

# Kentucky Department of Education

## Pupil Attendance Manual

School Year 2019-20



*EVERY STUDENT – ALL DAY - EVERY DAY*

Kevin C. Brown, Interim Commissioner Kentucky  
Department of Education

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## Table of Contents

SECTION 1: PUPIL ATTENDANCE.....	5
A. Residency .....	5
B. Pupil Attendance Statutes and Dates.....	7
C. Calculation of Daily Attendance (Whole Day/Half Day) and Tardies.....	8
D. Request for Release or Transfer of Student Records .....	14
E. Race and Ethnicity Codes.....	15
F. Suspension and Expulsion Codes .....	16
I. Transportation Codes .....	18
J. State Attendance Codes for Excused and Unexcused Absences.....	19
K. Student Entry and Exit Logs.....	23
L. Enrollment of Foreign Exchange Students in Kentucky Schools .....	24
M. Enrollment in Gatton Academy or Craft Academy .....	25
N. Challenge Academy and Job Corps Withdrawal Guidelines .....	26
O. Shortened School Day/Week for Exceptional Children .....	27
P. Homeless Students .....	28
SECTION 2: SAAR and Growth Factor .....	33
G. Non-Resident, No Contract Days (Adjustment on SEEK) .....	40

B. Growth Factor Report..... 45

    SECTION 3: SCHOOL CALENDAR..... 48

    A. Requirements for School Calendars ..... 48

    B. Guidelines for Developing the Original School Calendar and Day Event Codes..... 52

    C. Amended Calendar and Day Event Codes ..... 54

    D. Master Bell Schedule..... 56

    E. Emergency/Disaster Day Waivers ..... 57

    F. State Assessment Calendar..... 59

        SECTION 4: DIRECTOR OF PUPIL PERSONNEL RESPONSIBILITIES..... 60

SECTION 5: ATTENDANCE REVIEWS..... 62

    Excerpt 2019 Public School District Records Retention Schedule, State Archives &  
    Records Division ..... 63

Section 7: Statutes & Regulation Impacting Attendance & Calendar ..... 66

Glossary of Terms and Acronyms ..... 73

INDEX..... 76

## ***SECTION 1: PUPIL ATTENDANCE***

### **A. Residency**

<b>Statute and Regulation</b>	<b>Description</b>
KRS 158.030	Common school required to enroll resident students
KRS 157.100	District required to provide preschool through twelve (12) grade school service.
KRS 159.010	Compulsory attendance

Kentucky statutes KRS 158.030 and KRS 158.100 place a duty on local school districts to enroll students who meet the age and residency requirements and who have not received a high school diploma. KRS 158.030 requires a school district to provide an education to “every child residing in the district who satisfies the age requirements...” Kentucky law allows anyone with custody or "charge" (physical charge of the student) to enroll the student in the district where the student is actually residing. In some cases, this may be a relative or a family friend who has taken over care for the child but does not have a legal guardianship or other formal legal order granting custody to the child. The Administrative Office of the Courts (AOC) Standard Power of Attorney for School Decision Making form is not required under Kentucky law for the adult to enroll the student in school.

Local school districts determine residency of students. Pursuant to Kentucky law, school districts should first look to the residence of the individual with custody or charge of the student to determine where the student resides. In most instances, the student’s district of residence will be where his or her parents reside. However, in some situations the adults with custody or charge of the student may reside in multiple school districts. For example, a student’s parents may have joint custody of the student and reside in different school districts. Or, a student may be living with a family member who has charge of student in different school district from where the student’s custodial parents reside. In these situations, the student’s district of residence (i.e. the district with the obligation to enroll and educate the student) will be the district **where the student lies his/her head at night, most nights**, with the adult who has custody or charge of the student. The district Director of Pupil Personnel (DPP) has the general authority to conduct a home visit of any home in the district in which school age children may reside to confirm their compliance with the compulsory attendance requirements of KRS Chapter 159 (confirm that the child is enrolled in a school and that the school meets the educational) and that the child actually resides with a resident of the district.

**\*IMPORTANT\*** – Generally, a district should not withdraw a student with an Individual Education Program (IEP) or a general education student just because that child is in a hospital or facility outside the district. Please see the Manual section on Home and Hospital Program (Adjustment on SEEK). In many cases, a student may be lying his/her head in the hospital at night, but the residency of the student (and the guardian) has not changed.

School districts generally should enroll students who are actually living with non-parental or non-guardian adults, even in the absence of formal guardianship or court orders to the same effect. **If the district has a concern that the student is not actually living with the adult or not actually residing within the boundaries of the school district, then the DPP should conduct a home**

**visit to verify that the student is actually lying his/her head down most of the time in a residence within the school district's boundaries. It is acceptable that a student could go home to biological parents on the weekends or a couple nights a week and still meet this threshold.** Once the school district is satisfied that the student is actually residing with an adult within the school district boundaries, the school district should consider the student a resident of the district and entitled to educational services. A district can follow up to ensure living arrangements remain in effect. This is not under any non-resident student agreement or other arrangement for non-resident students to attend school in another district.

**\*Important\* – If the student is Homeless, please see the Manual section on Homeless Students and the McKinney-Vento Homeless Education Assistance Act.**

Questions concerning residency may be directed to:

Ronda Devine  
Division of District Support  
300 Sower Building, 4<sup>th</sup> Floor  
Frankfort, KY 40601  
(502) 564-5279, ext. 4444  
[Ronda.devine@education.ky.gov](mailto:Ronda.devine@education.ky.gov)

**B. Pupil Attendance Statutes and Dates**

Statutes and Regulations	Description
KRS 157.360	Base funding level – adjustment –enforcement of maximum class sizes –allotment of program funds
KRS 158.444	Administrative Regulations – Role of Department of Education
KRS 159.160	Attendance reports to superintendent
KRS 164.7885	Annual Submission by High Schools of List of Eligible Students – Data on List – Verification of Eligible Students – Reduction of Award – Authority for Administrative Regulations
KRS 159.010	Compulsory Attendance Age
702 KAR 7:125	Pupil Attendance

**District Data Reports and Due Dates Related to Attendance and Calendar**

Date	Report (Alphabetical order)
June 30	Amended School Calendar (past school year)
June 15	Graduation Codes (G-codes)
Nov. 1	Growth Factor Report (10 days after last day of 2 <sup>nd</sup> month OR by Nov.1)
Feb. 15	January Growth Factor
June 30	Original School Calendar (upcoming school year)
June 16	SEEK At-Risk Data Verification
June 30	Superintendent's Annual Attendance Report (SAAR)
Nov. 1	Transportation Growth Factor Adjustment Sheet

Date	Final Data Posted on KDE Web site (dates vary based on circumstances)
August 1	Amended School Calendar
December 1	Growth Factor Report
April 1	January Growth Factor Report
August 1	Original School Calendar
August 15	Superintendent's Annual Attendance Report (SAAR)

For additional detail, please see the Important Due Dates for Superintendents document, [Superintendent Important Due Dates](#)

### C. Calculation of Daily Attendance (Whole Day/Half Day) and Tardies

Statutes and Regulations	Description
KRS 158.060	School month and school day; duty-free lunch period; non-teaching time for teachers
KRS 159.010	Compulsory Attendance Age
KRS 159.150	Definitions of truant, habitual truant and being tardy; adoption of truancy policies by local school boards
702 KAR 7:125	Pupil attendance

Daily attendance is represented as 0%, 50% or 100%. Please refer to the chart below to assist with understanding the calculations for tardiness, half-day and whole-day attendance values.

Daily Attendance	Whole Day	Half Day	No Attendance	Tardy
Funded	1.0 = Whole-day	0.5 = Half-day	0 = No attendance	1.0 = Tardy
Present	100% -65%	64-% -16%	15% - 0%	99% - 65%
Absent	0% -35%	36% -84%	85% -100%	0% -35%

#### ***Tardies***

School personnel should choose between Present or Absent in Infinite Campus. Kentucky does not use the Tardy option or the Early Release option from the Campus core product. Once marked excused or unexcused, the Infinite Campus program automatically calculates a tardy or an absence. Schools should not map local codes to the status of “Tardy” as a general rule. However, if you need to add a new Exempt code please confirm with your field staff that it meet requirements for an exempt code.

***NOTE: Attendance is based on the standard school day set by the local board of education. Instructional time equals the standard school day less the amount of time used for breaks, lunch and recess. Five minutes is the maximum allowable passing time between instructional periods.***

Questions concerning daily attendance may be directed to:

Ronda Devine  
 Division of District Support  
 300 Sower Building, 4<sup>th</sup> Floor Frankfort, KY 40601  
 (502) 564-5279, ext. 4444  
[ronda.devine@education.ky.gov](mailto:ronda.devine@education.ky.gov)  
***State Student Identification Number (SSID)***

Upon enrollment into the Kentucky public school system, students are assigned a State Student Identification (SSID) number. The SSID number is ten digits in length and is assigned to students through use of the Infinite Campus Student Locator. The SSID is used as a district and state identifier throughout a student's enrollment. If a student leaves the district or state, he/she will retain their original number. The clerk should search any incoming student in the student locator. They select the record of that student and add an enrollment.

Infinite Campus support should be contacted on all issues regarding the student locator. However, the Web Application Administrator Point of Contact (WAAPOC) in your district should be contacted whenever there is an issue with connectivity to the program or to the Student Locator. If WAAPOCs have connectivity issues and need assistance, they should contact the KETS Service Desk toll free at (866) 538-7435 or by email at [ketshelp@education.ky.gov](mailto:ketshelp@education.ky.gov)

For each of the following issues, a district support staff member should create a support ticket with Infinite Campus (IC):

- student locator not functioning correctly
- pending SSID number for any student for more than 48 hours
- ambiguous SSID number for any student
- two students have the same SSID number

Questions concerning daily attendance may be directed to:

Samantha Engstrom  
Division of District Support  
300 Sower Building, 4<sup>th</sup> Floor Frankfort, KY 40601  
(502) 564-5279, ext. 4434  
[samantha.engstrom@education.ky.gov](mailto:samantha.engstrom@education.ky.gov)

*Start Status Codes*

Statutes and Regulations	Description
KRS 159.140	Duties of the director of pupil personnel or assistant
KRS 159.170	Withdrawals and transfers; teachers to investigate and report
702 KAR 7:125	Pupil Attendance

The following entry and re-entry codes shall be used to indicate the enrollment status of pupils.

Code	Definition
E01	A pupil enrolled for the first time during the current year in either a public or non- public school in the United States. (This includes students enrolling for the first time in a public school district who have attended only homeschool or private school previously.)
E02	A pupil previously enrolled during the current school year in either a public or non- public school in another state not previously enrolled in Kentucky during the current school year.
E03	A pupil enrolling for the first time during the current school year in either a public or non-public school, who withdrew as a W24 or a W25 in previous school years.

Code	Definition
NS	<p>A pupil who completed the prior year with a C01 and was expected to enroll in the district but did not enroll by October 1 of the current year, whose enrollment elsewhere cannot be substantiated, is a No Show.</p> <p>On Day 1, add a Start Status of NS: No Show during that day for students who appear on Daily Attendance &gt; Caller Report. Add the appropriate End Status to this record. <b>Note:</b> Office staff should NOT use the attendance wizard on Day 1. All teachers will take attendance on Day 1 (first day of student attendance). When the enrollment record is saved with the start status of NS: No Show, the No Show checkbox will automatically be checked.</p> <p>If the student returns to school, a New Enrollment record with an applicable start status and start date (first date of attendance) will be added. The student's schedule should be verified, and if that schedule is correct; the counselor will restore it in the walk-in scheduler; otherwise a new schedule will be created.</p> <p>The original no show record remains with the No Show Start Status and the W** End Status. A new enrollment is created on the date when the student shows up. Because the student has a later enrollment in the district he/she will not be counted as a dropout. The district must delete the NS: No Show enrollment record if a student is enrolled in another school within the same district.</p> <p><b>No Shows</b> should <u>NOT</u> appear on any attendance report, including the SAAR and Growth Factor reports. If the student graduates after July 31 and prior to the first day of the next school year, an enrollment must be created in the following school year. If an enrollment is created, attendance funds will not be awarded as long as the student is not scheduled. Therefore, <b>do not schedule</b> the student for the next year's enrollment if the student graduated between August 1 and the day prior to start of the next school year. Do not forget to complete the graduation tab for this enrollment. <b>NOTE:</b> A <b>No Show start status</b> cannot be used to indicate a graduate with an end status of G01-G04.</p>
R01	A pupil received from another grade or grade level in the same school year, or having a change in schedule structure or enrollment service type;
R02	A pupil received from another public school in the same public school district.
R06	A pupil re-entering the school after dropping out, discharge or expulsion from a school district in Kentucky during the current school year, who has not entered any other school during the intervening period.
R20	A pupil previously enrolled in a home school in Kentucky during the current school year. (This includes students who have attended a public school in Kentucky and who are returning to the public school after being homeschooled).
R21	A pupil previously enrolled in any public or non-public school (excluding home schools) in Kentucky during the current school year. (This includes students who have attended a public school in Kentucky and who are returning to the public school after attending a non-public school, <u>not</u> including homeschool).

***End Status Codes***

The following **withdrawal and graduation codes** shall be used to indicate the enrollment status of pupils.

<b>Code</b>	<b>Definition</b>
CO1	A pupil who completes the school year in the school of the most current enrollment.
G01	A pupil who graduates in less than four (4) years.
G02	A pupil who graduates in four (4) years. <i>If a student graduates during the summer he/she have until the start of the next school year to be included in the prior year.</i>
G03	A pupil who graduates in five (5) years.
G04	A pupil who graduates in six (6) or more years.
W01	A pupil transferred to another grade in the same school or with grade level changes in the same school mid-year, or with a change in schedule structure or enrollment service type. The re-entry code to use with W01 shall be R01.
W02	A pupil transferred to another public school in the same public school district. The re-entry code to use with W02 shall be R02.
W07	A pupil withdrawn due to those communicable medical conditions that pose a threat in school environments listed in 902 KAR 2:020, Section 1(1), accompanied by a doctor's statement certifying the condition or any other health-related condition for which the student is too ill to participate in regular school attendance or local Home-bound instructional services or if the student has obtained a doctor's statement certifying the condition. The re-entry code to use with W07 shall be R06.
W08	A pupil withdrawn due to death.
W12	A pupil under the jurisdiction of the court. For purposes of the W12 code, a pupil may be considered under the jurisdiction of the court on the day the petition is filed with the court. The re-entry code to use with W12 shall be R06. For accountability purposes, a W12 shall be considered a dropout if the district cannot substantiate enrollment in the proper educational setting as designated by the court.
W17	An entry level student in the primary program, withdrawn during the first two months enrolled due to immaturity or mutual agreement by the parent, guardian or other custodian and the school in accordance with 704 KAR 5:060.
W20	A pupil transferred to a home school. The re-entry code to use with W20 shall be R20.

<b>Code</b>	<b>Definition</b>
W21	A pupil transferred to a non-public school (excluding home school). The re-entry code to use with W21 shall be R21.
W22	A pupil who has transferred to another public Kentucky school district and for whom a request for student records has been received or enrollment has been substantiated.
W23	A pupil withdrawn for a second or subsequent time who initially withdrew as a W24 or W25 during the current school year.
W24	A pupil who has moved out of this public school district for whom enrollment elsewhere has not been substantiated. (This counts as a dropout)
W25	A pupil who is at least the local board policy's minimum age for withdrawal and has withdrawn from public school; beginning with the 2017-18 school year, a pupil who is at least eighteen (18) years of age and has withdrawn from public school. (This counts as a dropout)
W26	A pupil who has withdrawn from school after completing a secondary GED Option program and receiving a GED certificate. (High School Equivalency Program replaced GED per KRS 159.010 as of June 29, 2017. The statute should be used until this part of the attendance regulation changes).
W27	A student who has withdrawn from school and subsequently received a GED. (High School Equivalency Program replaced GED per KRS 159.010 as of June 29, 2017. The statute should be used until this part of the attendance regulation changes).
W28	A student who has reached the maximum age for education services without receiving a diploma or alternative high school diploma. (This counts as a dropout)
W29	A pupil who has moved out of state or out of the United States.
W30	A pupil with an IEP enrolled in Grade 14 who has previously received an alternative high school diploma, re-enrolled, and withdrew in the middle of the reporting school year.

For Special Education withdrawal questions, please contact:

Joseph McCowan  
Office of Special Education and Early Learning  
300 Sower Blvd., 5th Floor  
Frankfort, KY 40601  
(502) 564-9850 Ext. 4121  
[joseph.mccowan@education.ky.gov](mailto:joseph.mccowan@education.ky.gov)

### D. Request for Release or Transfer of Student Records

Statute	Description
<a href="#">KRS 600.070</a>	Release of Educational Records
<a href="#">KRS 156.160</a>	Courses of Study for Public Schools
<a href="#">KRS 159.140 (1)(i)</a>	DPP to keep student attendance records and make reports
<a href="#">704 KAR 3:307</a>	Recognition of credits when transferring without transcripts

#### ***Public Schools***

Public schools must provide educational records to those public actors who require education records, including special education records, to perform their duties under KRS Chapters 600 to 645 and to eliminate the need for subpoena, court order, or other statutory authority to acquire FERPA protected education records in the performance of their duties.

Per KRS 159.140 (1) (i) the DPP must keep student attendance records and make the reports required by law and KDE Regulation. Upon initial enrollment or reenrollment in a public school in Kentucky, an electronic transfer of student records is requested by the receiving district. Districts should not and cannot release student records of a student who is listed as a missing person. See the [Missing Children website](#) for additional information. If copies of educational records for a student are delayed due to the transfer of a student from a private school, or from another state or country, students should be enrolled in school and receiving instruction during the records request process.

Per 704 KAR 3:307, procedures for recognition of credits for graduation from a public secondary school upon transfer from a non-accredited secondary school, and for the awarding of credit upon transfer to a public secondary school without a proper transcript being reasonably available, are detailed in local board policy.

Non-accredited or Private Schools - Non-Public schools must adhere to Kentucky laws regarding school attendance, minimum instructional hours, the subjects taught, and records kept. These details are explained in the [Kentucky Non-Public Schools Information Packet](#).

#### ***Homeschool***

A homeschool student is one whom the family has withdrawn from public school pursuant to [KRS 159.030](#) and chosen to educate through a private or home setting. Section 5 of the Kentucky Constitution establishes that parents may choose the formal education for their child.

For detail on Kentucky laws regarding homeschools please refer to the [Kentucky Homeschool Information Packet](#).

Questions concerning requests for student records from private/non-accredited schools/homeschool may be directed to:

Neil Watts  
 Division of Consolidated Plans and Audits  
 (502) 564-3791, ext. 4054  
[neil.watts@education.ky.gov](mailto:neil.watts@education.ky.gov)

## E. Race and Ethnicity Codes

In order to meet federal reporting requirements, both of the following questions must be asked:

### Collection Codes

1. Are you Hispanic/Latino? (Yes or No)
2. What race are you? (Choose one or more from the list.)

Race Codes	Description
American Indian or Alaskan Native	A person having origins in any of the original peoples of North and South America (including Central America), and who maintains a tribal affiliation or community attachment.
Asian	A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
Black or African American	A person having origins in any of the Black racial groups of Africa.
Native Hawaiian or Other Pacific Islander	A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
White	A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

### Reporting Codes:

Code	Description
01	Hispanic/Latino
02	American Indian or Alaskan Native
03	Asian
04	Black or African American
05	Native Hawaiian or Other Pacific Islander
06	White
07	A person having two or more codes 01-06.

Questions concerning Race/Ethnicity Codes may be directed to:

Ronda Devine  
 Division of District Support  
 300 Sower Building, 4<sup>th</sup> Floor  
 Frankfort, KY 40601  
 (502) 564-5279, ext. 4444  
[ronda.devine@education.ky.gov](mailto:ronda.devine@education.ky.gov)

## F. Suspension and Expulsion Codes

The Behavior Attendance Audit Report shall be used in place of the Suspension Attendance Linkage report. This report will produce the following items for review/cleanup:

- Behavior Resolutions without a selected corresponding Attendance Code
- Attendance without any corresponding Behavior Resolution

For more information, please visit the KDE Website, [Behavior Attendance Audit Report](#).

It is advised that districts run the Safe Schools Report (KY State Reporting) regularly. Please visit the KDE Website for more information at [Safe Schools Data Collection and Reporting](#).

Statutes and Regulations	Description
KRS 158.150	Suspension or expulsion of pupils
702 KAR 7:125	Pupil Attendance

### *Behavior Resolutions*

The following local district behavior resolution codes must be mapped to a State Resolution Code in Infinite Campus for safe schools reporting and attendance reporting purposes:

**SSP1** – expelled, receiving services **SSP2** – expelled, not receiving services **SSP3** – out-of-school suspension.

### Attendance – SSP3: Out-of-School Suspension

All local attendance codes for out-of-school suspension must be mapped to the state code of **S: Suspension**. Out-of-school suspensions are considered an unexcused absence in accordance with 702 KAR 7:125. Out-of-school suspensions are recorded on the Record of Daily Attendance (Register Report) and districts are eligible to receive funding up to 10 days for a child who has been suspended as an adjustment on SEEK. A resolution of SSP3: Out-of-School Suspension in behavior MUST have a corresponding S: Suspension attendance code. The behavior resolution start/end date and times must match the attendance start/end date and times.

### *Attendance - Expulsion*

There are two (2) behavior resolution codes for expulsion:

**SSP1** – expelled, receiving services

**SSP2** – expelled, not receiving services

If the student is expelled without services, the student is marked absent each day following the expulsion. The district is eligible to receive funding up to 177 days for expulsions as an adjustment on SEEK. Students must maintain a full schedule after expulsion to receive funding. If the student is expelled with services, the student is marked absent for any day services were to be provided but the student was not present to receive services. The district is eligible to receive up to 177 days for expulsion, any days during expulsion with services in which student is marked absent the days will be included as an adjustment on SEEK.

Sometimes, expulsions carry over into another school year, or a district receives a student who previously has been expelled from another district or a student is enrolled in an alternative school within the same district. When any of the three occur, please see the following document for

details on how to enter attendance: [Procedures for Carryover Expulsions](#).

Questions concerning suspensions and expulsions may be directed to:

Victoria Fields  
Division of Student Success 300 Sower Building, 5<sup>th</sup> Floor  
Frankfort, KY 40601  
502-564-4772, ext. 4015  
[victoria.fields@education.ky.gov](mailto:victoria.fields@education.ky.gov)

## I. Transportation Codes

Statutes and Regulations	Description
KRS 157.370	Allotment of transportation units
702 KAR 5:020	Program cost calculation
702 KAR 5:100	Handicapped, reimbursement for

Aggregate days attendance and absence are reported to KDE by school, grade level and transportation code. KDE recommends that individual student transportation codes be verified **at least** once a semester. Inaccurate coding of transportation may result in a proportional reduction of the transportation allotment of the SEEK calculation.

Code	Description
T1	A pupil transported over one mile twice daily, if the transported distance to school over the shortest publicly accessible route exceeds one mile and the pupil is transported twice daily. This includes students identified as <b>Homeless</b> .
T2	A pupil transported under one mile twice daily.
T3	A pupil transported over one mile once daily, if the transported distance to school over the shortest publicly accessible route exceeds one mile and the pupil is transported once daily. <i>For reporting purposes, T-3 aggregate days of attendance are divided evenly (50/50) between T-1 and NT.</i>
T4	A pupil transported under one mile once daily. <i>For reporting purposes, T-4 aggregate days of attendance are divided evenly (50/50) between T-2 and NT.</i>
T5	A special needs student whose Individualized Plan (IEP) lists transportation as a related service or who is receiving IEP-mandated special accommodations. <i>Students designated T5 must have this requirement clearly stated in their IEPs on the related services page. Students covered by 504 Plans are <b>not</b> eligible to be coded T5.</i>
NT	Non-Transported Student (includes non-traditional instructional days)

KDE provides a sample form to help schools track T-codes for students.

[T Code Tracking Help](#)

This data can be used as documentation during an Attendance Review:

Questions concerning transportation codes and assignment may be directed to:

Elisa Hanley  
 Pupil Transportation Unit  
 300 Sower Building, 4<sup>th</sup> Floor  
 Frankfort, KY 40601  
 (502) 564-5279, ext. 4406  
[elisa.hanley@education.ky.gov](mailto:elisa.hanley@education.ky.gov)

### J. State Attendance Codes for Excused and Unexcused Absences

Attendance Code	Definition
4-H Activities (O)	Any student enrolled in a properly organized 4-H club shall be counted as present at school while participating in regularly scheduled educational 4-H club activities to include 4-H events at the Kentucky State Fair.
Armed Forces Day (AFD)	<p>If a student's parent, de facto custodian or other person with legal custody or control of the student is a member of the United States Armed Forces, including a member of a state National Guard or a Reserve component called to federal active duty, a public school principal shall give the student an excused absence. The school must maintain documentation for attendance audit purposes. If no documentation exists, the student must be marked absent. When recording the attendance for a student using an Armed Forces Day, the school should code the day(s) as AFD:</p> <p>An excused absence for one (1) day when the member is deployed  An additional excused absence for one (1) day when the service member returns from deployment.</p>
Armed Forces Rest and Relaxation Day (AFR)	<p>When recording the attendance for a student using Armed Forces Rest and Relaxation Days, the school should code the day(s) as AFR:</p> <p>Excused absences for up to ten (10) days for visitation when the member is stationed out of the country and is granted Rest and Relaxation leave. A student receiving an excused absence under these subsections shall have the opportunity to make up schoolwork missed and shall not have his or her class grades adversely affected for lack of class attendance or class participation. A student receiving an excused absence under these subsections shall be considered present in school during the excused absence for the purposes of calculating ADA. Documentation should be on file at the school for students taking an AFD day(s) and AFR day(s). The school must maintain documentation for attendance audit purposes. If no documentation exists, the student must be marked absent.</p>
Athletic Team Regional or State Tournaments (ATA)	Any member of a school-sponsored interscholastic athletic team who competes in a regional tournament or state tournament sanctioned by the KBE or the KHSAA and occurring on a regularly scheduled school day may be counted present at school on the date or dates of the competition as determined by local board policy <u>for a maximum of two (2) days per student per year</u> . The student shall be expected to complete any assignments missed on the date or dates of the competition.
Basic Training (BT)	Allows any high school student participating in basic training required by the U.S. Armed Forces to be counted present for up to 10 days. The school must maintain documentation for attendance audit purposes. If no documentation exists, the student must be marked absent.

<b>Attendance Code</b>	<b>Definition</b>
Co-Curricular Activities	Students who are participating in a co-curricular instructional activity that has been authorized by the local board of education and is a definite part of the instructional program of the school can be counted present while participating in such an activity.
College Visit (O)	‘Other’ status (The number of College Visits granted is at the discretion of the school district.)
Dual Credit Courses	A local board of education may permit an arrangement in which a pupil pursues part of the pupil’s education under the direction and control of one (1) public school and part of the pupil’s education under the direction and control of another public or non-public school (college or university). The time a pupil is served by each public school shall be included when calculating the district’s ADA.
Educational Enhancement Opportunities (EHO)	<p>When school principals consider the approval of EHO days (up to 10 per student per year are allowed by law) the following requirements in statute must be followed:</p> <p>The principal is presented with a request from a student or parent, determines if the EHO is of “<i>significant educational value</i>” and by his or her authority decides whether or not to grant the EHO day (s). (KDE recommends that a written record of the request with a principal’s signature be maintained at the school for audit purposes. Most districts have a standard form.)</p> <p>If the student is denied a request for an EHO day(s) by the principal the decision can be appealed by a parent to the superintendent and/or the local board of education through the process outlined in the statute through board policy and procedures.</p> <p>What are the standards set in the statute for an Educational Enhancement Opportunity (EHO)?</p> <p>The opportunity includes participation in an educational foreign exchange program.</p> <p>The opportunity includes an intensive instructional program in one of the core curriculum subjects (English, science, mathematics, social studies, foreign language or the arts are specifically mentioned in the statute).</p> <p>Events that are not within the standards for approval of EHO days would include funerals, family vacations, sports events, community events and religious events because these are events that are not part of an <i>intensive instructional program</i>.</p>
Field Trip (O)	‘Other’ status (The number of field trips is at the discretion of the school district.)
Honor Guard (O)	‘Other’ status (The number of Honor Guard days is at the discretion of the school district.) The school must maintain documentation for attendance audit purposes. If no documentation exists, the student must be marked absent.

Attendance Code	Definition
Home/Hospital (O)	Students approved for Home and/or Hospital instruction should be reported in the Home and Hospital attendance group.
Illness-related absence ILIE - Excused ILID - Dr. Note ILIP - Parent Note ILIU – Unexcused	School districts track flu-like illness using these codes, as requested by the CDC, to assist with tracking communicable diseases.
State Fair	Students are allowed one day as an <b>excused absence</b> to attend the Kentucky State Fair (additional days for the State Fair are at the discretion of the school district). The school must maintain documentation for attendance audit purposes.

*State Attendance Codes - Quick Reference*

State Code	Description	Status	Excuse
AFD	Armed Forces Day	Absent	Exempt
AFR	Armed Forces Rest and Relaxation Day	Absent	Exempt
ATA	Athletic Team Regional/State Tournaments	Present	Exempt
BT	Basic Training in the U.S. Armed Forces	Present	Exempt
EHO	Educational Enhancement Opportunities	Absent	Exempt
ILID/ILIE/ILIP	Illness Related Closing (flu like symptoms)	Absent	Excused
ILIU	Illness Related Closing (flu like symptoms)	Absent	Unexcused
O	4-H Activities	Present	Exempt
O	College Visit	Absent	Exempt
O	Field Trip	Present	Exempt
O	Home/Hospital	Present	Exempt
O	Honor Guard (Veteran or Military)	Present	Exempt
O	State Fair	Absent	Exempt
S	Suspension	Absent	Unexcused

**Note:** School districts should regularly review state attendance codes with their schools to ensure they are properly mapped. **School districts should not map local codes to Exempt.** More information about how to map state attendance codes is in the KSIS Data Standard on Attendance link [KSIS Data Standards](#).

