Family Engagement framework shall be an ongoing part of the Comprehensive District Improvement Planning process.
- This policy will be made available to each family on the District web site and at the District Office.

SCHOOL AND PROGRAM RESPONSIBILITIES

This policy requires the Superintendent, the Board, District Administration and all school staff, to equitably engage parents/families, students, and community partners as co-creators in the educational process. ~~The issues of parent and family engagement are critical to the academic success of each student in the FCPS system; it is also fundamental to a healthy system of public education that expects all students to achieve at high levels. Therefore, the following expectations exist for each school in the system, i~~ In order to ensure that students have equitable every opportunity to acquire and achieve the capacities established by law, as well as those established by the FCPS Board of Education the following expectations exist for all schools and programs:-

1. Each school will ~~develop write~~ and embed purposeful ~~parent and~~ family engagement strategies into school culture as a part of its Comprehensive School Improvement Planning process. This shall include, but not be limited to, the following information:
 - methods that will be used to promote and facilitate consistent, purposeful two-way communication between school ~~to and~~ home ~~communications~~ that are sensitive to variances ~~in comprehensive opportunities/abilities,~~ including home language, reading comprehension, and access to online communications.
 - identification of professional learning development ~~needs of for~~ teachers, administrators, and staff to address working effectively with all families, especially those of culturally diverse backgrounds and special educational needs.
 - ~~demographics of all students; a~~ awareness of, and follow up with, ~~those~~ families requiring home visits or ~~off-site~~ conference alternatives.
 - collaborate with families and provide resources that support learning at home and school. ~~determination of types of learning at home that should take place to support all learning at school.~~
 - ongoing awareness and communication to training for ~~parents/~~ family members about School Based Decision Making (SBDM) practices and SBDM committee engagement.
 - definitions regarding what constitutes effective parent/ family engagement at each school and how that involvement engagement will positively impact student achievement and success.

- efforts and measures employed to elicit minority equitably engage families of color and families of students with identified disabilities to participate and special needs representation/participation in the educational processes at each school.
2. ~~Each school will demonstrate an effort to reach families that are underrepresented and underresourced underserved in school settings, face transportation or child care challenges, lack the confidence or time, and/or have limited literacy or limited English language skills.~~

Parent/Family Engagement**SCHOOL AND PROGRAM RESPONSIBILITIES (CONTINUED)**

~~3.2.~~ Each school and program will schedule an annual meeting for families that is convenient and offered at flexible times. ~~that are as flexible as possible to all constituents (a.m. and p.m., possibly).~~ These meetings should ensure that families have multiple learning opportunities to understand how to support their children's learning and will provide:

- a description and explanation of the school's curriculum;
- a description and explanation of the forms of academic assessments used to measure student progress;
- an explanation of the proficiency level students are expected to meet;
- a description and explanation of all school programs, family engagementinvolvement initiatives; and the familieparents' rights to be involved in decisions related to the education of their children.

~~4.3.~~ Each school shall partner with ~~work closely with all parents families, parent family~~ groups (~~PTA, SBDM~~) and community groups in supporting parent and family initiatives that enhance academic achievement.

~~5.4.~~ Each school shall provide flexible opportunities for organized, on-going, and timely family participation in planning, review, and improvement of school programs (to include, but not be limited to, the Title I program).

As all parent/family engagement plans will be a part of the District Improvement Planning process, they will be subject to the same implementation/impact checks as other planning pieces. However, as this initiative is vital to the success of students in FCPS, all schools' parent/family engagement strategies will also be submitted to District IAKSS staff in the Family and Community Engagement (FACE) office.

The staff will also provide training and support for schools to help them reach the FCPS District family/community engagement objectives. Information on the status of school-family engagement and training will be shared with both the Equity Council and the Board of Education. District IAKSS Family and Community Engagement and Title I staff will also review this policy annually for any needed revisions.

RELATED POLICY:

02.4241

Adopted/Amended: 07/22/2013

Order #: K.2

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

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

ELIGIBILITY

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

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

EFFECTIVE DATE

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

CRIMINAL BACKGROUND CHECK AND TESTING

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

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

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

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

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

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

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

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

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

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

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

REPORT TO SUPERINTENDENT

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

HIRING OF RETIRED PERSONNEL

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

EDUCATIONAL REQUIREMENTS

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

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

JOB REGISTER

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

Hiring

VACANCIES POSTED

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

APPLICATION

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

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

REVIEW OF APPLICATIONS

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

RELATIONSHIPS

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

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

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

A relative of the Superintendent shall not be employed except as provided by [KRS 160.380](#).¹

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

Exception to the above is substitute personnel.

EMERGENCY HIRING

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

JOB DESCRIPTION

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

~~AFFIRMATIVE ACTION PLAN~~

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

Hiring

CONTRACT

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

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT FOR TEMPORARY EMPLOYEES

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

EMPLOYEES SEEKING A JOB CHANGE

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

REFERENCES:

¹[KRS 160.380](#)

²[702 KAR 005:080](#)

³[KRS 161.011](#); Kentucky Local District Classification Plan; [013 KAR 003:030](#)

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

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

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

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

KRS Chapter 13B

[KRS 17.160](#); [KRS 17.165](#); [KRS 17.500](#) to [KRS 17.580](#)

[KRS 156.070](#); [KRS 160.345](#); [KRS 160.390](#)

[KRS 335B.020](#); [KRS 405.435](#)

[KRS 439.3401](#)

KRS Chapter 510

[OAG 18-017](#); [OAG 91-10](#); [OAG 91-149](#); [OAG 91-206](#); [OAG 92-1](#); [OAG 92-59](#)

[OAG 92-78](#); [OAG 92-131](#); [OAG 97-6](#); [702 KAR 003:320](#)

[Records Retention Schedule, Public School District](#)

RELATED POLICIES:

01.11; 02.4244; 03.232; 03.27; 03.5; 06.221

Adopted/Amended: 7/28/2025

Order #: