



AGENDA

EASTERN KENTUCKY UNIVERSITY
BOARD OF REGENTS

QUARTERLY MEETING

Wednesday, August 16, 2023



AGENDA

**Eastern Kentucky University
Board of Regents**

Quarterly Meeting

August 16, 2023

**Eastern Kentucky University
Board of Regents**

**Quarterly Meeting
Agenda**

**August 16, 2023
9:00 A.M.**

**Powell 219
Eastern Kentucky University**

SCHEDULE

9:00 a.m. Convene Board Meeting, Powell 219

12:00 p.m. Lunch, Case Dining, Regents Room

12:45 p.m. Convene Board Meeting, Powell 219

Eastern Kentucky University
Board of Regents

Quarterly Meeting
Agenda

August 16, 2023
9:00 a.m.

Powell 219
Eastern Kentucky University

- I. Call to Order
- II. Swearing In
 - A. Newly appointed Regent, Mr. Vasu Vasudevan (**Dana Fohl, J.D.**)
- III. Information Items
 - A. University Reports
 - 1. Development Update (**Mary Beth Neiser**, Vice President for University Development and Alumni Engagement)
 - 2. Construction Update (**Dr. Bryan Makinen**, AVP)
 - 3. Academic Affairs Update (**Dr. Sara Zeigler**, Provost & Senior Vice President)
 - 4. Financial Update (**Barry Poynter**, Senior Vice President)
 - 5. Student Success & Student Life Update (**Dr. Tanlee Wasson**, Senior Vice President; **Dr. Dannie Moore**, Vice President)
 - 6. Athletics Update (**Matt Roan, J.D.**, Vice President, and Director of Athletics)
 - 7. Committee Reports (**Mike Eaves, J.D.**, Chair)
 - B. Additional Reports to the Board
 - 1. Written Reports
 - i. Faculty Senate Update (**Dr. Lisa Kay**, Chair) 3
 - ii. Staff Council Update (**Dr. Caelin Scott**, Chair) 4
 - iii. Student Government Association Update (**Camden Ritchie**, SGA President) 5
 - iv. Policies and Regulations Report (**Dana Fohl, J.D.**, University Counsel) 7
 - 2. Dr. David T. McFaddin, President
 - 3. Mike Eaves, J.D., Chair of the Board
- IV. Action Items
 - A. Consent Agenda
 - i. Approval of the Minutes for the Full Board Meeting on May 24, 2023, and the Special Meeting on June 23, 2023..... 11
 - ii. Approval of the Personnel Actions 21
 - iii. Approval of Policy Updates for Model Lab School 28
 - iv. Approval of Degree Candidates for Fall 2023 121
 - B. Recommendations for Promotion and Tenure (**Dr. Sara Zeigler**) 123
 - C. Approval of the Regional University Endowed Trust Fund Matches (**Dr. David T. McFaddin**) 126
 - D. Approval to Raze Brassfield Road Farmhouse (**Barry Poynter**) 172
 - E. Approval of ECU appointee to the Madison County Airport Board (**Dr. David T. McFaddin**)... 174
- V. New Business
- VI. Executive Session
- VII. Adjournment



Faculty Senate

*Report of the Faculty Senate Chair
to the Board of Regents
August 16, 2023*

The Faculty Senate has not met since the last Board of Regents meeting. However, Vice Chair Jim Blair and I are excited about the plans we are making for this year. Here are a couple of highlights:

- The Faculty Senate is co-sponsoring an event with the Faculty Center for Teaching and Learning (FCT&L) in September: “Let’s Collaborate: Transdisciplinary Opportunities at EKU for Your Program and Students.” We are partnering with EKU Honors, EKU Graduate Profile, and the Office of Advising and Career Services.
- Vice Chair Blair is going to discuss the work of last year’s Welfare Committee at a forum sponsored by the AAUP in October.

We will also distribute committee charges near the beginning of the fall semester.

Regent Marion, Vice Chair Blair, and I have continued to have “Problem Solvers” meetings over the summer with the Provost, who has been very generous with her time. The following are some recent topics of discussion:

- Recruitment of and admissions procedures for international students
- Timing of faculty-related events, feedback gathering
- Efficiency
- Support for programs
- Registry of task forces and committees
- Issues raised by Faculty Welfare Committee

One example of a result of these conversations is that the names of drafting team members for policies and regulations are now listed on the website, providing greater transparency.

Thank you so much for your time.

Sincerely,

Lisa W. Kay
Chair, Faculty Senate



STAFF COUNCIL

Staff Council Report for the Board of Regents 8.16.23

Chairman Eaves, members of the Board, and President McFaddin, I provide you with this written report on behalf of Staff Council.

Since the last provided report to the Board of Regents, Staff Council held officer elections for all executive seats. I am pleased to report the following; I was re-elected as Chair, Ryan Fisher as Vice Chair, Jasmine Nettles as Secretary, Grant Stepp as Treasurer, and Mary Miller as Communication Chair. Zac Lewis retained his seat as Elections and Credentials Chair, Trevor George as our Policy Chair, and Misty Bailey is our Programming & Events Chair.

Over the summer, Staff Council continued to collect responses to our annual survey that help us see how we are doing as a council and to see what initiatives work best to benefit our employees. I am happy to share that we had 181 responses to this year's survey. While that is a lower response rate than last year, we still had 181 employees take the time to share their experiences and provide recommendations to help guide programming for our fiscal year. We are in the preliminary stages of reviewing those data and compiling a report to share with the full council in September.

To continue with showing appreciation for our hard-working employees, Staff Council hosted an "Anything is Popsicle with Colonels like you!" where we delivered popsicles to our employees on campus. At random, we picked one of the hottest days of the year thus far, so I am confident the cool treat was appreciated.

The feedback we have received about our Staff Council Trivia Nights has been overwhelmingly positive, so we continued with that event at the Paddy Wagon in June. We had over forty employees join us for an evening of food, fun, and trivia. The plan is to continue these events to engage our employees, but also show gratitude toward our local community by hosting trivia at local establishments.

After talking with Faculty Senate Chair, Dr. Lisa Kay, and Vice Chair, Dr. James Blair, we are going to resume our campus leader's meetings. These meetings will be held quarterly, or as needed, to discuss opportunities and challenges presented to employees, share resources with one another, and just as general information sharing so we can be more united on matters. The group consists of Staff Council Chair and Vice Chair, Faculty Senate Chair and Vice Chair, Chair of Chairs, and the Faculty and Staff Regents.

Our summer has been busy with hosting events and planning for the upcoming academic year. I would be remiss if I did not share how grateful Staff Council is for the continued support given to us from the President's office, all areas on campus, and from the Board. Thank you for allowing me to provide you with this update.

Respectfully submitted,
8.3.23
Dr. Caelin Scott

August 2023 Board Report: Student Regent Ritchie

I am so honored to be a member of this board. I have been on campus this summer making big plans for SGA and hearing what the students have to say. I would like to tell you our plans for this coming year, tell you what is happening within each branch, and let you know what I have heard from my fellow students while living on campus over the summer.

My executive team for SGA has a lot of ambitious goals for this year. One of our goals is to stay true to our campaign promises of empowering students, diversity and inclusion, and mental health. My team is also trying to recruit students into SGA to have a full membership roster for SGA for the first time. As of the time of writing this, we have an estimated 21 members in our legislative branch, needing 14 students to fill the vacancies, 7 members in our judicial branch, needing 2 students to fill the vacancies, and 20 members on our campus activities board, needing 30 students to fill the vacancies. To reach this goal we have been tabling at all the orientations and will table at the Big E Welcome. After the orientations and before the Big E Welcome we currently have had 47 students fill out an interest form for SGA. My executive team's last goal for the year is to mend relationships with certain departments on campus and create relationships with new departments, while also maintaining positive relationships with many departments on campus.

Our legislative branch, which consists of our student senate, also has big plans for the year. The student senate now has a Speaker of the Senate for the first time. This change frees up the Executive Vice President, Clayton Latham so that he can carry more initiatives brought up by the student senate. Another big change to our student senate is the introduction of college senators. These senators will meet with the Dean of their assigned college to understand the needs of each college better.

Last year, our judicial branch grew tremendously. This year, we want to continue this growth. As you already know, last year's administration made the decision to completely rewrite the SGA constitution and bylaws. This decision has helped SGA in numerous ways but has also made things tricky as there is a completely new set of rules and regulations that we must follow. For this reason, our Chief Justice, Christopher Heavren, has a very important role. Christopher plans to interpret the new constitution and bylaws for SGA so that we adhere to the rules and regulations and make sure that we are operating to the best of our ability.

Taryn Ritchie, our new Vice President of Campus Activities also has many goals for the semester. These plans include making events accessible to people with disabilities and partnering with different departments on campus to host fun events for the students. Our Campus Activities Board also plans on continuing traditions which set ECU apart from other schools. These traditions include Midnight Breakfast, fun and exciting concerts, and the Colonel Corn Roast.

While living on campus, I have heard many great things about ECU. Many students are excited about the new pedestrian walkway across the Eastern Bypass. Students are also excited about the Colonel Grill accepting meal swipes, and the switch from Eiffel Pizza to our own brand of pizza at Case, which now has later operating hours. Students have also showed a lot of excitement for upcoming events hosted by Student Life.

Unfortunately, not everything that I have heard over the summer has been great. The most complaints that I have received are about Housing and Residence Life. The main issues that I would like to address however are slow response times and a lack of communication. I plan on meeting with Housing and Residence Life soon to discuss these concerns and hopefully come up with a solution. With that being said, I would also like to commend housing for something that they did in the beginning of summer. When housing painted Grand Campus, many students were upset that they did not know when the painters were coming to paint and that they felt uncomfortable with it. I reached out to Housing and Residence Life and told them about these concerns and very quickly they created a schedule so that students knew when the painters were coming, and they could even be in the room while they painted.

I am very excited about what SGA has in store for this year and look forward to working with you all on the Board of Regents. I believe that we could accomplish great things this year as a university, and I really look forward to being a part of that with you all. If you have any questions about anything I have said, I would be happy to take them at this time.

EKU POLICIES & REGULATIONS REPORT

The following regulations were approved at the executive level in the Spring 2023 and Summer 2023 Semesters, after proceeding through the University vetting process. Other regulations are in development, and their progress is noted in this report as well. Pursuant to University Policy 1.1.1, the Board of Regents retains full Policy making authority, and delegates to the President the authority to approve internally developed Regulations. Over the past two semesters, the President approved multiple Academic, Administrative, and Human Resources Regulations, all of which were vetted by University stakeholders. These designated stakeholders included University Counsel, the Provost and the Provost Council, the President's Cabinet, and the Executive Director of Human Resources. Regulations are posted University-wide for comment and distributed to Faculty Senate and Staff Council as information items.

For efficiency purposes on an as-needed basis, the University Policy Designee may make non-substantive or editorial changes to University Policies and Regulations. Additionally, the Policy Designee, with University Counsel's approval, may revise an existing policy or regulation, when necessary, to ensure compliance with the law or any accrediting body. No editorial revisions were made in the Spring 2023 or Summer 2023 Semesters. One legal update was made to the Employee Leave policy to align with Kentucky law regarding military leave for state employees.

Copies of these regulations are available upon request.

EMPLOYEE TUITION WAIVER PROGRAM

Effective: May 8, 2023

In a continued review of fiscal responsibility and in promotion of rich employee benefits, the Employee Tuition Waiver Program Regulation was revised to clarify that should an Eligible Employee separate from the University within one or two years of receiving tuition waiver, the Eligible Employee must only repay the tuition waived on their behalf. This modification emphasizes that should the Eligible Employee separate from the University within that timeframe, they will not have to repay tuition waived for the Eligible Employee's Spouse, Sponsored Dependent, or Dependent Child.

FOUNDATION PROFESSORSHIPS

Effective: June 20, 2023

This Academic Regulation was recently revised to ensure it accurately reflected the current duties and priorities for selection of faculty, and expectations for faculty throughout the Foundation Professorship designation process, which have evolved since the Regulation first took effect. Among other revisions made for clarity, to emphasize the extraordinary endeavors

undertaken by Eastern Kentucky University's (EKU) Foundation Professors, language was also added focusing on the "exemplary" nature of the work and accomplishments of those faculty nominated and selected for Foundation Professorships.

EMPLOYEE LEAVE

Effective: August 2, 2023

Human Resources Regulation 8.2.2, Employee Leave, was recently revised to provide qualifying University employees with paid military leave for up to fifteen (15) working days per federal fiscal year (October 1 through September 30), to align with KRS 61.394. This paid leave is available to eligible employees who are members of the National Guard, any reserve component of the Armed Forces of the United States, or the reserve corps of the United State Public Health Service who are called for active service or volunteer training. The process for requesting and receiving paid military leave shall continue to be maintained by the Office of Human Resources.

IN PROGRESS

WEB GOVERNANCE

Stage in Development: 10-Day Comment Period

In response to internal changes following the migration of University web sites from Drupal CMS to WordPress CMS, this Administrative Regulation is being revised to more accurately reflect Communications and Brand Management processes. This revision is might to rectify factual inaccuracies due to web development since the last revision, and the new language will highlight how these changes have impacted internal management and accountability for the University's web content.

SUBSTANTIVE CHANGE

Stage in Development: 10-Day Comment Period

Administrative Regulation 1.6.3, Substantive Changes, was recently revised to reflect the breadth of changes to programming, as well as institution-wide changes, which the regulation is meant to encompass. Previously listed as an Academic Regulation (4.3.3, Substantive Change to Academic Programming), this regulation was reclassified as an Administrative one in recognition that these potential substantive changes often apply university-wide and can occur at an institutional level, rather than just at the academic program level. The Regulation more accurately lists what constitutes a substantive change and simplifies the notification and approval process one must adhere to in order for the University to maintain its good standing with the

Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) as well as other accreditors.

SPACE MANAGEMENT

Stage in Development: Drafting

Administrative Regulation 7.1.2, Space Governance, was drafted in alignment with the University's Strategic Goal #5, Campus Revitalization. With the goal of ensuring that our students, faculty, and staff have the best opportunities for growth and achievement, Strategy 5.1.1 focuses on creating a comprehensive space analysis so our space resources can be used most effectively and purposefully. As space is a valuable but fluid resource, this undertaking involves continuously researching and evaluating our University space needs, which may vary between department and unit, and creates a process for assigning permanent space allocation. Collecting and storing data about our University's space management practices has both a practical effect of knowing where departments and units are housed, as well as an important safety component, allowing the University to effectively communicate with different units on campus should an emergency situation occur.

FACULTY GRIEVANCES

Stage in Development: Drafting

A revision of the Faculty Grievances regulation has begun in order to establish the parameters of the Faculty Grievance process itself, as well as to more clearly define what constitutes a grievance, so that the process works more efficiently and effectively for those parties involved.

CONSULTING AND OUTSIDE ACTIVITIES

Stage in Development: Drafting

In recognition of the potential for University employees to engage in consulting or related outside activities, and the benefit this creates for both employees and the University, the Consulting and Outside Activities regulation is being updated to incorporate approval protocols which will apply to both faculty and staff.

CONTRACT AUTHORITY

Stage in Development: Drafting

To fulfill the University's teaching, research, and service functions, it may be necessary to enter into legally binding agreements with other entities and external parties, including individuals and governmental entities. The purposes of this regulation are to ensure that University contracts are reviewed and executed following the appropriate University procedures, and that business units

have the tools, resources, and as appropriate signatory authority needed to assess risk, and enter into contracts that best serve the University.

STUDENT ORGANIZATIONS/REGISTERED STUDENT ORGANIZATION BANKING

Stage in Development: Drafting Team Formation

For purposes of consistency, and to reflect changing practices in how Registered and Voluntarily Affiliated Student Organizations operate on campus, the Student Organizations and Registered Student Organization Banking regulations shall be revised in conjunction with one another.

CAMPAIGNING ACTIVITY OF EMPLOYEES

Stage in Development: Drafting Team Formation

A drafting team will be gathered to expand upon the Campaigning Activity of Employees regulation, to encompass broader political activities of University employees as well.

**Minutes of a Regularly Scheduled Meeting
Eastern Kentucky University
Board of Regents**

**May 24, 2023
9:00 a.m.**

**EKU Center for the Arts
Main Stage
Eastern Kentucky University**

I. Call to Order

A regularly scheduled meeting of the Eastern Kentucky University Board of Regents convened on May 24, 2023, at 9:04 a.m. at the Center for the Arts, Eastern Kentucky University, Richmond, Kentucky. Chair Eaves called the meeting to order. The roll was called, and a quorum was established.

Present

Mr. Mike Eaves
Ms. Laura Babbage
Mr. Juan Castro
Mr. Jeremiah Duerson
Dr. Jason Marion
Ms. Paige Murphy
Mr. Edwin Orange
Ms. Lynn Taylor Tye
Mr. Ashley Ward

Absent

Mr. Alan Long

II. Information Items

A. University Reports

1. Mr. Brad Compton, AVP, Audit Plan by Crowe Horwath, LLP

Mr. Brad Compton, AVP introduced to the board Mr. Pete Ugo, Partner at Crowe, LLP, who gave a brief presentation regarding the upcoming year-end audit, which detailed, amongst

other things, audit practices and actions to promote a smooth audit process, new accounting processes, and auditing pronouncements for the fiscal year ending June 30, 2023, a copy of which is incorporated herein and will be included with the official copy of the minutes.

2. Mr. Barry Poynter, Financial Update

Mr. Barry Poynter, Senior Vice President for Finance and Administration, presented a financial update detailing the University's current financial position as of April 2023, a copy of which is incorporated herein and will be included with the official copy of the minutes.

3. Dr. Tanlee Wasson and Dr. Dannie Moore, Student Success & Student Life Update

Dr. Tanlee Wasson, Senior Vice President for Student Success, Engagement & Opportunity, offered a quick update on another way the University serves the region through Workforce Development Center, Community Engagement, and OSHA training center, she then went on to share that enrollment, retention, incoming freshman, and transfers, are all trending up.

Dr. Dannie Moore, Vice President of Student Affairs, gave an update on housing, and a presentation sharing a recap of student events and activities that took place during the spring semester, along with new updates for fall 2023. The presentation is incorporated herein and will be included with the official copy of the minutes.

4. Dr. Bryan Makinen, Construction Update

Dr. Bryan Makinen, Associate Vice President for Facilities & Public Safety, gave a project overview on behalf of Facilities Management and the Capital Construction team regarding recently completed as well as ongoing projects taking place across campus. The presentation is incorporated herein and will be included with the official copy of the minutes.

5. Committee Reports, Mike Eaves, J.D., Chair

Chair Eaves indicated there were no committee reports.

B. Additional Reports to the Board

1. Written Reports

i. Dr. Lisa Kay, Faculty Senate Chair

Dr. Kay submitted a written report to the board, which was included in the agenda.

ii. Dr. Caelin Scott, Chair of Staff Council

Dr. Scott submitted a written report to the board, which was included in the agenda.

iii. Ms. Paige Murphy, Outgoing Student Government Association President

Ms. Murphy submitted a written report to the board, which was included in the agenda.

[The Chair adjourned for recess at 10:15 a.m. The meeting reconvened at 10:33 a.m.]

2. Dr. David T. McFaddin, President

President David McFaddin presented the 2022-23 Annual Report, “Experience Excellence” to the board, a copy of which is incorporated herein and will be included with the official copy of the minutes.

He explained that this year’s Annual Report was more simplified, streamlined, and aligned with the university’s strategic plan focusing on eight core areas.

1. Embrace Student Success as our Purpose
2. Encourage Focused Academic Investment
3. Emphasize Being an Employer of Choice
4. Ensure Financial Strength
5. Enhance The Campus Beautiful
6. Elevate the University Brand
7. Energize Collaboration Across the Service Region
8. Enrich Strategic Partnerships

3. Mr. Mike Eaves, Chair of the Board Report

Chair Eaves began his report by expressing his appreciation to Amy Scarborough, Chief Government, Community, and Corporate Relations Officer, for the excellent work she is doing on behalf of the university with our local elected officials.

He explained that when he first came on the board, he met with President McFaddin who asked him what he would like to see accomplished during his time on the board, and his only response was that he would like to see the university develop a much better relationship with the community. He indicated that the President took that to heart and that Amy is a large part of those efforts. He believes that Richmond can be so much more than it is if it will embrace what Eastern has to offer, and believes the converse is also true that Eastern can be so much more than it is if it

will simply engage, and embrace is the community. He indicated that he had made the comment to someone years ago that Richmond needs to decide if it is a town with a college in it, or if it is a college town, and that those two things are drastically different. He believes that the university can make that transition and that Amy is a part of that. She has performed several economic impact analyses, the results of which have been shared with city and county officials and he considered those results eye-opening.

Chair Eaves expressed that he is going to spend his energy for the balance of the year, trying to make headway in that area to help Richmond move along as well as some projects the university can collaborate on with the city. He stated that there are many things that Richmond wants to do that fit within what the university does, which is again something the President has taken to heart, and he is very involved in that effort.

He went on to explain that he sees his function as Chairman as making information available to the board. He feels that is both the board's obligation as well as their right. He took a moment to thank Staff Regent, Jeremiah Duerson, and Faculty Regent, Jason Marion, who have both been very helpful and patient in meeting with him and explaining operations on campus, primarily topics related to staff and faculty. He encouraged the board to share with him any topics that they would like to know more about or things they see coming down the road that they feel the board needs to be involved in, or looking into, as it is his desire to allow the board to dictate the agenda.

Before closing, he took a moment to express his thanks to Barry Poynter and Regent Tye for taking the time to go over the budget with him, which he expressed had been very helpful.

III. Action Items

A. Approval of Consent Agenda

Chair Eaves presented to the board the following items on the Consent Agenda for approval. Regent Marion asked that item iv. Recommendations for Promotion and Tenure for 2023-24 be voted on separately, as he must abstain from voting on that item. Chair Eaves then asked the full board to vote on Consent Agenda items i, ii, iii, v, and vi. A motion was made by Regent Babbage to approve those items of the consent agenda. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

- i. Approval of the Minutes for the Full Board Meeting on February 15, 2023
- ii. Approval of the Personnel Actions
- iii. Approval of Degree Candidates for Summer 2023
- iv. Recommendations for Promotion and Tenure for 2023-24 (approved separately)

- v. Recommendations for Model Promotion and Tenure for 2023-24
- vi. Recommendations for Faculty Emeritus for 2022-23

Chair Eaves then asked for a motion to approve Consent Agenda item iv., the Recommendations for Promotion and Tenure for 2023-24. A motion was made by Regent Babbage to approve those items of the consent agenda. The motion was seconded by Regent Castro. The motion passed by voice vote with Regent Marion abstaining.

B. Report from the Council on Academic Affairs

In the absence of Provost Zeigler, President McFaddin presented to the board the Report from the Council on Academic Affairs which included several new programs, and a modality change for four programs moving them to an online delivery, a copy of which is incorporated herein and will be included with the official copy of the minutes.

A motion was made by Regent Orange to approve the changes. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

C. Proposed Tuition & Fees, Residence Hall, and Dining Rates for 2023-24

A motion was made by Regent Tye to approve the Tuition & Fees for 2023-24. The motion was seconded by Regent Orange. The motion passed unanimously by voice vote.

A motion was made by Regent Ward to approve the Residence Hall rates for 2023-24. The motion was seconded by Regent Babbage. The motion passed unanimously by voice vote.

A motion was made by Regent Babbage to approve the Dining Rates for 2023-24. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

D. Approval of Annual Operating Budget

President McFaddin addressed the board prior to their vote to present a budget overview for FY2023-24, a copy of which is incorporated herein and will be included with the official copy of the minutes. He stated that his team has worked hard to resource what is valued and as a result, the budget presented has the institution, for the first time in over three years standing squarely on its own two feet, fully supporting the operations of the institution.

A motion was made by Regent Babbage to approve the 2023-24 annual operating budget. The motion was seconded by Regent Marion. The motion passed unanimously by a roll-call vote.

E. Approval to Surplus Property at 100 and 103 Cardinal Lane

Barry Poynter addressed the board seeking approval to surplus the properties at 100 and 103 Cardinal Lane, a copy of which is incorporated herein and will be included with the official copy of the minutes.

A motion was made by Regent Castro to accept the recommendation to surplus the properties. The motion was seconded by Regent Marion. The motion passed unanimously by roll-call vote.

F. Approval of Resolutions of Recommendation

1. Resolution Recognizing Paige Murphy

A motion was made by Regent Tye to approve a resolution regarding Paige Murphy, a copy of which is incorporated herein and will be included with the official copy of the minutes. The motion was seconded by Regent Babbage. The motion passed unanimously by voice vote.

2. Resolution Recognizing Betina Gardner

A motion was made by Regent Babbage to approve a resolution regarding Betina Gardner, a copy of which is incorporated herein and will be included with the official copy of the minutes. The motion was seconded by Regent Tye. The motion passed unanimously by voice vote.

IV. New Business

New Business was addressed following Executive Session.

V. Swearing In

Mr. Camden Ritchie was elected by his peers to serve a 1-year term on the Eastern Kentucky University Board of Regents as Student Regent beginning July 1, 2023. Mr. Ritchie was formally administered the oath of office by University Counsel, Dana Fohl.

[The Chair adjourned for lunch at 12:00 p.m. The meeting reconvened at 12:53 p.m.]

VI. Executive Session

Chair Eaves indicated that the board required a closed session to discuss the potential acquisition or sale of property pursuant to KRS 61.810(1)(b) and to discuss pending litigation against or on behalf of the university pursuant to KRS 61.810(1)(c). The Chair entertained a motion pursuant to KRS 61.815 to adjourn to closed session. A motion was made by Regent Castro. The motion was seconded by Regent Duerson. The motion passed unanimously by voice vote.

[The Chair adjourned for Executive Session at 12:54 p.m. The meeting reconvened at 2:08 p.m.]

Chair Eaves called for a motion to return to order following closed session with no action being taken. A motion was made by Regent Duerson. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

President McFaddin then addressed the board regarding the partnership the university has had with the Department of Criminal Justice Training Center (DOCJT), which has been on campus for the better part of the last thirty years. He explained that they are a nationally renowned program and that any certified Peace Officer Professional (POP) from the Department of Criminal Justice Training Center here at Eastern Kentucky University is recognized in all 50 states, therefore allowing them to work in any of those 50 states. He went on to say that the university continues to have a great working relationship with Commissioner Jilek and his team and that the DOCJT was fortunate enough in this last legislative session to receive the necessary capital funding to build a new indoor firing range for those they train here on campus.

As a result, President McFaddin brought before the board a proposition to do a land lease of 7.3683 acres that would expand the overall footprint of the DOCJT here on the university's campus for the purpose of constructing the indoor firing range. He asked that the board would approve the land lease contingent upon an updated MOU drafted and executed between the two parties to lay out the terms for the use of that space and how it might affect the other operations of the university going forward. He indicated that University Counsel has provided a description of that lease to the board.

Regent Ward made a motion to approve the land lease contingent upon and subject to the provision of an updated MOU clearly defining the use and maintenance of the land and any restrictions put in place. The motion was seconded by Regent Babbage. The motion passed unanimously by voice vote.

VII. Adjournment

There being no further business, Chair Eaves called for a motion to adjourn. A motion was made by Regent Castro. The motion was seconded by Regent Tye. The motion passed unanimously by voice vote. The meeting adjourned the meeting at 2:11 pm.

Jeremiah Duerson, Board Secretary

Date

**Minutes of a Special Called Meeting
Eastern Kentucky University
Board of Regents**

June 23, 2023

10:00 a.m.

Via Video Teleconference

Public Viewing Link: <https://epresence.eku.edu/bor-meeting>

I. Call to Order

A special called meeting of the Eastern Kentucky University Board of Regents convened on June 23, 2023, at 10:01 a.m. via Video Teleconference.

Present

Mr. Mike Eaves
Ms. Laura Babbage
Mr. Juan Castro
Mr. Alan Long
Dr. Jason Marion
Mr. Edwin Orange
Ms. Lynn Taylor Tye
Mr. Ashley Ward

Absent

Mr. Jeremiah Duerson
Ms. Paige Murphy

II. Executive Session

Chair Eaves indicated that one of the purposes of the meeting was to discuss pending litigation both by and against the university pursuant to KRS 61.810(1)(c). The Chair entertained a motion pursuant to KRS 61.815 to adjourn to closed session. A motion was made by Regent Tye. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

[The Chair adjourned for Executive Session at 10:02 a.m. The meeting reconvened at 10:35 a.m.]

Chair Eaves entertained a motion to return to order following closed session with no action being taken. A motion was made by Regent Orange. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

III. Action Items

A. Discussion and/or Action on *Ohio Valley Conference v. Eastern Kentucky University*

Chair Eaves gave the floor to President McFaddin for comments regarding pending litigation.

The President explained that in early 2021 ECU made the strategic decision to elevate the profile of the institution and position ECU in a competitive and growing area of the United States by placing it in a situation where the university could recruit student-athletes in that growing area. That focus led ECU to leave the Ohio Valley Conference and join the ASUN Conference, a competitive, athletic conference with a large footprint in that large growing area of the country.

Upon ECU's exit from the OVC, a conference that ECU founded nearly 75 years prior, the OVC demanded ECU pay an exit penalty of one million dollars to leave the conference that the institution established.

He indicated that as a public agency with a fiduciary responsibility to ensure proper spending of public funds, his administration and the board stood by their decision not to pay an exit penalty, believing at that time that it was not legally binding. As a result, ECU did not pay the money to the OVC immediately upon demand. That decision resulted in the OVC suing ECU in August of 2021, and ECU filing a countersuit in its claims and a portion of the value of the conference that the university created, and a nearly two-year legal process ensued.

As the case continued, in April of this year, 48th Judicial Circuit Judge Shepherd, ordered ECU and the OVC to confer about amicably resolving the dispute, and as a result of those discussions, the President presented the board with a settlement agreement that allows both ECU and the OVC to move forward to brighter days.

President McFaddin continued explaining that the board has had meaningful opportunities to hear about the litigation in multiple phases and to review the agreement brought before them. Upon the recommendation of Counsel, the order of the court, and with the full support of his administration, he respectfully requested that the board approve the settlement agreement for a total sum of \$750,000 to be funded through existing athletics revenues.

Referencing the document the board reviewed and had before them, Chair Eaves called for a motion concerning the settlement agreement. A motion was made by Regent Long to accept the President's recommendation and enter into the settlement agreement. The motion was seconded by Regent Tye. The motion passed unanimously by a roll-call vote.

Chair Eaves referred to University Counsel, Dana Fohl regarding whether an effort would be made to finalize this agreement that day, and she expressed that with the board's approval, Counsel will work to effectuate the signatures on the agreement both at ECU, and leadership at the OVC. Upon doing that, they will work with Barry Poynter and his finance team to effectuate the same-day wire.

B. Discussion and/or Action on Approval of ECU Manchester Campus Endowed Fund

Chair Eaves gave the floor to President McFaddin who expressed that the university was very fortunate in the last legislative session to have earmarked funds put in the budget that would come to Eastern Kentucky University to support the work that goes on at the Clay County Manchester Campus with these particular funds providing scholarship and funding opportunities there on that campus. Part of that legislation requires an annual certification and acknowledgment from the board to allow the university to accept those funds. He sought the board's approval for the institution to accept those funds and administer them accordingly.

A motion was made by Regent Babbage. The motion was seconded by Regent Orange. The motion passed unanimously by voice vote.

V. Adjournment

There being no further business, Chair Eaves asked for a motion to adjourn the meeting. A motion was made by Regent Tye. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote. Chair Eaves adjourned the meeting at 10:42 a.m.

Jeremiah Duerson, Board Secretary

Date

**Eastern Kentucky University
Personnel Statistics (Full-Time)
July 31, 2023 & 2022**

Job Category	Institutional			Sponsored Contract/Grant		
	Total Employees		Employee +/-	Total Employees		Employee +/-
	2023	2022		2023	2022	
Full-Time Faculty	502	511	(9)	1	2	(1)
Administrators/Deans	50	46	4	1	2	(1)
Full-Time Exempt	603	543	60	115	111	4
Full-Time Non-Exempt	310	330	(20)	18	29	(11)
Total:	1,465	1,430	35	135	144	(9)
Job Category	Total Salary		Budget +/-	Total Salary		Budget +/-
	2023	2022		2023	2022	
Full-Time Faculty	\$ 35,032,315	\$ 34,836,053	\$ 196,262	\$ 43,500	\$ 79,465	\$ (35,965)
Administrators/Deans	\$ 7,007,973	\$ 6,345,478	\$ 662,495	\$ 107,850	\$ 163,552	\$ (55,702)
Full-Time Exempt	\$ 34,672,390	\$ 31,029,218	\$ 3,643,172	\$ 6,024,582	\$ 5,558,188	\$ 466,394
Full-Time Non-Exempt	\$ 12,161,064	\$ 12,189,053	\$ (27,989)	\$ 700,830	\$ 1,093,151	\$ (392,321)
Total:	\$ 88,873,742	\$ 84,399,802	\$ 4,473,940	\$ 6,876,762	\$ 6,894,356	\$ (17,594)

Eastern Kentucky University
Personnel Statistics (Part-Time)
July 31, 2023 & 2022

Job Category	Institutional			Sponsored Contract/Grant		
	Total Employees		Employee +/-	Total Employees		Employee +/-
	2023	2022		2023	2022	
Part-Time Faculty	52	56	(4)	1	-	1
Graduate Assistants	-	1	(1)	-	-	-
Part-Time Exempt	114	71	43	15	20	(5)
Part-Time Non-Exempt	211	171	40	39	25	14
Total:	377	299	78	55	45	10
Job Category	Total Salary		Budget +/-	Total Salary		Budget +/-
	2023	2022		2023	2022	
Part-Time Faculty	\$ 184,457	\$ 213,910	\$ (29,453)	\$ 3,460	\$ -	\$ 3,460
Graduate Assistants	\$ -	\$ 5,600	\$ (5,600)	\$ -	\$ -	\$ -
Part-Time Exempt	\$ 647,427	\$ 547,379	\$ 100,048	\$ 56,810	\$ 51,717	\$ 5,093
Part-Time Non-Exempt	\$ 910,025	\$ 951,922	\$ (41,897)	\$ 210,085	\$ 148,856	\$ 61,229
Total:	\$ 1,741,909	\$ 1,718,811	\$ 23,098	\$ 270,355	\$ 200,573	\$ 69,782

New Hires May 1, 2023 - July 31, 2023

<u>Last Name</u>	<u>First Name</u>	<u>New Hire</u>	<u>Position Title</u>	<u>Department</u>	<u>Category</u>	<u>Annual Salary</u>
Catterson	Anna	7/1/2023	Exec Dir, ECU Online	Office of eCampus Learn	Admin/Deans	\$120,000
Neiser	Mary Beth	7/19/2023	VP Dev & Alum Engmnt	Development	Admin/Deans	\$175,000
Smith	Elizabeth	7/1/2023	Dean	Dean-Ed AppHuman Scns	Admin/Deans	\$145,000
Adkins	Katherine	6/1/2023	Athletics Video Coord	Comm & Brand Mngmt	FT Professionals	\$36,469
Ashley	Darrell	5/4/2023	Res Mgmt Crew Coord	Bldg Cap Nat Lands Mgt	FT Professionals	\$35,568
Bauer	Adrienne	7/10/2023	Facilitation Admin	Facilitation Center	FT Professionals	\$56,022
Blackwell	Brooke	5/1/2023	Instructional Designer	Office of eCampus Learn	FT Professionals	\$46,000
Bowen	Bryant	7/3/2023	Asst Baseball Coach	Baseball	FT Professionals	\$40,000
Burton	John	6/19/2023	Asst Dir, Sports Med	Sports Medicine	FT Professionals	\$40,000
Campbell	Amanda	5/8/2023	Grad Admission Coord	Stud Suc, Oper & Innov	FT Professionals	\$37,036
Conrad	Christian	6/19/2023	Asst Football Coach	Football	FT Professionals	\$40,000
Cowper	Dale	7/7/2023	Asst Track Coach	Track-Women	FT Professionals	\$67,500
Cox	Evan	6/26/2023	Asst Women's Golf Coach	Golf-Women	FT Professionals	\$34,000
Cruz	Nichole	7/5/2023	Resdnce Hall Coord	University Housing	FT Professionals	\$35,568
Cummins	Alexandra	5/15/2023	Conf & Events Specialist	Conf & Events Admin	FT Professionals	\$40,000
Davis	Jonathan	7/3/2023	Asst Baseball Coach	Baseball	FT Professionals	\$40,000
Dismukes	MiKaela	6/15/2023	Admissions Counselor	Admissions	FT Professionals	\$40,000
Dixon	Sidney	7/31/2023	Digital Engmt Off	Development	FT Professionals	\$45,848
Dray	Jennifer	7/5/2023	Well & Benefits Analyst	Human Resources	FT Professionals	\$53,000
Gibney	Chad	5/26/2023	Asst Basketball Coach	Basketball-Women	FT Professionals	\$60,000
Goodman	Anne	7/5/2023	Coord, Violence Prevent	VP of Student Affairs	FT Professionals	\$36,000
Gordon	Ashley	5/1/2023	Admissions Counselor	Admissions	FT Professionals	\$40,000
Hash	Joshua	7/1/2023	Residence Hall Coord	University Housing	FT Professionals	\$35,568
Hofmeister	Gabrielle	6/26/2023	Asst Dir, Sports Med	Sports Medicine	FT Professionals	\$44,000
Jeffries	Benjamin	7/24/2023	Learng & Devlmt Fac	UTC Food Stamps Tng	FT Professionals	\$49,000
Judd	Aleigha	7/1/2023	Residence Hall Coord	University Housing	FT Professionals	\$35,568
Kauer	Phillip	5/15/2023	CRM Analyst	Stud Succ, Oper & Innov	FT Professionals	\$47,500
Keeling	Cristin	7/3/2023	Counselor	Counseling Center	FT Professionals	\$60,000
Lahiere	Elise	7/31/2023	Coord, Ctr for STEM Excell	Ctr for STEM Excellence	FT Professionals	\$55,000
Lewis	Taylor	5/1/2023	Mgr, Hosp & Events	Conferencing & Events	FT Professionals	\$45,000
Lopez	Jesus	5/15/2023	Residence Hall Coord	University Housing	FT Professionals	\$35,568
Maggard	Rachel	5/8/2023	Coord, Ctr for STEM Excell	Ctr for STEM Excellence	FT Professionals	\$44,000
Miller	Logan	5/8/2023	Conf & Events Specialist	Conf & Events Admin	FT Professionals	\$40,000
Mosley	Ambrose	7/6/2023	Asst Men's BB Coach	Basketball-Men	FT Professionals	\$60,000
Oliver-Pataki	Leah	6/28/2023	Assoc Dir, Sports Med	Sports Medicine	FT Professionals	\$58,000
Paulick	Mollie	7/7/2023	Asst Softball Coach	Softball	FT Professionals	\$32,500
Pearson	Tana	6/12/2023	Asst Dir, Sports Med	Sports Medicine	FT Professionals	\$45,000
Pelfrey	Christina	7/10/2023	Experientl Learn Coord	Applied Human Sciences	FT Professionals	\$39,566
Reihing	Macy	6/13/2023	Asst VBall Coach	Volleyball	FT Professionals	\$30,750
Riffe	Rachel	7/5/2023	Asst Univ Librarian	Libraries	FT Professionals	\$50,000
Snyder	Shepherd	6/15/2023	News Reporter	WEKU Public Radio	FT Professionals	\$40,000
Stoddard	Amanda	6/5/2023	Asst Online Coordinator	OL-Master of Social Work	FT Professionals	\$42,000
Thomas	Vincent	7/5/2023	Director, OMVA	Veteran Programming	FT Professionals	\$70,000
Winkler	Makenzie	5/30/2023	Web Content Strategist I	Comm & Brand Mgmnt	FT Professionals	\$40,000
Worrell	Abby	7/17/2023	Dir of Football Recruit	Football	FT Professionals	\$36,720
Adams	Medina	5/1/2023	Sys & Processing Official	Stud Suc, Oper & Innov	FT Hourly Staff	\$33,287
Burns	Deanna	6/5/2023	Administrative Coord	Occupational Therapy	FT Hourly Staff	\$32,331
Burton	Lawrence	7/24/2023	Journeyman HVAC-R Tech	Maintenance, HVAC-R	FT Hourly Staff	\$45,968
Bustos	Christian	6/5/2023	Web Content Specialist	Comm & Brand Mgmnt	FT Hourly Staff	\$29,250
DeBord	Elizabeth	6/5/2023	Web Copy Specialist	Comm & Brand Mgmnt	FT Hourly Staff	\$29,250
Glasscock	Gaston	7/3/2023	Dir of Baseball Ops	Baseball	FT Hourly Staff	\$29,991
Hamilton	Alexia	5/9/2023	Administrative Coord	Psychology	FT Hourly Staff	\$31,590
Hibbard	Jonathan	7/1/2023	App Shakes, Costume	Appalachian Shakespeare	FT Hourly Staff	\$38,279
Keiser	Alexandra	5/17/2023	Web Content Specialist	Comm & Brand Mgmnt	FT Hourly Staff	\$29,250
Kwiecinski	Sonia	5/30/2023	Spec, Ed Abroad	Education Abroad	FT Hourly Staff	\$27,515

New Hires May 1, 2023 - July 31, 2023

<u>Last Name</u>	<u>First Name</u>	<u>New Hire</u>	<u>Position Title</u>	<u>Department</u>	<u>Category</u>	<u>Annual Salary</u>
Lee	Bobby	7/6/2023	Water Treatment Tech	Maintenance, HVAC-R	FT Hourly Staff	\$27,040
Martin	Anthony	6/1/2023	Grounds Zone Splst	Grounds/Horticulture	FT Hourly Staff	\$35,110
Pettit	Haley	5/18/2023	Administrative Coord	Hist, Phil & Relig Studies	FT Hourly Staff	\$30,947
Prime	Cody	5/8/2023	Facility Support Tech	Pest Control	FT Hourly Staff	\$31,845
Sovine	Justin	7/10/2023	Web Developer I	Comm & Brand Mgmnt	FT Hourly Staff	\$52,007
Crawford	David	5/22/2023	Online PT Faculty	OL - BBA	PT Faculty	\$3,050
Davis	Nicholas	6/19/2023	PT Faculty	OL-AGS/Supting Courses	PT Faculty	\$3,050
Maddy	Katherine	5/29/2023	PT Faculty	Summer School Term	PT Faculty	\$3,264
Menefee	Charissa	5/22/2023	PT Faculty	Summer School Term	PT Faculty	\$3,264
Turner	Sara	5/22/2023	PT Faculty	OL-Education-MA	PT Faculty	\$3,050
Young	Vernon	5/22/2023	PT Faculty	Summer School Term	PT Faculty	\$3,264
Aguilar	Jose	5/22/2023	Summer Staff	Southern KY Migrant	PT Hourly Staff	\$ -
Banderman	Madelynne	7/19/2023	Involvement Coord	University Housing	PT Hourly Staff	\$ -
Brumley	Mary	7/5/2023	Arlington Office Assoc	Univ Club at Arlington	PT Hourly Staff	\$ -
Bueffel	Casey	5/1/2023	Instructor Pilot III	Class Fees - Aviation	PT Hourly Staff	\$ -
Coyle	Kaitlin	5/22/2023	Summer Staff	Southern KY Migrant	PT Hourly Staff	\$ -
DeGrant	Curtis	6/5/2023	Stud Involvement Coord	Univ Housing-Campus Life	PT Hourly Staff	\$ -
Devers	Claire	7/3/2023	Arlington Lifeguard	Univ Club at Arlington	PT Hourly Staff	\$ -
Duvall	Asa	7/26/2023	MBB Dir, Player Dev.	Basketball-Men	PT Hourly Staff	\$ -
Gambrel	Dirk	6/1/2023	Arlington Lifeguard	Univ Club at Arlington	PT Hourly Staff	\$ -
Hale	Mallory	5/30/2023	Summer Event Coord	Univ Club at Arlington	PT Hourly Staff	\$ -
Hamilton	Christopher	5/15/2023	Forest Svc Rec Intern	Rec & Ntl Rsrc Mgmt	PT Hourly Staff	\$ -
Henderson	Sydney	5/23/2023	Arlington Server	Univ Club at Arlington	PT Hourly Staff	\$ -
Horn	Angela	5/22/2023	Summer Prog Staff	Southern KY Migrant FY23	PT Hourly Staff	\$ -
Hurt	Allison	5/23/2023	Server	UnivClub at Arlington	PT Hourly Staff	\$ -
Jackson	Tanner	5/29/2023	Arlington Lifeguard	Univ Club at Arlington	PT Hourly Staff	\$ -
Jensen	Kenna	5/10/2023	Flight Instructor Pilot II	Class Fees - Aviation	PT Hourly Staff	\$ -
Kessler	Daniel	6/5/2023	Arlington Grounds	Arlington Grounds	PT Hourly Staff	\$ -
Kurz	Vincent	7/3/2023	Arlington Lifeguard	Univ Club at Arlington	PT Hourly Staff	\$ -
Lair	Colin	5/15/2023	Lifeguard	Univ Club at Arlington	PT Hourly Staff	\$ -
Madkour	Cale	5/10/2023	Flight Instructor Pilot II	Class Fees - Aviation	PT Hourly Staff	\$ -
Meikle	David	7/7/2023	MBB Video Coord	Basketball-Men	PT Hourly Staff	\$ -
Miller	Douglas	5/1/2023	Outside Cart Attendant	Univ Club at Arlington	PT Hourly Staff	\$ -
Morris	Sara	5/15/2023	Lifeguard	Univ Club at Arlington	PT Hourly Staff	\$ -
Omohundro	Phoebe	5/24/2023	Lifeguard	Univ Club at Arlington	PT Hourly Staff	\$ -
Perkins	Sara	5/30/2023	Summer Prog Staff	Southern KY Migrant FY23	PT Hourly Staff	\$ -
Petrey	Tate	5/1/2023	Lifeguard	Univ Club at Arlington	PT Hourly Staff	\$ -
Radcliffe	Connor	5/29/2023	Lifeguard	Univ Club at Arlington	PT Hourly Staff	\$ -
Raynard	Linda	5/10/2023	ACUHO-Summer Intern	University Housing	PT Hourly Staff	\$ -
Reeder	Hannah	5/24/2023	Seasonal Grounds	Arlington Grounds	PT Hourly Staff	\$ -
Rudacille	Laney	6/6/2023	Lifeguard	Univ Club at Arlington	PT Hourly Staff	\$ -
Sandoval Lopez	Elluz	5/22/2023	Summer Prog Staff	Southern KY Migrant FY23	PT Hourly Staff	\$ -
Smith	Sean	5/8/2023	Flight Instructor	Class Fees - Aviation	PT Hourly Staff	\$ -
Strange	William	5/14/2023	Flight Instructor	Class Fees - Aviation	PT Hourly Staff	\$ -
Taylor	Dakota	5/1/2023	Tutor Advisor	Upward Bound FY24	PT Hourly Staff	\$ -
Taylor	Alex	5/1/2023	Tutor Advisor	Upward Bound FY24	PT Hourly Staff	\$ -
Thacker	Brandi	5/12/2023	Server	Univ Club at Arlington	PT Hourly Staff	\$ -
Tromble	Sarah	6/11/2023	Flight Instructor Pilot II	Class Fees - Aviation	PT Hourly Staff	\$ -
Truett	Erin	5/23/2023	Arlington PT Staff	Univ Club at Arlington	PT Hourly Staff	\$ -
Tyler	Rebecca	7/24/2023	Constituent Recrds Coord	Dev Ops & Campgn Mgmt	PT Hourly Staff	\$ -
Verhoeven	Brandon	7/25/2023	Info Tech Associate	Information Tech-Admin	PT Hourly Staff	\$ -
Wickert	Daniel	5/22/2023	Recruiter for VUB	Vets Upward Bound Prgm	PT Hourly Staff	\$ -
Acciaro	Dominic	6/3/2023	Counselor	Foster Music Camps	PT Professionals	\$ -
Amburgey	Emily	6/16/2023	Camp Counselor	Foster Music Camps	PT Professionals	\$ -
Baker	Nicholas	6/3/2023	Counselor	Foster Music Camps	PT Professionals	\$ -

New Hires May 1, 2023 - July 31, 2023

<u>Last Name</u>	<u>First Name</u>	<u>New Hire</u>	<u>Position Title</u>	<u>Department</u>	<u>Category</u>	<u>Annual Salary</u>
Bauer	Ryan	7/1/2023	Model Coach	Model Laboratory School	PT Professionals	\$ -
Blackburn	Eve	6/3/2023	Counselor	Foster Music Camps	PT Professionals	\$ -
Bloomhuff	Allen	5/16/2023	AmeriCorps Member	KY READY Corps FY23	PT Professionals	\$ -
Broady	Kristi	6/4/2023	Camp Counselor	Foster Music Camps	PT Professionals	\$ -
Burks	Briley	5/15/2023	AmeriCorps Member	KY READY Corps FY23	PT Professionals	\$ -
Campbell	Isaac	6/16/2023	Camp Counselor	Foster Music Camps	PT Professionals	\$ -
Caudill	Wylie	6/12/2023	App Shakes - Actor	Appalachian Shakespeare	PT Professionals	\$ -
Connolly	Olivia	6/3/2023	Counselor	Foster Music Camps	PT Professionals	\$ -
Crump	Allen	6/16/2023	Camp Counselor	Foster Music Camps	PT Professionals	\$ -
Davis	Makenzie	6/3/2023	Asst Camp Director	Foster Music Camps	PT Professionals	\$ -
Erickson	Scott	6/4/2023	Instructor	Foster Music Camps	PT Professionals	\$ -
Estes	Elijah	6/20/2023	Summer Worker	Model Laboratory School	PT Professionals	\$ -
Evans	Herman	6/4/2023	Instructor	Foster Music Camps	PT Professionals	\$ -
Fera	Matthew	6/3/2023	Instructor	Foster Music Camps	PT Professionals	\$ -
Giveans	Joshua	6/3/2023	Counselor	Foster Music Camps	PT Professionals	\$ -
Gressick	Anna	6/3/2023	Counselor	Foster Music Camps	PT Professionals	\$ -
Griffey	Stephanie	5/1/2023	Model Substitute	Model Laboratory School	PT Professionals	\$ -
Griffith	Jeffrey	6/1/2023	Sr Analyst	Football	PT Professionals	\$ -
Hall	Jonathan	6/12/2023	App Shakes Ctr Cast	Appalachian Shakespeare	PT Professionals	\$ -
Hawkins	Kayla	6/16/2023	Camp Counselor	Foster Music Camps	PT Professionals	\$ -
Herald	Chelsea	7/1/2023	Model Lab Coach	Model Laboratory School	PT Professionals	\$ -
Johnson	Matthew	6/12/2023	App Shakes Ctr Cast	Appalachian Shakespeare	PT Professionals	\$ -
Keene	Garrett	6/16/2023	Camp Counselor	Foster Music Camps	PT Professionals	\$ -
Keeran	Brady	6/22/2023	Senior Analyst	Football	PT Professionals	\$ -
Kelleher	Logan	7/18/2023	Quality Control	Football	PT Professionals	\$ -
Kjellsen	Melanie	6/16/2023	Camp Counselor	Foster Music Camps	PT Professionals	\$ -
Kleinman	Sophie	6/3/2023	Counselor	Foster Music Camps	PT Professionals	\$ -
Koury	Peter	6/11/2023	Instructor	Foster Music Camps	PT Professionals	\$ -
Lawless	Norma	7/10/2023	Model Substitute	Model Laboratory School	PT Professionals	\$ -
Luckey	Dwyan	6/1/2023	Quality Control	Football	PT Professionals	\$ -
Merritt	Maycie	5/16/2023	AmeriCorps Member	KY READY Corps FY23	PT Professionals	\$ -
Meyer	Ann	6/1/2023	Model Substitute	Model Laboratory School	PT Professionals	\$ -
Noe	Mason	6/3/2023	Asst Camp Director	Foster Music Camps	PT Professionals	\$ -
Palmer	Liberty	6/16/2023	Camp Counselor	Foster Music Camps	PT Professionals	\$ -
Peay	Mindi	5/1/2023	KY Ready Ameri-Corps	KY READY Corps FY23	PT Professionals	\$ -
Reams	Daniel	6/4/2023	Instructor	Foster Music Camps	PT Professionals	\$ -
Ross	Shelby	6/3/2023	Counselor	Foster Music Camps	PT Professionals	\$ -
Schalk	Jennifer	5/16/2023	AmeriCorps Member	KY READY Corps FY23	PT Professionals	\$ -
Scott	Coleman	6/16/2023	Camp Counselor	Foster Music Camps	PT Professionals	\$ -
Shelton	Debbie	6/4/2023	Instructor	Foster Music Camps	PT Professionals	\$ -
Smith	Charlotte	5/1/2023	Piano Accompanist	Instruction - CLASS	PT Professionals	\$ -
Tanaka	Rina	6/3/2023	Counselor	Foster Music Camps	PT Professionals	\$ -
Thompson	Anthony	6/3/2023	Counselor	Foster Music Camps	PT Professionals	\$ -
Turner	Edward	7/1/2023	Model Coach, BB	Model Laboratory School	PT Professionals	\$ -
Wiggins	Delois	6/4/2023	Conductor	Foster Music Camps	PT Professionals	\$ -
Williams	Ashley	6/3/2023	Counselor	Foster Music Camps	PT Professionals	\$ -
Witt	Hope	5/16/2023	AmeriCorps Member	KY READY Corps FY23	PT Professionals	\$ -
Woods	Tristen	6/11/2023	Instructor	Foster Music Camps	PT Professionals	\$ -
Worrell	Audrey	6/4/2023	Instructor	Foster Music Camps	PT Professionals	\$ -
Zabawa-Martinez	James	6/4/2023	Instructor	Foster Music Camps	PT Professionals	\$ -

Separations May 1, 2023 - July 31, 2023

<u>Last Name</u>	<u>First Name</u>	<u>Separation</u>	<u>Position Title</u>	<u>Department</u>	<u>Category</u>	<u>Annual Salary</u>
Gardner	Betina	6/30/2023	VP Univ Devlpt & Alum Engmnt	Development	Admins/Deans	\$168,300
Jones	Alice	6/30/2023	Chair/Professor	Physics, Geoscns & Astny	Chairs	\$92,469
Adatorwovor	Dayana	5/31/2023	Lecturer	Mathematics & Statistics	FT Faculty	\$43,860
Alam	Tahia	5/31/2023	Visiting Assistant Professor	Business - AFIS / MMIB	FT Faculty	\$85,000
Brown	Brittany	6/15/2023	Asst Professor	Fire Prot&Para-Med Scncs	FT Faculty	\$76,500
Carmean	Kelli	6/30/2023	Professor	Anthropology & Sociology	FT Faculty	\$81,118
Champlin	Shelby	5/31/2023	ASL Specialist III	Interpreter Training Prog	FT Faculty	\$47,430
Cirgin	Benjamin	7/31/2023	Asst Professor	Art and Design	FT Faculty	\$52,020
Clouse	Michelle	5/31/2023	Asst Professor	Applied Human Sciences	FT Faculty	\$65,280
Dickson	Fran	5/31/2023	Professor	Communication	FT Faculty	\$95,865
Dillon	Christen	7/15/2023	Visiting Professor	Music	FT Faculty	\$54,000
Drolia	Rishi	7/31/2023	Lecturer	Biological Sciences	FT Faculty	\$58,000
Gilliam	Joshua	5/31/2023	Lecturer	Program of Distinction	FT Faculty	\$52,020
Land	Michael	6/30/2023	Lecturer	Program of Distinction	FT Faculty	\$59,568
Lewis	Eden	5/31/2023	Model Lab Teacher	Model Laboratory School	FT Faculty	\$46,920
Mahaney	Robert	6/30/2023	Assoc Professor	Business - AFIS / MMIB	FT Faculty	\$105,773
McClanahan	William	6/30/2023	Associate Professor	School of Justice Studies	FT Faculty	\$75,980
McLean	Halley	6/30/2023	Model Library/Media Splst	Model Laboratory School	FT Faculty	\$49,429
McMaine	Leah	5/31/2023	Model Lab Teacher	Model Laboratory School	FT Faculty	\$42,054
Morgerson	John	6/30/2023	Model Lab Teacher	Model Laboratory School	FT Faculty	\$60,149
Powell	Darius	5/31/2023	Model Lab Teacher	Model Laboratory School	FT Faculty	\$42,054
Shi	Buchang	5/31/2023	Professor	Chemistry	FT Faculty	\$63,627
Short	Christine	5/31/2023	Clinical Faculty	School of Nursing	FT Faculty	\$64,260
Sickels	Carter	5/31/2023	Associate Professor	English	FT Faculty	\$56,906
Snodgrass	Marion	7/15/2023	Lect, Social Intelligence	Dept of Safety & Security	FT Faculty	\$58,523
Underwood	Elizabeth	5/31/2023	Professor	Anthropology & Sociology	FT Faculty	\$66,101
Weiss	Denise	5/31/2023	Clinical Faculty	Model Laboratory School	FT Faculty	\$55,000
Woods	Patricia	6/30/2023	Assoc Professor	School of Nursing	FT Faculty	\$71,222
Zoellers	Margaret	6/30/2023	Associate Professor	School of Nursing	FT Faculty	\$87,200
Anderson	Tyler	4/30/2023	Asst Baseball Coach	Baseball	FT Professional	\$55,000
Barber	Cameron	7/15/2023	Accountant	Sponsd Prgms Acctg Svcs	FT Professional	\$40,654
Barsalona	Mark	5/31/2023	Sr. Network Engineer	Information Tech-Admin	FT Professional	\$46,000
Bill	Susan	6/2/2023	Coord, Reg Stewardship	Reg Steward Infrastruc	FT Professional	\$52,041
Blake	Patrick	6/6/2023	Asst Men's BB Coach	Basketball-Men	FT Professional	\$92,820
Cordell	Christopher	6/15/2023	Quality Control Manager	UTC Comm Based Prev	FT Professional	\$57,936
Cornelius	Kathryn	5/5/2023	Director, VB Operation	Volleyball	FT Professional	\$30,750
Delgado Torres	Maria	7/31/2023	Interim Dir, Migrant Ed	Southern KY Migrant	FT Professional	\$45,220
Embry	Michael	6/29/2023	Assc Dir Res Life	University Housing	FT Professional	\$53,000
Emmel	Steven	6/30/2023	Asst Online Coord	OL-Homeland Security-BS	FT Professional	\$56,987
Gaddis	Jamie	6/9/2023	Flight Records Mgr	Aviation	FT Professional	\$54,000
Givan	Melanie	6/30/2023	Coordinator	Dean-Scnc/Tech/Eng/Math	FT Professional	\$60,992
Harper	Garett	5/2/2023	Sr Web Developer	Comm & Brand Mgmnt	FT Professional	\$59,670
Jackson	Ronald	5/17/2023	Dir, Ctr Incl Excel	Univ Housing-Campus Life	FT Professional	\$66,300
Jones	Kevin	6/30/2023	Asst Univ Librarian	Libraries	FT Professional	\$61,085
Lusby	Bryan	6/15/2023	Quality Control Analyst	UTC Comm Based Prev	FT Professional	\$44,898
Mason	Cynthia	6/23/2023	Program Administrator	UTC Comm Based Prev	FT Professional	\$60,000
Matthews	Timothy	6/30/2023	Exec Director, e-campus	Office of eCampus Learn	FT Professional	\$113,543
McKeethan	Kevin	5/31/2023	Asst Football Coach	Football	FT Professional	\$67,320
McMullin	Callie	5/20/2023	Residence Hall Coordinator	Martin Hall	FT Professional	\$41,030
Miller	Taylor	6/23/2023	Coord, Part & Dvlp Serv	Ath Dlpment/Multi Media	FT Professional	\$40,000
Morrison	Harley	5/26/2023	Acad Advisor, Athletics	NCAA Acad EnhanceProg	FT Professional	\$39,000
Muse	Emily	6/14/2023	Dir of Recruit Opns	Football	FT Professional	\$36,720
Newsom	Austin	4/22/2023	Arcrft Maint Mgr	Aviation	FT Professional	\$67,328

Separations May 1, 2023 - July 31, 2023

<u>Last Name</u>	<u>First Name</u>	<u>Separation</u>	<u>Position Title</u>	<u>Department</u>	<u>Category</u>	<u>Annual Salary</u>
Perkins	Beatriz	7/15/2023	Dir, Migrant Ed Prgm	Southern KY Migrant	FT Professional	\$59,625
Phelps	Matthew	6/28/2023	Asst Dir, Facility Ops	Campus Rec Center	FT Professional	\$55,103
Roberts	Charity	6/23/2023	Program Administrator	UTC Family Reunification	FT Professional	\$60,000
Shelton	Belina	6/15/2023	Program Administrator	UTC Comm Based Prev	FT Professional	\$60,000
Smith	Rebecca	7/31/2023	HR Business Partner	UTC Targeted Case Mmngt	FT Professional	\$69,666
Vigliotti	Zachary	5/26/2023	Asst Dir, Sports Med	Sports Medicine	FT Professional	\$40,800
Woloschek	Melanie	7/31/2023	Interpreter Coord, ASLIE	Dept Amer SL Intprter Ed	FT Professional	\$57,940
Wright	Jatavia	6/30/2023	Asst Track Coach	Track-Women	FT Professional	\$50,000
Barnes	Cheryl	5/31/2023	Acad Hist Specialist II	Registrar	FT Hourly Staff	\$33,423
Eldridge	Willis	7/31/2023	Const & Repair Tech II	Maint, Carpenter Shop	FT Hourly Staff	\$41,558
Ericson	Carroll	6/28/2023	Admin Professional I	Teach, Learn, & Ed Leader	FT Hourly Staff	\$33,501
Feltner	Lance	5/11/2023	Water Treatment Technician	Maintenance, HVAC-R	FT Hourly Staff	\$29,702
Gross	Claude	5/17/2023	Const & Repair Tech II	Maint, Carpenter Shop	FT Hourly Staff	\$40,726
Kirtley	Mitchell	5/24/2023	Parking Maint Assoc	Parking Services	FT Hourly Staff	\$31,054
Massingill	Kimberly	5/19/2023	Admin Professional I	Student Health Services	FT Hourly Staff	\$30,264
McIntosh	Tammy	6/30/2023	Admin Professional I	Chemistry	FT Hourly Staff	\$42,413
Miller	Sheila	6/30/2023	Paraeducator II	Model Laboratory School	FT Hourly Staff	\$33,618
Norris	Wesley	5/4/2023	Journeyman Electrician	Maint, Electrical Shop	FT Hourly Staff	\$45,968
Sparks	Kenneth	6/30/2023	Interior Finisher I	Maintenance, Paint Shop	FT Hourly Staff	\$33,509
Stephens	Joshua	7/7/2023	Journeyman, HVAC-R Tech	Maintenance, HVAC-R	FT Hourly Staff	\$45,968
Swint	Tori	6/16/2023	Classroom Teaching Asst	Burrier Child Development	FT Hourly Staff	\$26,928
Thurman	Linda	6/30/2023	Admin Professional I	Art and Design	FT Hourly Staff	\$35,900
Watson	Xavier	5/26/2023	Web Developer	Comm & Brand Mgmnt	FT Hourly Staff	\$52,026
LeRoy	Leslie	5/15/2023	PT Faculty-On Campus	Instruction - CLASS	PT Faculty	\$5,304
Ball	Tanner	6/23/2023	Dir Recruit/Asst, Dir Ops	Basketball-Women	PT Hourly Staff	\$ -
Bryan	Mark	6/15/2023	Flight Instructor	Class Fees - Aviation	PT Hourly Staff	\$ -
Carney	Joshua	7/20/2023	Flight Instructor	Class Fees - Aviation	PT Hourly Staff	\$ -
Dunlap	Matthew	5/2/2023	Flight Instructor	Class Fees - Aviation	PT Hourly Staff	\$ -
Ellis	Samuel	6/14/2023	Flight Instructor	Class Fees - Aviation	PT Hourly Staff	\$ -
Feltner	Hannah	6/23/2023	Info Tech Associate	Information Tech-Admin	PT Hourly Staff	\$ -
Hill	Slater	7/8/2023	Flight Instructor	Class Fees - Aviation	PT Hourly Staff	\$ -
Horn	Angela	7/31/2023	Summer Programming Staff	Southern KY Migrant	PT Hourly Staff	\$ -
Loiars	Drew	5/27/2023	Flight Instructor	Class Fees - Aviation	PT Hourly Staff	\$ -
Morris	Dakota	7/9/2023	Flight Instructor	Class Fees - Aviation	PT Hourly Staff	\$ -
Robinson	Raine	5/1/2023	Stage Technician	EKU Center for the Arts	PT Hourly Staff	\$ -
Rowe	Joshua	5/6/2023	Flight Instructor II	Class Fees - Aviation	PT Hourly Staff	\$ -
Smith	Kevin	7/27/2023	Flight Instructor	Class Fees - Aviation	PT Hourly Staff	\$ -
Beals	Dawn	5/22/2023	Member, KY Ready Corps	KY READY Corps FY23	PT Professionals	\$ -
Leifheit	Matthew	5/19/2023	Quality Control	Football	PT Professionals	\$ -
Smith	Jacob	6/16/2023	Quality Control	Football	PT Professionals	\$ -
Suber	Quintin	6/17/2023	Quality Control	Football	PT Professionals	\$ -

MODEL LABORATORY SCHOOLS

AT EASTERN KENTUCKY UNIVERSITY

TO: EKU Board of Regents
FROM: John R. Williamson, Dean P12 Programs & Superintendent Model Lab Schools
DATE: August 4, 2023
RE: Proposed Policies Update

Attached you will find proposed policies for Model Laboratory Schools based on legislative changes from the 2023 session of the General Assembly and necessary revisions based on curricular changes at Model Lab. Policies that are required because of legislative action are preceded by a headnote that explains the legislative change.

As of special note is Policy 9.141 (Student Privacy Rights). The legislative action (SB150) required a public hearing prior to passing a policy. Model Lab Schools provided an open public meeting on Monday, July 31, 2023, at 5:30 to hear comments about the proposed policy. EKU President David McFaddin, EKU Regent Lynn Taylor Tye, EKU Counsel Dana Fohl, Model Lab Superintendent John Williamson, and Model Lab Parent Advisory Member Gerald Tatum were present to hear all comments. All comments were transcribed and attached. No suggestions for revision to the policy were presented by those commenting.

LEGAL: HB 319 AMENDS KRS 160.380 TO REQUIRE THAT WHEN A VACANCY OCCURS, THE SUPERINTENDENT SHALL SUBMIT THE JOB POSTING TO THE STATEWIDE JOB POSTING SYSTEM.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

PERSONNEL

03.11

- VOLUME 12-

- FACULTY-

Hiring

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

Full-time, tenure-track vacancies shall be advertised for fifteen (15) days.

When a vacancy needs to be filled in less than fifteen (15) days to prevent disruption of necessary instructional or support services of the school, the Superintendent may seek a waiver of the fifteen (15)-day advance notice requirement.

Part-time teachers who are employed by the University in another capacity and who teach less than .50 FTE may be appointed by the Superintendent without posting.

QUALIFICATIONS

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

Employees shall be chosen with reference to their certification and their personal, educational, physical, moral and emotional fitness for the position. Other factors which shall be considered include undergraduate and graduate academic performance, prior experience, and strength of references.

The following shall not be considered for employment by the School:

- Applicants who have been terminated and/or non-renewed by a school district for cause;
- Those who have resigned in lieu of termination; and
- Applicants who have ever had their certification suspended or revoked.

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

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

CRIMINAL BACKGROUND CHECK AND TESTING

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

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

"FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A 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."

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Initial employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have an administrative finding of child abuse or neglect in records maintained by the Cabinet.

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

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

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

Link to DPP-156 Central Registry Check and more information on the required CA/N check:

<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANCChecksandCentralRegistryChecks.aspx>

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

In the event an emergency exists whereby a position must be filled before the criminal records check has been completed, the Superintendent is authorized to fill the position on a probationary basis until the criminal records report has been completed. Final disposition of employment status shall be determined once the criminal records report has been completed.

SELECTION COMMITTEE

The selection committee for full-time tenure-track faculty positions will be appointed by the Superintendent/designee and will be comprised of the following:

- One (1) or two (2) teachers;
- One (1) or two (2) Model Laboratory School parents;
- One (1) member of the ECU community; and
- In some cases, a student.

Hiring**SELECTION COMMITTEE (CONTINUED)**

The Selection Committee shall:

- Be provided training required by EKU Human Resources;
- Develop or review requirements, attributes, dispositions, and/or interview protocols;
- Assist with recruiting, conduct interviews, and check references of the candidates; and
- Provide recommendations to the Superintendent with feedback about the candidates;

The Superintendent, after consulting with the Selection Committee Chair and supervising administrator, will make the final selection.

ACADEMIC RANK

Full-time, tenure-track faculty are employed as Tenure-Track Faculty. These faculty members are subject to Model Laboratory Schools at Eastern Kentucky University Policies and Procedures related to academic rank. Conditions for promotion and/or reappointment are determined at the time of hire.

EXTRACURRICULAR ACTIVITIES

Using a process approved by the Superintendent and required by the University, the designated supervisor (e.g. Athletic Director, Principal) shall recruit, interview, and recommend for hire athletic coaches and club/activity sponsors. The Superintendent will approve the recommendation.

VACANCIES POSTED

Under procedures developed by the Superintendent, a listing of all School job openings shall be posted on the University website in a timely basis and shall refer interested persons to the Central Office for additional information.

Notice of all job openings shall be sent to each school for posting in appropriate locations.

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

JOB DESCRIPTION

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

EVALUATION INFORMATION

Upon employment, the individual shall be furnished with a copy of the evaluation procedure and given the opportunity to review the procedure and ask questions about it.

LETTER OF INTENT

By March 1 of each year, each employee shall submit to the Superintendent a letter of intent signifying his/her desire to be re-employed.

Hiring**EMPLOYEES SEEKING A JOB CHANGE**

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

REFERENCES:

KRS Chapter 13B
KRS 17.160; KRS 17.165
KRS 156.106; KRS 160.380; KRS 160.390
KRS 161.042; KRS 161.605; KRS 161.611; KRS 161.750
KRS 335B.020; KRS 405.435
16 KAR 9:080; 702 KAR 1:150; 702 KAR 3:320; 704 KAR 7:130
P. 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
OAG 18-017; OAG 73-333; OAG 91-10; OAG 91-149; OAG 91-206
OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6
Records Retention Schedule, Public School District

RELATED POLICIES:

03.1161; 03.132; 03.18

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY MIDDLE AND HIGH SCHOOL BUILDING, AND AS FUNDS BECOME AVAILABLE, AT SCHOOL-SANCTIONED MIDDLE AND HIGH SCHOOL ATHLETIC PRACTICES AND COMPETITIONS, AND TO ADOPT PROCEDURES FOR THE USE OF AEDS DURING EMERGENCIES. IT ALSO REQUIRES ALL INTERSCHOLASTIC ATHLETIC COACHES BE TRAINED ON THE USE OF PORTABLE AEDS AND MAINTAIN A CPR CERTIFICATION RECOGNIZED BY A NATIONAL ACCREDITING BODY ON HEART HEALTH.
FINANCIAL IMPLICATIONS: COSTS OF PURCHASING, MAINTAINING AEDS, COPYING AND DISTRIBUTING PLANS, AND PERSONNEL TRAINING COSTS

PERSONNEL

03.1161

- VOLUME 12-

- FACULTY -

Coaches and Assistant Coaches

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the School, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a [cardiopulmonary resuscitation \(CPR\)](#) course that includes the use of an automated [external](#) defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.² [All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.](#)³

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Nonfaculty coaches and nonfaculty assistants shall complete School training that includes:

- information on the physical and emotional development of students of the age with which they will be working;
- the school's discipline policies;
- procedures for dealing with discipline problems;
- safety and first aid training;
- active shooter training;
- school email account procedures;
- finance and accounting procedures;
- system of communication;
- school branding guidelines;
- supervision of students; and
- duty to report.

Follow-up training shall be provided annually.¹

STYLE GUIDE

All coaches must follow the School's Style Guide for any use of logos or branding.

PERSONNEL

03.1161
(CONTINUED)

Coaches and Assistant Coaches

REFERENCES:

¹KRS 161.185
²702 KAR 7:065
³[KRS 158.162](#)
KRS 156.070
KRS 160.445
KRS 161.180

RELATED POLICIES:

03.19; 03.2141
09.311; 10.4

LEGAL: HB 319 CREATES A NEW SECTION OF KRS 160 TO REQUIRE THE BOARD TO ADOPT A POLICY TO ENSURE THAT DISTRICT EMPLOYEES COMPLETE AN EXIT SURVEY WHEN THEY VOLUNTARILY LEAVE THE DISTRICT.

FINANCIAL IMPLICATIONS: POTENTIAL COST ASSOCIATED WITH THE SURVEY

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PERSONNEL

03.17

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- VOLUME 12-

- FACULTY -

Non-Reappointment/Dismissal of Faculty

AT WILL EMPLOYEES

Faculty who have not yet earned tenure are employees at will. When dismissing a faculty member for cause, the Superintendent shall consult with University Counsel and Human Resources prior to notifying an employee of the dismissal, and the Superintendent shall also notify the commissioner of Education and EPSB.

The Superintendent shall make final decisions regarding non-reappointment or dismissal for cause of non-tenured faculty.

TENURE-TRAC FACULTY

Tenure-track faculty members who do not earn tenure and/or who do not fulfill specific conditions of employment agreed at the time of hire in the specified timeframe are not eligible for reappointment, nor are they eligible for the terminal year.

Tenure-track faculty who are not recommended for tenure by the end of the sixth (6th) year are not eligible for reemployment at Model as a tenure-track faculty. (Note: Part-time, visiting, consultative or other non-tenure track faculty may be reemployed beyond the sixth {6th} year).

TENURED FACULTY

Faculty members with tenure shall have a continuous appointment, except when that appointment is terminated:

- By retirement;
- By resignation and acceptance thereof;
- By a dismissal for cause;
- By a decision of the University, with approval of the Board of Regents, that dismissal is necessary because of financial exigencies of the institution; or
- By a decision of program closure or discontinuation resulting in a situation so that there is no longer a teaching position available within the School for which the tenured faculty member is certified and qualified.

TIMELINE

Faculty members, including administrators, who will not be reappointed for the next school year shall be notified in writing by the Superintendent and/or President by May 15.

Non-Reappointment/Dismissal of Faculty**TERMINATION FOR CAUSE**

Pursuant to KRS 164.360 and KRS 161.790, a tenured faculty member may be dismissed for cause. The continuous appointment of a tenured teacher shall remain in force during good behavior and efficient and competent service by the teacher and shall not be terminated except for any of the following:

- Insubordination, including but not limited to violation of the school laws of the state or administrative regulations adopted by the Kentucky Board of Education, the Education Professional Standards Board, or lawful rules and regulations established by the University, or refusal to recognize or obey the authority of the superintendent, principal, or any other supervisory personnel of the University in the performance of their duties;
- Immoral character or conduct unbecoming a teacher;
- Physical or mental disability; or

Inefficiency, incompetency, or neglect of duty, when a written statement identifying the problems or difficulties has been furnished the teacher or teachers involved.

DETERMINATION AND NOTIFICATION

The Superintendent shall consult with University Counsel and Human Resources prior to notifying an employee of dismissal.

The Superintendent shall furnish the teacher with a written statement specifying in detail the charge against the teacher.

The Superintendent shall also notify the Commissioner of Education and EPSB.

APPEAL

The tenured faculty member may within ten (10) days after receiving the charge notify the Superintendent and University Counsel of his or her intention to answer the charge, and upon failure of the teacher to give notice within ten (10) days, the dismissal shall be final.

Upon receipt of notification, University Counsel shall notify and convene the K-12 Grievance Subcommittee, appointed by the Board Chair of the University Board of Regents, within twenty (20) calendar days for a hearing of the matter. The decision of the Subcommittee shall be provided in writing within five (5) calendar days.

SEPARATION BY EMPLOYEE

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

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PERSONNEL

03.17

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Non-Reappointment/Dismissal of Faculty

REFERENCES:

KRS 160.382

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LEGAL: HB 32 AMENDS KRS 161.011 TO PERMIT HIRING OF CLASSIFIED PERSONNEL WITHOUT A HIGH SCHOOL DIPLOMA IF OPPORTUNITY TO OBTAIN A HIGH SCHOOL EQUIVALENCY DIPLOMA IS PROVIDED BY THE DISTRICT AND PERMITS CERTAIN GOVERNMENT ISSUED CERTIFICATIONS OR LICENSES TO SUBSTITUTE.
FINANCIAL IMPLICATIONS: POTENTIAL COST ASSOCIATED WITH ADMINISTERING THE EQUIVALENCY PROGRAM

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PERSONNEL

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- VOLUME 12-

- STAFF -

Hiring

The hiring of staff will follow the University's posting requirements, based on the position.

Employees shall be chosen with reference to their certification and their personal, educational, physical, moral and emotional fitness for the position. Other factors which shall be considered include undergraduate and graduate academic performance, prior experience, and strength of references.

The following shall not be considered for employment by the School:

- Applicants who have been terminated and/or non-renewed by a school district for cause;
- Those who have resigned in lieu of termination; and
- Applicants who have ever had their certification suspended or revoked.

CRIMINAL BACKGROUND CHECK AND TESTING

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

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

"FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A 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."

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Initial employment shall be contingent on receipt of records documenting that the individual does not have a conviction for a felony sex crime or as a violent offender as defined in KRS 17.165 or other conviction determined by the Superintendent to bear a reasonable relationship to the ability of the individual to perform the job. Employment shall also be contingent on receipt of a letter from the Cabinet provided by the individual documenting that the individual does not have an administrative finding of child abuse or neglect in records maintained by the Cabinet.

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

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

Hiring

CRIMINAL BACKGROUND CHECK AND TESTING (CONTINUED)

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

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

Link to DPP-156 Central Registry Check and more information on the required CA/N check:

<http://manuals.sp.chfs.ky.gov/chapter30/33/Pages/3013RequestfromthePublicforCANCChecksandCentralRegistryChecks.aspx>

In the event an emergency exists whereby a position must be filled before the criminal records check has been completed, the Superintendent is authorized to fill the position on a probationary basis until the criminal records report has been completed. Final disposition of employment status shall be determined once the criminal records report has been completed.

SELECTION COMMITTEE

The Superintendent/designee will name a selection committee comprised of at least two (2) Model Laboratory School employees and chaired by a School Administrator. The chair shall determine the candidates to be interviewed.

SEARCH COMMITTEE

The search committee shall:

- Be provided training required by EKV Human Resources;
- Develop or review requirements, attributes, dispositions, and/or interview protocols;
- Assist with recruiting, conduct interviews, and check references of the candidates; and
- Provide recommendations to the Superintendent with feedback about the candidates.

The Superintendent, after consulting with the committee chair and supervising administrator, will make the final selection.

EDUCATIONAL REQUIREMENTS

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

Deleted: or unless s/he shows progress, as defined by Administrative Regulations of the State Board for Adult, and Technical Education, toward obtaining a High School Equivalency Diploma

Hiring**VACANCIES POSTED**

Under procedures developed by the Superintendent, a listing of all School job openings shall be posted on the University website in a timely basis and shall refer interested persons to the Central Office for additional information.

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

JOB DESCRIPTION

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

LETTER OF INTENT

By March 1 of each year, each employee shall submit to the Superintendent a letter of intent signifying his/her desire to be re-employed.

REASONABLE ASSURANCE OF CONTINUED EMPLOYMENT

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

EMPLOYEES SEEKING A JOB CHANGE

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

REFERENCES:

KRS 160.380
702 KAR 5:080
KRS 161.011
P. L. 114-95, (Every Student Succeeds Act of 2015)
20 U.S.C. § 7926; 42 U.S.C. § 9843a(g)
34 C.F.R. § 200.58; 45 C.F.R. § 1302.90
49 C.F.R. § 382.701; 49 C.F.R. § 382.703
KRS Chapter 13B
KRS 17.160; KRS 17.165; KRS 156.070; KRS 160.390
KRS 335B.020; KRS 405.435
OAG 18-017; OAG 91-10; OAG 91-149; OAG 91-206
OAG 92-1; OAG 92-59; OAG 92-78; OAG 92-131; OAG 97-6
Kentucky Local District Classification Plan
13 KAR 3:030; 702 KAR 3:320
Records Retention Schedule, Public School District

RELATED POLICIES:

03.232; 03.5; 06.221

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY MIDDLE AND HIGH SCHOOL BUILDING, AND AS FUNDS BECOME AVAILABLE, AT SCHOOL-SANCTIONED MIDDLE AND HIGH SCHOOL ATHLETIC PRACTICES AND COMPETITIONS, AND TO ADOPT PROCEDURES FOR THE USE OF AEDS DURING EMERGENCIES. IT ALSO REQUIRES ALL INTERSCHOLASTIC ATHLETIC COACHES BE TRAINED ON THE USE OF PORTABLE AEDS AND MAINTAIN A CPR CERTIFICATION RECOGNIZED BY A NATIONAL ACCREDITING BODY ON HEART HEALTH.
FINANCIAL IMPLICATIONS: COSTS OF PURCHASING, MAINTAINING AEDS, COPYING AND DISTRIBUTING PLANS, AND PERSONNEL TRAINING COSTS

PERSONNEL

03.2141

- VOLUME 12-

- STAFF -

Nonteaching Coaches and Assistant Coaches

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete all training required by the School, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a [cardiopulmonary resuscitation \(CPR\)](#) course that includes the use of an automated [external](#) defibrillator and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.² [All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.](#)³

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Nonfaculty coaches and nonfaculty assistants shall complete School training that includes:

- information on the physical and emotional development of students of the age with which they will be working;
- the school's discipline policies;
- procedures for dealing with discipline problems;
- safety and first aid training;
- active shooter training;
- school email account procedures;
- finance and accounting procedures;
- system of communication;
- school branding guidelines;
- supervision of students; and
- duty to report.

Follow-up training shall be provided annually.¹

STYLE GUIDE

All coaches must follow the School's Style Guide for any use of logos or branding.

PERSONNEL

03.2141
(CONTINUED)

Nonteaching Coaches and Assistant Coaches

REFERENCES:

¹KRS 161.185
²702 KAR 7:065
³[KRS 158.162](#)
KRS 156.070
KRS 160.445
KRS 161.180

RELATED POLICIES:

03.1161; 03.29
09.311; 10.4

PERSONNEL

6/14/2023 ALL NEW POLICY

03.272

- VOLUME 12-

- STAFF -

Separation by Employee

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

REFERENCE:

KRS 160.382

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE EACH SCHOOL TO HAVE A WRITTEN CARDIAC EMERGENCY RESPONSE PLAN. IT ALSO REQUIRES THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY MIDDLE AND HIGH SCHOOL BUILDING, AND AS FUNDS BECOME AVAILABLE, AT SCHOOL-SANCTIONED MIDDLE AND HIGH SCHOOL ATHLETIC PRACTICES AND COMPETITIONS, AND TO ADOPT PROCEDURES FOR THE USE OF AEDS DURING EMERGENCIES. IT ALSO CREATES A NEW SECTION OF KRS 158 TO REQUIRE THE DISTRICT TO REPORT THE NUMBER OF AEDS AT EACH SCHOOL TO THE KENTUCKY DEPARTMENT OF EDUCATION.

FINANCIAL IMPLICATIONS: COSTS OF PURCHASING, MAINTAINING AEDS, COPYING AND DISTRIBUTING PLANS, AND PERSONNEL TRAINING COSTS

SCHOOL FACILITIES

05.4

- VOLUME 12-

Safety

EASTERN KENTUCKY UNIVERSITY EMERGENCY PLANNING

The Principal shall implement an emergency management plan for the school that has been developed by the ECU Office of Emergency Management 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 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 Principal 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 Principal shall:

1. Establish and distribute primary and secondary evacuation routes in each room by any doorway used for evacuation;
1. 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;

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Safety**EASTERN KENTUCKY UNIVERSITY EMERGENCY PLANNING (CONTINUED)**

2. Develop school procedures to follow during an earthquake; and
3. 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;
 - Requiring all visitors to report to the front lobby 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 middle and high school building and, as funds become available, at school-sanctioned middle and high school 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; and
 - d) Ensure that all interscholastic athletic coaches maintain a cardiopulmonary resuscitation certification recognized by a national accrediting body on heart health; and
7. 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.

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Safety**EASTERN KENTUCKY UNIVERSITY EMERGENCY PLANNING (CONTINUED)**

No later than November 1 of each school year, the Superintendent 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 Principal shall report to the Kentucky Department of Education on the number of portable AEDs at each school within the District.¹

PRECAUTIONS

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

- Check and lock doors and windows when exiting your room.
- Close and lock all outside exits when you leave after school hours.
- Do not leave keys in your office unprotected.
- Do not loan keys to students.
- Do not keep money or valuables in your office or classroom.

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

AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)

The school 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 school 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.

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

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The School maintains automatic external defibrillators (AED) in designated locations throughout the buildings. All forms documenting certification training, report of use, and inspection shall be kept in the nurse's office for each location an AED is available.¶

SCHOOL FACILITIES

05.4
(CONTINUED)

Safety

REFERENCES:

¹[KRS 158.1621](#)

[KRS 158.148](#); [KRS 158.162](#); [KRS 158.164](#); [KRS 158.4410](#); [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](#)

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RELATED POLICIES:

05.21; 05.41; 05.411; 05.42; 05.45; 05.47

09.22; 09.221; 09.4 (entire section); 10.5

LEGAL: REVISIONS TO 704 KAR 3:305 IMPACT THE INDIVIDUAL LEARNING PLAN AND THE EARLY GRADUATION PROGRAM.

FINANCIAL IMPLICATIONS: NONE ANTICIPATED

REVISED 8/2/2023

CURRICULUM AND INSTRUCTION

08.113

- VOLUME 12-

Graduation Requirements

In support of student development goals set out in KRS 158.6451 and the Kentucky Academic Standards, students must complete a minimum of twenty-two (22) credits, including demonstrated performance-based competency in technology, and all other state and local requirements in order to graduate from Model Laboratory School at Eastern Kentucky University.

Graduation requirements encompass the requirements of Model Laboratory School and the Kentucky's Pre-College Curriculum. Students receiving a diploma from Model Laboratory School have fulfilled graduation requirements of the school and of the Kentucky's Pre-College Curriculum.

Beginning with the Class of 2026

1. Earn the specified credits based on the graduating class as illustrated in the table (see below) with at least four (4) credits in an academic area or college/career pathway.

Graduation Requirements		Class of 2024	Class of 2025	Class of 2026 and Beyond
Inquiry, Communication, and Data Analytics		5 Credits	5 Credits	5 Credits
	Informatics, Media Literacy, and Data Analytics	2 Credits	2 Credits	2 Credits
	Analysis, Argumentation, and Communication	2 Credits	2 Credits	2 Credits
	Research Methods and Sustained Inquiry	1 Credit	1 Credit	1 Credit
Quantitative and Computational Reasoning		4 Credits	4 Credits	4 Credits
	Mathematics	3 Credits	3 Credits	3 Credits
	Coding and Logic	1 Credit	1 Credit	1 Credit
Scientific Inquiry		3 Credits	3 Credits	3 Credits
	Life Science	1 Credit	1 Credit	1 Credit
	Natural/Physical Science	1 Credit	1 Credit	1 Credit
	Applied Laboratory Science	1 Credit	1 Credit	1 Credit
Humanities		5 Credits	4 Credits	4 Credits
	History of Visual and Performing Arts	1 Credit	1 Credit	1 Credit
	Literature	2 Credits	1 Credit	1 Credit
	History	2 Credits	2 Credits	2 Credits
Global Communication and Understanding		3 Credits	3 Credits	2 Credits
	Second Language Proficiency <i>Two Years of the Same Language</i>	2 Credits	2 Credits	2 Credits
	Comparative Cultures	1 Credit	1 Credit	

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Graduation Requirements

Civic Engagement and Entrepreneurial Thinking		1 Credit	1 Credit	1 Credit
Government, Civics, Entrepreneurship, Economics, and Financial Literacy		1 Credit	1 Credit	1 Credit
Creating, Performing, Designing and Engineering		1 Credit	1 Credit	1 Credit
Creating, Performing, Designing and Engineering		1 Credit	1 Credit	1 Credit
Fitness and Wellness		1 Credit	1 Credit	1 Credit
Fitness and Wellness		1 Credit	1 Credit	1 Credit
Electives OR Dual Credit		1 Credit	1 Credit	1 Credit
Electives OR Dual Credit		1 Credit	1 Credit	1 Credit
Total Credits		24 Credits	23 Credits	22 Credits

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Note: Students who earn a diploma from the school have met all requirements for Kentucky's Pre-College Curriculum established by the Council on Postsecondary Education.

2. Actively participate in service-learning activities that benefit the global or school community. Students must have documented at least forty (40) service hours by the time of graduation. No one activity is to fulfill the forty-hour requirement. This requirement will be pro-rated for students who enroll during the school year.

Students are encouraged to complete ten (10) service hours per academic year. Service hours completed as part of a course may apply toward the requirement. Students must complete the Activities and Service Hours Verification Form for each service they participate in and then submit the completed form to the Counseling Office.

3. Actively participate in at least one (1) school-sponsored activity (club/sport) during each year of his/her high school career. Students must submit the Activities and Service Hours Verification Form to the Counseling Office each year.
4. Successfully complete the senior research project, paper, presentation, and defense.
5. Earn a passing score on Kentucky's civics exam.
6. Demonstrate performance-based competency in technology.
7. Complete an Individual Learning Plan (ILP).

Deleted: <#>Submit a complete digital communications and career portfolio.¶

Graduation Requirements

ADVANCED PLACEMENT

Advanced Placement (AP) enables willing and academically prepared students to pursue college-level studies while still in high school. College-level courses will be offered, and exams will be administered once a year. Students and their parents are responsible for the cost of the exam and the fee will be billed separately from tuition and fees in the fall semester.

Students that do not take the exam will not receive the AP designation on their transcript. All students who enroll in an AP course must sit for the exam.

AWARDING CREDIT

High school credits will be awarded at the end of each academic year for grades of A, B, C, and D. All courses taught at Model are worth 1.0 credits per semester.

Dual credit courses that are 3-4 credit hours will earn 0.5 credit toward graduation requirements and courses that are 1-2 credit hours will earn 0.25 credit toward graduation requirements. Dual credit course is awarded at the end of each semester.

MIDDLE SCHOOL COURSES FOR HIGH SCHOOL CREDIT

Middle school students may take designated courses and the high school shall accept for credit toward graduation and completion of high school course requirements, however the following requirements shall apply:

- Middle school students taking such courses must earn at least a “C” average for each semester and the final grade in the class for the course to count toward graduation.
- Credits earned in middle school will be posted to the high school transcript but shall not be used in the calculation of the high school grade point average (GPA).

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DIPLOMA

Students receiving a diploma from Model Laboratory High School shall fulfill graduation requirements that:

- Prepare graduates to become world class leaders by addressing the World Class Competencies;
- Meet or exceed graduation expectations established by the Kentucky Board of Education; and
- Meet or exceed Kentucky’s Pre-College Curriculum established by the Council of Postsecondary Education.

ADVANCED PLACEMENT CAPSTONE DIPLOMA

Students who meet the following requirements can earn the Advanced Placement (AP) Capstone Diploma or certificate awarded by The College Board. Students who have met all the requirements and have submitted the final AP research paper and completed the presentation and defense will be recognized as AP Capstone Diploma candidates at graduation.

Graduation Requirements**ADVANCED PLACEMENT CAPSTONE DIPLOMA (CONTINUED)**

- AP Capstone Diploma
Earn AP exam scores of “3” or higher on each of four (4) AP assessments AND earn a score of “3” or higher on the AP seminar assessment AND earn a score of “3” or higher on the AP research assessment.
- AP Capstone Certificate
Earn a score of “3” or higher on the AP seminar assessment AND earn a score of “3” or higher on the AP research assessment.

INDIVIDUAL LEARNING PLAN (ILP)

The development of the Individual Learning Plan (ILP) for each student shall be established within the first ninety (90) days of the sixth (6th) grade year and shall be focused on career exploration and related postsecondary education and training needs.

OTHER PROVISIONS

The School may award a diploma to a student posthumously indicating graduation with the class with which the student was expected to graduate.

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

ALTERNATIVE DIPLOMA

Consistent with the School's graduation practices for all students, an alternative high school diploma shall be awarded to students with disabilities in compliance with applicable legal requirements. In addition, former students may submit to the Superintendent a request that the School provide them with an alternative high school diploma to replace the certificate of attainment they received at time of graduation from the School.¹

A student who is at least seventeen (17) years of age and who is a state agency child, as defined in KRS 158.135, shall be eligible to seek attainment of a High School Equivalency Diploma.

(Moving to New Policy 08.11311)

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Students who meet all applicable legal requirements shall be eligible for early graduation in relation to receipt of a graduation diploma and an Early Graduation Certificate. Students wishing to follow an early graduation pathway shall notify the Principal of their intent prior to the beginning of grade nine (9) or as soon thereafter as the intent is known, but within the first thirty (30) school days of the academic year in which they wish to graduate. A Letter of Intent to Apply shall be entered into the student information system by October 1 of the year the student declares intent to graduate early.²¶

Students working toward receipt of an Early Graduation Certificate shall be supported by development and monitoring of an ILP to support their efforts.¶

To graduate early and earn an Early Graduation Certificate, a student shall successfully complete the requirements for early high school graduation as established in administrative regulation by the Kentucky Board of Education.¶

A student who has indicated an intent to graduate early may participate in the student's state administration of the college readiness exam prior to the junior year, if needed. Students who meet all applicable legal requirements shall be awarded a diploma and an Early Graduation Certificate.¶

Graduation Requirements**CERTIFICATE OF ATTENDANCE**

Seniors who are foreign exchange students are eligible for a certificate of attendance during commencement.

REFERENCES:

¹KRS 156.160; 20 U.S.C. § 1414

²KRS 158.142; 704 KAR 3:305

KRS 156.027; KRS 158.135

KRS 158.141; KRS 158.1411; [KRS 158.1413](#); [KRS 158.142](#); KRS 158.143; KRS 158.183

KRS 158.281; KRS 158.302; KRS 158.645; KRS 158.6451; KRS 158.860

13 KAR 2:020; 702 KAR 7:125; 703 KAR 4:060

704 KAR 3:303; [704 KAR 3:305](#); 704 KAR 3:306; [704 KAR 3:535](#); 704 KAR 7:090

704 KAR Chapter 8

OAG 78-348; OAG 82-386

[Kentucky Academic Standards](#)

RELATED POLICIES:

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

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

RELATED PROCEDURE:

09.12 AP.25

- VOLUME 12-

Alternative Credit Options

In addition to regular classroom-based instruction, students may earn credit through the following means.

VIRTUAL/ONLINE COURSES

High school students may **apply and** earn academic credit to be applied toward graduation requirements by completing virtual/online courses.

As determined by school policy, students applying for permission to take an online course shall complete prerequisites and provide teacher/counselor recommendations to confirm the student possesses the maturity level needed to function effectively in an online learning environment.

Credit from a virtual/online course may be earned only in the following circumstances:

1. The **approved elective** course is not offered at the high school;
2. Although **an elective** course is offered at the high school, the student will not be able to take it due to an unavoidable scheduling conflict;
3. The course will serve as a supplement to extend homebound instruction;
4. The student has been **transferred to the school and needs the course credit to stay on track for graduation**; or
5. The Principal, with agreement from the student's teachers and parents/guardians, determines the student requires a differentiated or accelerated learning environment.

The **School** shall recognize only those online courses that meet the international standards for online teachers, courses, and programs that have been adopted by the Kentucky Department of Education.

Online courses may be subject to review by the Superintendent/designee for conformance with Kentucky Academic Standards and graduation requirements. In addition, the express approval of the Principal/designee shall be obtained before a student enrolls in an online course. The school must receive an official record of the final grade before credit toward graduation will be recognized.

DUAL-CREDIT SCHOLARSHIP PROGRAM

The **School** may offer the opportunity for students to earn dual-credits through the Kentucky Dual-Credit Scholarship Program **as well as the Work Ready Scholarship**. Guidelines are outlined in the "Kentucky Council on Postsecondary Education and Kentucky Department of Education Dual Credit Policy for Kentucky Public and Participating Postsecondary Institutions and Secondary Schools," located on the Kentucky Department of Education website. **The cost of two courses will be paid through the Kentucky Dual-Credit Scholarship Program. The cost of eligible courses may be covered by the Work Ready Scholarship.**

EKU tuition waivers for eligible students whose parent(s) or guardian(s) is/are faculty or staff members at ECU should be used to cover the costs of any additional courses if waivers are available for use by the student.

Alternative Credit Options**DUAL-CREDIT SCHOLARSHIP PROGRAM (CONTINUED)**

These scholarships and waivers do not cover textbooks (including digital texts), course materials/supplies and parking permits and recreation center or other fees when applicable. The School will pay the dual credit tuition cost for the remainder of courses not covered by scholarships or tuition waivers, up to eight total courses (or more for students participating in the Model Scholar's Early College Program). The School will only pay the dual credit tuition rate and will not pay for online courses or courses for which a student earns a failing grade. Parent(s) or guardian(s) will be billed for the cost of tuition for which a student earns a failing grade.

DUAL-CREDIT CLASSES

Juniors and Seniors are eligible for dual-credit classes if they meet the following eligibility:

- Have a 2.5 or higher-grade point average (weighted or unweighted) Beginning with Fall 2024 registration have a 3.0 or higher-grade point average;
- Meet college course prerequisites.

Refer to procedure 08.1131 AP.1 for complete Dual Credit Guidelines.

PERFORMANCE-BASED CREDITS

In addition to Carnegie units, students may earn credit toward high school graduation through the School's standards-based, performance-based credit system that complies with requirements of Kentucky Administrative Regulation. Procedures for developing and amending the system shall address the following:

1. Conditions under which each high school may grant performance-based credits and the related performance descriptors and assessments;
2. Objective grading and reporting procedures;
3. Content standards established in 704 KAR 3:303 and 704 KAR Chapter 8;
4. The extent to which state-provided assessments will be used;
5. The ability for students to demonstrate proficiency and earn credit for learning acquired outside of school or in prior learning; and

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Deleted: <#>Performance-based credit may be earned while the student is still "in school," but the instructional setting will look different from a traditional "seat time" environment.¶
Performance descriptors and their linkages to State content standards and academic standards;¶
At the high school level, performance descriptors and evaluation procedures shall be established to determine if the content and performance standards have been met.¶
Assessments and the extent to which state-mandated assessments will be used.¶
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Alternative Credit Options**PERFORMANCE-BASED CREDITS (CONTINUED)**

6. Criteria to ~~ensure that~~ internships, cooperative learning ~~experiences, and other learning in the school and community are:~~

- ~~Designed to further student progress towards the Individual Learning Plan;~~
- ~~Supervised by qualified instructors; and~~
- ~~Aligned with State and District content and performance standards.~~

The high school student handbook shall include complete details concerning specific graduation requirements.

In keeping with statutory requirements, the School shall accept for credit toward graduation and completion of high school course requirements an advanced placement or a high school equivalent course taken by a student in grades 5, 6, 7, or 8 if that student attains performance levels expected of high school students in the School as determined by achieving a score of "3" or higher on a College Board Advanced Placement examination or a grade of "B" or better in a high school equivalent.

MODEL SCHOLARS EARLY COLLEGE PROGRAM

Model Laboratory School's Early College Program is a collaborative offering with Eastern Kentucky University. The Early College Program allows high achieving and motivated seniors an opportunity to enroll in eight (8) college courses (four {4} each semester).

QUALIFICATIONS

1. Achieved a high school GPA of 3.5 or higher and no grades of C+ or lower during junior year;
2. Met national college readiness benchmarks in English, reading, and math (i.e., English ACT score of 18, Reading ACT score of 22, and Math ACT score of 22 or equivalents on another qualifying assessment);
3. Demonstrated strong work habits and ethics as evidenced through attendance, discipline records and teacher evaluations; and
4. Met all high school graduation requirements with the exception of:
 - Senior English
 - Research
 - Government & Financial Literacy
 - World language and/or senior year math (if using courses in the Early College Program to fulfill either or both of these areas).

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CURRICULUM AND INSTRUCTION

08.1131
(CONTINUED)

Alternative Credit Options

REFERENCES:

KRS 158.622

KRS 164.786

704 KAR 3:303; 704 KAR 3:305; 704 KAR Chapter 8

RELATED POLICIES:

08.113; 08.11311; 08.2323; 09.1221; 09.3; 09.435

- VOLUME 12-

Early Graduation Program

Students who meet all applicable legal requirements shall be eligible for the Early Graduation Program (EGP) in relation to receipt of a graduation diploma and an Early Graduation Certificate. Students wishing to participate in the EGP shall notify the Principal in writing at the beginning of grade nine (9) or as soon as the intent is known, but no later than the first thirty (30) school days of the academic year in which the student intends to graduate.

704 KAR 3:305 defines “graduating early” as meaning a student who is “awarded a diploma from the district, in under four (4) academic years from the start of grade nine (9), based upon meeting the minimum credit requirements of this administrative regulation and additional requirements as may be imposed by a local board of education.”

A student shall not be prohibited from completing the EGP if the student meets all requirements. Students who enroll in the EGP and meet all applicable legal requirements shall receive a diploma and an Early Graduation Certificate.

A Letter of Intent to Apply shall be entered into the student information system by October 15 of the year the student intends to graduate. The letter of intent shall include a rationale for graduating early and a plan to meet the student’s ILP and all Kentucky and Model graduation requirements. The student and parent/guardian shall meet with the Advisor/Counselor and Principal to discuss the rationale, plan for meeting requirements, and postsecondary goals and career aspirations.

The Principal shall make a determination to approve the request to graduate early in consultation with the Advisor/Counselor and the Superintendent.

A student shall complete all requirements applicable to the academic year in which the student intends to graduate as established in administrative regulation by the Kentucky Board of Education.

A student who has indicated an intent to complete the EGP may participate in the state administration of the college entrance exam prior to the junior year, if needed.

For students wishing to participate in the EGP and earn an Early Graduation Certificate and scholarship the Superintendent/designee shall provide:

- a. Criteria for supporting the development and monitoring of the student’s ILP;
- b. Goal planning related to the attainment of established School essential workplace ethics programs;
- c. Completion of a professional resume; and
- d. Completion of one (1) postsecondary admissions application that may be used at a Kentucky public two (2) year community and technical college, or a Kentucky four (4) year public or non-profit independent institution accredited by the Southern Association of Colleges and Schools.

Early Graduation Program

EARLY GRADUATION PROGRAM (EGP) (CONTINUED)

Each EGP participant, with the support of the comprehensive school counselor/designee, shall:

- a. Identify all EGP requirements and develop a strategy within the ILP for meeting those requirements, including the School's established workplace ethics program; and
- b. Complete an entrance interview with the Principal/designee to discuss postsecondary goals and career aspirations.

By July 1, 2024, each high school shall determine performance descriptors and evaluation procedures for an EGP performance-based project, portfolio, or capstone required for students who intend to complete the EGP beginning with the 2024-2025 academic year.

Performance descriptors and evaluation procedures shall provide an opportunity for the student to demonstrate attainment of the following critical skills required for post-secondary and career success:

- a. Attainment of essential workplace ethics program components;
- b. Demonstration of an ability to apply the academic standards as a lifelong learner and contributing member of society;
- c. Demonstration of written and verbal communication skills needed for post-secondary success; and
- d. Demonstration of an ability to think critically, synthesize information, and draw conclusions.

By July 1, 2024, the performance-based project, portfolio, or capstone shall be required for completion of the EGP.

Each high school shall maintain and make readily available to the Kentucky Department of Education the EGP participant's performance-based project, portfolio, or capstone for a minimum of five (5) years.

Any student seeking to graduate early who receives services deemed essential by the School shall engage in meaningful consultation with a school-based mental health services provider on the creation of a continuity of services plan prior to graduation.

The School shall ensure the creation of a continuity of services plan for all students identified as a homeless child, a migratory child, or youth engaged in foster care. A transition plan shall be completed for children aging out of foster care.

REFERENCES:

KRS 158.142
704 KAR 3:305

RELATED POLICIES:

08.113; 08.1131

LEGAL: REVISIONS TO 704 KAR 3:395 CLARIFY THAT EXTENDED SCHOOL SERVICES SHALL BE PROVIDED TO ELIGIBLE STUDENTS WHO ARE IN THE FIRST YEAR OF THE PRIMARY SCHOOL PROGRAM THROUGH GRADE TWELVE. STUDENTS SHALL BE ELIGIBLE TO RECEIVE THESE SERVICES UNTIL THEY GRADUATE FROM GRADE TWELVE OR REACH TWENTY-ONE (21) YEARS OF AGE, WHICHEVER COMES FIRST.

FINANCIAL IMPLICATIONS: COST OF PROVIDING ESS

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CURRICULUM AND INSTRUCTION

08.133

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- VOLUME 12-

Extended Learning

AFTER-SCHOOL FEE-BASED PROGRAM

The school offers, for a fee, extended learning program for students Kindergarten through eighth (K -8) grades. Based upon sufficient enrollment a summer enrichment program may be offered.

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EXTENDED SCHOOL/DIRECT STUDENT SERVICES

PLAN FOR DIAGNOSING

The Superintendent/designee shall develop a plan for diagnosing and addressing student academic deficiencies by providing Extended School Services (ESS) as required by state law.

ESS

ESS shall be provided to eligible students who are in the first year of the primary school program through grade twelve. Students shall be eligible to receive these services until they graduate from grade twelve or reach twenty-one (21) years of age, whichever comes first. The School shall provide ESS consistent with students' intervention plans and goals included as part of individual learning plans, requirements of 704 KAR 3:395, and local plans and procedures.

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For students eligible to attend ESS, the School shall:

- Identify learning goals and benchmarks for each student that, if achieved, indicate that the student may exit the ESS program;
- Determine conditions under which a student's absence from the program may be considered excused or unexcused; and

The School shall select pupils who need additional instructional time or differentiated opportunity to learn academic and enrichment content aligned with their individual student needs to improve their present level of performance in one (1) or more content areas. Priority for ESS services shall be placed on designing and delivering services to students at risk academically.

The School may provide ESS during the regular school day when a waiver for alternative service delivery has been obtained. ESS offered during the summer shall be available to all eligible students.

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The School may apply for Title I funding for Direct Student Services if eligible as provided in Every Student Succeeds Act and the state plan required under federal law. Required notices, funding, and provision of Direct Student Services shall be consistent with federal and state requirements.¶

Extended Learning

REFERENCES:

KRS 158.070
704 KAR 3:395
20 U.S.C. § 6303b
P. L. 114-95 (Every Student Succeeds Act of 2015)

LEGAL: SB 150 (EFFECTIVE NOW) AMENDS KRS 158.1415 TO REQUIRE A POLICY TO RESPECT PARENTAL RIGHTS REGARDING HUMAN SEXUALITY. IT ALSO REQUIRES PARENTAL NOTIFICATION OF THE STUDENT'S PLANNED PARTICIPATION IN THE COURSE AND A PROCESS FOR WRITTEN CONSENT FROM THE PARENT OR GUARDIAN.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

CURRICULUM AND INSTRUCTION

08.13531

- VOLUME 12-

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Human Sexuality

Per KRS 158.1415 the Principal adopts a curriculum for human sexuality or sexually transmitted diseases, instruction shall include but not be limited to the following content:

- a) Abstinence from sexual activity is the desirable goal for all school-age children;
- b) Abstinence from sexual activity is the only certain way to avoid unintended pregnancy, sexually transmitted diseases, and other associated health problems;
- c) The best way to avoid sexually transmitted diseases and other associated health problems is to establish a permanent mutually faithful monogamous relationship;
- d) A school policy to respect parental rights by ensuring that:
 - 1. Children in grade five (5) and below do not receive any instruction through curriculum or programs on human sexuality or sexually transmitted diseases; or
 - 2. Any child, regardless of grade level, enrolled in the School does not receive any instruction or presentation that has a goal or purpose of students studying or exploring gender identity, gender expression, or sexual orientation; and
- e) A school policy to notify a parent in advance and obtain the parent's written consent before the parent's child in grade six (6) or above receives any instruction through curriculum or programs on human sexuality or sexually transmitted diseases.

CURRICULUM REQUIREMENTS

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

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

Human Sexuality

CURRICULUM REQUIREMENTS (CONTINUED)

- c) Be developmentally appropriate; and
- d) Be limited to a curriculum that has been subject to the reasonable review and response by stakeholders in conformity with KRS 160.345.

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

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

This shall not prohibit school personnel from:

- a) Discussing human sexuality, including the sexuality of any historic person, group, or public figure, where the discussion provides necessary context in relation to a topic of instruction from a curriculum approved pursuant to KRS 160.345; or
- b) Responding to a question from a student during class regarding human sexuality as it relates to a topic of instruction from a curriculum approved pursuant to KRS 160.345.

Teachers shall inform parent(s)/guardian(s) of the content on the course syllabus. Teachers shall collect and retain all consent forms for one (1) year.

REFERENCES:

KRS 158.1415; KRS 160.345

RELATED POLICIES:

08.1; 08.23; 08.2322

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LEGAL: SB 5 CREATES A NEW SECTION OF KRS 158 TO REQUIRE THE BOARD TO ADOPT A COMPLAINT RESOLUTION POLICY FOR PARENTS OR GUARDIANS ALLEGING THAT MATERIAL, A PROGRAM, OR AN EVENT THAT IS HARMFUL TO MINORS HAS BEEN PROVIDED OR IS CURRENTLY AVAILABLE TO THEIR STUDENT ENROLLED IN THE DISTRICT.
FINANCIAL IMPLICATIONS: TIME SPENT INVESTIGATING, RESPONDING TO APPEALS, COST OF NEWSPAPER ADVERTISEMENT REGARDING FINAL OUTCOME

CURRICULUM AND INSTRUCTION

08.23

- VOLUME 12-

“Harmful to Minors” Complaint Resolution Process

“HARMFUL TO MINORS”

Per KRS 158.192 “harmful to minors” means materials, programs, or events that:

- a) Contain the exposure, in an obscene manner, of the unclothed or apparently unclothed human male or female genitals, pubic area, or buttocks or the female breast, or visual depictions of sexual acts or simulations of sexual acts, or explicit written descriptions of sexual acts;
- b) Taken as a whole, appeal to the prurient interest in sex; or
- c) Is patently offensive to prevailing standards regarding what is suitable for minors.

COMPLAINT RESOLUTION PROCESS

This complaint resolution policy shall be used to address complaints submitted by parents or guardians alleging that material, a program, or an event that is harmful to minors has been provided or is currently available to a student enrolled in the School who is the child of the parent or guardian.

The complaint resolution process shall require that:

- a) Complaints be submitted in writing to the Principal of the school where the student is enrolled;
- b) Complaints provide the name of the complainant, a reasonably detailed description of the material, program, or event that is alleged to be harmful to minors, and how the material, program, or event is believed to be harmful to minors.

The appeal process is outlined in 08.23 AP.21/Complaint Resolution Process.

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 158.192
Board of Educ., Island Trees v. Pico, 102 S.Ct. 2799 (1982)

RELATED POLICIES:

03.16; 03.162; 03.26; 03.262
08.2322; 09.4281; 09.42811; 09.428111; 10.2

LEGAL: REVISIONS TO 702 KAR 7:125 ADD ANOTHER EXCEPTION TO THE REQUIREMENT FOR STUDENTS TO BE PHYSICALLY PRESENT IN SCHOOL TO BE COUNTED IN ATTENDANCE.
FINANCIAL IMPLICATIONS: STUDENTS COUNTED AS PRESENT UNDER SEEK

STUDENTS

09.122

- VOLUME 12-

Attendance Requirements

COMPULSORY ATTENDANCE

Students who have entered kindergarten or who are between the ages of six (6), as of August 1, and eighteen (18), except those specifically exempted by statute, shall enroll and be in regular attendance.¹

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

EXCEPTIONS TO PRESENCE AT SCHOOL

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

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,² or court-ordered instruction in another setting.
2. Participation of a pupil in 4-H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4-H club leader shall be considered school attendance.³
3. Students may participate in cocurricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when cocurricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.⁴
4. Students [enrolled and participating in a full-time, online, virtual and remote learning program](#), or participating in an off-site virtual high school class or block may be counted in attendance in [keeping with statute and regulation](#).^{4 & 9}
5. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.⁴
6. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.⁵

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

7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.⁶
8. The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, and that falls within one (1) or more of the categories of standards-based course work. A pupil may be counted in attendance for performance-based credit for a class or block for the year or semester in which the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in accordance with local policies.^{4 & 7}
9. Students attending basic training required by a branch of the United States Armed Forces shall be considered present for all purposes for up to ten (10) days.³
10. Students participating in any of the page programs of the General Assembly.³

REFERENCES:¹KRS 159.010; OAG 85-55²KRS 159.030³KRS 159.035⁴702 KAR 7:125⁵KRS 158.240⁶KRS 158.070⁷704 KAR 3:305⁸KRS 158.143⁹[KRS 158.150](#)

KRS 158.030; KRS 159.020; KRS 159.180; KRS 159.990

[704 KAR 3:535](#); 704 KAR 5:060

OAG 79-68; OAG 79-539; OAG 87-40; OAG 97-26

RELATED POLICIES:

08.131; 08.1312

09.111; 09.121; 09.123; 09.36

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LEGAL: SB 150 (EFFECTIVE NOW) CREATES A NEW SECTION OF KRS 158 TO REQUIRE THE BOARD TO ADOPT POLICIES NECESSARY TO PROTECT THE PRIVACY RIGHTS OF STUDENTS.
FINANCIAL IMPLICATIONS: COST OF LITIGATION DEFENDING THIS LEGISLATION

STUDENTS

D09.141

- VOLUME 12-

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Student Privacy Rights

In order to protect the privacy rights for students, students are required to use restrooms, locker rooms, or shower rooms that are designated for biological sex or specified as single occupancy.

A student who asserts to school officials that his or her gender is different from his or her biological sex and whose parent or legal guardian provides written consent on school provided forms to school officials shall be provided with the best available accommodation, but that accommodation shall not include the use of school restrooms, locker rooms, or shower rooms designated for use by students of the opposite biological sex while students of the opposite biological sex are present or could be present.

Acceptable accommodations may include but are not limited to access to single-stall restrooms or controlled use of faculty bathrooms, locker rooms, or shower rooms.

REFERENCE:

KRS 158.189

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY MIDDLE AND HIGH SCHOOL BUILDING, AND AS FUNDS BECOME AVAILABLE, AT SCHOOL-SANCTIONED MIDDLE AND HIGH SCHOOL ATHLETIC PRACTICES AND COMPETITIONS, AND TO ADOPT PROCEDURES FOR THE USE OF AEDS DURING EMERGENCIES.

FINANCIAL IMPLICATIONS: COSTS OF PURCHASING, MAINTAINING AEDS, COPYING AND DISTRIBUTING PLANS, AND PERSONNEL TRAINING COSTS

STUDENTS

09.224

- VOLUME 12-

Emergency Medical Treatment

FIRST AID TO BE PROVIDED

First aid shall be provided to all pupils in case of an accident or sudden illness until the services of a health care professional become available.

FIRST-AID ROOM

A first-aid area with appropriate equipment, supplies and provisions for the child to recline shall be designated in each school. At least two (2) adult employees in each school, at least one (1) of whom shall be present at the school at all times during school hours, shall have completed and been certified in a standard first aid course that includes CPR for infants and children.

The School shall have employees trained in accordance with the law to administer or help administer emergency medications.

When enrolled students, for whom documentation under KRS 158.838, including seizure action plans, has been provided to the school, are present during school hours or as participants in school-related activities, a school employee who has been appropriately trained to administer or assist with the self-administration of glucagon, insulin, seizure rescue medications, or medication prescribed to treat seizure disorder symptoms approved by the FDA and administered pursuant to a student's seizure action plan, shall be present.

AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)

The School shall maintain a portable AED in a public, readily accessible, well-marked location in every middle and high school building and, as funds become available, at school-sanctioned middle and high school athletic practices and competitions. A minimum of three (3) employees in the school and all interscholastic athletic coaches shall be trained on the use of a portable AED.²

INFORMATION NEEDED

A number at which parents can be reached and the name of the family physician shall be maintained at each school for all its pupils.¹ Parents will be notified in the event of an accident.

EMERGENCY CARE PROCEDURES

Schools shall have emergency care procedures comporting with regulation¹ and may utilize the Kentucky Department of Education's Health Services Reference Guide (HSRG) as a resource.

When an emergency arises and the student's parent/guardian or designee cannot be reached in a timely manner, the school will take action necessary to maintain the student's health, such as calling emergency medical personnel or taking the student to a health care facility. In such instances, school personnel shall notify health professionals of any medications that they are aware the student is taking.

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STUDENTS

09.224
(CONTINUED)

Emergency Medical Treatment

REFERENCES:

¹702 KAR 1:160

²[KRS 158.162](#)

KRS 156.160; KRS 156.502

KRS 158.836; KRS 158.838

Kentucky Department of Education Health Services Reference Guide (HSRG)

RELATED POLICIES:

[05.4](#); 09.21; 09.22; 09.2241

LEGAL: SB 229 AMENDS KRS 620.030 REMOVING DUPLICATE REPORTING TO AUTHORITIES AND ADDS FACILITATING COOPERATION BETWEEN AGENCIES.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.227

- VOLUME 12-

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

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

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

WRITTEN REPORT

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

WRITTEN RECORDS

Copies of reports kept by the School 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.

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

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Child Abuse**AGENCY CUSTODY**

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

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

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

REQUIRED TRAINING

All current school administrators, faculty personnel, office staff, instructional assistants, coaches, and extracurricular sponsors shall complete School selected training on child abuse and neglect prevention, recognition, and reporting by January 31, 2017, and every two (2) years thereafter. School administrators, faculty personnel, office staff, instructional assistants, coaches, and extracurricular sponsors hired after January 31, 2017, shall complete the training within ninety (90) days of being hired, and every two (2) years thereafter.

OTHER

Each school shall prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services and the National Human Trafficking Reporting Hotline number administered by the United States Department for Health and Human Services. The telephone numbers are also listed in the employee handbook.

REFERENCES:

- ¹KRS 600.020
- ²KRS 620.030; KRS 620.040
- ³OAG 85-134; OAG 92-138
- ⁴KRS 620.072
- KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580
- KRS 156.095; KRS 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:

09.1231; 09.3; 09.31; 09.42811; 09.4361; 10.5

LEGAL: HB 331 AMENDS KRS 158.162 TO REQUIRE THE DISTRICT TO MAINTAIN A PORTABLE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) IN EVERY MIDDLE AND HIGH SCHOOL BUILDING, AND AS FUNDS BECOME AVAILABLE, AT SCHOOL-SANCTIONED MIDDLE AND HIGH SCHOOL ATHLETIC PRACTICES AND COMPETITIONS, AND TO ADOPT PROCEDURES FOR THE USE OF AEDS DURING EMERGENCIES. IT ALSO REQUIRES ALL INTERSCHOLASTIC ATHLETIC COACHES BE TRAINED ON THE USE OF PORTABLE AEDS AND MAINTAIN A CPR CERTIFICATION RECOGNIZED BY A NATIONAL ACCREDITING BODY ON HEART HEALTH.
FINANCIAL IMPLICATIONS: COSTS OF PURCHASING, MAINTAINING AEDS, COPYING AND DISTRIBUTING PLANS, AND PERSONNEL TRAINING COSTS

STUDENTS

09.311

- VOLUME 12-

Safety (Athletics)

School policy and procedures shall be developed to conform with statutory and regulatory requirements designed to protect the safety of the students in all athletic practices and events.

SUPERVISION

All athletic practices and events shall be under the direct supervision of a qualified employee of the School.

TRAINING

All persons employed as a coach for any interscholastic athletic activity or sport shall meet statutory training requirements. Training shall include how to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion.

In addition, at least one (1) person who has completed the required course shall be present at every interscholastic athletic practice and competition.¹

Any middle or high school coach (head or assistant, paid or unpaid) shall successfully complete training as required by the School, the Kentucky Board of Education, the Kentucky High School Athletic Association, and state law and regulation. This shall include safety and first aid training and providing the school documentation of successful completion of a [cardiopulmonary resuscitation \(CPR\)](#) course that includes the use of an [automated external defibrillator \(AED\)](#) and first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, American Heart Association, or other bona fide accrediting agency. Initial certification shall use in-person instruction with certification updated as required by the approving agency.⁴ [All interscholastic athletic coaches shall maintain a CPR certification recognized by a national accrediting body on heart health.](#)⁵

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Nonfaculty coaches and nonfaculty assistants shall complete School training provided by the Athletic Director that includes information on the physical and emotional development of students of the age with which they will be working, the school's discipline policies, procedures for dealing with discipline problems, safety and first aid training, school email account procedures, supervisor of students, and duty to report. Follow-up training shall be provided annually.³

EMERGENCY ACTION PLAN

In keeping with rules established by Kentucky Board of Education (KBE) or the Kentucky High School Athletic Association (KHSAA), each school participating in interscholastic athletics shall develop and implement a venue-specific, written emergency action plan and submit annual written verification of the plan to the designated agency. The school plan shall be reviewed, distributed, posted, and rehearsed annually as provided in statute.¹

Safety (Athletics)**CARDIAC EMERGENCY RESPONSE PLAN**

A written cardiac emergency response plan that clearly identifies the location of each AED shall be rehearsed by simulation prior to the beginning of each athletic season by all: licensed athletic trainers, school nurses, and athletic directors; and interscholastic coaches and volunteer coaches of each athletic team active during that athletic season.

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CONCUSSIONS

When an interscholastic coach, school athletic personnel, or contest official suspect that a student athlete has sustained a concussion during an athletic practice or competition, the student shall be removed from play and evaluated by a physician or licensed health care provider, as specified in statute, who shall determine if a concussion has occurred. Upon the completion of the required evaluation, the coach may return the student to play if it is determined that no concussion has occurred. If no physician or licensed health care provider is present to perform the required evaluation, the coach shall not return the student to play or participate in subsequent practices or athletic competitions until written clearance is provided.

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A student athlete deemed to be concussed shall not be permitted to participate in any athletic practice or competition occurring on the day of the injury or, unless a physician provides written clearance, participate in any practice or athletic competition held on a subsequent day.

MEDICAL EXAMINATION

Each student seeking eligibility to participate in any school athletic activity or sport must pass an annual medical examination performed and signed by a medical practitioner as required by law.²

The required physical examination and parental authorization shall include acknowledgement of receipt of information on the nature and risk of concussion and head injury, including the continuance of playing after concussion or head injury.¹

REFERENCES:

¹KRS 160.445

²KRS 156.070

³KRS 161.185

⁴702 KAR 7:065

⁵[KRS 158.162](#)

RELATED POLICIES:

03.1161

03.2141

LEGAL: SB 145 AMENDS KRS 156.070 REMOVING THE STATUTORY ELIGIBILITY RESTRICTION FOR NONRESIDENT STUDENT PARTICIPATION IN INTERSCHOLASTIC ATHLETICS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.313

- VOLUME 12-

Eligibility (Athletics)

Determination of athletic eligibility shall be made in compliance with School guidelines, applicable administrative regulations and Kentucky High School Athletic Association (KHSAA) requirements.¹

Standards for playing up from middle school (grades seven and eight [7 & 8]) to high school in sports other than football and soccer may include, but are not limited to, considerations related to safety, physical readiness, use of school space after the school day, transportation, funding, the student's disciplinary status and record, any substance testing restrictions, and equitable opportunities for participation.

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

REFERENCES:

~~KRS 156.070~~
~~KRS 160.1592; KRS 160.345~~
702 KAR 7:065; OAG 15-022
Kentucky High School Athletic Association (KHSAA)

RELATED POLICIES:

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

Deleted: Any student who transfers enrollment from a district of residence to a nonresident district shall be ineligible to participate in interscholastic athletics for one (1) calendar year from the date of transfer.

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LEGAL: SB 9 CREATES A NEW SECTION OF KRS 508 WHICH MAKES HAZING A CRIMINAL OFFENSE AND INCLUDES DEFINITIONS OF HAZING AND AN ORGANIZATION.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.422

- VOLUME 12-

Bullying/Hazing

In order to effectively participate in the democratic process as adults, students must learn to respect the rights of others and to interact with them in a civil manner. Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors to the schools.

ACTIONS NOT TOLERATED

The use of lewd, profane or vulgar language is prohibited. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or other threatening behavior.¹ This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

Students who violate this policy shall be subject to appropriate disciplinary action.

BULLYING DEFINED

Per KRS 158.148, "bullying" is defined as any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event: or
2. That disrupts the education process.

This definition shall not be interpreted to prohibit civil exchange of opinions or debate or cultural practices protected under the state or federal Constitution where the opinion expressed does not otherwise materially or substantially disrupt the education process.

HAZING DEFINED

Per KRS 508.150, 'hazing' is defined as an action which endangers the mental or physical health of a minor or student for the purpose of recruitment, initiation into, affiliation with, or enhancing or maintaining membership or status within any organization*, including but not limited to actions which cause, coerce, or force a minor or a student to:

- (a) Violate federal or state criminal law;
- (b) Consume any food, liquid, alcoholic liquid, drug, tobacco product, or other controlled substance which subjects the minor or student to a risk of mental harm or physical injury;
- (c) Endure brutality of a physical nature, including whipping, beating or paddling, branding, or exposure to the elements;

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Bullying/Hazing**HAZING DEFINED (CONTINUED)**

(d) Endure brutality of a mental nature, including personal servitude, sleep deprivation, or circumstances which would cause a reasonable person to suffer substantial mental distress;

(e) Endure brutality of a sexual nature; or

(f) Endure any other activity that creates a reasonable likelihood of mental harm or physical injury to the minor or student.

*Per KRS 508.180, "organization" is defined as a number of persons who are associated with a school or postsecondary education institution and each other, including a student organization, fraternity, sorority, association, corporation, order, society, corps, club, or similar group and includes any student organization registered pursuant to policies of the school or postsecondary education institution at any time during the previous five (5) years.

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REPORTS

As provided in the School Code of Conduct, students that believe they are victims of bullying/hazing shall be provided with a process to enable them to report such incidents to School personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following School policy requirements for intervening and reporting to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it.

The School Code of Conduct shall specify to whom reports of alleged instances of bullying or hazing shall be made. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by policy 09.42811. The Principal/designee shall investigate and address alleged incidents of such misbehavior.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy 09.2211; and
2. Investigate and complete documentation as required by policy 09.42811 covering federally protected areas.

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.426 and/or 09.42811. Harassment/discrimination allegations shall be governed by Policy 09.42811.

STUDENTS

09.422
(CONTINUED)

Bullying/Hazing

REFERENCES:

¹KRS 158.150

KRS 158.148

KRS 158.156

KRS 160.290

KRS 508.180

KRS 525.080

Bethel School District No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)

Mahanoy Area School District v. B. L., 594 US _ (2021)

Tinker v. Des Moines Independent School District, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

RELATED POLICIES:

03.162; 03.262; 09.13; 09.421; 09.425; 09.426; 09.4281; 09.42811; 09.438

09.2211 (re reports required by law)

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LEGAL: HB 538 AMENDS KRS 158.150 TO INCLUDE BEHAVIORS THAT OCCUR OFF SCHOOL PROPERTY IF THE INCIDENT IS LIKELY TO SUBSTANTIALLY DISRUPT THE EDUCATIONAL PROCESS AND OPTIONS FOR REMOVAL OF STUDENTS.
FINANCIAL IMPLICATIONS: COST OF EDUCATING EXPELLED STUDENTS AND CONDUCTING HEARINGS

STUDENTS

09.425

- VOLUME 12-

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 another student 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 School transportation pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to:

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

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

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

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

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

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.

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

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

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

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

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

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

REPORT TO LAW ENFORCEMENT AGENCY

When they have reasonable belief that a violation has taken place, principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon.

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.

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Assault and Threats of Violence**DOMESTIC/DATING VIOLENCE REPORTING AND EDUCATION (CONTINUED)**

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's area.

NOTIFICATIONS

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

Any School 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

²KRS 158.1559

KRS 158.154; KRS 160.290

KRS 161.155; KRS 161.190; KRS 161.195

KRS 209A:020; KRS 209.160

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 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; [09.426](#); [09.4281](#); 09.429; [09.4341](#)

LEGAL: HB 538 AMENDS KRS 158.150 TO DEFINE "CHRONICALLY DISRUPTIVE" TO THE EDUCATIONAL PROCESS AND OPTIONS FOR REMOVAL OF STUDENTS.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.426

- VOLUME 12-

Disrupting the Educational Process

Behavior that materially or substantially disrupts the educational process, whether on or off school property or at school-sponsored events and activities, shall not be tolerated and shall subject the offending student to appropriate disciplinary action. For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct that disrupts the classroom environment and education process or the student challenges the authority of a supervising adult;
2. Conduct which threatens the health, safety, or welfare of others;
3. Conduct which may damage public or private property, including the property of students or staff;
4. Illegal activity;
5. Conduct that materially or substantially interferes with another student's access to educational opportunities or programs, including the ability to attend, participate in and benefit from instructional and extracurricular activities; or
6. Conduct that materially or substantially disrupts the delivery of instructional services or interferes with the orderly administration of the school and school-related activities or School operations.

REMOVAL

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.

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STUDENTS

09.426
(CONTINUED)

Disrupting the Educational Process

OTHER CLAIMS

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.42811, which address harassment/discrimination allegations.

REFERENCES:

KRS 158.150; KRS 158.165; KRS 160.290

RELATED POLICIES:

09.13; 09.422; [09.425](#); [09.4281](#); 09.42811; [09.431](#); 09.438

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LEGAL: HB 538 AMENDS KRS 158.150 REGARDING STUDENT DISCIPLINE.
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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STUDENTS

09.431

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- VOLUME 12-

Due Process

RIGHT TO DUE PROCESS

Before being punished at the school level with suspension for violation of school regulations, a student shall have the right of the following due process procedures.¹

1. The student shall be given oral or written notice of the charge(s) against him or her;
2. If the student denies the charge(s), the student shall be given an explanation of the evidence of the charge(s) against him or her; and
3. The student shall be given an opportunity to present their own version of the facts relating to the charge(s) and a list of witnesses.
4. The Principal's decision may be appealed to the Superintendent. The decision of the Superintendent is final.

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STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, procedures mandated by federal and state law shall be followed.²

REFERENCES:

¹KRS 158.150

²P. L. 105-17; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592 (1988) 09.426

09.43

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09.434

09.4341

09.435

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LEGAL: HB 538 AMENDS KRS 158.150 TO DEFINE "CHRONICALLY DISRUPTIVE" TO THE EDUCATIONAL PROCESS AND ADDS STATUTORY GUIDELINES FOR SUSPENSION OF A STUDENT. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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STUDENTS

09.434

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- VOLUME 12-

Suspension

WHO MAY SUSPEND

In accordance with KRS 158.150, a Principal or assistant Principal may suspend a student up to a maximum of five (5) days per incident.

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The Superintendent may suspend a pupil up to a maximum of ten (10) days per incident.

LENGTH OF SUSPENSION

A student may not be suspended for more than a total of ten (10) days per incident.

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Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the Superintendent/designee.

Suspensions are considered unexcused absences.

PRIOR DUE PROCESS REQUIRED

A student shall not be suspended until due process procedures have been provided as described in KRS 158.150 (09.431)¹, unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process. If the Superintendent lengthens the period of suspension imposed by the Principal, additional due process shall be provided.

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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.

IMMINENT DANGER

In such cases, due process shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.

WRITTEN REPORT REQUIRED

The Principal or assistant Principal shall report any suspension in writing¹ immediately to the Superintendent and to the parent of the student being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

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STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.²

REFERENCES:

¹KRS 158.150

²20 U.S.C. Sections § 1400 et seq; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592(1988)

OAG 77-419; OAG 77-427; OAG 77-547

OAG 78-392; OAG 78-673

707 KAR 1:340

Goss v. Lopez, 419 US 565 (1975)

| STUDENTS

09.434
(CONTINUED)

Suspension

RELATED POLICIES:

| [09.425; 09.426;](#) 09.43; 09.431

LEGAL: HB 538 AMENDS KRS 158.150 TO REQUIRE EXPULSION FOR AT LEAST TWELVE (12) MONTHS IF A STUDENT MAKES THREATS THAT POSE A DANGER TO OTHER STUDENTS OR STAFF (WITH OPTIONAL MODIFICATION ON CASE-BY-CASE BASIS) AND REQUIRES LOCAL POLICY REGARDING A STUDENT WHO ASSAULTS OTHER STUDENTS OR STAFF OFF CAMPUS AND THE INCIDENT IS LIKELY TO SUBSTANTIALLY DISRUPT THE EDUCATIONAL PROCESS.
FINANCIAL IMPLICATIONS: COST OF EDUCATING EXPELLED STUDENTS AND CONDUCTING HEARINGS

STUDENTS

09.435

- VOLUME 12-

Expulsion and Disenrollment

Students may be disenrolled by the Superintendent for the following reasons:

- Non-payment of tuition – outstanding prior year(s) tuition balance by June 30th of each year;
- Non-payment of annual deposit by June 30th. Current students must submit the annual deposit by June 30th to secure a seat for the next school year. The annual deposit is deducted from the tuition fee;
- Poor attendance/truancy;
- Failure to maintain a 2.5 grade point average or its equivalent; or
- Serious or continued disciplinary infractions.

Students may be expelled from school for the following reasons:

- Level 3 or 4 disciplinary action, as defined in the Student Code of Conduct; or
- Continued Incurability – persists in violating code of conduct, and in so doing, accumulates in excess of 15 days of suspension.

UNIVERSITY MAY EXPEL

The Board may expel or disenroll or extend the expulsion of any student from the regular school setting for misconduct as defined by law.

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

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

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

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The Superintendent shall present to the Board for its approval options for providing or ensuring that educational services are provided to expelled students.

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Expulsion and Disenrollment**UNIVERSITY MAY EXPEL (CONTINUED)**

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

HEARING AND RECORDS REQUIRED

Action to expel, extend the expulsion, or place in an alternative program or setting a student for misconduct shall not be taken until the parent, guardian, or other person having legal custody or control of the student has had an opportunity for a hearing before the Board.¹ The special education and disciplinary records of IDEA eligible students shall be sent to the Board for review before the decision is made to expel or disenroll.³

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

BOARD DECISION FINAL

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

STUDENTS WITH DISABILITIES

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

TRANSFER OF RECORDS

Records transferred to another school must reflect the charges and final action of a disenrollment hearing if the student was disenrolled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol or drugs. Records of a student facing a disenrollment hearing on charges described above shall not be transferred until the disenrollment 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 159.010

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

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STUDENTS

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(CONTINUED)

Expulsion and Disenrollment

RELATED POLICIES:

05.48; 08.221; 08.113; 09.12; 09.423; 09.425; [09.426](#); 09.43; 09.431; 09.434

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LEGAL: SB 80 AMENDS KRS 17.545 TO DEFINE AND INCLUDE LOITERING AND MOBILE BUSINESSES AS PART OF RESTRICTIONS FOR REGISTRANTS ON AND WITHIN 1,000 FEET OF SCHOOL GROUNDS. FINANCIAL IMPLICATIONS: NONE ANTICIPATED

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COMMUNITY RELATIONS

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- VOLUME 12-

Visitors to the Schools

The School encourages parents, professional educators, and others who have legitimate educational interests pertaining to the school program to visit the schools. To ensure that school personnel are aware of visitors' presence, visits to classrooms shall be scheduled in advance unless authorized by the Principal/designee and all visitors must report immediately to the Principal's office upon entering the school and identify themselves, as well as declare their purposes for visiting.

All visitors, including volunteers, must sign in, provide valid photo identification, state the purpose of their visit and may be photographed prior to entering the school. The school shall provide a visitor's badge to be visibly displayed on a visitor's outer garment.

OBSERVATION

Observation by college students in conjunction with college classes from various departments may occur. The following guidelines are in place for those observations:

- No individual or group is permitted to observe in the school without giving notice in writing to the Superintendent/designee's office at least three (3) days in advance; and
- Specific participation experiences are organized/facilitated by the College of Education (COE) Field Experience Office.

Deleted: Principal's

CONDUCT/PROHIBITION ON RECORDING

All visitors to the schools must conduct themselves so as not to interfere with the daily operation of the school program.

Due to privacy concerns, and except for emergency situations, personally owned recording devices are not to be used to create video or audio recordings or to take pictures except with prior permission from the Principal/designee and the affected individual(s).

An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena.

Such devices include, but are not limited to, personal cell phones and tablets.

REGISTRANTS

No registrant, as defined in KRS 17.500, nor any person residing outside of Kentucky who would be required to register under KRS 17.510 if the person resided in Kentucky, shall be on, loiter within one thousand (1,000) feet of, or work in or operate any mobile business within one thousand (1,000) feet of the clearly defined grounds of a school, except with the advance written permission of the Principal or the Board that has been given after full disclosure of the person's status under KRS 17.510 as a registrant or sex offender from another state and all registrant information as required in KRS 17.500.

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Visitors to the Schools**REGISTRANTS (CONTINUED)**

A registrant is defined as:

1. Any person eighteen (18) years of age or older at the time of the offense or any youthful offender, as defined in KRS 600.020, who has committed:
 - a. A sex crime; or
 - b. A criminal offense against a victim who is a minor; or
2. Any person required to register under KRS 17.510; or
3. Any sexually violent predator; or
4. Any person whose sexual offense has been diverted pursuant to KRS 533.250, until the diversionary period is successfully completed.

Per KRS 17.545, “loiter” is defined as remaining in or about the clearly defined grounds of a school, while not having any reason or relationship involving custody of or responsibility for a minor or any other specific legitimate reason for being there.

Per KRS 17.545, “mobile business” is defined as any business that operates from a motor vehicle or wheeled cart that can be operated, pushed, or pulled on a sidewalk, street, or highway where food, goods, or services are prepared, processed, or sold or dispensed to the public.

A registrant, who is the parent/legal guardian, or the person designated by the parent/legal guardian to have access to a student, must request and receive prior permission from the Principal to come onto school grounds. The Principal shall determine whether the requesting registrant is permitted to come onto school grounds for the following reasons:

- To pick up or drop off their child each day.
- To pick up the child who is injured or ill.
- To confer with school staff concerning academic, disciplinary or placement issues involving the student, including matters required by federal or state law.
- To attend a school activity, including athletic practices and competition, in which the student is a participant.
- To vote when the school has been designated as a polling place.

Depending on the facts of the particular request, the Principal’s response options may include, but are not be limited to the following:

- Requiring the registrant to provide additional information needed;
- Specifying check-in and check-out requirements;
- Requiring the registrant to be directly supervised by an individual designated by the Principal while on school grounds;
- Restricting the registrant to a designated location on school grounds;
- Limiting the time the registrant will be permitted to be on school grounds; and
- Denying the request to come onto school grounds.

Visitors to the Schools**REGISTRANTS (CONTINUED)**

The Principal shall notify the Superintendent/designee of each request from a registrant and the response made to the registrant. If questions arise about a request, the Principal shall consult with the Superintendent concerning requests from registrants, and the Superintendent may seek further advice from the University's Counsel.

Deleted: Board Attorney

For all other reasons and for all individuals making a request other than parent/legal guardian/designee, the Principal shall consult with the Superintendent as the executive agent of the Board before making a final determination.

ACCOMMODATION

Visitors with disabilities shall be accommodated as required by law. Individuals requesting accommodation shall contact the Schools ADA/504 Coordinator for assistance and guidance. Accommodations may include, but are not limited to, the following considerations:

- Effective communication
- Event ticket sales accommodation
- Companion seating at events
- Use of power driven mobility devices
- Use of service animals

The School shall notify the public of any requirements and/or deadline for requesting such accommodation.

WEBSITE ACCESSIBILITY

The School is committed to ensuring accessibility of its website for students, parents, and members of the community with disabilities. All pages on the School's website will conform to the W3C WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents.

Under developed administrative procedures, students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 related to the accessibility of any official School web presence which is developed by, maintained by, or offered through the School or third party vendors and open sources.

USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED

The use of any tobacco product, alternative nicotine, or vapor product as defined in KRS 438.305 is prohibited for all persons and at all time on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the University and while attending or participating in any school-related student trip or student activity and in the presence of a student or students.¹

Adequate notice shall be provided to students, parents and guardians, school employees, and the general public.

Signage shall be posted on or in all property, including any vehicle that is owned, operated, leased, or contracted for use by the University, clearly stating that the use of all such products is prohibited at all times and by all persons on or in the property.

Visitors to the Schools**USE OF TOBACCO, ALTERNATIVE NICOTINE, OR VAPOR PRODUCTS PROHIBITED (CONTINUED)**

School employees shall enforce the policy. Persons in violation of this policy, in addition to fines which may be imposed by law², are subject to verbal warnings to refrain from use of the subject product. Refusal to refrain from such use or repeated instances of prohibited use after prior warnings may subject the individual to a ban from school property as permitted by law and corresponding civil and criminal penalties.³

REFERENCES:

¹KRS 438.345

²KRS 438.050

³KRS 511.070; KRS 511.080; OAG 90-11

KRS 17.545; KRS 17.500; KRS 17.510

KRS 160.380; KRS 211.394, KRS 211.395; KRS 438.305; KRS 600.020; KRS 620.146

OAG 91-137

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

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII

42 U.S.C. 12101 et seq., Americans with Disabilities Act

RELATED POLICIES:

03.1327; 03.162; 03.2327; 03.262; 05.3; 06.221

09.1231; 09.227; 09.3211; 09.4232; 09.426; 09.42811; 10.2

Definitions

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

POLICIES

An expression of the will of the Eastern Kentucky University's Model Laboratory Schools. Although other statutes may have policy implications, the general scope of policies is defined by KRS 164.380. Policies cover the general management and governance of the school's operations and functions. Within the parameters of the Board of Regents and the Schools legal authority, violations of policy may provide grounds for administrative response or action as relates 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 school, Board of Regents, employees, officers, or volunteers.

PROCEDURES

Procedures outline the implementation of the policies.

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.

UNIVERSITY

In this manual the term University refers to the Eastern Kentucky University.

BOARD

In this manual the term Board refers to the members of the Eastern Kentucky University's Board of Regents. The role of the Board shall be to:

- Approve policy;
- Approve tuition and fees;
- Expel students;
- Hear appeals for disenrollment, expulsions and grievances as specified in policy; and
- Grant tenure.

BOARD OF REGENTS GRIEVANCE SUBCOMMITTEE

A group of five (5) members of the Board of Regents appointed by the Board Chair for the purpose of hearing grievances as defined by policy. A quorum of the subcommittee is required to hear grievances.

PRESIDENT

In this manual the term President refers to the President of Eastern Kentucky University.

Definitions**CAMPUS**

In this manual the term Campus refers to the campus of the Eastern Kentucky University.

SCHOOL

In this manual the term School refers to the Eastern Kentucky University's Model Laboratory Schools.

SUPERINTENDENT

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

ADVISORY COMMITTEE

A committee appointed by the Superintendent that will meet quarterly to review and provide feedback on strategies and the mission of the school as related to goals and performance.

PRINCIPAL

In this manual the term principal refers to a principal of either elementary or secondary as appropriate and includes any other employee to whom a principal may delegate responsibility for a specific task.

MANAGER/SUPERVISOR

In this manual the term manager/supervisor refers to Manager/Supervisor as appropriate.

MASTER INSTRUCTOR/FACULTY ASSOCIATE

In this manual the term master instructor/faculty associate refers to Master Instructor/Faculty Associate as appropriate.

TEACHER/FACULTY

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

PARENT OR GUARDIAN

Parent, as used in the policy manual, means 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.

Definitions

STUDENT ATTENDANCE DAY

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

HEALTH PROVIDER

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

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.

REFERENCES:

KRS 158.144; KRS 160.290; KRS 160.340; KRS 160.345
KRS 161.1590; KRS 405.028
701 KAR 8:010; 701 KAR 8:020; 701 KAR 8:030; 701 KAR 8:040
702 KAR 6:010; 702 KAR 6:020; 702 KAR 6:040
702 KAR 6:075; 702 KAR 6:090

- VOLUME 12-**Legal Status of the School****PURPOSE**

Model Laboratory Schools at Eastern Kentucky University is defined by KRS 164.380 as an educational laboratory school under the supervision of thoroughly trained and certified education professionals for the purpose of piloting and testing Kindergarten through high school educational pedagogies, practices, programs, assessments, and innovations to further the educational mission of the Commonwealth.

Model Laboratory Schools at Eastern Kentucky University is established as a Child Learning and Study Center by KRS 65.210, 65.230, and 157.360. As such, it does not meet the definition of school as outlined in KRS 160.345 which would require development of a school-based decision-making council.

The Superintendent and the Commissioner of Education shall collaborate on the identification of research initiatives for the school that may be relevant to the Commonwealth.

GOVERNANCE

The governance structure for the School is:

- The Board of Regents of ECU establishes policies;
- The Superintendent of the School reports to the President/designee of ECU;
- An Advisory Council.

ADVISORY COUNCIL

Other than the Superintendent, all members of the Advisory Council shall be appointed by the President of the University for two (2) year terms beginning on July 1 and any vacancy shall be filled in the same manner for the balance of the unexpired term.

The Advisory Council shall be composed of:

1. The Superintendent of the school, who shall serve as chair;
2. One (1) member who shall be a faculty member working at the school;
3. Two (2) members who shall be faculty working outside the school;
4. Two (2) members who shall be residing in counties in which students attending the school reside;
5. Two (2) members who shall be parents of students attending the school;
6. One (1) member who shall be a secondary student at the school: and
7. Two ex-officio members.

Legal Status of the School

The Advisory Council shall advise the Superintendent, President, and Board of Regents on matters relating to the function of the school and shall:

1. Meet at least ~~quarterly~~, electing a vice-chair at the first meeting of the school year;
2. Review and provide feedback on the strategic plan of the school;
3. Review and provide feedback on the results of student performance, programs and initiatives, and the implementation of the strategic plan;
4. Provide recommendations on programming and research; and
5. Provide feedback to the President on the performance of administrative team members of the school.

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ENROLLMENT: AGREE TO PARTICIPATE

Enrollment at Model Laboratory Schools at Eastern Kentucky University requires participation in educational testing and research programs. The purpose and mission of the school is to test and pilot educational programs, practices, pedagogies, and innovations. Students will be part of action research conducted by the School's and University's faculty, staff, and students as well as other state agencies, departments, and institutions. Such research may include but is not limited to, surveys, interview, focus groups, program evaluations, educational assessments, pedagogies, classroom observation, participation data, educational practices, and/or instructional programs. While data may be collected in various media, only aggregated data will be shared publicly.

EXTERNAL RESEARCH

Requests for research studies and piloting of programs within Model Laboratory Schools at Eastern Kentucky University by external researchers or organizations must be approved by the Superintendent. All approved requests must comply with the University's IRB processes.

NOTICE OF NONDISCRIMINATION

Eastern Kentucky University, and by extension, Model Laboratory School, is an Equal Opportunity (EEO)/Affirmative Action (AA) institution that values diversity in its faculty, staff, and student body and does not discriminate on the basis of age (40 and over), race, color, religion, sex, sexual orientation, gender identity, gender expression, pregnancy, ethnicity, national origin, disability, veteran status, and/or genetic information in the admission to, or participation in, any educational program or activity (e.g. athletics, academics, and housing) which it conducts, or in any employment policy or practice, in conformity with law.

Notice of the name, work address and telephone number of the Title IX Coordinator and the Section 504 Coordinator for the University shall be provided to employees, applicants for employment, students, parents/guardians, and other beneficiaries such as participants in activities offered to the public.

POWERS AND DUTIES OF THE BOARD OF EDUCATION

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(CONTINUED)

Legal Status of the School

REFERENCES:

KRS 65.210; KRS 65.230; KRS 157.360; KRS 160.345; KRS 164.380
Americans with Disabilities Act
Section 504 of the Rehabilitation Act of 1973
Title VI of the Civil Rights Act of 1964
42 U.S.C. 200e, Civil Rights Act of 1964, Title VII
20 U.S.C. 1681, Education Amendments of 1972, Title IX
Genetic Information Nondiscrimination Act of 2008
Bostock v. Clayton County, Georgia 140 S. Ct. 1731 (2020)
H.R. 1065 (EH) - Pregnant Workers Fairness Act

RELATED POLICIES:

03.162; 03.262; 05.3
09.13; 09.14; 09.3211; 09.42811; 10.5

SUPPORT SERVICES

- VOLUME 12-

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Food Services

MEALS

Meals are provided through an external vendor approved by Eastern Kentucky University Dining and meal costs are posted in the cafeterias.

PAYMENT OF FOOD SERVICE PURCHASE,

Payment procedures are made through the learning management/data system approved by the Superintendent and Board of Regents.

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SPECIAL DIETARY NEEDS

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

The Superintendent will develop a process for grievances.

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REFERENCES:

KRS 160.290

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

Deleted: NUT-SAFE SCHOOLS¶
Model Laboratory Schools at Eastern Kentucky University is designated as a nut-safe building. The Superintendent/designee shall inform parents, staff and students of this designation.¶

- VOLUME 12-

Acceleration, Promotion and Retention**CERTIFICATE AND TRANSFERS**

When a pupil in any public school completes the prescribed program of studies of the eighth grade, they are entitled to a certificate of completion signed by the teacher. The certificate shall entitle the pupil to admission into any public high school. Any promotions or credits earned in attendance in any approved public school are valid in any other public school. In case a pupil transfers from one school to another, they may not be assigned to a lower grade or course until the pupil has demonstrated that they are not suited for the work in the grade or course to which they have been promoted.¹

A student who has completed the requirements established by the State Department of Education for a vocational program shall receive a vocational certificate of completion specifying the areas of competence.¹

DIPLOMAS

Upon successful completion of all state and School requirements, the student shall receive a diploma indicating graduation from high school.

PROMOTION/RETENTION – ELEMENTARY GRADES K - 6

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

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

No student may be retained without prior consultation with the parents and approval of the Principal.

Parent conferences may be scheduled as needed, especially if academic and other concerns have not been resolved with in-class interventions.

PROMOTION/RETENTION – GRADES 7-9

- A student earning an F1 (50-59) in English and/or math must attend summer school for promotion to the next grade.
- A student earning an F1 (50-59) in science and/or social studies may attend summer school, but it is not required for promotion to the next grade.
- A student earning an F2 (49 or lower) in English or math must attend summer school for promotion to the next grade.
- A student earning an F2 (49 or lower) in English and math may be retained pending principal review and notification of parents.

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Acceleration, Promotion and Retention**STUDENTS WITH DISABILITIES**

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.¹

ACCELERATION PROGRAM

Acceleration may be considered for students who demonstrate proficiency in achievement beyond their grade level in the basic skills, maturity in physical and social development, and superior intellectual ability. Acceleration will be considered when the student needs an advanced placement to receive the appropriate academic challenge for continued success. The Superintendent shall develop acceleration procedures for the school.

REFERENCES:

¹P. L. 105-17
KRS 158.031; KRS 158.140; KRS 158.645; KRS 158.6451
KRS 158.6453; KRS 158.860; KRS 160.1592
OAG 82-473

RELATED POLICIES:

08.113; 08.222; 08.5; 09.121

- VOLUME 12-**Grading**

Under no circumstances shall students be used to grade the work of other students. Student scores shall not be posted in public locations.

Mid-term progress reports will be issued midway through the 1st, 2nd, 3rd and 4th nine-week reporting periods. Report cards will be issued four (4) times per school year at the end of each quarter grading period.

Teachers shall post and distribute mid-term and final grades on a schedule and timeline developed by the Superintendent/designee.

PRIMARY GRADING

Each elementary teacher shall provide parents with a comprehensive report based on the School's goals and competencies.

GRADING SCALE (4TH – 12TH GRADES)

Grades shall be posted in Infinite Campus. The following grading scale shall be used for grades four through twelve (4-12):

	90-100	A	
	87-89	B+	
	80-86	B	
	77-79	C+	
	70-76	C	
	67-69	D+	
	60-66	D	
Grades 4-6	59 -0	U	
Grades 7-12	50-59	F1	(Eligible for credit recovery)
	0-49	F2	(Not eligible for credit recovery)

Dual credit courses will be graded in accordance with the University grading scale.

Grades prior to 2019-20 at Model or grade transferred into Model will be in accordance with the grade scale in effect at the time and from the institution credit was earned.

SEMESTER EXAMS/ASSESSMENTS

Semester exams/assessments shall be given in all courses for students pursuing a non-alternate diploma. Semester exams/assessments shall be cumulative and evaluate the content and skills covered during the semester. Courses that fulfill graduation requirements will use common assessments and grading procedures in order to ensure consistency. Students who take second semester AP course exams may elect to be exempt from second semester exams.

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With the exception of AP courses, some component of the semester exam must be administered during the exam period.

Grading**SECONDARY (7-12) GRADES**

Semester grades are calculated as follows: each quarter is weighted 40% and the semester exams/assessments are weighted and count as 20% of each semester grade. For the final course grade, each semester grade is weighted equally at 50%.

SECONDARY CLASSIFICATION

Beginning with the class of 2026, students are classified in high school according to the number of credits accrued at the beginning of each school year. The following is the minimum number of credits required at each level:

10th grade	<u>5</u> credits
11th grade	<u>11</u> credits
12th grade	<u>16</u> credits

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GRADE POINT AVERAGE

Grade point averages (GPA) are calculated at the end of each semester. This calculation shall be based on performance in all courses taken during the high school years. All dual credit grades will be used when computing the GPA. The GPA is computed by dividing the total credits attempted by the sum of all quality points earned and is calculated to the hundredth place with rounding applied.

Quality points shall be assigned as follows:

4.00	A
3.50	B+
3.00	B
2.50	C+
2.00	C
1.50	D+
1.00	D
0.00	F

CREDIT RECOVERY

Provided a student has achieved a minimum grade of F1 in a course, he/she may enroll in credit recovery options through correspondence, virtual online, or face-to-face courses. All correspondence or online coursework must be completed outside the regular school day and off the school campus. Students may earn up to a grade of C in the course through credit recovery. Both the F1 and the grade earned through credit recovery will be posted on the student's transcript, but the F1 will not be calculated into the student's GPA.

Grading**CREDIT RECOVERY (CONTINUED)**

The approval of the Principal/designee shall be obtained before the course is taken and an official record of the final grade must be received by the school before a diploma may be issued to the student. The cost of the approved course shall be paid by the students or the parent/guardian.

Teachers shall submit to the Principal a credit recovery plan for any student earning a grade of F1 in his or her class by the end of each semester. ~~F1 grades will be transcribed as a grade of F2 if the credit is not recovered by the beginning of the next academic year or within the contracted period, whichever is earlier.~~

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GRADE REPLACEMENT/REPEATING COURSE

Only courses indicated that they may be repeated may be repeated for credit. Only courses offered by accredited agencies and institutions will be accepted. A student may elect to repeat a course not eligible to be repeated to improve their grade or to earn credit. However, only one credit may be awarded toward graduation for the repeated course. The student will be awarded the higher of the two grades, and upon successful completion of the course, they will be awarded credit. No student may be awarded more than the maximum number of credits for a course.

GRADE/CREDIT TRANSFER

A student who transfers classes and credits from an accredited institution to the school shall have those classes and credits transferred using the grading scale from that institution. Grades will be credited using a 4.00 scale. For transferred AP classes to be credited with the AP destination, the student must have taken the AP course and the national exam.

DROP CLASSES

No student who has enrolled in a course, including dual credit, shall be permitted to drop the course without first acquiring the consent of the student's parent/guardian, teacher and the Principal/designee. If a drop/withdraw is approved, the student must be placed in another class for audit.

REFERENCES:

KRS 158.140; KRS 158.645; KRS 158.6451; KRS 158.860
KRS 160.345
KRS 161.200

RELATED POLICIES:

08.113
08.22
08.222
08.5

Academic Honors Program**HONORS AND RECOGNITIONS**

	Grades 9-12	Grade 12
Dean's List and Graduation	A Dean's List will be published each semester recognizing academic achievement for those students earning a GPA of 3.50 or higher for that semester.	At commencement, <u>diploma-track</u> students receiving a high school diploma may be honored based on their cumulative GPA for all credits required for graduation attempted during high school. Students who are awarded an alternative diploma, certificate of attainment, certificate of attendance, or posthumous diploma are not eligible for valedictorian, summa cum laude, or magna cum laude. Valedictorian: 4.00 GPA These students will receive commemorative medals. Summa Cum Laude: 4.00 – 3.75 GPA These students will wear gold honor cords. Magna Cum Laude: 3.50 – 3.74 GPA These students will wear white honor cords. AP Capstone Diploma candidates will wear honor cords <u>or stoles</u> in the color of the academic discipline of their research.
Academic Letters and Pin	Academic letters are awarded annually to students who have earned a 3.50 cumulative GPA or higher at the end of an academic year. Students who maintain a 3.50 GPA or higher in subsequent years will receive an honor bar for each year earned.	Students who have met all college readiness benchmarks on the <u>college admission examination or a college placement examination approved by Kentucky's Council for Postsecondary Education</u> .

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- VOLUME 12-**Absences and Excuses**

Pupils are required to attend regularly and punctually the school in which they are enrolled. Recording of absences and tardies shall be made in compliance with the requirements of 702 KAR 7:125.¹

TRUANCY DEFINED

Any student who has attained the age of six (6), but has not reached his/her eighteenth (18th) birthday, who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant.

Any student enrolled in a public school who has attained the age of eighteen (18) years, but has not reached his/her twenty-first (21st) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days, is a truant.

A student who has been reported as a truant two (2) or more times is an habitual truant.

For the purposes of establishing a student's status as a truant, a student's attendance record is cumulative for an entire school year. When students transfer from one Kentucky school to another, attendance information from the previous school shall become part of their official attendance record for that school year.

EXCUSED ABSENCES

An excused absence or tardiness is one for which work may be made up, such as:

1. Death or severe illness in the pupil's immediate family;
2. Illness of the pupil, including mental or behavioral health;
3. Religious holidays and practices;
4. One (1) day for attendance at the Kentucky State Fair;
5. Documented military leave;
6. One (1) day prior to departure of parent/guardian called to active military duty;
7. One (1) day upon the return of parent/guardian from active military duty;
8. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave;
9. Ten (10) days for students attending basic training required by a branch of the United States Armed Forces;
10. Students participating in any of the page programs of the General Assembly;² or

Absences and Excuses**EXCUSED ABSENCES (CONTINUED)**

11. Other valid reasons as determined by the Principal/Superintendent, including trips qualifying as educational enhancement opportunities.

Students shall be granted an excused absence for up to ten (10) school days to pursue an educational enhancement opportunity determined by the Principal to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts. Educational enhancement opportunities require, at the minimum, a five (5) day advanced approval and cannot be taken during testing.

Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within State or School testing periods shall not be granted.

The Principal's determination may be appealed to the Superintendent/designee.

Students receiving an excused absence under this section shall have the opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence.

NOTES REQUIRED

Students returning to school following an absence must obtain an admission slip. A note signed by a parent/guardian is to be presented, explaining the absence. The note must also provide the student's name, grade, date(s) missed, reason, as well as the phone number of the parent/guardian. Based upon the information received, the absence will be declared excused or unexcused in accordance with school policy.

MAKE-UP WORK

When a student has an excused absence, students are given a minimum of one (1) week or the total number of days absent, whichever is greater, to complete any missed classwork. Student must confer with individual course instructors to complete make-up work.

UNEXCUSED ABSENCES

~~Guidelines concerning unexcused absences shall be published in the School's Discipline Code and the Parent/Student Handbook.~~

Deleted: Work may be made up for unexcused absences at the discretion of the teacher involved.¶

REFERENCES:

¹702 KAR 7:125

²KRS 159.035

KRS 36.396; KRS 38.470; KRS 40.366

KRS 158.070; KRS 158.183; KRS 158.293; KRS 158.294

KRS 159.140; KRS 159.150; KRS 159.180

OAG 76-566; OAG 79-68; OAG 79-539; OAG 91-79; OAG 96-28

STUDENTS

09.123
(CONTINUED)

Absences and Excuses

RELATED POLICIES:

09.111; 09.122; 09.4281

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

Special and Social Events

SPECIAL EVENTS

All celebrations, parties or other special events must be approved in advance by a Principal, limited in time taken from instruction, and kept to a minimum number each school year. Faculty members need to notify cafeteria staff if event will impact food services.

Faculty members are encouraged to design special cultural or academic events and to identify special programs and speakers for inclusion in the program.

SOCIAL EVENTS MAY BE APPROVED

Student social events may be approved by the Principal under the following conditions:

1. The door shall be controlled and admission limited to eligible students, guests, chaperones, and school personnel. Middle school students may not attend high school dances and high school students may not attend middle school dances. Students enrolled in other schools may be permitted to participate in social events or activities provided they meet criteria established by the Principal and obtain prior approval.

Deleted: To promote a Peanut/Nut Safe environment, no peanut or nut products will be served or used for cooking. Model students, faculty, staff, University students, and volunteers are requested to refrain from bringing any peanut/nut products to school in packed lunches, snacks or for any events.¶

Dance contracts must be turned in by students prior to the event.

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2. No one under the influence of alcohol or drugs shall be in attendance.
3. Adequate administrator and/or faculty supervision shall be provided.
4. A policeman shall be present for any event where it is anticipated that the nature of the crowd may pose conduct or safety problems.
5. In case of any disturbance which would jeopardize the safety of students present or threaten to deface or destroy school property, the Principal or the Principal's designee shall immediately close the event and send pupils from the campus.
6. The Principal may impose additional regulations as needed.¹

REFERENCES:

- ¹KRS 161.180
KRS 160.290

RELATED POLICIES:

- 03.6
05.45
07.1

Student Behavior

The Schools requires high standards of personal conduct from all pupils and embraces the concept that each pupil shall respect the rights of others and abide by the administrative procedures of the school and the laws of the community and state.¹

ACADEMIC INTEGRITY

Academic integrity is a fundamental value of Model Laboratory Schools at Eastern Kentucky University. It should be clearly understood that academic dishonesty is not tolerated and incidents of it will have serious consequences. Anyone who knowingly assists in any form of academic dishonesty shall be considered as responsible as the student who accepts such assistance and shall be subject to the same sanctions. Academic dishonesty can occur in different forms, some of which include cheating, plagiarism, and fabrication.

You are in violation of Academic Integrity if you:

- Copy, fax, duplicate, or generated assignments from another person, source, or technology that will be turned in as your “original” work.
- Exchange assignments by print-out, disk transfer, or modem, then submit the work as your “original” work.
- Write formulas, codes, key words on your person or objects for use in a quiz or a test.
- Use hidden reference sheets during a quiz or test.
- Use programmed material in watches, calculators or tablets when prohibited.
- Exchange answers with others (either give or receive answers).
- Take someone else’s assignment and submit it as your own.
- Submit any work as your own that is generated by artificial intelligence.
- Submit any assignment that is not your own original work.
- Submit material (written or designed by someone else) without giving the author/artist name and/or source (e.g. plagiarizing or submitting work created by family, friends, or tutor).
- Obtain/transmit or attempt to obtain/transmit secure assessment or materials, tests, or answer keys;
- Take credit for group work when little contribution was made.
- Do not follow additional specific guidelines on cheating established by department, class, or specific teacher. These guidelines must be communicated to the student in writing as part of the course description/syllabus or posted as part of the class rules.

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A violation of Academic Integrity will result in the student receiving no credit on the assignment and can also include other consequences such as detention, parent conference, meeting with an administrator, removal from class, suspension, or Saturday School.

STUDENTS

09.4
(CONTINUED)

Student Behavior

RESEARCH

Students who **are** conducting research will comply with the University’s IRB policy.

REFERENCES:

- ¹KRS 160.290
- KRS 161.180

STUDENTS

- VOLUME 12-

Threat Assessments**DEFINITIONS**

"School safety" shall mean a program of prevention that protects students and staff from substance abuse, violence, bullying, theft, the sale or use of illegal substances, exposure to weapons and threats on school grounds, and injury from severe weather, fire, and natural disasters.

"School security" shall mean procedures followed and measures taken to ensure the security of school buildings, classrooms, and other school facilities and properties.

"Threat assessment team" and "team" shall mean a school safety and security threat assessment team established pursuant to this policy and KRS 158.4410.

ESTABLISHMENT AND MEMBERSHIP OF TEAMS

A school safety and security threat assessment team shall be established at each school. The members of the team at each school shall be designated by the School Safety Coordinator, and shall consist of two (2) or more school staff members. School staff members that may be designated as a member of the team at any given school may include: school administrators; school counselors; school resource officers; school-based mental health services providers; teachers; and other school personnel. If necessary, a threat assessment team may serve more than one (1) school.

PURPOSE OF TEAM

The purpose of a team shall be to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or school security.

GENERAL COMPONENTS OF SCHOOL SAFETY AND SCHOOL SECURITY PLANNING

According to the U.S. Secret Service Guide, Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence, key components of a comprehensive school safety and school security plan include efforts to:

1. Foster a climate of respect and trust;
2. Build relationships;
3. Promote communication;
4. Identify concerning behaviors;
5. Maintain a threat assessment team;
6. Reinforce clear policies and procedures;
7. Provide resources to appropriately respond to students;
8. Promote information-sharing between the school and appropriate community stakeholders as allowed by law;
9. Liaison with law enforcement; and
10. Provide consistent training to stakeholders.

Threat Assessments**GUIDING PRINCIPLES OF COMPREHENSIVE THREAT ASSESSMENT PLANNING**

The School Safety Coordinator, members of threat assessment teams, and other appropriate administrators and staff, shall give appropriate consideration to the following non-exhaustive list of general principles as threat assessment teams are established and as they plan for and conduct their work:

1. A threat assessment process best functions as one component of overall school safety, in conjunction with physical school security and emergency management.
2. Students may engage in a continuum of concerning behaviors, the vast majority of which will be non-threatening and non-violent, but may still call for some type of response.
3. Students should feel empowered to communicate their own concerns to appropriate school staff without fear of reprisal. Incoming reports regarding concerning behavior or statements presenting a threat to school safety and school security should be given due consideration and assessed.
4. The goal of a threat assessment process is to identify, assess, and respond to potential threats to school safety and school security. The process begins with establishing a comprehensive plan for schools to:
 - a. Identify students or situations of concern;
 - b. Gather additional relevant information in a lawful manner;
 - c. Assess the student or situation risk, in context based on the totality of the information available; and
 - d. Identify and implement or recommend appropriate response strategies to address the concern.

THREAT ASSESSMENT TEAM MEMBER TRAINING

Training to members of threat assessment teams should be provided or arranged by the School regarding the purpose of the team, the guiding principles stated above, and the members' roles in enhancing school safety and school security through identifying and responding to students exhibiting behavior that indicates a potential threat to school safety or school security. Training shall address the following: strategies to properly respond to students who provide information about a threatening or concerning situation, ways to assess and respond to potential threats, and how and to whom they should report threatening communications or behavior.

THREAT ASSESSMENT TEAM MONITORING

The School Safety Coordinator and the Superintendent/designee shall monitor the work of the threat assessment team in each school.

STUDENTS

09.429
(CONTINUED)

Threat Assessments

ACCESS TO STUDENT RECORDS

Threat assessment team members, including any members who are not school employees, are hereby designated as “school officials” for purposes of the Family Educational Rights and Privacy Act (FERPA), and as such may access student records to the extent necessary in connection with the work of the team, in accordance with FERPA and Board Policy 09.14.

INTERACTION OF TEAM ACTIVITIES WITH SCHOOL DISCIPLINARY ACTION AND/OR LAW ENFORCEMENT

Threat assessment team activities and any responses undertaken or recommended by a team, do not negate or override applicable disciplinary procedures or action under Board policy or the Code of Acceptable Behavior and Discipline or legal reporting requirements, including those covering bullying or criminal activity; dependency, neglect or abuse; or domestic and dating violence.²

IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY

A school, School Safety Coordinator, and any school employees participating in the activities of a school safety and security threat assessment team enjoy immunity from civil and criminal liability regarding their participation in the threat assessment process as provided in KRS 158.4410.¹

REFERENCES:

¹KRS 158.4410

U.S. Secret Service Guide, *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*

RELATED POLICIES:

²09.2211; 09.227; 09.438

05.4; 09.14; 09.425

COMMUNITY RELATIONS

- VOLUME 12-

DRAFT 6/14/2023

10.4

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Advertising

PROHIBITION

No advertising shall be allowed in the facilities or on the grounds of school property, except as expressly approved by the Superintendent/designee.

EXCEPTION

Nothing herein shall be construed to prevent advertising in publications which are published by student organizations, PTO, booster club, or other parent groups.

All school flyers, posters, and other such advertisements shall only be displayed in designated areas approved by the Principal. The sponsor/group is responsible for the removal of the advertisement within one (1) week following the event.

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BRANDING

The Superintendent will develop branding guidelines. Outside vendors, faculty and staff will follow the established guidelines.

SOCIAL MEDIA

The school will own official social media sites for the school and school-sponsored clubs and organizations.

RELATED POLICY:

08.2323

REFERENCES:

KRS 158.183

OAG 68-452

MODEL LABORATORY SCHOOLS

AT EASTERN KENTUCKY UNIVERSITY

HEARING TRANSCRIPT SB150, KRS 158.159 Student Privacy Rights

July 31, 2023, 5:30 p.m., Model Laboratory School Library

5:33 p.m.

John Williamson:

Hello. My name is John Williamson. I am the Superintendent here at Model Laboratory School. We are here to comply with Senate Bill 150 and KRS 158.189 that requires a public hearing regarding a policy that has been proposed to the ECU Board of Regents with regard to student privacy rights.

Your comments will be heard tonight by the panel in front of you. I will introduce them. On my right, a member of our Model Advisory Council, Mr. Gerald Tatum; ECU President, Dr. David McFaddin. To my left, ECU Board of Regents member Lynn Taylor Tye and University Counsel Dana Fohl.

Tonight's information you can find...you can find all of the policies that we are going to go over tonight, including the legislative requirements, at this QR code, also we have handout copies available. You will be given an opportunity to make public comments tonight. If you would like to do so we ask that you sign in on the sign in sheet, indicate that you would like to comment and will give each person three minutes to do so.

I want to share with you first of all the policy that is being proposed to the ECU Board of Regents. This is on the handout if you need one.

In order to protect the privacy rights for students, students are required to use restrooms, locker rooms, or shower rooms that are designated for biological sex or specified as single occupancy.

A student who asserts to school officials that his or her gender is different from his or her biological sex and whose parent or legal guardian provides written consent on school provided forms to school officials shall be provided with the best available accommodation, but that accommodation shall not include the use of school restrooms, locker rooms, or shower rooms designated for use by students of the opposite biological sex while students of the opposite biological sex are present or could be present.

Acceptable accommodations may include but are not limited to access to single-stall restrooms or controlled use of faculty bathrooms, locker rooms, or shower rooms.

I would point out that this is the exact language from the legislation so we are not making any modifications to what was required by the General Assembly. That being said I would like to Counsel Fohl who will inform us of the process for tonight.

Counsel Dana Fohl:

Good evening. I know some of you or at least I've spoken with some of you. As John said I'm Dana Fohl. I'm ECU's legal counsel, and so by extension I am also Model's legal counsel, but more appropriately for this meeting I've been elected the official timekeeper, so I'll go over what how we want the run of show to go to keep an orderly meeting. So, we will ask that, as John said, anyone who wants to speak signs up

so we can call on you. You will be given three minutes to make comments and at that point we will ask you to relinquish the podium. Additionally, we want to make sure that because the scope of this meeting is so narrow, which is a public comment period on a proposed privacy rights policy related to restrooms, please make sure your comments similarly are very narrow related to the policy before you – the student privacy rights and restrooms policy. With that, we're ready.

John Williamson:

I'll offer one more comment. Everything, all of the comments, will be transcribed tonight and shared with the ECU Board of Regents prior to accepting the policy.

The first speaker tonight – Jordan Clay Tucker.

Jordan Clay-Tucker:

Hello. My name Jordan Clay Tucker and my niece is about to head into 8th grade at Model Laboratory Schools. I'm here today to ask you all to do everything in your power, whether that's refusing to comply with this hateful piece of legislation or at the very least, implementing it in a way that does the least amount of harm. I know that you all didn't ask for this, but regardless you control what happens next for transgender and gender non-conforming students in Model Laboratory Schools.

A 2022 survey from the Trevor Project found that more than half of transgender and non-binary youth seriously considered suicide in the last year. Transgender kids, like any kids, have the best chance to thrive when they are supported by their parents and teachers. In fact, research has shown that LGBTQ youth who report having at least one accepting adult, just one, were 40% less likely to report a suicide attempt in the last year.

Despite the name of this policy, we know that this issue historically has not been about privacy. This is about the rights of trans and gender non-conforming kids to feel safe and supported in their school just like any other kid and the very real stakes of denying them that safe space. Forcing trans and non-binary youth to use a bathroom that doesn't align with their gender identity would mean subjecting them to trauma daily and opening them up to harassment. Please do not adopt a policy that would harm these kids. If you have to comply with this bill, please make sure it does the least amount of harm by creating more gender-neutral bathroom options and locker room spaces and by allowing kids to use them freely as opposed to asking them to receive parental permission for accommodations. The reality is that parental permission is out of reach for many kids who either aren't out to their families or do not come from a supportive home.

I'm so proud every day of the fierce, empathetic, intelligent, funny and one-of-a-kind human my niece has become. She was raised to treat people with kindness, celebrate people's differences and to always stand up and speak out when you see injustice happening in your community and I sincerely hope that Model also stands for those values.

John Williamson:

The next speaker is Sarah Roberts.

Question from attendee: Is there a sign in sheet there?

John Williamson:

There is one here and another one that we will add to. If anyone else would like to sign on to speak, you are more than welcome to do so. You'll see that Rachel has put a list there (pointing) sign on the sheet.

Sarah Roberts.

Sarah Roberts:

So as such it was mentioned that this policy terminology is listed as it was in the General Assembly and as such it is grossly insensitive to real LGBTQ concepts and tells me that there likely was not a transgender representative for this policy. That brings me to the Federal Court of Appeals for the 4th and 7th Circuit which ruled that prohibiting transgender students from accessing bathrooms consistent with their gender identity can be a violation of Title IX. This policy attempts to conceal the harm that it might cause by framing it as a protection of privacy when it is so much more promoting further segregation and stigmatization of already underrepresented groups.

I'm getting really personal in revealing that I'm a trans person. I use she-they pronouns. Some of you might not understand that and you don't have to; however, at the hands of people who did not understand and did not want to try I have experienced assault, pure hatred and just ignorance. From the people that did genuinely want to care and show me that they supported me, I have experienced the greatest relationships here at ECU, developed a family and helped handfuls of individuals realize that they can embrace their authentic self.

I was really scared because I knew that, like the people that wrote this policy, people could possibly pretend that they want to help me and only try to conceal and further control me. I know that we all know you cannot control what another person does, especially an elementary school, middle school or high school age student. And, enacting these restrictive measures when you could be implementing a supportive, evidence-based method that benefits all of the students, only shows to me that if you do enact this policy you're not really interested in protection, you're more so interested in control.

When I chose to use a restroom labeled either men's or women's it's simply because I need to use the restroom. There's no further thought. In a school setting the faculty and staff are responsible for monitoring the bathrooms. The responsibility should not be on a transgender student to determine if they are allowed to relieve themselves at any given moment.

I will end this, with this. If you are concerned about governing someone else and their private parts, especially a developing child, and what they are doing in that stall, it is you that these students need protection from. I implore you to negate this policy and work with key stakeholders like transgender people in the LGBTQ community to form a genuinely supportive policy that does not harm already underrepresented groups. If you support this policy, you are guaranteeing that students just like me will have to endure their prime developmental years with continued shame, guilt and confusion at the hands of the adults that are meant to support and protect them.

Thank you.

John Williamson:

The next speaker is Rissa Alley.

Rissa Alley:

Hey. My name is Rissa Alley. I own and I operate a tattoo studio full time here in downtown Richmond. I have a two-year-old growing up who is about to go to a school system in this community, and I am queer. I grew up queer in a small Kentucky town, southeast Kentucky, and I remember what it looked like. I remember vowing to myself that I would not forget what that was like because nobody was standing up for us and I vowed not to stop doing that.

I could be at home right now. It's almost my toddler's bedtime. I could be singing to him, but I wanted to be here. Everybody else probably had something else they wanted to do Monday night at 6:00. But I want my kid to grow up and never once feel the need to question his worth. I never once want him to think that his opinion isn't worthwhile, or he's not worth being here or he's better off not here. I beg

you all to listen to queer stories with trans viewpoints, mental health activists, people who've been through this, who have been through depression, anxiety, hopelessness, and even worse, that so many queer people have been through.

I tattoo and tattooing is very intimate between two people. You need a lot of trust, you need consent, etc. etc. and in that process, especially around here, I have grown to know our little Richmond community and I have been gifted a lot of trust. I've heard a lot of stories and guys, I've got to tell you, there's a lot of them. And if you heard the stories that I've heard you could not pass this and go home and go to sleep and be okay with it. Reconsider this and before you write anything else or consider anything else for the sake of this group, sit down and talk to them. Talk to someone who's been through this – who's been through being trans or being queer when dang near everything around them is trying to tell them that they are not valid or they are not worth or that they need to justify just existing. There is another solution, and this ain't it. I promise you that if you are here, you go to this school, you're queer, you're trans, your opinion matters, your identity is valid and you do have a community here that is looking out for you.

John Williamson:

The next speaker is Francis Keene.

Francis Keene:

I thought you said my name. Thank you. My name is Francis Keene. My pronouns are they, them and I'm very grateful for the opportunity to comment on this policy. I'm transgender, nonbinary. None of my views or anything I'm about to say reflects anything on Model or the University and I want to make that clear. I am speaking for myself.

I am opposed to the student privacy policy which is a little misleading. This is a sweeping policy that will lead to lasting negative effects on our students. While I understand that this is a state-enforced policy and we have a lot of great folks here at Model who do their best to make sure that all students have a place here, including those in marginalized communities, such as transgender students, I still believe in the importance of the local school people using their voice to make change in legislation at the state level.

For a few moments I'd like to go over some of my issues with this policy. Number one is that restroom denial harms children. Reasonable accommodations is still a ban and we need to do more for our students. The lasting impact can be self-harm or suicide. A 2016 study performed by Georgia State University confirms that there is a significant relationship between the denial of restroom access for trans people and suicide. Those that are denied access to a school restroom or facility because they are trans are 1.5 more times likely to commit suicide. When we implement a policy that bans trans students from a restroom or locker room, state legislators we open up a greater risk to student suicide, which by the way, is already high for trans students.

Many times whenever I hear people talk about a bathroom policy it is presented as a protection for trans people, excuse me, a protection for cisgender people. People will say, 'We're protecting little girls from sexual predators.' However, the research shows that most of the time it's the trans person who's actually in danger. Harvard Public Health Department found that transgender and nonbinary teens face a greater risk of sexual assault in schools that prevent them from using the restroom. Get this, 37% of trans teens who were sexually assaulted were sexually assaulted within 12 months of that policy being implemented. Finally, it creates otherness. I understand that this is a topic that makes a lot of people uncomfortable, but unfortunately, what that does is it just further makes the trans person the other group, the marginalized community. Youth that have been identified as transgender face bullying on a regular basis.

Thank you for your time.

John Williamson:

The next speaker is Phillip Gump.

Philip Gump:

Hello. My name is Phillip Gump, Model Class of '99. My daughter completed kindergarten and first grade here at Model and is returning for second grade. The state government has passed questionable laws targeting transgender youth, but if Model must [inaudible] legislation here are some questions [inaudible].

First, what is the official source for determining a student's biological sex? I know that for kindergarten admission a birth certificate is required for proof of age. Will the birth certificate also be used as the record of biological sex? My wife, who teaches in Madison County, tells me that public schools can ask for birth certificates, but parents cannot be forced to provide this in the cases when the document is unavailable for whatever reason. Also, looking at the application for admission on Model's website, the second question asks for a student's legal sex. It offers three choices – male, female, and prefer not to say. Will future applications only offer two choices?

Second, the proposed policy says, 'accommodation shall not include the use of school restrooms, locker rooms, or shower rooms designated for use by students of the opposite biological sex while students of the opposite biological sex are present or could be present.' Should the second use of 'students' be changed to 'people,' so as to cover adults as well as students? I realize that the purpose of this policy is students so you may not want to expand it. Also, I was wondering if the word 'students' includes students enrolled at other schools besides Model?

Third, the proposed policy seems to fulfill the new legal requirements, but it is light on details regarding acceptable accommodations. How would the policy be implemented, both with the current building and the future Model building? Are single stall restrooms going to be designated in such a way that it doesn't single out students? Will there be signage on the doors?

Finally, in the pdf of the proposed policy, the first sentence has an extra period at the end.

Thank you for your time.

John Williamson:

Kambrielle Marks.

Kambrielle Marks:

Hello. My name is Kambria Marks. I also go by Kami. I use they-them pronouns and I am a trans student at Model [inaudible] my junior year. I would not like this bill to pass. [inaudible] have it pass... accommodations ...what Model wants. I have done multiple activities [inaudible] other students [inaudible] classmates can be uncomfortable but there are good times [inaudible] although there are still times where you're a separate person. You are your own person, but you're separate from your community, from your team and family that you built, you're just there. Sometimes they'll be talking about I'm with this guy, blah, blah blah, then you try and oh yeah, this and that [inaudible] oh yeah you can do this with this [inaudible] bathroom I'll be getting changed [inaudible] stall [inaudible] multiple bathrooms. You have two locker rooms for the guys just for basketball...we have one specific female locker room, then we have two bathrooms that are down by the gym. I think that's a great way we can [inaudible] space [inaudible] change [inaudible] people who are trans[inaudible] We can change, especially this past year how the bathrooms were locked [inaudible] destruction that has happened [inaudible] we can't [inaudible] because we have [inaudible] in the lobby there is no gender-neutral bathroom. It's just male and female. Although in our high school we have those options, yet you have to lockdown and how that shouldn't be what we have to do in a school that [inaudible] space especially

how some people don't have safe space at home, so they want school to be their safe space. We want this to be a space [inaudible] especially younger kids as they grow and how they want to have time and be who they are yet we're closing them down and it's just controlling their life [inaudible] be in the world. I grew up, I had no time. I figured it out in 7th grade about who I was, about what I wanted to do in my life and how I wanted to change it. I was told, 'Don't do anything until you're 18.' I obviously didn't listen. I'm turning 17 this year [inaudible]

John Williamson:

Next speaker Jack Meade

Jack Meade:

Hi. I'm a student here at Model and to put it as simply as possible I think the bigotry this bill or policy (sorry) shows toward LGBTQ+ is evil.

John Williamson:

Are there any other speakers? Is there anyone else who would like to speak? Thank you for your comments. With that being said I'll turn it over to President McFaddin to talk about next steps.

President McFaddin:

Thank you, Dr. Williamson. I appreciate everyone coming out tonight. Obviously, to comply with Senate Bill 150, Model Lab School, as a part of Eastern Kentucky University, is a public K-12 school. We will have to be in compliance, to have a policy in the books, as it relates to Senate Bill 150 and the contents there within. This policy along with other policies will go to the Board of Regents at their next Board meeting for consideration and we will make sure that all of the comments transcribed here today accompany that policy as it goes to the Board for consideration. Again, we appreciate everyone from the Model community and the Richmond community, and we appreciate all of you.

John Williamson:

Thank you. With that, we are adjourned.

5:57 p.m.

I. Approval of Degree Candidates for Fall 2023

II. Issue

The Board of Regents should formally confirm and confer the degrees for the candidates who have completed degree requirements for Fall 2023

III. Background

Candidates for degrees must meet the requirements of their respective academic programs. All degree requirements are verified by the appropriate Academic Departments and Colleges, as well as the Office of the Registrar, and recommended by the Provost and Senior Vice President for Academic Affairs for the Fall 2023 graduates. Candidates for degrees are hereby submitted to the Board for the formal vote of the confirmation of conferral of degrees pursuant to KRS 164.350(1)(d).

IV. Alternatives

While the conferral of degrees is vested in the Board of Regents, as these students have met the various academic requirements, the conferral of these degrees should be confirmed.

V. President's Recommendation

Based upon recommendations from the appropriate Chairs, Deans, Office of the Registrar, and the Provost and Senior Vice President for Academic Affairs, the President recommends the formal confirmation of the Board of Regents of the conferral of degrees for Fall 2023 graduates who have met or will meet degree requirements with a conferral date of October 6, 2023, or December 2, 2023.



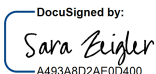
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Serving Kentuckians Since 1906

Office of the Provost &
Senior Vice President for Academic Affairs
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CPO 30A, 108 Coates Building
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Phone: (859) 622-3884
FAX: (859) 622-8136

TO: President David T. McFaddin

FROM: Sara L. Zeigler A493ABD2AE0D400...

DATE: August 7, 2023

RE: Addendum to Recommendations for Promotion and Tenure

The following addendum to recommendations for promotion and tenure is attached for your consideration.

Pursuant to Policy 4.6.4 (Tenure and Promotion), Application for Tenure and Promotion, Criterion 5, I recommend Associate Professor Kevin Hub for tenure. I conferred with the Interim Dean of the College of Education and Applied Human Sciences at the time of Dr. Hub's movement into his role as Associate Professor and assessed the qualifications of Dr. Hub. Given his unique work experiences, his credentials, and his knowledge of the Kentucky public school system, I believe an exception to the typical process is warranted.

Should you concur with the recommendation, please forward your recommendation for approval of tenure to the Board of Regents.

I will be glad to discuss any of the recommendations with you if you have questions.

Attachments: Spreadsheet
Executive Summaries



Eastern Kentucky University is an Equal Opportunity/Affirmative Action Employer and Educational Institution

Action Agenda

Executive and Academic Affairs Committee

I. Addendum to Recommendations for Promotion and Tenure

II. Issue

Recommendation for promotion and/or tenure.