***Other Attendance Credit***

<b>Attendance</b>	<b>Description</b>
KEES and Foreign Exchange Students	When enrolling a Foreign Exchange student the school must follow the proper procedures to ensure that the student is not included in the KEES report. This is accomplished by checking the appropriate box in State Reporting Fields when enrolling the student. Foreign Exchange students are reported on the monthly attendance report and the data is included in SAAR and Growth Factor reports.
Performance-Based Courses	Students participating in standards-based, performance-based credit that falls within one or more of the categories of standards-based course work outlined in 704 KAR 3:305 can receive full attendance credit for a class or block for the year or semester in which the students initially enrolled, if the student completes the course and demonstrates proficiency in accordance with local board policies see the link, <a href="#">Performance Based Credit</a> .
Virtual Courses	Students enrolled in a Virtual high school class or block can receive attendance credit for the year or semester in which they originally enrolled if they complete the course and demonstrate proficiency in accordance with local board policies.
Dual Credit Courses	Students enrolled in a Dual Credit courses can receive attendance credit for the year or semester in which they are enrolled if they complete the course and receive a passing grade from the college instructor, see the link <a href="#">Dual Credit Course</a> . Please see the <a href="#">Dual Credit Placeholder Guide</a> , before setting up the course in Infinite Campus.

Course types listed above must be set-up properly in Infinite Campus to receive funding credit on SAAR. Please review the manual, [Virtual and Performance Based Set Up](#), when adding courses and schedules. The Funding Gap Audit Report [Quick Reference Card](#) can assist districts in calculating attendance credit possible for students before completing the course.

KDE Contact for Virtual/Performance Based Course Set-Up:

Josh Whitlow  
 Division of District Support  
 300 Building, 4<sup>th</sup> Floor  
 Frankfort, KY 40601  
 (502)564-5279 ext. 4450  
[Josh.Whitlow@education.kyschools.us](mailto:Josh.Whitlow@education.kyschools.us)

## K. Student Entry and Exit Logs

Regulation	Description
702 KAR 7:125	Pupil Attendance

Each school must maintain a student entry and exit log that includes:

- date
- student name
- grade/homeroom
- time of late arrival and reason
- time of early departure and reason
- parent or guardian signature for elementary sign-outs
- any other information required by local board of education policy
- protection for student records (e.g. cover sheet)

School staff must ensure that the Entry and Exit Logs are consistently used to record late arrivals and early departures for students and are properly completed. Information on student attendance logs are confidential and should be treated as any other protected student record. Student Entry and Exit Logs and daily and class absentee lists must be reviewed and compared against the Register Report for accuracy. The logs must be retained at the school building a minimum of two years (current year and prior year). KDE staff will compare Entry and Exit logs to information posted in Infinite Campus during an Attendance Review. This is an area targeted for statewide improvement and will be checked carefully during the Attendance Review process.

\*If a school district uses an electronic sign in and sign out log, they must be able to provide KDE reviewers with access to the information for verification purposes. The information entered in to the electronic system must still include all data elements required by 702 KAR 7:125, as listed above.

Questions concerning Entry and Exit logs may be directed to:

Sheila Harned, Consultant, Division of District Support Mobile: (270) 705-9158  
[sheila.harned@education.ky.gov](mailto:sheila.harned@education.ky.gov)

Ruth Wilkes, Consultant, Division of District Support Mobile: (859) 516-1673  
[ruth.wilkes@education.ky.gov](mailto:ruth.wilkes@education.ky.gov)

Scott Rose, Consultant, Division of District Support Mobile: (606) 776-0798  
[scott.rose@education.ky.gov](mailto:scott.rose@education.ky.gov)

## **L. Enrollment of Foreign Exchange Students in Kentucky Schools**

When enrolling a Foreign Exchange or international student, the school must follow the proper procedures to ensure that the student is not included in the KEES report. This is accomplished by checking the appropriate box in State Reporting Fields when enrolling the student. Foreign Exchange students are reported on the monthly attendance report and the data is included in SAAR and Growth Factor reports. Students with F type VISAs **must** pay tuition based on board policy that is equivalent to the cost of educating the student in the school district with state and local funds.

### **Federal VISA Program Information**

#### **J1 VISAs**

Students with J1 VISAs do not pay tuition. J1 programs are authorized by the Department of State. The [J1 Visa Fact Sheet](#) gives detailed information about the program. For more information on the J1 VISA Student and Exchange Visitor Program (SEVP), please use the Web site listed to find your federal contact person: [J1 Visa Programs](#)

#### **F1 VISAs**

F1 VISA authorized schools are monitored by the Department of Homeland Security. Students with F1 VISAs must pay tuition to attend school. They must be student and exchange visitor program (SEVP) certified and can only attend SEVP-certified school. F-1 students cannot spend a year at one public high school and then transfer to another. As public schools are funded through tax revenue and not tuition, F-1 students attending an SEVP-certified public secondary school must pay the full, unsubsidized per capita cost of attending school for one year. Please see the Web site listed for details in becoming a SEVP certified school.

[Kindergarten to Grade 12 Schools](#)

[Student and Exchange Visitor Information System \(SEVIS\)](#)

The federal contact for F1 VISAs for Kentucky (Territory #34) is listed below:

Beth Murphy  
Field Representative, Territory #34 – Kentucky &  
Cincinnati/Dayton OH Field Representative Unit (FRU)  
Student and Exchange Visitor Program (SEVP)  
NSID/HSI/ICE/DHS  
(202) 246-5298  
[Beth.Murphy@ice.dhs.gov](mailto:Beth.Murphy@ice.dhs.gov)

#### **KDE Contact:**

Ronda Devine  
Division of District Support  
300 Building, 4<sup>th</sup> Floor  
Frankfort, KY 40601  
(502)564-5279 ext. 4444  
[Ronda.devine@education.ky.gov](mailto:Ronda.devine@education.ky.gov)

### **M. Enrollment in Gatton Academy or Craft Academy**

For more detailed information about how the home high school should set up these students in Infinite Campus, please see [Infinite Campus for Craft and Gatton Residential Academies - Course Setup, Grading and Attendance](#) under “Other Procedural Documentation” on the [KSIS Data Standards web page](#).

Basic setup for students is as follows:

Primary enrollment at the home high school

Schedule *Craft or Gatton Academy* course for the entire instructional day in all terms

*Course settings:* Performance-based, Non-attendance, Non-Transcript

*State Code:* 800500

*Difficulty Level:* Dual Credit

*Teaching Method:* Dual Credit

*Instructional Setting:* Offsite College

*Grades:* Post Final Grade at end of year

### **KDE Contact**

Kimberly Steimle

Office of Education Technology

300 Sower Building, 4<sup>th</sup> Floor

Frankfort, KY 40601

Phone: (502) 564-2020, ext. 2474

[kimberly.steimle@education.ky.gov](mailto:kimberly.steimle@education.ky.gov)

Josh Whitlow

Division of District Support

300 Building, 4<sup>th</sup> Floor

Frankfort, KY 40601

(502)564-5279 ext. 4450

[Josh.Whitlow@education.kyschools.us](mailto:Josh.Whitlow@education.kyschools.us)

## **N. Challenge Academy and Job Corps Withdrawal Guidelines**

Appalachian Challenge Academy and Job Corps are federal operated; therefore, withdrawal to these facilities must have appropriate withdrawal statuses to accommodate reporting purposes.

**Bluegrass Challenge Academy**, beginning with the 2017-18 school year this academy is considered a public alternative school under the realm of Eminence Independent. Therefore, the appropriate withdrawal status for a student enrolling in this academy is *W22*: A pupil who has transferred to another public Kentucky school district and for whom a request for student records has been received or enrollment has been substantiated.

**Appalachian Challenge**, the appropriate withdrawal status for a student enrolling in this academy is *W21*: A pupil transferred to a non-public school (excluding home school). The re-entry code to use with *W21* shall be *R21*.

### **Job Corps:**

A student withdrawing to Job Corps facility and not receiving educational services from a public school district is considered a dropout, use appropriate dropout withdrawal code.

A student withdrawing to Job Corps facility and receiving educational services must be withdrawn as a *W21*: A pupil transferred to a non-public school (excluding home school). The re-entry code to use with *W21* shall be *R21*.

If the district is still providing educational services to the student in some way the student should remain enrolled in the district and a withdrawal is not required.

### **KDE Contact:**

Ronda Devine  
Division of District Support  
300 Sower Building, 4<sup>th</sup> Floor  
Frankfort, KY 40601  
Phone: (502)564-5279, ext. 4444  
[Ronda.Devin@education.ky.gov](mailto:Ronda.Devin@education.ky.gov)

### O. Shortened School Day/Week for Exceptional Children

Statute and Regulation	Description
KRS 158.060	Shortened School Day
KRS 157.230	Special educational programs in school districts.
707 KAR 1:290	Free Appropriate Public Education
707 KAR 1:320	Individual Education Program (IEP)

Students with disabilities are expected to attend school for the entire school day or week. However, when circumstances warrant, the Admissions and Release Committee (ARC) may determine that the student's needs require them to attend less than the entire day or school week. Districts must have a medical statement signed by a physician, documented determination by the ARC that a shortened school day or week is needed, an IEP that specifies the length of the shortened day or week, and approval by the local board of education.

The shortened school day or week form for students with IEPs is available for download from the KDE Web site: [Waiver Process](#)

A local board of education may approve an arrangement whereby a pupil (without an IEP) has a shortened school day in accordance with local board of education policy. Only the time a pupil is in attendance shall be included in calculating the district's Average Daily Attendance (ADA).

Questions concerning shortened school days or weeks for students with IEPs may be directed to:

Erma White

Division of IDEA Monitoring and Results

300 Sower Building, 5<sup>th</sup> Floor Frankfort, KY 40601

(502) 564-4970, ext. 4105

[Erma.white@education.ky.gov](mailto:Erma.white@education.ky.gov)

Questions concerning shortened school days or weeks for all other students may be directed to:

Josh Whitlow

Division of District Support

300 Sower Building, 4<sup>th</sup> Floor

Frankfort, KY 40601

(502) 564-5279, ext. 4450

[Josh.whitlow@education.ky.gov](mailto:Josh.whitlow@education.ky.gov)

## P. Homeless Students

Statute
McKinney-Vento Homeless Education Assistance Act -Section 725 (2) and (6), Section 103 (a)(1)

### *School of Choice*

LEAs must, to the extent feasible, keep homeless students in their school of origin unless it is against the parent or guardian's wishes. Under federal law, when a dispute arises about school selection or enrollment, the student must be immediately admitted to the school of choice while the dispute is being resolved. Some of the factors that should be considered in determining whether it is in the student's best interest to stay in his or her school of origin are:

- a. age of student
- b. safety of the student
- c. academic and emotional needs
- d. experiences at the school of origin
- e. continuity of instruction
- f. special needs of the family
- g. length of stay in the shelter
- h. school that the student's siblings attend
- i. likely location of the family's future permanent housing
- j. time remaining in the school year
- k. distance of commute and the impact it may have on the student

### *Enrollment*

A school must immediately enroll students who are homeless, even if they do not have required documents such as school records, medical records and proof of residency. The term "enroll" includes attending classes and participating fully in school. Enrolling schools must immediately contact any previous schools to obtain records. Students must be enrolled while records are being obtained. If the student does not have required medical records such as immunizations, the liaison must immediately assist in obtaining them. More information is available on the [Education for Homeless Children and Youth website](#).

Further clarification may be found in the Infinite Campus [Homeless Data Standard](#).

Questions concerning enrollment and transportation of homeless students may be directed to:

Melissa Ferrell

Division of School and Program Improvement

300 Sower Building, 5<sup>th</sup> Floor

Frankfort, KY 40601

(502) 564-3791, ext. 4020

[melissa.ferrell@education.ky.gov](mailto:melissa.ferrell@education.ky.gov)

**Q. No Pass/No Drive**

Statutes and Regulations	Description
KRS 159.051	No Pass No Drive
601 KAR 13:070	Requirements for minor driver licensing applicant and compliance with KRS

KRS 159.051 applies to every public and private school district across Kentucky and results in the denial or revocation of a student driver's license for either of the following:

- academic deficiency or
- nine or more unexcused absences in one semester

Academic deficiency is defined as a student who does not have passing grades in at least four of six courses or the equivalent in the preceding semester. A student is noncompliant when he/she has nine (9) or more unexcused absences in the preceding semester. Any absences due to suspension are unexcused. For districts using scheduling configurations other than two semesters per year, the 18 total absences can be divided by the number of grading periods in the school year (e.g., for trimesters, 3 trimesters x 6 absences = 18).

All 16- or 17-year-olds applying for a driver's license permit (Instruction Permit) are required to have a completed School Compliance Verification Form per KRS 159.051 (dated and stamped with an embossed seal from the school). The form verifies that the student is compliant with the components of the statute. This form should be used for the initial application for an instruction permit only. The No Pass/No Drive statute in [KRS186.440](#) (3) is interpreted by KDE to mean that home school students hold the same status as students enrolled in and attending public schools. There is a section for private schools on the form used for verification of student attendance. This section of the form should also be used for home-schooled students. It is not necessary for home-schooled students to submit this form to the school district for a signature.

If the student is not compliant, a form will not be issued. If a 16- or 17-year-old student (with a driver's permit or license) accumulates nine or more unexcused absences in one semester, the school will report the student as noncompliant via the Web portal at the end of each semester, or the report may be made earlier in the semester. Any absences due to suspension are unexcused.

A student shall be deemed academically deficient when he or she has not received passing grades in at least four of six courses or the equivalent. Reports of noncompliance based on academic deficiency will be made via the Ky.gov web portal. The law specifies that a student "shall" pass four courses (or the equivalent of four courses per semester;  $4/6 = 66$  percent). For example, when a high school is using a six-period semester schedule, a student would need to pass more than 66 percent of his/her classes to be compliant. This same mathematical calculation (66 percent) has been used in the graph below to show how it applies to different course and semester configurations.

**Academic Deficiency (as recommended by KDE)**

Courses Per Semester	Number of Courses Student Would Need to Pass to be Compliant
4	3
5	4
6	4
7	5
8	6

KDE collaborated with the Transportation Cabinet to create a Web portal to allow for electronic communication between schools and the Division of Driver Licensing. This is a secure portal that limits access to only registered, authorized users. One person from each school district has been selected by the superintendent as the district contact for implementation of the statute. The district contact can access information for each school in the district. Each school with at least one grade in the school from the 7th-12th grades can have up to three authorized users with access to the school's information and the portal.

The three authorized users and district contact must register their names using this [Registration](#) link. This process will register these individuals in the Web portal and allow direct exchange of information between schools and the Transportation Cabinet. The KSBA has a model policy for KRS 159.051. The information was sent to all district superintendents. Districts may refer to this model policy as they approve local board policy to address this statute.

