

LEGAL: HB 869 AMENDS KRS CHAPTER 424 REQUIRING THE TIME CONTAINED IN LEGAL ADVERTISEMENTS AND NOTICES BE STATED IN BOTH EASTERN AND CENTRAL TIME. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS EFFECTIVE AS OF APRIL 27, 2026.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

Definitions

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

KENTUCKY SCHOOL FOR THE BLIND/KENTUCKY SCHOOL FOR THE DEAF (KSB/KSD)

Kentucky School for the Blind (KSB) serves students who are blind and visually impaired from local education agencies (LEAs) throughout the state. Kentucky School for the Deaf (**KSD**) **serves students who are Deaf or Hard of Hearing from LEAs throughout the state. KSB and KSD work in partnership with the LEAs across the state to provide quality educational services to students. KSB and KSD are state agency schools that are managed and controlled by the Kentucky Board of Education (KBE). Students are enrolled at KSB or KSD when admissions and release committees (ARCs) determine a student's least restrictive environment to receive a free appropriate public education to be KSB or KSD.**

LOCAL EDUCATION AGENCY (LEA)

A public Board of Education or other public authority legally constituted within the State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for a combination of school districts or counties that is recognized in the State as an administrative agency for its public elementary schools or secondary schools.

POLICIES

An expression of the will of the Kentucky Board of Education. Board policies cover the general management and governance of school operations and functions. Within the parameters of the **Kentucky Board of Education's** legal authority, violations of policy may provide grounds for administrative response or action as **related** to students, employees, parents, and members of the community, but such policies are not intended to heighten standards of care, establish grounds for liability or create rules for immunities enjoyed by defendants in civil judicial actions against the **Kentucky Board of Education**, its members, employees, officers, or volunteers.

ADMINISTRATIVE REGULATIONS

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

PRINCIPAL/HEAD TEACHER

In this ~~manual~~[manual](#), the term principal refers to principal or head teacher as appropriate and includes any other employee to whom the principal or head teacher may delegate responsibility for a specific task.

TEACHER

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

Definitions

PARENT OR GUARDIAN

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

GENDER

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

CHILDREN AND YOUTH WITH DISABILITIES

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

SCHOOL NUTRITION PROGRAM

Use of the term "food service" shall also refer to the **KSB and KSD** School Nutrition Program.

STUDENT ATTENDANCE DAY

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

SIGNATURE

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

HEALTH PROVIDER

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

CHARTER SCHOOL

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

CHARTER SCHOOL AUTHORIZER

A local board of education as defined in KRS 161.1590.

RELATED POLICIES

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

REFERENCES

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

LEGAL ADVERTISEMENTS AND NOTICES

In accordance with KRS Chapter 424, in legal advertisements and notices the time shall be stated in both Eastern and Central time.

Definitions

REFERENCES:

KRS 158.144

KAR 161.1590

KRS 369.102; KRS 405.028; [KRS Chapter 424](#)

102 KAR 1:036

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

702 KAR 1:035; 702 KAR 6:010; 702 KAR 6:020; 702 KAR 6:040

702 KAR 6:075; 702 KAR 6:090

LEGAL: HB 448 CREATES NEW SECTION OF KRS 17 REQUIRING CRIMINAL JUSTICE AGENCIES TO PROVIDE CRIMINAL HISTORY RECORDS TO REQUESTING AGENCIES WHEN THEY ARE CONDUCTING A BASIC SUITABILITY OR FITNESS ASSESSMENT FOR FEDERAL OR CONTRACTOR EMPLOYEES UNDER 5 U.S.C. SEC 9101.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

ADMINISTRATION

02.31

School Resource Officers (SROs)

DEFINITION

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

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

ASSIGNMENT

The Board shall ensure, for each campus that at least one (1) certified SRO is assigned to and working on-site full-time in the school building or buildings on the campus. If sufficient funds and qualified personnel are not available for this purpose for every campus, the Board shall fulfill the requirements on a per campus basis, as approved in writing by the State School Security Marshal, until a certified SRO is assigned to and working on-site full-time on each KSB/KSD campus ~~in the District. KSB/KSD operate school buildings and campuses and are managed and controlled by the Kentucky Board of Education. A contract directly with the school or with KDE would be covered by (b)(1).~~

Board May Authorize Police Department

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

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

The ~~District~~ KSB/KSD police department shall provide criminal history records information to a requesting agency when that requesting agency is conducting a basic suitability or fitness assessment for federal or contractor employees under 5 U.S.C. sec 9101 in accordance with KRS 17.162.

School Resource Officers (SROs)**TRAINING REQUIREMENTS**

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

FIREARM REQUIREMENT

Each SRO shall be armed with a firearm.²

COMMISSIONER/DESIGNEE TO REPORT

No later than November 1 of each year, the **Commissioner/Designee** shall report to the Center for School Safety the number and placement of SROs at KSB/KSD. The report shall include the source of funding and method of employment for each position.

GUARDIANS

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

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

REFERENCES:

¹KRS 158.441

²KRS 158.4414

³KRS 158.471

KRS 15.380 to KRS 15.404; KRS 15.520

KRS 167.015

KRS 61.902; KRS 70.290

KRS 17.162; KRS 158.4415; KRS 158.4431

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

5 U.S.C. sec 9101

RELATED POLICIES:

02.311; 05.48; 09.4361

LEGAL: HB 253 AMENDS KRS 160.380 TO REQUIRE DISTRICTS TO DISCLOSE ANY DISCIPLINARY ACTIONS RELATED TO ABUSIVE CONDUCT OF APPLICANTS AND ADDS ANNUAL NOTIFICATION OF SELF-REPORTING REQUIREMENT OF CHILD ABUSE OR NEGLECT. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF APRIL 10, 2026.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.11

- CERTIFIED PERSONNEL -**Hiring****COMMISSIONER/DESIGNEE'S RESPONSIBILITIES**

All appointments, promotions, and transfers of certified personnel for positions authorized by the **Commissioner/Designee** shall be made by the **Commissioner/Designee**.

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

When a vacancy needs to be filled in less than fifteen (15) days to prevent disruption of necessary instructional or support services of **KSB/KSD**, the **Commissioner/Designee** may **document** a waiver of the fifteen (15) day advance notice requirement.

EFFECTIVE DATE

Personnel actions shall not be effective until the employee receives written notice of such action from the **Commissioner/Designee**. Certified employees may be appointed by the **Commissioner/Designee** for any school year at any time after February 1 next preceding the beginning of the school year.

QUALIFICATIONS

The **Commissioner/Designee** shall employ only individuals who are certified for the positions they will hold and who possess qualifications established by law, regulation and Board policy, qualifications set by Board policy.

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

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

CRIMINAL BACKGROUND CHECK AND TESTING

Applicants, employees, and student teachers assigned within **KSB/KSD** shall undergo records checks and testing as required by applicable statutes and regulations.¹

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

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

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

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

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

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

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

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

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

REPORT TO COMMISSIONER

An employee shall report to the **Commissioner/Designee** if the employee has been found by the Cabinet for Health and Family Services to have abused or neglected a child, and if the employee has waived the right to appeal such a substantiated finding or the finding has been upheld upon appeal. The Commissioner/Designee shall annually notify employees of the self-reporting requirement.

JOB REGISTER

The **Commissioner/Designee** shall maintain in the **school human resources office** a job register listing all current job openings at **KSB/KSD**. The register shall describe the duties and qualifications for each opening, and **school** employment policies shall be attached to the register. The job register shall be open to public inspection during **school office** business hours.

Hiring

VACANCIES POSTED

Under procedures developed by the **Kentucky Department of Education**, a listing of all **KSB/KSD** job openings shall be posted in the school **human resources office** on a timely basis and shall refer interested persons to the **statewide job posting system as described above** for additional information. Postings of vacancies may be made with other agencies, as appropriate.

When a vacancy for a teaching position occurs **at KSB/KSD membership in a protected class will not be considered as a factor for or against any candidate in making a hiring decision for each available position.**

REVIEW OF APPLICATIONS

Under procedures developed by the **Kentucky Department of Education**, each application shall be reviewed and each applicant so notified upon initial application. Applications for candidates not employed shall be retained for two (2) years.

RELATIONSHIPS

~~The **Commissioner/Designee** shall not employ a relative of a member of the **Kentucky Board of Education (KBE)**.~~

~~A relative of a member of the **KBE** may be employed as a substitute for a certified or classified employee if the relative is not:~~

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

~~A relative of the **Commissioner** shall not be employed~~No relative of the Commissioner shall be an employee of KSB or KSD, except as provided for relatives of superintendents of schools under by KRS 160.380.

CONTRACT

Except for noncontracted substitute teachers, all certified personnel shall enter into written contracts with **the Kentucky Department of Education**.

JOB DESCRIPTION

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

INTENT

Under procedures developed by the **Commissioner/Designee**, employees may be requested to indicate their availability for employment for the next school year.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

Each year all full-time and part-time certified employees shall be notified in writing by the last day of school if they have reasonable assurance of continued employment for the following school year.

Certified employees assigned extra duties such as coaching shall be notified in writing by the last day of that assigned duty if they have reasonable assurance of continued employment in that or a similar capacity for the following school year.

Hiring**EMPLOYEES SEEKING A JOB CHANGE**

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

DISCLOSURE OF DISCIPLINARY ACTION

If requested by a school district, public school, or nonpublic school regarding an applicant for a position, ~~the district KSB/KSD, that if it employs or previously employed the applicant, shall disclose any disciplinary action, and any resulting resignation or termination, related to abusive conduct while the applicant was employed by the district KSB/KSD in accordance with KRS 160.380.~~ This also applies to a school district, public school, or nonpublic school located in a member state of the Interstate Teacher Mobility Compact.

~~The District~~ When considering ~~the an~~ applicant for employment in a certified position, KSB/KSD shall, ~~if the application is for a certified position,~~ request information from the Education Professional Standards Board (EPSB) related to pending and resolved disciplinary action against the applicant involving abusive conduct. The EPSB shall provide the requested information, if applicable, within ten (10) working days.

If there is a finding of abusive conduct regarding an applicant, the applicant shall be:

1. Ineligible for hire by the ~~District~~KSB/KSD; and
2. Subject to dismissal or termination if the applicant is hired by the ~~District~~KSB/KSD or is a current employee of the ~~District~~KSB/KSD.

REFERENCES:

¹KRS 160.380

²KRS 161.605; ~~702 KAR 1:150~~

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

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

45 C.F.R. § 1302.90

KRS Chapter 13B

KRS 17.160; KRS 17.165; KRS 17.500 to KRS 17.580

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

KRS 161.750; KRS 335B.020; KRS 405.435

KRS 439.3401

KRS Chapter 510 OAG 18-017; OAG 73-333; OAG 91-10; OAG 91-149; OAG 91-206

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

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

Records Retention Schedule, Public School District

RELATED POLICIES:

01.11; 02.4244; 03.132

LEGAL: SB 2 AMENDS KRS 157.350 REGULATING SALARY INCREASES FOR ADMINISTRATORS FOR
CONTRACTS ENTERED INTO ON OR AFTER JULY 1, 2026.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.121

- CERTIFIED PERSONNEL -**Salaries****SINGLE-SALARY BASIS**

All salaries for certified personnel shall be based on a single-salary schedule adopted by the **Kentucky Department of Education pursuant to KRS 163.032.**

~~An administrator, as defined in KRS 161.720, shall not receive a percentage pay increase greater than the percentage pay increase provided to classroom teachers, unless the pay increase is:~~

~~— In conjunction with a professional advancement that imposes a significant change in job duties and responsibilities; or~~

~~a) The result of local board action to uniformly increase the pay associated with a specific job category.~~

~~If requested by the Board, the Commissioner of Education may grant a waiver in accordance with KRS 156.161.~~

Although a school may submit a request for an increment for an extended employment position, extra service, or related adjustments, the **Kentucky Department of Education** must set increments in pay for positions requiring services beyond those normally expected of other positions if the duties rendered extend beyond the regular school day or require extended days.

EXTENDED EMPLOYMENT

Compensation for employment contracted beyond the minimum number of working days required by law shall be prorated.

Extended employment positions shall be established in a position job description, funded in the **KSB/KSD** budget, and specified in an addendum to the employee's contract.

Addition of days to be worked beyond the original contract or additional days of extended employment for a position require prior approval **by the Commissioner/Designee** before the change goes into effect.

EXTRA SERVICES, SUPPLEMENTS AND SUPERVISION

The **Kentucky Department of Education** shall annually establish a schedule of compensation for extra services, special duty supplements and supervision

NATIONAL BOARD CERTIFIED TEACHER (NBCT) SUPPLEMENT

As provided under law, teachers who attain certification from the National Board for Professional Teaching Standards on or before July 1, 2020, shall be given an annual salary supplement of two thousand dollars (\$2,000) for the life of the certificate. A teacher who attains certification after July 1, 2020, shall be given an annual salary supplement for the life of the certificate, in accordance with the amount appropriated for this purpose by the General Assembly. If an annual supplement amount appropriated by the General Assembly is less than two thousand dollars (\$2,000), the **Kentucky Department of Education** may provide an additional supplement up to the amount required for the total annual supplement to equal two thousand dollars (\$2,000).

Salaries

RANK AND EXPERIENCE

The rank and experience of certified personnel shall be determined at time of hire. The **Commissioner/Designee** shall direct the **Principal** to validate all experience of professional personnel employed in the **KSB/KSD**.

Changes in rank and experience shall be determined on September 15 of each year.

To assist with the budgeting process, candidates for NBCT certification shall notify the **Commissioner/Designee** in writing prior to September 15 that certification is pending in order for the employee to receive any rank-related increase retroactive to the beginning of the school year.

PAYROLL DISTRIBUTION

Checks will be issued according to a schedule approved annually by the **Kentucky Department of Education and Kentucky Personnel Cabinet**. **KSB/KSD** shall furnish the employee with either a paper or electronic statement. If statements are provided electronically, employees shall be provided access to a computer and printer for review and printing of their statement.

QUALIFICATIONS

Employees shall be responsible for providing the **Principal** with all required certificates, health examinations, and verifications of experience prior to beginning work.

NOTICE OF SALARY

Not later than forty-five (45) days before the first student attendance day of the succeeding school year or June 15, whichever occurs earlier, the **Principal** shall notify all certified personnel of the best estimate of the salary for the coming year.

PAYROLL DEDUCTIONS

All payroll deductions, including those specified by KRS 161.158 and Board Policy 03.1211 shall be subject to all applicable statutes, regulations and policies of the Kentucky Personnel Cabinet.

REFERENCES:

~~KRS 156.161~~; KRS 157.075; KRS 157.320; KRS 157.350; KRS 157.360

KRS 157.390; KRS 157.395; KRS 157.397; KRS 157.420

KRS 160.290, KRS 160.291

KRS 161.1211, KRS 161.134, **KRS 161.158**; KRS 161.168; KRS 161.720; KRS 161.760

KRS 163.032

KRS 337.070; KRS 424.120; KRS 424.220; 16 KAR 1:040; OAG 97-25

702 KAR 3:060, 702 KAR 3:070, 702 KAR 3:100, 702 KAR 3:310

29 C.F.R. Section 541.303, 29 C.F.R. Section 541.602, 29 C.F.R. Section 541.710

RELATED POLICIES:

03.114; 03.1211; 03.4

LEGAL: HB 253 AMENDS KRS 160.380 TO REQUIRE EMPLOYEES TO NOTIFY THE SUPERINTENDENT WITHIN SEVEN (7) CALENDAR DAYS OF BEING CHARGED WITH A FELONY. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF APRIL 10, 2026.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1311

- CERTIFIED PERSONNEL -**Transfer**

Transfers of certified personnel shall be made by the **Commissioner/Designee**. No personnel action shall be effective prior to receipt of written notice of the action by the affected employee from the **Commissioner/Designee**.

Transfer or reassignment of certified personnel will be made no later than thirty (30) days before the first student attendance day of the school year except to fill vacancies created by illness, death, or resignations; to reduce or increase personnel because of a shift in school population; to make personnel adjustments after consolidation or merger; or to assign personnel according to their major or minor fields of training.¹

TRANSFER OF EMPLOYEES CHARGED WITH A FELONY

Notwithstanding any provision of the Kentucky Revised Statutes or KSB/KSD policies to the contrary, any certified employee of KSB/KSD shall notify the Commissioner/Designee within seven (7) calendar days of being charged with any offense which is classified as a felony in the Commonwealth of Kentucky. The Commissioner/Designee may transfer the employee to a second position until such time as the employee is found not guilty, the charges are dismissed, the employee is terminated, or the Commissioner/Designee determines that further personnel action is not required. The employee shall continue to be paid at the same rate of pay he or she received prior to the transfer. Transfers shall be made to prevent disruption of the educational process and school operations and in the interest of students and staff and shall not be construed as evidence of misconduct.~~Notwithstanding any other policy provision of the Kentucky Revised Statutes to the contrary, any certified employee of the District shall notify the Superintendent within seven (7) calendar days of being charged with any offense which is classified as a felony. tThe Superintendent may transfer thean employee charged with a felony offense as permitted under to a second position in accordance with KRS 160.380.~~

The Superintendent~~Commissioner/Designee~~ shall annually notify ~~District~~KSB/KSD employees of the self-reporting requirement.

REFERENCES:

- ¹KRS 161.760; OAG 78-266
- KRS 160.380; KRS 161.720
- OAG 76-360
- OAG 91-149
- OAG 92-1
- OAG 91-115
- OAG 92-135
- OAG 92-78

LEGAL: SB 46 AMENDS 160.380 TO DIRECT THE SUPERINTENDENT TO REQUIRE NON-CDL DRIVERS OF NON-SCHOOL BUS PASSENGER VEHICLES TO MEET SPECIFIC REQUIREMENTS BEFORE TRANSPORTING STUDENTS. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF MARCH 27, 2026.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: SB 59 AMENDS KRS 48.025 EXPLICITLY APPLYING THE PROHIBITION TO SCHOOL DISTRICTS ON USING TAX DOLLARS TO ADVOCATE FOR OR AGAINST A PUBLIC QUESTION AND ESTABLISHES PENALTIES.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1321

- CERTIFIED PERSONNEL -**Use of School Property**

All personnel shall be responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. Any damaged, lost, stolen, or vandalized property shall be reported to the employee's immediate supervisor, who shall then report it to the **Commissioner/Designee** once it is confirmed that the item cannot be recovered.

Local, state and federal tax dollars and resources shall not be used to advocate for or against any public question that appears on the ballot.

In addition, employees shall not perform personal services for themselves or for others for pay or profit during work time and/or using **KSB/KSD** property or facilities. **KSB/KSD** property being used for unauthorized purposes shall be reported to that employee's immediate supervisor.

OUTSIDE WORK

An employee shall not use any **KSB/KSD** facility, vehicle, electronic communication system, equipment, or materials in performing outside work. These items (including security codes and electronic records, such as E-mail) are property of the **KSB/KSD** and shall be used solely for job-related purposes.

ELECTRONIC COMMUNICATIONS

Employees shall not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. Employees cannot expect confidentiality or privacy as to information entered or stored in their E-mail accounts. Authorized **KSB/KSD** personnel may monitor the use of electronic equipment from time to time. **Employees shall be provided notice of acceptable use of electronic devices and communications.**

DRIVING RECORD

Employees who have occasion to drive any ~~KSB/KSD or state-owned vehicle~~non-school bus passenger vehicle and/or transport students shall annually provide the **Commissioner/Designee** with a copy of their driving record from the Kentucky Department of Transportation. Any traffic citation received during the year shall be reported to the **Commissioner/Designee** prior to driving a **KSB/KSD or state-owned** vehicle or transporting students.

The **Commissioner/Designee** shall require any driver of any non-school bus passenger vehicle owned, leased or contracted by **KSB/KSD** which is authorized to transport students to and from approved school activities and who does not have a valid commercial driver's license to align with Districts in meeting the requirements set forth in KRS 160.380 and 702 KAR 5:130.

USE OF ASSIGNED TELECOMMUNICATION DEVICES

The **KSB/KSD** authorizes the purchase and employee use of telecommunication devices, as deemed appropriate by the **Commissioner/Designee**. These devices shall include, but are not limited to, pagers and digital or cell phones. Telecommunication devices may be assigned or made available on a temporary or on-going basis when it is determined that:

1. Assignment of a device to an employee is a prudent use of **KSB/KSD** resources.

Use of School Property**USE OF ASSIGNED TELECOMMUNICATION DEVICES (CONTINUED)**

2. The employee's job responsibilities require the ability to communicate frequently and access to a **KSB/KSD** or public telephone is not readily available.
3. The employee's job involves situations where immediate communication is necessary to ensure the security of **KSB/KSD** property or safety of students, staff or others while on **KSB/KSD** property or engaged in **KSB/KSD**-sponsored activities.

KSB/KSD-owned telecommunication devices shall be used primarily for authorized **KSB/KSD** business purposes. However, occasional personal use of such equipment is permitted.

REFERENCES:

| [KRS 48.025](#); KRS 160.290; [KRS 160.380](#); KRS 189.292
KRS 281A.205; 702 KAR 5:080
15-ORD-190

LEGAL: SB 59 AMENDS KRS 48.025 EXPLICITLY APPLYING THE PROHIBITION TO SCHOOL DISTRICTS ON USING TAX DOLLARS TO ADVOCATE FOR OR AGAINST A PUBLIC QUESTION AND ESTABLISHES PENALTIES.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.1324

- CERTIFIED PERSONNEL -**Political Activities**

No **KSB/KSD** employee shall promote, organize, or engage in political activities while performing his/her duties or during the work day. Promoting or engaging in political activities shall include, but not be limited to, the following:

1. Encouraging students to adopt or support a particular political position, party, or candidate; or
2. Using school property or materials to advance the support of a particular political position, party, or candidate.

"Political positions" shall not be defined to include communications approved by the **Commissioner/Designee or Principal** to be distributed to parents or the community concerning **KSB/KSD** needs or proposed actions by **the Commissioner or Kentucky Board of Education**. Examples of such communications may include, but not be limited to, those addressing **KSB/KSD** facility and financial needs.

USE OF TAX DOLLARS AND RESOURCES

Local, state, and federal tax dollars and resources shall not be used to advocate for or against any public question that appears on the ballot. The **Commissioner/Designee** shall inform all **KSB/KSD** employees of the provisions of KRS 48.025.

REFERENCES:

KRS 48.025; KRS 161.164; KRS 161.990
OAG 63-572; OAG 72-700; OAG 92-145

RELATED POLICY:

03.113

LEGAL: HB 253 CREATES A NEW SECTION OF KRS 158 TO PROHIBIT DISTRICTS FROM PROVIDING OR UTILIZING ANY PROFESSIONAL DEVELOPMENT THAT USES THE THREE-CUEING SYSTEM OF TEACHING STUDENTS TO READ. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF APRIL 10, 2026.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 253 ALSO AMENDS KRS 156.095 ADDING TRAINING FOR ALL EMPLOYEES ON APPROPRIATE RELATIONSHIPS AND COMMUNICATIONS. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF APRIL 10, 2026.

FINANCIAL IMPLICATIONS: COST OF TRAINING

PERSONNEL

03.19

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

The Kentucky Department of Education (KDE) shall establish, direct and maintain a statewide program of professional development (PD) to improve instruction in the schools. The KDE shall create a four (4) year recurring PD training schedule that includes all PD for certified staff. The **KSB/KSD** shall implement the PD training schedule created by the KDE.

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

- a. How to respond to an active shooter situation training prepared by the Department of Criminal Justice Training in collaboration with the Kentucky Department of Education, the Kentucky Law Enforcement Council, and the Center for School Safety;
- b. Child abuse and neglect prevention, recognition, and reporting training from the list of trainings approved by the KDE;
- c. Suicide prevention training:
 1. High-quality, evidence-based suicide prevention training, including risk factors, warning signs, protective factors, response procedures, referral, postvention, and the recognition of signs and symptoms of possible mental illness.

Postvention means a series of planned supports and interventions with persons affected by a suicide for the purpose of facilitating the grieving or adjustment process, stabilizing the environment, reducing the risk of negative behaviors, and limiting the risk of further suicides through contagion; and
- d. Self-study review of seizure disorder materials.

The PD program for the **KSB/KSD** shall be made public, and the **KSB/KSD** PD plan shall be posted to the **KSB/KSD** web site.

The program **shall be designed**;

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

The PD plan shall reflect individual needs of schools, ESSA requirements, and teacher growth plans.

KSB/KSD is prohibited from providing or utilizing any professional development that uses the three-cueing system of teaching students to read.

Professional Development

APPROPRIATE RELATIONSHIPS AND COMMUNICATIONS WITH STUDENTS

By June 30, 2027, all employees shall complete training developed by the Kentucky Department of Education in collaboration with the Education Professional ~~standards~~Standards Board, related to appropriate relationships and communication with students, inappropriate relationships and communication with students, sexual grooming, and sexual misconduct.

Beginning with the 2027-2028 school year, all new employees shall be required to undergo the training listed above within ninety (90) days of the employee's initial hiring. Any new employee who has completed the training within the prior five (5) years with a previous employer shall be exempt from the training.

SCHOOL RESPONSIBILITIES

Each school shall plan professional development with the **Principal/designee** and, when appropriate, with other schools to maximize training opportunities. In addition, each school's PD plan shall be submitted to **the Commissioner/Designee** for review and comment.

DOCUMENTATION

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

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

REFERENCES:

KRS 156.095; KRS 156.492; KRS 156.553

KRS 158.070; KRS 158.306; KRS 158.645; KRS 158.6451; KRS 160.345

704 KAR 3:035; 704 KAR 3:325

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

RELATED POLICIES:

03.1911; 09.22

LEGAL: HB 253 AMENDS KRS 156.095 ADDING TRAINING FOR ALL EMPLOYEES ON APPROPRIATE RELATIONSHIPS AND COMMUNICATIONS. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF APRIL 10, 2026.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: KRS 161.011 SPECIFIES THAT DISTRICTS MAY PROVIDE TRAINING OPPORTUNITIES TO CLASSIFIED STAFF.

FINANCIAL IMPLICATIONS: COST OF TRAINING

PERSONNEL

03.29

- CLASSIFIED PERSONNEL -

Staff Development

APPROPRIATE RELATIONSHIPS AND COMMUNICATIONS WITH STUDENTS

By June 30, 2027, all employees shall complete training developed by the Kentucky Department of Education in collaboration with the Education Professional standards Board, related to appropriate relationships and communication with students, inappropriate relationships and communication with students, sexual grooming, and sexual misconduct.

Beginning with the 2027-2028 school year, all new employees shall be required to undergo the training listed above within ninety (90) days of the employee's initial hiring. Any new employee who has completed the training within the prior five (5) years with a previous employer shall be exempt from the training.

OTHER TRAINING

If financially feasible, the **Commissioner/Designee** may provide training opportunities for classified employees focusing on topics to include but not be limited to suicide prevention, abuse recognition, and cardiopulmonary resuscitation.

REFERENCES:

KRS 156.095; KRS 158.070; KRS 161.011

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

34 C.F.R. 200.58

LEGAL: HB 652 AMENDS KRS 158.4433 MOVING THE SCHOOL MAPPING DATA PROGRAM TO THE KENTUCKY 911 SERVICES BOARD. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF APRIL 14, 2026.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SCHOOL FACILITIES

05.4

Safety

BOARD TO ADOPT PLAN

The **Kentucky Board of Education** shall adopt a plan for immediate and long-term strategies to address school safety and discipline, which shall be reviewed annually and revised, as needed. This plan shall utilize information gathered from the **KSB/KSD** assessment of school safety and student discipline required by law and shall include the Board's Code of Acceptable Behavior and Discipline and a description of instructional placement options for threatening or violent students. The committee that develops the plan for Board consideration shall include at least one (1) representative from each school in the **KSB/KSD**, as well as representatives from the community as required by law.

The plan shall identify measures to be taken in protecting students, staff, visitors, and property. Areas addressed by the plan shall include, but not be limited to, the following:

1. Employment practices and employee management;
2. School facility design, maintenance, and usage;
3. Safety and security procedures, orientation and training in use and management of equipment and facilities;
4. Supervision of students;
5. Compliance with state and federal safety requirements;
6. Quarterly reports to the Board concerning implementation of the plan and its effects on KSB/KSD students, personnel, and operations.
7. Emergency/crisis intervention; **and**
8. Community involvement.

SCHOOL MAPPING DATA

"School mapping data" means mapping information provided in an electronic or a digital format to assist first responders in responding to emergencies at schools. A participating district or campus shall not be required to adopt new school mapping data if, as of July 1, 2024, the District or campus previously implemented school mapping data with capabilities that meet the requirements of the [Kentucky 911 Services Board Center for School Safety](#)

KSB/KSD SCHOOL SAFETY COORDINATOR

The Commissioner/Designee shall appoint an individual at each school to serve as the School Safety Coordinator (SSC) and primary point of contact for public school safety and security functions.¹ The SSC shall:

1. Complete the school safety coordinator training program developed by the Center for School Safety within six (6) months of his or her date of appointment;
2. Designate a school safety and security threat assessment team at each school in the **KSB/KSD** consisting of two (2) or more staff members to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or security. Members of a threat assessment team may include school administrators, school counselors, school resource officers, school-based mental health services providers, teachers, and other school personnel;

Safety**KSB/KSD SCHOOL SAFETY COORDINATOR (CONTINUED)**

3. Provide training to school Principals on procedures for completion of the school security risk assessment;
4. Review all school security risk assessments completed within the **KSB/KSD** and prescribe recommendations as needed in consultation with the state school security marshal;
5. Advise the **Principals annually** of completion of required security risk assessments;
6. Formulate recommended policies and procedures, which shall be excluded from the application of KRS 61.870 to KRS 61.884, for an all-hazards approach including conducting emergency response drills for hostage, active shooter, and building lockdown situations in consultation and coordination with appropriate public safety agencies to include but not be limited to fire, police, and emergency medical services for review and adoption as part of the school emergency plan required by KRS 158.162. The recommended policies shall encourage the involvement of students, as appropriate, in the development of the school's emergency plan;
7. Maintain the copies of the school mapping data created through the School Mapping Data Program to be made available to appropriate public safety agencies, but which shall be excluded from the application of KRS 61.870 to 61.884; and
8. Ensure each school campus is toured at least once per school year, in consultation and coordination with appropriate public safety agencies, to review policies and procedures and provide recommendations related to school safety and security.

The SSC, and any school employees participating in the activities of a School Safety and Security Threat Assessment Team, acting in good faith upon reasonable cause in the identification of students, shall be immune from any civil or criminal liability that might otherwise be incurred or imposed from:

- a. Identifying the student and implementing a response pursuant to policies and procedures adopted as required above; or
- b. Participating in any judicial proceeding that results from the identification.

PRINCIPALS TO REPORT

No later than November 1 of each year, the **Commissioner/Designee** shall report to the Center for School Safety the number and placement of School Resource Officers (SROs) in the **KSB/KSD**. The report shall include the source of funding and method of employment for each position.

AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs)

The schools shall maintain AEDs in designated locations. An AED shall be used in emergency situations warranting its use in accordance with KRS 311.665 to KRS 311.669.

The schools shall notify the local emergency medical services system and the local emergency communications or vehicle dispatch center of the existence, location, and type of each AED.

Safety**AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) (CONTINUED)**

AEDs shall be kept on school property and will not accompany EMS personnel to a hospital emergency room.

SCHOOL EMERGENCY PLANNING

The Kentucky Board of Education shall require the Principal of the Kentucky School for the Blind and the Principal of the Kentucky School for the Deaf to adopt an emergency plan for each school that shall include:

1. Procedures to be followed in cases of medical emergency, fire, severe weather, earthquake, or a building lockdown as defined in KRS 158.164;
2. A written cardiac emergency response plan; and
3. A copy of the data created through the School Mapping Data Program or, if the school mapping data is unavailable, a diagram of the facility that clearly identifies the location of each AED.

The emergency plan shall be provided to appropriate first responders, and all school staff.

Following the end of each school year, the school nurse, **the Principal**, and first responders shall review the emergency plan and revise it as needed.

The school emergency plan shall address staff responsibilities for safely evacuating students needing special assistance during safety drills and actual emergency situations, including students with disabilities and those with 504 plans. The Principals shall discuss the emergency plan with all school staff prior to the first instructional day annually and document the date and time of any discussion.

The cardiac emergency response plan shall be rehearsed by simulation prior to the beginning of each athletic season by all:

1. Licensed athletic trainers, school nurses, and athletic directors; and
2. Interscholastic coaches and volunteer coaches of each athletic team active during that athletic season.

Whenever possible, first responders shall be invited to observe emergency response drills.

In addition, **the Principals** shall:

1. Establish and post primary and secondary evacuation routes in each room by any doorway used for evacuation;
2. Identify the best available severe weather safe zones, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency, and post the location of the safe zones in each room;
3. Develop school procedures to follow during an earthquake;

Safety**SCHOOL EMERGENCY PLANNING (CONTINUED)**

4. Develop and adhere to practices to control access to the school. Practices shall include but not be limited to:
 - Controlling outside access to exterior doors during the school day;
 - Controlling the main entrance of the school with electronically locking doors, a camera, and an intercom system;
 - Controlling access to individual classrooms;
 - Requiring classroom doors to be equipped with hardware that allows the door to be locked from the outside but opened from the inside;
 - Requiring classroom doors to remain closed and locked during instructional time, except in instances when only one (1) student and one (1) adult are in the classroom or when approved in writing by the State School Security Marshal;
 - Requiring classroom doors with windows to be equipped with material to quickly cover the window during a building lockdown;
 - Allowing for the use of secondary locking mechanisms on classroom doors, notwithstanding any provisions of the Kentucky Building Code promulgated pursuant to KRS Chapter 198B to the contrary;
 - Requiring all visitors to report to the front office of the building, provide valid identification, and state the purpose of the visit; and
 - Providing a visitor's badge to be visibly displayed on a visitor's outer garment.
5. Maintain a portable AED in a public, readily accessible, well-marked location in every school building and, as funds become available, at school-sanctioned athletic practices and competitions and:
 - a) Adopt procedures for the use of the portable AED during an emergency;
 - b) Adopt policies for compliance with KRS 311.665 to KRS 311.669 on training, maintenance, notification, and communication with the local emergency medical services system;
 - c) Ensure that a minimum of three (3) employees in the school and all interscholastic athletic coaches be trained on the use of a portable AED in accordance with KRS 311.667;
 - d) Ensure that all interscholastic athletic coaches maintain a cardiopulmonary resuscitation certification recognized by a national accrediting body on heart health; and

Safety**SCHOOL EMERGENCY PLANNING (CONTINUED)**

- e) No later than November 1 of each school year, submit an annual report to the Kentucky Department of Education on:
 - i. The number and location of each portable AED in every school building;
 - ii. The name, school, and training date of each **Kentucky Department of Education employee assigned to KSB/KSD** and interscholastic athletic coach ~~in the District at KSB/KSD~~ trained in the use of a portable AED; and
 - iii. The progress made towards having a portable AED at all school-sanctioned athletic practices and competitions; and
- 6. Require development of an event-specific emergency action plan for each school-sanctioned nonathletic event held off-campus to be used during a medical emergency, which may include the provision of a portable AED. The plan shall:
 - a) Include a delineation of the roles of staff and emergency personnel, methods of communication, any assigned emergency equipment including a portable AED, a cardiac emergency response plan, and access to and plan for emergency transport; and
 - b) Be in writing and distributed to any member of school personnel attending the school-sanctioned event in an official capacity.

No later than November 1 of each school year, **the Principals** shall send verification to the Kentucky Department of Education that all schools are in compliance with school emergency planning requirements.

By August 1 of each year, the **Principals of the Kentucky School for the Blind and the Principal of the Kentucky School for the Deaf** shall report to the Kentucky Department of Education on the number of portable AEDs at each school.²

PRECAUTIONS

Precautions will be taken for the safety of the students, employees, and visitors.

REPORTING HAZARDS

Each employee observing a potential safety or security hazard shall report such hazard in writing to his/her immediate supervisor who shall cause the situation to be remedied or reported to the proper authority for remedy.

COMMUNICATION SYSTEM

The **Commissioner/Designee** shall establish a process for a two-way communication system for employees to notify the Principal, supervisor or other administrator of an emergency. The process may include, but is not limited to, use of intercoms, telephones, and two-way radios.

Safety

REFERENCES:

¹KRS 158.4412

²KRS 158.1621

KRS Chapter 198B

KRS 61.870 to KRS 61.884

KRS 158.110

KRS 158.148; KRS 158.162; KRS 158.164; KRS 158.4410; KRS 158.4433; KRS 158.445

KRS 160.290; KRS 160.445

KRS 311.665 to KRS 311.669; KRS 311.667; KRS 411.148

702 KAR 1:180

RELATED POLICIES:

02.31; 03.14; 03.24; 05.2; 05.21; 05.41; 05.411; 05.42; 05.45; 05.47; 05.5
09.22; 09.221; 09.4 (entire section); 10.5

LEGAL: SB 46 AMENDS KRS 156.153 REVISING NINE (9) PASSENGER VEHICLE TO TEN (10) OR FEWER PASSENGERS TO BE USED ALONG REGULAR BUS ROUTES AND APPROVED SCHOOL ACTIVITIES. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF MARCH 27, 2026.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 7 CREATES NEW SECTION OF KRS 158 ALLOWING THE USE OF CAMERA MONITORING SYSTEMS ON SCHOOL BUSES OPERATED BY THE DISTRICT AND ALLOWS THE ENFORCEMENT OF A CIVIL PENALTY FOR STOP ARM CAMERA VIOLATIONS RECORDED BY A CAMERA MONITORING SYSTEM.

FINANCIAL IMPLICATIONS: COST OF CAMERA MONITORING SYSTEM, AND NOTIFICATION OF AND COLLECTION OF FINES

TRANSPORTATION

06.2

Safety

DEVELOPMENT OF PROGRAM

KDE shall develop a transportation safety program as required by applicable law and administrative regulation. Appropriate safety information shall be disseminated annually in writing to employees, parents, and pupils of the **KSB/KSD**.

BOOSTER SEATS

When students who are under eight (8) years old and between forty (40) and fifty-seven (57) inches in height are transported in vehicles designed for ~~ten (10)~~~~nine (9)~~ or fewer passengers which are **owned or leased by the Commonwealth or a local school district**, they shall be properly secured in a child booster seat. Per KRS 189.125, a child of any age who is greater than fifty-seven (57) inches in height is not required to be secured in a booster seat

Child Safety Restraint Systems shall be utilized for preschool Head Start students being transported using vehicles **owned or leased by the Commonwealth or a local school district** in compliance with guidelines established by the National Highway Traffic Safety Administration.

CAMERA MONITORING SYSTEM

In accordance with KRS 158.485 – KRS 158.490 the District KSB/KSD may install and maintain a camera monitoring system on any school bus. ~~for the enforcement of a civil penalty against the owner of a motor vehicle for a stop arm camera violation.~~

REFERENCES:

KRS 156.153

KRS 158.110

KRS 158.485-KRS 158.490

KRS 189.125

702 KAR 5:030

702 KAR 5:060

702 KAR 5:080

45 C.F.R. § 1310.11

RELATED POLICY:

06.12

LEGAL: SB 46 AMENDS KRS 156.153 REVISING NINE (9) PASSENGER VEHICLE TO TEN (10) OR FEWER PASSENGERS TO BE USED ALONG REGULAR BUS ROUTES AND APPROVED SCHOOL ACTIVITIES. DRIVERS MUST SUBMIT TO DRUG TESTING CONSISTENT WITH FEDERAL DRUG TESTING REQUIREMENTS AND BACKGROUND CHECKS. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF MARCH 27, 2026.

FINANCIAL IMPLICATIONS: COST OF DRUG TESTING, BACKGROUND CHECKS, AND CA/N CHECKS

TRANSPORTATION

06.31

Bus Scheduling and Routing

RESPONSIBILITY

The **KSB/KSD** shall be responsible for scheduling and routing all buses in keeping with applicable statutes and regulations. This shall include a system of notifying parents, pupils, and drivers of bus schedules and routes and, for those schools serving breakfast, arranging bus schedules so that buses arrive in sufficient time to provide breakfast prior to the student attendance day. If the **KSB/KSD** participates in the Federal School Breakfast Program, the **KSB/KSD** may also authorize up to fifteen (15) minutes of the student attendance day to provide the opportunity for children to eat breakfast during instructional time.¹

Buses shall be routed only on public roads which are safe for bus travel.

REGULAR ROUTE VEHICLES

School buses shall be clearly marked as transporting students and shall undergo a safety inspection no less than once every thirty (30) days.

KSB/KSD may also use vehicles owned, leased, or contracted by the **Kentucky Department of Education** that were designed and built by the manufacturer for passenger transportation of ~~ten (10)~~^{nine (9)} or fewer passengers, including the driver, for transporting students to and from ~~school along regular bus routes and~~ approved school activities in alignment with District requirements established by in accordance with KRS 156.153 and 160.380, under an alternative transportation plan approved by the Kentucky Department of Education.²

REFERENCES:

¹KRS 158.070

²KRS 156.153

KRS 158.110

KRS 160.380

702 KAR 5:030

RELATED POLICY:

08.31

LEGAL: HB 555 AMENDS KRS 158.854 ADDING AND ALLOWING STUDENT-BASED ENTERPRISE PROGRAM TO SELL COMPETITIVE FOODS THROUGHOUT THE SCHOOL DAY AND AUTHORIZES THE BOARD TO ESTABLISH POLICIES REGARDING THE OPERATION OF AND REVENUE GENERATED BY THE STUDENT-BASED ENTERPRISE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SUPPORT SERVICES

07.111

Competitive Foods

MINIMAL NUTRITIONAL VALUE

The sale of competitive foods and beverages to students during the school day shall be in compliance with current federal and state ~~regulations~~law.

