LEGAL: HB 67 AMENDS KRS 160.145 EXPANDING DEFINITIONS, LIMITING THE SCOPE OF UNAUTHORIZED ELECTRONIC COMMUNICATION AND EXCLUDING DESIGNATED TYPES OF COMMUNICATION FROM THE REQUIREMENT TO OBTAIN WRITTEN PARENTAL PERMISSION. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF APRIL 13, 2026.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION 08.2324

Traceable Communications

The Board shall designate a traceable communication system ~~to be the exclusive means~~ for District employees and **qualified school** volunteers to communicate electronically with students **enrolled in the District**. The Principal of each school shall provide parents written or electronic notification within the first ten (10) days of the school year of each electronic school notification and communication program designated within the traceable communication system. The notification shall include instructions for parents to access and review communications sent through each electronic school notification and communication program.

A District employee or **qualified school** volunteer~~, unless authorized,~~ shall not **engage in unauthorized electronic communication as defined in KRS 160.145. A District employee that violates this policy may be subject to disciplinary actions in accordance with, for certified employees, KRS 161.120 and 161.790, and for classified employees KRS 161.011. A qualified school volunteer that violates this policy may be prohibited by the District from future school volunteer opportunities.**~~communicate electronically with a student:~~

~~Outside of the traceable communication system designated by the Board; or~~

~~Through an unauthorized electronic communication program or application.~~

~~This shall not restrict any electronic communications between a student and his or her family member who is a District employee or volunteer.~~

~~DEFINITIONS~~

~~Family~~

~~"Family member" means parent, brother, sister, son, daughter, aunt, uncle, or grandparent.~~

~~Parent~~

a. ~~"Parent" means parent, legal guardian, or other person or agency responsible for a student.~~

~~District Employee or Volunteer~~

~~"District employee or volunteer" means a school administrator, classified or certified employee, volunteer, nonfaculty coach or assistant coach, student teacher, or sponsor of an extracurricular program or activity.~~

~~Traceable Communication System~~

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

f. ~~Are designated by a Board of Education;~~

g. ~~Trace all communications sent to or by a student; and~~

h. ~~Provide parents an opportunity to access and review those communications.~~

~~UNAUTHORIZED ELECTRONIC COMMUNICATION~~

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

Traceable Communications

CONSENT TO AUTHORIZE

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

WRITTEN DISCLOSURE

A District employee or qualified school volunteer may submit a written disclosure notifying the District of a commercial, nonprofit, or local government affiliation that could reasonably result in private electronic communication with a student outside of the traceable communication system. Upon filing the written disclosure, subsequent private electronic communication directly related to the disclosure is no longer subject to KRS 160.145.

REPORTING

A District employee or **qualified school** volunteer that **participated in unauthorized electronic communication subject to KRS 160.145 or reasonably believes**~~receives a report alleging~~ that another District employee or **qualified school** volunteer participated in unauthorized electronic communication **that is subject to KRS 160.145 that has not been previously reported** shall immediately notify the Principal **or applicable supervisor**.

If the subject of the report is the Principal **or a District-wide employee**, the **reporting** employee or volunteer shall immediately notify the Superintendent.

If the subject of the report is the Superintendent **or a Kentucky Department of Education employee assigned to a school or area technology center within the District on a full-time and continuing basis,** the **reporting** employee or volunteer shall immediately notify the Commissioner of Education and the Chair of the local Board.

Upon receipt of a report alleging that a District employee or **qualified school** volunteer **violated KRS 160.145**~~participated in unauthorized electronic communication~~, the Commissioner of Education, a Principal, or the Superintendent shall immediately:

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

Traceable Communications

4. If the individual that is the subject of the report is a **qualified school**~~District~~ volunteer, the school or District shall investigate the underlying allegations and, if substantiated, the **qualified school** volunteer **may**~~shall~~ be prohibited from future school and District volunteer opportunities.

5. **Notwithstanding any statute to the contrary, notify the parent of each student that is an alleged party to the unauthorized electronic communication of each material phase of the investigation and disciplinary action including but not limited to a written summary of the results of an investigation and the final outcome of the disciplinary action.**

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

REFERENCES:

KRS 156.132
KRS 160.145
KRS 161.011; KRS 161.120; KRS 161.790

RELATED POLICIES:

03.1321; 3.13214; 03.1325; 03.162; 03.17
03.2321; 03.23214; 03.2325; 03.262; 03.2621; 03.27
03.6
08.13531; 08.2323

RECOMMENDED: THE KENTUCKY DEPARTMENT OF EDUCATION SUGGESTED THE POLICY CLARIFICATION THAT HOMELESS STUDENTS BE IMMEDIATELY ENROLLED IN ACCORDANCE WITH 704 KAR 7:090 AND 42 U.S.C. 11431 ET SEQ. (MCKINNEY-VENTO ACT).
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS 09.12

Admissions and Attendance

RESIDENCE DEFINED

A parent or guardian that has custody of the student and resides in the **Bullitt County Public School** District, or a **student** who is a legal resident of the school district, or as otherwise provided by state or federal law, shall be considered residents and entitled to the privileges of the District's schools.

All other **students** shall be classified as nonresidents for school purposes.[1]

HOMELESS CHILDREN AND UNACCOMPANIED YOUTH

The District shall provide educational and related services to homeless children and youth, including preschool-aged homeless children, and homeless children or youth not in the physical custody of a parent or guardian (unaccompanied youth) in a manner that does not segregate or stigmatize students on the basis of their homeless status.

The District shall provide its schools with guidelines that detail the rights of homeless students and the responsibilities that schools have to meet their needs and eliminate barriers to school attendance. These guidelines shall emphasize the right of homeless students to:

1. Be immediately enrolled in the District;
~~1.~~2. Have equal access to all educational programs and services, including transportation, that non-homeless children enjoy;
~~2.~~3. Have access to preschool programs as provided to other children in the District;
~~3.~~4. Continue attending their school of origin, when deemed in the best interest of the child, for the duration of homelessness;
~~4.~~5. Attend regular public school with non-homeless students; and
~~5.~~6. Continue to receive all services for which they are eligible (i.e., special education, gifted and talented, English learner).

The District shall provide transportation to the school of origin for homeless children at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison) if the child continues to live within the area served by the District in which the school of origin is located. If the child locates to a District other than that of his/her school of origin, the districts shall work together to apportion transportation to and from the school of origin and associated costs. If the districts are unable to reach agreement, responsibility and costs for transportation shall be shared equally.

The District shall designate an appropriate staff person to serve as liaison to homeless children and unaccompanied youth. In addition to coordination of McKinney-Vento implementation in the District, the liaison is responsible for:

- "Outreach" to other entities and agencies so that homeless students are identified;
- Providing public notice of the educational rights of homeless children in locations frequented by parents/guardians and unaccompanied youths. This notice is to be in a manner and form that is understandable;[2]
- Seeing that school personnel who provide McKinney-Vento Services receive professional development and other support; and

Admissions and Attendance

HOMELESS CHILDREN AND UNACCOMPANIED YOUTH (CONTINUED)

- Ensuring that unaccompanied youths are enrolled in school and receive support to accrue credits and access to higher education.

The District shall inform school personnel, service providers, advocates working with homeless families, parents, guardians and homeless children and unaccompanied youths of the duties of the liaison.

All concerns regarding the education of homeless children and unaccompanied youth shall be referred to the District liaison. If a complaint arises regarding services or placement of homeless children and unaccompanied youth, the dispute resolution procedures as set forth in 704 KAR 7:090 shall apply.

Disputes over eligibility, school selection, or enrollment are to be appealed to the Kentucky Department of Education using the Dispute Resolution for Homeless form located at the link below:

https://education.ky.gov/federal/progs/txc/Documents/Homeless%20Dispute%20Resolution%20Form.pdf

The liaison shall provide a copy of the referenced form to the complainant.

The District shall provide services for homeless children and unaccompanied youths with disabilities as required by law.

CHILDREN IN FOSTER CARE

Students in foster care shall have equal access to all educational programs and services, including transportation, which all other students enjoy.

Foster children are to be immediately enrolled in a new school. The District shall collaborate with the Cabinet to ensure immediate and appropriate enrollment of the child and immediately contact the student's previous school for relevant records. The previous school shall provide the new school records within the student information system maintained by the Kentucky Department of Education by the end of the working day on the day of receipt of a request. If a record provided to the new school is incomplete, the previous school shall provide the completed record within three (3) working days of the original request. Remaining records shall be provided within ten (10) working days of the request.

The Superintendent shall appoint a Foster Care Liaison to coordinate activities relating to the District's provision of services to children placed in foster care, including transportation services, when the District is notified by the Cabinet for Health and Family Services in writing that the Cabinet has designated its foster care point of contact for the District. The Superintendent may appoint the District Foster Care Liaison prior to such notice from the Cabinet.

Children in foster care, including preschool aged children if the District offers a preschool program, shall be eligible to attend their "school of origin" unless a determination is made that it is not in the child's best interest. Such determination will be made in collaboration with the child welfare agency. Dispute resolutions shall be handled by all agencies involved in the determination of the foster child's placement.

Admissions and Attendance

CHILDREN IN FOSTER CARE (CONTINUED)

When possible, a child exiting the foster care program during the school year shall be allowed to complete the school year in the school of origin.

BEST INTEREST OF THE CHILD

Determining the best interest of the child takes into consideration the following factors, including but not limited to:

- The benefits to the child of maintaining educational stability;
- The appropriateness of the current educational setting;
- The child's attachment and meaningful relationships with staff and peers at the current educational setting;
- The influence of the school's climate on the child;
- The safety of the child; and
- The proximity of the placement to the school of origin, and how the length of a commute would impact the child.

IMMIGRANTS

No student shall be denied enrollment based on his/her immigration status, and documentation of immigration status shall not be required as a condition of enrollment.

The District may provide an approved high school program to a student who is a refugee or legal alien until the student graduates or until the end of the school year in which the student reaches the age of twenty-one (21), whichever comes first.

NONRESIDENTS

Nonresident pupils may be enrolled in the **Bullitt County Public School** District in accordance with Board policies 09.1222, 09.124, and upon approval of the Superintendent. Once a nonresident student is enrolled for the academic year, the student may not be dismissed during that academic year without applicable due process.[3]

~~**The only non-resident students that may apply to attend Bullitt County Public Schools are children of full-time District employees and children of parents/guardians who desire that their children start school at the beginning of the school year in anticipation of residing in the District prior to the end of the first semester. Full-time District employees may apply for a transfer for their children to attend District schools annually. Parents/Guardians that apply for their children to attend school in the District in anticipation of moving to and residing in the District must apply prior to school starting and may only apply once. Nonresidents planning to move to the District and desire to enroll students after the school year starts must wait until they have established residency to enroll their children in school in the District.**~~

AThe following non-resident students may apply to attend Bullitt County Public Schools:

1. Children of full-time District employees. Full-time District employees may apply annually for their children to attend District schools in accordance with District policy.
2. Children of parents/guardians who desire for their children to begin school in the District in anticipation of establishing residency within the District prior to the end of the first semester. Parents/guardians must submit an application prior to the start of the school year and may only apply once. If residency within the District is not established by the end of the first semester, the student's enrollment may be subject to review and possible revocation.
3. Children of parents/guardians who do not intend to establish residency within the District may apply as a non-resident, out-of-county transfer. Students are eligible to apply for admission year-round in accordance with District policy and available capacity.

Admission of non-resident students shall be subject to available space, compliance with District policies and procedures, and any other requirements established by the Board or Superintendent.

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Admissions and Attendance

NON-IMMIGRANT FOREIGN STUDENTS

Non-immigrant foreign students qualifying for F-1 immigration status or who obtain an F-1 student visa may be admitted to the District based on the following guidelines:

1. These students shall not be permitted to attend any publicly funded adult education program.
2. These students may be permitted to attend in grades nine through twelve (9-12), but not at earlier grade levels.
3. The period of attendance shall not exceed twelve (12) months.

Non-immigrant foreign students qualifying for F-1 immigration status or who obtain and F-1 student visa are not approved to attend Bullitt County Public Schools as BCPS is not approved by the Department of Homeland Security to host F-1 Foreign Exchange Students.

THESE REQUIREMENTS DO NOT APPLY TO IMMIGRANT STUDENTS RESIDING IN THE DISTRICT OR FOREIGN STUDENTS IN ANY OTHER IMMIGRATION STATUS, INCLUDING EXCHANGE STUDENTS.

EXPELLED/CONVICTED STUDENTS

The parent, guardian, Principal, or other person or agency responsible for the student shall provide to the school prior to admission, a sworn statement or affirmation concerning any of the following that have occurred in or outside Kentucky:

1. If a student has been expelled from school; or
2. If a student has been adjudicated guilty/convicted of, homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.

Assault shall mean any physical assault, including sexual assault.

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.[4]

If a student is suspended or expelled for any reason, or faces charges that may lead to suspension or expulsion, but withdraws prior to a hearing from any public or private school in Kentucky or any other state and then moves into the District and seeks to enroll, the District shall review the details of the charges, suspension, or expulsion and determine if the student will be admitted, and if so, what conditions may be imposed upon the admission. Prior to a decision to deny admission, the District shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the Board.

Admissions and Attendance

REFERENCES:

[1]KRS 159.010; OAG 78-64; OAG 91-171
[2]42 U.S.C. 11431 et seq. (McKinney -Vento Act)
[3]KRS 158.120; OAG 80-47; OAG 79-327; OAG 75-602; G.C. v. Owensboro Public Schools, 711 F.3d 623 (6th Cir., 2013)
[4]KRS 158.155; KRS 157.320; KRS 157.330; KRS 158.150
KRS 157.350; KRS 157.360; KRS 158.100
KRS 199.802
702 KAR 7:125; 704 KAR 7:090
P. L. 104-208
P. L. 114-95 (Every Student Succeeds Act of 2015), 20 U.S.C. § 6301 et seq.
8 U.S.C. Sections 1101 and 1184: 8 C.F.R. Section 214
22 C.F.R. §62.25; *Plyler* v. *Doe*, 457 U.S. 202 (1982)
Equal Educational Opportunities Act of 1974 (EEOA)

RELATED POLICIES:

06.32; 08.1114; 09.11; 09.121; 09.1222; 09.1223; 09.123; 09.124
09.126 (re requirements/exceptions for students from military families)
09.14; 09.211

Employee Reports of Criminal Activity

To promote the safety and well-being of students, the District requires employees to make reports required by state law in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

KRS 158.155

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

Any school employee shall immediately report to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police any act which the employee has a reasonable cause to believe has occurred on school property or at a school-sponsored or sanctioned event involving:

a. Intentional physical injury, or intentional attempt to cause physical injury, as defined in KRS 500.080, to any school employee;
b. Intentional assault resulting in serious physical injury, as defined in KRS 500.080;
c. A sexual offense;
d. Kidnapping;
e. Assault with the use of a weapon;
f. Possession of a firearm or deadly weapon in violation of the law;
g. The use, possession, or sale of a controlled substance in violation of the law; or
h. Intentional or wanton damage to property causing a pecuniary loss of five hundred dollars ($500) or more.

Any school employee who receives information from a student or other person of conduct which is required to be reported shall report the conduct to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police, unless the school employee has cause to believe a student's disability interfered with his or her ability to conform to the Student Code of Conduct.

