

Repeal of Charter School Policies

Kentucky Supreme Court Declared Charter Schools Unconstitutional in the Commonwealth

Repeal

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REPEAL

POWERS AND DUTIES OF THE BOARD OF EDUCATION

01.91

Authorization of Charter Schools

BOARD MISSION AND VISION FOR AUTHORIZING CHARTER SCHOOLS

The Board seeks to authorize high quality charter schools with innovative, unique, and effective academic programs that are in alignment with the strategic priorities of the Board as set forth in the District's strategic plan.

The Board expects charter school applicants to:

- Demonstrate the capacity of such academic programs to close achievement gaps for low-performing groups of public school students; and
- Increase high quality educational outcomes for exceptional children and youth as defined by KRS 157.200 or students at risk of academic failure as defined in 701 KAR Chapter 8; and
- Close such achievement gaps and increase such educational outcomes at an accelerated pace so as to exceed the student and school performance and achievement of the non-charter schools in the District.

The Board will enforce the foregoing high expectations for the charter schools it authorizes and will hold them accountable to the terms of their charter contracts.¹

AUTHORIZER ORGANIZATIONAL CAPACITY

The Board shall commit the human and financial resources necessary to conduct its authorizing duties effectively and efficiently. The Superintendent, assisted by the Office of School Choice (Office), shall work with the Board in its capacity as authorizer to ensure quality authorizing in compliance with the duties of a charter school authorizer as set forth in KRS 160.1590 to KRS 160.1599, KRS 161.141 and 701 KAR Chapter 8.²

The Superintendent, assisted by the Office, shall make recommendations to the Board regarding all charter school applicants. With respect to charter school applications and monitoring of existing charter schools, the Superintendent shall not recommend a charter school contract to be executed or continued if fiscal jeopardy or failure to make consistent progress towards the stated objectives of the charter school is evident or a likely outcome. In addition, the Superintendent and Office shall not allow an existing charter school to operate in a manner that would jeopardize the learning, safety, or well-being of its students and shall take appropriate intervention as warranted, up to and including revocation of the charter contract.

The Board shall allow the Superintendent to file a letter objecting to approval of each charter application received based on substantial hardship and shall allow comments at the public hearing from the Superintendent/designee if he or she has filed objections to the charter application. Any letter and supporting evidence filed by the Superintendent/designee must be published on the District website within three (3) days.

The Superintendent, assisted by the Office, shall:

- Receive, review, and recommend to the Board action concerning all complete and properly submitted charter school applications within the timelines established by all applicable statutes and regulations.

Authorization of Charter Schools

AUTHORIZER ORGANIZATIONAL CAPACITY (CONTINUED)

- Provide the Board with a comprehensive analysis of the strengths and weaknesses of each charter school application based on the work of the application reviewers.³
- Upon positive action by the Board, and approval of an application by the Commissioner of Education, develop for Board approval, in cooperation with the applicant, a charter contract that will be in compliance with all applicable statutes and administrative regulations.⁴
- Submit all required reports to the Kentucky Department of Education within the required timeframe, as established by all applicable statutes and regulations.
- Monitor each charter school's progress towards the goals, objectives, and performance framework established in its charter contract, including but not limited to:
 - Ensuring the charter school is fully compliant with all applicable statutes and regulations, including but not limited to the Kentucky Open Records and Open Meetings laws.
 - Holding the board of directors and officers of the charter school accountable to the Board through student achievement, financial, governance, operational, and climate and culture data that shall be collected throughout the year and provided to the Board at least quarterly.
 - Monitoring the charter school's academic, fiscal, and operational health, as well as school climate and culture, through a transparent accountability system, to include periodic reporting, monitoring visits, and publication of reports via the websites of the Board and the charter school.
 - Documenting, in writing, any discrepancies or deficiencies whether fiscal, educational, operational, or related to school climate and culture of the charter school and the steps and timelines developed by the charter school for correction, and conduct additional monitoring. Copies of the documentation shall be provided to the charter school board of directors and to the Board.⁵
- Make relevant recommendations as may be appropriate for Board consideration, including but not limited to amendment, renewal or nonrenewal, and revocation of a charter contract.⁶
- Ensure the publication of required information on the District website as well as each charter school's website, including but not limited to, the charter school's original application, charter contract, and any contract amendments.
- Ensure compliance by each charter school with its charter contract.⁷

Any failure of the Board acting in its capacity as a charter school authorizer to act on a charter application, renewal, or other appealable decision shall be deemed an approval.

Authorization of Charter Schools

ADMINISTRATIVE PROCEDURES

Pursuant to Board Policy 01.51, the Superintendent shall prepare administrative procedures designed to facilitate the implementation of this Policy, including procedures governing the Board's performance of its duties under KRS 160.1590 to 160.1599, 161.141, and 701 Chapter 8, as required by 701 KAR 008:020, Section 2.

RELATED POLICY:

01.911

REFERENCES:

¹KRS 160.1591; 701 KAR 008:020, Section 2

²KRS 160.1594; 701 KAR 008:020, Sections 2 through 8

³KRS 160.1593

⁴KRS 160.1596

⁵KRS 160.1598

⁶KRS 160.1593; KRS 160.1598

⁷KRS 160.1598

Adopted/Amended: 7/19/2022

Order #: 2022-128

REPEAL

~~POWERS AND DUTIES OF THE BOARD OF EDUCATION~~ ~~01.911~~

~~CHARTER SCHOOL APPLICATION PROCESS~~

~~APPLICATION PROCESS¹~~

~~ELIGIBILITY: AN APPLICATION TO ESTABLISH A CHARTER SCHOOL MAY BE SUBMITTED TO THE BOARD BY TEACHERS, PARENTS, SCHOOL ADMINISTRATORS, COMMUNITY RESIDENTS, PUBLIC ORGANIZATIONS, NONPROFIT ORGANIZATIONS, OR A COMBINATION THEREOF. THE OFFICE OF SCHOOL CHOICE SHALL ACCEPT AND DOCUMENT THE DATE AND TIME OF RECEIPT OF ALL CHARTER SCHOOL APPLICATIONS.~~

~~A CHARTER SCHOOL APPROVED BY THE BOARD SHALL BE NONSECTARIAN IN ITS PROGRAMS, ADMISSION POLICIES, EMPLOYMENT PRACTICES, AND ALL OTHER OPERATIONS. A CHARTER SCHOOL APPROVED BY THE BOARD:~~

~~SHALL NOT DISCRIMINATE AGAINST ANY STUDENT, PROSPECTIVE STUDENT, EMPLOYEE, OR ANY OTHER PERSON ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, AGE, RELIGION, MARITAL OR PARENTAL STATUS, POLITICAL AFFILIATIONS OR BELIEFS, SEX (INCLUDING SEXUAL ORIENTATION OR GENDER IDENTITY), GENDER EXPRESSION, VETERAN STATUS, GENETIC INFORMATION, DISABILITY, OR LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS;~~

~~SHALL ACCEPT STUDENTS WITHOUT REGARD TO INCOME LEVEL, PROFICIENCY IN THE ENGLISH LANGUAGE, OR ACADEMIC OR ATHLETIC ABILITY; AND~~

~~MAY SERVE ANY GRADE OR COMBINATION OF GRADES FROM KINDERGARTEN THROUGH GRADE 12.~~

~~APPLICATION: FOR A CHARTER SCHOOL APPLICATION TO BE CONSIDERED COMPLETE, THE APPLICATION SHALL BE IN COMPLIANCE WITH KRS 160.1590 TO KRS 160.1599, KRS 161.141 AND 701 KAR CHAPTER 8 AND SHALL SATISFY THE REQUIREMENTS OF THE JEFFERSON COUNTY PUBLIC SCHOOLS REQUEST FOR CHARTER SCHOOL APPLICATIONS (RFCSA), WHICH SHALL BE ISSUED BY THE BOARD ANNUALLY. AN APPLICANT SHALL SIMULTANEOUSLY SUBMIT WRITTEN NOTIFICATION OF THE APPLICATION TO THE KENTUCKY BOARD OF EDUCATION AS A AS A RECORD OF THE FILING. INCOMPLETE APPLICATIONS SHALL NOT BE CONSIDERED BY THE BOARD. AN APPLICANT SHALL BE PROVIDED A DETAILED ANALYSIS OF THE APPLICATION WHICH SHALL INCLUDE ANY IDENTIFIED DEFICIENCIES. THE APPLICANT SHALL BE PERMITTED TEN (10) CALENDAR DAYS AFTER RECEIPT OF SUCH ANALYSIS TO ADDRESS ANY IDENTIFIED DEFICIENCIES, DURING WHICH TIME AN APPLICANT MAY REQUEST A SIXTY (60) DAY EXTENSION TO SEEK TECHNICAL ASSISTANCE IN CURING DEFICIENCIES FROM THE STATE BOARD. IF SUPPLEMENTAL INFORMATION IS NOT PROVIDED TO REMEDY THE DEFICIENCY, OR THE SUPPLEMENTAL INFORMATION PROVIDED IS NOT SUFFICIENT, THE APPLICATION SHALL NOT BE CONSIDERED FOR APPROVAL BY THE BOARD.~~

~~REQUEST FOR CHARTER SCHOOL APPLICATIONS: THE BOARD SHALL ISSUE AN RFCSA ANNUALLY. THE RFCSA SHALL CONTAIN ALL INFORMATION THAT WILL ENABLE AN APPLICANT TO SUBMIT A COMPLETE APPLICATION TO THE BOARD, INCLUDING BUT NOT LIMITED TO THE KENTUCKY CHARTER SCHOOL APPLICATION, A SCORING RUBRIC, AND ANY ADDITIONAL INFORMATION REQUIRED BY THE BOARD. THE RFCSA SHALL REFLECT THE PRIORITIES, HIGH EXPECTATIONS, MISSION, AND VISION OF THE BOARD AS AN AUTHORIZER AS SET FORTH IN THE BOARD POLICY ON AUTHORIZATION OF CHARTER SCHOOLS.~~

~~AN APPLICANT SHALL COMPLETE AND FILE THE APPLICATION BY THE DEADLINE ESTABLISHED IN THE RFCSA.~~

CHARTER SCHOOL APPLICATION PROCESSAPPLICATION PROCESS (CONTINUED)

~~CAPACITY: IN ORDER FOR AN APPLICATION TO BE APPROVED, THE APPLICANT MUST DEMONSTRATE THE CAPACITY TO OPERATE A HIGH QUALITY CHARTER SCHOOL AS SET FORTH IN THE CHARTER SCHOOL PERFORMANCE FRAMEWORK. IF AN APPLICANT INTENDS TO CONTRACT WITH AN EDUCATION MANAGEMENT ORGANIZATION TO OPERATE ALL OR PARTS OF THE PROPOSED CHARTER SCHOOL, THE APPLICANT MUST DEMONSTRATE THE ABILITY OF THE APPLICANT'S BOARD OF DIRECTORS TO OPERATE AT ARMS' LENGTH FROM THE EDUCATION MANAGEMENT ORGANIZATION AS REQUIRED IN THE KENTUCKY CHARTER SCHOOL APPLICATION AND ADDENDUM.~~

~~RECOMMENDATION TO APPROVE OR DENY: THE APPLICATION SHALL BE REVIEWED BY APPLICATION REVIEWERS, COMPOSED OF MEMBERS SELECTED BY THE SUPERINTENDENT. THE APPLICATION REVIEWERS SHALL REVIEW THE APPLICATION FOR COMPLIANCE WITH THE REQUIREMENTS OF KRS 160.1590 TO KRS 160.1599, KRS 161.141 AND 701 KAR CHAPTER 8, AND ASSIST IN THE APPLICATION REVIEW PROCESS INCLUDING THE SCORING OF THE APPLICATION USING THE SCORING RUBRIC PROVIDED IN THE RFCSA, CONDUCTING AN IN-PERSON INTERVIEW WITH THE APPLICANT GROUP, AND REVIEWING PUBLIC FEEDBACK RECEIVED DURING THE COMMUNITY FORUM. THE APPLICATION REVIEWERS SHALL NARROW THE APPLICANTS TO FINALISTS, EACH OF WHICH SHALL THEN MAKE A PRESENTATION BEFORE THE BOARD. THE FINDINGS OF THE APPLICATION REVIEWERS SHALL BE PROVIDED TO THE BOARD FOR ITS CONSIDERATION, TOGETHER WITH THE SUPERINTENDENT'S RECOMMENDATION TO APPROVE OR DENY THE APPLICATION. AN APPLICANT MAY WITHDRAW AN APPLICATION AT ANY TIME DURING THE APPLICATION PROCESS.~~