Questions concerning No Pass/No Drive may be directed to:

Sherri Clusky  
 Division of Student Success  
 300 Sower Building, 5<sup>th</sup> Floor  
 Frankfort, KY 40601  
 (502) 564-4772, ext. 4040  
[sherri.clusky@education.ky.gov](mailto:sherri.clusky@education.ky.gov)

## R. Dropout Data and Reporting

Regulation	Description
KRS 158.6455	Assessment and Accountability
KRS 159.010	Compulsory Attendance Age

### ***Summer Dropouts***

For summer dropouts, the student is a dropout for the grade and year for which he or she fails to return. This involves identifying students who completed school year 2017-18 but who did not return to school in 2018-19 prior to October 1, 2018.

### ***Regular Dropouts***

Regular dropouts are students who dropped out in the 2018-19 school year and did not re-enroll prior to October 1, 2019. Students must be reported as dropouts for the 2018-19 school year as of November 1, 2019 in the 2018-19 school year.

### ***Dropout Reporting Location***

The district will submit the location district and school numbers where the dropout occurred. In addition, the district can assign a reporting district and school for those students who should be tracked back to their home districts and schools based upon residency (includes dropouts from A2-A6 schools). In order to determine the reporting location of dropouts for the 2018-19 school year, a district should review students who were enrolled less than 30 instructional days during the 2018-19 school year and use the following guidelines to determine the reporting district and school.

### ***State Reporting Location***

For a student enrolled less than 30 instructional days in a district prior to dropping out, the district and school location number should be set to the enrollment district and school number at the time of dropout and the reporting district number set to the state code of 999. Leave the reporting school number blank.

### ***District Reporting Location***

For a student enrolled at least 30 instructional days in the district, but not 30 instructional days or more within any school in the district prior to dropping out, the district and school number should be set to the enrollment district and school number at the time of dropout and the reporting district number set to the district of withdrawal. Leave the reporting school number blank.

### ***School Reporting Location***

For a student enrolled at least 30 instructional days in a school prior to dropping out, both the location district and school number as well as the reporting district and assigned school number are set to the enrollment district and school number at time of dropout.

### ***Cohort Graduation Rate***

Clarification regarding Dropouts

Cohort graduation data uses the first time Grade 9 enrollment to determine the cohort year and

the last enrollment status, to determine whether the student is on-time, not on-time or a verified transfer (removed from cohort for calculation). If the last enrollment end status is a dropout, that student is classified as not on time and counted in the denominator (total students in cohort) for the cohort calculation, and not in the numerator (total students who graduate on time for that cohort group with a regular high school diploma). It is important to note that a student's last end status does not have a 30 day rule for cohort accountability. The dropouts reported in the State Dropout Report submitted in the fall have a 30 day rule. Cohort accountability is determined by the school with the last enrollment, regardless as to the number of days enrolled.

More information is available via the KDE Web site: [Graduation Rate](#) Assistance with whether a student should count as a dropout is available by using the [Dropout Determination Guide](#). Assistance with accountability for dropouts is available by using the [Dropout Accountability Tool](#). Assistance with Cohort information (including accountability) is available by using the [Cohort Tool](#).

Questions concerning dropout data or cohort graduation rate may be directed to:

David Curd  
Division of Assessment Design and Implementation  
300 Sower Building, 5<sup>th</sup> Floor  
Frankfort, KY 40601  
(502) 564-9853 ext. 4744  
[david.curd@education.ky.gov](mailto:david.curd@education.ky.gov)

**SECTION 2: SAAR and Growth Factor**

## A. Superintendent's Annual Attendance Report (SAAR)

<b>Statute and Regulation</b>	<b>Description</b>
KRS 157.320	Weather Related Low Attendance Days (up to 10)
KRS 157.320	Low Attendance Days (5)
KRS 157.360	Base funding level; adjustment; enforcement of maximum class sizes; allotment of program funds
KRS 159.140	Duties of director of pupil personnel
702 KAR 7:125	Pupil Attendance

The SAAR shall be electronically submitted to KDE prior to June 30 (see instructions below). Care should be taken to verify all data compiled for the SAAR report. Entry/Withdrawal codes should balance. For example: R1/W1; R2/W2. The SAAR contains the following information:

<b>SAAR Sections</b>	<b>SAAR Sections</b>
School Calendar Summary	Over and Underage Students
Aggregate Days Attendance Absence	Nonresident, Non-Contract Students
Entries/Re-Entries/Withdrawals	Low Attendance Days (five)
Race and Gender Breakdown	•Weather- Related Low Attendance days (1-10)
VHS/Performance Based Proficient	Eligible Suspensions, Eligible Expulsions

The SAAR provides year-end attendance information for the district that is used to calculate the district's enrollment, membership, Average Daily Membership (ADM) and Average Daily Attendance (ADA). This information is reported by school, grade and transportation code. Information from this report is used in the calculation of the district's AADA. A summary of the SAAR report for each school district may be viewed or downloaded from the KDE Web site: [SAAR Link](#)

Instructions for Submitting the SAAR:

The SAAR File (SAAR999.20\*) is submitted via the KDE Web site: [SAAR Submission](#)

Questions concerning SAAR, Growth Factor and January Growth Factor may be directed to:

Brad Kennedy  
 Division of District Support  
 300 Sower Building, 4<sup>th</sup> Floor  
 Frankfort, KY 40601  
 (502) 564-5279, ext. 4417  
[Brad.kennedy@education.ky.gov](mailto:Brad.kennedy@education.ky.gov)

a. Low Attendance Days (Adjustment on SEEK)

The aggregate day's attendance for the five lowest attendance days districtwide when all schools are in session is submitted to the KDE as an adjustment on the SAAR. This information is used to reduce both the total aggregate days of attendance and the number of days taught prior to the calculation of the district's ADA.

b. Weather-Related Low Attendance Days (Adjustment on SEEK)

After the five lowest attendance days have been deducted, the district may request an adjustment for up to ten (10) additional days when all schools were in session and attendance was low districtwide due to weather-related conditions. Submission of the information on the SAAR is considered the district request for consideration. The district ADA on these dates must be lower than the prior-year ADA in order to be submitted and considered. The aggregate attendance for each day is deducted and replaced with the prior year ADA before calculating the district ADA. The district must keep documentation in the central office showing that attendance on the specified dates was low due to weather-related conditions.

\*Please note that for half-day Kindergarten students, if there is a delay due to weather/disaster and Kindergarten is cancelled, the students will be marked Absent/Exempt. This event is mapped to "Other" in IC, but the school district may assign its own code.

c. Non-Traditional Instructional Days (Adjustment on SEEK)

Non-traditional instructional days (N-days) may be taken by school districts who are approved by the Kentucky Board of Education. Each Non-Traditional Instructional Day that is taken should be marked **N** in the Days tab as they occur. The district must keep documentation in the central office showing that attendance on the specified dates were part of their approved state application.

d. Partial Day (Adjustment on SEEK)

Statutes and Regulation	Description
KRS 157.320 (1)	Partial Days
702 KAR 7:125	Pupil Attendance

A student who has an approved instructional day shorter than the regularly scheduled school day has a *Partial day*. In addition, a local board of education arrangement in which a pupil pursues part of his or her education under the direction and control of one public school and part of his or her education under the direction and control of another public or non-public school has a *partial day* at each school.

Students who attend a public school for only part of the day are entered in the SIS in the "Partial Day" attendance group. Each of the students is given a day pattern that reflects his/her actual

day. Every student, regardless of the day pattern, represents an aggregate of one for each instructional day. An adjustment is necessary to reflect the portion of the day the student was actually in attendance. That aggregate amount of time the student is not in attendance is adjusted out of the Growth Factor Report and SAAR. School districts should not use local codes for a student who has a partial day.

e. Suspensions and Expulsions (Adjustment on SEEK)

<b>Statutes and Regulation</b>	<b>Description</b>
KRS 157.320	Total days students are suspended or expelled
KRS 158.150	Suspension or expulsion of pupils
702 KAR 7:125	Pupil Attendance

***Suspensions (Adjustment)***

Per 702 KAR 7:125, suspensions are coded on the Record of Daily Attendance with an “S.” Suspensions are considered unexcused absences in accordance with 702 KAR 7:125.

School districts may receive funding for up to 10 days for a child who has been suspended. For example, if a student was suspended a total of three days during the school year, three days are eligible for funding. If a student was suspended a total of 14 days during the school year, 10 days are eligible for funding.

The aggregate days suspended and eligible days suspended are submitted to the KDE. The information is used to adjust the total aggregate days attendance submitted on the SAAR prior to calculating the district’s ADA.

***Expulsions (Adjustment)***

Expelled students must be properly documented for the district to receive funding. The beginning and ending dates of the expulsion are indicated when the student’s disposition is entered in the SIS. The local school district may receive funding for up to 177 days for a student that is expelled.

The aggregate days of attendance and absence during the expulsion period are submitted to the KDE. This information is used to adjust the total aggregate days attendance submitted on the SAAR prior to the calculation of the districts ADA.

Sometimes, expulsions carry over to another school year, or a district receives a student who previously has been expelled from another district. Please see the following document for details on how to enter attendance: [Procedures for Carryover Expulsions](#).

Overage and Underage Students (Adjustment on SEEK)

<b>Statutes,</b>	<b>Description</b>
KRS 158.030	"Common school" and "primary school program" defined; who may attend.
KRS 158.031	Primary school program -- Authority for administrative regulations -- Attributes -- Part time attendance -- Grouping - - <b>Advancement</b> -- Reporting requirements.
KRS 158.100	Programs required to be provided by school district; additional programs permitted, students residing in the school district shall be provided educational services until they reach age 21.
702 KAR 7:125	Pupil Attendance
704 KAR 5:060	Entry of 5-year olds in the Primary Program, advancement of primary students.
KRS 158.030	Requires local board policy that includes an application and evaluation process for parents who wish to petition for their child's early entry into school.
OAG 82-44 - Exception	Underage students previously enrolled in a public school in a state that allows enrollment at an age younger than Kentucky shall be enrolled in that grade level in Kentucky, and their aggregate days of attendance will not be adjusted from ADA. <i>(Please note that Kentucky law does not apply to students who may be entering Kindergarten from another country. It applies only to students entering from another state.)</i>
KRS 158.030	A student enrolled pursuant to the district's required early entrance policy shall be counted for average daily attendance. KRS 158.030 requires that each district have a policy to determine early entrance. The policy must contain a provision for how the district will assess readiness to begin school. Board policy must include a provision that early entrants pay the same tuition as those who meet the age requirements in subsections (1) and (2) of KRS 158.030. School board policies may address factors other than readiness, including funding and space.

## Early Admission Tuition for Kindergarten and SEEK

***Underage Primary Students***

When an underage student wants to apply for early entry to kindergarten, the district is required to assess the student and must adopt a policy allowing parents/caregivers the opportunity to petition for early enrollment (KRS 158.030). A district's policy may consider factors in addition to school readiness, such as availability of funding and space. However, a district cannot use

policy to refuse every request for early enrollment (or refuse to evaluate requests), as the statute states the policy “shall include an evaluation process that will help to determine student’s readiness for school.” If the student is assessed according to district policy, and is successful, the district is required to enroll them if the student meets criteria established by district policy. Underage students who meet criteria should be treated the same way as students who meet the age requirement for kindergarten.

Questions concerning underage primary students may be directed to:

Bill Buchanan  
Division of IDEA Implementation and Preschool  
School Readiness Branch  
300 Sower Blvd. 5<sup>th</sup> floor  
Frankfort, KY 40601  
(502) 564-4970, ext. 4702  
[bill.buchanan@education.ky.gov](mailto:bill.buchanan@education.ky.gov)

***Accelerated Placement***

If the school district, per local board policy, has determined that a student is eligible for early enrollment in the second level of the primary program after academic, social, and developmental progress records from multiple data sources are reviewed by a team and are determined to support accelerated placement per the guidelines in [158.031](#), the district should begin the required process for approval from KDE prior to enrolling the student. Once KDE approval is granted, the district can enroll the student using the “Waiver” checkbox and there will be no deduction on the Growth Factor Report and SAAR. The waiver approval process for accelerated placement in primary is available on the KDE Web site: [Accelerated Placement](#)

If the student proceeds to the 1st grade, the district qualifies for full SEEK funding. If the underage student was admitted to kindergarten according to board policy criteria, and the student successfully advances to first grade, the district may receive the full SEEK dollar amount. There would be no reason for the district to accept full SEEK payment for a first grade student and require tuition payment from a parent/caregiver for the same student. The “Underage Wavier” box would be checked for full funding. To find out more information, please visit the KDE Website, [Accelerated Placement](#).

For more information on accelerated placement policy and procedure, please see [Senate Bill 35](#).

Questions concerning accelerated placement may be directed to:

Pamela Winger  
Division of Program Standards  
300 Sower Building, 5<sup>th</sup> Floor  
Frankfort, KY 40601  
(502) 564-2106 ext. 4509  
[pamela.winger@education.ky.gov](mailto:pamela.winger@education.ky.gov)

***Tuition***

For a resident, underage student who is admitted to kindergarten according to board policy criteria, the district may check the “Underage Waiver” box in order to receive the half SEEK dollar amount (i.e., the SEEK formula amount for a kindergarten student).

If a school district charges tuition to resident students who meet the age requirement to attend kindergarten, the district may charge the same amount to underage students admitted to kindergarten according to board policy. Also, if the district **does not charge tuition** to resident students who meet the age requirements for kindergarten, then the district **cannot charge tuition** to resident students who are admitted to kindergarten under the early enrollment policy.

If a student is eligible for free/reduced price lunch, then the district is required to waive the tuition fee for that student pursuant to [KRS 158.108](#) and [702 KAR 3:220](#)

Additional information can be found on the Kentucky Department of Education Website: [Primary Statutes and Regulations](#)

Questions concerning the changes may be directed to:

Ronda Devine  
Division of District Support  
300 Sower Building, 4<sup>th</sup> Floor  
Frankfort, KY 40601  
(502) 564-5279, ext. 4444  
[Ronda.devine@education.ky.gov](mailto:Ronda.devine@education.ky.gov)

**G. Non-Resident, No Contract Days (Adjustment on SEEK)**

Statutes and Regulation	Description
KRS 157.350 (4)	A school district cannot include any non-resident pupils in the ADA except by written agreement with the Kentucky school district of the pupil's residence. A local school district shall not include any out-of-state students in its ADA. The local board of education may adopt a tuition policy to address non-resident students, including residents of other Kentucky districts for whom there is not a contract and all out-of-state students.
KRS 158.120	Nonresident pupils; tuition
702 KAR 7:125	Pupil Attendance

Total aggregate days attendance for all non-resident students for whom there is not a written agreement with the district of the student's legal residence and total aggregate days attendance for all out-of-state students must be submitted as an adjustment on the Growth Factor Report and SAAR

Example: A child lives in County A, but is enrolled in school in County B. County A and County B do not have a reciprocal agreement. Assuming the child attended 162 days out of 175 days, 162 aggregate days attendance must be submitted as an adjustment (deduction) to County B's average daily attendance.

\*All aggregate days attendance accrued by out-of-state students must be a deduction on the Growth Factor and SAAR reports because a district is not allowed to sign a non-resident contract with another state.