DEFINITIONS

“Competitive Food” shall mean all food and beverages sold to students on the school campus during the school day, other than those meals reimbursable under the programs authorized by the National School Lunch Act and the Child Nutrition Act.

"School-day" means the period of time from midnight before to thirty (30) minutes after the end of the official school day.

“School Campus” shall mean all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

NUTRITIONAL STANDARDS

No school may sell competitive foods or beverages, whether from vending machines, school stores or canteens, classrooms, teacher or parent groups, from midnight before until thirty (30) minutes after the last school lunch period of the school day. From thirty (30) minutes after the last lunch period closes until thirty (30) minutes after the school day, food and beverages sold must conform with nutritional standards specified in state and federal ~~regulations~~law.

Fund-raising activities held off of the school campus or not during the school day are not subject to regulatory requirements of [702 KAR 006:090](#) or federal competitive food limitations.

FOOD/BEVERAGES AS REWARDS

When possible, rewards given to students shall be other than food/beverages items. When food/beverage items are used as rewards, such items shall comply with nutritional guidelines set out in Kentucky Administrative Regulation.

STUDENT-BASED ENTERPRISE

~~“Student-based enterprise” means a District~~“Student-based enterprise” means a Kentucky Department of Education approved program operated by the District’s KSB’s/KSD’s students as part of a course designed to provide students with knowledge and experience of the operation of a business.

~~The Board~~The Kentucky Department of Education may identify a student-based enterprise to sell competitive foods throughout the school day and establish policies for the operation of and the use of the proceeds from the student-based enterprise. Competitive foods sold by a student-based enterprise shall comply with the minimum nutritional standards established in 702 KAR 6:090.

REFERENCES:

7 C.F.R. 210.11b; 7 C.F.R. 220.12

[KRS 156.160](#); [KRS 158.850](#); [KRS 158.854](#)

[702 KAR 006:090](#)

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

RELATED POLICY:

07.12

LEGAL: SB 5 CREATES A NEW SECTION OF KRS 158 ALLOWING A BOARD PARTICIPATING IN ANY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE CHILD NUTRITION PROGRAMS TO PURCHASE KENTUCKY-GROWN AGRICULTURAL PRODUCTS. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF MARCH 27, 2026.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

SUPPORT SERVICES

07.13

School Nutrition Procurement

OPEN BIDDING

In all applicable cases, food, food products, supplies, and equipment purchased with school food service funds shall be procured in accordance with the process and procedures established in a manner that provides full and open competition consistent with the standards in applicable federal regulations.

KENTUCKY-GROWN AGRICULTURAL PRODUCTS

~~If the District participates in any of the United States Department of Agriculture Child Nutrition Programs, the District may purchase Kentucky grown agriculture products, as defined in KRS 260.016, in accordance with federal law and shall not be subject to KRS 45A.345 to 45A.460 or 424.260. This shall not be construed to exempt the Board from any other requirement established by state or federal law.~~

~~When purchasing Kentucky grown agricultural products, the District may purchase up to \$15,000 using federal micro-purchase thresholds or up to \$350,000 using federal simplified acquisition thresholds.~~

EXEMPTIONS

~~Federal regulatory requirements provide a geographic preference bidding exception for purchase of unprocessed locally grown or locally raised agricultural products using school nutrition service funds. Such purchases must follow applicable federal regulations.~~

REFERENCES:

[KRS 158.855](#)

KRS 160.290; [KRS 260.016](#); KRS 424.260

KRS 45A.345 – KRS 45A.460

702 KAR 6:010

7 CFR 3016.36

7 CFR 210.21

RELATED POLICY:

04.32 [or 04.33](#)

LEGAL: HB 253 CREATES A NEW SECTION OF KRS 158 PROHIBITING DISTRICTS FROM UTILIZING A THREE-CUEING SYSTEM BY THE 2029-2030 SCHOOL YEAR AND TO REQUIRE INTERDISCIPLINARY EARLY CHILDHOOD THROUGH GRADE FIVE EDUCATORS TO COMPLETE A SCIENCE OF READING PROFESSIONAL LEARNING PROGRAM BY JUNE 30, 2029. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF APRIL 10, 2026.

FINANCIAL IMPLICATIONS: ~~NONE ANTICIPATED~~ KSB/KSD COULD INCUR CONSIDERABLE COSTS TO MEET CURRICULAR AND TRAINING REQUIREMENTS

CURRICULUM AND INSTRUCTION

08.1

Curriculum

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

CAPACITIES

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

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

READING CURRICULUM AND INTERVENTIONS

By the 2029-2030 school year, ~~the District~~KSB/KSD shall not use any curriculum, reading intervention, or program of instruction that utilizes the three-cueing system of teaching students to read.

The ~~District~~KSB/KSD shall ensure that:

1. All curriculum, reading interventions, and programs of instruction utilized to teach KSB and KSD students to read are high-quality, fully aligned to state content standards, and based on literacy strategies that are scientifically researched ~~with proven results in teaching phonemic awareness, phonics, fluency, vocabulary, and comprehension~~;
2. Beginning with the 2029-2030 school year, ~~no school in the District is~~KSB/KSD are not utilizing a three-cueing system of teaching students to read; and
3. By June 30, 2029, all interdisciplinary early childhood through grade five (5) educators have completed ~~a science of reading~~reading, an evidence-based literacy-focused professional learning program approved by the Kentucky Department of Education's (KDE) Office of Special Education and Early Learning.

Curriculum**STUDENTS WITH DISABILITIES**

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

REFERENCES:

KRS 156.160; KRS 156.162; KRS 156.412; KRS 156.445

KRS 158.075; KRS 158.183; KRS 158.188

KRS 158.301; KRS 158.302; KRS 158.305; [KRS 158.306](#)

KRS 158.645; KRS 158.6451; KRS 158.6453; [KRS 158.791](#); [KRS 158.8402](#)

KRS 160.345; [KRS 161.028](#)

704 KAR 3:305; 704 KAR 3:440

Kentucky Academic Standards

LEGAL: HB 253 AMENDS KRS 158.307 REQUIRING RATHER THAN ALLOWING THE BOARD TO DEVELOP A POLICY ON DYSLEXIA. REVIEW KRS 158.307 FOR THE SPECIFICS TO BE INCLUDED IN THE POLICY. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF APRIL 10, 2026. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1313

Dyslexia

The Board shall implement a program for the identification of and strategies for assisting students in kindergarten through grade three (3) with characteristics of dyslexia.

The policy shall include but not be limited to:

- "Dyslexia" means a specific learning disability that is neurological in origin. It is characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede the growth of vocabulary and background knowledge.
- A process for identifying students who are displaying characteristics of dyslexia;
- A process for the utilization of evaluation tools to accurately identify students who are displaying characteristics of dyslexia;
- A process for how evaluation tools are administered and evaluated by trained District personnel or licensed professionals;
- A process for outreach to parents of students with or displaying the characteristics of dyslexia with information and resource materials and how dyslexia may be addressed in the student's educational setting;
- Identification of evidence-based interventions, structured multisensory and literacy approaches to teach language and reading skills, and accommodations that schools may utilize to provide services to students identified as having dyslexia; and
- A process for monitoring a student's progress including assessments to ascertain whether the intervention services improve the student's language processing and reading skills.

REPORTING REQUIREMENTS

By June 30, 2028, and June 30 of each year thereafter for five (5) years, the District shall provide the Kentucky Department of Education the following data for the current school year:

- The number of students in kindergarten through grade three (3) that were identified through the approved universal screener and reading diagnostic assessment as defined in KRS 158.3058 as displaying characteristics of dyslexia;
- The number of students in paragraph (a) that were identified as needing enrichment programs as defined in KRS 158.305;
- The number of students in kindergarten through grade three (3) that were participating in literacy interventions within the school setting; and
- The process or tools used to evaluate student progress.

Dyslexia

REFERENCES:

KRS 158.305

KRS 158.307

707 KAR 1:340

RELATED POLICY:

08.131

LEGAL: HB 727 AMENDS KRS 158.1413 REMOVING THE ANNUAL REPORTING REQUIREMENT ON THE ESSENTIAL WORKPLACE ETHICS PROGRAM. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS EFFECTIVE AS OF JULY 1, 2026.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1341

Essential Workplace Programs

INDICATORS

~~Beginning with the 2019-2020 school year, t~~The **KSB/KSD** shall implement essential workplace ethics programs that promote characteristics that are critical to success in the workplace. Each student in elementary, middle, and high school shall receive essential workplace ethics instruction that includes but is not limited to the following characteristics:

- a) Adaptability, including an openness to learning and problem solving, an ability to embrace new ways of doing things, and a capability for critical thinking;
- b) Diligence, including seeing a task through to completion;
- c) Initiative, including taking appropriate action when needed without waiting for direct instruction;
- d) Knowledge, including exhibiting an understanding of work-related information, the ability to apply that understanding to a job, and effectively explain the concepts to colleagues in reading, writing, mathematics, science, and technology as required by the job;
- e) Reliability, including showing up on time, wearing appropriate attire, self-control, motivation, and ethical behavior;
- f) Remaining drug free; and
- g) Working well with others, including effective communication skills, respect for different points of view and diversity of coworkers, the ability to cooperate and collaborate, enthusiasm, and the ability to provide appropriate leadership to or support for colleagues.

The **KSB/KSD** shall use these characteristics when creating or choosing an existing program. ~~Every odd-numbered year~~By January 1, 2019 and every two (2) years thereafter, the **Principal/designee** shall collaborate with the local workforce investment board, in conjunction with local economic development organizations and other economic, workforce, or industry organizations the workforce investment board deems necessary, to establish essential workplace ethics indicators for middle and high school students that are aligned with the characteristics listed above.

ATTAINMENT

The **Commissioner/designee** shall design and adopt a diploma seal, certificate, card, or other identifiable symbol to award students deemed as having minimally demonstrated attainment of the **KSB/KSD's** essential workplace ethics indicators.

REPORTING REQUIREMENT

~~By September 1, 2019, and every two (2) years thereafter, the Superintendent shall provide a report to the Commissioner of Education, in a format specified by the Commissioner, describing the District's essential work ethics programs and their implementation at each school.~~

REFERENCE:

KRS 158.1413

LEGAL: REVISION TO 704 KAR 4:010 AMENDING THE REGULATION GOVERNING THE PHYSICAL
EDUCATION REQUIREMENT FOR STUDENTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.1346

Physical Education

All elementary and secondary school pupils shall receive organized physical education instruction in accordance with 704 KAR 8:050~~recorded in the Kentucky Academic Standards~~ and in the minimum ~~unit~~ requirements for high school graduation set forth in 704 KAR 3:305.