~~CHARTER AUTHORIZATION: THE BOARD SHALL APPROVE ONLY A CHARTER SCHOOL APPLICATION THAT HAS BEEN PROPERLY AND TIMELY SUBMITTED AND THAT DEMONSTRATES A STRONG CAPACITY TO ESTABLISH AND SUSTAINABLY OPERATE A CHARTER SCHOOL THAT WILL PROVIDE HIGH QUALITY LEARNING OPPORTUNITIES FOR ALL OF ITS STUDENTS AND MEET THE HIGH EXPECTATIONS ESTABLISHED IN THE CHARTER SCHOOL PERFORMANCE FRAMEWORK. THE RECOMMENDATION SHALL INCLUDE SUMMARIES OF EVIDENCES COLLECTED DURING THE APPLICATION REVIEW PROCESS. THE BOARD SHALL REVIEW THE SUPERINTENDENT'S RECOMMENDATION AND RELATED MATERIALS AND SHALL BY MAJORITY VOTE APPROVE OR DENY AN APPLICATION WITHIN SIXTY (60) DAYS AFTER THE APPLICANT'S TIMELY SUBMISSION. THE BOARD SHALL NOT APPROVE A CHARTER APPLICATION UNLESS THE APPLICATION MEETS ALL LEGAL REQUIREMENTS AND THE BOARD DEEMS THE APPLICATION TO BE IN THE PUBLIC INTEREST. THE BOARD SHALL ONLY APPROVE INITIAL CHARTER CONTRACTS WITH A TERM OF FIVE (5) YEARS IN LENGTH.~~

~~APPEAL: FOLLOWING ANY DECISION TO DENY AN APPLICATION, THE APPLICANT MAY SUBMIT A NOTICE OF APPEAL TO THE BOARD AND THE STATE BOARD FOR ELEMENTARY AND SECONDARY EDUCATION. THE NOTICE OF APPEAL SHALL BE FILED WITHIN THIRTY (30) DAYS AFTER THE BOARD'S DECISION TO DENY THE APPLICATION. THE NOTICE OF APPEAL MUST COMPLY WITH THE REQUIREMENTS OF KRS 160.1595 AND 701 KAR 008:030. THE REQUIREMENTS FOR THE NOTICE OF APPEAL SHALL BE POSTED ON THE DISTRICT WEBSITE.²~~

~~CONVERSION CHARTER SCHOOLS: THE BOARD MAY BY A MAJORITY VOTE DESIGNATE AN EXISTING SCHOOL WITHIN THE DISTRICT NOT SCHEDULED FOR CLOSURE TO BE CONVERTED TO A CHARTER SCHOOL. THE PROCESSES FOR SUBMISSION OF A CONVERSION APPLICATION, COMMUNITY INPUT, THE BOARD'S REVIEW AND VOTE, THE TRANSFER OF MANAGEMENT AND OPERATIONS OF A CONVERSION CHARTER SCHOOL, AND THE TRANSITION OF EMPLOYEES SHALL ADHERE TO THE REQUIREMENTS OF KRS 160.1590 TO KRS 160.1599, KRS 161.141 AND 701 KAR CHAPTER 8. THE REQUIREMENTS FOR PETITIONERS ADVOCATING FOR CONVERSION OF AN EXISTING SCHOOL WITHIN THE DISTRICT SHALL BE POSTED ON THE DISTRICT WEBSITE.³~~

CHARTER SCHOOL APPLICATION PROCESSAPPLICATION PROCESS (CONTINUED)

~~PRIOR TO CIRCULATION OF A CONVERSION PETITION, THE PETITIONER SHALL FILE A NOTICE OF INTENT WITH THE BOARD. THE SUPERINTENDENT, ASSISTED BY THE OFFICE OF SCHOOL CHOICE, SHALL ESTABLISH THE PROCEDURE REGARDING TIMELINES AND STANDARDS COVERING THE SUBMISSION, PROCESSING AND ACTION ON NOTICES OF INTENT, PETITIONS, AND APPLICATIONS RELATING TO THE CONVERSION OF A PUBLIC SCHOOL TO A PUBLIC CHARTER SCHOOL WHICH SHALL BE CONSISTENT WITH KRS 160.1599 AND 701 KAR 008:040.~~

~~NO CONVERSION PUBLIC CHARTER SCHOOL SHALL BEGIN OPERATION AFTER THE BEGINNING OF A SCHOOL YEAR.~~

RELATED POLICIES:

~~01.91, 01.9111~~

REFERENCES:

~~¹KRS 160.1592; KRS 160.1593; KRS 160.1594; 701 KAR 008:020~~

~~²KRS 160.1595; 701 KAR 008:030~~

~~³KRS 160.1599; 701 KAR 008:040~~

~~ADOPTED/AMENDED: 1/28/2025~~

~~ORDER #: 2025-23~~

Charter School Contract**CHARTER SCHOOL CONTRACT**

Effective Date: The grant or renewal of a written charter school contract, also known as a charter, for a charter school authorized by the Board shall not be legally effective, and the charter school shall not begin or continue operations, as applicable, unless and until (1) the contract has been approved by the Commissioner of Education, by the charter school board of directors, and by the Board, and (2) the contract has been executed by the chair of the charter school board of directors and by the Board Chair. A charter school contract shall contain all terms and conditions specifically required by the Kentucky charter school statutes and regulations, as well as any additional terms and conditions specifically required by the Board consistent with the Kentucky charter school statutes and regulations.¹

Contract Development: The Superintendent, assisted by the Office of School Choice, shall annually review and approve a standard contract template that is consistent with the Kentucky charter school statutes and regulations and all applicable Board policies, which shall be used as the basis for all charter school contracts approved by the Board. New charter school contracts and any amendments to any existing charter school contract that materially alter the contract, shall be presented to the Board for final approval. The Superintendent, assisted by the Office of School Choice, shall establish procedures for contract negotiations with approved charter school applicants, and the amendment of an existing charter school contract.

Contracting for District Services: The District may offer services to any charter school authorized by the Board, to be purchased at cost by the charter school. If any charter school authorized by the Board wishes to enter into an agreement with the District for services, the charter school must notify the Superintendent within ten (10) days after approval of the charter school application by the Board. The charter school may later request negotiations for other services with the District in a manner specified by the Superintendent. Any such services agreement shall be negotiated by the District and the charter school applicant separately from the negotiation of the charter school contract. A charter school applicant shall not include as a response in the charter school application that it will rely on the District to provide any specific services.

Term of Charter Contract: An approved contract for a new charter school shall be effective for a term of five (5) years, beginning on the effective date of the contract. The effective date of a charter school contract shall be the date on which it has been executed by both the chair of the charter school board of directors and by the Board Chair.

Performance Framework: A Charter School Performance Framework that establishes high expectations and clear and transparent standards for charter school academic, financial, and organizational performance as well as expectations for school climate and culture shall be utilized as the primary means of measuring the performance of each charter school authorized by the Board. The Charter School Performance Framework shall establish standards to be applied throughout all functions and benchmarks of the term of the charter school contract, including ongoing monitoring, annual assessments, and renewal criteria.

Charter School Contract

CHARTER SCHOOL CONTRACT (CONTINUED)

~~The performance framework shall include targets for charter school performance and metrics for measuring achievement of the targets that reflect the high expectations, mission and vision of the Board, as set forth in the Board Policy on Authorization of Charter Schools. Annual student and school performance targets shall be set for each charter school in accordance with the state accountability system and shall consider District, student, and School performance data.~~

~~The performance targets for each charter school authorized by the Board shall be set forth in the charter school's contract. Monitoring and annual reports for each charter school authorized by the Board shall be based on the performance expectations in the charter school's contract. All student performance data reported by each charter school shall be disaggregated by subgroups including race, sex, socioeconomic status, and area of exceptionality where allowable for reporting requirements associated with small numbers of students. The Charter School Performance Framework shall be posted on the District website.~~

~~*Education Service Providers:* Any contract entered into between the charter school board of directors and an education service provider shall be approved by the Board prior to execution. The contract between the board of directors and the education service provider shall be in compliance with the Kentucky charter school statutes and regulations. Amendments to any contract between a charter school authorized by the Board and an education service provider shall not be effective unless the Board has given approval to the proposed changes.~~

~~*Assurances and Required Statements:* An authorized representative from the charter school must sign a list of assurances which shall be posted on the District website and incorporated as an element of the contract. This document will assure the Board that the charter applicant and board of directors shall abide by all non-waivable legal requirements. The Board reserves the right to require a charter school to sign an updated assurances document as federal or state law changes, or as the Board deems necessary.²~~

CHARTER CONTRACT AMENDMENTS

~~*Semi-Annual Consideration of Contract Amendments:* Each charter school authorized by the Board shall provide written notice to the Superintendent prior to making any significant alterations to the operations, organization, or management of the charter school, as established under the current charter school contract. Examples of such material alterations include, but are not limited to: school name, grades served, governance structure, management structure, management partnerships, contracts with education service providers or charter management organizations, site location, mission statement, enrollment priorities, length of school day, or any other alteration that significantly affects the academic and operational plan approved by the Board.³~~

~~The Board shall semi-annually consider proposals for amendment to any existing charter school contract approved by the Board. Procedures regarding the amendment process shall be issued by the Superintendent, assisted by the Office of School Choice, and posted on the District website. The procedures may describe the amendment and evaluation process to be followed in reviewing specific types of material alterations to a charter school contract.~~

Charter School Contract

CHARTER CONTRACT AMENDMENTS (CONTINUED)

~~*Eligibility for Enrollment Amendments:* Eligibility for an expansion of the grade levels served by a charter school authorized by the Board shall be limited, at a minimum, to a charter school that meets or exceeds all targets set forth in its charter school contract.~~

~~*Voluntary Rescission of Charter Contract:* The charter school contract shall state the specific circumstances where a charter school's board of directors may voluntarily rescind the charter contract executed with the Board. The Superintendent shall create procedures by which the board of directors may communicate this need to the District and the requirements the board of directors must fulfil in addition prior to executing the charter school closure protocol.~~

UNDERPERFORMANCE OR NONCOMPLIANCE WITH CHARTER SCHOOL CONTRACT

~~*Investigations:* Where a charter school board of directors has governance over more than one (1) charter school and has failed to meet statutory requirements, the local Board shall begin an investigation to determine if the charter school board is in compliance with any charter contract(s) for other school(s) under the local Board's jurisdiction.~~

~~Verification of an issue with any aspect of performance of the charter contract or compliance with statutory or regulatory requirements shall result in notification to the Commissioner by the local Board who may request assistance in addressing and remedying the issue. The local Board shall also notify the charter school of the issue and take necessary action, which may include unilateral imposition of conditions on the charter school, revocation, or nonrenewal of the charter contract. The local Board shall provide notice of such an issue and resolution to all charter school students, parents, persons with custody or charge, and the Kentucky Department of Education.~~

~~*Corrective Action Plans:* The Superintendent may implement appropriate consequences at any time during the term of a charter school contract approved by the Board when the Superintendent has received evidence of underperformance by the charter school against the performance framework standards, or noncompliance by the charter school with the terms and conditions of the charter school's contract. Consequences implemented against a charter school may increase in severity according to the seriousness and duration of the specific underperformance or noncompliance, and may be used as a basis for a recommendation by the Superintendent to the Board for the revocation or nonrenewal of the charter schools' contract.⁴~~

~~In cases where the Superintendent has made a determination that there has been material underperformance against the performance framework standards or noncompliance with a material element of a charter school contract approved by the Board, the charter school shall submit a proposed corrective action plan (CAP) to the Superintendent for approval by the Board. The proposed CAP shall be submitted within a deadline established by the Superintendent, assisted by the Office of School Choice, and shall include detail regarding the area(s) of deficiency determined by the Superintendent, the strategies to be used to correct the area(s) of deficiency, a timeline for correction, the measures to be used determine whether correction has occurred, the staff responsible for the implementation of the CAP, the frequency and scope of required reporting and onsite monitoring of implementation of the CAP, and consequences for failure to remedy area(s) of deficiency in a timely manner.~~

Charter School Contract

UNDERPERFORMANCE OR NONCOMPLIANCE WITH CHARTER SCHOOL CONTRACT (CONTINUED)

~~The Board shall approve a proposed CAP unless the Board determines that implementation of the proposed CAP will not correct the area(s) of deficiency, in which case the Board may implement additional appropriate consequences. A charter school subject to a CAP will be monitored by the Superintendent, assisted by the Office of School Choice, in accordance with the CAP monitoring requirements and the board of directors of a charter school subject to a CAP shall incorporate updates regarding the implementation of the CAP into its meeting minutes for the duration of the CAP. The Superintendent, assisted by the Office of School Choice, shall provide periodic updates to the Board regarding CAP implementation, as needed.~~