\*All children of school district employees (CDE) attending school where their parent or guardian works are counted for SAAR as resident students. They should not be included in the non-resident counts. KRS 157.350 (4) (b).

All documentation for non-resident contracts, copies of board policies and student lists for non-resident students should be maintained in each school district impacted by the contracts. KDE does not maintain the documentation.

***Amendments to Contracts for Nonresident Pupils***

A change may be made to the original non-resident pupil agreement up to the close of the school year to include the non-resident pupils enrolling after the close of the second school month. Amendments to contracts should include a complete list of student enrollments and withdrawals for the year along with the dates of enrollment and withdrawal.

The number of non-resident, non-contract students (in- and out-of-state) and total aggregate days attendance must be reported as an adjustment on both the Growth Factor Report and the SAAR.

The aggregate days of attendance for these students is deducted prior to the calculation of district ADA. Please note that non-resident contracts are not applicable for students in the homeless children education program.

Nonresident Pupil Contract Appeal Process

Statute	Description
KRS 157.350 (4)	Eligibility of districts for participation in the SEEK fund.

The statutory non-resident pupil contract appeal process is as follows:

Pupils are listed under a written agreement for one or more years with the district of the pupils' legal residence. If an agreement cannot be reached, either school board may appeal to the Commissioner of Education for settlement of the dispute.

The commissioner shall have 30 days to resolve the dispute. Either board may appeal the commissioner's decision to the Kentucky Board of Education (KBE).

The commissioner and the KBE shall consider the factors affecting the districts, including but not limited to academic performance and the impact on programs, school facilities, transportation and staffing of the districts.

The KBE shall have 60 days to approve or amend the decision of the commissioner.

This subsection does not apply to Children of District Employees (CDE) or those pupils enrolled in an approved class conducted in a hospital or pupils who have been expelled for behavioral reasons who shall be counted in ADA. KRS 157.350 (4)(b).

A sample non-resident contract form is provided on the KDE Web site [Non-Resident Contract Sample](#).

Questions concerning the changes may be directed to:

Brad Kennedy  
 Division of District Support  
 300 Sower Building, 4<sup>th</sup> Floor  
 Frankfort, KY 40601  
 (502) 564-5279, ext. 4417  
[brad.kennedy@education.ky.gov](mailto:brad.kennedy@education.ky.gov)

#### h. SEEK Funding for Children of District Employees

Statute and Regulation	Description
KRS 157.350	Allows a child who attends school in a district in which the parent of the pupil is employed to be counted in the district's Average Daily Attendance (ADA) for SEEK funding.

This is not an adjustment on SEEK. The law simply allows districts to receive SEEK funding for Children of District Employees (CDE) who may live in another Kentucky school district to attend the school where their parent or guardian is employed. The following definitions and guidelines must be met for a student to be counted in the CDE attendance group:

“Employed” refers to any person holding an employment contract with the district at a level that requires that person to receive a W-2 Wage and Tax Statement and further requires the employee to participate in one of the state retirement systems, typically the Teachers Retirement System (TRS) or the Kentucky Retirement Systems (KRS or CERS). Examples of persons who would not qualify are those who do not work enough hours to qualify for retirement benefits or a person whose income received from the district is reported on a 1099-MISC form.

“Parent” is defined as a person who has a school age child who lives in the employee’s household and the employee exercises custodial care and control of the child. Examples include biological or adoptive parent, step-parent, or foster parent. “Parent” also includes any person to whom the courts have awarded custodial care of the child. The district must retain supporting documentation for the ‘parent’ designation (e.g., birth certificate, court order, etc.) The KDE will review the documentation when conducting Attendance Reviews.

A non-resident pupil with a parent employed in the district is not included in the count of students governed by the written non-resident agreement. If the districts have a non-resident agreement that includes a cap on the number of non-resident pupils, the children whose parents are employed in the Kentucky school district should be counted **in addition to** the capped number in the agreement. Students of district employees whose parents’ transport them into Kentucky to their school of employment from out of state are not funded by SEEK. SEEK does not fund out of state students.

Questions about Children of District Employees (CDE) may be directed to:

Brad Kennedy  
 Division of District Support  
 300 Sower Building, 4<sup>th</sup> Floor  
 Frankfort, KY 40601  
 (502) 564-5279, ext. 4417  
[brad.kennedy@education.ky.gov](mailto:brad.kennedy@education.ky.gov)

i. Home and Hospital Program (Adjustment on SEEK)

Statute and Regulation	Description
KRS 157.270	Instruction in exceptional child's home or hospital
KRS 157.360	Base funding level adjustment; adjustment; enforcement of maximum class sizes; allotment of program funds
KRS 159.030	Exemptions from compulsory attendance
704 KAR 7:120	Home/Hospital Instruction

The local district board of education shall exempt from compulsory attendance any student whose physical or mental condition prevents or renders inadvisable attendance at school. Prior to granting the exemption, the local board of education in which the student resides shall require a signed statement in accordance with KRS 159.030(2) and 704 KAR 7:120. A child found to be incapable of attending school, as described above, shall be provided home/hospital instruction.

The plain language of KRS 159.030(2)(a) indicates that the above-referenced signed statement should be provided by a professional trained in that area. The law permits signed statements from a licensed physician, advanced practice registered nurse, psychologist, psychiatrist, chiropractor, or public health officer. However, the legislature did not intend for a chiropractor (see scope of practice set forth at KRS 312.015) to be able to provide a statement for mental health reasons as doing so would be outside of the scope of practice. 704 KAR 7:120(2)(4) clarifies that only mental health professionals may provide statements for mental health reasons.

Under 704 KAR 7:120, eligibility for home/hospital is a determined differently for Individualized Education Program (IEP) students and general education students.

Individualized Education Program (IEP) Students:

Eligibility for home/hospital instruction for students with disabilities shall be determined by the Admissions and Release Committee (ARC) in accordance with the Individual Education Program, with the services being determined to be in the least restrictive environment. The ARC decision for home or hospital instructional service eligibility shall be based on appropriate documentation of student need, including medical or mental health evaluation information. The ARC chairperson shall provide written notice of this eligibility and documentation to the local director of pupil personnel for purposes of program enrollment.

**\*IMPORTANT\*** - Issues related to IEP students implicate state law, as well as, federal Individuals with Disabilities Education Act (IDEA) protections, and any questions concerning home/hospital services for IEP students should be directed to:

April Pieper, Division of Learning Services, 300 Sower Building, 5<sup>th</sup> Floor, Frankfort, KY 40601  
(502) 564-4970, ext. 4117, [April.pieper@education.ky.gov](mailto:April.pieper@education.ky.gov).

General Education Students:

The Home/Hospital Review Committee shall accept and review applications to determine student eligibility for home/hospital services. This committee shall consist of a local director of pupil personnel, a home/hospital teacher or home instruction program director, medical or mental

health personnel, and other professionals relevant to the application being reviewed.

A general education student found eligible to receive educational services at home shall receive a minimum of two (2) visits a week with a minimum of one (1) hour of instruction per visit, by a teacher provided by the board of education.

Similarly, a general education student receiving educational services in a hospital (whether inside or outside the district) shall receive a minimum of one (1) hour of instruction per visit, by a teacher provided by the board of education. Districts should not withdraw students undergoing medical treatment outside the district, rather the district is responsible for the provision of services. Services may be provided through the provision of direct services or contracting for services. Either way, the district shall receive SEEK funding for the students receiving home/hospital services.

**\*IMPORTANT\*** – A district should not withdraw a child because that child is in a hospital or facility outside the district. A child’s residency is generally assumed to be the same as his/her parent or guardian and where they live most of the time. When a student is in a hospital (even for an extended period of time), the child’s residency remains in his/her home district. The only time a student in the hospital should be withdrawn from his/her home district would be if another Kentucky district were enrolling the student and providing the home/hospital services. In this case, the student should be covered by a non-resident agreement.

#### Attendance and Funding

Satisfaction of the minimum two one-hour visits by the home instruction teacher each week is the equivalent to five days of school attendance (i.e., ADA). Students receiving home/hospital instruction may participate in additional virtual or online courses as part of their educational program. However, students must receive two (2) 1-hour visits every five (5) days from a teacher. **Non-Traditional Days cannot be counted for a one (1) hour teacher visit.**

Daily instructional time provided by teachers is to be recorded on the Home Hospital form required in the regulation. (The latest version of the form is dated 2008-09.) The required form may be downloaded from the KDE website: [Home Hospital Program Form](#)

Home and hospital students are funded an additional amount equal to the guaranteed base funding level less capital outlay (\$100). The home and hospital add-on for the SEEK funding formula is calculated from the end-of-year Home Hospital ADA reported on the SAAR. School districts must comply with all applicable statutes and regulations governing operation of a home and hospital program.

Please note that the Home Hospital form is not submitted to KDE. Forms must be maintained by the DPP and will be reviewed during on-site attendance reviews at the school district office.

Questions concerning **regular education** home/hospital students may be directed to:

Ronda Devine  
 Division of District Support  
 300 Sower Building, 4<sup>th</sup> Floor Frankfort, KY 40601  
 (502) 564-5279, ext. 4444  
[ronda.devine@education.ky.gov](mailto:ronda.devine@education.ky.gov)

## B. Growth Factor Report

Statute and Regulation	Description
KRS 157.360	Base funding level; adjustment; enforcement of maximum class sizes; allotment of program funds
KRS 157.360	Mid-year Growth Adjustment (January Growth Factor)
KRS 157.370	Allotment of transportation units
KRS 158.060	School month and school day (20-days = school month)
KRS 159.140	Duties of Director of Pupil Personnel
702 KAR 7:125	Pupil Attendance
702 KAR 5:020	Pupil Transportation Program Cost Calculation

### Growth Factor

The Growth Factor report includes the following information for the first two school months:

- aggregate days attendance and absence
- race and gender count
- adjustments for less than full-time attendance (partial day)
- non-resident/non-contract students
- overage and underage students

All information is reported by school, grade level and transportation code. The Growth Factor report is due to KDE ten (10) days after the last day of the second month but no later than November 1 of each school year.

### [Growth Factor](#)

Per KRS 157.360 (8): “Program funding shall be increased when the average daily attendance in any district for the first two months of the current school year is greater than the average daily attendance of the first two months of the previous school year.” The percent of growth is multiplied by the previous school year’s end-of-year ADA to determine the additional ADA funding a district will receive. If a district does not incur any growth or shows a loss in ADA, there is no deduction of program funding to the district.

In addition to the second month Growth Factor adjustment, KRS 157.360 (15) allows a district to request an additional adjustment in funding based on mid-year growth. At this time, the January mid-year growth report is optional, and districts should review their monthly SAAR data for trends.

Instructions for Submitting Electronic Growth Factor Report:

The Growth Factor File (GF999.20)\* is submitted via the KDE Web site: [Growth Factor Submission](#)

\*999 = your district's number

#### January Growth Factor

During a fiscal year, a school district may request that the KDE recalculate its funds allocated under this section if the current year Average Daily Attendance (ADA) for the 20-day school month as defined in KRS 158.060, Section 1 that contains the most days within the calendar month of January exceeds the prior-year adjusted average daily attendance plus growth by at least one percent. Any adjustments in the allotments approved under this subsection shall be proportional to the remaining days in the school year and subject to available funds under the SEEK program. If a district does not incur any growth or shows a loss in ADA, there is no deduction of program funding to the district. All information is reported by school, grade level and transportation code.

Focus Areas: The January Growth Factor report includes the following information for the school month chosen with the most attendance days in January of the current school year:

- aggregate days attendance and absence
- race and gender count
- adjustments for less than full-time attendance (Partial Day)
- non-resident/non-contract students
- overage and underage students

Due Date: The January Growth Factor is due to KDE five days after the last day of the school month that has the most attendance days in January of the current school year. Please note:

Submission of January Growth Report is optional.

District Calendars must be up-to-date in the student information system.

District will submit a SAAR report to KDE with the records 5, 7, 9 and H attendance data.

The same data cleanup rules apply as with a SAAR or a 2nd month Growth Factor submission.

For more information about January Growth Factor, please visit the following Web site: [January Growth Factor](#)

Per KRS 157.370 (3), there is an adjustment in transportation funding for current-year increases in transported students. The number of transported students (T1s + T5s) for the first two months of the current year is compared to the number of transported students (T1s + T5s) reported on the previous school year's Growth Factor Report. The percent of increase is multiplied by the tentative transportation calculation to determine the amount of transportation funding increase for a district. A district that shows a loss or no increase in T1s and T5s will not incur a reduction in funding.

Questions regarding Growth Factor may be directed to:

Brad Kennedy  
Division of District Support  
300 Sower Building, 4th Floor  
Frankfort, KY 40601  
(502) 564-5279, ext. 4417  
Brad.kennedy@educati<sup>on</sup>.ky.gov

**SECTION 3: SCHOOL CALENDAR****A. Requirements for School Calendars**

<b>Statutes and Regulations</b>	<b>Description</b>
KRS 2.110	No person shall be compelled to labor on Labor Day.
KRS 2.190	Presidential election day shall be a state holiday and all schools shall be closed on presidential election day (the Tuesday after the first Monday in November of presidential election years). If personnel are required to work, they shall be eligible for compensatory pay (overtime pay) for the day.
KRS 157.350	Eligibility of districts for participation in fund to support education excellence in Kentucky.
KRS 157.360	Base funding level, adjustment, enforcement of maximum class sizes, allotment of program funds, recalculation of allocated funds, lengthening of school days.
KRS 158.060	School month and school day, student attendance days, duty free lunch period, non-teaching time for teachers
KRS 158.070 (1) (d)	Formation and appointment of a school calendar committee by the local board of education to provide a recommendation for the Original calendar to the superintendent, to present to the local board at an open meeting.
KRS 158.070 (2) (a-f)	Operation of school calendar committee, and school calendar flexibility for schools with a first instructional day on the Monday closest to August 26.
KRS 158.070 (5) (a)	Required School Closure for Regional or District Professional Meetings.
KRS 158.070 (5) (b)	If any school in a district is used as a polling place, the school district shall be closed on the day of the election, and those days may be used for professional development activities, professional meetings, or parent- teacher conferences. A district may be open on the day of an election if no school in the district is used as a polling place.
KRS 2.190	The Tuesday after the first Monday in November in presidential election years shall be a state holiday on which all state offices; all schools and all state universities and colleges shall be closed. Any employee who is required to work on said state holiday shall receive compensatory pay or time off.

Statutes and Regulations	Description
KRS 158.070 (6) (b)	All schools must be closed for Martin Luther King Day. This day must either be a holiday or a day outside of the minimum school term and may not be used as a makeup day or a PD day.
KRS 158.070 (12) (a)	Allows additional instructional time in excess of the state and local requirements to fulfill the 185-day contract requirement under KRS 157.350 as well as the calculation of service credit for certified staff under KRS 161.500 in exchange for <i>days missed due to emergency</i> if all state and local requirements have been met. All instructional time information and a plan for make-up days must be included on the KDE-approved calendar. (Review the KRS for further information on classified staff contracts.)
505 KAR 1:080	A KECSAC school must have an extended school calendar of 230 school days and at least 210 must be instructional days.
702 KAR 7:125	Pupil Attendance
702 KAR 7:140	School Calendar

The board of education shall adopt the Original School Calendar prior to May 15 of each year for the upcoming school year.