A District that has created their own law enforcement agency shall designate a local law enforcement agency not created by the District to receive reporting information from the District's law enforcement agency. The District's law enforcement agency shall file a weekly report for the preceding week identifying all reports received under KRS 158.155.

KRS 158.156

Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim.

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Employee Reports of Criminal Activity

KRS 158.156 (CONTINUED)

The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The Principal shall file a written report with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight (48) hours of the original report.

KRS 160.380

When an allegation of abusive conduct, as defined in KRS 160.380, is made against a District employee to another District employee, the District employee in receipt of the allegation, whether communicated in writing, electronically, or orally, shall report the allegation to the Principal and in accordance with KRS 620.030. The Principal shall document the allegation in writing and notify the Superintendent/designee. An investigation of the allegation shall be conducted by the District until it is completed and shall not end prior to completion due to the employee transferring positions within the District or leaving the District, unless directed by the Cabinet for Health and Family Services or law enforcement officials to cease the investigation.

KRS 209A.100

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

KRS 209A.110

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

KRS 620.030

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

REFERENCES:

KRS 158.155; KRS 158.156; KRS 160.380
KRS 209A.100; KRS 209A.110
KRS 508.125; KRS 525.070; KRS 525.080; KRS 527.070; KRS 527.080
KRS 620.030

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Employee Reports of Criminal Activity

RELATED POLICIES:

03.13251; 03.23251; 03.13253; 03.23253
05.48
09.227; 09.422; 09.423; 09.425; 09.426; 09.438

Child Abuse

REPORT REQUIRED

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected[1], or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make an oral or written report, including but not limited to electronic submission, to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's or County Attorney in accordance with KRS 620.030.[2]

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

Upon notification, the Principal or the Superintendent/designee shall facilitate the cooperation of the school with the investigation of the report. Any person who knowingly causes intimidation, retaliation, or obstruction in the investigation of the report shall be guilty of a Class A misdemeanor.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, the District shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require the District, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel action.

When an allegation of abusive conduct, as defined in KRS 160.380, is made against a District employee to another District employee, the District employee in receipt of the allegation, whether communicated in writing, electronically, or orally, shall report the allegation to the Principal and in accordance with KRS 620.030. The Principal shall document the allegation in writing and notify the Superintendent/designee. An investigation of the allegation shall be conducted by the District until it is completed and shall not end prior to completion due to the employee transferring positions within the District or leaving the District, unless directed by the Cabinet for Health and Family Services or law enforcement officials to cease the investigation.

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WRITTEN REPORT

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

WRITTEN RECORDS

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

Child Abuse

INTERVIEWS

If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent[3] and shall provide the Cabinet access to a child subject to an investigation or assessment without parental consent.[4]

AGENCY CUSTODY

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

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

a) By written notice via email or fax on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. Verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and

b) By email, fax, or hand delivery of a copy of the court order within ten (10) calendar days following the Cabinet's receipt of the court order of a change of custody or change in contact or removal authority.

OTHER

Each school shall prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services, the National Human Trafficking Reporting Hotline number administered by the United States Department for Health and Human Services, and the Safe Haven Baby Boxes Crisis Line number administered by the Safe Haven Baby Boxes national organization or any equivalent successor entity.

REFERENCES:

[1]KRS 600.020
[2]KRS 620.030; KRS 620.040
[3]OAG 85-134; OAG 92-138
[4]KRS 620.072
KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580
KRS 156.095; KRS 158.041; **KRS 160.380;** KRS 199.990
KRS 209.020; KRS 508.125; KRS 620.050; KRS 620.146
OAG 77-407; OAG 77-506; OAG 80-50; OAG 85-134
34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights Regulations Implementing Title IX

Child Abuse

RELATED POLICIES:

03.19; 09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

Student Activities

TO BE ENCOURAGED

Student activities of an educational nature shall be encouraged and maintained, based upon the needs and interests of pupils.

In schools operating under SBDM, the council shall determine selection of extracurricular activities, as well as academic qualifications, attendance requirements, evaluation procedures and supervision for these programs.

The Principal, in non- SBDM schools shall determine eligibility requirements for students participating in extracurricular programs.

HOME-SCHOOLED STUDENTS

Home-schooled students shall not be eligible to participate in extracurricular activities or in field trips unless the field trip is taken by a class in which the student is enrolled.

CONTROL

All school-sponsored student activities shall be under the direction of the Principal and faculty of the school, except that a nonfaculty coach or nonfaculty assistant may accompany student on athletic trips as provided in statute.[1]

The Principal may suspend a student's eligibility to participate in extracurricular and cocurricular activities, pending investigation of any allegation that the student has violated either the District behavior standards or the school council's criteria for participation.[2]

STUDENTS WITH DISABILITIES

Students with disabilities shall have an equal opportunity to participate in nonacademic and extracurricular services and activities, including, but not limited to, extracurricular athletics, intramural athletics, and clubs.

NOTE: The District may require a level of skill or ability of a student in order for that student to participate in a selective or competitive program or activity, so long as the selection or competition criteria are not discriminatory.