~~In the event of noncompliance by any charter school with a CAP, the Board may implement additional appropriate consequences against the charter school, including but not limited to, a prescribed CAP issued by the Superintendent, assisted by the Office of School Choice, that shall replace the original CAP.~~

~~Upon adoption of a CAP, the charter school shall notify all parents or guardians of students attending the charter school of the CAP, the identified deficiencies and steps being taken by the charter school to remedy the deficiencies.~~

~~*Letter of Deficiency:* Any charter school demonstrating material underperformance against the performance framework standards or found to be out of compliance with a material element of its charter school contract, resulting in a high-risk level of monitoring, may be issued a Letter of Deficiency by the Superintendent which shall posted on the District webpage and be noticed to the Board, the commissioner of education, the Kentucky Board of Education, the charter school board of directors, the charter school leader, and provided to all parents and guardians of students attending the charter school.~~

~~If a charter school is subject to a CAP for noncompliance with a material element of the charter school's contract or material underperformance against the performance framework standards and fails to meet the performance expectations of the CAP within the deadline set forth in the CAP, the Letter of Deficiency shall provide detail as to the noncompliance or underperformance and indicate the corrective action to be taken by the charter school in order to bring the charter school into compliance with the charter contract. The charter school will be given ten (10) days to respond to the Letter of Deficiency. The Letter of Deficiency and the response from the charter school shall become part of the charter school's record and will be presented to the Board with all other evidence collected throughout the term of the charter school contract when renewal of the charter school contract is to be considered by the Board. The Letter of Deficiency and the charter school's response shall be incorporated into the charter school board of directors meeting minutes and included in the charter school's annual report to the Board.~~

Charter School Contract

UNDERPERFORMANCE OR NONCOMPLIANCE WITH CHARTER SCHOOL CONTRACT (CONTINUED)

Letter of Probation: A charter school that implements a CAP but does not meet the required targets for correction of the material underperformance or noncompliance with a material element of the charter school contract within the time period defined in the CAP, and has already received a Letter of Deficiency, may be issued a Letter of Probation by the Superintendent. The Letter of Probation shall be posted on the District webpage and be noticed to the Board, the Commissioner of Education, the Kentucky Board of Education, the charter school board of directors, the charter school leader, and provided to all parents and guardians of students attending the charter school. The Letter of Probation shall establish the process and timeline by which the school may exit probationary status. A school that has received a Letter of Probation may be considered by the Board for revocation or nonrenewal of its charter school contract at any time after the issuance of the Letter of Probation. Consequences for probationary status shall be determined by the Board on a case by case basis and shall be consistent with the charter school contract and the Kentucky charter school statutes and regulations.

RELATED POLICIES:

01.91, 01.911

REFERENCES:

¹~~KRS 160.1590; KRS 160.1591; KRS 160.1592; KRS 160.1593; KRS 160.1594
KRS 160.1595; KRS 160.1596; KRS 160.1597; KRS 160.1598; KRS 160.1599
701 KAR 008:010; 701 KAR 008:020; 701 KAR 008:030; 701 KAR 008:040~~

²~~KRS 160.1596; 701 KAR 008:020~~

³~~KRS 160.1592~~

⁴~~KRS 160.1594; KRS 160.1596; 701 KAR 008:020~~

Adopted/Amended: 8/28/2018

Order #: 2018-203

Charter School Monitoring, Assessment, and Annual Reports

MONITORING

Performance Rating: The Superintendent, assisted by the Office of School Choice, shall establish performance ratings for each standard within the Charter School Performance Framework. Each charter school authorized by the Board shall be categorized into a performance rating for each standard based on the school's annual performance. An annual overall performance rating for each charter school authorized by the Board shall be determined based on the school's performance ratings for all standards. Information about the performance ratings of each charter school authorized by the Board shall be included in the annual report. The Superintendent shall ensure that each charter school authorized by the Board receives an advance copy of its performance ratings and has an opportunity to submit comments to, and request that changes be made by, the Superintendent before the ratings are released to the public via the annual report.

Risk-Based Monitoring: The monitoring requirements for each charter school authorized by the Board shall be based on a risk analysis of the charter school's performance ratings for the standards within the Charter School Performance Framework. Charter schools that do not meet expectations, as determined in accordance with the Charter School Performance Framework, shall be considered moderate or high risk and subject to additional monitoring requirements based on the level of risk. Procedures for the risk-based monitoring shall be incorporated by reference in the charter school contract and posted on the District website.

Data Collection: Each charter school authorized by the Board shall provide to the Office of School Choice all reports required by the charter school's contract. All reports shall be complete, accurate and submitted on a timely basis. Each charter school authorized by the Board shall be provided by the District with a reporting master calendar, to be revised annually, that outlines all data (e.g. academic, operational, financial) that shall be included in the charter school's reports. Additionally, each charter school authorized by the Board shall be subject to onsite monitoring as determined by the Superintendent, assisted by the Office of School Choice, consistent with the Board's ongoing duty to ensure compliance with the charter school's contract.

Charter School Annual Report: The Superintendent, assisted by the Office of School Choice, shall prepare an annual report of the performance of each charter school authorized by the Board against the Charter School Performance Framework standards. The annual charter school report shall be a public document and shall be posted on the District website, noticed to the Board, the Commissioner of Education, the Kentucky Board of Education, and the parents or guardians of all students attending the charter school. The annual charter school report shall be published in a format that is easily understandable by all stakeholders, including Board members, charter school leadership and staff, students, parents, and community members. The Superintendent shall issue procedures describing the annual report and data collection processes related to the report in detail. The procedures shall be posted on the District website. Each charter school authorized by the Board shall submit all data that is necessary for the Superintendent to prepare the charter school's annual report.

Charter School Monitoring, Assessment, and Annual Reports**MONITORING (CONTINUED)**

~~Access:~~ Each charter school authorized by the Board shall provide to the Superintendent, assisted by the Office of School Choice, access to all charter school facilities and/or all school records as required in order for the Board to fulfill its legal obligations of oversight and accountability of the charter school.

~~Education Service Providers:~~ The local Board shall also monitor the performance of contracts between the charter board and any education service provider so as to ensure compliance with statutory and regulatory requirements as well as expectations under local Board authorizer policy. If the local Board believes there is an issue with any aspect of performance of the charter contract or compliance with statutory or regulatory requirements, then the local Board shall begin an investigation.

REFERENCES:

KRS 160.1590; KRS 160.1592; KRS 160.1594; KRS 160.1596
701 KAR 008:020

Adopted/Amended: 8/28/2018

Order #: 2018-203

Charter School Finances and Transparency

FINANCES

~~*Funding for Charter Schools:* Funding allocations and procedures for each charter school authorized by the Board shall comply with all applicable Kentucky charter school statutes and regulations as well as all applicable terms and conditions required by the Board consistent with the Kentucky charter school statutes and regulations.~~

~~*Funds:* All public or private funds provided to each charter school authorized by the Board, including grant and federal funds, shall be spent in conformity with all applicable federal and state statutes, regulations, rules, and policies, as well as all applicable terms and conditions required by the Board consistent with the Kentucky charter school statutes and regulations.~~

~~*Audit:* Each approved charter school shall adhere to generally accepted accounting principles, shall hire an independent, qualified auditor to conduct an annual financial audit in accordance with generally accepted auditing procedures and requirements, and shall submit the audit report, to include the management letter and any other supplemental or optional reporting conducted by the auditor, to the Superintendent within ten (10) business days after receipt from the auditor.~~

~~*Financial Monitoring:* If budget projections indicate the charter school's annual operating expenses may at any time during the school year cause annual operating revenues to fall below two percent (2%) of the total projected annual operating revenues in the school's approved budget, or the charter school's level of debt exceeds contractual requirements, the charter school shall provide specific notice to the local Board and the local Board shall take the following action:~~

- ~~1. Inform the Commissioner of Education and the Department of the charter school's financial concern~~
- ~~1. Require the school to implement a cash management plan approved by the local Board;~~
- ~~2. Begin a more in-depth review, and audit if necessary, of the school's financial budget reports, expenditures, and revenues;~~
- ~~3. Request financial management assistance for the charter school from the Department; and~~
- ~~4. Restrict the school's expenditures and obtain the local Board's approval prior to expenditure of school funds for the remainder of the year.~~

~~If the school defaults on a financial obligation or if the local Board suspects the school may close prior to the end of the school year or the charter contract term, the local Board shall take the following action:~~

- ~~1. Consult with the Commissioner of Education and the Department;~~
- ~~1. Communicate with the charter school board to determine the need for charter contract revocation;~~
- ~~2. Commence the same action as required as if annual operating revenues fall below the two percent (2%) of total projected operating revenue;~~
- ~~3. Review closure protocol and charter contract termination provisions and communicate such with the charter board; and~~

Charter School Finances and Transparency**FINANCES (CONTINUED)**

4. ~~Notify students and resident local school districts as soon as necessary to ensure they are provided adequate preparation time for student transition and to provide free and appropriate public education to any returning students.~~

TRANSPARENCY REQUIREMENTS

~~The Superintendent shall issue procedures for charter school academic, operational, and financial transparency, in accordance with Kentucky charter school statutes and regulations. Each charter school authorized by the Board shall adhere to all reporting and public transparency requirements set forth in the Kentucky charter school statutes and regulations as well as all applicable terms and conditions required by the Board consistent with the Kentucky charter school statutes and regulations. The Office of School Choice shall provide to each charter school an annually revised master calendar that shall outline the specific data reporting requirements and deadlines.~~

REFERENCES:

KRS 160.1592; KRS 160.1594
701 KAR 008:020

Adopted/Amended: 8/28/2018
Order #: ~~2018-203~~

Charter School Renewal, Non-Renewal, Revocation, and Closure**CHARTER CONTRACT RENEWAL PROCESS**

Performance Report: Not later than one year prior to the expiration date of each charter school contract approved by the Board, the Superintendent, assisted by the Office of School Choice, shall issue a performance report to the charter school. The performance report shall include a compilation of the annual charter school reports issued to the charter school during the term of the charter contract, any corrective action plans issued to the charter school during the term of the charter contract and evidence of progress made by the charter school under those plans, any Letters of Deficiency or Letters of Probation issued to the charter school during the term of the charter contract, and other evidences of the charter school's performance under the charter contract collected during the charter term and deemed to be relevant by the Superintendent to the renewal process. The charter school shall have a minimum of 20 days to review the performance report and provide any corrections or clarification that it desires to propose to the Superintendent. Following receipt of any proposed corrections or clarifications, the Superintendent, assisted by the Office of School Choice, shall address the proposed corrections or clarifications, provide a written response to the charter school board of directors regarding those that are deemed not required to be included in the performance report, and issue a final performance report.

Renewal Application Requirements: The Superintendent shall issue procedures describing the submission requirements, evaluation process, and timeline to be followed by the Superintendent and the Office of School Choice in reviewing all renewal applications. The Superintendent, assisted by the Office of School Choice, shall develop a renewal application that considers all necessary and appropriate factors relevant to the Board's decision whether to renew a charter school contract, including academic, operational, financial, and climate and culture conditions, and performance during the term of the contract against the defined expectations of the performance framework, including any corrective action plans or Letters of Deficiency or Letters of Probation issued to the charter school during the term of the contract. The Superintendent, assisted by the Office of School Choice, shall review each renewal application and score the application based on a standard rubric. The procedures, application form, scoring rubric, and application guidance shall be posted on the District website and provided to each charter school authorized by the Board not later than one year prior to the expiration of the charter school's contract. The scoring rubric shall be aligned with the performance framework.

Each charter school authorized by the Board that desires a renewal of its charter school contract shall submit a renewal application to the Superintendent no earlier than nine months and no later than six months prior to the expiration of its charter school contract. The Board shall approve the renewal or nonrenewal of a charter school contract within 30 days after the receipt of the application. The Board's decision to renew or deny renewal shall be in accordance with all applicable requirements under Kentucky charter school statutes and regulations as well as all applicable requirements adopted by the Board consistent with the Kentucky charter school statutes and regulations. The Board shall issue a report summarizing the evidentiary basis for the decision to the charter school, to its board of directors, and to the public by posting on the District website.

Charter School Renewal, Non-Renewal, Revocation, and Closure

CHARTER CONTRACT RENEWAL PROCESS (CONTINUED)

Renewal Term: The Board may renew a charter school contract for a term of up to five years. The Board may renew a charter school contract for a term of fewer than five years, but not fewer than three years, if the Board has a reasonable basis for concern as to the performance of the charter school during the previous term of the contract. Any variation from a five-year renewal term shall be based on the performance, demonstrated capacities, and specific circumstances of each charter school, the evidence of which shall be included in the report issued by the Board. The Board may grant a renewal of a charter school contract subject to satisfaction of specific conditions for necessary improvements to the charter school.