### ***Minimum School Term***

The minimum school term shall be one hundred eighty-five (185) days, including at least 1,062 instructional hours in no less than 170 student attendance days. A board of education may extend its term beyond the minimum term.

### ***Student Instructional Year***

"Student instructional year" means at least one thousand sixty-two (1,062) hours of instructional time for students delivered on not less than one hundred seventy (170) student attendance days. Schools may be in session more than 170 days, but the combination of shortened days and regular student instructional days must add up to at least 170. School days can be no longer than 420 minutes.

### ***Non-Traditional Instructional (NTI) Days***

These days may be taken by school districts who are approved by the Kentucky Board of Education. Each NTI Day that is used will be marked as a Day Event of **N: Non-Traditional Instruction** in the Days tab. When SAAR is submitted, the submission program will automatically process these days. ADA will still be added in as aggregate days present in Transportation Code N for each day claimed on the SAAR. N days may be used for inclement weather, or other health and safety related reasons that require closure of the entire school district.

### ***Required School Closure for Regional or District Professional Meetings***

KRS 158.070 (5)(a) refers to the Commissioner designating one additional day during the school year when schools shall be closed to permit professional school employees to participate in regional or district professional meetings. In past years, the commissioner has not designated a specific date for the regional or district KEA meetings. Since districts have flexibility in approving the school calendar, the commissioner has delegated the decision to local regions to select the actual date of the regional or district meeting. Due to the calendar variations across the state, it is not possible for the Commissioner to designate one specific meeting date that would work for all.

However, pursuant to KRS 158.070 (5) (a), schools ***are to be closed at least for students*** on the day used for regional or district professional meetings. As a result, all district calendars must include a specific date for the regional or district meeting in which the schools are closed. The clear statutory requirement that this day must be a non-instructional day cannot be otherwise altered (using an instructional day) by any agreements with local, regional or state educational associations.

District staff should contact the regional or district KEA representatives to determine if they have a meeting scheduled for the corresponding day in that district's calendar. If a regional or district KEA does not have a specific meeting date planned, then districts will not need to "use" a day in the school calendar to accommodate this meeting. This will determine whether the district is required to at least be closed for students, or if this day is free to use as a make-up day.

### ***Required School Closure for Election Days***

KRS 158.070 (5) (b) states that if any school in a district is used as a polling place, the school district shall be closed on the day of the election, and those days may be used for professional development activities, professional meetings, or parent-teacher conferences. A district may be open on the day of an election if no school in the district is used as a polling place.

Per KRS 2.190, the Tuesday after the first Monday in November in presidential election years shall be a state holiday on which all state offices; all schools and all state universities and colleges shall be closed. Any employee who is required to work on said state holiday shall receive compensatory pay or time off.

Please reference the Kentucky Board of Elections Calendar to verify election days: [Board of Elections Calendar](#)

***Passing Time***

A school may use passing time either before or after lunch, but not both. Original school calendars must show passing time correctly on the master bell schedule.

***Minimum School Term for Teachers***

A certified school employee shall be considered to have fulfilled the minimum one hundred eighty-five (185) day contract with a school district under KRS 157.350 and shall be given credit for the purpose of calculating service credit for retirement under KRS 161.500 for certified school personnel if:

State and local requirements under this section are met regarding the equivalent of the number and length of instructional days, professional development days, holidays, and days for planning activities without the presence of pupils; and

The provisions of the district's school calendar to make up schooldays missed due to any emergency, as approved by the KDE, including but not limited to a provision for additional instructional time per day, are met.

***Electronic Calendar Submission***

School calendar information is submitted electronically to KDE. Each weekday in the calendar must be designated as a Day Event Type (opening, closing, holiday, professional development, planning, regular, makeup, break or other). A Day Event Type must be listed from Monday through Friday. Weekdays should not be omitted from the calendar.

Calendar files are submitted through the Web-based Kentucky School Calendar Application [Calendar File Submission](#)

Questions concerning the school calendar may be directed to:

Sheila Harned, Consultant  
Division of District Support  
Mobile: (270) 705-9158  
[sheila.harned@education.ky.gov](mailto:sheila.harned@education.ky.gov)

Ruth Wilkes, Consultant  
Division of District Support  
Mobile: (859) 516-1673  
[ruth.wilkes@education.ky.gov](mailto:ruth.wilkes@education.ky.gov)

Scott Rose, Consultant  
Division of District Support  
Mobile: (606) 776-0798  
[scott.rose@education.ky.gov](mailto:scott.rose@education.ky.gov)

**B. Guidelines for Developing the Original School Calendar and Day Event Codes**

The Original School Calendar is a plan for the next school year. KDE approves this plan to ensure that all of the required elements are in place.

**Original School Calendar Development Process**

School districts must go through the following steps while planning the Original School Calendar for 2019-20 as follows:

1. The superintendent must recommend for approval of the local board a calendar committee, following the committee makeup that is found in The superintendent must recommend for approval of the local board a calendar committee, following the committee makeup that is found in [KRS 158.070](#)
2. This committee must review, develop, and recommend school calendar options for the superintendent to present to the local board.
3. A local board may adopt a variable instructional school year calendar with the first student instructional day starting no earlier than the Monday closest to August 26, but student days can be no longer than 420 minutes. The school year shall still meet the 1,062 student instructional hour requirement. (Section 9)
4. If a school district want flexibility to have a school day longer than 420 minutes, the local board must ask the Commissioner for approval.

Type	Description
Break Days (K)	Indicate extended days out of school such as fall break, winter break and spring break with a "K."
Holidays (H)	Indicate dates that have been designated holidays in accordance with KRS 158.070 (4) (c) with an "H." A maximum of four days of the minimum school term may be designated as holidays. If the local board of education does not dismiss school for permissible holidays, the number of days of actual classroom instruction must be increased accordingly. Dates designated as holidays in the calendar should be reflected on actual holiday dates.
Opening (O) Day Closing (C) Day	Indicate opening and closing dates (activity planning) with "O" and "C" respectively. Opening and closing days are optional. Opening day occurs prior to the first instructional day, and closing day occurs after completion of the instructional term per 702 KAR 7:125. The number of professional development days, opening and closing days and holidays in the minimum 185-day school term are as follows: Professional Development    KRS 158.070 Section 4 (a) 4 Opening/Closing (optional)    KRS 158.070 Section 4 (d) 2 Holidays                                KRS 158.070 Section 4 (c) 4 10

Type	Description
Make-Up Days (U)	Make-up days should be reflected only in the district's original school calendar. Indicate dates that have been designated for the makeup of instructional time missed due to emergency in accordance with 702 KAR 7:125 with a "U." The number of days indicated must be equal to the greatest number of days missed over the past five years. Each instructional day repeated on the school calendar must reflect the instructional minutes being provided on that day per 702 KAR 7:125.
Planning Days (G)	Additional teacher working days used for the purposes of planning and parent/teacher conferences are optional and should be designated with a "G."
Professional Day (P)	Indicate dates that have been designated for professional development (PD) with a "P." A minimum of four PD days are required.

Note: The school district must verify that they used the required Original calendar committee process by indicating yes or no on the screen prior to submitting any calendar data.

For the most current KDE guidance on Original School Calendar submission, please use the following KDE Web site: [Original Calendar Guidance](#)

### C. Amended Calendar and Day Event Codes

The Amended Calendar is changed to show what actually happened during the school year and is approved by KDE to ensure that all requirements were met. School districts should plan appropriately so that amended calendars are approved by local boards of education in time to be submitted to the KDE prior to June 30. Amended calendars MUST be submitted even if the district did not use any weather days. All unused make-up days must be removed from the calendar prior to submitting it for approval.

<b>Type</b>	<b>Description</b>
Emergency Hours	A school district or a school within a school district may use a total of five (5) hours during the school year for days shortened due to an emergency. Emergency hours are applied by KDE during the amended calendar approval process. These hours do not have to be made up.
District Wide Emergency Day Waiver (D)	District-wide emergency day waivers, which must be approved by the commissioner in accordance with KRS 158.070 and 702 KAR 7:140, should be designated with a “D” on the Amended School Calendar. District wide waivers are granted only if a school district has missed and made up 20 instructional days.
School Emergency Day Waiver (D)	School emergency day waivers, which must be approved by the commissioner in accordance with KRS 158.070 and 702 KAR 7:140, are designated with a “D” on the Amended School Calendar.
Non-Traditional Instruction Days (N)	Non-traditional instructional days must be reflected as non-traditional instruction days (N) on the Amended School Calendar as they occur. Normal attendance on these days would not be represented on the attendance reports, including the SAAR. An <i>Adjustment</i> will be made when the SAAR is processed. No attendance will be reflected and the prior year ADA will be used as an adjustment to the SAAR.
Teacher Equivalency Days (E)	In <u>rare</u> cases, a district may need to use Teacher Equivalency Days in order to fulfill the required number of contract days. KRS 158.070 (11) allows additional instructional time in excess of the state and local requirements to fulfill the 185-day contract requirement under KRS 157.350 as well as the calculation of service credit for certified staff under KRS 161.500 in exchange for <i>days missed due to emergency</i> if all state and local requirements have been met. State requirements for classified staff time are also covered in this statute.
Weather Days (W)	Days missed due to weather must be reflected as Weather Days (W) on the amended school calendar. If no makeup days are used, these days must be removed from of the Amended School Calendar prior to submission.
Closed Due to Illness (I)	Districts are to use the calendar code “I-Closed Due to Illness” for any school closing related to flu or other illness. The length of time schools should be dismissed will vary depending on the reason for dismissal as well as the severity and extent of illness.

For the most current KDE guidance on **Amended** Calendar submission, please use the following KDE Web site: [Amended Calendar](#)

**Instructions for Submitting Original and Amended School Calendars**

The calendar file (CAL999.20)\* is submitted through the [KY School Calendar Application](#). District personnel responsible for submission of calendars must obtain a User ID and password from the district's Web Application Administrator Point of Contact (WAAPOC).

**\*CAL= code for calendar 999 = your district number 20 = is the calendar year**

Questions concerning school calendars may be directed to:

Sheila Harned, Consultant  
Division of District Support  
Mobile: (270) 705-9158  
[sheila.harned@education.ky.gov](mailto:sheila.harned@education.ky.gov)

Ruth Wilkes, Consultant  
Division of District Support  
Mobile: (859) 516-1673  
[ruth.wilkes@education.ky.gov](mailto:ruth.wilkes@education.ky.gov)

Scott Rose, Consultant  
Division of District Support  
Mobile: (606) 776-0798  
[scott.rose@education.ky.gov](mailto:scott.rose@education.ky.gov)

**D. Master Bell Schedule**

<b>Regulation</b>	<b>Description</b>
702 KAR 7:125	Pupil Attendance

Each school must have a master bell schedule available that indicates instructional and non-instructional time periods. This applies to grade levels EL through 12. If Entry Level students are on a schedule separate from the upper elementary, a separate period schedule must be provided. A period schedule should be generated from KSIS for KDE reviewers. An example of an instructional time schedule follows:

**ANY HIGH SCHOOL**

<b>TIME</b>	<b>GROUP I</b>	<b>GROUP II</b>	<b>GROUP III</b>
7:30	Buses Unload	Buses Unload	Buses Unload
8:00	Block I Classes Begin	Block I Classes Begin	Block I Classes Begin
9:30	Block I Classes End	Block I Classes End	Block I Classes End
	Break	Break	Break
9:45	Block II Classes Begin	Block II Classes Begin	Block II Classes Begin
11:25	Block II Classes End	Block II Classes End	Block II Classes End
	Lunch Begins		
11:30		Block III Classes Begin	Block III Classes Begin
11:55	Lunch Ends		
12:00	Block III Classes Begin		
12:10		Block III Classes End Lunch Begins	
12:40		Lunch Ends	
12:45		Block III Classes Resume	
1:00			Block III Classes End Lunch Begins
1:30	Block III Classes End	Block III Classes End	Lunch Ends
1:35	Block IV Classes Begin	Block IV Classes Begin	Block IV Classes Begin
3:00	Block IV Classes End	Block IV Classes End	Block IV Classes End
	Students Dismissed	Students Dismissed	Student Dismissed

### E. Emergency/Disaster Day Waivers

Statutes and Regulation	Description
KRS 158.060	School month and school day; duty-free lunch period; non-teaching time for teachers
KRS 158.070	School term; holidays and days closed; continuing education for certain students
702 KAR 7:125	Pupil Attendance – Weather Days
702 KAR 7:140	School Calendar – Emergency Day Waiver (Disaster Day)

#### *Weather Days*

If a school district has low attendance due to inclement weather, they must certify that low attendance was due to inclement weather by selecting an “L” Day Event in one of the calendars, which will substitute prior year's ADA for up to ten (10) designated low attendance days. Documentation that the low attendance was due to inclement weather is to be kept at central office.

**Note:** School districts must review the number weather days missed over the last five (5) years and include the highest number of weather days missed in their Original calendars.

#### *Districtwide Emergency Day Waiver (“aka - Disaster Days”)*

A school district shall not be granted an emergency day waiver unless the district has missed more than twenty (20) regular student attendance days districtwide, and the district has demonstrated that an extreme hardship would result if the district is not granted an emergency day waiver. The local school district shall make up at least the first twenty (20) regular student attendance days missed in a school year by adding these equivalent hours back into the school calendar. A local board of education request for a districtwide emergency day waiver shall be submitted to the Commissioner for approval. A copy of the local board order shall accompany this request. An approved emergency day waiver shall be the length of the student attendance day established in the local board approved calendar. The request should include a description of the emergency requiring the districtwide closing, a copy of documentation that supports the need for the emergency closing and a copy of the local board order supporting the request.

#### *School Emergency Day Waiver*

A local board of education may request an emergency day waiver if one (1) school, or part of the district, is forced to miss school on a particular student attendance day due to an emergency. The request shall be submitted to the commissioner for approval. A copy of the local board order shall accompany this request. An approved emergency day waiver shall be the length of the student attendance day established in the school board approved calendar. The request should include the school name(s), a description of the emergency requiring the closing of the school(s), a copy of documentation that supports the need for the emergency closing and a copy of the local board order supporting the request.

**Note:** Documentation could include an article from the local newspaper, a notice from the local health department, water department, electric company, etc.

**Note:** Approved Emergency Days substitute for student instructional days and are to be indicated at the end of the amended school calendar.

### Kentucky Educational Collaborative for State Agency Children - School Calendar

Per the requirements in 505 KAR 1:080, a Kentucky Educational Collaborative for State Agency Children (KECSAC) school must have an extended school calendar of 230 school days and at least 210 must be student instructional days. School districts should include these extended day calendars in Infinite Campus and the calendars should be submitted for approval through the school calendar program. (There will be no impact on SAAR.) The school district must still complete the paper calendar form, provided by the KECSAC, which is required through the MOA, because the KECSAC office does not have access to KSIS.