EXPULSION

An expelled student shall not participate in any school-sponsored extracurricular or interscholastic activity while the student is expelled.[3]

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REFERENCES:

[1]KRS 161.185
[2]KRS 158.153
[3]KRS 158.150
KRS 158.120; KRS 158.183; KRS 161.180; KRS 620.146
702 KAR 7:125; 702 KAR 7:140; 704 KAR 3:535; OAG 57-40812
Section 504 of the Rehabilitation Act of 1973

Student Activities

RELATED POLICIES:

09.1224; 09.126 (re requirements/exceptions for students from military families)
09.3211; 09.36; 09.435; 09.438

Assault and Threats of Violence

For purposes of this Policy, a "threat" shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

STUDENTS

Any student who threatens, physically assaults, batters or abuses school personnel or another student on school property, at a bus stop, or at a school function shall be subject to appropriate disciplinary action, including suspension or expulsion.[1]

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Students may also be subject to prosecution or juvenile justice interventions for assault, threats, or other abusive conduct.

The Principal shall provide written notice to all students, parents, and guardians of students within ten (10) days of the first instructional day of each school year of the provision of KRS 508.078 and potential penalties under KRS 532.060 and KRS 534.030.[2]

EDUCATIONAL PERSONNEL

Any student who threatens, physically assaults, batters or physically or verbally abuses educational personnel on or off school property (and the incident is likely to substantially disrupt the educational process) shall be subject to appropriate disciplinary action[1] up to and including expulsion from school and/or legal action.

REMOVAL OF STUDENTS

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting or from the District's transportation system pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to:

1. Disrupts the classroom environment and education process or the student challenges the authority of a supervising adult.
2. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.
3. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

The Principal may establish (school) procedures for a student's removal from and reentry to the classroom when the student's behavior disrupts the classroom environment and education process or the student challenges the authority of a supervising adult. In addition to removal, the student shall be subject to further discipline for the behavior consistent with the school's code of conduct.

Removal of students from a bus shall be made in compliance with 702 KAR 5:080.

Each school shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as practicable. The Principal shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

Assault and Threats of Violence

REMOVAL OF STUDENTS (CONTINUED)

Per KRS 158.150, a student who is removed from the same classroom three (3) times within a thirty (30) day period shall be considered "chronically disruptive" and may be suspended from school and no other basis for suspension shall be deemed necessary.

At any time during the school year, for a student who has been removed from the classroom the Principal may require a review of the classroom issues with the teacher and the parent, guardian, or other person having legal custody or control of the student and determine a course of action for the teacher and student regarding the student's continued placement in the classroom.

At any time during the school year, the Principal may permanently remove a student from a classroom for the remainder of the school year if the Principal determines the student's continued placement in the classroom will chronically disrupt the education process for other students.

When a student is removed from a classroom temporarily or permanently, the Principal shall determine the placement of the student in lieu of that classroom, which may include but is not limited to:

- Another classroom in that school; or
- An alternative program or setting, which may be provided virtually, as approved by the Superintendent.

Any permanent action by the Principal shall be subject to an appeal process in accordance with Policy 09.4281/Grievances.

REPORT TO LAW ENFORCEMENT AGENCY

Per KRS 158.155, any school employee who knows or has reasonable cause to believe that a person has made threats or plans of violence which are intended to target a school or students or who knows that a firearm is present on school property in violation of KRS 527.070, shall immediately cause a report to be made to the District's law enforcement agency and either to the local law enforcement agency or to the Kentucky State Police.

Any school employee shall immediately report to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police any act which the employee has a reasonable cause to believe has occurred on school property or at a school-sponsored or sanctioned event involving:

a. Intentional physical injury, or intentional attempt to cause physical injury, as defined in KRS 500.080, to any school employee;
b. Intentional assault resulting in serious physical injury, as defined in KRS 500.080;
c. A sexual offense;
d. Kidnapping;
e. Assault with the use of a weapon;
f. Possession of a firearm or deadly weapon in violation of the law;

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Assault and Threats of Violence

REPORT TO LAW ENFORCEMENT AGENCY (CONTINUED)

g. The use, possession, or sale of a controlled substance in violation of the law; or

h. Intentional or wanton damage to property causing a pecuniary loss of five hundred dollars ($500) or more.

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Any school employee who receives information from a student or other person of conduct which is required to be reported shall report the conduct to the District's law enforcement agency and to either the local law enforcement agency or to the Kentucky State Police, unless the school employee has cause to believe a student's disability interfered with his or her ability to conform to the Student Code of Conduct.

A District that has created their own law enforcement agency shall designate a local law enforcement agency not created by the District to receive reporting information from the District's law enforcement agency. The District's law enforcement agency shall file a weekly report for the preceding week identifying all reports received under KRS 158.155.

DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION

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

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

These reporting requirements covering domestic violence and abuse or dating violence and abuse do not relieve school personnel of the duty to report any known or suspected abuse, neglect, or dependency of a child pursuant to KRS 620.030. This separate reporting requirement covers abuse, neglect or dependency of a child committed or caused by a parent, guardian, other person exercising control or supervision, or a person in a position of authority or special trust.

If individual school personnel has reasonable cause to believe that a victim with whom s/he has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse, s/he shall provide educational materials to the victim relating to such form(s) of abuse and including information on access to regional domestic violence programs or rape crisis centers and how to access protective orders. These materials shall be made available to school personnel in print form or on the web by the primary domestic violence, shelter, and advocacy service provider designated by the Cabinet for Health and Family Services to serve the school District's area.