In the event that a high school student's physical condition or religious convictions prohibit participation in the one-half (1/2) unit physical education course, the **Kentucky Board of Education** may authorize a variance in or exempt the student from graduation requirements for the course in accordance with 704 KAR 4:010. ~~Upon presentation of a certificate from a licensed physician or an affidavit from the pastor of the church to that effect, a course may be substituted that is within the student's capabilities as specified by the physician or the student may be exempted from the course.~~

REFERENCES:

KRS 156.160; KRS 158.302

704 KAR 3:305

704 KAR 4:010

704 KAR 8:050

RELATED POLICIES:

08.113

09.2

LEGAL: HB 257 AMENDS KRS 158.6453 REQUIRING THE SUPERINTENDENT TO ADOPT POLICIES THAT DETERMINE THE WRITING PROGRAM FOR THE DISTRICT AND THAT IS PUBLISHED ON THE DISTRICT'S WEBSITE.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.215

Writing Program

The ~~Superintendent~~Commissioner/Designee shall adopt policies that determine the writing program for the ~~Distriet~~KSB/KSD and ensure the writing program policy is published on the ~~Distriet's~~KSB's and KSD's websites.

The writing program shall include disciplinary-specific writing across the curriculum and incorporate a variety of language resources, technological tools, and multiple opportunities for students to develop complex communication skills for a variety of purposes.

REFERENCE:

KRS 158.6453

LEGAL: IN THE CASE OF *MAHMOUD V. TAYLOR*, 606 U.S. ____ (2025) THE UNITED STATES SUPREME COURT HELD THAT THE FIRST AMENDMENTS REQUIRES THE DISTRICT TO PROVIDE PARENTS/GUARDIANS WITH NOTICE OF MATERIALS TO BE TAUGHT AND THE RIGHT TO OPT OUT BASED ON SINCERELY HELD RELIGIOUS BELIEFS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.231

Religious Beliefs Excusal

NOTICE

At the beginning of each school year, or upon enrollment of a student during the school year, ~~the District~~KSB/KSD shall provide written notice to all parents/guardians that the curriculum used in their child's grade level may contain material that families may find in conflict with their sincerely held religious beliefs. The notice shall inform parents/guardians of their right to request excusal from specific curriculum. ~~The District~~KSB/KSD is not required to identify or enumerate specific materials in the annual notice.

REQUEST FOR EXCUSAL

A parent/guardian may request that their child be excused from instruction involving specific curricular material that the parent/guardian sincerely believes conflicts with their religious beliefs; however, this Policy does not apply to entire courses or subject areas. No provision of this Policy shall be construed to authorize the excusal of a student from curriculum, instruction, or programming that is required by federal law or federal regulation.

Excusal under this Policy means the student is not required to read, listen to, view, or participate in discussion of the specifically identified material. Excusal does not extend to the entire course, unit, or subject area in which the material appears.

A student may not be excused under this Policy from curriculum or instruction that is required by Kentucky law or Kentucky administrative regulation, including but not limited to any course of study, instructional content, or assessment mandated by statute or by the Kentucky Board of Education. The right of excusal established by this Policy applies only to discrete instructional materials within a course and does not authorize excusal from a course or subject area in its entirety.

All requests for excusal under this Policy shall be submitted in writing to the Principal of the school in which the student is enrolled and shall include:

- a. the name of the complainant;
- b. the name and grade level of the student;
- c. a reasonably detailed description of the specific material to which the parent/guardian objects, sufficient to allow the Principal to locate and evaluate the material; and
- d. a statement that the parent/guardian sincerely believes the identified material conflicts with their religious beliefs.

~~DISTRICT~~KSB/KSD REVIEW OF REQUEST

The ~~District~~KSB/KSD shall not inquire into the reasonableness, validity, or internal consistency of the claimed religious belief, and shall not require the parent/guardian to identify a specific religious denomination or institution. The Principal/designee shall review the identified material to confirm whether it demonstrably contains the content described before acting on the request. If the Principal determines that the identified material does not demonstrably contain the content described by the parent/guardian, the request may be denied.

Religious Beliefs Excusal

DISTRICT KSB/KSD REVIEW OF REQUEST (CONTINUED)

If the Principal denies a request, the parent/guardian may appeal in writing to the Superintendent/Commissioner/Designee within ten (10) calendar days of the Principal's decision. The Superintendent/Commissioner/Designee shall render a written decision within thirty (30) calendar days of receipt of the appeal, affirming or overruling the Principal's decision.

~~If the Superintendent denies the appeal, the parent/guardian may appeal in writing to the Board within ten (10) calendar days of the Superintendent's decision. The Board shall render a written decision within thirty (30) calendar days of receipt of the appeal, affirming or overruling the Superintendent's decision.~~

RESULT OF EXCUSAL

No student shall be penalized, disciplined, or subjected to differential treatment by any District employee because the student's parent/guardian has submitted a request under this Policy, whether granted or denied.

This Policy is independent of, and does not alter, limit, or supersede the rights provided under KRS 158.1415 or KRS 158.192. A parent/guardian seeking rights under either of those statutes shall proceed under the applicable statutory framework.

This Policy does not affect any right, obligation, or requirement imposed by federal law or federal regulation governing curriculum, instructional content, or student participation in educational programs.

Complaints regarding other issues shall be submitted pursuant to other appropriate policies including but not limited to: Grievances; Harassment/Discrimination; Title IX Sexual Harassment; Review of Instructional Materials; and Citizen Suggestions and Complaints.

REFERENCES:

KRS 158.1415; KRS 158.192
Mahmoud v. Taylor, 606 U.S. (2025)

RELATED POLICIES:

03.16; 03.162; 03.1621; 03.26; 03.262; 03.2621
08.23; 08.2322; 09.4281; 09.42811; 09.428111; 10.2

LEGAL: HB 67 AMENDS KRS 160.145 ADDING ADDITIONAL INDIVIDUALS FOR REPORTING PURPOSES. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF APRIL 13, 2026.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.2323

Access to Electronic Media

(Acceptable/Responsible Use Policy)

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

SAFETY PROCEDURES AND GUIDELINES

The Principal shall develop and implement appropriate procedures to provide guidance for access to electronic media and authorized communication system(s). Guidelines shall address teacher supervision of student computer use, ethical use of electronic media (including, but not limited to, the Internet, e-mail, and other **KSB/KSD** technological resources), and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit utilization of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data.

Guidelines and procedures should encourage details on how the **KSB/KSD** implements and facilitates digital learning tools and portable/mobile technologies to foster ubiquitous access for staff and students, emphasizing always-on, everywhere digital opportunity and empowering **KSB/KSD** and schools to fully understand digital access beyond the campus. With such **KSB/KSD** implemented resources, the guidelines for acceptable and responsible use shall still apply, regardless of the time, place, and means of utilization.

The **KSB/KSD** shall support teacher efforts in taking ownership of digital citizenship skills and educating their students in the same skills to foster a responsible, safe, secure, and empowered digital learning environment. Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Internet safety measures, which shall apply to all **KSB/KSD**-owned devices with Internet access, **KSB/KSD**-managed systems and accounts, and personal devices that are permitted to access the **KSB/KSD**'s network, shall be implemented that effectively address the following, regardless of the time, place, and means of utilization:

- Controlling access by minors to inappropriate matter on the Internet and World Wide Web;
- Safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
- Preventing unauthorized access, including “hacking” and other unlawful activities by minors online;
- Unauthorized disclosure, use and dissemination of personal information regarding minors; and
- Restricting minors’ access to materials harmful to them.

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

The **KSB/KSD** shall provide reasonable public notice of, and at least one (1) public hearing or meeting to address and communicate its initial Internet safety measures.

Access to Electronic Media

(Acceptable/Responsible Use Policy)

SAFETY PROCEDURES AND GUIDELINES (CONTINUED)

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

PERMISSION/AGREEMENT FORM

All applicable procedures and guidelines resulting from this AUP/RUP shall be readily available and for use by students, parents/guardians, faculty, staff and other to whom access is granted. A written parental or legal guardian request shall be required to opt-out of or rescind access to electronic media involving KSB/KSD technological resources. Or if applicable procedures require, a written parental request may be required to prior to the student being granted independent access to electronic media involving KSB/KAD technological resources. This document shall be kept on file as a legal, binding document.

The required permission/agreement materials, which shall specify acceptable uses, rules of online behavior, access privileges, and penalties for policy/procedural violations, must be acknowledged by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. In order to opt-out, modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the **Commissioner** with a written request.

EMPLOYEE USE

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

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

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

In accordance with KRS 160.145, the **KSB/KSD** shall designate a traceable communication system ~~to be the exclusive means~~ for **KSB/KSD** employees and qualified school volunteers to communicate electronically with students enrolled in KSB/KSD. ~~The Principal of each school shall provide parents written or electronic notification within the first ten (10) days of the school year of each electronic school notification and communication program designated within the traceable communication system. The notification shall include instructions for parents to access and review communications sent through each electronic school notification and communication program. See policy 08.2324 for complete details and guidelines.~~

Access to Electronic Media

(Acceptable/Responsible Use Policy)

EMPLOYEE USE (CONTINUED)

A KSB/KSD employee or qualified school volunteer shall not ~~communicate electronically with a student; engage in unauthorized electronic communication.~~

- ~~1. Outside of the traceable communication system designated by the Kentucky Board of Education; or~~
- ~~2. Through an unauthorized electronic communication program or application.~~

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

Networking, communication systems, and other options offering the ability to communicate directly with students may be used for the purpose of supplementing classroom instruction and to promote communications with students and parents concerning school-related activities ~~in accordance with Policy 08.2324.~~

Students may only be invited or granted access to the school's traceable electronic communications systems, including social media platforms and other digital communication sites, if the KSB/KSD has verified that the system meets acceptable data privacy standards and includes appropriate protections for student information. Furthermore, the students must meet the platform's minimum age requirements before being granted access or invited to access.

Staff members shall not have connections with students through personal social networking accounts.

See policy 08.2324 for complete details and guidelines regarding Traceable Communications.

EMPLOYEE CONDUCT AND REPORTING REQUIREMENTS FOR TECHNOLOGY USE

All employees and volunteers are subject to disciplinary action if their conduct relating to the use of technology or online resources violates this policy or any other applicable statutory, regulatory or policy provisions governing employee conduct. This includes, but is not limited to, unauthorized electronic communications.

The Professional Code of Ethics for Kentucky School Certified Personnel requires certified staff to protect the health, safety, and emotional well-being of students and the confidentiality of student information. Any conduct in violation of this Code – particularly involving technology or online resources - must be reported to the Education Professional Standards Board (EPSB) as required by law and may result in disciplinary action up to and including termination.