The KECSAC Program Improvement Specialists use the paper calendars to help with scheduling their monitoring visits. [KECSAC Regulation](#)

### **KDE Contact**

Sherri Clusky  
Division of Student Success  
300 Sower Building, 5<sup>th</sup> Floor  
Frankfort, KY 40601  
(502) 564-2116, ext. 4040  
[Sherri.clusky@education.ky.gov](mailto:Sherri.clusky@education.ky.gov)

### **KECSAC Contact**

Kaye Parker  
Kentucky Educational Collaborative for State Agency Children (KECSAC)  
Eastern Kentucky University  
Martin House  
521 Lancaster Avenue  
Richmond, KY 40475  
Phone: (859) 622-0011  
[Kaye.parker@eku.edu](mailto:Kaye.parker@eku.edu)

Katie Helton  
Kentucky Educational Collaborative for State Agency Children (KECSAC)  
Eastern Kentucky University  
Martin House  
521 Lancaster Avenue  
Richmond, KY 40475  
Phone: (859) 622-8538  
[Katie.helton@eku.edu](mailto:Katie.helton@eku.edu)

**F. State Assessment Calendar**

Please consult the KDE Web site for information regarding the state assessment calendar dates:

[State Assessment Calendar Dates](#)

For more information regarding testing and reporting in Kentucky, please contact:

Jennifer Stafford, Ed.D.  
Director of Division of Assessment Support  
300 Sower Building, 5<sup>th</sup> Floor  
Frankfort, KY 40601  
(502) 564-4394  
[jennifer.stafford@education.ky.gov](mailto:jennifer.stafford@education.ky.gov)

OR

Assessment Information Line Phone: (502) 564-4394  
[dacinfo@education.ky.gov](mailto:dacinfo@education.ky.gov)

***SECTION 4: DIRECTOR OF PUPIL PERSONNEL RESPONSIBILITIES***

The Director of Pupil Personnel (DPP) position is of great importance in Kentucky public schools. Recognizing the importance of this position, the Kentucky General Assembly has been specific in KRS 159.080, 159.130 and 159.140 about the DPPs job description and role. The information outlined in the statute is very helpful when clarifying selection, location, administration, powers and duties for the position. DPPs have the primary responsibility in the school district for enforcing truancy laws.

**A. Selection, Location, Administration of the DPP Position – KRS 159.080**

Superintendents appoint DPPs and their assistants. Local boards set the salary schedules for the positions. DPPs should have the general qualifications of teachers and hold a valid certificate per the Education Professional Standards Board (EPSB). Certification should be renewed per EPSB regulations. See [16 KAR 3:030](#) for details on required certification. DPPs and their assistants must be reimbursed by the local board for necessary and authorized expenses needed to perform the job duties. DPPs should have suitable office space in or adjacent to the superintendent's office. Two or more contiguous school districts can form one attendance district through board action and share a DPP. If this happens, the DPP salary is shared between the local boards.

**B. Powers of the DPP – KRS 159.130**

DPPs and their assistants are vested with the powers of peace officers. No one can refuse to permit or interfere with the entrance of a DPP or assistant during an investigation. DPPs cannot serve warrants.

A DPP may investigate in the district any cases of nonattendance of any child of compulsory school age or suspected of being of compulsory school age.

A DPP may take legal action as directed by the superintendent.

A DPP may institute proceedings against any person or employer violating compulsory school attendance laws or child labor laws.

A DPP may enter all places where children are employed and do whatever is necessary to enforce the laws regarding compulsory attendance and child labor.

**C. Duties of the DPP - KRS 159.140**

Devote all of their time to the duties of the office (unless the superintendent waives this requirement and reports this action to the Commissioner).

Enforce compulsory attendance and census laws in their attendance district.

Acquaint each school with the home conditions of the habitual truant (reported as truant two or more times) and the home with the work and advantages of the school.

Ascertain the causes of irregular attendance and truancy through documented contact with the custodian of the student and seek to eliminate the causes.

Secure the enrollment in school of all students who should be enrolled and keep all enrolled students in reasonably regular attendance.

Attempt to visit the homes of students who are reported to be in need of books, clothing or parental care.

Provide for the interviewing of students and parents of students who quit school to determine the reasons for the decision.

Report to the superintendent in the district in which the students resides the number and cost of books and school supplies needed by a student whose parent, guardian or custodian does not have sufficient income to furnish the student with the necessary books and school supplies.

Keep records and make reports as required by law and regulation, as well as by the superintendent and board policy.

Document the home conditions of the students and the intervention strategies attempted in any action brought to enforce compulsory attendance laws.

Due to 2014 SB 200, in any action brought to support compulsory attendance, the DPP or his or her assistant shall document the home conditions of the student and the intervention strategies attempted, and may, after consultation with the Court Designated Worker, refer the case to the FAIR team. More information from KDE on the FAIR team is available [FAIR Team](#).

***Note: KDE recommends that school district Directors of Pupil Personnel (DPP) provide or arrange for training and supervision of school attendance clerks in relation to their KSIS responsibilities, for the purpose of ensuring high quality student attendance data for the school district. The DPP should have administrative access to all student information in Infinite Campus and should have input into decisions regarding the User Rights that attendance clerks and other school district personnel may have in Infinite Campus.***

## SECTION 5: ATTENDANCE REVIEWS

The purpose of an attendance review is to ensure district alignment with current statutes and regulations that relate to attendance funding. The attendance review may be conducted by KDE on selected districts after the first two full school months (a school month = 20 school days), after the annual submission of Growth Factor. School districts are encouraged to conduct regular, monthly self-reviews to ensure attendance procedures are in accordance with applicable statutes and regulations. Good communication between the central office and individual schools provides the opportunity to address specific issues at the school level as they occur.

KDE field staff consultants will schedule attendance reviews with the Director of Pupil Personnel (DPP) to review attendance data at both the school and district levels. Current and prior year information should be available to KDE for review upon request. An updated attendance review program form for each school year, detailing the information and documentation that KDE will review in schools and districts, is posted at the following KDE Web link: [Attendance Documents](#). Districts may use this form to prepare for the attendance review, and to work with their schools on a routine basis.

The Ad Hoc reports that KDE uses to conduct the attendance reviews are in Infinite Campus, located here: ***Path: Ad Hoc Reporting> Filter Designer> State Published or Ad Hoc Reporting> Data Export> State Published***. (If you are a DPP and do not have access to this folder, you need to have your system administrator copy the reports to a folder to which you have access.)

Questions concerning Attendance Reviews may be directed to:

Sheila Harned, Consultant  
Division of District Support  
Mobile: (270) 705-9158  
[sheila.harned@education.ky.gov](mailto:sheila.harned@education.ky.gov)

Ruth Wilkes, Consultant  
Division of District Support  
Mobile: (859) 516-1673  
[ruth.wilkes@education.ky.gov](mailto:ruth.wilkes@education.ky.gov)

Scott Rose, Consultant  
Division of District Support  
Mobile: (606) 776-0798  
[scott.rose@education.ky.gov](mailto:scott.rose@education.ky.gov)

**SECTION 6: RECORDS RETENTION SCHEDULE***Excerpt 2019 Public School District Records Retention Schedule, State Archives & Records Division*

<b>Record #</b>	<b>Record</b>	<b>Where To Find It</b>	<b>Retention Requirement</b> (May retain in PDF unless there is a signature required on the document)
L1978	Office School Calendar (Administration)	Board minutes, calendar committee minutes, school calendar documentation, email approvals	Retain 5 years, then destroy
L2026	Student Handbook/Code of Conduct (Administration)	Student Handbooks for district and in each school	Retain one copy permanently, destroy remainder
L2308	SAAR (Administration)	District SAAR Reports	Retain Permanently
L4492	School Sign-in and Sign-out log (Administration)	Parent or visitor daily sign in/out logs in each school	Retain 1 year, then destroy
L1948	Teacher's Monthly Attendance Reports (Attendance)	Contents includes teacher signature each month, located in each school	Retain the 10 <sup>th</sup> month reports for 20 years. Retain the rest for 2 years then destroy.
L1954	Growth Factor (Attendance)	District Growth Factor Reports	Retain 5 years, then destroy
L1968	Home Hospital Application (Attendance)	Application Forms	Retain 1 year, then destroy
L2443	Principal's Monthly Attendance Reports (Attendance)	Includes principal signature (same document as L1948)	Retain 1 year, destroy after audit
L5335	Student Entry and Exit Logs (Attendance)	Sign in/out sheets from schools.	Retain 2 years, then destroy
L5337	Student Dropout Questionnaire (Attendance)	KDE forms	Retain permanently
L6467	EHO requests (Attendance)	Written requests from parents with principal signature.	Retain 1 year, then destroy

L6468	Verification of College Visit by Student (Attendance)	Documentation signed by an official of the higher education institution	Retain 1 year, then destroy
L1975	Final Notices, Petitions, Court Actions for Truancy Violations (Student Records)	History or log of the specific actions taken by the DPP in individual cases.	Retain 5 years, then destroy
L1976	Final Notice to Parent or Guardian (Student Absenteeism) (Student Records)	Document that a letter or notice to parents is prepared based on data maintained and collected by the DPP.	Retain 2 years, then destroy
L2372	Pupil Cumulative Health Record (Student Records)	Used to document that the student has met state mandated health requirements to attend school and verify immunizations and health history. Used to document all medical services that may be provided to the student by the school district.	Retain 6 years after the student leaves the school, then destroy.
L2385	Student Entry (Sign in) and Exit (Sign out) log. (Student Records)	Used to document students leaving and entering school daily. For middle and high school students, daily attendance shall be determined by taking attendance by class period and maintain as student entry and exit log at each school. Log records the reasons for students leaving and departing early and permission to leave school.	Retain for 1 year, then destroy
L2924	Student Suspensions and Expulsions File (Student Records)	Use to document the process by which students are suspended or expelled.	Retain 5 years, then destroy
L3021	Authorization to Give Medication (Student Records)	Documents parent/guardian permission to school personnel to administer medication to the student during the school day. The process starts over with each school year. Medication in the original container must be sent to the school with complete instructions.	Retain 1 year, then destroy
L5233	Juvenile Justice Student Records File (Day Treatment Center) (Student Records)	Used to document that students were referred to and took part in the Juvenile Justice Day Treatment Center program.	Destroy 3 years after the student is discharged *NOTE: A record of the students name, his or her grades, and classes

			attended, grade level completed, and year must be kept PERMANENTLY. This information may be kept by the Day Treatment Center or returned to the student's home school district.
L5327	Student Census Record (Student Records)	Used to document student enrollment in the school district, DPP should have access to the information at all times.	Retain permanently
L5372	Student Health Education Data Survey Forms (Student Records)	Used to document surveys to determine whether the students are participating in certain at-risk activities. Given periodically. Reports are produced for individual schools and the district.	Retain 1 year, then destroy.
L5776	Vision, Hearing and/or Scoliosis Records (Delete Scoliosis, add Dental) (Student Records)	Used to document testing of students in the areas of vision, hearing and dental.	Retain 1 year, then destroy
L5796	Home School Application and Follow-Up (Student Records)	Used to document the requirements that the person in charge of a home school report to the local superintendent of schools the names, ages and place of resident of all pupils in attendance in the school. Requires an annual application to the superintendent.	Retain 5 years, then destroy

Complete Public School District Records Retention Schedule click [here](#).

**Section 7: Statutes & Regulation Impacting Attendance & Calendar**

Stature/Regulation Number	Title/Subject	Brief Description	Effective Date	KDE Contact
<u>KRS 156.160</u>	Certification of Home Schools (Section 3)	Voluntary compliance with state standards can result in certification by the KBE.	7-12-2012	Neil Watts 502-564-3791, ext. 4054
<u>KRS 157.200</u>	Transportation is a related service for Students with IEPs	Students with IEPs should have transportation on their related services page to be coded T5	7-12-2012	Elisa Hanley 502-564-5279, ext. 4406 Veronica Sullivan 502-564-4970, ext. 4414
<u>KRS 157.270</u>	Instruction in child's Home or Hospital (HH)	Sets requirements for how instruction is delivered and how HH attendance is counted for SEEK purposes	7-13-1990	Ronda Devine (no IEP) 502-564-5279, ext. 4444 April Pieper (IEP) 502-564-4970, ext. 4117
<u>KRS 157.320</u>	Aggregate days include the total days students are suspended or expelled	SSP1, SSP2, SSP3	7-12-2006	Ronda Devine, 502-564-5279, ext. 4444 Victoria Fields 502-564-4772, ext. 4015
<u>KRS 157.350</u>	Eligibility of districts for SEEK Funding for children of district employees	Children of district employees (CDE) may attend school in that employee's school district.	6-25-2013	Ronda Devine, 502-564-5279, ext. 4444
<u>KRS 157.360</u>	Base funding level, adjustment – enforcement of maximum class sizes – allotment of program funds	SEEK calculations and adjustments made based on pupil attendance, SAAR, Growth Factor, H/H funding, SEEK At Risk ADM	6-25-2013	Ronda Devine, 502-564-5279, ext. 4444
<u>KRS 157.370</u>	Allotment of transportation units	Transportation funding, T-codes	7-15-1996	Elisa Hanley 502-564-5279, ext. 4406

Stature/Regulation Number	Title/Subject	Brief Description	Effective Date	KDE Contact
<u>KRS 158.030</u>	Age and date for school entry. Parent petition for early entry to school.	School board to adopt a policy for a parent to request early entry to school even if the child does not meet the entrance age requirement	7-12-2012	Pamela Wininger 502-564-2106, ext. 4509
<u>KRS 158.060</u>	School month and school day, duty free lunch period, non-teaching time for teachers	20 days = 1 school month, school day at least 6 hours	7-14-2000	Ronda Devine, 502-564-5279, ext. 4444 Josh Whitlow, 502-564-5279, ext. 4450
<u>KRS 158.070</u>	Sets out the requirements for the school term	Holidays, continuing education, athletic competitions, emergency hours and service credit	7-15-2014	Ronda Devine, 502-564-5279, ext. 4444 Josh Whitlow, 502-564-5279, ext. 4450
<u>KRS 158.080</u>	Private and parochial schools – courses –term (includes Home Schools)	Classes shall be taught in English and include the basic KY core content. Term shall not be shorter than the term of the public school	7-15-1996	Neil Watts 502-564-3791, ext. 4054
<u>KRS 158.100</u>	Educational programs to be provided by the school district.	An approved high school (until they are 21) program is required for students who have not received a HS diploma.	7-15-14	Ronda Devine, 502-564-5279, ext. 4444 Sherri Clusky 502-564-2116, ext. 4040
<u>KRS 158.120</u>	Nonresident pupils, tuition	Sets requirements for nonresident contracts between school districts and sets out the appeal process if school districts can't agree	7-15-1996	Ronda Devine, 502-564-5279, ext. 4444
<u>KRS 158.144</u>	Adult caregiver with whom minor student resides may, by affidavit, establish authority to make school-	The affidavit shall be valid in the school district in which the caregiver resides, but a school official charged with the responsibility of enrolling a minor shall not honor the affidavit if	7/15/2014	Todd Allen Deputy General Counsel KDE 502-564-4474