Non-Renewal: Upon the review of a renewal application for a charter school authorized by the Board, the Superintendent, assisted by the Office of School Choice, may make a recommendation to the Board to deny the charter school's renewal application based upon the findings of the Renewal application reviewers, the contents of the renewal application, and the historical documented performance of the charter school. The Superintendent, assisted by the Office of School Choice, may recommend non-renewal if the Superintendent determines that the charter school has met any grounds for termination provided in the Kentucky charter school statutes and regulations, the charter school has met any grounds for denial of a charter school renewal application provided in the Kentucky charter school statutes and regulations, or the charter school's operation is no longer in the public interest due to poor academic performance, mismanagement, or financial insecurity. The charter school board of directors shall be informed by the Superintendent, of the decision at which time the board of directors may choose to voluntarily relinquish its charter contract. If the contract is not relinquished, the charter school board of directors shall be provided written notice of the recommendation to deny renewal not later than 30 days prior to the Board hearing on the recommendation. The board of directors shall be permitted 10 days to provide a written response to the recommendation. The response shall be included with the recommendation and supporting evidence presented to the Board. Parents or guardians of students attending the charter school shall be provided a notice of nonrenewal following the response, if any, by the board of directors. If the Board decides to deny renewal of a charter school contract, the charter school board of directors shall be eligible to pursue remedies as specified in the Kentucky charter school statutes and regulations. All actions to deny renewal of a charter school contract shall be noticed by the Superintendent to the Kentucky Board of Education and the commissioner of education.

REVOCATION

In accordance with the Kentucky Charter School statutes and regulations, the Board may terminate any charter school contract approved by the Board at any time during its term for failure of the charter school to meet the requirements for student performance contained in the charter contract or the Board's charter school performance framework, failure to meet the standards of fiscal management specified in the charter school contract, violations of law by the charter school, or as otherwise outlined in the contract. The board of directors shall be informed by the Superintendent, of the decision at which time the board of directors may choose to voluntarily relinquish its charter contract.

Charter School Renewal, Non-Renewal, Revocation, and Closure

REVOCATION (CONTINUED)

~~If the contract is not relinquished, the Board shall give written notice to the charter school board of directors not later than 45 days prior to terminating any charter school contract; provided, the Board reserves the right to act immediately to terminate a charter school contract and close the charter school in the event of any breach of the charter school contract or any violation of law that threatens the health and safety of students or staff of the charter school. Upon receipt of a written notification of termination, the charter school board of directors shall be permitted 10 days to provide a response to the notification. Parents or guardians of students attending the charter school shall be provided a notice of revocation following the response, if any, by the board of directors. The charter school board of directors may also request, in writing, a hearing before the Board to be held not later than 30 days after receiving the notification. The Board shall conduct any such hearing before taking action. If a hearing is to occur, the charter school shall be afforded all rights established under the Kentucky charter school statutes and regulations. If the Board decides to terminate the charter contract, the charter school board of directors shall be eligible to pursue remedies as specified in the Kentucky charter school statutes and regulations. All actions to revoke a charter school contract shall be noticed by the Superintendent to the Kentucky Board of Education and the commissioner of education.~~

CLOSURE

~~*Closure Protocol:* The Superintendent shall issue a charter school closure protocol that shall be incorporated by reference into each charter school contract approved by the Board and posted on the District website. Upon revocation or non-renewal of any charter school contract, the Superintendent, assisted by the Office of School Choice, shall immediately implement the closure protocol issued by the Superintendent. The closure protocol shall ensure timely notification of the closure of a charter school to the affected parents or guardians, students, and the community. Additionally, the closure protocol shall ensure the orderly transition of the affected students and student records to new schools, the proper disposition of the school funds, property, and assets of the closed charter school, as well as transparency throughout the closure process.~~

~~*Student Placement:* If a charter school contract is not renewed or is terminated, all students who attended the charter school may enroll in another District school consistent with the Board's student assignment plan and enrollment procedures.~~

APPEAL

~~Following any decision to impose unilateral conditions, revoke, or deny renewal of a charter school contract, the charter school may submit a notice of appeal to the Board and the State Board for Elementary and Secondary Education. The notice of appeal shall be filed within 30 days after the Board's decision to impose unilateral conditions, revoke, or deny renewal of the charter school contract. The notice of appeal must comply with the requirements of KRS 160.1595 and 704 KAR 008:030. The requirements for the notice of appeal shall be posted on the District website.~~

OPERATION OF CONVERSION CHARTER SCHOOLS

~~The Board may renew, non-renew, revoke, or take other action regarding a conversion charter school as provided in KRS 160.1590 to KRS 160.1599, KRS 161.141, and 701 KAR 008:010 to 701 KAR 008:040.~~

Charter School Renewal, Non-Renewal, Revocation, and Closure**OPERATION OF CONVERSION CHARTER SCHOOLS (CONTINUED)**

~~With any closed conversion charter school reverting to its former status as a non-charter school, the Board shall solicit feedback on the future of the school from parents, guardians, adult students, and emancipated youth students prior to reversion.~~

REFERENCES:

~~KRS 160.1594; KRS 160.1595; KRS 160.1598; KRS 160.1599~~
~~701 KAR 008:020; 701 KAR 008:040~~

~~Adopted/Amended: 8/28/2018~~

~~Order #: 2018-203~~

- CERTIFIED PERSONNEL -**Educational/Professional Leave****EDUCATIONAL/PROFESSIONAL PURPOSE**

Long-term educational/professional leave may be granted to employees of the District for educational or professional purposes for a period of not more than three (3) consecutive years. The employee may request a renewal. Such a renewal is subject to approval by the Board upon recommendation of the Superintendent.

When the leave is requested, the intended educational and/or professional purpose of the leave shall be included with the request. Evidence of such educational/professional work must be presented upon return from leave. Time spent on educational/professional leave shall not count toward continuing contract status.

Leave may be granted for full-time attendance at universities or other training or professional activities when those activities are related to the employee's job or to other jobs an employee might hold in the school system. Leave will not be granted for part-time educational activities.

~~EMPLOYMENT WITH A CHARTER SCHOOL~~

~~The Board shall grant a two (2) year leave of absence (without pay) to a teacher under a continuing service contract who has been offered employment with a charter school. A teacher who submits a timely request for return to a teaching position in the District within the two (2) years of leave, shall be allowed to do so at the appropriate salary for their experience and educational level. After two (2) years on leave, the relationship between the teacher and the Board shall be determined by the Board and the Board shall notify the teacher of the decision.~~

~~CONVERSION CHARTER SCHOOL~~

~~A teacher with continuing status who is employed by a conversion charter school shall notify the District of the teacher's intent to work in the converted charter school or to return to employment with the District the next school year by April 15 of each school year of the granted leave.~~

STAFF VISITATIONS AND CONFERENCES

District employees may apply for and be granted a leave of absence by the Superintendent/designee for the purpose of attending professional meetings, conferences and workshops outside the District which are adjudged to be in the interest of the District. Administrative procedures may cover assignment, payment of expenses, waiving of salary deductions and other relevant matters.

Payment of allowable expenses of individuals attending such meetings and the cost of necessary substitutes may be made upon approval of the appropriate authority.

LIMITATIONS

Part-time certified, temporary, seasonal and substitute employees are not eligible for educational/professional leave unless approved by the Superintendent/designee.

Educational/Professional Leave**NOTIFICATION OF RETURN**

Employees on educational/professional leave, ~~including those on professional leave serving in charter schools,~~ shall notify the Superintendent/designee in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123 ~~or April 15 in the case of employees serving in conversion charter schools. Teachers working in charter schools during a second year of leave shall provide written notice by the applicable date to the Superintendent and the Board Chairperson.~~ Employees who fail to notify the Superintendent/designee of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

PLACEMENT UPON RETURN

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

REFERENCES:

[KRS 158.782](#); [KRS 160.1592](#); [KRS 161.770](#)
[701 KAR 008:040](#)
[OAG 79-106](#); [OAG 84-43](#); [OAG 91-134](#)

RELATED POLICY:

03.123

Adopted/Amended: 10/15/2019
Order #: 2019-183

School Choice System

A student enrolled in the District shall be required to attend the school to which the student is assigned by the District school choice system, in accordance with Board Policy, the Board-approved School Choice Plan, and related administrative procedures created by the Superintendent/designee.

GUIDING PRINCIPLES

The following guiding principles shall guide the District in implementation of the school choice system:

Equity – Equity is considered to be the overarching principle for the school choice system, to be reflected in all aspects of the development, implementation, and changes to the system. Equity considerations shall be taken into account across all other guiding principles. Other guiding principles are:

- Access
- Ease of Understanding
- Diversity
- Choice

CENTRALIZED APPLICATION PROCESS

The District shall implement a centralized application process for:

- Choice Zone options;
- Elementary school cluster choices, magnet schools, magnet programs, and optional programs;
- Middle school magnet schools, magnet programs, and optional programs;
- High school magnet schools, magnet programs, and optional programs;
- High school career theme program choices within the high school networks; and
- Student transfers.

Each A1 school that is not a Districtwide magnet school shall have a defined attendance boundary.

The District shall establish separate processes for the:

1. Assignment of students to A5 and A6 Alternative Education Programs under [704 KAR 019:002](#); and
2. Application for and enrollment of students in early childhood education.

The District shall establish a separate process for the enrollment of nonresident students in accordance with Board policy 09.124 and [KRS 158.120](#).

School Choice System

GOVERNING DOCUMENTS, REVISIONS, AND PUBLIC ACCESS

All prior student assignment plans, procedures, guidelines, practices, or individualized arrangements for schools are, upon adoption of this policy, null and void. The Board-approved School Choice Plan, this policy, accompanying administrative procedures, and District implementation practices as set forth in the School Choice Handbook, represent the governing documents for the assignment of students to schools. The Board may review and revise the School Choice Plan from time to time, but shall, at a minimum, review it in conjunction with the decennial United States Census. The District shall publish all boundary maps and practices utilized in the implementation of this policy on the District website in a place readily accessible to the public. The District shall also develop and accessible and user-friendly supporting resources to assist families and the community to understand and navigate the student assignment process.

CHOICE ZONE

The District shall establish a Choice Zone that has defined boundaries. The boundaries of the Choice Zone shall be approved by the Board and published on the District website. A parent/guardian of an elementary, middle, and high school student residing within the Choice Zone shall be provided through the centralized application process a guaranteed choice of a school closer to their home or a school farther from their home. For an elementary school student, the parent/guardian will be able to rank order school choices within the option selected.

~~CHOICE ZONE SUPPORT PLAN~~

~~The District shall implement a Choice Zone Support Plan for all Choice Zone schools. The plan shall provide evidence-based student academic and non-academic supports, teacher and administrator supports. The Choice Zone Support Plan shall be sufficiently resourced to ensure effectiveness and shall be incorporated into the District budget for review and approval by the Board on an annual basis. The Board budgeted twelve million dollars (\$12,000,000) for fiscal year 2021-22 to support the School Choice Zone Support Plan, and hereby expresses its policy position that future Boards should approve budgets that include in investment at the same or greater levels through at least the 2031-32 fiscal year, reflecting a ten (10) year investment commitment.~~

REQUESTS FOR TRANSFER

A request for a transfer to another school within the District shall be considered in accordance with administrative procedures developed by the Superintendent/designee. All decisions by the Superintendent/designee regarding transfer shall be final. In addition, the District may permit a student to transfer to another school as set forth in Every Student Succeeds Act of 2015.¹

~~CHARTER SCHOOLS~~

~~No student may be assigned to or required to attend a charter school by the District.~~

School Choice System**STUDENT ASSIGNMENT PLAN REVIEW AND EVALUATION PROCESS**

The Office of School Choice shall review and monitor implementation of all aspects of School Choice System on an ongoing basis and make changes to administrative procedures and processes as needed to improve performance.

The District shall establish process and outcome metrics to evaluate the effectiveness of the School Choice System and its implementation. Using those metrics and other information, the District shall undertake an annual evaluation that shall include an analysis conducted by District staff, as well as an evaluation by an external entity. Results of the internal and external evaluations will be presented to the Board and be made available to the public. The annual evaluation shall include a detailed information regarding:

1. Funding for the Choice Zone Support Plan;
2. Student learning and academic achievement;
3. Student performance on non-academic indicators;
4. Diversity of student population in relation to District, school, and program diversity goals as measured by the Diversity Index under Administrative Procedure 09.11 AP.21 and
5. Other topics determined by the District and the external evaluator.