NOTIFICATIONS

As soon as the Superintendent/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

Assault and Threats of Violence

NOTIFICATIONS (CONTINUED)

Any District employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee prior to the assignment or contact.

REFERENCES:

[1]KRS 158.150
[2]KRS158.1559
KRS 158.155; KRS 160.290
KRS 161.155; KRS 161.190; KRS 161.195
KRS 209A.020; KRS 209A.045
KRS 209A.100; KRS 209A.110; KRS 209A.130
KRS 211.160; KRS 403.720; KRS 456.010
KRS 508.025; KRS 508.075; KRS 508.078; KRS 525.080
KRS 527.070; KRS 532.060; KRS 534.030; KRS 620.030
702 KAR 5:080

Deleted: KRS 209 160

RELATED POLICIES:

03.123; 03.13253; 03.223; 03.23253; 05.4; 05.48
06.34; 09.14; 09.2211; 09.422; 09.423; 09.426; 09.4281; 09.429; 09.4341

Student Disciplinary Processes

SCHOOL-RELATED ACTIVITIES

The authority of the District in matters of student behavior is not limited to school buildings and grounds or to times when the pupil is on his/her way to or from school, but extends to any activity which is school-related or school-sponsored.

TRAUMA-INFORMED APPROACH PLAN

"Trauma-informed approach" means incorporating principles of trauma awareness and trauma-informed practices in a school in order to foster a safe, stable, and understanding learning environment for all students and staff and ensuring that all students are known well by at least one (1) adult in the school setting.

The Board shall develop a plan for implementing a trauma-informed approach in the District. The plan shall be based on the Trauma-Informed Toolkit from the Kentucky Department of Education (KDE) and include but not be limited to:

a) strategies for enhancing trauma awareness throughout the school community;

b) conducting an assessment of the school climate including but not limited to inclusiveness and respect for diversity;

c) developing trauma-informed discipline policies;

d) collaborating with the Department of Kentucky State Police, the local sheriff, and the local chief of police to create procedures for notification of trauma-exposed students; and

e) providing services and programs designed to reduce the negative impact of trauma, support critical learning, and foster a positive and safe school environment for every student.

The trauma-informed approach plan shall be reviewed and updated annually and submitted to the KDE.[2]

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TREATMENT OF PUPILS

Student disciplinary measures should not be administered in a manner that is humiliating, degrading, or unduly severe or in a manner that would cause the pupil to lose status before his/her peer group. Teachers should guard against making remarks to other pupils concerning a student's shortcomings.

Unless an administrator or the Board acts under authority of KRS 158.150, no school, school administrator, teacher, or other school employee shall expel or punish a student based on juvenile court information received by the employee from any source. Administrators may act to protect staff and students when the student's conduct, as reflected by the information, indicates a substantial likelihood of an immediate and continuing threat of harm to students or staff. In cases where such actions are necessary, the following provisions shall apply:

1. Restrictions imposed on the student shall represent the least restrictive alternative available and appropriate to remedy the threat.
2. Supporting material shall be documented in and kept with the student's juvenile court record.

Student Disciplinary Processes

TREATMENT OF PUPILS (CONTINUED)

3. The student and/or parent/guardian may appeal actions taken to the Superintendent or to the Circuit Court with appropriate jurisdiction.[1]

SERIOUS PROBLEMS

Serious disciplinary problems shall be promptly reported to the Principal and to the parent(s) of the student.

COUNCIL RESPONSIBILITY

Each school council shall select and implement discipline and classroom management techniques for the school. The council's discipline policies shall provide for involvement of parents in disciplinary situations involving their children.

In non-SBDM schools, the Principal shall make these decisions in compliance with Board policy.

REPORTING

Each school shall annually provide to the KDE, using the student information system, an assessment of school incidents relating to disruptive behaviors resulting in a criminal or juvenile status offense or public complaint, including whether:

1. The incident involved a public offense or noncriminal misconduct;
2. The incident was reported to law enforcement or the court-designated worker and the charge or type of noncriminal misconduct that was the basis of the referral or report; and
3. The report was initiated by a school resource officer.

CHILDREN AND YOUTH WITH DISABILITIES

Discipline for children and youth with disabilities shall observe, and be in conformity with, federal and state procedures and guidelines.

REFERENCES:

[1]KRS 158.153
[2]KRS 158.4416
KRS 158.150; KRS 158.449
KRS 160.290; KRS 160.340; KRS 160.345
KRS 161.180; KRS 610.345
703 KAR 5:225
P. L. 105-17

RELATED POLICIES:

08.14; 09.14; 09.429; 09.438

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Expulsion

BOARD MAY EXPEL

The Board may expel or extend the expulsion of any student from the regular school setting for misconduct as defined by law. Provision of educational services will be required unless the Board determines, on the record and supported by clear and convincing evidence, that the expelled student posed a threat to the safety of other students or school staff and could not be placed in an appropriate alternative program or setting.[1]

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The Board shall require the expulsion from school for a period of at least twelve (12) months for a student who is determined by the Board:

1. Through clear and convincing evidence to have made threats that pose a danger to the well-being of students, faculty, or staff of the District;
2. To have brought a weapon on school property under its jurisdiction or a bus stop per Board Policy 05.48; or

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3. Is in grade six (6) to twelve (12) and is determined by the Board to have recklessly, with a deadly weapon or dangerous instrument, or intentionally caused or attempted to cause physical injury to a District employee on school property or at a school function under the Board's jurisdiction. In considering the actions of a student a Board shall use the definitions of "dangerous instrument," "deadly weapon," and "physical injury" in KRS 500.080 and "intentionally" and "recklessly" in KRS 501.020.