III. Alternatives

The Board has the discretion to accept the recommendation of the President to approve these candidates or request that they be returned for additional review and consideration.

V. President's Recommendation

Based on recommendations by the Provost, the President recommends approval.

Addendum to Promotion and Tenure Recommendations

<u>COLLEGE OF EDUCATION & APPLIED HUMAN SCIENCES</u>	
Dr. Kevin Hub	Tenure (effective upon initial appointment)
Dr. Elizabeth Smith	Tenure (effective upon initial appointment)

Addendum to CEAHS Promotion & Tenure Candidates**Dr. Kevin Hub****Tenure** (*effective upon initial appointment*)

Dr. Kevin Hub has served as a Superintendent at both Scott and Logan County Schools and as an Assistant Superintendent for Madison County Schools. He studied Engineering & Environmental Geography at the United States Military Academy at West Point and served with distinction in the Armed Forces. Dr. Hub went on to earn an M.A.Ed. from Eastern Kentucky University and an Ed.D. in Leadership Education from Spalding University. His research interests include the superintendency, organizational justice, and emotional intelligence. Given Dr. Hub's unique work experiences, credentials, and knowledge of the Kentucky public school system, he is an excellent candidate for tenure.

Dr. Elizabeth Smith**Tenure** (*effective upon initial appointment*)

Dr. Smith was recently selected as the new dean of the College of Education and Applied Human Sciences. Dr. Smith has served in an administrative capacity at the University of Tulsa (TU), where she taught courses on topics related to assessment and education policy and oversaw undergraduate curriculum, faculty hiring and on-boarding, and academic policies. She has also led initiatives to improve the teacher pipeline, advocate for STEM education programs, and improve teaching in high-poverty urban schools. Dr. Smith holds a Bachelor of Arts degree in Political Science, Master of Education in Higher Education Leadership, and Doctorate in Public Policy: P-20 Education Policy, all from the University of Arkansas. Her research interests include teacher certification policy, assessment in higher education, and school-university partnerships to improve educational outcomes.

Eastern Kentucky University

Office of Development and Alumni Engagement

JONES 324, COATES CPO 19A | 521 LANCASTER AVE, RICHMOND, KY 40475

859-622-GIVE | WWW.DEVELOPMENT.EKU.EDU

DATE: August 8, 2023

TO: ECU Board of Regents

FROM: Mary Beth Neiser, Associate Vice President for Development and Alumni Engagement and Executive Director, ECU Foundation

RE: Endowment Match Request

For the 2022-24 biennium, the Kentucky General Assembly approved a \$10 million appropriation for the Comprehensive University Excellence Trust Fund (22 RS, HB 1). Eastern Kentucky University is eligible for \$2,227,800 in matching funds for STEM+H fields. At least 50 percent of program funds must be endowed for the purpose of supporting chairs or professorships, or research staff and infrastructure that directly support the research activities of an endowed chair or professor. No more than 50 percent of program funds may be endowed for the purpose of supporting mission support activities or graduate fellowships or undergraduate scholarships.

We are excited to bring the first group of funds to the Board of Regents for approval to submit to CPE for match consideration. This first request is \$509,000 and includes \$275,000 for faculty/programs and \$234,000 for scholarships. All the documentation for the match request follows. Thank you for your consideration to approve these requests.





Endowment Match Program

Match Request Form – Part A

Please complete a separate form for each endowment established or expanded with program funds for which state matching funds are requested. Attach supporting documentation, including Notice of Board Approval, photocopies of checks received, deposit documentation, or listings of gifts and pledges received by source and by date, donor pledge agreements (if applicable), and signed endowment gift agreements.

Eastern Kentucky University

8/5/2023

Institution

Request Date

Commonwealth Credit Union Endowment

Title of Endowment

Is this a new endowment or an expansion of an existing endowment?

☒ New

☐ Existing _____ (Provide date established)

What activity will this endowment support? (Please check all that apply)

Quantity

Activity

☐ Chair(s)

☒ Professorship(s)

☐ Research Scholar(s) (at Research Universities only)

☐ Research Staff

☐ Graduate fellowship(s)

☐ Undergraduate scholarship(s) (at Comprehensive Universities only)

☒ Research Infrastructure

☒ Mission support project(s)

For what college, school, center, or department will the spending distribution be used?

Financial Technology and Cybercrime Certificate in the College of Business and the College of Justice, Safety, and Military Science

Organizational Unit

What academic program or programs will be supported by the endowment?
Please provide Classification of Instructional Program code(s) and description(s) below.
Reference: [CPE's List of active program CIP codes](#).

Program Code	Program Description
27.XXXX	27.0305 A program that focuses on the application of mathematics and statistics to the finance industry, including the development, critique, and use of various financial models. Includes instruction in probability theory, statistical analysis, numerical methods, computation and simulation methods, stochastic processes, economics, and financial markets and applications

(Add rows to the table above as necessary.)

Which of the following areas of emphasis will be supported by this endowment? (Please check only one)

- | | |
|--------------------------------------|---|
| <input type="checkbox"/> Science | <input checked="" type="checkbox"/> Mathematics |
| <input type="checkbox"/> Technology | <input type="checkbox"/> Health |
| <input type="checkbox"/> Engineering | |

➤ Language included in HB 1 stipulates that 100 percent of 2022-2024 Endowment Match Program funds must be used to support programs and initiatives in the STEM+H fields.

Which of the following outcomes are expected from the endowment?
(Please check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Create new businesses that increase the number of good jobs in Kentucky. | |
| <input type="checkbox"/> Create a critical mass of scholars who can influence the national research agenda. | |
| <input checked="" type="checkbox"/> Promote interdisciplinary, problem solving, or applied research activities. | |
| <input type="checkbox"/> Establish partnerships in the technologies, engineering, and applied sciences. | |
| <input checked="" type="checkbox"/> Other Please specify: | The endowment supports a certificate that addresses a financial industry need to expand the workforce in Kentucky to adequately prepare for work in the financial industry, growing fin tech fields, and rapid expanding workforce needs in financial security and cybersecurity |

In the space below, please provide the following information on each donor: (a) the date the gift and pledge were received; (b) the total amount of the gift and pledge; (c) amount of cash received; (d) pledge amount; (e) pledge payment schedule; and (f) the final pledge payment due date. Use additional pages if necessary.

[illegible]

(Add rows to the table above as necessary.)

¹ Substitute the word “anonymous” if the donor requests confidentiality.

² Indicate whether pledge payments are expected monthly, quarterly, semi-annually, annually, or lump sum.

³ Indicate month and year when pledge will be paid in full.



Endowment Match Program

Notice of Board Approval – Part B

Eastern Kentucky University
Institution Name

Council guidelines stipulate that the boards of trustees and boards of regents of Kentucky's public universities are responsible for oversight of the Endowment Match Program on their respective campuses. The governing boards are required to review and approve all donations, gifts, and pledges that will be matched with state funds and used to establish new endowments or expand existing endowments under the Bucks for Brains program. Furthermore, the boards are charged with ensuring that the purposes of each endowment and sources of matching funds comply with Council guidelines and serve the public good.

As designated by the signature below, Eastern Kentucky University hereby notifies the Council on Postsecondary Education that it has received donations, gifts, and pledges in the amount of \$1,000,000.00_ from Commonwealth Credit Union at will be used to *establish* supporting the Commonwealth Credit Union Endowment for which it is submitting a request for state matching funds of \$250,000 under the Bucks for Brains Program. Furthermore, the university's Board of Regents has acknowledged its responsibility for oversight of the endowment established or expanded with these funds in accordance with Council guidelines and procedures and has reviewed and approved the sources and intended uses of these funds.

Typed Signature

Title of University Representative

Date

Please use the email [_____] for questions relating to this submission.



ENDOWMENT AGREEMENT ESTABLISHING THE
COMMONWEALTH CREDIT UNION ENDOWMENT A
PERMANENTLY RESTRICTED FUND AT EASTERN
KENTUCKY UNIVERSITY AND THE EASTERN KENTUCKY
UNIVERSITY FOUNDATION

This ENDOWMENT AGREEMENT is made the 5th of April 2023 on by and among Commonwealth Credit Union (the Donor), Eastern Kentucky University (the “University”), a public higher education institution, and the Eastern Kentucky University Foundation (the “Foundation” or “EKUF”), a Kentucky non-profit corporation described in Section 501(c)3 of the Internal Revenue Code, to establish an endowment fund for the benefit of EKUF and the University.

WITNESSETH:

WHEREAS, the Donor desires to establish an endowment fund to support the mission of the University and the Foundation; and

WHEREAS, the University and the Foundation is willing to accept such an endowment fund in accordance with the provisions of this agreement,

NOW, THEREFORE, the parties agree as follows:

1. The Donor agrees to give, assign and transfer to the Foundation a total of one million dollars, (\$1,000,000) in cash or property acceptable to the Foundation (the “Donation”), payable in annual installments of \$200,000 over a five-year period of time. The first installment will be payable by December 1, 2023, and the remaining four installments will be payable by December 1 in each of the following four years (each, an “Annual Installment”). \$30,000 of the gift annually for spendable and \$170,000 of the gift will be placed in an endowed fund (the “Endowment Fund”) and spent pursuant to the terms and conditions of this Endowment Agreement. The Donor or others may at any time, by gift, bequest, or otherwise, make additional gifts to the Foundation to be added to the Endowment Fund and to be administered in accordance with this agreement. EKUF shall notify the Donor of any third party who expresses interest or intends to donate to the Endowment Fund, and the Donor shall have the absolute right in its sole discretion to require that such third party’s donation be allocated to an EKUF fund other than the Endowment Fund.
2. The Endowment Fund established by this Endowment Agreement shall be known as the Commonwealth Credit Union Endowment and will be referred to internally and publicly as such, for example when referring to endowed faculty positions and other things made possible by the Endowment Fund.

The credit union's doors opened on April 2, 1951, with 122 shareholders, \$2,700 in assets and a single volunteer. By 1976, six people were employed and membership had grown to almost 6,000. Since 1976, Commonwealth Credit Union's assets have grown from \$2.8 million to more than \$2 billion. Today, Commonwealth Credit Union has members from all over Kentucky, and all around the world, in all walks of life.

Commonwealth Credit Union is a committed stakeholder in the financial wellbeing of Kentucky's residents. As an institution, they contribute and support education throughout the state and are at the forefront of work in financial literacy. As a leader in the financial industry, they are constantly looking for creative ways to support the needs of Kentucky. Through this endowment, they hope to invest in an educational program that is unique to Eastern Kentucky University while supporting a future workforce with consistently expanding professional opportunities. Commonwealth Credit Union recognizes that math and the support of STEM related education directly relates the financial security of all financial institutions in Kentucky and each resident. To address the growing shortfall of Kentuckians adequately prepared for work in the financial industry, growing fin tech fields, and rapid expanding workforce needs in financial forensics and cybersecurity, Commonwealth Credit Union has elected to establish the Commonwealth Credit Union Endowment at Eastern Kentucky University, for use in connection with the Purpose as defined below, to assist a growing program with continued expansion thereby preparing more students to serve related fields following graduation.

3. Until such time as the Endowment Fund's balance reaches a minimum of \$25,000, the Donor and the Foundation agree that disbursement as defined by the Spending Policy will not be made. After the \$25,000 threshold has been met, and the fund has at least one year to accumulate sufficient investment growth and earnings, the fund will be utilized in accordance with policies and guidelines established by the Foundation and the University, and at all times subject to the requirements and criteria as provided in Paragraph 4.
4. The Endowment Fund is established to provide for faculty, research, programming, and related expenses for banking and finance in the College of Business as part of the banking and financial services program (the "Purpose") and may be used solely under the criteria of this Paragraph 4.

Specifically, best efforts will be used to use the Donation within the banking and financial services program, for curriculum that includes an interdisciplinary certificate in Financial Technology and Cybercrimes. In the event that the need is determined to be greater for an instructor who is not from the College of Business but is teaching coursework included in the certificate program in the fields of Financial Forensics, Cybercrimes, or Cybersecurity course work affiliated with the banking and financial services program funds can be used to support the items listed above as long as with the approval of the Provost as long as the coursework aligns with the CIP codes outlined the CPE STEM+H Designated Degree Program List (Appendix A).

The Endowment Fund may provide funding for faculty positions, salary supplements to existing faculty positions, and associated expenses for those positions, including start-up costs, salaries, curriculum or research materials, benefits, class promotion, travel, and other

professional expenses, all to the extent directly related to the Purpose and permitted by University policy. The Endowment Fund may be used for costs associated with research or for support of research staff of a professor endowed by the Endowment Fund. Allowable expenditures also include start-up and operating expenses that are directly linked to the research activities of an endowed chair or professor, including equipment, materials and supplies, and other research related expenses related to the Purpose and permitted by University policy. The donor's first preference is for the funds to be used in support of the certificate.

5. The Foundation hereby accepts the Donation and agrees to hold, manage, control, invest and reinvest the Donation and any future gifts to the Endowment Fund in an endowment fund in accordance with policies and guidelines established from time to time by the Foundation and the University and pursuant to the terms of this Endowment Agreement.
6. The Endowment Fund is subject to all Foundation Fund Administration Policies, Procedures and Guidelines, which will be provided to the Donor in writing.
7. In the event that the Foundation determines that the Purpose can no longer be met or carried out, or it is impractical or inappropriate to use the Endowment Fund for the Purpose due to changing conditions, then: (A) if the Donor or a successor of the Donor ("Donor Parties") is in existence when such determination occurs, then the Foundation shall contact the appropriate Donor Party to make alternate arrangements, to be set out in a written agreement signed by the parties to this Agreement; and (B) if the Donor Parties are not in existence, then Donor authorizes and empowers the Foundation in its sole discretion to utilize the endowment funds for such alternate purposes that may be deemed proper, provided the fund shall continue to be named as designated above and the amended terms shall adhere as closely as possible to the Donor's original intent expressed in this agreement. The Foundation will use its best efforts to confirm the existence of and contact a Donor Party before using the endowment funds for alternate purposes.
8. This Endowment Agreement shall be governed by the laws of the Commonwealth of Kentucky. Any part of this agreement deemed to be unenforceable or illegal shall be stricken and the remainder of the agreement shall remain in full force.
9. This agreement may be modified only by written amendment signed by all parties.
10. For good and valuable consideration and notwithstanding any prior agreements or instructions providing otherwise, the parties covenant and agree as outlined above on behalf of themselves and their heirs, personal representatives, trustees, successors and assigns.
11. This gift and subsequent gifts to this fund shall be recognized in a manner consistent with the University's recognition program.

The donor gives approval to the publication of the donor's name in appropriate media.

DocuSigned by:

Karen Harbin

26AEE3C66FE440B...

Karen Harbin, Donor

President/CEO

Commonwealth Credit Union

4/11/2023

Date

DocuSigned by:

Betina Gardner

D99EA5E4E6E44F2...

Betina Gardner

Vice President for Development and Alumni Engagement

Eastern Kentucky University

Executive Director, ECU Foundation

4/11/2023

Date

DocuSigned by:

David T. McFaddin

D81084A9F88241D...

Dr. David T. McFaddin, President

Eastern Kentucky University

4/11/2023

Date

Prepared by:

Marie Fore

Associate Director of Development

(859) 893-1430



Endowment Match Program

Match Request Form – Part A

Please complete a separate form for each endowment established or expanded with program funds for which state matching funds are requested. Attach supporting documentation, including Notice of Board Approval, photocopies of checks received, deposit documentation, or listings of gifts and pledges received by source and by date, donor pledge agreements (if applicable), and signed endowment gift agreements.

Eastern Kentucky University Foundation	08/04/23
Institution	Request Date
College of Science Endowment for Faculty Success	
Title of Endowment	

Is this a new endowment or an expansion of an existing endowment?

- ☐ New ☒ Existing 05/21/18

What activity will this endowment support? *(Please check all that apply)*

Quantity	Activity
	<input type="checkbox"/> Chair(s)
	<input type="checkbox"/> Professorship(s)
	<input type="checkbox"/> Research Scholar(s) (at Research Universities only)
	<input type="checkbox"/> Research Staff
	<input type="checkbox"/> Graduate fellowship(s)
	<input type="checkbox"/> Undergraduate scholarship(s) (at Comprehensive Universities only)
1	<input checked="" type="checkbox"/> Research Infrastructure
	<input type="checkbox"/> Mission support project(s)

For what college, school, center, or department will the spending distribution be used?

College of Science Technology Engineering and Mathematics
Organizational Unit

What academic program or programs will be supported by the endowment?
Please provide Classification of Instructional Program code(s) and description(s) below.
Reference: [CPE's List of active program CIP codes](#).

Program Code	Program Description
01.0901	Animal Science, General
01.1103	Horticulture Science
03.0199	Natural Resources/ Conservation & Research
11.0101	Computer and Information Sciences, General
15.0613	Manufacturing Engineering Technology/ Technician
30.0101	Biological and Physical Sciences
27.XXXX	Mathematics and Statistics
10.0304	Animation, Interactive Technology, Video graphics, & special effects
43.0406	Forensic Science Technology

(Add rows to the table above as necessary.)

Which of the following areas of emphasis will be supported by this endowment? (Please check only one)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Science | <input checked="" type="checkbox"/> Mathematics |
| <input checked="" type="checkbox"/> Technology | <input type="checkbox"/> Health |
| <input checked="" type="checkbox"/> Engineering | |

➤ Language included in HB 1 stipulates that 100 percent of 2022-2024 Endowment Match Program funds must be used to support programs and initiatives in the STEM+H fields.

Which of the following outcomes are expected from the endowment?
(Please check all that apply)

- ☐ Create new businesses that increase the number of good jobs in Kentucky.
- ☐ Create a critical mass of scholars who can influence the national research agenda.
- ☒ Promote interdisciplinary, problem solving, or applied research activities.
- ☐ Establish partnerships in the technologies, engineering, and applied sciences.
- ☐ Other Please specify:

In the space below, please provide the following information on each donor: (a) the date the gift and pledge were received; (b) the total amount of the gift and pledge; (c) amount of cash received; (d) pledge amount; (e) pledge payment schedule; and (f) the final pledge payment due date. Use additional pages if necessary.

Donor Name	Date Gift and Pledge Received	Gift and Pledge Amount	Amount of Cash Received	Pledge Amount	Pledge Payment Schedule	Final Pledge Payment Date
Dr. Stacey Tarvin	06/15/2023	\$14,500	\$14,500			
Dr. Stacey Tarvin	05/12/2023	\$500	\$500			
Dr. Stacey Tarvin	12/21/2022	\$7,500	\$7,500			
Dr. Stacey Tarvin	12/21/2022	\$2,500	\$2,500			

(Add rows to the table above as necessary.)

¹ Substitute the word "anonymous" if the donor requests confidentiality.

² Indicate whether pledge payments are expected monthly, quarterly, semi-annually, annually, or lump sum.

³ Indicate month and year when pledge will be paid in full.



Endowment Match Program

Notice of Board Approval – Part B

Eastern Kentucky University
Institution Name

Council guidelines stipulate that the boards of trustees and boards of regents of Kentucky's public universities are responsible for oversight of the Endowment Match Program on their respective campuses. The governing boards are required to review and approve all donations, gifts, and pledges that will be matched with state funds and used to establish new endowments or expand existing endowments under the Bucks for Brains program. Furthermore, the boards are charged with ensuring that the purposes of each endowment and sources of matching funds comply with Council guidelines and serve the public good.

As designated by the signature below, *Eastern Kentucky University* hereby notifies the Council on Postsecondary Education that it has received donations, gifts, and pledges in the amount of \$25,000 from *Stacey Tarvin* that will be used to expand an existing endowment supporting the College of Science Endowment for Faculty Success for which it is submitting a request for state matching funds under the Bucks for Brains Program. Furthermore, the university's Board of Regents has acknowledged its responsibility for oversight of the endowment established or expanded with these funds in accordance with Council guidelines and procedures and has reviewed and approved the sources and intended uses of these funds.

Typed Signature

Title of University Representative

Date

Please use the email [] for questions relating to this submission.

Eastern Kentucky University
Gift Report

Designation	EKU ID	Name	Gift Type	Gift Description	Gift Date	Gift Amount	Gift No.
College of Science Endowment for Faculty Success - 631A15	900464518	Stacey E. Tarvin	Gift	On-line Credit Card	12-May-23	500	570239
College of Science Endowment for Faculty Success - 631A15	900464518	Stacey E. Tarvin	Gift	On-line Credit Card	15-Jun-23	14500	572833
College of Science Endowment for Faculty Success - 631A15	900464518	Stacey E. Tarvin	Gift	On-line Credit Card	21-Dec-22	2500	559403
College of Science Endowment for Faculty Success - 631A15	900464518	Stacey E. Tarvin	Gift	On-line Credit Card	21-Dec-22	7500	559486



**MEMORANDUM OF UNDERSTANDING
BETWEEN
EASTERN KENTUCKY UNIVERSITY COLLEGE OF
SCIENCE,
THE EASTERN KENTUCKY UNIVERSITY
FOUNDATION
AND EASTERN KENTUCKY UNIVERSITY
TO ESTABLISH COLLEGE OF SCIENCE
ENDOWMENT FOR FACULTY SUCCESS**

This AGREEMENT is made the 3rd day of ~~April~~^{May} 2018 by and between Eastern Kentucky University College of Science, Eastern Kentucky University (the University), a public higher education institution, and the Eastern Kentucky University Foundation (the Foundation or EKUF), a Kentucky non-profit corporation described in Section 501(c)3 of the Internal Revenue Code, to establish an endowed fund for the benefit of the EKUF and the University.

WITNESSETH:

WHEREAS, the Eastern Kentucky University College of Science desires to establish a fund to support the mission of the University and the Foundation; and

WHEREAS, the University and the Foundation is willing to accept such a fund in accordance with the provisions of this agreement,

NOW, THEREFORE, the parties agree as follows:

1. Multiple gifts in cash or property acceptable to the Foundation, in one or more transfers in accordance with the provisions of this agreement may be received. Donors may at any time, by gift, bequest, or otherwise, make additional gifts to the Foundation to be added to this fund and to be administered in accordance with this agreement.
2. The fund established by this agreement shall be known as College of Science Endowment for Faculty Success.

Faculty are an important resource for a college, playing critical roles in the education of our students both in and out of the classroom, conducting scholarly activity, and providing vital service to the institution, the community, and the profession. They determine a college's reputation and help attract talented students. In order to attract and retain talented and committed faculty, the College of Science must enhance resources available to support scholarship and professional development activities of its faculty. The College of Science Endowment for Faculty Success is established to help meet this need.

3. The fund will be utilized through the University Development Office in accordance with policies and guidelines established by the Foundation and the University according to the criteria as provided in Paragraph 4.
4. The Foundation agrees to accept such gifts and agrees to establish an account according to the terms of this agreement and annually distribute the funds in accordance with the provisions in this agreement.

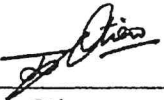
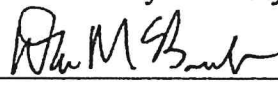
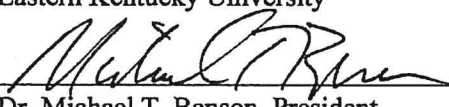
College of Science Endowment for Faculty Success will be used to support faculty research and professional development.

- *Research support includes assistance with consumables (materials and supplies), summer stipends, travel to conferences or for field work, publication costs, and research infrastructure.*
- *Professional development includes participation in workshops or skills training designed to enable faculty learn about new discoveries, methodologies, and pedagogy so as to expand their ability to do research, obtain grants, or teach.*

The Dean of the College of Science will serve as the budget manager for this fund and will determine the most critical needs to be met by the fund on an annual basis.

5. The Foundation will utilize funds (and/or with appropriate recommendations of the appropriate University department) using the above standards.
6. The fund is subject to all Foundation Fund Administration Policies, Procedures and Guidelines, which will be provided to Donor(s) in writing upon request.
7. In the event that the stated purpose of the fund as described in this agreement can no longer be met or carried out, or it is impractical or inappropriate due to changing conditions, the Foundation is authorized and empowered in its sole discretion to utilize the funds for such alternate purposes that may be deemed proper, provided the fund shall continue to be named as designated above and the amended terms shall adhere as closely as possible to the funds original intent expressed in this agreement.
8. This agreement shall be governed by the laws of the Commonwealth of Kentucky. Any part of this agreement deemed to be unenforceable or illegal shall be stricken and the remainder of the agreement shall remain in full force.
9. This agreement may be modified by written amendment signed by all parties.
10. For good and valuable consideration and notwithstanding any prior agreements or instructions providing otherwise, the parties covenant and agree as outlined above on behalf of themselves and their heirs, personal representatives, trustees, successors and assigns.

11. This gift and subsequent gifts to this fund shall be recognized in a manner consistent with the University's recognition program.

 _____ Dr. Tom Otieno Dean, College of Science Eastern Kentucky University	<u>5/3/2018</u> _____ Date
 _____ Dan McBride Interim Vice President for Development and Alumni Relations Eastern Kentucky University	<u>4/27/18</u> _____ Date
 _____ Dr. Michael T. Benson, President Eastern Kentucky University	<u>4/30/18</u> _____ Date

Prepared By: Andrew Polter
Associate Director of Development
Andrew.Polter@eku.edu
859-622-6891



Endowment Match Program

Match Request Form – Part A

Please complete a separate form for each endowment established or expanded with program funds for which state matching funds are requested. Attach supporting documentation, including Notice of Board Approval, photocopies of checks received, deposit documentation, or listings of gifts and pledges received by source and by date, donor pledge agreements (if applicable), and signed endowment gift agreements.

Eastern Kentucky University	Aug. 16, 2023
Institution	Request Date
Anthem Rural Medicine Scholarship (ARMS)	
Title of Endowment	

Is this a new endowment or an expansion of an existing endowment?

☒ New ☐ Existing _____ (Provide date established)

What activity will this endowment support? (Please check all that apply)

Quantity	Activity
	<input type="checkbox"/> Chair(s)
	<input type="checkbox"/> Professorship(s)
	<input type="checkbox"/> Research Scholar(s) (at Research Universities only)
	<input type="checkbox"/> Research Staff
	<input checked="" type="checkbox"/> Graduate fellowship(s)
	<input type="checkbox"/> Undergraduate scholarship(s) (at Comprehensive Universities only)
	<input type="checkbox"/> Research Infrastructure
	<input type="checkbox"/> Mission support project(s)

For what college, school, center, or department will the spending distribution be used?

College of Health Sciences Rural Health Family Nurse Practitioner Program
Organizational Unit

What academic program or programs will be supported by the endowment?
Please provide Classification of Instructional Program code(s) and description(s) below.
Reference: CPE's List of active program CIP codes.

Program Code	Program Description
51.3801	Health Professionals and Related Programs

(Add rows to the table above as necessary.)

Which of the following areas of emphasis will be supported by this endowment? (Please check only one)

<input type="checkbox"/> Science	<input type="checkbox"/> Mathematics
<input type="checkbox"/> Technology	<input checked="" type="checkbox"/> Health
<input type="checkbox"/> Engineering	

➤ Language included in HB 1 stipulates that 100 percent of 2022-2024 Endowment Match Program funds must be used to support programs and initiatives in the STEM+H fields.

Which of the following outcomes are expected from the endowment?
(Please check all that apply)

<input type="checkbox"/> Create new businesses that increase the number of good jobs in Kentucky.	
<input type="checkbox"/> Create a critical mass of scholars who can influence the national research agenda.	
<input type="checkbox"/> Promote interdisciplinary, problem solving, or applied research activities.	
<input type="checkbox"/> Establish partnerships in the technologies, engineering, and applied sciences.	
<input checked="" type="checkbox"/> Other Please specify:	Increased number of primary care providers in eastern Kentucky communities designated Health Professional Shortage Areas

In the space below, please provide the following information on each donor: (a) the date the gift and pledge were received; (b) the total amount of the gift and pledge; (c) amount of cash received; (d) pledge amount; (e) pledge payment schedule; and (f) the final pledge payment due date. Use additional pages if necessary.

Donor Name	Date Gift and Pledge Received	Gift and Pledge Amount	Amount of Cash Received	Pledge Amount	Pledge Payment Schedule	Final Pledge Payment Date
Kentucky Managed Healthcare Plan, Inc DBA Anthem Blue Cross Blue Shield Medicaid	06.13.2023	\$100,000	\$100,000	\$100,000	NA	06.13.2023

(Add rows to the table above as necessary.)

¹ Substitute the word "anonymous" if the donor requests confidentiality.

² Indicate whether pledge payments are expected monthly, quarterly, semi-annually, annually, or lump sum.

³ Indicate month and year when pledge will be paid in full.



Endowment Match Program

Notice of Board Approval – Part B

Eastern Kentucky University
Institution Name

Council guidelines stipulate that the boards of trustees and boards of regents of Kentucky's public universities are responsible for oversight of the Endowment Match Program on their respective campuses. The governing boards are required to review and approve all donations, gifts, and pledges that will be matched with state funds and used to establish new endowments or expand existing endowments under the Bucks for Brains program. Furthermore, the boards are charged with ensuring that the purposes of each endowment and sources of matching funds comply with Council guidelines and serve the public good.

As designated by the signature below, Eastern Kentucky University hereby notifies the Council on Postsecondary Education that it has received donations, gifts, and pledges in the amount of \$100,000.00 from Kentucky Managed Healthcare Plan, Inc DBA Anthem Blue Cross Blue Shield Medicaid that will be used to *establish a new endowment* supporting the Anthem Rural Medicine Scholarship (ARMS) for which it is submitting a request for state matching funds under the Bucks for Brains Program. Furthermore, the university's *Board of Regents* has acknowledged its responsibility for oversight of the endowment established or expanded with these funds in accordance with Council guidelines and procedures and has reviewed and approved the sources and intended uses of these funds.

Typed Signature

Title of University Representative

Date

Please use the email [_____] for questions relating to this submission.



NON-ENDOWED AGREEMENT ESTABLISHING THE
ANTHEM RURAL MEDICINE SCHOLARSHIP (ARMS)
NON-ENDOWED SCHOLARSHIP
A PERMANENTLY RESTRICTED FUND AT EASTERN
KENTUCKY UNIVERSITY AND THE EASTERN
KENTUCKY UNIVERSITY FOUNDATION

This AGREEMENT is made the 22 day of July, 2021 by and between Anthem Kentucky Managed Care Plan, Inc. DBA Anthem Blue Cross and Blue Shield Medicaid (the Donor), Eastern Kentucky University (the University), a public higher education institution, and the Eastern Kentucky University Foundation (the Foundation or EKUF), a Kentucky non-profit corporation described in Section 501(c)3 of the Internal Revenue Code, to establish a fund for the benefit of EKUF and the University.