SCHOOL CHOICE COMMUNITY ADVISORY COUNCIL

The Superintendent/designee shall establish a School Choice Community Advisory Council (advisory council) with management and facilitation by the Office of Schools Choice. The advisory council shall assist the District in the monitoring of implementation of the School Choice System. The advisory council shall:

- a) Be comprised of individuals who have a proven commitment to racial educational equity;
- b) Include a majority of members who are not employed by the District;
- c) Include representation from several different geographic areas of the District;
- d) Include parent, student, teacher, classified staff member, administrator, and community member representation; and
- e) Reflect, insofar as practicable, the racial and ethnic composition of the student population of the District.

RACIAL EDUCATIONAL EQUITY

Implementation of School Choice Plan and the review and evaluation process for the plan shall conform to Board Policy 09.131 District Commitment to Racial Equity, which call for strategies to eliminate or alter procedures and practices that create systemic disparities in educational opportunities and outcomes. Changes to the School Choice Plan shall undergo a review using the Racial Education Analysis Protocol (REAP) required under Board policy 09.131.

School Choice System**ELIGIBLE STUDENTS AND TRANSPORTATION**

Per [KRS 158.072](#), “eligible student” is defined as a student enrolled in kindergarten or grade one (1), two (2), or three (3) who qualifies for free or reduced-price school meals or attends a school that participates in the community eligibility provision of the National School Lunch Program.

If an eligible student changes residence during the school year and the change in residence results in the student being assigned to a different school within the District, the parent/guardian shall have the option to request the student, and any of the student's siblings enrolled in the same school in any grade, remain enrolled in the original school regardless of the transportation decision made by the Superintendent/designee.

The District shall provide transportation to the original school from the eligible student’s new residence unless the Superintendent/designee denies the transportation request because he/she/they determine the distance and travel time that the student would spend in transport is impracticable. The District shall report the transportation denial and supporting rationale to the Kentucky Department of Education.

REFERENCES:

¹P. L. 114-95, (Every Student Succeeds Act of 2015); 20 U.S.C. § 6301 et seq.
[KRS 158.072](#); [KRS 158.120](#); [KRS 160.1592](#)
McKinney-Vento Act, 42 U.S.C. 11431 et seq.; 20 U.S.C. § 7912(a)

RELATED POLICIES:

08.134; 09.131

Adopted/Amended: 8/15/2023
Order #: 2023-136

Admissions and Attendance

RESIDENCE DEFINED

Students in the custody of a parent or guardian who resides in the 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

SCHOOL OF ORIGIN DEFINED

"School of origin" is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool ~~or a charter school~~; provided, if a determination is made that it is not in the child's or youth's best interest to remain in the school of origin at the time of a change in foster care placement, the new school in which the child or youth is enrolled would then become the school of origin. It is presumed that staying in the school of origin is in the child's best interest, unless it is against the wishes of the parent, guardian, or unaccompanied youth. When a child or youth completes the final grade level served by the school of origin for the next grade level, the school of origin includes the designated receiving schools for all feeder schools, if applicable.

HOMELESS CHILDREN AND UNACCOMPANIED YOUTH

The District is dedicated to ensuring all students experiencing homelessness (McKinney-Vento eligible students) have "equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths" in accordance with the McKinney Vento Homeless Assistance Act (reauthorized under the Every Student Succeeds Act, December 10th, 2015). It is the policy of the District that every homeless child and youth and homeless children or youth not in the physical custody of a parent or guardian (unaccompanied youth) be identified in a manner that protects student and family privacy, be permitted admission in an immediate and sensitive manner, and be enrolled in and attend school on a daily basis as required by federal law.²

This policy promotes the educational stability and continuity of homeless students.

1. Homeless Definition. According to the McKinney Vento law a student experiencing homelessness is defined as a child or youth who lacks a fixed, regular, and adequate nighttime residence. This includes a child or youth who is living:
 - a. With a friend, relative, or someone else due to economic hardship, loss of housing, or a similar reason.
 - b. In a motel, hotel, trailer park, or camp grounds due to lack of alternative accommodations.
 - c. In an emergency or transitional shelter.
 - d. In a public or private space not ordinarily designed for or used as a sleeping accommodation.
 - e. In a car, park, abandoned building, bus or train station, substandard housing, or similar setting.

Admissions and Attendance**HOMELESS CHILDREN AND UNACCOMPANIED YOUTH (CONTINUED)****2. Children and Unaccompanied Youth Experiencing Homelessness have the right to:**

- a. Go to school, including a public preschool ~~or charter school~~, no matter where they live or how long they have lived there.
- b. Continue in the school of origin for the duration of homelessness when deemed in the best interest of the child, or for the remainder of the school year if the family becomes permanently housed during the school year.
- c. Receive transportation to and from the school of origin. Transportation must be arranged promptly to ensure immediate enrollment and so as not to create barriers to homeless students' attendance, retention, and success.
- d. Enroll in school immediately even if documents normally required for enrollment are missing.
- e. Enroll and attend classes while the school and District arrange for the transfer of immunization records or any other documents required for enrollment.
- f. Enroll and attend classes in either the school of origin or the reside school even while the school and parent or youth seek to resolve a dispute over the selected school.
- g. Receive the same special programs and services, if needed, as provided to all other students served in these programs.
- h. Receive transportation to and from school and school programs, comparable to that of housed students.
- i. If a dispute arises over eligibility, or school selection or enrollment in a school:
 - i. The child or youth shall be immediately enrolled in their school of origin, or other school in which enrollment is sought in accordance with the District's student assignment policy, pending final resolution of the dispute, including all available appeals.
 - ii. The parent or guardian of the child or youth, or in the case of an unaccompanied youth, the youth, shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school, the District, or the Kentucky Department of Education (KDE), including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions.
 - iii. The parent, guardian, or unaccompanied youth shall be referred to the District Homeless Liaison, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute.
 - iv. In the case of an unaccompanied youth, the District Homeless Liaison shall ensure that the youth is immediately enrolled in their school of origin, or other school in which the youth seeks enrollment in accordance with the District's student assignment policy pending resolution of such dispute.
 - v. The Dispute Resolution for Homeless form located on the KDE website shall be used.

Admissions and Attendance**HOMELESS CHILDREN AND UNACCOMPANIED YOUTH (CONTINUED)**

The District shall provide comparable 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 school of origin is located within the area served by the District and the child continues to live within the area served by the District. If a child whose school of origin is located within the area served by another school district locates to the District, the District and the other district 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.

DISTRICT HOMELESS LIAISON

The District shall designate an appropriate staff person to serve as liaison to assist in meeting the needs of homeless children and unaccompanied youth. The scope of responsibilities of the District Homeless Liaison shall align with the requirements under the McKinney-Vento law. The liaison is responsible for ensuring:

1. Homeless children and youths are identified by school personnel through outreach and coordination activities with other entities and agencies.
2. Homeless children and youths are enrolled in, and have a full and equal opportunity to succeed in, schools of the District.
3. Homeless families and homeless children and youths have access to and receive educational services for which such families, children, and youths are eligible, including early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.) and other preschool programs administered by the District.
4. Homeless families and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services.
5. The parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
6. Public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths.
7. School placement decisions are made on the basis of the best interest of the child and wishes of the parent, guardian, or unaccompanied youth.
8. Enrollment disputes are mediated in accordance with this policy, [704 KAR 007:090](#), and federal law.
9. The parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school that is selected.

Admissions and Attendance**DISTRICT HOMELESS LIAISON (CONTINUED)**

10. School personnel providing services under this subtitle receive professional development and other support.
11. Unaccompanied youths:
 - a. Are enrolled in school.
 - b. 'Have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth.
 - c. Are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv) and that the youths may obtain assistance from the District Homeless Liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid.'
12. Coordination and collaboration with State Coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements.

The District Homeless Liaison may affirm, without further agency action by the Department of Housing and Urban Development, that a child or youth who is eligible for and participating in a program provided by the District, or the immediate family of such a child or youth, who meets the eligibility requirements of for a program or service authorized under Title IV of ESSA, is eligible for such program or service.

All concerns regarding the education of homeless children and unaccompanied youth shall be referred to the District Homeless 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 007:090](#) shall apply.

Disputes over eligibility, school selection, or enrollment are to be appealed to KDE 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.

POLICY REVIEW AND REVISION

The District shall review and revise any policies that may act as barriers to the identification of homeless children and youths or the enrollment of homeless children and youths in schools. In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Special attention shall be given to ensuring the identification, enrollment, and attendance of homeless children and youths who are not currently attending school.

Admissions and Attendance

BEST INTEREST DETERMINATION FOR HOMELESS CHILD

In determining a child's or youth's best interest, the District Homeless Liaison must presume that keeping the homeless child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or in the case of an unaccompanied youth, the youth. When determining a child's or youth's best interest, the District must consider student-centered factors, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youths, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth.

COMPARABLE SERVICES FOR HOMELESS STUDENTS

The District shall provide services to each homeless child and youth that are comparable to services offered to other students in the District. These services include public preschool programs and other educational programs or services for which a homeless student meets the eligibility criteria, including but not limited to, programs for children with disabilities, programs for English learners, programs in career and technical education, programs for gifted and talented students, before-and after-school programs, school nutrition programs, and transportation ~~and charter school programs.~~

CHILDREN IN FOSTER CARE

"Foster care" is defined as "24-hour substitute care for children placed away from their parents or guardians and for whom the Cabinet for Health and Family Services has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes..."³

The District is committed to increasing educational stability and improving educational outcomes for students 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 KDE 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.

Admissions and Attendance**PLACEMENT OF CHILDREN IN FOSTER CARE**

It is presumed to be in a child's best interest to remain in the school of origin. If a determination is made at the time of such change in placement that it is in the child's best interest to be placed in a school other than the school of origin, the new school shall be considered the school of origin for future school placement decisions.⁴

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.

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 IN FOSTER CARE

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 safety of the child;
- The proximity of the placement to the school of origin, and how the length of a commute would impact the child; and
- The influence of the school's climate on the child.

Upon the determination that changing a child's school of enrollment is in the best interest of the child, the Cabinet, any applicable child-caring facility, child-placing agency, school, districts, and the child's state agency caseworker shall collaborate to ensure the immediate and appropriate enrollment of the child;

1. The child's state agency caseworker shall immediately contact the receiving district to inform the district of the pending enrollment changes.
2. The child's state agency caseworker or child-caring facility or child placing agency case manager shall either accompany the child and the foster parent to the new school to enroll the child or contact applicable staff at the new school via telephone during the day of enrollment, to assist with the enrollment, to share information relating to the child's unique needs and prior experiences that may impact their education, and to identify and prevent disruptions in any instructional or support services that the child may have been receiving prior to that time, including but not limited to medical and behavioral health history and individual service plans.

Admissions and Attendance**BEST INTEREST OF THE CHILD IN FOSTER CARE (CONTINUED)**

The District and the Cabinet shall have flexibility in determining the factors to be considered in evaluating the appropriateness of the educational setting of a child in foster care, and determining a school placement that is in the child's best interest. Best interest determinations should include input from relevant parties, including the child, foster parents, biological relatives, and school staff. Though the specific factors may vary depending on context, a variety of student-centered factors should be considered when determining the most appropriate educational setting for a child. The District and Cabinet shall consult U.S. Department of Education guidance regarding the factors that may be considered.⁴

DISPUTE RESOLUTION

The District and Cabinet shall make every effort to reach agreement regarding the appropriate school placement of children in foster care. If a conflict arises between a social service worker and the District regarding school placement, the social service worker shall address the matter through the Cabinet and District Foster Care Liaison. During a dispute, the District shall ensure transportation for the child to the school of origin until a resolution is reached. If an agreement cannot be reached, the final decision regarding a child's best interest rests with the Cabinet.⁴

TRANSPORTATION

The District shall collaborate with child welfare agencies to ensure that transportation to a child's school of origin for students in foster care is provided, arranged, and funded for the duration of the time the student is in foster care. Transportation costs shall not be considered as a factor when determining a child's best interest regarding school placement. The District's Foster Care Liaison shall assist in exploring transportation options.

IMMEDIATE ENROLLMENT

When a determination is made that it is not in the child's best interest to remain in school of origin at the time of a change in placement, the District shall immediately enroll the child in a new school in accordance with the District's student assignment plan and enrollment procedures, even if the child does not have required documentation. The District shall contact the student's prior school for relevant records.

When the placement of a state agency child, including a child in foster care, is changed, and the child is transferring from one school to another, the sending school shall prepare a Cabinet Educational Passport form within two (2) days of the transfer and provide it to the social service worker, who shall present it to the receiving school within two (2) days of enrollment.⁵

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.