School personnel does not include a student who is employed by the school or enrolled in any school-based apprenticeship program.

The Board may expel a student for longer than twelve (12) months.

Behavior that may be determined to pose a threat shall include, but not be limited to, the physical assault, battery, or abuse of school personnel or other students on or off school property, including bus stops and school functions (and the incident is likely to substantially disrupt the educational process); the threat of physical force; being under the influence of drugs or alcohol; the use, possession, sale, or transfer of drug or alcohol; the carrying, possessing, or transfer of weapons or dangerous instruments; and any other behavior that may endanger the safety of others.

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The Superintendent shall present to the Board for its approval options for providing or ensuring that educational services are provided to expelled students. Educational services provided shall not include transportation from the student's residence to, or returning from, an appropriate alternative program setting.

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An expelled student shall not participate in any school-sponsored extracurricular or interscholastic activity while the student is expelled.

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In lieu of expelling a student, or upon the expiration of a student's expulsion, the Superintendent may place a student into an alternative program or setting if the Superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the educational process or constitutes a threat to the safety of other students or school staff.

Expulsion

HEARING AND RECORDS REQUIRED

Action to expel, extend the expulsion, or place in an alternative program or setting a student shall not be taken until the parent, guardian, or other person having legal custody or control of the student has had an opportunity for a hearing before the Board.[1] The special education and disciplinary records of IDEA eligible students shall be sent to the Board for review before the decision is made to expel.[3] If applicable, a bus driver shall have the opportunity to be heard at any disciplinary hearing against a student relating, at least in part, to misconduct that occurred during the operator's transportation of the student or to misconduct by the student's parent or guardian.

Within thirty (30) days prior to the end of a student's expulsion, the Board shall review the details of the expulsion and current factors and circumstances, including if ending the expulsion will substantially disrupt the education process or constitute a threat to the safety of students or school staff, to determine if the expulsion shall be extended for a period not to exceed twelve (12) months. The expulsion review process shall be used prior to the end of each expulsion period until the Board ends the expulsion or the student is no longer subject to compulsory attendance under KRS 159.010.

BOARD DECISION FINAL

The Board may establish an appeals committee and delegate authority to hear appeals to the committee. Otherwise, the Board's decision shall be final.[1]

Within five (5) days of a student being expelled the District shall enter the expulsion in the student's record within the student information system.

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RETURN TO SCHOOL

An expelled student shall be allowed to return to school in accordance with KRS 158.150.

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STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, procedures mandated by federal and state law for students with disabilities shall be followed. (Students with disabilities who are eligible for services under federal law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed. Educational services must continue for IDEA eligible students who are expelled.)[1&3]

TRANSFER OF RECORDS

Records transferred to another school must reflect the charges and final action of an expulsion hearing if the student was expelled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol or drugs. Records of a student facing an expulsion hearing on charges described above shall not be transferred until the expulsion hearing process is completed.[2]

Expulsion

REFERENCES:

[1]KRS 158.150
[2]KRS 158.155
[3]20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA); 707 Chapter 1; Section 504 of the Rehabilitation Act of 1973, as amended
KRS 158.110, KRS 159.010
KRS 527.070
Honig v. Doe, 108 S.Ct. 592(1988); OAG 78-673

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RELATED POLICIES:

05.48; 06.22; 06.34
09.12; 09.226; 09.2261; **09.3;** 09.423; 09.425; 09.426; 09.43; 09.431; 09.434

LEGAL: REMOVING 704. KAR 10:022 AS IT HAS EXPIRED.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

Summer School

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**. School SBDM Councils may establish summer school opportunities based on need and availability of staffing and funding.**

~~**REFERENCE:**~~

~~704 KAR 10:022~~

Student Welfare and Wellness

District Wellness Policy per 7 CFR 210.31

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

School Wellness Policy per KRS 160.345

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

The Board is committed to providing school environments that promote and protect student health, well-being, and ability to learn by supporting healthy eating and physical activity.

To this end, the Board supports school efforts to implement the following:

- To the maximum extent practicable, schools will participate in available federal school meal programs.
- Schools will provide and promote nutrition education and physical education to foster lifelong habits of healthy eating and physical activity and will establish linkages between health education, school meal programs, and related community services.
- Each school council of a school containing grades K-5 or any combination thereof, or if there is no school council, the Principal, shall develop and implement an individual school wellness policy that includes moderate to vigorous physical activity each day and encourages healthy choices among students consistent with KRS 160.345 and Board Policy 02.4241.
- The policy may permit physical activity to be considered part of the instructional day, (not to exceed thirty (30) minutes/day or 150 minutes/week) and also in compliance with the school calendar regulation, 702 KAR 007:140 and Board Policy 08.1346.

STANDARDS 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.