WITNESSETH:

WHEREAS, the Donor desires to establish a fund to support the mission of the University and the Foundation; and

WHEREAS, the University and the Foundation is willing to accept such a fund in accordance with the provisions of this agreement,

NOW, THEREFORE, the parties agree as follows:

1. The Donor gives, assigns and transfers to the Foundation **ninety-two thousand dollars, (\$92,000)** in cash or property acceptable to the Foundation, in one or more transfers in accordance with the provisions of this agreement. The Donor or others may at any time, by gift, bequest, or otherwise, make additional gifts to the Foundation to be added to this fund and to be administered in accordance with this agreement. **The initial gift of \$92,000 will be made in summer of 2021. It is the intent of the donor for the first scholarships to be dispersed to a minimum of three students for the Fall 2021 semester.**
2. The fund established by this agreement shall be known as the **Anthem Rural Medicine Scholarship (ARMS).**

Anthem is dedicated to addressing access to care and improving health equity in Kentucky's rural areas by expanding the number of culturally competent Commonwealth primary care providers (PCPs). Beginning in Fall 2021, the Anthem Rural Medicine Scholarship (ARMS) will fund complete tuition/training costs for a minimum of three

native Kentucky residents aspiring to serve as PCPs in the Commonwealth in exchange for commitment from beneficiaries to practice in Appalachia for a minimum of three years post-graduation, creating primary care access to 4,500 rural Kentuckians who do not have access to care today.

Currently there are 40 rural or partially rural primary care health professional shortage areas (HPSAs) in the Commonwealth, with a corresponding primary care FTE shortage of 68.045. This equates to greater than 102,000 Medicaid beneficiaries in rural Kentucky lacking sufficient access to a primary care provider (per Kentucky Medicaid contract PCP/Member ratio standard: 1/1,500). Anthem is committed to addressing health disparities and improving health equity for rural Kentuckians by strengthening Kentucky's rural workforce to increase access to primary care.

Their goal is to remove barriers to health by providing sustainable funding that supports the next generation of Kentuckians aspiring to serve as health care professionals in their communities. Students who grew up in the state and/or rural areas best understand the needs of their neighbors and communities and are more likely to continue practicing in the areas where their skills are most needed. The minimum GPA threshold will assure that historically marginalized Kentuckians and first generation students who may have faced adversity (current or in the past) that impacted their ability to meet a higher cumulative GPA are eligible to receive scholarship awards and fulfill their educational aspirations, generating the next generation of culturally competent health care providers in the Commonwealth.

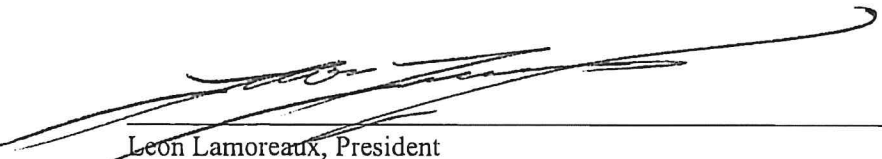
3. The fund will be established by a gift from **Anthem Kentucky Managed Care Plan, Inc. DBA Anthem Blue Cross and Blue Shield Medicaid**. The scholarship will be awarded through the University Scholarship Office in accordance with policies and guidelines established by the Foundation and the University according to the criteria as provided in Paragraph 4.
4. The Foundation agrees to accept such gifts and agrees to establish an account according to the terms of this agreement and annually distribute the funds in accordance with the provisions in this agreement. Student recipients must be admitted to the University in accordance with standard University procedures and admissions criteria and be in pursuit of a degree. In awarding the scholarship, preference shall be given to students who meet the following criteria:
 - Matriculated native Kentuckian;
 - Commits to practicing as a primary care provider (PCP) in rural/underserved areas in the market for a minimum of three years post-graduation (in federally designated rural Health Professional Shortage Areas - HPSAs);
 - Enrolled in ECU Rural Health Family Nurse Practitioner (MSN) program or equivalent;
 - Maintain a minimum cumulative GPA of 3.3 or higher.
5. Final awarding authority rests with the University Scholarship Office. Should the recipient, at any time prior to the semester in which he/she receives the scholarship, cease

to meet the stated criteria, the University Scholarship Office may revoke its awarding of said scholarship. The University Scholarship Office will make awards (and/or with appropriate recommendations of the appropriate University department) using the above standards.

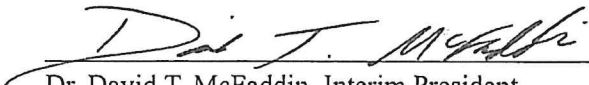
6. The fund is subject to all Foundation Fund Administration Policies, Procedures and Guidelines, which will be provided to the Donor in writing.
7. In the event that the stated purpose of the Donor as described in this agreement can no longer be met or carried out, or it is impractical or inappropriate due to changing conditions, the Donor authorizes and empowers the Foundation in its sole discretion to utilize the funds for such alternate purposes that may be deemed proper, provided the fund shall continue to be named as designated above and the amended terms shall adhere as closely as possible to the Donor's original intent expressed in this agreement.
8. This agreement shall be governed by the laws of the Commonwealth of Kentucky. Any part of this agreement deemed to be unenforceable or illegal shall be stricken and the remainder of the agreement shall remain in full force.
9. This agreement may be modified by written amendment signed by all parties.
10. For good and valuable consideration and notwithstanding any prior agreements or instructions providing otherwise, the parties covenant and agree as outlined above on behalf of themselves and their heirs, personal representatives, trustees, successors and assigns.
11. This gift and subsequent gifts to this fund shall be recognized in a manner consistent with the University's recognition program.

☒ The donor gives approval to the publication of the donor's name in appropriate media.
The donor must first review any publication that uses the donor's name prior to release.

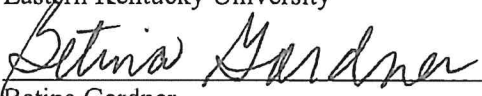
☐ The donor prefers to be listed as anonymous in regard to media publications or required release of donor information.


Leon Lamoreaux, President
Anthem Kentucky Managed Care Plan, Inc.
Donor

8/9/2021
Date


Dr. David T. McFaddin, Interim President
Eastern Kentucky University

7-26-2021
Date


Betina Gardner
Vice President for Development and Alumni Relations
Eastern Kentucky University
Executive Director, ECU Foundation

July 22, 2021
Date

Prepared by **Rachel Alexander**
Assistant Director of Development
rachel.alexander@eku.edu
859.622.1263



**GIFT AGREEMENT BETWEEN EASTERN
KENTUCKY UNIVERSITY FOUNDATION
AND
ANTHEM KENTUCKY MANAGED CARE PLAN,
INC. DBA ANTHEM BLUE CROSS BLUE SHIELD
MEDICAID**

- 1 **Anthem Kentucky Managed Care Plan, Inc. DBA Anthem Blue Cross and Blue Shield Medicaid** (Hereafter, the Donors) make the following gift intention:
 - 1.1 The Donors commit a total sum of \$100,000 in support of Anthem Rural Medicine Scholarship (ARMS) at Eastern Kentucky University, as follows:
 - 1.1.1 This \$100,000 gift will be for Anthem Rural Medicine Scholarship (ARMS)
 - 1.1.2 This commitment will be completed by December 31, 2023.
- 2 Intentions of The Eastern Kentucky University Foundation
 - 2.1 News of this gift may be shared with university publications and websites, as well as other media, as appropriate. All news items will be published at the editors' discretion.

DocuSigned by:

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Leon Lamoreaux, President
Anthem Kentucky Managed Care Plan, Inc.

Date: 5/22/2023

DocuSigned by:

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Betina Gardner
Vice President for Development and Alumni Engagement
Eastern Kentucky University
Executive Director, ECU Foundation

Date: 5/22/2023

DocuSigned by:

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Dr. David T. McFaddin, President
Eastern Kentucky University

Date: 5/22/2023

Prepared by Rachel Alexander
Assistant Director of Development
rachel.alexander@eku.edu
859.622.1263

Eastern Kentucky University
Gift Report

Designation	Start and End Date	EKU ID	Name	Gift Type	Gift Description	Gift Date	Gift Amount	Gift No.
Anthem Rural Medicine Scholarship/ ARMS - 24043T	11012021 - 08022023	901779336	AMERIGROUP Corporation	Gift	Check	13-Jun-23	\$100,000.00	572390
Anthem Rural Medicine Scholarship/ ARMS - 24043T	11012021 - 08022023	901367088	Anthem Blue Cross Blue Shield	Pledge Pmt	Check	9-Aug-22	\$100,000.00	549164



Endowment Match Program

Match Request Form – Part A

Please complete a separate form for each endowment established or expanded with program funds for which state matching funds are requested. Attach supporting documentation, including Notice of Board Approval, photocopies of checks received, deposit documentation, or listings of gifts and pledges received by source and by date, donor pledge agreements (if applicable), and signed endowment gift agreements.

Eastern Kentucky University Foundation	08/04/23
Institution	Request Date
Dr. Suzanne Byrd Endowed Scholarship	
Title of Endowment	

Is this a new endowment or an expansion of an existing endowment?

☒ New ☐ Existing _____ (Provide date established)

What activity will this endowment support? (Please check all that apply)

Quantity	Activity
	<input type="checkbox"/> Chair(s)
	<input type="checkbox"/> Professorship(s)
	<input type="checkbox"/> Research Scholar(s) (at Research Universities only)
	<input type="checkbox"/> Research Staff
	<input type="checkbox"/> Graduate fellowship(s)
1	<input checked="" type="checkbox"/> Undergraduate scholarship(s) (at Comprehensive Universities only)
	<input type="checkbox"/> Research Infrastructure
	<input type="checkbox"/> Mission support project(s)

For what college, school, center, or department will the spending distribution be used?

College of Science Technology Engineering and Mathematics

Organizational Unit

What academic program or programs will be supported by the endowment?
Please provide Classification of Instructional Program code(s) and description(s) below.
Reference: [CPE's List of active program CIP codes](#).

Program Code	Program Description
26.XXXX	Biological and Biomedical Sciences
51.XXXX	Health Professions and Related Programs.

(Add rows to the table above as necessary.)

Which of the following areas of emphasis will be supported by this endowment? (Please check only one)

- | | |
|---|--|
| <input checked="" type="checkbox"/> Science | <input type="checkbox"/> Mathematics |
| <input type="checkbox"/> Technology | <input checked="" type="checkbox"/> Health |
| <input type="checkbox"/> Engineering | |

➤ Language included in HB 1 stipulates that 100 percent of 2022-2024 Endowment Match Program funds must be used to support programs and initiatives in the STEM+H fields.

Which of the following outcomes are expected from the endowment?
(Please check all that apply)

- ☐ Create new businesses that increase the number of good jobs in Kentucky.
- ☒ Create a critical mass of scholars who can influence the national research agenda.
- ☐ Promote interdisciplinary, problem solving, or applied research activities.
- ☐ Establish partnerships in the technologies, engineering, and applied sciences.
- ☐ Other Please specify:

In the space below, please provide the following information on each donor: (a) the date the gift and pledge were received; (b) the total amount of the gift and pledge; (c) amount of cash received; (d) pledge amount; (e) pledge payment schedule; and (f) the final pledge payment due date. Use additional pages if necessary.

[illegible]

(Add rows to the table above as necessary.)

¹ Substitute the word “anonymous” if the donor requests confidentiality.

² Indicate whether pledge payments are expected monthly, quarterly, semi-annually, annually, or lump sum.

³ Indicate month and year when pledge will be paid in full.



Endowment Match Program

Notice of Board Approval – Part B

Eastern Kentucky University
Institution Name

Council guidelines stipulate that the boards of trustees and boards of regents of Kentucky's public universities are responsible for oversight of the Endowment Match Program on their respective campuses. The governing boards are required to review and approve all donations, gifts, and pledges that will be matched with state funds and used to establish new endowments or expand existing endowments under the Bucks for Brains program. Furthermore, the boards are charged with ensuring that the purposes of each endowment and sources of matching funds comply with Council guidelines and serve the public good.

As designated by the signature below, *Eastern Kentucky University* hereby notifies the Council on Postsecondary Education that it has received donations, gifts, and pledges in the amount of \$109,446.31 from *Sydney Clark* that will be used to establish a new endowment supporting the Dr. Suzanne Byrd Endowed Scholarship for which it is submitting a request for state matching funds under the Bucks for Brains Program. Furthermore, the university's Board of Regents has acknowledged its responsibility for oversight of the endowment established or expanded with these funds in accordance with Council guidelines and procedures and has reviewed and approved the sources and intended uses of these funds.

Typed Signature

Title of University Representative

Date

Please use the email [] for questions relating to this submission.



MEMORANDUM OF UNDERSTANDING BETWEEN
BARRY BYRD, THE EASTERN KENTUCKY UNIVERSITY
FOUNDATION, AND EASTERN KENTUCKY UNIVERSITY
TO ESTABLISH A FUND KNOWN AS **DR. SUZANNE BYRD
ENDOWED SCHOLARSHIP.**

This AGREEMENT is made the 4th day of April 2023 by and between Barry Byrd, Eastern Kentucky University (the University), a public higher education institution, and the Eastern Kentucky University Foundation (the Foundation or EKUF), a Kentucky non-profit corporation described in Section 501(c)3 of the Internal Revenue Code, to establish an endowed fund for the benefit of the EKU Foundation and the University.

WITNESSETH:

WHEREAS friends and family members of Suzanne Byrd desire to establish a fund to support the mission of the University and the Foundation; and

WHEREAS the University and the Foundation is willing to accept such a fund in accordance with the provisions of this agreement,

NOW, THEREFORE, the parties agree as follows:

1. Multiple gifts in cash or property acceptable to the Foundation, in one or more transfers in accordance with the provisions of this agreement may be received. Donors may at any time, by gift, bequest, or otherwise, make additional gifts to the Foundation to be added to this fund and to be administered in accordance with this agreement.
2. The fund established by this agreement shall be known as the Dr. Suzanne Byrd Endowed Scholarship Fund.

Dr. Suzanne Byrd was born on August 14, 1957, in Oak Ridge, TN, the daughter of the late Bill and Eva Byrd. Dr. Byrd received her Bachelor of Science degree from Austin Peay State University in both Biology and Chemistry in 1979. She did graduate work at the University of Kentucky and received her Ph.D. in Anatomy and Molecular Biology from University of South Alabama in 1987. After doing post-doctoral work at Vanderbilt University in Chemistry and at Emory University in Biochemistry, she joined the faculty in the Department of Biological Sciences at Eastern Kentucky University in 1991. Dr. Byrd was a much beloved member of the Department of Biological Sciences. She was a gifted teacher and capable of teaching in a variety of disciplines, including Introductory Biology, Cell Biology, and Principles of Molecular Biology in the curriculum of the Biology Department. In the Allied Health programs in Occupational Therapy and Nursing, she focused on Human Anatomy, Advanced Anatomy, and

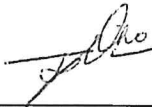
Neuroanatomy. Dr. Byrd was also active in the Honors Program, serving both as a mentor for Senior Thesis Projects and offering challenging courses in the Honors Curriculum. She was named to Who's Who Among Americas Teachers and received the EKV Award as Critical Thinking Teacher of the Year in 2015-2016, and the Golden Apple award in 2015. These are some of the many accomplishments that rank her as an "amazing teacher", "one of the best."

3. The fund will be utilized through the University Development Office in accordance with policies and guidelines established by the Foundation and the University according to the criteria as provided in Paragraph 4.
4. The Foundation agrees to accept such gifts and agrees to establish an account according to the terms of this agreement and annually distribute the funds in accordance with the provisions in this agreement.
 - Applications are required and must be received using the formal Eastern Kentucky University scholarship application process.
 - Must be a rising senior majoring in the B.S. degree in Biomedical Sciences in the Department of Biological Sciences or the B.S. degree in Occupational Science in the Department of Occupational Science and Occupational Therapy.
 - Minimum 3.2 GPA required; preference will be given to students displaying financial need as defined by Eastern Kentucky Office of Financial Aid.
 - Awards will be alternated between majors in the fall semester on the following basis: odd years will be awarded to students majoring in Occupational Science; even years will be awarded to students majoring in Biomedical Sciences.
 - Selection of awardees is to be made by the academic department granting the award that year.
 - This scholarship is non-renewable.
5. The Foundation will utilize funds (and/or with appropriate recommendations of the appropriate University department) using the above standards.
6. The fund is subject to all Foundation Fund Administration Policies, Procedures and Guidelines, which will be provided to Donor(s) in writing upon request.
7. In the event that the stated purpose of the fund as described in this agreement can no longer be met or carried out, or it is impractical or inappropriate due to changing conditions, the Foundation is authorized and empowered in its sole discretion to utilize the funds for such alternate purposes that may be deemed proper, provided the fund shall continue to be named as designated above and the amended terms shall adhere as closely as possible to the funds original intent expressed in this agreement.
8. This agreement shall be governed by the laws of the Commonwealth of Kentucky. Any part of this agreement deemed to be unenforceable or illegal shall be stricken and the remainder of the agreement shall remain in full force.
9. This agreement may be modified by written amendment signed by all parties.

10. For good and valuable consideration and notwithstanding any prior agreements or instructions providing otherwise, the parties covenant and agree as outlined above on behalf of themselves and their heirs, personal representatives, trustees, successors and assigns.
11. This gift and subsequent gifts to this fund shall be recognized in a manner consistent with the University's recognition program.

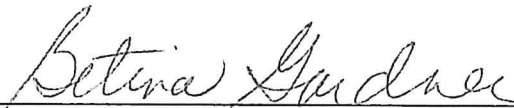

Barry Byrd
Brother of Suzanne Byrd

4/11/23
Date



Dr. Tom Otieno, Dean
Eastern Kentucky University
College of Science, Technology, Engineering and Mathematics

5/24/2023
Date



Betina Gardner
Vice President for Development and Alumni Engagement
Eastern Kentucky University
Executive Director, ECU Foundation

June 6, 2023
Date



Dr. David T. McFaddin, President
Eastern Kentucky University

6-20-2023
Date

Prepared By: Shelley Ward
Senior Director of Major and Planned Gifts
Shelley.ward@eku.edu
859-622-8090

Eastern Kentucky University
Gift Report

Designation	EKU ID	Name	Gift Type	Gift Description	Gift Date	Gift Amount	Gift No.
Byrd Endowed Scholarship/ Dr. Suzanne - 611A88	901813449	Sydney D. Clark	Gift	Stocks and Securities	20-Dec-22	109446.31	559184



Endowment Match Program

Match Request Form – Part A

Please complete a separate form for each endowment established or expanded with program funds for which state matching funds are requested. Attach supporting documentation, including Notice of Board Approval, photocopies of checks received, deposit documentation, or listings of gifts and pledges received by source and by date, donor pledge agreements (if applicable), and signed endowment gift agreements.

Eastern Kentucky University Foundation	08/04/23
Institution	Request Date
Dr. Yoshihiko and Betty Yagi Endowed Scholarship	
Title of Endowment	

Is this a new endowment or an expansion of an existing endowment?

☒ New ☐ Existing _____ (Provide date established)

What activity will this endowment support? (Please check all that apply)

Quantity	Activity
	<input type="checkbox"/> Chair(s)
	<input type="checkbox"/> Professorship(s)
	<input type="checkbox"/> Research Scholar(s) (at Research Universities only)
	<input type="checkbox"/> Research Staff
	<input type="checkbox"/> Graduate fellowship(s)
	<input checked="" type="checkbox"/> Undergraduate scholarship(s) (at Comprehensive Universities only)
	<input type="checkbox"/> Research Infrastructure
	<input type="checkbox"/> Mission support project(s)

For what college, school, center, or department will the spending distribution be used?

College of Science Technology Engineering and Mathematics

Organizational Unit

What academic program or programs will be supported by the endowment?
Please provide Classification of Instructional Program code(s) and description(s) below.
Reference: [CPE's List of active program CIP codes](#).

Program Code	Program Description
26.XXXX	Biological and Biomedical Sciences
41.0303	Chemical Process Technology

(Add rows to the table above as necessary.)

Which of the following areas of emphasis will be supported by this endowment? (Please check only one)

- | | |
|---|--------------------------------------|
| <input checked="" type="checkbox"/> Science | <input type="checkbox"/> Mathematics |
| <input type="checkbox"/> Technology | <input type="checkbox"/> Health |
| <input type="checkbox"/> Engineering | |

➤ Language included in HB 1 stipulates that 100 percent of 2022-2024 Endowment Match Program funds must be used to support programs and initiatives in the STEM+H fields.

Which of the following outcomes are expected from the endowment?
(Please check all that apply)

- ☐ Create new businesses that increase the number of good jobs in Kentucky.
- ☒ Create a critical mass of scholars who can influence the national research agenda.
- ☐ Promote interdisciplinary, problem solving, or applied research activities.
- ☐ Establish partnerships in the technologies, engineering, and applied sciences.
- ☐ Other Please specify:

In the space below, please provide the following information on each donor: (a) the date the gift and pledge were received; (b) the total amount of the gift and pledge; (c) amount of cash received; (d) pledge amount; (e) pledge payment schedule; and (f) the final pledge payment due date. Use additional pages if necessary.

Donor Name	Date Gift and Pledge Received	Gift and Pledge Amount	Amount of Cash Received	Pledge Amount	Pledge Payment Schedule	Final Pledge Payment Date
Dr. Yoshihiko and Betty Yagi	11/13/22	\$25,000	\$5,000	\$25,000	Annually	December 2027

(Add rows to the table above as necessary.)

¹ Substitute the word "anonymous" if the donor requests confidentiality.

² Indicate whether pledge payments are expected monthly, quarterly, semi-annually, annually, or lump sum.

³ Indicate month and year when pledge will be paid in full.



Endowment Match Program

Notice of Board Approval – Part B

Eastern Kentucky University
Institution Name

Council guidelines stipulate that the boards of trustees and boards of regents of Kentucky's public universities are responsible for oversight of the Endowment Match Program on their respective campuses. The governing boards are required to review and approve all donations, gifts, and pledges that will be matched with state funds and used to establish new endowments or expand existing endowments under the Bucks for Brains program. Furthermore, the boards are charged with ensuring that the purposes of each endowment and sources of matching funds comply with Council guidelines and serve the public good.

As designated by the signature below, *Eastern Kentucky University* hereby notifies the Council on Postsecondary Education that it has received donations, gifts, and pledges in the amount of \$25,000 from *Yoshihiko and Betty Yagi* that will be used to establish a new endowment supporting the Dr. Yoshihiko and Betty Yagi Endowed Scholarship for which it is submitting a request for state matching funds under the Bucks for Brains Program. Furthermore, the university's Board of Regents has acknowledged its responsibility for oversight of the endowment established or expanded with these funds in accordance with Council guidelines and procedures and has reviewed and approved the sources and intended uses of these funds.

Typed Signature

Title of University Representative

Date

Please use the email [] for questions relating to this submission.



**ENDOWMENT AGREEMENT ESTABLISHING THE
DR. YOSHIHIKO AND BETTY YAGI ENDOWED SCHOLARSHIP
PERMANENTLY RESTRICTED FUND AT EASTERN KENTUCKY
UNIVERSITY AND THE EASTERN KENTUCKY UNIVERSITY
FOUNDATION**

This ENDOWMENT AGREEMENT is made the 11th day of November 2022 by and between Dr. Yoshihiko and Betty Yagi (the Donor), Eastern Kentucky University (the University), a public higher education institution, and the Eastern Kentucky University Foundation (the Foundation or EKUF), a Kentucky non-profit corporation described in Section 501(c)(3) of the Internal Revenue Code, to establish an endowment fund for the benefit of EKUF and the University.

WITNESSETH:

WHEREAS the Donor desires to establish an endowment fund to support the mission of the University and the Foundation; and

WHEREAS the University and the Foundation is willing to accept such an endowment fund in accordance with the provisions of this agreement,

NOW, THEREFORE, the parties agree as follows:

1. The Donor gives, assigns and transfers to the Foundation twenty-five thousand dollars (\$25,000), in cash or property acceptable via a pledge agreement to the Foundation, in one or more transfers in accordance with the provisions of this agreement. The pledge payments annually for five years ending December 31, 2027. The Donor or others may at any time, by gift, bequest, or otherwise, make additional gifts to the Foundation to be added to this endowment fund and to be administered in accordance with this agreement.
2. The endowment fund established by this agreement shall be known as the Dr. Yoshihiko and Betty Yagi Endowed Scholarship.
3. Until such time as the endowment fund's balance equals \$25,000, the Donor and the Foundation agree that disbursement as defined by the Spending Policy will not be made. Once the \$25,000 threshold has been met, and the fund has at least one year to accumulate sufficient investment growth and earnings, the scholarship will be awarded through the University Scholarship Office in accordance with policies and guidelines established by the Foundation and the University according to the criteria as provided in Paragraph 4.

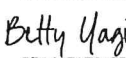
4. The Foundation hereby accepts such gifts and agrees to hold, manage, control, invest and reinvest such gifts in an endowment fund in accordance with policies and guidelines established from time to time by the Foundation and the University. Spendable disbursements from the endowment fund determined in accordance with spending policies established by the Foundation and University will be used for scholarship awards to students. Student recipients must be admitted to the University in accordance with standard University procedures and admissions criteria and be in pursuit of a degree. In awarding the Dr. Yoshihiko and Betty Yagi Endowed Scholarship, preference will be for students who meet the criteria as follows:
 - **Pursuing a degree in biology or chemistry**
 - **Maintain a GPA of 2.5 or above**
 - **Prefer a scholarship recipient who qualifies as having financial need as established by the Eastern Kentucky University Office of Financial Aid**
5. Final awarding authority rests with the University Scholarship Office. Should the recipient, at any time prior to the semester in which he/she receives the scholarship, cease to meet the stated criteria, the University Scholarship Office may revoke its awarding of said scholarship. The University Scholarship Office will make awards (and/or with appropriate recommendations of the appropriate University department) using the above standards.
6. The fund is subject to all Foundation Fund Administration Policies, Procedures and Guidelines, which will be provided to the Donor in writing.
7. In the event that the stated purpose of the Donor as described in this agreement can no longer be met or carried out, or it is impractical or inappropriate due to changing conditions, the Donor authorizes and empowers the Foundation in its sole discretion to utilize the endowment funds for such alternate purposes that may be deemed proper, provided the fund shall continue to be named as designated above and the amended terms shall adhere as closely as possible to the Donor's original intent expressed in this agreement.
8. If the contributions to this fund do not reach \$25,000 within five years from the date the Dr. Yoshihiko and Betty Yagi Endowed Scholarship was established, the Donor will be notified and given an additional six months to fully fund the endowment. If after five years and six months the fund is not fully funded, the fund will be closed accumulated contribution(s) will be transferred to the Eastern Kentucky University General Endowed Scholarship Fund.
9. This agreement shall be governed by the laws of the Commonwealth of Kentucky. Any part of this agreement deemed to be unenforceable or illegal shall be stricken and the remainder of the agreement shall remain in full force. This agreement may be modified by written amendment signed by all parties.
10. For good and valuable consideration and notwithstanding any prior agreements or instructions providing otherwise, the parties covenant and agree as outlined above on behalf of themselves and their heirs, personal representatives, trustees, successors and assigns.

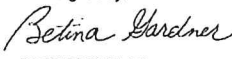
11. This gift and subsequent gifts to this fund shall be recognized in a manner consistent with the University's recognition program.

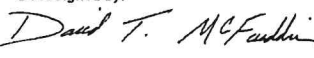
- ☐ The donor gives approval to the publication of the donor's name in appropriate media.
☒ The donor prefers to be listed as anonymous in regard to media publications or required release of donor information.

DocuSigned by:

CDA12FAE9A7B412...
Yoshihiko Yagi
Donor
11/14/2022
Date

DocuSigned by:

CDA12FAE9A7B412...
Betty Yagi
Donor
11/14/2022
Date

DocuSigned by:

B99EA5E4E6E4MF2...
Betina Gardner
Vice President for Development and Alumni Engagement
Eastern Kentucky University
Executive Director, ECU Foundation
11/11/2022
Date

DocuSigned by:

DB10B4A9F88241D...
Dr. David T. McFaddin, President
Eastern Kentucky University
11/11/2022
Date

Prepared by Shelley Ward
Senior Director of Major and Planned Gifts
Shelley.ward@eku.edu
859-622-8090

**Eastern Kentucky University
Gift Commitment Form**

In consideration of my/our interest in supporting Eastern Kentucky University, I/we wish to make a gift for the purpose(s) described below:

\$_____ The Eastern Fund

\$_____ Unrestricted, to be used for priority projects determined by EKU

\$ X _____ Restricted for the following purpose(s): _____

DR. YOSHIHIKO AND BETTY YAGI ENDOWED SCHOLARSHIP

My/our gift commitment will be fulfilled in the following manner:

Outright Gift of \$_____ (payment enclosed)

Pledge of \$25,000 to be paid over 5 years as follows:

(Note: all pledges are to be paid fully within five years.)

First payment of \$5000 will be made on November 2022 (date)

Remaining payment(s) to be made on the following schedule:

_____ Monthly (credit card or direct deposit), beginning on _____ (date).

_____ Quarterly, beginning on _____ (date).

_____ Semi-annually, beginning on _____ (date).

x _____ Annually, beginning on November 2023 (date).

A pledge reminder will be sent to you annually.

Deferred gift of \$_____ (bequest, charitable life income agreement, etc.) as described below: _____

(Note: appropriate documentation required for deferred gift commitments)

For gift recognition purposes, please list my/our name(s) as indicated below:

_____ I/we wish to remain anonymous; do not include my/our name in any donor listing.

Print Name Yoshihiko Yagi

Signature: Yoshihiko Yagi Date: 11/13/22

Print Name Betty Yagi

Signature: Betty Yagi Date: 11/13/22

Address: 6112 Old Log Trail

City: Kalamazoo State: MI Zip: 49009

Your contribution is tax deductible to the extent allowed by IRS regulations. If you have specific tax questions, please consult your financial or legal advisor.

EKU Representative Shelley Ward Date November 10, 2022

Send completed form to: Eastern Kentucky University Development, CPO 19A, 521 Lancaster Ave., Richmond, KY 40475-3102; fax (859) 622-5901

Eastern Kentucky University
Gift Report

Designation	EKU ID	Name	Gift Type	Gift Description	Gift Date	Gift Amount	Gift No.
Yagi Endowed Scholarship/ Dr. Yoshihiko and Betty - 241A30	900021680	Dr. Yoshihiko Yagi	Pledge Pmt	Check	1-Dec-22	5000	557273

I. Surplus Property Demolition Request

II. Issue

The University is requesting that surplus residential property be approved for demolition.

III. Background and Process

The University has determined that a residential structure located at 2739 Brassfield Road, Richmond, Kentucky, is surplus property and is seeking Board of Regents approval for demolition.

Please see attached schedule for additional information.

IV. President's Recommendation

It is the President's recommendation that the Board of Regents approve demolition of the surplus residential structure located at 2739 Brassfield Road, Richmond, Kentucky .



Brassfield Road Farmhouse
2739 Brassfield Road
Richmond, Kentucky

Acquired 11/11/2021

Number of years vacant: 3+

Most recent use: None since purchase

Most recent rental: None since purchase

Any other notes/info: HVAC, electrical, plumbing, windows, floors, and siding would all need to be replaced for it to be considered adequate for any sort of rental use. Condition of foundation is uncertain.

Action Agenda

I. Approval of the ECU reappointee to the Madison County Airport Board

II. Issue

The Eastern Kentucky University Board of Regents must approve the reappointment of an ECU delegate to the Madison County Airport Board upon the expiration of their two-year appointment.

III. Background and Process

The ECU delegate's term will expire on September 14, 2023.

IV. President's Recommendation

It is the President's recommendation that the Board of Regents approve Colleen Chaney as the ECU appointee to the Madison County Airport Board.