REPORTING PROCEDURES—POLICY 08.2324

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

- ~~1. If the subject of the report is a staff member, notify the Principal.~~
- ~~2. If the subject is the Principal, notify the Commissioner/designee.~~
- ~~3. If the subject is the Commissioner/designee, notify the Chair of the Kentucky Board of Education.~~

Access to Electronic Media

(Acceptable/Responsible Use Policy)

COMMUNITY USE

On recommendation of the **Commissioner/designee, the Kentucky Board of Education** shall determine when and which **KSB/KSD** technology resources (including internet access, computer equipment, software, and information access systems) may be available to the community.

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

DIGITAL CITIZENSHIP AND RESPONSIBLE USE

All **KSB/KSD** technology users shall demonstrate safe, savvy, and social digital citizenship skills by practicing respectful, responsible, and ethical use of technology. The **KSB/KSD** will ensure comprehensive instruction on digital citizenship, focusing on the nine (9) elements of digital citizenship: Digital Access; Digital Commerce; Digital Communication & Collaboration; Digital Fluency; Digital Etiquette; Digital Law; Digital Rights and Responsibilities; Digital Health and Welfare; and Digital Security & Privacy, as well as cyberbullying awareness and response strategies, are provided. All digital citizenship instruction shall align with the Kentucky Academic Standards for Technology and be reviewed regularly to reflect current best practices and emerging technologies. The **KSB/KSD** shall support efforts to instill digital citizenship skills in students to foster a responsible, safe, and empowered digital learning environment. **KSB/KSD**-provided technology resources shall be used in a manner that upholds the integrity, security, and privacy of **KSB/KSD** systems and supports educational goals regardless of the time, place, and means of utilization.

DISREGARD OF RULES

Individuals who opt-out of required responsible use documents or who violate **KSB/KSD** rules governing the use of **KSB/KSD** technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, or other computing and telecommunications technologies.

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

RESPONSIBILITY FOR DAMAGES

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

RESPONDING TO CONCERNS

School officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

Access to Electronic Media

(Acceptable/Responsible Use Policy)

EMERGING TECHNOLOGIES

The **KSB/KSD** shall establish and maintain procedures that address the safe, secure and responsible uses of emerging technologies, including, but not limited to, artificial intelligence (AI) and AI-enhanced or generative AI features. These procedures shall be reviewed and updated regularly to ensure alignment with current technological advancements, fostering a proactive approach while emphasizing safeguards for student safety, data privacy, and ethical practices. Such procedures will support innovative strategies while addressing potential risks and maintaining the confidence of **KSB/KSD** stakeholders. Additionally, procedures will address the responsible use of these emerging technologies, including appropriate and inappropriate uses of AI (e.g., for inspiration vs. cheating, plagiarism).

AUDIT OF USE

Users with network access shall not utilize **KSB/KSD** resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system.

The Principal/designee shall establish a process to determine whether the **KSB/KSD's** education technology is being used for purposes prohibited by law or for accessing social media (unless authorized by a teacher for instructional purposes) and sexually explicit materials. The process shall include, but not be limited to:

1. Utilizing technology that meets the requirements of Kentucky Administrative Regulations and that blocks or filters internet access for both minors and adults to certain visual depictions that are obscene, child pornography, or, with respect to computers with Internet access by minors, harmful to minors. For instructional purposes, age/grade-level appropriateness and meets traceable/inspectable guidelines set forth in this and related policies;
2. Utilizing the latest available filtering technology to ensure that social media is not made available to students, unless authorized by a teacher for instructional purposes;
3. Maintaining and securing a usage log; and
4. Monitoring online activities of both minors and adults using **KSB/KSD**-owned or managed systems, regardless of the time, place, and means of utilization.

RETENTION OF RECORDS FOR E-RATE PARTICIPANTS

Following initial adoption, this policy and documentation of implementation shall be retained for at least ten (10) years after the last day of service in a particular funding year.

The procedures mandated by federal and state law for students with disabilities shall be followed.

Access to Electronic Media

(Acceptable/Responsible Use Policy)

REFERENCES:

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

RELATED POLICIES:

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

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

CURRICULUM AND INSTRUCTION

08.2324

Traceable Communications

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

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

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

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

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

Definitions

Family

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

Parent

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

DISTRICT EMPLOYEE OR VOLUNTEER

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

TRACEABLE COMMUNICATION SYSTEM

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

- ~~4.—Are designated by a Board of Education;~~
- ~~5.—Trace all communications sent to or by a student; and~~
- ~~6.—Provide parents an opportunity to access and review those communications.~~

UNAUTHORIZED ELECTRONIC COMMUNICATION

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

Traceable Communications**CONSENT TO AUTHORIZE**

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

WRITTEN DISCLOSURE

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

REPORTING

A **KSB/KSD** employee or qualified school volunteer that participate in private electronic communication~~communicate electronically~~ that another **KSB/KSD** employee or qualified school volunteer participated in unauthorized electronic communication that is subject to KRS 160.145 that has not been previously reported shall immediately notify the Principal or applicable supervisor.

If the subject of the report is the Principal, the reporting employee or volunteer shall immediately notify the **Commissioner**/~~designee~~**Designee**.

If the subject of the report is the **Commissioner**/~~designee~~**Designee**, the reporting employee or volunteer shall immediately notify the Chair of the **Kentucky Board of Education**.

Upon receipt of a report alleging that a **KSB/KSD** employee or qualified school volunteer violated KRS 160.145~~participated in unauthorized electronic communication~~, the Principal, or the **Commissioner**/~~designee~~**Designee** shall immediately:

1. Notify the parent of each student that is an alleged party to the unauthorized electronic communications; and
2. If the individual that is the subject of the report is a certified employee:
 - a. Notify the Education Professional Standards Board, which shall promptly investigate all allegations received under this subsection and proceed with appropriate disciplinary actions in accordance with KRS 160.145; and
 - b. Investigate the underlying allegations and proceed with appropriate disciplinary actions in accordance with KRS 161.790;
3. If the individual that is the subject of the report is a classified employee, investigate the underlying allegations and proceed with appropriate disciplinary actions in accordance with KRS 161.011 ~~(7)~~; and
4. If the individual that is the subject of the report is a **KSB/KSD** qualified school volunteer, the school or **KSB/KSD** shall investigate the underlying allegations and, if substantiated, the qualified school volunteer ~~may~~shall be prohibited from future school and **KSB/KSD** volunteer opportunities.

Traceable Communications**REPORTING (CONTINUED)**

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

A Principal or ~~Superintendent~~ Commissioner/Designee who violates [this reporting requirement](#) shall be subject to disciplinary action in accordance with KRS 161.120 and KRS 156.132.

REFERENCES:

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

RELATED POLICIES:

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

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

STUDENTS

09.12

Admissions and Attendance

Decisions concerning placement **at/admission to KSB or KSD** are made subject to applicable state and federal law and after full consideration of the obligation of local districts to provide educational services in the least restrictive environment.

HOMELESS CHILDREN AND UNACCOMPANIED YOUTH

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

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

— Be immediately enrolled in the District;

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

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

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

- “Outreach” to other entities and agencies so that homeless students are identified;
- Providing public notice of the educational rights of homeless children in locations frequented by parents/guardians and unaccompanied youths. This notice is to be in a manner and form that is understandable;¹
- Seeing that school personnel who provide McKinney-Vento Services receive professional development and other support; and

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

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

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

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

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

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

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

KSB/KSD shall provide services for homeless children and unaccompanied youths with disabilities as required by law.

CHILDREN IN FOSTER CARE

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

In the event foster children are enrolled at **KSB/KSD**, **KSB/KSD** shall collaborate with the **Cabinet for Health and Family Services (Cabinet)** to ensure enrollment of the child and contact the student's previous school for relevant records. The previous school shall provide the new school records within the student information system maintained by the **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 Principal shall appoint a Foster Care Liaison to coordinate activities relating to the provision by **KSB/KSD** of services to children placed in foster care, including transportation services, when **KSB/KSD** is notified by the Cabinet in writing that the Cabinet has designated its foster care point of contact for the **KSB/KSD**. The Principal may appoint the **KSB/KSD** Foster Care Liaison prior to such notice from **the Cabinet**.

Children in foster care, including preschool aged children if **KSB/KSD** 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.

Admissions and Attendance**BEST INTEREST OF THE CHILD**

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

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

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.

NONRESIDENTS

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.

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.

KSB/KSD 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**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 **KSB/KSD** 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 **KSB/KSD** 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 a local school 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.²

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 a local school district and seeks to enroll, the local school 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 local school district shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the local district board of education.

Admissions and Attendance

REFERENCES:

¹42 U.S.C. 11431 et seq. (McKinney-Vento Act)

²KRS 158.155; KRS 157.330; KRS 158.150

KRS 157.360; KRS 158.100

KRS 158.120; OAG 80-47; OAG 79-327; OAG 75-602

KRS 159.010; OAG 78-64

KRS 199.802

704 KAR 7:090; 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; 09.121; 09.1222; 09.123; 09.124; 09.14; 09.211

LEGAL: SB 101 AMENDS KRS 158.155 REQUIRING SCHOOL EMPLOYEES REPORT INTENTIONAL PHYSICAL INJURY OR INTENTIONAL ATTEMPT TO CAUSE PHYSICAL INJURY OF ANY SCHOOL EMPLOYEE AND INTENTIONAL ASSAULT RESULTING IN SERIOUS PHYSICAL INJURY TO LAW ENFORCEMENT UNLESS THE SCHOOL EMPLOYEE HAS CAUSE TO BELIEVE A STUDENT'S DISABILITY INTERFERED WITH HIS OR HER ABILITY TO CONFORM TO THE STUDENT CODE OF CONDUCT. ADDITIONAL REPORTING REQUIREMENT FOR DISTRICT CREATED LAW ENFORCEMENT AGENCY.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: HB 253 AMENDS KRS 160.380 REQUIRING DISTRICTS TO REPORT AND INVESTIGATE ABUSIVE CONDUCT INVOLVING A MINOR OR STUDENT. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF APRIL 10, 2026.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.2211

Employee Reports of Criminal Activity

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

KRS 158.155

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

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

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

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

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

KRS 158.156

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

Employee Reports of Criminal Activity**KRS 158.156 (CONTINUED)**

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

KRS 160.380

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

KRS 209A.100

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

KRS 209A.110

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

KRS 620.030

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

REFERENCES:

KRS 158.155; KRS 158.156; KRS 160.380

KRS 209A.100; KRS 209A.110

KRS 508.125; KRS 525.070; KRS 525.080; KRS 527.070; KRS 527.080

KRS 620.030

STUDENTS

09.2211
(CONTINUED)