Admissions and Attendance**NONRESIDENTS**

Nonresident pupils may be enrolled in the District's schools if permitted by Board policies 09.1222 Nonresident Students, 09.124 Admission of Nonresident Students, 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.⁶

Nonresident students designated as homeless or foster children may be required to be enrolled consistent with the “best interest of the child” or “school of origin” requirements under the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA.

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. As required by law, these students shall pay a tuition fee equal to the full, unsubsidized per capita cost to the District for providing education to the student for the period of attendance.
4. The period of attendance shall not exceed twelve (12) months.

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.⁷

Admissions and Attendance**EXPELLED/CONVICTED STUDENTS (CONTINUED)**

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.

REFERENCES:

¹[KRS 159.010](#); [OAG 78-64](#)

²42 U.S.C. 11431 et seq. (McKinney-Vento Act) & S1177 Sec.9101.

³45 C.F.R.1335.20(a)

⁴Non-regulatory Guidance on Foster Care Provisions in Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act of 2015

⁵45 C.F.R.1335.20(a)

⁶[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)

⁷[KRS 158.155](#); [KRS 157.330](#), [KRS 158.150](#)

[KRS 157.320](#); [KRS 157.350](#); [KRS 157.360](#); [KRS 158.100](#)

[KRS 199.802](#)

[702 KAR 007:125](#); [704 KAR 007:090](#); [OAG 91-171](#)

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

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

Adopted/Amended: 6/28/2022

Order #: 2022-116

Eligibility (Athletics)

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

MIDDLE SCHOOL STUDENTS PLAYING HIGH SCHOOL ATHLETICS

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

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

Participation in interscholastic athletics by a student in grade seven (7) or grade eight (8) shall be permitted under the following requirements:

1. A student enrolled in an A1 school that has a grade configuration that includes both middle school and high school grades shall be permitted to participate on a high school team only for that school or program.
2. A student enrolled exclusively and voluntarily in an A5 alternative education program that has a grade configuration that includes both middle school and high school grades and that is a member of KHSAA shall be permitted to participate on a high school team only for that program. The Superintendent may authorize an A5 alternative education program for membership in KHSAA, since A5 programs do not have SBDM councils.
3. A student enrolled in a middle school connected to a high school through a feeder pattern established in the Board approved District Student Assignment Plan shall be permitted to participate on a high school team only for the high school connected to the middle school by the feeder pattern. The determination of the high school for which a student may participate shall be based on the District Student Assignment Plan that is in effect for the school year during which the student will participate.
4. A student enrolled in any other middle school shall be permitted to participate on a high school team only for the high school to which the student would be assigned under the Board approved Student Assignment Plan based on the student's residence, even if the student has applied for and has received admission to another high school for the next year.
5. A middle school student must be a member of the middle school team to play up on a high school team. Middle school practice and games take precedent over high school practice and games.
6. The parent/guardian of a middle school student must apply for and receive approval from the Director of Athletics and Activities prior to participation on a high school team.

Eligibility (Athletics)**STUDENT TRANSFERS**

After enrolling in any District high school, a student who is granted a transfer shall have his/her/their eligibility determined in accordance with the KHSAA Transfer Rule.

~~CHARTER SCHOOL STUDENTS~~

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

REFERENCES:

¹[KRS 160.345](#)

²[KRS 156.070](#)

[KRS 160.1592](#)

[702 KAR 007:065](#); [OAG 15-022](#); Kentucky High School Athletic Association (KHSAA)

RELATED POLICIES:

02.4241; 09.1222; 09.126 (re requirements/exceptions for students from military families)
09.423

Adopted/Amended: 7/29/2025

Order #: 2025-136

Board Vacancy Forms

FORM TO PROVIDE NOTICE THAT A VACANCY EXISTS:

Date: _____

To Whom it May Concern:

A vacancy exists on the Jefferson County Board of Education, as of _____,¹ for District [District # _____] formerly held by _____. The unexpired term for this seat is set to end on _____. The Board will proceed to appoint an individual to fill this seat for the unexpired term pursuant to [KRS 160.190](#) and Board Policy 01.3.

Sincerely,

Superintendent/Board Secretary

cc: Secretary of State, State Capitol, 700 Capital Ave., Room #152, Frankfort, KY 40601
Jefferson County Clerk, 701 West Ormsby Avenue, Suite 301, Louisville, KY 40203
Commissioner of Education, Kentucky Department of Education, 300 Sower Blvd.,
Frankfort, KY 40601
Director of Board Team Development, KSBA, 260 Democrat Dr., Frankfort, KY 40601

REFERENCE:

¹[OAG 81-316](#)

Board Vacancy Forms**SAMPLE NEWSPAPER ADVERTISEMENT ANNOUNCING A BOARD VACANCY****NOTICE OF VACANT JEFFERSON COUNTY BOARD OF EDUCATION SEAT**

The Jefferson County Board of Education (“Board”) is seeking applications for appointment to fill a vacancy on the Board representing District [District #_____].

]. This appointment will be effective until the November _____ regular election (use if the next November regular election is scheduled more than one [1] year prior to end of the remaining term) or the end of the term in _____ (use if the next November regular election is scheduled one [1] year or less prior to end of remaining term).

Responsibilities include: setting policy to govern the District; hiring/evaluating the Superintendent; and levying taxes and adopting the District budget. Board members must:

- Be at least 24 years old and a Kentucky citizen for the last three years;
- Be a registered voter in the particular District of the vacancy;
- Have completed the 12th grade or have a GED certificate;
- Meet all other legal qualifications ([KRS 160.180](#)); and
- Complete required annual in-service training.

Applications are available at Jefferson County Public Schools Superintendent’s Office, VanHoose Education Center, 3332 Newburg Road, Louisville, KY 40218, or online at <https://www.jefferson.kyschools.us/>. Mail applications to: Superintendent, ATTN: Board Vacancy, VanHoose Education Center, 3332 Newburg Road, Louisville, KY 40218.

Board Vacancy Forms

FORM TO PROVIDE NOTICE THAT VACANCY HAS BEEN FILLED BY THE BOARD:

Date: _____

To Whom it May Concern:

Pursuant to [KRS 160.190](#), and Board Policy 01.3, the Jefferson County Board of Education, by vote of the Board on _____, has appointed _____ to fill the vacancy created on _____ in District [District # ____] formerly held by _____.

The appointment is effective immediately. _____'s address is _____
and email address is _____.

The term for this appointment will end on _____.

Sincerely,

Superintendent/Board Secretary

cc: Secretary of State, State Capitol, 700 Capital Ave., Room #152, Frankfort, KY 40601
Jefferson County Clerk, 701 West Ormsby Avenue, Suite 301, Louisville, KY 40203
Commissioner of Education, Kentucky Department of Education, 300 Sower Blvd.,
Frankfort, KY 40601
Director of Board Team Development, KSBA, 260 Democrat Dr., Frankfort, KY 40601

Board Vacancy Forms**FORM LETTER TO NEWLY APPOINTED MEMBER, ON DISTRICT LETTERHEAD:**

Date: _____

Mr./Ms. _____

_____, KY _____

Dear Mr./Ms. _____:

Pursuant to [KRS 160.190](#), and Board Policy 01.3, the Jefferson County Board of Education, by vote of the Board on _____, has appointed you to fill the vacancy created on _____ in District [District # ____] District formerly held by _____. The appointment is effective immediately. Upon being duly sworn in, you may assume the duties of the office.

The term of this appointment is set to end _____. Pursuant to [KRS 160.190](#), this seat will be open to election in the November _____ general election. The Jefferson County Clerk should be consulted for election and candidacy filing information regarding this seat.

All new local Board of Education members must receive a minimum of twelve (12) hours of in-service training annually, per [KRS 160.180](#) and [702 KAR 001:115](#), on a calendar year basis. These hours shall include certain mandated topics of ethics, finance, and Superintendent evaluation, as well as on various other topics such as Board member roles and responsibilities, and the Board's role in student achievement. ~~Additionally, when the Board, or a collaborative of local school boards including the Board, receives a charter school application, any member of the Board or boards who has not received charter authorization training within twelve (12) months immediately preceding the date the application was received shall receive six (6) hours of in-service training prior to evaluating the charter application. This requirement is separate from, and in addition to, the training required by [KRS 160.180](#). Depending on the date of appointment, special provisions may apply.~~

The Kentucky School Boards Association (KSBA) provides local Board member in-service training, and maintains the legal records relating to required Board member training completion. ~~KSBA makes efforts to offer training courses that will meet legal requirements for both general training and charter authorizer training.~~ KSBA will contact you soon to begin scheduling training for the current calendar year. You may contact KSBA by calling 1-800-372-2962.

Sincerely,

Superintendent/Board Secretary

cc: Secretary of State, State Capitol, 700 Capital Ave., Room #152, Frankfort, KY 40601
Jefferson County Clerk, 701 West Ormsby Avenue, Suite 301, Louisville, KY 40203
Commissioner of Education, Kentucky Department of Education, 300 Sower Blvd.,
Frankfort, KY 40601
Director of Board Team Development, KSBA, 260 Democrat Dr., Frankfort, KY 40601

Board Vacancy Forms

Substantially equivalent electronic forms may be used by the District in lieu of these paper forms.

RELATED PROCEDURE:

01.3 AP.21

Review/Revised:7/21/2020

Technical Changes

Division and Department Name Changes and Job Title Changes

Numerous Division and Department names were changed during the recent reorganization, as well as many job titles. These policies and administrative procedures to reflect the new organizational structure.

- 01.413 Duties and Responsibilities of the Treasurer
- 04.12 School Activity Accounts Budgets
- 04.7 Inventories
- 04.9 Audits
- 07.1 Food/School Nutrition Services
- 07.12 Vending Machines
- 07.14 Financial Reports - School and Community Nutrition Services
- 09.4281 Reporting Educational Concerns or Grievances
- 10.2 Citizen Suggestions and Complaints

Duties and Responsibilities of the Treasurer**BOND**

The treasurer shall execute an official bond for the faithful performance of the duties of the office, to be approved by the local Board and the Commissioner of Education. The bond shall be guaranteed by a surety company authorized to do business in this state and shall be in an amount determined by the Board in accordance with the administrative regulations of the Kentucky Board of Education. The premium on the bond shall be paid by the Board and a copy filed with the Commissioner of Education.¹

DESIGNATION OF TREASURER

The Board shall appoint a treasurer who shall not be a member of the Board. The Board may appoint the secretary or the ~~Executive Chief Financial Officer~~ Finance to serve as treasurer. The Board may remove the treasurer from office at any time for cause by a vote of a majority of the members of the Board.

DEPOSITS

The treasurer shall receive all monies to which the Board is entitled by the Constitution or by the statutes, except as otherwise provided by law, or which may in any way come into its possession, and deposit such funds in the properly designated depository. The treasurer shall withdraw such funds from the depository only upon proper order of the Board.¹

ACCOUNTS

The treasurer shall keep a full and complete account of all funds in such manner and make such reports concerning them as is required by the Board or by the Kentucky Board of Education. The treasurer shall preserve all records relating to the transactions and duties of the office and turn them over to a successor along with all public funds on hand and all accounts and records after due and proper audit is made by a competent outside agent when s/he is required to do so by the Board.¹

PAYMENTS

The treasurer shall issue checks on the depository for payment of all legal claims, which have been authorized for payment in accordance with policies previously adopted by the Board and approved by the Commissioner of Education.¹

VACANCY OF APPOINTED BOARD OFFICERS

If a vacancy occurs in the office of treasurer, the Board shall fill the vacancy not later than the first regular meeting after the vacancy has occurred.

REFERENCES:

¹[KRS 160.560](#)
[KRS 160.613](#); [KRS 160.614](#); [KRS 160.615](#); [KRS 160.621](#)
[KRS 160.625](#); [KRS 160.627](#); [KRS 160.635](#); [KRS 160.637](#)
[702 KAR 003:080](#)

RELATED POLICIES:

See section 04

Adopted/Amended: 1/5/2021
Order #: 2021-7

School Activity Accounts Budgets**PREPARATION OF BUDGETS**

Each school council or Principal, as appropriate, shall prepare a budget for all school activity accounts for the school year. The budget shall include a complete financial forecast of anticipated receipts and expenditures for the school year for each activity fund and shall be prepared on the state-required forms in accordance with Kentucky Administrative Regulations.

DUE DATE

Each club and organization shall prepare a tentative budget of receipts and expenditures for the next school year to be submitted to the Principal by April 15 on the state required form in accordance with Kentucky Administrative Regulations. The Principal shall submit the school activity account budgets to the Superintendent, through the Executive Finance ~~Chief Financial~~ Officer, no later than May 15 for submission to the Board.