Students should not have access to food trucks or have the ability to be provided food by means of a delivery service; this includes Uber Eats, Door Dash, Grub Hub, or any other food/beverage provided by means of delivery.

STANDARDS FOR ALL FOODS AND BEVERAGES SOLD TO STUDENTS

School Meal Programs: Meals reimbursable under the National School Lunch Act and the Child Nutrition Act shall serve as the primary source of student nutrition during designated meal service periods. These meals must meet or exceed federal nutrient and dietary requirements.

Competitive Foods and Beverages: All competitive foods and beverages sold to students on school campus during the school day shall comply with applicable state and federal nutritional standards.

Competitive foods and beverages shall not be sold in any school setting, including but not limited to vending machines, school stores, canteens, classrooms, or by school-sponsored groups, from midnight prior to the school day through thirty (30) minutes after the conclusion of the last lunch period.

From thirty (30) minutes after the last lunch period through thirty (30) minutes after the end of the official school day, competitive foods and beverages may be sold only if they meet all applicable state and federal nutritional standards.

Student-Based Enterprises: Any District-approved student-based enterprise selling food or beverages must ensure all items comply with the minimum nutritional standards established in 702 KAR 6:090. To protect student participation in federal meal programs and preserve the financial sustainability of the District's nonprofit school food service account, food and beverage sales by student-based enterprises are strictly prohibited during breakfast and lunch service periods, as well as thirty (30) minutes before and after those periods. Operational approval must be obtained from the Superintendent/designee and reviewed by the Director of School Nutrition Services prior to implementation.

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

Foods and beverages provided during the school day, but not made available for sale, shall meet standards outlined in the District's Local School Wellness Policy, as well as any schools' individual wellness policy, if applicable, and will not conflict with District policy.

REFERENCES:

KRS 158.850; KRS 158.854
KRS 160.290; KRS 160.345
702 KAR 006:090; 702 KAR 007:140
P. L. 111-296
7 C.F.R. Part 210
7 C.F.R. Part 220
U. S. Dept. of Agriculture's Dietary Guidelines for Americans

RELATED POLICIES:

02.4241; 07.1; 07.111; 07.12; 08.1346

Adopted/Amended: 6/19/2025
Order #: 2025-107

Bullitt County Board of Education Policy

STUDENTS

Toilet Training Requirement Policy

Policy Code: 09.XXXXX

Priority & Purpose

Student health, welfare, and safety shall receive priority consideration by the Board. Rules and regulations on health and safety determined 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.

It is the expectation for all students to enter school (K-12) as toilet-trained. Managing frequent toileting accidents in a classroom environment impacts instructional time and health standards. Therefore, this policy establishes clear standards for student independence, family collaboration, procedural safeguards for district staff, and progressive intervention procedures.

Requirements & Definition of Toilet-Trained

Students must be toilet-trained before enrollment. Children who experience frequent or ongoing accidents will not be considered toilet-trained. The use of pull-ups or similar products does not meet the requirement for toilet training.

A student is recognized as independent and completely toilet-trained when they can perform the following skills:

- Independently **recognize** the need to stop an activity to use the bathroom.
- **Communicate** the need to use the restroom to a teacher before an accident occurs.
- **Manage** their own clothing (pulling down and up) without assistance.
- Perform **personal hygiene** (wiping/cleaning) independently.
- Get on and off the toilet and wash/dry hands independently.
- Increase the ability to postpone in the event restroom is not immediately available.

Grace Period & Classroom Manageability

The District shall allow four (4) weeks from the first day of school for the student to demonstrate that he/she is toilet-trained. However, if the situation is not manageable within the classroom environment, school administration will discuss the issue(s) with parents. Each accident shall be communicated to the family. The District reserves the right to suspend attendance of the student at such time if classroom safety, instruction, or sanitation is compromised.

Parent Notification & Progressive Intervention Guidelines

After the first four (4) weeks of school, if a student has an accident at school, the parent/guardian will be contacted and will be required to come to the school and change the student immediately. For undiagnosed toileting issues, the following progressive guidelines apply:

For Students Under the Age of 6:

- **1 to 2 Accidents in a one (1) week timeframe :** Parents will be notified to discuss the concerns and specific needs to be addressed. The school may provide toileting resources as support, where appropriate.
- **3 or More Accidents in a one (1) week timeframe:** Parents will be notified with the understanding that if the issue is not corrected by the end of the second consecutive week, the child will need to stay home (suspended attendance to school) until he/she is completely toilet-trained.
- **Multiple accidents (2 or more) in a single day**: Parents will be notified to come pick up their child on the day of the accidents. If multiple accidents occur for 3 or more days, student should not return to school until toilet-trained.

For Students Aged 6 and Over:

- The parent/guardian will be required to come to the school and change the student after each accident. Continuous disruptions will prompt an administrative review to determine appropriate next steps, educational placements, or formal evaluations.

Exemptions & Special Accommodations (IEP / 504)

This policy shall not be understood to, in any way, limit the District's ability to implement a Section 504 plan or an Individualized Education Program (IEP) for any student who qualifies for such a plan. The 504 plan or IEP may include toileting, therefore those terms may supersede this policy.

Safety Procedures & References

The District shall follow health and safety standards provided under **922 KAR 2:120**.