Employee Reports of Criminal Activity

RELATED POLICIES:

03.13251; 03.23251; 03.13253; 03.23253

05.48

09.227; 09.422; 09.423; 09.425; 09.426; 09.438

LEGAL: HB 253 AMENDS KRS 160.380 REQUIRING DISTRICTS TO REPORT AND INVESTIGATE ABUSIVE CONDUCT INVOLVING A MINOR OR STUDENT. THIS BILL CONTAINS AN EMERGENCY CLAUSE AND IS IN EFFECT AS OF APRIL 10, 2026.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.227

Child Abuse

REPORT REQUIRED

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected¹, or a victim of human trafficking, or is a victim of female genital mutilation, shall immediately make an oral or written report, including but not limited to electronic submission, to a local law enforcement agency or the Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the Commonwealth's or County Attorney in accordance with KRS 620.030.²

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

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

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

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

WRITTEN REPORT

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

WRITTEN RECORDS

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

Child Abuse**INTERVIEWS**

If the student is an alleged victim of abuse or neglect, school officials shall follow directions provided by the investigating officer or Cabinet for Health and Family Services representative as to whether to contact a parent³ and shall provide the Cabinet access to a child subject to an investigation or assessment without parental consent.⁴

AGENCY CUSTODY

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

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

- a) By written notice via email or fax on the day that a court order is entered and again on any day that a change is made with regard to persons authorized to contact or remove the child from school. Verbal notification shall occur on the next school day immediately following the day a court order is entered or a change is made if the court order or change occurs after the end of the current school day; and
- b) By email, fax, or hand delivery of a copy of the court order within ten (10) calendar days following the Cabinet's receipt of the court order of a change of custody or change in contact or removal authority.

OTHER

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

REFERENCES:

¹KRS 600.020

²KRS 620.030; KRS 620.040

³OAG 85-134; OAG 92-138

⁴KRS 620.072

KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580

KRS 158.041; [KRS 160.380](#); KRS 199.990; KRS 209.020

KRS 508.125; KRS 620.050; KRS 620.146

OAG 77-407; OAG 77-506; OAG 80-50; OAG 85-134

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights
Regulations Implementing Title IX

RELATED POLICIES:

03.19; 09.1231; 09.3; 09.31; 09.42811; 10.5

LEGAL: SB 101 AMENDS KRS 158.150 PROHIBITING A STUDENT EXPELLED FROM PARTICIPATING IN SCHOOL SPONSORED EXTRACURRICULAR OR INTERSCHOLASTIC ACTIVITIES.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.3

Student Activities

TO BE ENCOURAGED

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

CONTROL

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

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

PARTICIPATION

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

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

EXPULSION

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

REFERENCES:

¹KRS 161.185

²KRS 158.153

³KRS 158.150

KRS 158.120; KRS 158.183; KRS 161.180; KRS 620.146

702 KAR 7:125; 702 KAR 7:140; 704 KAR 3:535; OAG 57-40812

Section 504 of the Rehabilitation Act of 1973

RELATED POLICIES:

09.1224; 09.3211; 09.36; 09.435; 09.438

LEGAL: SB 101 AMENDS KRS 158.155 REQUIRING SCHOOL EMPLOYEES REPORT INTENTIONAL PHYSICAL INJURY OR INTENTIONAL ATTEMPT TO CAUSE PHYSICAL INJURY OF ANY SCHOOL EMPLOYEE AND INTENTIONAL ASSAULT RESULTING IN SERIOUS PHYSICAL INJURY TO LAW ENFORCEMENT UNLESS THE SCHOOL EMPLOYEE HAS CAUSE TO BELIEVE A STUDENT'S DISABILITY INTERFERED WITH HIS OR HER ABILITY TO CONFORM TO THE STUDENT CODE OF CONDUCT. ADDITIONAL REPORTING REQUIREMENT FOR DISTRICT CREATED LAW ENFORCEMENT AGENCY.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

LEGAL: KRS 209.160 HAS BEEN RENUMBERED AS KRS 209A.045.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.425

Assault and Threats of Violence

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

STUDENTS

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

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

The Principal shall provide written notice to all students, parents, and guardians of students within ten (10) days of the first instructional day of each school year of the provision of KRS 508.078 and potential penalties under KRS 532.060 and KRS 534.030.²

EDUCATIONAL PERSONNEL

Any student who threatens, physically assaults, batters or physically or verbally abuses educational personnel on or off school property (and the incident is likely to substantially disrupt the educational process) shall be subject to appropriate disciplinary action¹ up to and including expulsion from school and/or legal action.

REMOVAL OF STUDENTS

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

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

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

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

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

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

Assault and Threats of Violence**REMOVAL OF STUDENTS (CONTINUED)**

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

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

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

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

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

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

Any action under this section related to students with disabilities shall be in compliance with applicable state and federal law.

REPORT TO LAW ENFORCEMENT AGENCY

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

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

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

Assault and Threats of Violence**REPORT TO LAW ENFORCEMENT AGENCY (CONTINUED)**

- a. Possession of a firearm or deadly weapon in violation of the law;
- b. The use, possession, or sale of a controlled substance in violation of the law; or
- c. Intentional or wanton damage to property causing a pecuniary loss of five hundred dollars (\$500) or more.

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

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

DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION

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

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

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

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

NOTIFICATIONS

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

Assault and Threats of Violence**NOTIFICATIONS (CONTINUED)**

Any **KSB/KSD** employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other official who has knowledge of the student's behavior prior to the assignment or contact.

REFERENCES:

¹KRS 158.150

²KRS158.1559

KRS 158.155; KRS 160.290

KRS 161.155; KRS 161.190; KRS 161.195

KRS 209A.020; ~~KRS 209.160~~KRS 209A.045

KRS 209A.100; KRS 209A.110; KRS 209A.130

KRS 211.160; KRS 403.720; KRS 456.010

KRS 508.025; KRS 508.075; KRS 508.078; KRS 525.080

KRS 527.070; KRS 532.060; KRS 534.030; KRS 620.030

702 KAR 5:080

RELATED POLICIES:

03.123; 03.13253; 03.223; 03.23253; 05.4; 05.48

06.34; 09.14; 09.2211; 09.422; 09.423; 09.426; 09.4281; 09.429; 09.4341

LEGAL: HB 48 (2025) AMENDED KRS 158.4416 REMOVING TRAUMA-INFORMED APPROACH PLAN
FROM THE COMPREHENSIVE DISTRICT IMPROVEMENT PLAN.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.43

Student Disciplinary Processes

SCHOOL-RELATED ACTIVITIES

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

TRAUMA-INFORMED APPROACH PLAN

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

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

- a) strategies for enhancing trauma awareness throughout the school community;
- b) conducting an assessment of the school climate including but not limited to inclusiveness and respect for diversity;
- c) developing trauma-informed discipline policies;
- d) collaborating with the Department of Kentucky State Police, the local sheriff, and the local chief of police to create procedures for notification of trauma-exposed students; and
- e) providing services and programs designed to reduce the negative impact of trauma, support critical learning, and foster a positive and safe school environment for every student.²

The trauma-informed approach plan shall be reviewed and updated annually, ~~incorporated into the annual Comprehensive District Improvement Plan (CDIP) required by 703 KAR 5:225,~~ and submitted to the KDE.²

TREATMENT OF PUPILS

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

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

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

Student Disciplinary Processes**TREATMENT OF PUPILS (CONTINUED)**

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

SERIOUS PROBLEMS

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

REFERENCES:

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

RELATED POLICIES:

~~01.111~~; 08.14; 09.14; 09.429; 09.438

LEGAL: SB 101 AMENDS KRS 158.150 REQUIRING A BOARD TO EXPEL A STUDENT IN GRADES SIX (6) THROUGH TWELVE (12) FOR AT LEAST TWELVE (12) MONTHS IF THE STUDENT PHYSICALLY ASSAULTS, BATTERS, OR ABUSES SCHOOL PERSONNEL WITHOUT JUST CAUSE OR PROVOCATION ON SCHOOL PROPERTY OR AT A SCHOOL FUNCTION.
FINANCIAL IMPLICATIONS: POTENTIAL LOSS OF ADA FUNDING

STUDENTS

09.435

Expulsion

KENTUCKY BOARD OF EDUCATION (KBE) MAY EXPEL

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

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

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

1. Through clear and convincing evidence to have made threats that pose a danger to the well-being of students, faculty, or staff of the **KSB/KSD**;
2. To have brought a weapon ~~onto~~to a school under its jurisdiction or a bus stop per **KSB/KSD** Policy 05.48; ~~or-~~
3. Is in grade six (6) to twelve (12) and is determined by the **KSB/KSD** to have recklessly, with a deadly weapon or dangerous instrument, or intentionally caused or attempted to cause physical injury to a **KSB/KSD** employee on school property or at a school function under the **KSB/KSD**'s jurisdiction. In considering the actions of a student **KSB/KSD** shall use the definitions of "dangerous instrument," "deadly weapon," and "physical injury" in KRS 500.080 and "intentionally" and "recklessly" in KRS 501.020.

KSB/KSD personnel does not include a student who is employed by the **KSB/KSD** or enrolled in any **KSB/KSD** apprenticeship program.

The **KSB/KSD** may expel a student for longer than twelve (12) months.

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

The **Kentucky Department of Education (KDE)** shall present to the **KBE** for its approval options for providing or ensuring that educational services are provided to expelled students. Educational services provided shall not include transportation from the student's residence to, or returning from, an appropriate alternative program setting.

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

Expulsion

KENTUCKY BOARD OF EDUCATION (KBE) MAY EXPEL (CONTINUED)

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

Procedures mandated by state and federal law for students with disabilities shall be followed.

HEARING AND RECORDS REQUIRED

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

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

Any action under this section as it relates to students with disabilities shall be in compliance with applicable state and federal law.

KBE DECISION FINAL

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

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

RETURN TO SCHOOL

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

STUDENTS WITH DISABILITIES

Procedures mandated by federal and state law for students with disabilities shall be followed.^{1&3}

Expulsion**TRANSFER OF RECORDS**

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

REFERENCES:

¹KRS 158.150

²KRS 158.155

³20 U.S.C. § 1400 et seq. Individuals with Disabilities Education Act (IDEA); 707 Chapter 1; Section 504 of the Rehabilitation Act of 1973, as amended

KRS 158.110, KRS 159.010

[KRS 527.070](#)

Honig v. Doe, 108 S.Ct. 592(1988); OAG 78-673

RELATED POLICIES:

05.48; 06.22; 06.34

09.12; 09.226; 09.2261; [09.3](#); 09.423; 09.425; 09.426; 09.43; 09.431; 09.43