REFERENCES:

[KRS 160.160](#)

[KRS 160.290](#)

[KRS 160.340](#)

[OAG 60-1149](#)

[702 KAR 003:130](#); Accounting Procedures for Kentucky School Activity Funds

RELATED POLICY:

04.312

Adopted/Amended: 5/10/2022

Order #: 2022-86

Inventories

A perpetual inventory system shall be maintained for supplies and materials stored in District warehouses. Also, a record of the location and value of all furniture and equipment belonging to the District shall be maintained. The accuracy of the perpetual inventory shall be verified by performing periodic cycle counts and/or year end counts.

EQUIPMENT AND ASSETS

The District shall adhere to the property inventory procedures developed by the Kentucky Department of Education. Principals and other supervisors designated by the Superintendent are accountable for inventory, control and maintenance of all assets and equipment in their area of responsibility.

Each school year, results of inventories shall be reconciled, coordinated and reported to the Superintendent and the Board as required by the ~~Executive Finance~~ Chief Financial Officer.

A complete, up-to-date inventory of the following shall be maintained:

1. Fixed assets (real property) with an acquisition value of \$1000 or more that has a useful life of more than one (1) year; and
2. Any additional items designated by the Superintendent/designee.

The Superintendent shall develop procedures and forms for the annual inventory and shall be responsible for maintaining the inventory.

CAPITAL ASSETS

The District shall refer to the KDE Capital Asset Guide for guidance in establishing capitalization threshold amounts.

TRANSFER AND DISPOSAL

Fixed assets no longer needed or useable shall be returned to a designated central location and transferred or disposed of in compliance with Board policy, District inventory procedures and applicable legal requirements.

REFERENCES:

[780 KAR 007:060](#)

[KRS 160.290](#)

Kentucky Education Technology System

Accounting Procedures for Kentucky School Activity Funds

KDE Capital Asset Guide

RELATED POLICIES:

04.8, 05.21

Adopted/Amended: 1/28/2025

Order #: 2025-23

Audits

EXTERNAL FINANCIAL AUDITS

By November 1, the Board shall oversee an annual audit of the financial dealings of the District and the reporting of key financial performance data in order to ensure fair and accurate reporting to the Board.¹

The Board's financial statements shall be audited by a firm of independent certified public accountants annually. The Superintendent shall recommend for Board approval a CPA firm to conduct annual audits of all accounts under the jurisdiction of the Board. Before any audit is initiated, the Superintendent shall secure the necessary approval from the appropriate state agencies.

The audit report, along with the audited financial statements, shall be presented to the Board. The Superintendent shall be responsible for the distribution of copies of each audit report and financial statements to members of the Board and, appropriate state agencies by the statutory deadline. The Board shall see that actions are taken to respond to significant deficiencies and material weaknesses identified in the audit report.

All audits shall be conducted in compliance with requirements for local school districts established by the State Committee for School District Audits.

EXTERNAL AUDITS OF INVESTMENTS

In connection with the audit of Board funds conducted by an independent certified public accountant, the auditor shall incorporate, as part of his audit procedures, a review of the Board's investment program, including internal controls and procedures, and, to the extent that any material weaknesses are noted, these weaknesses and any recommended changes shall be reported to the Board in accordance with standard auditing procedures.

ADVICE OF THE AUDIT COMMITTEE REGARDING EXTERNAL AUDITS

In accordance with its Board-approved charter, the Audit Committee's primary areas of responsibility include advising the Board on the qualifications, independence, and performance of the independent external auditors.

1. Advise on the reports of the independent external auditors.
2. Advise on the procurement process and selection of the independent external
3. auditors.
4. Evaluate the efforts of the independent external auditor, including the auditor's actual independence and professional qualifications.
5. Advise on the appropriateness of the independent external auditor's engagement plan.

Audits

ADVICE OF THE AUDIT COMMITTEE REGARDING EXTERNAL AUDITS (CONTINUED)

6. Meet privately with the independent external auditor to discuss any matters that –when permitted by the Kentucky Open Meetings Law – may be afforded private consultation.

INTERNAL AUDIT

The mission of Internal Audit is to enhance and protect organizational value by providing risk-based and objective assurance, advice, and insight. The internal audit department assists the District in accomplishing its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of governance, risk management, and internal control.

The Board and Superintendent shall ensure that the internal audit function is executed by qualified individuals led by the Director ~~an Internal Audit Division Leader~~, in accordance with the mandatory elements of The Institute of Internal Auditors' International Professional Practices Framework. Internal audit is an independent, objective assurance and consulting activity that is guided by a philosophy of adding value to improve the operations of the District.

The activities of Internal Audit shall be governed by Board policy and an Internal Audit Charter approved by the Board.

Internal audits of school system accounts and business procedures, both centralized and decentralized, shall be conducted as required by the state and as needed to provide an accurate assessment of the status of all funds, records, and reports controlled by employees of the District.

INTERNAL AUDIT PLAN

At least annually, the Director Internal Audit ~~Division Leader~~ shall submit to senior management and the Board the internal audit plan for review and approval. The internal audit plan shall consist of a work schedule as well as budget and resource requirements for the next fiscal year. The Director Internal Audit ~~Division Leader~~ shall communicate the impact of resource limitations and significant interim changes to senior management and the Board.

The internal audit plan shall be developed based on prioritization of the audit universe using a risk-based methodology, including input of senior management and the Board, and shall take into consideration advice provided to the Director Internal Audit ~~Division Leader~~ by the Audit Committee. The Director Internal Audit ~~Division Leader~~ shall review and adjust the plan, as necessary, in response to changes in the organization's business, risks, operations, programs, systems, and controls. Any significant deviation from the approved internal audit plan shall be communicated to the Superintendent, senior management, and the Board through periodic activity reports.

INTERNAL AUDIT REQUESTS

The Director Internal Audit ~~Division Leader~~ may conduct any audit he/she deems necessary and shall conduct any audit as directed by the Superintendent or the Board.

Audits

INTERNAL AUDIT REQUESTS (CONTINUED)

1. An audit sought by a member of the Superintendent's Cabinet shall be approved and officially requested by the Superintendent.
2. An audit sought by a Board member shall be approved upon an affirmative vote of at least four (4) Board members in an open meeting.

Prior to submission of a formal audit request by the Superintendent or by the Board by affirmative vote, the Cabinet member or a Board member seeking the audit shall initiate the audit request directly with the Director Internal Audit ~~Division Leader~~. The requestor shall communicate relevant concerns, objectives, and intended outcomes. In accordance with the Board-approved Audit Committee Charter, the Director Internal Audit ~~Division Leader~~, a requesting Board member, or Superintendent may confer with the Audit Committee regarding an audit request.

The Director Internal Audit ~~Division Leader~~ shall assess the information provided to ensure the Internal Audit Department can complete the audit in a reasonable timeframe based on consideration of:

1. Appropriate independence;
2. Knowledge, skill, and ability; and
3. Available resources and capacity.

If the Director Internal Audit ~~Division Leader~~ determines that the Internal Audit Department does not have the aforementioned necessary components, the Internal Audit Division Leader shall communicate to the requestor:

1. The additional resources that would be necessary to complete the project;
2. The impact to planned audits or other projects; and
3. If warranted, a description of an alternative to a formal audit in the form of information collection and analysis that could be conducted that is responsive to the Board's interest or concern. Such information collection and analysis shall not be the responsibility of the Internal Audit Department, but shall be conducted by the appropriate division in the District, as with any other information request.

If the Director Internal Audit ~~Division Leader~~ determines the audit can be completed based on his/her assessment, the Director Internal Audit ~~Division Leader~~ shall provide a preliminary scope and objective for the audit to serve as the basis for the Board vote or the Superintendent's approval;

MANAGEMENT RESPONSES TO INTERNAL AUDITS

The Director ~~of~~ Internal Audit shall provide a draft of an internal audit report and conduct an exit conference with Division Chief(s)/Executive Officer(s) responsible for the audited process and the persons responsible for the audited process to discuss the findings and recommendations.

The Division Chief(s)/Executive Officers responsible for the audited process shall prepare a formal, written management response to the audit. A management response shall:

Audits**MANAGEMENT RESPONSE TO INTERNAL AUDITS (CONTINUED)**

1. Respond to all audit recommendations;
2. Indicate whether management agrees or disagrees with each recommendation and provide information to support their position in the event that management disagrees;
3. Outline the specific corrective actions to be taken to address the findings;
4. Provide expected dates for the completion of each corrective action; and
5. Identify the individual or department responsible for implementing each action.

The Division Chief(s)/~~Executive Officer(s)~~ responsible for the audited process shall submit the written management response to a draft internal audit report within fifteen (15) days of the exit conference and no later than thirty (30) days of receipt of the draft report. A management response to an investigation conducted by the Internal Audit Department shall be submitted within fifteen (15) days of the investigative deliverable.

If circumstances preclude adherence to the timeline for a management response, the Division Chief(s)/~~Executive Officer(s)~~ responsible for the audited process shall confer with the Director ~~of~~ Internal Audit to determine a mutually agreed-upon extension.

INTERNAL AUDIT REPORT DISTRIBUTION

As soon as they are both final, an internal audit report and attendant management response shall be distributed to:

1. The Superintendent;
2. ~~Chief Strategy and Innovation~~~~Chief of Staff~~;
3. General Counsel;
4. Chief ~~Business Financial~~ Officer;
- 4.5.~~Executive Officer Finance~~
- 5.6.Division Chief(s)/~~Executive Officer(s)~~ responsible for the audited process;
- 6.7.Person(s) responsible for the audited process;
- 7.8.Board members; and
- 8.9.Audit Committee members.

Audit reports including proprietary, confidential, or sensitive information will be issued in summary and /or redacted. The audit report including the management response shall be placed on the agenda of an open Board meeting, and the Board shall vote to receive the report and response within ninety (90) days of issuance.

ROLES AND RESPONSIBILITIES

After the final audit report is issued, the recommended roles and responsibilities of the Superintendent, the Board, and the ~~Director~~ Internal Audit ~~Division Leader~~ are as follows:

Audits

SUPERINTENDENT'S ROLE

The Superintendent acts as the primary executive responsible for responding to and addressing audit findings. Specific responsibilities include:

- 1) Oversight and Leadership:
 - Ensures that the audit report and management responses are reviewed and addressed by relevant departments.
 - Provides direction to division chiefs and department heads to implement corrective actions.
- 2) Resource Allocation:
 - Ensures adequate resources are allocated to resolve audit findings and implement recommendations.
- 3) Coordination and Communication:
 - Serves as the key liaison between the Internal Audit Department and the Board regarding audit progress and resolution.
- 4) Accountability:
 - Holds division chiefs and department heads accountable for the timely implementation of corrective actions and any ongoing monitoring requirements.
 - Reports back to the Board, as needed, on the status of corrective actions, ensuring transparency and progress tracking.

BOARD'S ROLE

The Board serves as the governance body responsible for ensuring the audit process leads to meaningful improvements in the District's operations. Specific responsibilities include:

1. Review and Formal Receipt:
 - Receives and reviews the final audit report and associated management responses.
 - Votes to formally acknowledge receipt of the audit report and management responses during an open meeting. The Board does not "approve" the audit report or management responses.
2. Oversight and Monitoring:
 - Monitors the implementation of audit recommendations through periodic updates from the Superintendent and Internal Audit Division Leader.
 - Ensures corrective actions align with the district's strategic goals.
3. Policy Direction:
 - Uses audit findings to inform policy decisions and address systemic issues highlighted in the report.

Audits

BOARD'S ROLE(CONTINUED)

- Engages with the Audit Committee to evaluate the adequacy of responses and ongoing risk management.
4. Accountability:
- Holds the Superintendent accountable for the resolution of audit findings and compliance with deadlines.
 - Ensures that the audit function remains independent and effective, supporting it through policy or resource adjustments as needed.

INTERNAL AUDIT DIVISION LEADER'S ROLE

While not the final report recipient in the same way, the Internal Audit Division Leader has post-report responsibilities, including:

- Providing clarification or additional details regarding findings or recommendations as requested by the Board or Superintendent.
- Monitoring the progress of corrective actions and reporting updates to the Superintendent and the Board.
- Conducting follow-up audits to verify the implementation of corrective actions.

ORGANIZATIONAL AND PROGRAM REVIEWS AND AUDITS BY EXTERNAL ENTITIES

In order to improve the efficiency and effectiveness of the District, the District may contract with a qualified external entity to conduct an organizational review, program review, or audit of any or all aspects of the District's operations. Such a review or audit may be initiated by:

1. The Superintendent; or
2. A Board member through a Board motion and an affirmative vote of three (3) ~~four (4)~~ or more Board members in an open meeting.