Stature/Regulation Number	Title/Subject	Brief Description	Effective Date	KDE Contact
	<p>related decisions for minor student.</p> <p><u>Caregiver Affidavit Model</u></p>	<p>the official has reasonable grounds to believe that the affidavit is presented solely for the purpose of enrolling the minor in a school for the purpose of:</p> <ol style="list-style-type: none"> <li>1. Access to athletics programs; or</li> <li>2. Circumventing the school assignment, attendance, or boundaries policies of the school district to gain access to curricula, services, or programs unique to a particular school and not offered at other schools the minor would be eligible to attend.</li> </ol>		
<u>KRS 158.150</u>	Suspension or expulsion of pupils	Requirements for suspension or expulsion of pupils, definitions, due process, exceptional children, ARC, primary students	7-12-2006	Victoria Fields 502-564-4772, ext. 4015 Rae Burgess 502-564-4772, ext. 4019
<u>KRS 158.194</u>	Veteran's Service Organization Burial Honor Guard	Secondary students may participate. Local board may make this part of the instructional program, and students can be counted present. If no board policy, absences are excused/exempt.	7/1/2002	Ronda Devine, 502-564-5279, ext. 4444
<u>KRS 158.293</u>	Military Burial Honor Guard Program	Secondary students may participate. Local board may make this part of the instructional program, and students can be counted present. If no board policy, absences are	7/1/2000	Ronda Devine, 502-564-5279, ext. 4444

Stature/Regulation Number	Title/Subject	Brief Description	Effective Date	KDE Contact
		xcused/exempt.		
<u>KRS 159.010</u>	Parent or custodian to send child to school – Age limits for compulsory attendance	Compulsory attendance age raised to 18	6-25-2013	Ronda Devine, 502-564-5279, ext. 4444
<u>KRS 159.030</u>	Exemptions from compulsory attendance (home schools)	Written notice of attendance in a nonpublic school must be made to the superintendent in writing.	7-15-2010	Neil Watts 502-564-3791, ext. 4054
<u>KRS 159.035</u>	Students are considered in attendance under one of the listed conditions.	4-H, EHO, AFD, AFR – students are considered present for these activities and limits the amount of excused absence time for each.	6-25-2009	Ronda Devine, 502-564-5279, ext. 4444
<u>KRS 159.040</u>	Attendance at private and parochial schools	Open to inspection by DPPs at all times	7-15-1996	Neil Watts 502-564-3791, ext. 4054
<u>KRS 159.051</u>	No pass, no drive	Students may have their driver's license revoked for academic deficiency, gives process	6-26-2007	Sherri Clusky 502-564-2116 ext. 4040 Doug Roberts 502-564-2116 ext. 4055
<u>KRS 159.140</u>	Duties of Pupil Personnel Director	Lists DPPs responsibilities, duties and powers, must train district staff that works with attendance.	7-12-2006	Ronda Devine, 502-564-5279, ext. 4444
<u>KRS 159.150</u>	Definition of truant, habitual truant and being tardy; adoption of truancy policies by local school boards	Definitions, allows boards of education to adopt policies to comply with compulsory attendance laws and establish sanctions for noncompliance	6-26-2007	Ronda Devine, 502-564-5279, ext. 4444

Stature/Regulation Number	Title/Subject	Brief Description	Effective Date	KDE Contact
<u>KRS 159.160</u>	Attendance reports to superintendent	Parents must report pupils in attendance in a homeschool within 2 weeks of the beginning of each school year.	7-13-1990	Ronda Devine, 502-564-5279, ext. 4444
<u>KRS 159.170</u>	Withdrawals and transfers; teachers to report	Covered by KSIS – tracking students and transferring student records	6-26-2007	Ronda Devine, 502-564-5279, ext. 4444 Josh Whitlow, 502-564-5279, ext. 4450
<u>KRS 161.200</u>	Records to be kept by teachers	Pupil attendance records can be kept in one central location in the school or school district. The school district must audit and certify accuracy.	7-13-1990	Ronda Devine, 502-564-5279, ext. 4444
<u>KRS 164.7885</u>	Annual submission of HS students for KEES	Student data that is required for KEES is listed in the statute	6-25-2013	Chay Ritter 502-564-3846, ext.4453
<u>KRS 405.023</u>	Establishes the KinCare Support Program  <u>Kinship Caregiver Information</u>	Establishes a statewide toll-free telephone number to grandparents and other caregivers who are caring for minors who are not their biological children	7/15/2014	Todd Allen Deputy General Counsel KDE 502-564-4474
<u>KRS 405.024</u>	Adult caregivers with whom minor resides may, by affidavit, establish authority to make health care treatment and school-related decisions for minor.	The dated signatures of the minor's parents, de facto custodian, guardian, or legal custodian indicating their approval of the caregiver's ability to authorize the provision of health care treatment to the minor and to make school-related decisions for the minor.	7/15/2014	Todd Allen Deputy General Counsel KDE 502-564-4474

Stature/Regulation Number	Title/Subject	Brief Description	Effective Date	KDE Contact
	<a href="#">Affidavit Tools and Links</a>			
<a href="#">KRS 600.070</a>	Release of educational records	Juvenile justice system requests for student records to be complied with	6-25-2013	Ronda Devine, 502-564-5279, ext. 4444
<a href="#">702 KAR 5:100</a>	Handicapped (IEPs) – reimbursement for special transportation	T5 codes, ensures that students with special needs are accommodated	10-14-1990	Elisa Hanley 502-564-4403, ext. 4406
<a href="#">702 KAR 7:125</a>	Pupil Attendance	Clarifies additional attendance requirements	3-7-2014	Ronda Devine, 502-564-5279, ext. 4444 Josh Whitlow, 502-564-5279, ext. 4450
<a href="#">702 KAR 7:140</a>	School day and year schedule	Master bell schedule must be on file at the district and the schools	1-5-2015	Ronda Devine, 502-564-5279, ext. 4444 Josh Whitlow, 502-564-5279, ext. 4450
<a href="#">702 KAR 3:270</a>	SEEK Funding Formula	Transportation codes must be properly recorded in the KSIS (T1-T5)	9-8-2008	Ronda Devine, 502-564-5279, ext. 4444
<a href="#">704 KAR 3:305</a>	Minimum requirements for HS graduation	Performance based and Virtual courses – attendance credit	3-7-2014	Josh Whitlow 502-564-5279, ext. 4450
<a href="#">704 KAR 5:060</a>	Early entry of 5 and 6-year olds into the primary program for compulsory attendance purposes	Waiver process for primary students to enter school early	2-7-1991	Pamela Winger 502-564-2106, ext. 4509
<a href="#">704 KAR 7:090</a>	Homeless children education program	Nonresident students are not allowed to participate in the MV program	10-7-1993	Melissa Ferrell 502-564-3791, ext. 4020
<a href="#">704 KAR 7:120</a>	Home and	Sets out requirements for	4-22-	Ronda Devine

Stature/Regulation Number	Title/Subject	Brief Description	Effective Date	KDE Contact
	Hospital Instruction (HH)	how students qualify for HH services (with or without IEPs), educational services, and attendance	2005	(no IEP) 502-564-5279, ext. 4444 April Pieper (IEP) 502-564-4970, ext. 4117
<a href="#">601 KAR 13.070</a>	Requirement for student licensing and compliance with KRS 159.051	No pass No drive program sets out the requirements for student drivers	11-7-2008	Sherri Clusky 502-564-2116 ext. 4040 Doug Roberts 502-564-2116 ext. 4055
OAG 82-44	Exceptions to Kindergarten Entry Age	Students enrolled in other state Kindergarten programs who transfer to KY are enrolled in KY Kindergarten	1982	Pamela Wininger 502-564-2106, ext. 4509
<a href="#">USC Section 725 (2) and (6) and Section 103 (a)(1)</a>	McKinney-Vento: Federal Register Homeless Education	Federal Enrollment Guidelines for Homeless Students	3/8/2002	Melissa Ferrell 502-564-3791, ext. 4020

## **Glossary of Terms and Acronyms**

**Average Daily Attendance (ADA)** – the aggregate days attended by pupils, adjusted for weather-related low attendance days if applicable and divided by the actual number of days the school is in session, after the five days with the lowest attendance are deducted per KRS 157.320 (1).

**Average Daily Membership (ADM)** – the aggregate days membership of pupils divided by the actual number of days the school is in session.

**Athlete Tournament Attendance (ATA)** - the days the student was in attendance during the dates of competition.

**CDE** – Child of District Employee (CDE)

**Enrollment** – the total of all original entries in a given school year (total of E-1s, E-2s and E-3s).

**Ethnic Count** – the student membership count by grade and gender/ethnicity.

**Event** – an attendance event occurs when a student is absent for any part of the instructional day. The event may be a tardy or an absence.

**FAIR Team** - the Family, Accountability, Intervention and Response (FAIR) Team

**G-codes** – graduation codes assigned to students

**Growth Factor Report** – the annual attendance report submitted to the KDE ten days after the last day of the second school month and not later than November 1. The percentage of growth in transported students and ADA is based on a comparison of current-year and prior-year Growth Factor Report Data. Growth in transportation and ADA increases a district's transportation and SEEK funding in accordance with KRS 157.360 (8) and KRS 157.370. A loss in ADA and transported students on the Growth Factor does not affect funding in the current year.

**Instructional Time** – attendance is based on the regularly scheduled school day. Instructional time is the total amount of time in the school day less the amount of time used for non-instructional activities such as breaks, lunch and recess.

**January Growth Factor Report** – the January Growth Factor report includes information for the school month chosen with the most attendance days in January of the current school year.

**KBE** – Kentucky Board of Education

**KDE** – Kentucky Department of Education

**KECSAC** – Kentucky Educational Collaborative for State Agency Children

**KHSSA** – Kentucky High School Athletics Association

**Low Attendance days** – the five lowest days of attendance when all schools in the district were in session.

**Make-up day** – any planned instructional day missed due to illness, weather or disaster.

**Member** - a pupil is a member of a class or school from the date of enrollment until the date of withdrawal.

**Non-Traditional Instruction Days (NT)** – up to 10 days approved by the Kentucky Board of Education (KBE) for use as part of a non-traditional instructional program in a school district.

**Original Entry** - a pupil enrolled for the first time in a Kentucky school in the current school year (E-1, E- 2 and E-3).

**Partial Day or Partial Week Student** – a student enrolled for less than the full regularly scheduled school day or week for that school. A student can be enrolled as a partial day or week student in more than one public school.

**Percent of Attendance** - the aggregate days attended by pupils for the school year divided by the total aggregate days attended plus the aggregate days absent of pupils for the school year per KRS 157.320 (14).

**Recording Attendance** – the daily attendance of elementary students is determined by taking attendance one time each day prior to the start of instruction and maintaining a student entry and exit log at each school per 702 KAR 7:125, Section 1. The daily attendance of middle and high school students is determined by taking attendance each class period and maintaining a student entry and exit log at each school per 702 KAR 7:125 Section 1.

**Record of Daily Attendance Register Report** – the record of daily attendance of students that includes student names, ID numbers, daily attendance (full day or tardy) and monthly totals. The record of daily attendance may be organized by homeroom or grade level.

**Re-entries** - pupils received from another school in Kentucky. In every case, the pupils were previously recorded as E-1, E-2 or E-3 in a Kentucky school in the current school year.

**SAAR (Superintendent's Annual Attendance Report)** – the annual attendance report that is submitted electronically to KDE by June 30 of each school year. The report includes attendance, membership and enrollment data by grade, school and transportation code. The report provides school district information including ADA, ADM, percent of attendance and dropout information by school and district for the school year that has just been completed.

**SEEK** – the Support Education Excellence in Kentucky funding program.

**SIS** – Student Information System (Infinite Campus)

**Student Attendance Day** – any day that students are scheduled to be at school to receive instruction, and encompasses the start and dismissal times. (KRS 158.070)

**Student Instructional Year** – at least one thousand sixty two (1,062) hours of instructional time for students, delivered on not less than one hundred seventy (170) student attendance days. (KRS 158.070)

**T-Codes** – transportation codes assigned to students

**Tardy** - a student who misses 35 percent or less of the regularly scheduled school day.

**Teacher’s Monthly Attendance Report including the ADM and ADA detail report** - the record of monthly attendance of students that includes student names, ID numbers, transportation codes and monthly totals. The ADM and ADA detail reports are run in summary mode for year-to-date aggregates. These must be compared to the register report monthly to be certain that aggregates are accumulating correctly. These forms also must be signed by a certified employee who, by signing, certifies that the reports are correct.

**Weather-Related Low Attendance Days** – days that the district’s ADA is lower than the prior year’s adjusted ADA due to weather-related reasons. Up to ten (10) days may be claimed as an adjustment on the SAAR per KRS 157.320 (17).

**Withdrawal** - a pupil who, for the current year, has severed his or her connection with a class, grade or school.

**INDEX****A**

Armed Forces Rest and Relaxation Day (AFR),  
19  
Attendance Codes, 19  
Attendance Reviews, 62

**C**

Challenge Academy, 26  
Children of District Employees (CDE), 38  
Co-Curricular Activities, 20  
Craft Academy, 25

**D**

Day Event Codes, 54  
Director of Pupil Personnel Responsibilities, 60  
Disaster Days (D), 57  
Dual Credit, 20, 22

**E**

Educational Enhancement Opportunities (EHO),  
20  
Emergency Hours, 54  
End Status Codes, 12  
Enrollment Codes (E), 10  
Entry and Exit Logs, 21  
Expulsions (Adjustment), 33

**F**

Foreign Exchange Students, 22, 24  
Four (4-H) Activities, 19

**G**

Gatton Academy, 25  
Graduation Codes (G codes), 12  
Growth Factor Report, 45

**H**

Home and Hospital Program, 43  
Homeschool, 14  
Homeless Students, 28

**J**

January Growth Factor, 46

**L**

Low Attendance Days (Adjustment), 34

**M**

Master Bell Schedule, 56

**N**

No Pass/No Drive, 29  
No Show (NS), 11  
Non-Resident, 40  
Non-Traditional Instructional Days, 49

**O**

Overage and Underage Students (Adjustment), 36

**P**

Partial Day (Adjustment), 32  
Performance Based Courses, 22  
Pupil Attendance Statutes and Dates, 5

**R**

Race and Ethnicity Codes, 15  
Re-Entry Codes (R), 9  
Records Retention, 63  
Residency, 5

**S**

School Calendar, 48  
Shortened School Day/Week for Exceptional  
Children, 27  
Start Status Codes, 10  
State Assessment Calendar, 56  
State Attendance Codes. *See* Attendance Codes  
State Fair, 19  
State Student Identification Number (SSID), 9  
Status & Regulations, 66  
Student Records Transfer 14  
Superintendent's Annual Attendance Report  
(SAAR), 33  
Suspension Codes, 16  
Suspensions (Adjustment), 33

**T**

Tardies, 8  
Transportation Codes (T-Codes), 18  
Tuition, 39

**V**

Virtual Courses, 20

**W**

Weather-Related Low Attendance Days  
(Adjustment), 34  
Whole Day/Half Day, 8  
Withdrawal Codes, 12