The initiator shall provide to the Board a rationale for the review, communicating relevant concerns, objectives, and intended outcomes for the review or audit.

CONTRACT AWARD AND APPROVAL

The contract for the review of audit shall be:

1. Awarded through a competitive sealed bidding process in accordance with the Kentucky Model Procurement Code ([KRS 45A.345](#) to 45A.460), Board Policy 04.32, and the Board-approved District Procurement Regulations and Procedures; and
2. Approved by the Board.

Nothing in this policy prohibits the Superintendent or Board from seeking an investigation or review of a District program or activity by outside legal counsel.

Audits

MANAGEMENT RESPONSES TO EXTERNAL REVIEWS AND AUDITS

The external entity conducting an organizational review, program review, or audit shall conduct an exit conference with the appropriate Division Chief(s)/Executive Officer(s) responsible for the area of focus of the review or audit to discuss the findings and recommendations.

The Division Chief(s)/Executive Officer(s) shall prepare a formal, written management response to the review or audit. A management response shall:

1. Respond to all review or audit recommendations;
2. Indicate whether management agrees or disagrees with each recommendation and provide information to support their position in the event that management disagrees;
3. Outline the specific corrective actions to be taken to address the findings;
4. Provide expected dates for the completion of each corrective action; and
5. Identify the individual or department responsible for implementing each action.

The Division Chief(s)/Executive Officers(s) responsible for the area of focus of the review or audit shall submit the written management response to a draft report within thirty (30) business days of the exit conference and no later than forty-five (45) business days of receipt of the draft report.

EXTERNAL REVIEW OR AUDIT REPORT DISTRIBUTION

As soon as they are both final, the report of an organizational review, program review, or audit, and attendant management response, shall be distributed to:

1. The Superintendent;
2. Chief Strategy and Innovation ~~of Staff~~;
3. General Counsel;
4. Chief Business Officer
- 4.5. Executive Finance ~~Chief Financial~~ Officer;
- 5.6. Division Chief(s)/Executive Officer(s) responsible for the reviewed or audited process(es);
- 6.7. Person(s) responsible for the reviewed or audited area of focus; and
- 7.8. All Board members.

Reports including proprietary, confidential, or sensitive information shall be issued in summary or redacted. The report, including the management response, shall be placed on the agenda of an open Board meeting, and the Board shall vote to receive the report and response within ninety (90) days of issuance.

ROLES AND RESPONSIBILITIES

After the final report of an organizational review, program review, or audit is issued, the recommended roles and responsibilities of the Superintendent and the Board are as follows:

SUPERINTENDENT'S ROLE

The Superintendent acts as the primary executive responsible for responding to and addressing review or audit findings. Specific responsibilities include:

Audits

ROLES AND RESPONSIBILITIES (CONTINUED)

1) Oversight and Leadership:

- Ensures that the review or audit report and management responses are reviewed and addressed by relevant departments.
- Provides direction to division chiefs and department heads to implement corrective actions.

2) Resource Allocation:

- Ensures adequate resources are allocated to resolve review or audit findings and implement recommendations.

3) Coordination and Communication:

- Serves as the key liaison between the external entity conducting the review or audit and the Board regarding progress and resolution.

4) Accountability:

- Holds Division Chiefs~~division—chiefs~~/Executive Officers and department heads accountable for the timely implementation of corrective actions and any ongoing monitoring requirements.
- Reports back to the Board, as needed, on the status of corrective actions, ensuring transparency and progress tracking.

BOARD'S ROLE

The Board serves as the governance body responsible for ensuring the review or audit process leads to meaningful improvements in the District's operations. Specific responsibilities include:

1. Review and Formal Receipt:

- Receives and reviews the final review or audit report and associated management responses.
- Votes to formally acknowledge receipt of the review or audit report and management responses during an open meeting within sixty (60 days) of receipt. The Board does not “approve” the review or audit report or management response.

2. Oversight and Monitoring:

- Monitors the implementation of review or audit recommendations through periodic updates from the Superintendent.
- Ensures corrective actions align with the District's strategic goals.

3. Policy Direction:

- Uses review or audit findings to inform policy decisions and address systemic issues highlighted in the report.

Audits

REFERENCES:

¹[KRS 160.370](#)
[702 KAR 003:130](#); [702 KAR 003:150](#)
[KRS 156.255](#); [KRS 156.265](#)
[KRS 156.275](#); [KRS 156.285](#)
[KRS 160.290](#)
[OAG 61-407](#)

Governmental Accounting Standards Board, Statement on Auditing Standards (SAS) No. 112

RELATED POLICIES

04.32: District Procurement Regulations and Procedures

Adopted/Amended: 9/2/2025
Order #: 2025-155

Food/School Nutrition Services

The Board shall provide a District-wide school nutrition program in compliance with applicable state and federal statutes and regulations.

It is the intent of the Board that school nutrition services be a self-supporting program.

MEALS

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

MEAL CHARGE POLICY

Every student's parent/guardian shall be provided the written meal charge policy at the beginning of each school year or upon enrollment in the District for a student transferring in mid-year. In addition, the parent/guardian shall be advised of the available payment systems and meal prices.

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

SCHOOL AND COMMUNITY NUTRITION SERVICES EXECUTIVE ADMINISTRATOR

The District shall appoint/select an Executive ~~Director Administrator for~~ School and Community Nutrition Services to oversee and manage the school nutrition service program. The Executive ~~Director Administrator for~~ School and Community Nutrition Services shall meet minimum educational requirements and annual training requirements in accordance with federal and state law.

DISCRIMINATION COMPLAINTS

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

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

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

District personnel shall assist a parent/guardian or student wishing to file a complaint.

Additionally, consistent with Board Policies 01.1 and 09.13, the District shall not discriminate on the basis of race, color, national origin age, religion, marital or parental status, political affiliations or beliefs, sex, (including sexual orientation or gender identity), gender expression, or veteran status, genetic information, disability, or limitations related to pregnancy, childbirth, or related medical conditions in its school nutrition program.

Food/School Nutrition Services**SPECIAL DIETARY NEEDS**

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

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

FOOD SANITATION PROGRAM

The School and Community Nutrition Services Unit shall organize and administer a sanitary program in each school location and retain a Retail Food Establishment permit as detailed by the Kentucky Cabinet for Health and Family Services, Division of Local Health for each location.

REFERENCES:

[KRS 156.160](#)

[KRS 158.852](#)

[KRS 160.290](#)

[702 KAR 006:010](#); [702 KAR 006:050](#)

[702 KAR 006:075](#); [702 KAR 006:090](#)

7 C.F.R. part 15b; 7 C.F.R. §210.23; 7 C.F.R. §210.31; FNS Instruction 113

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

P.L. 111-296

RELATED POLICIES:

01.1; 09.13

Adopted/Amended: 12/9/2025

Order #: 2025-196

Vending Machines

REQUEST

A vending machine shall be installed in a school only at the request of the Principal or the Executive ~~Director Administrator of~~ School and Community Nutrition Services.

BIDDING

The Board may bid the installation of vending machines, using specifications established by the Superintendent/designee.

STUDENT USE

Vending machine use by a student shall be in compliance with current federal and state regulations. All sales from vending machines during and after the school day shall meet the nutrition guidelines established in state and federal regulations. Only school-day-approved beverages shall be sold during the school day, e.g. water, one hundred percent (100%) fruit/vegetable juice, low-fat milk (unflavored), and non-fat milk (unflavored or flavored) as permitted by the school meal requirements. Size of these beverages shall not exceed eight (8) ounces for elementary schools, twelve (12) ounces for middle schools and twenty two (12) ounces for high schools. There are no size limits on water.

In addition to the beverages listed above, a high school may offer other beverages as allowed in 7 C.F.R. Parts 210 and 220 in vending machines. e.g. diet sodas, and calorie-free flavored waters, with or without caffeine. These specific beverages are limited to twenty (20) ounces for high schools.

All sales, outside of the school meal program, shall be prohibited on the school campus from midnight before until thirty (30) minutes after the close of the last lunch period of the school day. From thirty (30) minutes after the last lunch period closes until thirty (30) minutes after the school day, the food and beverages sold shall conform with nutritional standards specified in state and federal regulations.

REFERENCES:

[KRS 156.160](#); [KRS 158.854](#); [KRS 160.290](#)

7 C.F.R. 210.11b; 7 C.F.R. 220

[702 KAR 006:090](#)

RELATED POLICY:

07.111

Adopted/Amended: 11/12/2024

Order #: 2024-142

Financial Reports - School and Community Nutrition Services

Financial records and reports for the School and Community Nutrition Services (SCNS) Unit shall be maintained in compliance with all federal and state regulations. Full cost accounting principles shall be applied to establish each school's expenditures and receipts.

School lunch program financial reports shall be made monthly, by the Executive Director Administrator, SCNS to the Superintendent through the Executive Chief Financial Officer Finance, and periodically as required by state and federal agencies. Complete financial and inventory records shall be available to the Board and Superintendent at all times.

REFERENCES:

[KRS 160.290](#)
[702 KAR 006:010](#)
[702 KAR 006:020](#)
[702 KAR 006:075](#)

Adopted/Amended: 11/12/2024

Order #: 2024-142

Reporting Educational Concerns or Grievances

GENERAL

Any student who wishes to express an educational concern or grievance shall observe the following order of appeal:

1. Teacher;
2. Assistant Principal;
3. Principal;
4. School council, where appropriate;
5. Principal Supervisor ~~Executive Administrator of School Support~~;
6. Regional Assistant Superintendent

The order of appeal shall not be construed to mean that students are not free to confer with the Superintendent or Board whenever they so wish.

EXCEPTIONS

1. Appeals relating to discipline of an individual student shall be governed by the due process provisions in Board Policy 09.431 and the due process and appeal procedures in the Student Support and Behavior Intervention Handbook.
2. Harassment/Discrimination allegations shall be governed by Board Policy 09.42811.
3. Title IX Sexual Harassment allegations shall be governed by Board Policy 09.428111.
4. Federal law requires the District to implement separate and specific processes for responding to complaints/grievances about Title I programs, addressed in Board Policy 08.13451, and to those alleging discrimination in the delivery of benefits or services in the District's school nutrition program, addressed in Board Policy 07.1.
5. In cases which involve students with disabilities, procedures mandated by federal and state law shall be followed.¹

PROCEDURES

Grievance procedures shall address, but not be limited to, the conditions for filing a grievance, time limitations for the filing and the appeal of a grievance, and a process for the orderly review and appeal of each individual grievance.

REFERENCES:

¹P. L. 105-17; 707 KAR Chapter 1

RELATED POLICIES:

07.1
08.13451
09.422; 09.425; 09.426; 09.42811; 09.431; 09.434; 09.4341; 09.435
09.428111
10.2

Adopted/Amended: 8/31/2021
Order #: 2021-147

Citizen Suggestions and Complaints

The Board recognizes the right of individuals and groups to present complaints concerning the curriculum, instructional materials, school services and school facilities. The Board acknowledges citizens' rights to request and receive explanations regarding their concerns.

SUGGESTIONS

The Board believes that a continuing two-way dialogue between the schools and the public is necessary. It shall be the policy of the Board to give consideration to suggestions posed to the Board by citizens of the District. Citizens wishing to make suggestions should submit them in writing to the appropriate school administrator or the Superintendent or chairman of the Board.

ADVISORY COMMITTEES TO THE BOARD

From time to time, the Board may appoint committees composed of citizens to advise the Board on specific matters. The Superintendent shall appoint District employees to serve on these committees as necessary. Such committees shall be ad hoc in nature and will serve at the pleasure of the Board.

In the event an advisory committee is appointed by the Board to advise it, the following principles shall prevail:

1. The Board shall appoint membership which is broadly representative of the community.
2. The duties, operational guidelines, and expectations of the committee shall be outlined at the time of formation of the committee.
3. The Board shall appoint the Chair~~person~~ and Coe-Chair~~person~~.
4. Recommendations of the committee shall be based on appropriate research and facts.
5. All recommendations shall be submitted to the Board.
6. The committee shall be automatically dissolved when its final report has been made, or it can be terminated at any time by a majority vote of the Board.

Committees appointed by the Board shall comply with requirements of the Open Meetings Law.

PUBLIC HEARINGS

The Board will arrange for public hearings when the consideration of important issues requires a public forum. These shall be for the dual purpose of informing the public about the issue(s) and for receiving information from the public about the issue(s). The Board shall give prior notice for public hearings.